Harmony Grove Village South

Revised Final Environmental Impact Report

Volume II

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Prepared for:
County of San Diego
Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, California 92123

HGV SOUTH PROJECT VOLUME II RESPONSES TO COMMENTS
INFORMATION FOR THE READER

Following the Planning Commission Hearing of May 25, 2018, several substantive items in the responses to comments (RTCs) were updated. Please note that individual responses have not been modified to reflect these changes. Because they may relate to more than one response, or be of interest to commenters who did not specifically previously focus a comment on the topic, these changes are presented here so that that are available to all readers.

1. The Draft Environmental Impact Report (DEIR) RTCs addressed traffic level of service (LOS) on area streets relative to Project direct effects (Project traffic added to existing traffic) as well as the contribution of Project traffic added to existing traffic and cumulative traffic. Cumulative traffic is the total of existing traffic loading combined with contributions from future projects (or future phases of projects) that are projected to put traffic on area roads, but are in planning stages, or approved but still not built.

   No changes occur to Project traffic effects on existing traffic loading. For one segment of Country Club Drive, it is noted that at the time of the finalization of the HGV South cumulative scenario, the Valiano project proposed access at Hill Valley Drive, not Eden Valley Lane. This resulted in HGV South cumulative totals of 2,067 average daily traffic (ADT) from Valiano assuming the Hill Valley Drive access. Assuming access at Eden Valley Lane if the Valiano project is approved, this would add another 644 ADT (2,711 – 2,067) to this segment of Country Club between Hill Valley Drive and Kauana Loa. With these additional trips, the existing + cumulative projects condition is projected to change from 8,260 ADT (LOS D) to 8,904 ADT (LOS E). The further addition of 1,125 Project ADT results in a change from 9,385 ADT (LOS E) to 10,029 ADT (LOS F). This would constitute a cumulative impact. It is noted, however, that a cumulatively significant impact is already called out for this segment in the Project Traffic Impact Analysis (TIA) and in the EIR on Table 2.2-6. Because the cumulative impact is already identified as significant, the addition of 644 ADT does not result in changes to CEQA conclusions of significance.

   Similarly, the mitigation (to construct a northbound left-turn lane) proposed to alleviate cumulative LOS E conditions also would address LOS F cumulative conditions. This is because any disruption of flow to through traffic can cause queuing and excessive delay to the free-flow movement of traffic along a thoroughfare route, but alternatively, construction of a northbound left-turn lane would remove left-turning vehicles from the through traffic lane into the turn lane, and improve through flow. The County allows for the implementation of "spot improvements" to be used where deficient segment operations occur, particularly on roadways where there are no planned widening improvements, as is the case with Country Club Drive; and County staff consistently support and accept the practice of utilizing additional turn lanes, medians, etc. as capacity enhancing measures for roadway segments. The removal of turning vehicles from through-traffic lanes has been identified in literature published by the Transportation Research Board (TRB) as one of several principles that improve "the safety and operations of an arterial roadway" (TRB Report S2-C05-RW 2014). Moving turning vehicles from the through lane and clearing that lane for through traffic would sufficiently mitigate Country Club Drive operations.

As a matter of information, it is also noted that, ultimately, the future construction of Citracado Parkway as a four-lane Major Road alleviates the temporary near-term impacts along Country Club Drive, as shown in Table 10-2 of the HGV South TIA. LOS C is indicated in the future according to the County General Plan with the inclusion of the General Plan Amendment projects in the area.

~~2. Also since Planning Commission, an element of the Greenhouse Gas (GHG) emissions mitigation measures follow-up has been deleted. This element was related to GHG offset credits purchased for operational impacts. The circulated Subchapter 2.7, *Greenhouse Gas Emissions*, text allowed for potential reductions in the amount of credits purchased if improvements in technology resulted in fewer Project-related emissions that required mitigation (offset). The Applicant has committed to purchase of the full number of credits identified in the current EIR, with no opportunity to reduce their purchase obligation.~~

~~3.~~2. In general, it is noted that responses to comments were authored following circulation of the DEIR, and then again following circulation of the Revised DEIR (RDEIR), focused on greenhouse gas emissions (GHGs). As a result, additional GHG Project Design Features have been provided, and incorporated into the FEIR. The EIR provides the final source for such Project elements and controls in case of variation between responses.

~~4.~~3. It is also noted that although the RDEIR focused on GHGs analysis, and it was requested that comments address that topic, members of the public also provided comments on fire issues. Although not required, responses also were provided to those comments. Additionally, as described in DEIR responses to comments, an Evacuation Plan (AREPP) would be provided for the Project. This was prepared prior to Planning Commission and is available on the County website, as alluded to in responses to comments on the RDEIR.

For each of these modifications to substantive issues, the reader is hereby informed to assume global changes to affected Responses to Comments in these files. The responses were revised to include some other clarifying changes.

8.0 LETTERS OF COMMENT ON THE DRAFT EIR AND REVISED DRAFT EIR AND RESPONSES

8.1 Introduction

A draft version of the EIR for the proposed Harmony Grove South Project (SCH #2015081071) was circulated for public review April 20, 2017 to June 20, 2017. During public review, a court decision eliminated ability to use one of the Project analysis elements for greenhouse gases (GHG). As a result, a revised Table S-2, GHG EIR section, and supporting technical data, were recirculated from February 22, 2018 to April 9, 2018. During the initial public review period, a total of 54 letters of public comment were received. During recirculation, an additional 17 letters were received.

This section of the Final EIR (FEIR) presents copies of comments on the Draft EIR (DEIR), as well as the recirculated Revised DEIR (RDEIR) received in written form during the two public review periods, and the County of San Diego's responses to those comments.

The County's responses to comments on the DEIR and RDEIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the CEQA Guidelines, the County is not required to respond to all comments on the DEIR or RDEIR, but only those comments that raise environmental issues. In accordance with California Environmental Quality Act (CEQA Guidelines 15088 and 15204), the County has independently evaluated the comments and prepared the attached written responses on significant environmental issues raised. CEQA does not require the County to conduct every test or preform all research, study, and experimentation recommended or demanded by commenters. Rather, CEQA requires the County to provide a good faith, reasoned analysis supported by factual information.

To fulfill these requirements, the County experts in planning and environmental sciences consulted with and independently reviewed analysis responding to the DEIR comments prepared by experts identified in the DEIR's list of preparers, which include experts in planning, aesthetics, agriculture, air quality, biology, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, energy, and environmental studies, each of whom has years of educational and field experience in specific categories of environmental sciences; is familiar with the Project and the environmental conditions in the vicinity of the Project; and is familiar with the federal, state and local rules and regulations (including CEQA) applicable to the Project site. Accordingly, the County staff's final analyses provided in these responses to comments are backed by substantial evidence. Likewise, the County Counsel's Office independently reviewed the expert-supported factual responses to the comments.

The focus of the responses is on significant environmental issues raised in the comments, as specified by Section 15088(c) of the (CEQA) Guidelines. Detailed responses are not provided to comments on the merits of the Proposed Project. When a comment is not directed to significant environmental issues, the responses indicate that the comment has been acknowledged and no further response is necessary.

The remainder of this chapter contains:

- Lists of Agencies, Organizations and Individuals that Commented on the DEIR or RDEIR, respectively
- Global Responses (responses that address multiple comments on the same topic, organized so that important elements relevant to the comments are provided in one place)
- Individual Comment Letters Received and Responses, divided into DEIR and RDEIR sections

8.2 Lists of Agencies, Organizations and Individuals that Commented on the DEIR and RDEIR

8.2.1 List of Agencies, Organizations and Individuals that Commented on the DEIR

Agencies, organizations/special interest groups, and individuals submitting comments on the DEIR for the Project are listed in the matrix below, organized by category and then by name.

Letter Designation	Federal Agencies	Address
F1	United States Fish and Wildlife Service (USFWS)	Carlsbad Fish and Wildlife Office 2177 Salk Avenue, Suite 250 Carlsbad CA 92008
	Joint letter with California Department of Fish and Wildlife (CDFW)	South Coast Region 3883 Ruffin Road San Diego, CA 92123

Letter Designation	State Agencies	Address
S1	Caltrans, District 11	Division of Planning and Local Assistance 4050 Taylor St, MS 240 San Diego, CA 92110

Letter Designation	County, City, and Other Local Agencies	Address
L1	San Diego Local Agency Formation Commission (LAFCO)	9335 Hazard Way, Suite 200 San Diego, CA 92123
L2	City of Escondido	201 North Broadway Escondido, CA 92025
L3	North County Transit District (NCTD)	810 Mission Avenue Oceanside, CA 92054

Letter Designation	Organizations	Address
O1	San Dieguito Planning Group	P.O. Box 2789 Rancho Santa Fe, CA 92067
O2	Endangered Habitats League	8424 Santa Monica Blvd., Suite A 592 Los Angeles, CA 90069
O3a,b,c	Shute, Mihaly & Weinberger, LLP on behalf of Elfin Forest Harmony Grove Town Council	396 Hayes 'Street San Francisco, CA 94102
O4a	Delano & Delano on behalf of The Escondido Creek Conservancy (TECC)	220 W. Grand Avenue Escondido, CA 92025
O4b	Richard Horner on behalf of TECC	Box 551, 1752 NW Market Street Seattle WA 98107
O4c	Hamilton Biological, Inc. on behalf of TECC	316 Monrovia Avenue Long Beach, CA 90803
O5	Rincon Band of Luiseño Indians	1 West Tribal Road Valley Center, CA 92082
O6	Elfin Forest Harmony Grove Town Council (Jacqueline Arsivaud)	20223 Elfin Forest Road Elfin Forest, CA 92029
O7	Cleveland National Forest Foundation (CNFF) and Save Our Forest and Ranchlands (SOFAR)	P.O. Box 475 Descanso, CA 91916
O8	Pauma Band of Luiseño Indians	cultural@pauma-nsn.gov
O9	San Luis Rey Band of Mission Indians	1889 Sunset Drive Vista, CA 92081
O10	County Friends of a Better Bow	No Address Provided. Unavailable

Letter Designation	Individuals	Address
I1	Andrew Laderman	2710 Surrey Lane Escondido, CA 92029
I2	Linda Schubert	2847 Fishers Place Escondido, CA 92029
I3	Jessica Dummer	2966 Cordrey Drive Escondido, CA 92029
I4	William A & Merlyn Porter	2964 Milpas Drive Escondido, CA 92029
I5	Karin Hathaway	20031 Elfin Forest Lane Elfin Forest, CA 92029
I6	Alan Lasnover	19951 Elfin Forest Lane Elfin Forest, CA 92029
I7	Amy Molenaar	9115 Harmony Grove Road Escondido, CA 92029
I8	Victor and Maria Gonzalez	Pvsuccess19@aol.com
I9	Bonnie Baumgartner	20049 Elfin Forest Lane Elfin Forest, CA 92029-6005
I10	Mary Kubota	marykwiebel@gmail.com
I11	Bill Osborn	2952 Milpas Drive Escondido, CA 92029
I12	David Radel	18394 Via Ambiente Rancho Santa Fe, CA 92067
I13	Lounsbery Ferguson Altona & Peak (on behalf of Jeff Johnston)	960 Canterbury Place, Suite 300 Escondido, CA 92025-3870
I14	Erin Gottlieb (Johnson)	2681 Overlook Point Drive Escondido, CA 92029
I15	Eric Neubauer	ericneubauer@sduhsd.net
I16	Angelique Hartman	2848 Country Club Drive Harmony Grove, CA
I17	Erin Dummer	2966 Cordrey Drive Escondido, CA 92029
I18	JP Theberge (Vice-chair, EFHG Town Council)	20223 Elfin Forest Road Elfin Forest, CA 92029
I19	Julie Neubauer	Julie.neubauer@sduhsd.net
I20	Justine Hennessy	2442 Live Oak Road Escondido, CA 92029

Letter Designation	Individuals	Address
I21	Steve Walsh	3052 Hill Valley Drive Escondido, CA 92029
I22	Kulbinder Bains	2395 Johnston Road Escondido, CA 92029
I23	Marilyn Johnson-Kozlow	mjkbiz@yahoo.com
I24	Mary Cross	7150 Circa de Media Elfin Forest, CA 92029
I25	Matt and Erin Kennedy	2792 Overlook Point Drive Escondido, CA 92029
I26	Nancy Goodrich	Elfin Forest, CA 92029
I27	Patricia Borchmann	1141 Carrotwood Glen Escondido, CA 92026
I28	Patrick Molenaar	pmolenaar@yahoo.com
I29	Richard Murphy	rpm10@att.net
I30	Reina Reeves	2753 Overlook Point Drive Escondido, CA 92029
I31	Laura Rader	2752 Crownpoint Place Escondido, CA 92027
I32	Brenda Koenig	2262 Montemar Avenue Escondido, CA 92027
I33	Jean Walton	2382 Harmony Grove Road Escondido, CA 92029
I34	Natasha Kay-Hazou	Orangemoth13@gmail.com
I35	Andria Sanchez	Sanchez.andria@icloud.com
I36	Kendra Nuth	3017 Starry Night Drive Escondido, CA 92029
I37	Debbie O' Neill and Jonathan Dummer	doneill@surfaceoptics.com
I38	Fabiola, Gisella, Paco Theberge	c/o jp@culturaledge.net
I39a,b	Kevin Barnard	2708 Country Club Drive Escondido, CA 92029

8.2.2 List of Agencies, Organizations and Individuals that Commented on the RDEIR

Agencies, organizations/special interest groups, and individuals submitting comments on the RDEIR for the Project are listed in the matrix below, organized by category and then by name.

Letter Designation	State Agencies	Address
RS1	CAL FIRE, Department of Forestry and Fire Protection, San Diego Unit	2249 Jamacha Road El Cajon, CA 92019
RS2	Caltrans, District 11	Division of Planning and Local Assistance 4050 Taylor St, MS 240 San Diego, CA 92110

Letter Designation	County, City, and Other Local Agencies	Address
RL1	SANDAG (Late)	401 B Street, Suite 800 San Diego, CA 92101

Letter Designation	Organizations	Address
RO1	California Native Plants Society, San Diego Chapter	P.O. Box 121390 San Diego, CA 92112
RO2	Delano & Delano on behalf of The Escondido Creek Conservancy (TECC)	220 W. Grand Avenue Escondido, CA 92025
RO3	Elfin Forest Harmony Grove Town Council (Jacqueline Arsivaud)	20223 Elfin Forest Road Elfin Forest, CA 92029
RO4	Endangered Habitats League	8424 Santa Monica Blvd., Suite A 592 Los Angeles, CA 90069
RO5	Rincon Band of Luiseño Indians	1 West Tribal Road Valley Center, CA 92082
RO6	Shute, Mihaly & Weinberger, LLP on behalf of Elfin Forest Harmony Grove Town Council	396 Hayes Street San Francisco, CA 94102

Letter Designation	Individuals	Address
RI1	Karen Binns	2637 Deer Springs Place San Marcos, CA 92069
RI2	Mary Cross	7150 Circa de Media Elfin Forest, CA 92029
RI3	Natasha Kay-Hazou	9237 Harmony Grove Road Escondido, CA 92029
RI4	Kira Lakin	952 Chardonney Way Escondido, CA 92029
RI5	Richard Murphy	rpm10@att.net
RI6	Debbie O' Neill and Jonathan Dummer	doneill@surfaceoptics.com
RI7	Scott Sutherland (Two emails on April 9, Late)	scsuds@gmail.com

8.3 Global Responses

Eight "global" responses have been prepared for this FEIR; they relate to land use planning items and fire response, preparation and evacuation issues, Project baseline conditions, and greenhouse gas analysis-related discussion. As noted above, a number of the comments received on the DEIR addressed the same or similar issues and environmental concerns. Rather than repeat responses to recurring comments in each letter, the responses outlined in Sections 8.3.1 through 8.3.8 address multiple comments on the same topic, placing discussion of important elements relevant to the comments in one place. These responses are provided in the following order:

- Project Consistency with General Plan Policy LU-1.4
- General Plan/Community Plan Amendments CEQA Impact Analysis
- Fire Hazards Impact Analysis
- Adequacy of Emergency Evacuation and Access
- Baseline Conditions
- Regional Plan Conformity
- ~~Carbon Offsets~~
- Climate Action Plan

8.3.1 Project Consistency with General Plan Policy LU-1.4

Some commenters assert that the County of San Diego (County) is precluded by law from approving the Project because the Project does not comply with General Plan Policy LU-1.4. Under California's Planning and Zoning Law, in order for a project to be approved by a county or city, it must be determined that the project is consistent with that jurisdiction's general plan. (Friends of Lagoon Valley [2007] 154 Cal.App.4th 807, 815; see also Citizens of Goleta Valley v. Bd of Supervisors [1990] 52 Cal.3d 553.) A project is considered to be consistent with the general plan if considering all aspects of the project, it will further the objectives and policies of the general plan. It does not require a precise match between a project and the general plan (Corona-Norco Unified Sch. Dist. V. City of Corona, [2001] 13 Cal.App.4th 1577; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland [1993] 23 Cal.App.4th 704). This can be distinguished from the California Environmental Quality Act (CEQA), that is concerned with whether an inconsistency with a general plan policy would result in a physical impact on the environmen (CEQA Guidelines Section 15125[d]; EPIC v. EL Dorado, 113 Cal.App.3d 350; see also Lighthouse Field Beach Rescue v. City of Santa Cruz [2005] 131 Cal.App.4th 1170). As a result, the CEQA Guidelines do not typically require a formal response to general plan consistency comments. Because the comments concerning General Plan Policy LU-1.4 raise important concerns that are central to the approval of the Project, however, this Global Response has been prepared to address consistency with LU-1.4 concerns that do not raise issues specific to the environmental analysis provided in the EIR or other CEQA issues. See Global Response "General Plan/Community Plan Amendments CEQA Impacts Analysis" for a discussion regarding CEQA and general plan consistency issues and other related CEQA topics.

8.3.1.1 *Proposed General Plan Amendment*

The Harmony Grove Village South Project ("HGV South" or "Project") is proposing to amend the General Plan's Land Use Map to change the Regional Category Designation of a portion of the Project site (approximately 53 acres) from Semi-Rural to Village ("HGV South Village expansion area") pursuant to General Plan Policy LU-1.4.[1] It will also change the land use designations associated with such amendment to Village Residential 10.9 and Neighborhood Commercial. The Project also proposes to rezone the entire site to change its current zoning designation to S88 (Specific Plan). The Project will not result in any changes or amendments to any of the policies of the County's General Plan (General Plan), adopted in 2011; rather it applies the existing General Plan policies to the Project.

The Project also proposes to amend the Elfin Forest and Harmony Grove Community Plan (Community Plan) portion of the San Dieguito Community Plan (San Dieguito Community Plan) to add the Project as an independent but compatible component of the Harmony Grove Village (HGV) Specific Plan, revise portions of the Community Plan text for General Plan conformance and amend Figures 1 and 3 of the Community Plan to adjust the village boundary line. See related Global Response "General Plan/Community Plan Amendments CEQA Impacts Analysis" for a discussion regarding issues related to these community plan amendments.

[1] The remaining 58 acres is designated with a Semi-Rural Regional Category.

8.3.1.2 *Consistency with General Plan Policy LU-1.4*

Some comments have been received that question the County's ability to approve the Project, asserting that the Project does not comply with General Plan Policy LU-1.4 and the Community Development Model. Policy LU-1.4 states:

> *Village Expansion. 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 and contiguous growth of a Village area*

In determining whether a project complies with the General Plan, the Board of Supervisors is uniquely qualified to interpret the provisions of the General Plan, and its decision carries a strong presumption of regularity if supported by findings and substantial evidence (No Oil, Inc. v. City of Los Angeles [1987] 196 Cal.App.3d 223, 243 and Eureka Citizens for Responsible Gov't v. City of Eureka [2007] 147 CA 4th 357). The County's determination as to whether the Project is consistent with the General Plan will not be set aside by a court unless the County has acted arbitrarily, capriciously, or without evidential support (No Oil, Inc. v. City of Los Angeles, supra, 196 Cal.App.3d 223, at p. 243). Where a provision of the general plan might be considered ambiguous, the court will defer to the local government's resolution of that ambiguity so long as the interpretation adopted is reasonable (Save Our Peninsula Committee v. Monterrey County Bd. Of Supervisors (2001) 87 Cal.App.4th 99, 142). The function of the court is not to micromanage, but rather to simply decide whether substantial evidence supports the conclusion that the project is consistent with General Plan policies (Save Our Heritage Organization v. City of San Diego et al. [2015] 237 Cal.App.4th 163; see also Sequoyah Hills Homeowners Assn. v. City of Oakland [1993] 23 Cal.App.4th 704, 719–720).

A number of cases provide a framework for determining the meaning of general plan policies, which is similar to the analysis that is used to interpret statutes, contracts, and other instruments. The primary goal in construing the meaning of a statute is to ascertain its legislative intent to effectuate the purpose of the law (No Oil, Inc. v. City of Los Angeles, supra, 196 Cal.App.3d 223, at p. 244). When a term appears in several places in the same statute, the term is to be interpreted in a consistent manner throughout the statute. This rule assumes that the legislative body will draft a statute in a way that is "internally consistent in its use of language and in the way its provisions work together" (Ratzlaf v. United States, 510 U.S. 135, 143 [1994]; see also Gustafson v. Alloyd Co., 513 U.S. 561, 570 1995]; and Wisconsin Dep't of Revenue v. William Wrigley, Jr. Co., 505

U.S. 214, 225 [1992]. Finally, Courts have also consistently held that additional words or language should not be added to a statute when interpreting its meaning based on the theory that if that were the intent of the author, the word would have been included in the first place(01 Iselin v. United States, 270 U.S. 245, 250 [1926]; see also Lamie v. United States Trustee, 540 U.S. 526, 537 [2004] -- [courts should not add an "absent word" to a statute…]). With this background, the requirements of LU-1.4 are discussed below.

8.3.1.3 *HGV is an Existing Village*

Policy LU-1.4 permits future expansions of existing or planned villages provided all of the criteria of the Policy are met. The first issue that needs to be resolved is whether HGV is a village. At least one comment received contends that the Project is inconsistent with Policy LU-1.4 because it is not contiguous to the village boundary line shown in Figure 3 of the Community Plan. This comment is related to understanding the meaning of the term 'village' in Policy LU-1.4 in that it implies that only the portion of HGV that is located within the village boundary line would be considered a village. (This assertion also requires changing the text of Policy LU-1.4 from "contiguous with an existing or planned Village" to "contiguous to an existing or planned ***village boundary line***." [emphasis added] See discussion below regarding the topic of the Village Boundary line and Global Response "General Plan/Community Plan Amendments CEQA Impacts Analysis" for a discussion regarding this topic.)

<u>How the General Plan Defines Village</u>

The County can reasonably determine that when a term appears in several places in the same statute (as the term "village" appears throughout the General Plan), the term can be interpreted in a manner that is consistent with its usage throughout the statute (in this case, the General Plan). This interpretation is guided by the basic principle that a statute should be read as a harmonious whole, with its separate parts being interpreted within their broader statutory context (United Savings Ass'n v. Timbers of Inwood Forest Associates, 484 U.S. 365, 371 [1988]; citations omitted). Therefore, in determining the meaning of village, we look to the General Plan's usage of this term.

The term village is used throughout the General Plan to describe "areas" within the County that contain the highest population and development densities that are located within walking distance of commercial services, employment centers, civic uses, and transit areas if feasible. The General Plan states that:

> *The Village category identifies **areas** [emphasis added] where a higher intensity and a wide range of land uses are established or have been planned. Typically, Village **areas** [emphasis added] function as the center of community planning areas and contain the highest population and development densities. Village **areas** [emphasis added] are typically served by both water and wastewater system* (General Plan, page 3-7).

The word village is described as "areas" that should contain community-serving private and public facilities as well as connections that play an important role in supporting a village's vitality and mobility. These village attributes can be achieved through a variety of planning tools, such as, interconnected streets and roadway networks, incorporation of pedestrian connections, and

providing public amenities that can be enjoyed by its residents. These elements allow a village to interact and capitalize on its various features thus improving the village's economy and creating a sense of place, and community identity (General Plan, page 3-31).

Other Planning Sources that Define Village

Other planning sources have similarly defined villages as areas or communities that consist of intangible characteristics that create a sense of place usually by the incorporation of social/cultural elements. These elements include capturing the identity of the local area and providing functions that are associated with a community ("Village Planning Handbook, A guide for Community Planning," September 1993, pages 7-10). Villages are considered residential centers that are supported by commercial and community services. Typical uses include general stores that sell groceries, feed supplies and other similar type products, restaurants, and facilities that cater to specific community needs. A village has a typical walking range of approximately 0.5-mile radius and provides gathering places that attract activity and provide a sense of community. (See "Defining Rural Character and Planning for Rural Lands - A Rural Element Guide." in State of Washington Department of Community, Trade, and Economic Development, [1994: 19-21]).

HGV was Adopted as a Village

HGV, approved in 2007 as a master planned community, was intended to be a village as that term is used under General Plan Policy LU-1.4.[2] In particular, the HGV Specific Plan (HGV SP 04-03, Jan. 2007) describes HGV as a 468-acre "rural-themed" village with a small community/commercial core. The HGV Specific Plan divides the 468-acre site into four Planning Areas (PAs) and assigns uses, acreages, densities and zoning restrictions to each of these PAs. Each of the four PAs was designed to be similar in housing type, topographic setting, and uses (id at 21).

When HGV was originally brought before the Legislative bodies for consideration, it was characterized "as a new rural village that was an outgrowth of the GP 2020 process" (County's Planning and Land Use Department Report to the Planning Commission, dated December 15, 2006 [PC Report]). The PC Report took into consideration its location adjacent to urban Escondido and San Marcos. The PC Report describes HGV as:

> *While Harmony Grove is rural in character it is affected by the increasing urbanization taking place in San Marcos to the north and Escondido to the east. This project proposes a new rural village that was an outgrowth of the GP 2020 process. Rather than accommodating expected growth by proposing another standard subdivision on the fringe of the sprawling urban center of Escondido, this project took into account unique historic, geographic and locational factors to*

[2] Since HGV was approved before the General Plan Update was adopted in 2011, its planning structure does not completely correspond with the County's current General Plan requirements. Although the current General Plan Regional Categories are applied to HGV (Village and Semi-Rural), its General Plan Land Use Designation is Specific Plan, a Land Use designation that is no longer used by the General Plan to designate land uses in the County (see General Plan Land Use Designation Map, Figure LU-A-19). Therefore, HGV's land uses are regulated by the zoning found in its Specific Plan.

> *create a new village that would complement the surrounding rural areas* (PC Report, page 4).

Community Plan Characterizes HGV as Village

The Community Plan also characterizes HGV as a Village. The Community Plan states "It is, primarily a residential village that provides a range of for-sale housing to accommodate broad market needs" (Community Plan, page 48; see also Community Plan SPA-1.1). Similar to the language used in HGV's Specific Plan, the Community Plan described HGV as a master planned community consisting of approximately 468 acres located both north and south of the intersection of Harmony Grove Road and Country Club Drive, in other words encompassing all four PAs (id at 58). The Community Plan describes HGV as:

> *The Harmony Grove Village Specific Plan Area is comprised of approximately 468 acres located both north and south of the intersection of Harmony Grove Road and Country Club Drive in the community east* [sic] *of the City of Escondido known as Harmony Grove. It is, primarily a residential village that provides a range of for-sale housing to accommodate broad market needs. It contains a maximum of 742 detached residential units, resulting in an average gross density of 1.6 dwelling units per acre. Residential lots range in size from under 5,000 square feet to over two acres…* (Community Plan, page 58).

HGV is Comprised of Four Planning Areas

The "Village Center" is located in PA 1, approximately 2,100 feet (or less than 0.5 mile) from the HGV South Village expansion area. The Village Center includes the densest residential neighborhoods of HGV (519 units), commercial development, institutional uses, creek channels, open space areas and public and private streets (HGV SP 04-03, Figure 7). As further discussed below, the HGV South Village expansion area is physically connected to PA 1 through a series of design elements, such as the Escondido Creek floodway[3] (rehabilitated creeks), and a portion of County Club Drive (public streets).

PA 4 borders the western boundary line of the HGV South Village expansion area and the Regional Category Designation is Semi-Rural. PA 4 includes the following uses: limited residential uses, a commercial equestrian facility, and a small retail center that would sell horse supplies and other typical C-35 zone uses (HGV SP 04-03, page 53). The C-35 zone is compatible with the Village Core Mixed Use Land Use Designation (San Diego County Ordinance, Section 2050, Compatibility Matrix). The Village Core Mixed Use Land Use Designation was adopted as a part of the General Plan and is allowed only within areas designated Village Regional Category. Thus, the land uses assigned to PA 4 are consistent with both the Village Regional Category and Village Land Use Designation as used by the General Plan today.

[3] The northern portion of the Project and HGV are physically connected as a part of the same Escondido Creek floodway which consists of the common channel of Escondido Creek and the adjacent portions of the floodplain that are reasonably required to efficiently carry and discharge the associated 100-year flood flow (FEMA 2012a, refer to Exhibit A of the Project Drainage Study in EIR Appendix M 1).

The commercial equestrian facility ("Equestrian Ranch") is located in PA 4 and is described in the HGV Specific Plan as "These 22 acres represent almost 5 percent of ***Harmony Grove Village***" [emphasis added] (HGV SP 04-03, page 58). The Equestrian Ranch is considered a key feature of HGV's "rural themed" identity that honors Harmony Grove's equestrian roots, and it ensures HGV's consistency with the Community Plan. See Community Plan Goal LU-1.9 (create an attractive equestrian community that encourages environmentally sensitive, responsible horse keeping) and Community Plan Policy LU-1.9.5 (support opportunities for home horse keepers to board a very small number of horses to help defray costs of keeping their own animals).

Based on the discussion above, the word "village" means an "area" that is composed of various elements or attributes that together create a community with a sense of place or identity, provides a network of connections and public amenities, and promotes economic and social vitality. The notion that only the portion of HGV that is located within the village boundary line should be considered a village is inapposite with the village land use pattern described in the General Plan, HGV's Specific Plan and/or the Community Plan.

When the County approved HGV as a village, it approved all four PAs that together would create an "area" or a community with a "rural themed" identity that would honor the Harmony Grove equestrian history. All four PAs were designed to be linked by parks, public streets and a multi-use trail system that would accommodate the residents from all four PAs and address the needs of its residents. The Community Plan calls for the "Village" (HGV) to create a sense of community for the existing as well as new residents by providing access to its public trails/walkways to the Commercial area, parklands, trails along the waterways (creeks and channels), and the public equestrian facility (Community Plan Policy SPA-5.1.1). Again, all of these amenities are located throughout the four PAs, and in particular, the public equestrian facility mentioned in the Community Plan is located in PA 4. Nowhere does the HGV Specific Plan or the Community Plan distinguish between the four PAs or state that PA 4 is not a part of the "rural themed village" of HGV. The PC Report describes the four PAs within the context of the Specific Plan as:

> *A Specific Plan is proposed that sets forth the specific policies intended to regulate development within the project and includes the following land uses: 742 units of single-family residential uses; 2 acres of commercial uses; 12 acres of institutional uses that include a fire station, wastewater treatment facility and a site for unspecified civic uses; a 22-acre equestrian ranch; and 189 acres of parks, recreation areas and open space. A Rezone will implement the Specific Plan by changing the existing Use Regulations, Development Regulations and Special Area Regulations in the existing zones to include the S88 Specific Planning Area Use Regulations. A total of five new zones will include regulations appropriate for the implementation of the type of development expected within the five Planning Areas set forth by the Specific Plan. Densities range from .4 to 20 dwelling units per acre. Minimum lot size ranges from 2,200 square feet up to over 2 acres* (PC Report, page 1).

Thus, it is reasonable for the County to conclude that HGV consists of all four PAs, and is not limited to the area within the village boundary line shown in Figure 3 of the Community Plan. The term "village boundary line" has been specifically defined in the General Plan to mean "a mechanism" to be used in community plans that identify areas to which development should be

directed. (General Plan, page 1-11.) However, it does not define the term "village" in the context of General Plan Policy LU-1.4. Not only does the addition of the term "boundary line" to Policy LU-1.4 not fit in the overall context of the General Plan, but if the Board of Supervisors intended to use the term "village boundary line" it would have certainly done so. In fact, this term has been carefully defined (to mean something different) and is used elsewhere in the General Plan. Although the Community Plan currently identifies the existing HGV Boundary as the area in which development should be directed, it cannot be interpreted in a manner that would make it internally inconsistent with General Plan Policies, such as LU-1.4 that allows villages to be expanded under certain circumstances. Therefore, HGV South intends on amending its Regional Category Designation, General Plan Land Uses, and Figures 1 and 3 of the Community Plan to incorporate the HGV South Village expansion area within the HGV Boundary line as allowed by Policy LU-1.4. (See also discussion below regarding the topic of the Village Boundary line in Global Response "General Plan /Community Plan Amendments CEQA Impacts Analysis.")

Finally, some have commented that the Project is inconsistent with General Plan Policy LU-1.4 because PA 4 is not designated Village Regional Category. Again, to come to this conclusion the actual wording of Policy LU-1.4 would need to be amended to read "contiguous to an existing or planned village ***Regional Category***" [emphasis added]. As discussed above, if the Board of Supervisors wanted Policy LU-1.4 to be so worded, it would have easily included this specific phrase into Policy LU-1.4. The County can reasonably conclude that the term Village Regional Category would not fit in the context put forward by the commenter. This phrase was already used in the same Policy LU-1.4 in an entirely different context to mean a type of land use, not a place (***Village Regional Category*** types of land can be permitted if contiguous with an existing or ***planned village***). The term Village Regional Category is defined in the General Plan to mean one of three broad sets of development classifications in the County that do not specify allowable land uses, but rather the general regional structure, character, scale, and intensity of development (General Plan, page 3-6). As a result, it does not regulate allowed uses or intensities of individual development proposals (General Plan, page 3-6).

In the case of PA 4, its Regional Category Designation would not be determinative of whether or not it is a part of HGV. In summary, although its Regional Category Designation is Semi-Rural (and HGV's Land Use Designation is Specific Plan), its permitted land uses under the HGV Specific Plan are consistent with both the Village Regional Category and Village Land Use Designation[4] Also as explained above, PA 4 also plays a vital and important role in establishing HGV's rural identity that honors Harmony Grove's equestrian roots, ensuring HGV's consistency with the Community Plan,[5] and providing amenities to the entire HGV (public equestrian facility, public streets, creek rehabilitation).

[4] The HGV Specific Plan allows for a number of uses in PA 4, including General Commercial/Limited Residential (C-35) zone designation uses (HGV Specific Plan, page 53). Under the County's Compatibility Matrix (San Diego County Ordinance, Section 2050, Compatibility Matrix) C-35 uses are considered compatible with and are permitted by right under General Commercial (C-1) and Village Core Mixed Use (C-5) Land Use Designations. Both of these Land Use Designations are compatible with the Village Regional Category (Table LU-1).

[5] Ensures HGV's consistency with the Community Plan by creating an attractive equestrian community that encourages environmentally sensitive, responsible horse keeping (Community Plan Goal LU-1.9) and supports opportunities for home horse keepers to board a very small number of horses to help defray costs of keeping their own animals (Community Plan Policy LU-1.9.5).

8.3.1.4 *The Project is Contiguous to HGV*

Policy LU-1.4 permits new Village Regional Category-designated land uses only where contiguous with an existing or planned Village. The word "contiguous" is not defined in Policy LU-1.4, and some comments have been received that contend that the Project is not contiguous to the village boundary line. The comments assert that the Merriam-Webster Dictionary defines contiguous to mean "being in actual contact," "touching along a boundary or at a point - the 48 contiguous states" or "touching or connected throughout in an unbroken sequence" (Merriam-Webster Dictionary, https://www.merriam-webster.com/dictionary/contiguous (Merriam-Webster, n.d. Web. 23 July 2017).[6]

However, the DEIR used the definition provided by the 2015 Random House Dictionary of American English. As stated in the DEIR, page 1-2, that dictionary defines "contiguous" as "touching, in contact, or being close without touching." Also, the Webster's New World College Dictionary defines contiguous to mean "in physical contact; touching along all or most of one side; near, next, or adjacent." The term "adjacent" is defined as near or close (to something); adjoining (Webster's New World College Dictionary, Fifth Edition Copyright (2014) by Houghton Mifflin Harcourt Publishing Company (http://www.yourdictionary.com/contiguous#websters, as of August 15, 2017).

Even under the Merriam-Webster Dictionary definition advocated by the commenter, the HGV South Village expansion area would still be considered contiguous with HGV. The HGV South Village expansion area has actual physical contact with HGV along Country Club Drive in which both of the property owners retain the underlying fee interest in their respective properties up to the center line of the roadway. The HGV South Village expansion area is also contiguous to PA 1 in that it is physically connected to PA 1 through the Escondido Creek floodway and a portion of Country Club Drive. The roadway is a design feature of PA 1 and plays an important role in the overall function of HGV. Similar to the example used in Merriam-Webster Dictionary of what constitutes contiguous - the "48 contiguous states," not all of the states physically touch, but the states are still considered connected or "contiguous" through a series of points of contact.

When words have different meanings, the court will often look at the context of its usage in the statute. Here, the word contiguous is used in Policy LU-1.4 in the context of directing future growth in the County by expanding existing or planned villages. The General Plan states that: "The core concept for the County's development directs future growth to areas where existing or planned infrastructure and services can support growth and locations within or ***adjacent to existing communities***" [emphasis added] (General Plan, page 3-5). Therefore, the definition of "contiguous" as defined in the DEIR is the more accurate meaning when considered in the context of the General Plan.

Also, the need for areas within a village to touch or have actual contact is not supported by general village design principles. The land use patterns for typical villages have a walking range of approximately 0.5-mile radius and provide gathering places that attract activity and provide a sense of community. (See Washington Department of Community, Trade, and Economic Development

[6] For purposes of addressing the meaning of contiguous, we put aside the contention that Policy LU-1.4 should be interpreted to mean village boundary line instead of an existing or planned village. (Please see discussion above.)

1994:19-21.) As such, the idea that a village expansion area must physically touch an existing or planned village is an overly limiting interpretation of Policy LU-1.4 that is not based on common village design principles. The General Plan further states that "a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit (when feasible)" (General Plan, page 3-7). This concept of placing higher density development within walking distance to a variety of other types of uses also supports the idea that a village expansion area does not have to "touch" an existing or planned village.

It is reasonable for the County to determine that contiguous, as used in Policy LU-1.4, means that development should be directed to areas *adjacent* to existing or planned villages where infrastructure and services can best support growth. This interpretation is consistent with the actual language found in Policy LU-1.4 that requires potential expansions to be accommodated by the General Plan road network, and that public facilities and services support the expansion without a reduction of services to other County residents. Both of these requirements can be satisfied without needing to physically *touch* the border of an existing or planned village. Likewise, development can be consistent with community character, the scale, and the orderly growth of a village, without having to be in actual physical contact with that village. As further described below, the HGV South Village expansion area is located adjacent or contiguous to HGV, where existing or planned infrastructure and services can support growth

The HGV South Village expansion area is contiguous to HGV in that it is located approximately 2,100 feet (less than 0.5 mile) from the HGV Village Center and 500 feet from the intersection of Harmony Grove Road and Country Club Drive. A County park, located in PA 1, is located just across the street and within 300 feet of the HGV South Village expansion area. (This 2.8-acre site is designated with a Village Regional Category and provides an additional community gathering place for both sites.) The Equestrian Ranch, which has been described as a part of HGV, lies immediately to the west of the HGV South Village expansion area, across Country Club Drive. The Country Club Drive Trail planned as a part of the HGV Specific Plan, and the County's Community Trails Master Plan, extends along the west side of Country Club Drive and establishes an important walkable link between HGV's Village Center, the Equestrian Ranch, and HGV South.

In a larger planning context, the HGV South Village expansion area is also part of the same flat valley in which HGV is located and is part of the same drainage basin and valley view shed. Rugged terrain can be found on the HGV site to the east and west while rugged terrain on the Project site can primarily be found in the south and southwest portion of the land, essentially creating a contiguous flat valley floor for both sites to locate development. This flat valley is surrounded by approximately 20 prominent ridgetops that measure approximately 1,000 to 2,000 feet in height. These ridgetops form a dramatic physical setting for the Harmony Grove valley in which both HGV and the Project are a part.

8.3.1.5 *Compatible with Environmental Conditions and Constraints*

The Project has been designed to: preserve the largest block of open space on the Project site, maintain existing drainage patterns to the extent feasible, balance steep slope preservation with biological open space preservation, maintain significant visual resources, and consider the existing

landform and natural environment. The development would be concentrated mainly in areas of the site which contain non-native grassland. Sensitive biological habitat is located in the southern portion of the site and consists of southern mixed chaparral, a small patch of coast live oak woodland, and jurisdictional drainages. Approximately 35 acres of open space will be preserved within the southern portion of the site, which would be dedicated as required by the County and remain as biological open space. The preservation of biological open space is primarily possible due to the compact nature of the development. This is described throughout the EIR, in Chapter 1.0, and Subchapters 2.1 and 2.3 in particular.

The Project would construct a new bridge over Escondido Creek which will raise the current roadway from its current location, allowing the creek to return to a more natural state. In other words, this Project would contribute to the rehabilitation of this creek which is also an important feature of HGV (HGV SP 04-03, page 2). It will enhance the wetland areas and provide better quality habitat for fish and birds. The bridge will also create a safer wildlife crossing for species traveling east-west along the creek as they will pass under the bridge and not cross vehicular traffic (EIR, page 1-6).

All on-site grading and improvements for HGV South are designed to avoid the existing 100-year floodplain except for a very small area allocated to a wastewater treatment and wastewater reclamation facility (WTWRF) that will be raised out of the floodplain (see EIR Table 1-2, *Project Design Features*). As described in Subchapter 2.1, the Project's grading plan reflects the natural topography, in that it the Project would generally follow the site topography, rising and falling with the underlying elevations.

As noted, Project grading would respect, and conform to, overall existing topography on site. This means that although the planned, precise site elevations at any specific point internal to the Project site may deviate from the existing elevation, based on preliminary grading plans, the post-Project cross sections follow the natural rise and fall in site topography overall and always meet the existing topography within the site at the grading perimeter. It also means that following completion of Project implementation, the off-site viewer would not be expected to be aware of large-scale changes in underlying topography (EIR, Subchapter 2.1, page 2.1-50). It should also be noted that post-grading, only 32 acres, or 29 percent of the site, would contain lots and streets. The remainder of the Project site (i.e., 71 percent) would consist of biological open space, parks or landscaped/revegetated swaths located between pads (EIR, Chapter 1.0).

Finally, the iconic ridgeline surrounding the valley would be preserved. The development would be concentrated in the flatter areas of the site; however, some encroachment into steep slope areas would occur (see EIR Subchapter 2.1, pages 2.1-42, 47, 58 and 60). The Project would comply with the RPO steep slopes criteria through a waiver for encroachment into insignificant slopes, an exception for access roads, and strict compliance with remaining lot encroachment percentages of less than 10 percent; each of which follows RPO criteria. These elements are addressed in detail under the "County of San Diego Resource Protection Ordinance, Steep Slopes," discussion, in EIR Section 3.1.5, with additional detail on insignificant steep slopes provided in Subchapter 2.1. The Project has been designed to preserve a large block (34.8 acres, or 31 percent of the Project) of contiguous open space, including southern mixed chaparral with narrow endemic species, a small patch of coast live oak woodland, and (non-RPO) jurisdictional drainages. The Project would maintain existing drainage patterns to the extent feasible, create an opportunity to re-establish a

drainage feature that was largely eliminated from the site due to early agricultural activities, and maintain significant visual resources (EIR, Section 3.1.5, page 3.1.5-25).

8.3.1.6 *Accommodates the General Plan Road Network*

A buildout analysis was conducted to determine whether the proposed land use changes would require any changes to the Mobility Element roadway classifications. Primary access to HGV South is provided by two roads, Mobility Element Harmony Grove Road and non-Mobility Element Country Club Drive. The Traffic Impact Analysis (TIA) prepared for the Project by Linscott, Law & Greenspan (LLG 2017), Appendix D of the EIR, indicates that the General Plan's roadway network does not exceed build-out projections with the inclusion of the Project. The existing land use would allow 222 dwelling units, while the proposed land plan would allow 453 dwelling units. As shown in EIR Table 2.2-9, *Roadway Segment Operations under Buildout Conditions*, all roadway segments are calculated to operate at acceptable LOS D or better both with and without the Project except for the segment of Country Club Drive between Auto Park Way and Hill Valley Drive, which is not a part of the County's General Plan roadway network because it is located within the City of Escondido.

Even though this segment is not within the County's roadway network, Mitigation measures M-TR-1a and M-TR-1b are proposed to improve operations on the Country Club Drive segment between Auto Park Way and Hill Valley Drive and would adequately mitigate the impacts to this segment of the roadway. Because this roadway segment is located within the City of Escondido, however, the impacts are identified as remaining significant and unavoidable for purposes of CEQA. The City of Escondido is ultimately responsible for the approval/implementation of those improvements, and as such, the County cannot guarantee ultimate implementation or the timing of the mitigation. In any event, under build-out of the Project, the Project would not decrease LOS to an unacceptable level compared to the General Plan land use.

8.3.1.7 *Public Facilities and Services Support Expansion*

Compliance with General Plan Policies, County ordinances, and mitigation measures identified through the environmental review process and project approval process would ensure that public facilities and services needed to support HGV South would not result in a reduction of services to other County residents. HGV South would be required to provide the infrastructure and facilities needed to provide services to the Project either directly or through the payment of fees (Policy LU-12.1). A phasing plan has been provided as a part of the Project's Specific Plan to ensure that such facilities would be available at the appropriate time (Policy LU-12.2). Service providers would be required to provide "will-serve" letters indicating that they can provide service to HGV South prior to the recordation of final maps and the issuance of any building permits for the Project. (Community Facility Availability Forms have been received from service providers indicating that service will be available to HGV South [County Policy I-84]).

The Rancho Santa Fe Fire Protection District (RSFFPD) is responsible for providing emergency services to the Project. HGV South would be required to pay development impact fees pursuant to the County's Fire Mitigation Fee Ordinance, Section 810.301, et seq., to fund its fair share of the capital facilities and equipment needed to serve HGV South. The fee is collected to fund capital facilities and equipment needed to serve new development (Section 810.308). Since a new fire

station is being constructed approximately 1.3 miles from the most distant structure, fees collected under this Ordinance could go to pay for other equipment or facilities needed by the fire district serving HGV South. The ongoing costs of providing services to the Project would be provided by existing property taxes and any special assessments imposed on property owners to fund such services. HGV South may decide to annex into an existing community facility district or establish its own assessment district. A Call Volume Assessment was prepared to determine current capability for Fire Station 5 to respond to emergencies (fire, medical, vehicular, rescue, etc.) with the addition of the Project (Dudek 2017a; and accepted by both RSFFPD and the County). As shown in Table 2 of the Assessment (Table 8.3.3-2), the combined call generation from existing residents, Harmony Grove Village, and Harmony Grove Village South will have an insignificant impact on Fire Station 5. Based on this anticipated call volume, Fire Station 5 would not be considered a busy station when compared to standard utilization rates for busy fire stations (five or six calls per day for a rural station) and will be able to respond to emergency calls within the General Plan response time requirements.

Several options for providing wastewater service to HGV South have been analyzed. Sewer facilities or improvements may be constructed on site or off site as needed to serve the Project. HGV South would be served by the Rincon Del Diablo Water District, with water service being extended to the site. Drainage and water quality facilities would be constructed on site by the Applicant. HGV South is located in the Escondido Union Elementary and High School Districts and would be required to pay the appropriate fees as required by State law. Although there are no schools located in HGV or HGV South, there are some schools presently assigned to serve the area, and Facility Availability Forms have been received.

Seven public parks are planned within the Project site, ranging from approximately 0.08 to 0.54 acre in size. Amenities within these public parks are anticipated to include a horseshoe pit, barbeque areas, picnic tables, and/or informal play areas. In addition, any in lieu fees paid by the Project under the County Park Lands Dedication Ordinance would be used to improve parks within the larger existing HGV area. The Project also includes six private parks, which would range from approximately 0.1 to 0.82 acre in size. A system of public and private multi-use trails will be constructed that are intended to serve pedestrians, equestrians, and other non-motorized forms of travel and would weave throughout the Project; providing links to the existing and planned off-site San Diego County trail system and to HGV via the bridge over Escondido Creek.

8.3.1.8 *Consistent with the Scale and Orderly and Contiguous Growth of HGV*

The Project is proposing to develop the HGV South Village expansion area in a manner consistent with the scale and orderly and contiguous growth of HGV. The HGV South Village expansion area will locate the Project's densest residential neighborhoods within 0.5 mile of HGV's Village Center (PA 1), an area described in HGV's Specific Plan as the heart of the community. HGV's Village Center is surrounded by a variety of single-family residential uses on lots that range in size from approximately 2,500 square feet near the Village Center to 1.5 acres further away from the core. Over two-thirds of all residences within HGV will be located within the Village Center (approximately 519 homes). Approximately 53 acres of HGV South is designated with a Village Regional Category. The remaining 58 acres is designated with a Semi-Rural Regional Category. Within the Village Regional Category, the General Plan Land Use Designations applied to the site include Village Residential 10.9 (VR-10.9) and Neighborhood Commercial. The HGV South

Village Residential expansion area provides for a maximum of 423 dwelling units, which equates to a density of approximately 8.4 dwelling units per acre (du/ac). This is consistent with the density of HGV's Village Center of approximately 8.7 dwelling units per acre. As such, both these areas will become part of the same compact, walkable village. Residents will be encouraged to walk to amenities and services that are within 0.5 mile (approximately 2,100 feet), and less than a 10-minute walk from both the HGV Village Center and the commercial/civic uses of HGV South.

Surrounding the HGV South Village expansion area along the western, southern, and eastern perimeter, will be Semi-Rural Residential designated areas with a density of 0.5 dwelling unit per acre. Up to 30 dwelling units are proposed within the Semi-Rural Residential area in addition to open space. This establishes a development pattern that is less dense around the perimeter.

Country Club Drive will be improved to enhance the Project's connection with the HGV Village Center, and a multi-use pathway will provide a pedestrian linkage to both HGV and HGV South. In particular, a north-south, multi-use trail (10 feet in width), was already approved as part of the County's Community Trails Master Plan and the approved HGV Specific Plan. The 10-foot planned trail extends along the west side of Country Club Drive, via the bridge over Escondido Creek to the south entry of HGV South and will connect HGV's Village Center directly to HGV South. The HGV Specific Plan describes this trail as an important walkable link between HGV's Village Center, the Equestrian Ranch, HGV South and other multi-use trails that extend further south and connect to the Del Dios Highlands Preserve (DDHP) and Elfin Forest Recreational Reserve (EFRR). The Project will also enhance connections to HGV by encouraging pedestrian activity along Country Club Drive by providing a five- to six-foot pathway along the east side of Country Club Drive and by providing landscaping, shade trees, and interpretive signage and constructing a bridge over Escondido Creek to replace the existing substandard "Arizona" crossing. This bridge would further enhance the connection between HGV South and HGV.

The proximity of the Project's higher density, residential neighborhoods to HGV and its Village Center decreases the need for infrastructure and allows services to be provided more efficiently. The Project has been designed to provide a wider range of housing options that are not only compatible with the housing options of HGV but also enhance the viability of the commercial uses located in the adjacent Village Center. Both HGV and HGV South, when combined, create a range of housing opportunities that will result in an economically vibrant community.

8.3.1.9 *Consistent with Community Character*

HGV South is proposing to expand the HGV village in a manner that is consistent with the community character of HGV and the surrounding areas. The Community Plan identifies HGV as a "residential village" or "rural-themed village" composed of four PAs that include a pedestrian-oriented mixed-use core that combines commercial, residential, live/work, recreational and public uses and open space, green belt system, creek channels, and an equestrian ranch. The Community Plan emphasizes the need for HGV to preserve the unique features of a rural lifestyle while integrating the urban lifestyle of a Village. In approving HGV, the County determined that it was a logical extension of an urban designation and was considered compatible with the existing character of the community and the more urban uses of the surrounding jurisdictions (HGV SP 04-03, Page 124).

HGV South is proposing to expand the HGV village to become part of the same compact, walkable community that will be connected by an integrated network of multi-use trails and pathways to the Village Center and the periphery of the HGV Specific Plan area. Design features that are compatible with a rural equestrian theme were encouraged to be used in HGV; and this is continued in HGV South with a robust landscaping plan that takes advantage of the limited hardscape to provide notable vegetated swaths within the Project, rural architectural references, less dense structural development along the southwest, south, and southeastern perimeters, and consistent notable visual elements associated with equestrian fencing along trails and pathways. HGV South features the most intense uses within 0.5 mile of the adjacent HGV Village Center where HGV's highest densities are also located. The Project has been designed to provide a wider range of housing options that are compatible with the housing options of HGV and will enhance the viability of the commercial uses located in the adjacent HGV Village Center. Both HGV and HGV South, when combined, create a range of housing opportunities that will result in an economically vibrant community.

HGV South will provide a transition from the existing surrounding semi-rural and rural uses by maintaining the perimeter of the site within the existing Semi-Rural regional category. Lower intensity single-family uses (typically with larger lot sizes) would be located within this area in addition to designated open space. These designated open space areas would reduce visual effects along the Project's perimeter, provide views to natural areas, and contribute to a rural and open environment.

The design principles outlined in the Project's Specific Plan will ensure that the community character will be maintained. In particular, the Project's Design Guidelines are intended to ensure overall cohesiveness between HGV South and HGV. HGV South is designed to accommodate a system of interconnected trails and pathways that encourage pedestrian and bicycle activity and establish important links to HGV, the DDHP, and the EFRR. As described in Subchapter 2.1, the Project's grading plan reflects the natural topography, in that the Project would follow the site topography, rising and falling with the underlying elevations. Project grading would respect, and conform to, overall existing topography on site. HGV South proposes to utilize consistent street trees, similar planting materials, lighting, signage, walls, fences, and architecture to provide a continuous link between HGV and HGV South, strengthening the concept that the two communities constitute one unified village. The architectural design is rural in inspiration and is described as Western Farmhouse/Cottage; the style reflects a quaint, casual character that is compatible with the look of the rural character and agricultural heritage of the Harmony Grove community. The Project's architectural design guidelines identify elements that should be used to reduce the apparent size, bulk, and scale of proposed buildings. The smaller lot single-family development would replicate the character and design of the existing development, which reflects rural, farmhouse styles. Multi-family housing types would be designed to appear as detached single-family homes or re-purposed rustic/agricultural buildings. HGV South Village expansion area will portray a total of 229 buildings clustered in this area. Parking would be located internal to the development.

Excluding RPO-permitted encroachment percentages into steep slopes allowed by lot and/or for public utilities and roads; the Project's encroachment onto RPO steep slopes is limited to isolated and insignificant steep slopes that are not highly visible or distinguishable. The steep slope areas where encroachment would occur are considered insignificant because the slopes are not visually

notable or interesting topographic features, not part of an identifiable peak, promontory, or ridgeline, and are not perceived as an integral element of the surrounding peaks that are a part of the Harmony Grove setting. Identification of these slopes as insignificant follows RPO guidance and requirements, and their effects specifically do not impact the features noted, which provide so much of the community character in this area (see detailed discussion in EIR Subchapter 2.1).

8.3.1.10 *Community Plans Cannot Prohibit Future Amendments to the General Plan Land Use Maps*

A comment was received that asserts that the village boundary line, delineated on Figure 3 of the Community Plan, prohibits growth from occurring outside of the HGV village boundary line. This comment presupposes that no future amendments to the County's Land Use Maps can occur. This opinion is contrary to the clear intent expressed in Policy LU-1.4 that allows for expansions to existing villages or in Policy LU-1.2 that allows new villages to be established.

The Regional Categories Map and the Land Use Maps of the General Plan are graphic representations of the Land Use Framework and the related goals and policies of the General Plan, including LU-1.4 that permits future expansions of existing villages and LU-1.2 that permits new villages (General Plan, page 3-18). Village boundary lines in community plans are similar to the Land Use Maps of the General Plan and are also subject to future modifications.

HGV South proposes to amend Figures 1 and 3 of the Community Plan to incorporate the HGV South Village expansion area within the village boundary line and revise related portions of the Community Plan text. Although the Community Plan currently identifies the existing "Harmony Grove Village Boundary" as the only area in which development should be directed, the General Plan allows for the expansion of an existing village under the circumstances outlined in Policy LU-1.4. Since community plans cannot be interpreted in a manner that would undermine the policies of the General Plan, the current location of the village boundary line does not preclude the Board of Supervisors from approving HGV South and amending the current village boundary line to include HGV South. General Plan Policy LU-2.2 clearly states that general plan policies take precedence over community plan policies. The goals and policies of the Land Use Element of the General Plan, which include LU-1.4, allows for future expansions of existing villages (see also General Plan, page 3-20). Therefore, community plan policies cannot be interpreted in a manner that will limit the County's authority to expand existing or planned villages pursuant to General Plan Policy LU-1.4.

8.3.1.11 *Project is Consistent with the Community Development Model*

A comment was received that the redesignation of a portion of the Project site from Semi-Rural to Village would be inconsistent with the Community Development Model (CDM) because it would remove the Semi-Rural and Rural buffers around HGV and allow dense development outside the HGV village core. This statement is incorrect in that the majority of the Semi-Rural and Rural buffers around HGV will remain intact; only the HGV South Village expansion area will be redesignated as Village. Upon the approval of the Project, the HGV South expansion area will be designated with a Regional Category of Village, and will, in turn, be surrounded by Semi-Rural uses that transition to Rural uses. In any event, the General Plan does not require absolute strict compliance with the CDM; it recognized that this model could be affected by the diversity of the

County's unincorporated communities as shown by the General Plan, which depicts an imperfect example of the CDM (General Plan, page 3-23).

The Project has been designed to expand HGV consistent with the CDM. The Project's densest residential neighborhoods will be located towards the central portion of the Project site and within 0.5 mile from HGV's Village Center. The density will decrease the farther away one travels from the Project's core. As described above, the HGV South Village expansion area will have densities comparable to the HGV Village Center, where the majority of HGV's homes are located on lots that range in size from approximately 2,500 square feet near the Village Center to 1.5 acres further away from the core. Together HGV and HGV South will form one seamless, unified village, cohesive and interconnected by a series of trails, pathways, and amenities, as well as design.

The area surrounding the HGV South Village expansion area, along with the western, southern, and eastern perimeter, will be maintained with the existing Semi-Rural regional category designation. Semi-Rural Residential land uses with a density of 0.5 dwelling unit per acre will be located within this area. The Project's perimeter will also transition to the surrounding semi-rural areas by featuring 35 acres of permanent biological open space, 20 acres of naturalized open space, and 16 acres of landscaped areas. Naturalized Open Space is made up of areas which may be graded during HGV South development but would be revegetated in accordance with fire resistive native and/or drought tolerant plant materials. The surrounding Semi-Rural Regional Category lands will transition to Rural Regional Category areas (see HGV SP 04-03, Figure 8).

8.3.2 General Plan/Community Plan Amendments CEQA Impact Analysis

Some comments were received that challenge the Project's DEIR, suggesting that it did not adequately analyze the Project's consistency with the goals and policies of the County's General Plan, adopted in 2011 (General Plan) or the Elfin Forest and Harmony Grove Community Plan portion of the San Dieguito Community Plan (Community Plan). Some commenters also contend that the County of San Diego (County) is prohibited from amending the Community Plan and that these amendments would create "internal inconsistencies" with the General Plan and the Community Plan. Finally, some commenters assert that the County is precluded by law from approving the Project because the Project would result in an impermissible inconsistency within the General Plan. This global response was prepared to address these issues.

8.3.2.1 *Proposed General Plan Amendment*

The Harmony Grove Village South Project (HGV South, or Project) is proposing to amend the General Plan's Land Use Map to change the Regional Category Designation of a portion of the Project site from Semi-Rural to Village ("HGV South Village expansion area") pursuant to General Plan Policy LU-1.4. (See also the related Global Response "Project Consistency with General Plan Policy LU-1.4.") It will also change the land uses associated with such amendment to Village Residential 10.9 and Neighborhood Commercial. The Project also proposes to rezone the entire site to change its current zoning designation to S88 (Specific Plan). The Project will not result in any changes or amendments to any of the policies of the General Plan; rather it applies the existing General Plan policies to the Project.

The Project also proposes to amend the Community Plan to add the Project as an independent but compatible component of the Harmony Grove Village (HGV) Specific Plan, revise portions of the Community Plan text for clarity and amend Figures 1 and 3 of the Community Plan to adjust the HGV (village) boundary line. The full text changes to the Community Plan were circulated during public review of the Project and are still available on the County website for the Project. In particular, the project is proposing to amend Community Plan Policy LU-2.2.1 in order to prevent the possibility of conflict between the General Plan and the Community Plan. HGV South is proposing to amend Policy LU-2.2.1 as follows:

> Policy LU-2.2.1 Ensure that ~~the number of urban residences does not greatly exceed that of~~ the rural ~~residences~~ residential and equestrian character of ~~in~~ the greater unincorporated communities of Harmony Grove and Eden Valley is maintained by adherence to the Community Development Model and the Community Plan Policies set forth in Section 1.1 "Community Character."

8.3.2.2 *Distinguishing between CEQA and Planning Issues*

The comments that were received can be grouped into two distinct categories that are either related to the California Environmental Quality Act (CEQA) or general plan conformance. CEQA is concerned with whether an inconsistency between a project and the General Plan would result in a physical impact on the environment (CEQA Guidelines Section 15125[d]; EPIC v. EL Dorado, 113 Cal. App.3d 350; see also Lighthouse Field Beach Rescue v. City of Santa Cruz [2005] 131 Cal.App.4th 1170). This can be distinguished from determining whether a finding of general plan consistency can be made in order to approve a project. Under California's Planning and Zoning Law, in order for a project to be approved by a county or city, it must be determined that the project is consistent with that jurisdiction's general plan (Friends of Lagoon Valley [2007] 154 Cal.App.4th 807, 815; see also Citizens of Goleta Valley v. Bd of Supervisors [1990] 52 Cal.3d 553). However, no project can completely satisfy every policy stated in the general plan and state law does not impose such a requirement (Save Our Heritage Org. v. City of San Diego [2015] 237 CA4th 163). It has been well established that state law does not require a precise match between a project and the general plan, nor does a project need to be in perfect conformity with each and every general plan policy. Rather, to be consistent, a project must be compatible or in harmony with a general plan's objectives, goals, and policies. A project is considered to be compatible with the general plan if considering all aspects of the project, it will further the objectives and policies of the general plan (Corona-Norco Unified Sch. Dist. V. City of Corona [2001] 13 Cal.App.4th 1577; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland [1993] 23 Cal.App.4th 704). Although CEQA Guidelines do not require a formal response to general plan consistency comments, this Global Response has been prepared to address both categories of comments.

8.3.2.3 *General Plan Related Issues*

Some of the commenters assert that the County is prohibited from amending the Project's current land use designation because these land uses were originally established in accordance with the Community Development Model (CDM) to direct growth to HGV, not to areas outside it. They claim that any such amendment would, therefore, be inconsistent with General Plan. They further contend that the HGV Boundary line was "negotiated" with community advocates to provide a firm limit on where future growth can occur within the community. The commenters also contend

that the proposed amendments to the Community Plan (HGV Boundary line and to Policy LU-2.2.1) would create impermissible inconsistencies within the General Plan. Finally, the commenters state that the Project's proposed amendment to the HGV Boundary line would be inconsistent with Policy LU-2.2.1 of the Community Plan and would create internal inconsistencies within that Plan.

For purposes of this analysis, we first turn to the General Plan to put into proper perspective the hierarchical relationship between the General Plan and the County's many community plans. General Plan Policy LU-2.2 makes it clear that General Plan policies take precedence over community plan policies and that community plans cannot be interpreted in a manner that would undermine the policies of the General Plan. General Plan Policy LU-2.2 states as follows:

> *Community Plans are part of the General Plan. These plans focus on a particular region or community within the overall General Plan area. They are meant to refine the policies of the General Plan as they apply to a smaller geographic region and provide a forum for resolving local conflicts. As legally required by State law, Community Plans must be internally consistent with General Plan goals and policies of which they are apart. They cannot undermine the policies of the General Plan. Community Plans are subject to adoption, review, and amendment by the Board of Supervisors in the same manner as the General Plan.*

Therefore, even though community plans are an integral part of the County's General Plan, these documents must still be internally consistent with the General Plan's goals and policies of which they are apart. This means that community plans must be read and interpreted in the context of the goals and policies set forth in the General Plan and cannot be interpreted in isolation.

Community Development Model

The notion that the County is prohibited from amending the Project's current land use designation because these land uses were originally established in accordance with the CDM presupposes that no future amendment to the County's Land Use Maps could ever occur. The opinion expressed by the commenters that such amendments to the County's Land Use Maps are prohibited is contrary to the clear intent expressed in the General Plan by Policy LU-1.4 that allows existing or planned villages to be expanded or Policy LU-1.2 that allows new villages to be established. In fact, the General Plan specifically states that the Regional Categories Map and the Land Use Maps of the General Plan are graphic representations of the Land Use Framework and the related goals and policies of the General Plan, including Policies like LU-1.4 and LU-1.2 (General Plan, page 3-18). State law requires a general plan to be integrated and internally consistent, both among the elements and within each element. This means that internal consistency requires that diagrams in the land use, circulation, open space and natural resource elements reflect the written policies and programs of those elements (Government Code section 65300.5; see also Concerned Citizens of Calaveras County v. Board of Supervisors of Calaveras County [1985] 166 Cal.App.3d 90).

Similar to the Land Use Maps of the General Plan, the HGV Boundary line depicted in Figure 3 of the Community Plan, must be viewed in conjunction with the language of the General Plan's Goals and Policies which expressly provide authority to make future amendments as determined appropriate by the County Board of Supervisors (General Plan, page 3-18). Although the

Community Plan currently identifies the existing HGV Boundary as the area in which development should be directed, it cannot be interpreted in a manner that would make it internally inconsistent with General Plan Policies, such as LU-1.4. In fact, the Community Plan also contemplates that future amendments may be needed to reflect changing community attitudes. The Community Plan provides that "[T]he annual review provides the opportunity for the Plan to be updated and amended, as appropriate, to reflect changes in the community vision, conditions or attitudes… It shall be the responsibility of the County to implement the [Community] Plan, to monitor progress towards its implementation, and to amend the [Community] Plan when necessary" (Community Plan, page 5). Therefore, HGV South intends on amending its Regional Category Designation, General Plan Land Uses, and Figures 1 and 3 of the Community Plan to incorporate the HGV South Village expansion area within the HGV Boundary line as allowed by Policy LU-1.4.

The commenters incorrectly assume that the redesignation of a portion of the Project site from Semi-Rural to Village would be inconsistent with the CDM. They also incorrectly state that the Project would remove the Semi-Rural and Rural buffers around HGV, allowing dense development outside the HGV village core. However, the majority of the Semi-Rural and Rural buffers around HGV will remain intact; only the HGV South Village expansion area will be redesignated as Village and will become a part of the same village as HGV. The Project will be consistent with the CDM in that the HGV South expansion area will be designated with a Regional Category of Village, and will, in turn, be surrounded by Semi-Rural uses that transition to Rural uses. (See the Global Response "Project Consistency with General Plan Policy LU-1.4" in Section 8.3.1 for more details regarding the Project's conformance with the CDM.)

Negotiated Boundary Line

Some of the comments that have been received contend the HGV Boundary line was "negotiated" with community advocates to provide a firm limit on where future growth can occur; stating that "community advocates carefully selected areas where Harmony Grove would grow." The notion that the County "negotiated" the HGV Boundary line with community advocates and is therefore precluded from amending it, is contrary to well established California law that prohibits the unlawful delegation of legislative authority. A legislative body may not contract away its police power by restricting future legislative actions to the consent of other property owners. This would be considered an unlawful surrender of the County's legislative authority and an invalid "contracting" away of its police powers. (See City and County of San Francisco v. Cooper, 13 Cal.3d 898 [1975]; "It is a familiar principle of law that no legislative board, by normal legislative enactment, may divest itself or future boards of the power to enact legislation within its competence." See also Avco Community Developers, Inc. v. South Coast Regional Com. [1976] 17 C3d 785 and Pardee Construction Co. V. City of Camarillo [1984] 37 C3d, 465.)

Inconsistency with General Plan

Some of the comments received incorrectly contend that the proposed amendments to the Community Plan would create impermissible inconsistencies with General Plan Policies, like Goal LU-2 or Policy LU-1.3. Both policies focus on designation of land use in patterns to create or enhance communities and preserve surrounding rural lands. The Project would support and enhance the community by providing additional amenities in concert with existing HGV. Specifically, gathering place amenities would be provided that would be open to the Harmony

Grove community as a whole, pathways and trails would be provided that would support non-vehicular modes of travel between areas south of Escondido Creek (connecting to HGV sidewalks and paths north of Harmony Grove Road as well as planned regional trails), and the crossing of the Escondido Creek (currently an "Arizona" crossing and subject to flooding and intermittent closure) would be improved by a bridge for all travelers to use. Country Club Drive also would be improved south of Harmony Grove Road to include three lanes, improving access/egress during potential emergency events for residents south of the creek. Specific to preserving rural lands, the Project has set approximately 35 acres aside as open space in the southerly portion of the Project that connect to open space south and east of the Project, and abut a range of lot uses to the southwest. Within the developable areas of the Project, larger lot uses are provided along the development perimeter.[7] The Project affects only the Project site, and supports preservation of surrounding rural lands through the set-aside.

As described below, the DEIR compared the Project (which includes the amendments to the Community Plan) to the existing General Plan to determine whether any inconsistency would result in an environmental impact. Also, the Specific Plan provides a similar analysis of the Project's consistency with the General Plan. Both documents determined that the Project would be compatible or in in harmony with the General Plan's objectives, goals, and policies. Please refer to the Global Response "Project Consistency with General Plan Policy LU-1.4" in Section 8.3.1, and to the HGV South Specific Plan, Section VI "General Plan Consistency Analysis" for a detailed discussion regarding the Project's conformance with the General Plan. In any event, the Board of Supervisors is considered uniquely qualified to interpret the provisions of the General Plan, and its decision carries a strong presumption of regularity if supported by findings and substantial evidence (No Oil, Inc. v. City of Los Angeles [1987] 196 Cal.App.3d 223, 243 and Eureka Citizens for Responsible Gov't v. City of Eureka 2007 147 CA4th 357).

Inconsistency with Community Plan

Finally, the commenters contend that the Project's proposed amendment to the HGV Boundary line would be inconsistent with Community Plan Policy LU-2.2.1 and would create internal inconsistencies within this Community Plan. Although the Community Plan may have expressed a desire to limit the number of urban residences that could be built within the communities of Harmony Grove and Elfin Forest, the strict interpretation of this Policy provided by some of the commenters would be inconsistent with General Plan Policies that allow existing or planned villages to be expanded or new villages to be established. Clearly, these General Plan policies indicate that land use designations were not intended to be locked in forever. There are also numerous other policies in the General Plan that contemplate that future growth will occur and provide direction with respect to its future planning; such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility), and COS-2.2 (requiring development to be sited in least biologically sensitive areas). The General Plan states that it is intended to be a dynamic document and must be periodically updated to respond to changing

[7] HGV South provides a transition from the Village portion of the site through maintaining the perimeter of the site within the existing Semi-Rural regional category along the southwestern, southern, and eastern property boundaries. Lower intensity single-family uses (typically with larger lot sizes) are planned in this area in addition to designated open space.

community needs (General Plan, p. 1-15). Even the Community Plan contemplates that future amendments to the Community Plan may occur when necessary to implement the plan (Community Plan, page 5).

The General Plan also states that:

> *the policies contained within this General Plan were written to be a clear statement of policy but also to allow flexibility when it comes to implementation. Policies cannot be applied independently; rather, implementation of the policies must be balanced with one another. For example, a policy to conserve open space is not a mandate for the preservation of 100 percent of the existing undeveloped land in the County. It must be balanced with other policies that allow development and other uses of the land* (General Plan, p. 1-5).

Similarly, the County cannot apply Community Plan Policy LU-2.2.1 in a vacuum freezing all future development in perpetuity. Rather, community plan policies must be interpreted in the context of other policies found within the General Plan, such as General Plan Policy LU-1.4 that allows existing or planned villages to be expanded.

Policy LU-2.2.1 must be interpreted in the broader context of other Community Plan goals and policies, such as Goal LU-2.2 that explains how the preservation of lifestyle must be balanced with accommodating growth; and provides the basic framework for the application of LU-2.2.1. It explains that "development of these parcels outside the proposed Harmony Grove Village Boundary (refer to Figure 3) with ***an urban, clustered, or suburban design*** [emphasis added] threatens the continued existence of the rural residential and equestrian character of Elfin Forest/ Harmony Grove."

The County can reasonably interpret LU-2.2.1 together with General Policy LU-1.4 to mean that expansion of an existing or planned village is not considered a typical urban, clustered or suburban development that would threaten the rural residential and equestrian character of Elfin Forest/Harmony Grove. In other words, an expansion of a village under General Plan Policy LU-1.4 would accommodate growth without affecting the existing community character of the surrounding area because village densities could only be located contiguous to an existing village and not allowed to be indiscriminately dropped into the greater community. One of the findings that need to be made in order to expand an existing village is that the expansion must be consistent with community character, the scale, and the orderly and contiguous growth of a Village area.

HGV is already designated a village and is located away from the rural residential neighborhoods of Elfin Forest and Harmony Grove. HGV is described in the Community Plan as "primarily a residential village" that contains dense urban residential uses, commercial uses, and recreational and public amenities. In approving HGV, the County determined that it was a logical extension of an urban designation and was considered compatible with the existing character of the community and the more urban uses of the surrounding jurisdictions (HGV SP 04-03, page 124).

The Community Plan clearly anticipated that urban residences would be located in HGV. An expansion allowed under General Plan Policy LU-1.4 would not undermine the underlying intent of the Community Plan to preserve the rural residential and equestrian character of the remaining

Elfin Forest and Harmony Grove communities. The majority of the Semi-Rural and Rural buffers around HGV will remain intact; only the HGV South Village expansion area will be redesignated as Village. The Project is expanding the existing HGV by concentrating similar village uses contiguous to HGV as part of the same village design. In fact, the "Village Center" of HGV is located approximately 2,100 feet (or less than 0.5 mile) from the HGV South Village expansion area. The Project will provide a transition to the existing surrounding semi-rural and rural uses by retaining semi-rural uses around the perimeter of the Project site that includes lower intensity single-family uses (typically with larger lot sizes) and open space areas. The open space areas will reduce any visual effects along the Project's perimeter, provide views to natural areas, and contribute to a rural and open environment (see also the Global Response to Project Consistency with General Plan LU-1.4).

Finally, the Project is proposing to amend Policy LU-2.2.1 to remove any confusion with respect to its meaning and to ensure consistency with the General Plan. The amendment would ensure that the rural residential and equestrian character of the greater unincorporated communities of Harmony Grove and Eden Valley be maintained by requiring adherence to the CDM and Section 1.1 ("Community Character") of the Community Plan. It would replace the current numerical requirement that urban residences not greatly exceed rural residences with clear language that requires consistency with the Community Development Model and Section 1.1 of the Community Plan. Arguably, and based on the above discussion, numerical restrictions are not the most effective planning tool for maintaining community character. The Community Plan contemplated that the County may be required to make future amendments from time to time to as necessary to implement the plan (Community Plan, page 5).

The General Plan provides the Board of Supervisors with authority to amend Community plans in the same manner as the General Plan. (General Plan Policy LU-2.2) As described above, the County cannot "negotiate" or contract away its future right to exercise its land use authority as may be suggested by the commenters.

8.3.2.3 *CEQA Related issues*

Project Consistency Analysis

Some of the comments that were received challenge the Project's DEIR by suggesting that the DEIR did not adequately analyze the Project's consistency with the goals and policies of the General Plan or Community Plan. CEQA requires an environmental document to analyze any project inconsistencies with general plan policies that could result in an environmental impact. The proper basis for such analysis is to compare a project with the existing general plan (CEQA Guidelines §15125[d]). Also, when a proposed project includes a general plan amendment, this means that the general plan amendment must be compared to the existing physical conditions (EPIC v. El Dorado, 113 Cal.App.3d 350).

The Project's DEIR analyzed any potential physical environmental impacts that would result from Project approval and the concomitant amendment of the Regional Land Use Element Map to change the regional land use category from Semi-Rural to Village. The EIR properly compares the proposed General Plan amendment to the existing physical conditions in order to disclose the future physical impacts that would result from such amendment on the existing physical environment.

The Project DEIR frames the General Plan consistency analysis in Subchapter 1.4 under Environmental Setting. DEIR Subchapter 1.4 provides the Project Environmental Setting including the existing physical characteristics of the Project site (site size, parcel allocation, land uses, built structures, topography, water resources, vegetation and habitat, and jurisdictional waters) as well as its present regional context (defining highways, elevation, watershed, climate, surrounding development and densities, regional conservation plans) and its current land use planning context (current general plan and community plan land uses). Chapters 2.0 and 3.0 measure Project impacts and significance against the "existing physical conditions" described in Subchapter 1.4 and the additional details are provided within each topic heading discussion.

CEQA is concerned only with whether an inconsistency with a general plan policy would result in a physical impact on the environment (Lighthouse Field Beach Rescue v. City of Santa Cruz [2005] 131 Cal.App.4th 1170.) As a whole, the analysis found within the DEIR provides the public and decision-makers with sufficient analysis in that regard. More particularly, the Project's DEIR provides an analysis of whether the Project is consistent with the General Plan and the Community Plan under each of the appropriate subsections of the DEIR and in Section 3.1.5, *Land Use and Planning* as required by CEQA. The analysis included the relevant goals, policies, and objectives of both the General Plan and Community Plan correlated with each of the various topics covered by the DEIR. It covers the full spectrum of Project-specific issues; including for example, Project location, biological and agricultural resource protection measures, connectivity via trails and pathways, water and energy efficient buildings, water and sewer district coordination, fire safety and planning, schools, parks, integrated transportation planning, shade trees and drought tolerant landscaping, dark sky protective lighting, and facility operational standards. Please refer to each topic area of the DEIR for a thorough discussion.

Secondary Effects of Plan Amendments

Some commenters assert that the Project's DEIR fails to consider the broad potential environmental impacts of development that would result if the Project's proposed General Plan and Community Plan amendments were approved by the County. In particular, they assert that a DEIR must analyze a plan amendment's maximum development potential.

The commenter mischaracterizes the Project's proposed General Plan amendment as proposing changes that would "loosen development restrictions intended to strictly control growth in the unincorporated County." Rather, the Project is proposing to amend the General Plan's Land Use Map to re-designate only a portion of the Project site from a Semi-Rural Regional Category to a Regional Category Village, pursuant to General Plan Policy LU-1.4, and to change the land uses associated with such amendment. The Project will not result in any changes or amendments to any of the policies of the County's General Plan; rather it applies the County's existing General Plan policies to the Proposed Project site. Consequently, the Project's proposed General Plan Amendment would not result in any changes to County's General Plan that would increase the potential for development Countywide.

Due to the existing Rural and Semi-Rural land use designation in lands surrounding the Project site, any future projects that would require a general plan amendment to increase density would be subject to approval by the County and would be individually evaluated for impacts. Therefore, approval of the Proposed Project generally would not be expected to make it easier for future projects to be approved, nor more likely that future growth would occur based upon the land use

change associated with this Project. Regardless, the potential for growth inducement as a secondary effect was analyzed in Subchapter 1.8, *Growth Inducement*, in the DEIR.

The very few parcels in the vicinity of the Project are smaller and would not support much additional housing. It was concluded that Project-related significant growth-inducing effects would not occur relative to the General Plan amendment. The DEIR analysis states as follows:

> *Figures 1-3 and 1-4 depict surrounding land uses. As illustrated, most of the land west of the Project is already developed or lies within an approved development plan, with the exception of a small section of Semi-Rural (4) to the west of the Project, and south of Country Club Drive. Scattered within that area, there are seven unbuilt parcels, all in individual ownerships, that range in size from 0.81 acre to 3.46 acres. At this time, there are no known plans for development in this area. Parcels to the east are primarily developed as privately-owned estate residential, to the west with large lot residential, and to the south (and east of the southern part of the Project site), there is existing open space preserve, which would preclude significant growth-inducing effects. In addition, portions of adjacent large lot parcels that currently support low density uses are often topographically constrained with steep slopes and/or sensitive biological resources. Significant growth-inducing effects would be substantially constrained.*

Any impacts related to wildland fire hazards, traffic, air quality and climate change resulting from potential future growth would be individually addressed in the environmental documents prepared for such projects and are, at this point, completely speculative. New projects would have to deal with related traffic, air quality and climate change effects, as well as a host of other sensitive resources normally addressed in County EIRs. No precise cumulative assessment can be provided as they are not "past, present and probable future projects" (emphasis added) in conformance with CEQA Guidelines Section 15130(b)(1). No defensible analysis can be presented, and no additional review is required.

Relative to the request to amend Figures 1 and 3 of the Community Plan to adjust the HGV Boundary line, the conclusions discussed above are the same. Similar to the discussion above for the General Plan Amendment, moving the HGV Boundary line is only related to the expansion of HGV pursuant to General Policy LU-1.4 and affects only the Proposed Project.

A future adjustment of the HGV Boundary Line would mean that village uses would be expanded to areas beyond what is currently allowed under the General Plan Land Use Maps. Any such amendment would be subject to approval by the County and would be individually evaluated for impacts. In addition, specific findings of consistency with the General Plan would be required to be made by the Legislative body. Finally, the ability to modify the HGV Boundary line would also depend on the development potential of the surrounding land. No expansion could occur to the south or to the southern portion of areas to the east, as that land is in permanent open space reserve, and no further expansion could occur to the north, as that area is already within the village. That leaves a speculative potential for development along a portion of the Project's boundary to the east, which is constrained by the area's close proximity to the City of Escondido, the existing larger-lot residential uses currently located in the area, and by sensitive habitat and steep slopes that are located throughout this area. Other areas west of the Project are largely built out and include a diverse array of residential uses. The Harmony Grove Spiritualist Association is currently

being rebuilt not to exceed its previous unit count. One and two-story homes are located on lots in the 5,000 to 10,000 s.f. range in the flatter areas of this western sector and multiple story (three- and four-story) residences are present on larger parcels in the vicinity. Beyond the boundary line issue, additional developments would need to conform to other relevant community plan policies. If they cannot do so, they would be denied, or the General Plan would need to be revised. If they can do so, of course, then the concern that the future unknown project would adversely affect the community would be moot.

The Project also proposes to amend Community Plan Policy LU-2.2.1 to remove any confusion with respect to its meaning and to ensure consistency with the General Plan. This amendment would not undermine the underlying intent of the Policy to maintain the residential and equestrian character of Elfin Forest and Harmony Grove. However, rather than apply a numerical equation to uphold community character it would require adherence to the CDM and the community character policies of the Community Plan. Any proposed development would still need to seek an amendment to the General Plan if proposing a development that is not currently allowed under the General Plan, which would, in turn, require the County's approval after appropriate CEQA analysis.

8.3.3 Fire Hazards Impact Analysis

Several comments have been received that assert that the DEIR failed to adequately evaluate whether the Project would expose people or structures to a significant risk of loss, injury, or death involving wildland fire and that its conclusions are not supported by substantial evidence. A comment was received that asserts the Project failed to consider the risk associated with locating in the Wildland Urban Interface (WUI). Some comments contend that the Project will exacerbate existing public safety risks given its location in the WUI. This Global Response has been prepared to address these and other related issues.

8.3.3.1 *Fire Hazards were Adequately Analyzed in the DEIR*

Based on County Guidelines for Determining Significance – Wildland Fire and Fire Protection (2011e), a significant impact to public safety or the environment would occur if: a project cannot demonstrate compliance with all applicable fire codes; a comprehensive Fire Protection Plan (FPP) has been accepted but a project is inconsistent with its recommendations; or a project does not meet the emergency response objectives identified in the Public Facilities Element of the County General Plan or offer feasible alternatives that achieve comparable emergency response objectives.

Section 3.1.4.2 of the DEIR (refer to FEIR Section 3.1.3, *Hazards and Hazardous Materials*), concluded that the Project would not expose people or structures to a significant risk of loss, injury or death from wildland fires because the Project would comply with the FPP accepted by the Fire Authority Having Jurisdiction (FAHJ) and would be in compliance with the fire codes by including, as design features of the Project, the specifically developed measures and features detailed in Section 5.2.1.2 of the FPP. As an integral part of this analysis the Project's dead-end road length and potential secondary access issues were also thoroughly evaluated within the Project's FPP (Dudek 2018), the Wildfire Risk Analysis report (Rohde & Associates 2016), and by San Diego County Fire Authority (SDCFA) and Rancho Santa Fe Fire Protection District

(RSFFPD).[8] The Project's specifically designed features involve a layered approach to fire safety that was customized for the Project site and the fire hazards presented. While wildfires under extreme wind conditions can be unpredictable, the Project was determined to include the necessary features (e.g., appropriate fuel management zones, ignition-resistant building features, water supply, etc.) to perform well during wildfires. Also, with implementation of the planned fire station (already operating as a temporary station), located 1.3 miles to the north of HGV South, travel time to all Project lots (including the most distant) would be within 2 minutes and 50 seconds, which is well below the General Plan's five-minute travel time standard and the Project would comply with the emergency response objectives identified in the Public Facilities Element of the County General Plan.

Section 3.1.3.3 of the FEIR finds that the Project's contribution to a potential cumulative impact would be less than cumulatively considerable with respect to wildland fire hazards based on implementation of the corresponding fire protection Project features, including conformance with building and fire codes, provisions for alternative ingress/egress, ongoing maintenance of roads, infrastructure, vegetation management, and defensible space. Fire and emergency medical response from the full new fire station being built in HGV within 1.3 miles from the most distant portion of HGV South would result in an increase in service availability and a reduction in the travel times for fire service calls in the cumulative project area. The Project's contribution of 0.3 call per day with respect to the new fire station in the cumulative project area is considered insignificant.

8.3.3.2 The DEIR Conclusions are Supported by Substantial Evidence

Fire Protection Plan

An FPP was prepared (Dudek 2018, EIR Appendix L), which is the basis for the information and impact determinations contained within Section 3.1.3 of the FEIR. The FPP was prepared consistent with the requirements of the County Consolidated Fire Code (2014 CCFC and 2014 CFC Ordinance #10337), California Code of Regulations, Title 14, Fire Safe Regulations, RSFFPD Fire Code (Ordinance 2014-01A) and the County of San Diego Guidelines for Determining Significance and Report Format, Wildland Fire and Fire Protection (2010).

The purpose of the FPP is to assess the potential impacts of the Project resulting from wildland fire hazards and identify the measures necessary to adequately avoid those impacts. As part of the assessment, this plan considered the fire risk presented by the site, including: property location and topography, geology (soils and slopes), combustible vegetation (fuel types), climatic conditions, fire history, and the proposed land use and configuration. The FPP also addressed compliance with fire regulations and evaluated anticipated emergency response conditions of the

[8] The Wildfire Risk Analysis Report was prepared for the San Diego County Fire Authority's Fire Marshal, by Rohde & Associates in 2016. The Rohde & Associates team conducted an analysis of: (1) a wildland fire assessment and tactical plan for the greater Harmony Grove community, using the County-wide standard assessment process and planning tools; and (2) a site-specific analysis of the proposed HGV South Project related to application of Building/Fire Code and requested variance to existing regulations. The Rohde Report was included as a reference document for the HGV South DEIR at https://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/HARMONY%20GROVE%20VILLAGE%20SOUTH%20WILDFIRE%20RISK%20ANALYSIS.pdf.

developed Project. Using reconnaissance data and modeling, the FPP also evaluates potential impacts resulting from wildland fire hazards based on surrounding land uses/open space and known wind patterns/wildfire patterns and identifies the measures necessary to adequately mitigate those impacts. The recommended measures, as set forth in the FPP, have been incorporated into the Project as project design features, or PDFs.

Wildland Fire Behavior Assessment

A wildland fire behavior assessment was prepared as part of the FPP to assess the potential impacts resulting from wildland fire hazards and identify the measures necessary to adequately mitigate those impacts. A comment was received that this modeling was deficient in its scope, characterization of the vegetative communities and weather data without specifying which data would be more appropriate. However, BehavePlus was selected to model the fire behavior for this Project because of its ability to utilize fine detail and select specific modeling locations. Specifically collected terrain and fuel data at this site were used for this modeling effort. Project locations that would represent "worst case" conditions due to slope, fuels, and wind alignments were selected. The fire behavior modeling was conducted for vegetative types that surround the proposed development. The vegetation types are represented primarily by three fuel models as shown in Table 1 of the FPP. The fuel models selected also included weather inputs based on 44 years of weather data required by San Diego County Fire Authority (SDCFA) for use in FPP modeling efforts. Fuel model typing was completed in the field concurrent with site hazard evaluations. Based on field analysis, four worst-case scenarios for wildland fires were evaluated for the Project site. A more detailed discussion of the BehavePlus analysis, including weather input variables, is presented in Appendix E of the FPP. As a result of the findings of the fire modeling, PDFs were incorporated into the Project, including fuel modification zones (FMZs), use of ignition resistant building materials, and other design features in order to reduce the risk of fire hazard. Section 3.1.4.3 of the DEIR and Section 5.2 of the FPP analyzed the design features to determine whether the features would reduce the risk of exposure of people or structures to a significant risk of loss, injury or death from wildland fires.

8.3.3.3 *The Project Complies with the Fire Codes and is Consistent with the Recommendations Described in an Accepted FPP*

Several comments have been received that incorrectly assert that the Project does not comply with the County's Fire Code requirements. However, the FPP explains that the Proposed Project complies with all applicable fire code regulations, including but not limited to the California Fire Code, the Consolidated County Fire Code, and County Fire Code, with one modification (allowed under the CCR to address conditions of a site) which was accepted by the Fire Code Official. A request for a modification from Section 503.1.3 of the CCR with respect to dead-end road lengths was accepted by the Fire Code Official because the topographical, geological, and environmental conditions of the site make compliance with this standard infeasible. The topography and environmental conditions that make compliance with the 800-foot dead end road length infeasible were reviewed by County and fire staff. It was determined that the site is constrained by a number of environmental factors that include valuable biological habitat in the southern portion of the Project and terrain that is often steep, with hills that do not allow for straight access routes, requiring on-site streets to curve in order to meet required grade and curve roadway requirements. Finally, the Project's location adjacent to existing development constrained the location of on-site

streets in order to avoid adding traffic to off-site private streets south of the Project entrance. The FPP provides a detailed discussion of the dead-end road length requirements and how the Project meets the intent of the code through a layered and redundant fire protection and evacuation system.

The Fire Code Official may grant a modification from such requirements pursuant to CCR Section 96.1.104.8. A modification may be granted when the modification is in compliance with the intent and purpose of the code, and such modification does not lessen health, life, and fire safety requirements. The Fire Code Official granted the Project a modification from the dead-end length requirements of the CCR based on the findings that are described in Section 5.2.1.2 of the Project's FPP (Dudek 2018). The Fire Code Official concluded that: (1) an alternative approach has been developed that meets the intent of the code through the implementation of a list of specifically developed measures, and features; and (2) such modification does not lessen health, life, and fire safety requirements.

Several comments received also incorrectly assert that under Fire Code Section 503.1.2, the only "acceptable" mitigation for exceeding dead-end road length requirements is providing secondary access. However, Fire Code Section 503.1.2 does not state this proposition. Rather, it provides the statutory authority for the Fire Code Official to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, the condition of terrain, climatic conditions or other factors that could limit access (as discussed further below).

Some commenters incorrectly assert that there is no evidence to support the conclusion that the Project's layered and redundant fire protection and evacuation system meets the intent of the Fire Code. This is incorrect; the layered system of protections and evacuation system described in the FPP was thoroughly evaluated and confirmed by an independent third party (fire planning consultant Rohde & Associates) in the Wildfire Risk Analysis report, as well as by SDCFA and Rancho Santa Fe Fire Protection District (RSFFPD). In particular, the Project's dead-end road length and secondary access were thoroughly evaluated within the Project's FPP (Dudek 2018), the Wildfire Risk Analysis report (Rohde & Associates 2016), and by SDCFA, RSFFPD, and the County. The FPP was also analyzed according to industry standards and San Diego County/RSFFPD requirements for determining significance following the 2010 County of San Diego Guidelines for Determining Significance. The FPP was found adequate and complete by both the County and the RSFFPD Fire Marshal.

As described in the FPP and FEIR Section 3.1.3, the Project will provide alternative fire protection features that are site specific and are designed specifically to address modification from the dead-end road length requirements and the secondary access constraints of the site. Specifically, the Project has developed an alternative approach that meets the intent of the code through the implementation of a list of site-customized measures and features (see Section 5.2.1.2 of the FPP and Chapter 7.0, *List of Mitigation Measures and Project Design Features* of the EIR). These measures and features supported a finding by the RSFFPD (FAHJ) that the intent of the code has been met and does not lessen health, life, and fire safety requirements (RSFFPD FPP acceptance letter prepared by Chief Tony Michel – August 2016). Most of the primary components of the layered fire protection system provided by the Project are required by the RSFFPD and state codes. These measures have proven effective for minimizing structural vulnerability to wildfire and extinguishing interior fires, should embers succeed in entering a structure (with the inclusion of required interior sprinklers (required in the 2010 Building/Fire

Code update). (Even though these measures are now required by the latest Building and Fire Codes, at one time, they were used as mitigation measures for buildings in WUI areas, because they were known to reduce structure vulnerability to wildfire. These measures performed so well, they were adopted into local and state codes.)

One of the most significant measures is the enhancement of Country Club Drive to include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation that would occur throughout the Project site from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. The EIR also incorporated other features, including: (1) three separate access ways off of Country Club Drive that is part of a looped interior road system so if one or both of the southern roads are blocked, the northern roadway would still be accessible by all residents; (2) no gates or speed bumps or humps allowed within the Project, primarily to facilitate fast emergency response by the fire department, but also facilitating unimpeded traffic flow (ingress and/or egress) in the case of emergency; and; (3) parking requirements that far exceed the available resident and guest parking standards in order to maintain the Project roads as unobstructed travel lanes so that emergency response vehicles are not hindered during responses.

8.3.3.4 *The Specifically Developed Features are Appropriate Project Design Features*

Some comments incorrectly characterize the fire protection features that were incorporated into the design of the Project as mitigation measures used to avoid identifying significant impacts. The commenters state that the EIR's analysis of the Proposed Project conflates project design features with mitigation measures, in violation of the Court of Appeal's decision in Lotus v. Department of Transportation (2014) 223 Cal.App.4th 645. In that case, the court determined that the discussion of certain impacts in an EIR was inadequate because, rather than identifying a standard of significance and describing the impacts, the EIR assumed that special construction techniques would be incorporated into the project; neither did the EIR disclose what standard would be used to determine whether residual impacts remaining after incorporating the construction techniques would be "significant" under CEQA.

Unlike mitigation measures, the PDFs described above are true components of the Project's design that cannot be separated from the Project itself and have been incorporated into the design of the Project to address potential Project effects on the environment. CEQA Guidelines 15070(b)(1) and 15126.4(a)(1)(A) specifically permit the incorporation of project design features into a project for the purpose of avoiding or reducing its potential environmental effects. The fire protection features do not constitute "mitigation" measures because the features are a part of the project itself and are not the result of any "subsequent action" proposed to mitigate or offset the associated adverse environmental impacts of the project (Berkeley Hillside Preservation v. City of Berkeley [2015] 241 Cal.App.4th 943, 961).

The DEIR has not cited vague special measures (as occurred in Lotus) to forego further analysis. The Project's PDFs have been taken into account prior to making a significance determination. The DEIR identified the relevant threshold of significance and addressed whether the threshold would be exceeded and why, and described how the environmental protection feature would, based on substantial evidence (as described above) maintain and effectively result in a less-than-significant level.

The description of the fire protection features, such as the enhancement of Country Club Drive to include an additional travel lane, have been integrated into the design of the Project to be implemented as part of the Project. This approach is consistent with CEQA (e.g., Wollmer v. City of Berkeley [2011] 193 Cal.App.4th 1329 [citing road improvements to support city's conclusion that a project would not result in traffic impacts].) Some of the fire protection features are based on mandatory regulatory compliance (e.g., specific requirements of a fire code or Title 24 building requirements). In Citizens for Environmental Responsibility v. State ex rel. 14th Agricultural Association (2015) 242 Cal.App.4th 555, the court found that a manure management plan implemented to prevent water pollution during a proposed rodeo was a preexisting measure adopted and implemented as part of the normal operations of the fairground and was a project design measure. Because these improvements are a part of the Project, the DEIR appropriately incorporated these improvements into its analysis of the Project's impacts with respect to fire hazards (see, e.g., Berkeley Hillside Preservation v. City of Berkeley [2015] 60 Cal.4th 1086 [for purposes of CEQA analysis, city appropriately assumed a project would be constructed as proposed]). In any event, all PDFs become conditions of the Project that are included within Chapter 7.0. and are therefore enforceable and mandatory in nature.

8.3.3.5 *The Project Meets the Emergency Response Objectives Identified in the Public Facilities Element of the County General Plan*

The RSFFPD is responsible for providing emergency services to the Project from Harmony Grove Fire Station 5. The area's new station is staffed by career personnel provided by the RSFFPD (currently from a temporary station until the new permanent station is constructed). Emergency ambulance service for this area is outsourced to a private vendor. The new Harmony Grove Village Station is less than 1.3 miles to every structure proposed on the HGV South site and the engine can respond within three minutes travel time, which is within the County's General Plan response travel time standard of five minutes.

Generally, in San Diego County each agency is responsible for structural fire protection and CAL FIRE typically provides wildland fire protection within their area of responsibility. However, mutual aid agreements enable non-lead fire agencies to respond to fire emergencies outside their district boundaries. In the Project area, fire agencies cooperate on a statewide master mutual aid agreement for wildland fires and there are mutual and automatic aid agreements in place with neighboring fire agencies (north zone agencies and San Diego City). These typically include interdependencies that exist among the region's fire protection agencies for structural and medical responses but are primarily associated with the peripheral "edges" of each agency's boundary. These agreements are voluntary, as no local governmental agency can exert authority over another.

Table 8.3.3-1, *Summary of HGV South Responding Fire Stations*, presents a summary of the location, equipment, staffing levels, maximum travel distance, and estimated travel time for the nearby stations that would respond to a fire or medical emergency at the HGV South Project. Travel distances are derived from SANGIS Geographic Information System (GIS) road data while travel times are calculated using nationally recognized National Fire Protection Association (NFPA) 1710 and Insurance Services Office (ISO) Public Protection Classification Program's Response Time Standard.

The San Diego County General Plan utilizes a 5-minute response time goal for urban areas and up to a 20-minute or more response time for rural areas. The five minutes is for travel time and is based on the time typically involved in a room fire reaching the point of "flashover" where control is very difficult and the critical time following a heart attack or stroke for medical intervention. From a fire perspective, the ignition resistant features and interior sprinklers provided the Project's residences will effectively minimize fires and extend the occurrence of flashover. Sprinklers have proven very effective at limiting interior fires to the room of origin, and by doing so, extending the time needed for firefighter intervention. The Project is well within these critical response times. Travel time to the HGV South site for the first responding engine from the new station to the most remote area of the Project is within three minutes. Secondary response would arrive within 5 to 5.5 minutes from Escondido Station 6.

Emergency Service Level and Capacity

As presented in Table 8.3.3-2, *Summary of Population and Estimated Call Generation*, using RSFFPD's calculated 100 annual calls per 1,000 population, the combined call generation from existing residents, HGV, and HGV South will have an insignificant impact on Fire Station 5. Per the RSFFPD, current call volumes are low and due to the fact that the temporary station is new, call tracking is just beginning. At build out of the two HGV projects, the combined calculated call volume would be 442 calls per year, or an average of 1.2 calls per day. RSFFPD indicates that they will run between one and two additional calls per day into Escondido and/or San Marcos under automatic aid agreements.

Of the 1.2 calls per day, 60-percent would be attributed to HGV, just under 40-percent to HGV South, and less than 1 percent to existing residents. The majority of calls would be expected to be medical-related calls, consistent with typical emergency call statistics. These estimates are likely overly conservative due to the per capita call factors, which are based on an average of all demographics and sociological populations, including dense, urban areas which, on average, result in higher call volumes. A development like HGV South would typically include a demographic that results in fewer calls, per capita, resulting in an overly conservative estimate.

Based on this anticipated call volume, Fire Station 5 would not be considered a busy station when compared to standard utilization rates for busy fire stations (5 or 6 calls per day for a rural station and 7 to 10 calls for urban stations). Based on the projected population and call volume projections in this Fire Station's first-in area, it is expected that the call load associated with buildout of the planned HGV and HGV South Project will be at levels where response times will be consistent with the General Plan response time requirements for emergency calls. The HGV South Project's contribution of 0.4 call per day is considered insignificant.

8.3.3.6 *Project Adequately Analyzed its Location in the WUI Pursuant to Appendix G of the CEQA Guidelines*

A comment was received that asserts that the Project would contribute to even greater fire risk by developing in the WUI, where wildlands regularly burn, thereby exacerbating environmental hazards or conditions that already exist. The commenter further asserts that the DEIR failed to adequately evaluate the mitigation measures needed to address these fire hazards. The commenter incorrectly characterized the DEIR as concluding that the Project would not significantly increase

fire hazards in the WUI solely because the Project would convert ignitable fuels into a developed landscape.

The DEIR evaluated the fire hazards that currently exist within the vicinity of the Project site and its potential effect on the Project, as well as the potential increased wildfire hazard that may result from the Proposed Project. The FPP determined that given the climatic, vegetative, and topographic characteristics, location within a WUI, and fire history of the area, the Project site, once developed, would be subject to occasional off-site wildfires that would be expected to be potentially fast moving and of primarily low- to moderate intensity. The Santa Ana threat was considered minimal post-development because there is a lack of wildland fuels to the north, where HGV is under development. The Project's FPP recognized that the area has been designated a very high fire hazard severity zone. As such, it is required to implement important fire safety measures including ignition resistant construction materials and methods for all structures, fuel modification on the perimeter and throughout the Project, access, water, and many others (refer to the Project's FPP). This same robust fire protection system provides protections from on-site fire spreading to off-site vegetation. Accidental fires within the landscape or structures in the Project will have limited ability to spread off site. The landscape throughout the Project and on its perimeter will be maintained and much of it irrigated, which further reduces its ignition potential. Structures will be ignition-resistant on the exterior and the interiors will be protected with automatic sprinkler systems, which have a very high success rate for confining fires or extinguishing them. The HGV South community will also have a strong resident outreach program that raises fire awareness among its residents.

Fire and building codes developed specifically for homes and communities built in very high fire hazard areas (Chapter 7A of the California Building Code) have been developed to provide a high level of ignition resistance. The structures in the Project have been designed to ignition resistance levels necessary for the worst-case fire scenario given the site's fuels, terrain, and extreme weather conditions. Research indicates that new, master planned communities subject to ignition-resistant building standards and a system of fire protection that includes fire apparatus access, improved water for fire flow, and managed and maintained site-wide fuel modification, perform very well in wildfire situations (Insurance Institute for Business and Home Safety 2008). The building codes developed for construction in high and very high fire hazard zones are working to minimize the vulnerability of new residences and other structures to wildfires. There are numerous examples of master planned communities built to ignition-resistant standards and include HOA-managed FMZs that have been tested by wildfire and functioned as they were intended.

This same fire protection system has been found by fire reports, independent researchers, as well as USGS researchers (2015), to perform well against wildfires. San Diego County after-fire assessments indicate strongly that the ignition-resistive standards of the fire and building codes are working in reducing structural loss during a wildfire: Of the approximately 15,000 homes within the 2003 wildfires perimeter, 14 percent (2,137) were destroyed. However, of the 400 homes built to the 2001 County fire and building codes (the most recent at the time), only 4 percent (17) were destroyed. Further, of the 8,300 homes that were within the 2007 wildfires perimeter, 13 percent were destroyed. In comparison, there were 1,218 homes in the fire-damaged area that were built under the 2004 County fire and building codes. Of these more recently built (or more fire-resistive) homes, only 24 were destroyed – a "loss" rate of only 2 percent. It has been reasoned by fire officials conducting after-fire assessments that damage to the structures built to the latest

codes is likely to have resulted from unmaintained flammable landscape plantings or objects next to structures or open windows or doors (Hunter 2008).

Newer communities, especially those within jurisdictions that have adopted the latest State Fire and Building Codes (like San Diego County), and that have a well-defined and maintained fuel modification zone requirement, perform well against wildfires. Examples include 4S Ranch in San Diego County, Stevenson's Ranch in Santa Clarita, Serrano Heights and many others in Orange County. Conversely, when structures are lost, it is typically in older communities that were built before strict ignition-resistant construction was required and where suitable fuel modification is not present. The results are clear after numerous post-wildfire after action assessments (San Diego County 2003 and 2007 fire storms; Institute for Business and Home Safety 2008; SDCFA personal communication with Dudek 2007, 2010; Orange County Fire Authority 2008) which indicate that losses are primarily from older communities and losses in newer communities are typically limited to damage, not loss of the structure.

The Project's perimeter FMZs and site-wide landscaping restrictions will serve to separate wildland fuels from the structures by at least 100 feet and/or reduce the fuel loads so that less heat is generated. Heat dissipates across distances and Cohen's (1995, 1996, 2000, 2003) research confirms that a distance of 30 feet (the Project provides at least 100 feet) is adequate for separating the site's ignition resistant structures from vegetation heat sources.

Based on the ignition resistance of the structures to wildfire flames, the primary other means to any wildland urban interface structure is from burning embers/fire brands. The Project has addressed this by requiring code-exceeding ember resistant vents on all structures. The fire protection system that the Project will implement is based on these significant threats and mitigates the most likely avenues of ignitions, resulting in a development that is considered to include a relatively low risk.

Further, the multiple unit structures require an enhanced fire sprinkler system which is a structure protection system versus a life safety system for single-family residences. These systems have historically performed very well to minimize fire spread inside a structure and in most cases, to extinguish the fire.

As described in Section 3.1.4.3 of the DEIR, the Project analyzed whether it would expose people or structures to a significant risk of loss, injury or death from wildland fires. The DEIR concluded that the Project would not significantly increase fire hazards because the Project incorporated into its design, the measures identified in the FPP, including the additional fire protection systems, fuel modification/ vegetation management and other PDFs. These Project design features render the Project defensible and more able to withstand fire. Therefore the commenter incorrectly asserted that the only reason the DEIR concluded that the Project would not significantly increase fire hazards was because the Project would convert ignitable fuels into a developed landscape. The fact that the site would be largely converted from readily ignited fuels to ignition resistant landscape was only one reason the Project was determined not to contribute to a cumulative wildland fire risk.

Section 3.1.4.3 of the DEIR also identified that the Project's contribution to a potential cumulative impact would be less than cumulatively considerable with respect to wildland fire hazards based on the implementation of the FPP, associated landscaping plans, and other design features.

8.3.4 Adequacy of Emergency Evacuation and Access

Several comments have been received that assert that the DEIR failed to provide an adequate evaluation of the potential emergency evacuation impacts associated with the Project as required by CEQA. Some comments contend that the Project's DEIR failed to analyze public safety risks associated with evacuating residents of the Project and the risk it introduces to the safe evacuation of surrounding residents. This Global Response has been prepared to address these specific concerns. Please also see the companion Global Response: "Fire Hazards Impact Analysis" for a thorough discussion on related issues.

8.3.4.1 *The Project would Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan*

The determination of whether or not a project has a significant effect on the environment is based on the thresholds described in the environmental document. These thresholds of significance can be adopted by the local agency or can be based upon those standards set forth in Appendix G of the CEQA Guidelines (14 Cal Code Regs [CEQA Guidelines] Section 15064). Based on Appendix G of the CEQA Guidelines, the DEIR used the following Determination of Significance: whether the Project would impair implementation of either the Operational Area Emergency Plan or the Multi-Jurisdictional Hazard Mitigation Plan or interfere with evacuation activities conducted in accordance with these documents.

Section 3.1.4 of the DEIR identified two relevant emergency response plans related to the Project; the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. Both of these plans develop goals and objectives for the County of San Diego Office of Emergency Services (OES) with regard to large-scale natural or man-made disasters.

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 provides the framework for emergency response throughout the County, including at the Project site. It includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The Project would not impair implementation of either the Operational Area Emergency Plan or the Multi-Jurisdictional Hazard Mitigation Plan or interfere with evacuation activities conducted in accordance with these documents. The primary requirements of an evacuation plan are to identify evacuation routes and to prepare residents for an emergency event. It is a key document for Incident Command when an emergency event occurs in the area.

The Project is consistent with the framework of emergency response as required in the above plans, as well as the goals, objectives and actions required by the County. The Project will utilize the "Ready! Set! Go!" evacuation approach. This program is supported by most fire agencies and focuses on education, awareness and preparedness for those living in the wildland-urban interface

(WUI) areas. The Project's homeowners' association (HOA) will be required to distribute "Ready! Set! Go!" information, encourage homeowners to prepare their own individual evacuation plans, and stress familiarization with maps showing the evacuation routes, temporary evacuation points and pre-identified safety zones.

8.3.4.2 *The DEIR Analyzed Public Safety Risks Associated with Evacuation of the Project*

Some comments assert that the DEIR did not thoroughly analyze the Project's ability to evacuate in various emergency scenarios. Some comments conflate the Project's secondary access with the ability to egress from the site in the case of an emergency. Other comments incorrectly contend that the Project has only one point of ingress/egress as a result of its inability to provide secondary access. Additional related concerns were raised related to the Project having adequate roadway capacity available to accommodate emergency vehicle access and emergency evacuation of residents out of the community. Finally, questions were raised regarding evacuating equine and other large animals, and roadway capacity with respect to evaluating the impact to existing community, the Project, Harmony Grove Village (HGV) and Valiano residents. Each of these issues is discussed below.

8.3.4.3 *Evacuation Scenarios were Analyzed*

<u>The DEIR Analyzed the Project's Ability to Evacuate in an Emergency</u>

The Project's FPP and Wildfire Risk Analysis Report (Rohde & Associates 2016), as well as the Rancho Santa Fe Fire Protection District (RSFFPD) and County, analyzed evacuation of the Project under a variety of scenarios. The worst-case conditions -- based on realized weather and fuel conditions -- were modeled, historical wildfires were compared, and design features, which were consistent across the various assessments, were integrated into the Project based on that analysis.

The first evacuation scenario analyzed within the Project's FPP (Section 5.2.1.2) is based on a wildfire evacuation which allows at least several hours for evacuations to occur and when there are no anticipated fire issues along the Project access routes. The analysis considers the evacuation complete when all vehicles along Country Club Drive south of Harmony Grove Road have reached areas out of wildfire exposed areas, which may be as close as HGV, just north of HGV, or into Escondido. The analysis assumes that the evacuation is not a late evacuation; i.e., evacuations that begin or are still occurring as a wildfire encroaches upon evacuation routes. Late evacuations have proven to be the most dangerous scenario for evacuating residents Modeling indicated that the spread rate would be between 1.7 and 17 mph, depending on the fuel type that is being consumed. For instance, the grass and shrub fuels modeled would tend to burn faster while the Escondido Creek fuels, because of their higher fuel moisture, and their larger fuel sizes, would tend to spread fire slower.

The FPP's evacuation planning also considers the possibility of wildfire igniting within the Harmony Grove area, closer to the Project and not allowing several hours for evacuation. It is this very scenario that was the nexus for developing a contingency plan for the Project, and for existing residents who may not have defensible properties. The contingency plan would enable fire and law enforcement officials the ability to cease evacuations or modify evacuations so that vehicles would

not be exposed to wildland fire. The most likely approach would be to temporarily refuge residents within the Project's well-protected structures, which includes residences and a club house. Further, persons could be directed into HGV north of Harmony Grove Road to temporarily refuge from wildfire. Please refer to Section 5.2.1.2 of the Project's FPP for more information regarding this contingency option.

In some fire emergencies, likely excluding shorter notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely utilize Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread, and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South (and potentially other valley residents as well) were evacuating simultaneously, emergency managers (OES, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including existing residents that do not have the same level of protection.

Country Club Drive's Enhanced Design Measures Provide Adequate Capacity to Evacuate in the Case of an Emergency

A comment also incorrectly stated that the DEIR failed to provide an analysis that demonstrated that the Project would have adequate roadway capacity available to accommodate emergency vehicle access and emergency evacuation of residents out of the community. The FPP analyzes evacuation from the Project and the area to the south/west along Country Club Drive which would be widened from its intersection with Harmony Grove Road to the southernmost HGV South Project entrance to three minimum 12-foot-wide travel lanes. This provides additional capacity for evacuation. The three access points into the Project from Country Club Drive provide the ability to move vehicles out while responding emergency personnel travel inbound. In an emergency, two lanes can be designated for egress while one lane would remain available to responding emergency vehicles. The FPP includes a conservative estimate of the number of vehicles, which accounts for existing residents, as stated in the FPP on page 34:

> *The project's traffic engineer states that each lane can effectively handle 1,900 vehicles per hour. There are roughly 60 existing residential units that rely on Country Club Drive as their only means of ingress/egress. With the maximum unit site plan for HGVS, an additional 453 residences would be added. If a conservative estimate of three cars per household is used (the California average is roughly 2.7 vehicles – U.S. Census Bureau 2016), there would be a total of approximately 1,584 vehicles seeking egress, assuming worst case. The actual number of vehicles would likely be much lower than this. For example, if a fire occurred during the daylight hours, many of the vehicles would already be off-site. If a fire occurred at night, families are likely to evacuate in one or two vehicles. Conservatively assuming three vehicles per household are evacuating, with one lane, all existing and proposed residences could evacuate within one hour and still be approximately*

> *316 vehicles below the capacity. The extra evacuation lane essentially doubles the capacity and provides a significant buffer of 2,216 vehicles per hour over what would otherwise be necessary.*

In some fire emergencies, likely excluding shorter notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely utilize Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread, and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South (and potentially other valley residents as well) were evacuating simultaneously, emergency managers (OES, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including existing residents that do not have the same level of protection.

Evacuation Challenges and Potential Hazards Posed when Evacuating Large Animals

A comment was raised that the FPP and the DEIR did not analyze the evacuation challenges and potential hazards posed when evacuating large animals by horse trailers. It should be noted that animal evacuations present a host of other types of challenges. For example, livestock owners do not always have the means to load and trailer their livestock out of the area. Further, most wildfire evacuation relief shelters or commercial lodging facilities do not allow people to bring in pets or other animals. Sorensen and Vogt (2006) indicate that an issue receiving increasing attention is what evacuees do with pets or other animals such as livestock when they leave their homes and whether having pets or animals impacts their decision to evacuate. In any event, large animal evacuations are an integral component of the Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (2014). Department of Animal Services and the San Diego Humane Society are both participating agencies that during an emergency. Per the Evacuation Annex of this document:

> *The San Diego County Department of Animal Services (DAS) has plans in place to transport and shelter pets in a disaster under Annex O of the OA EOP, including the Animal Control Mutual Aid Agreement. Animal Control Officers, the San Diego Humane Society, and private animal care shelters will assist in the rescue, transport, and sheltering of small and large animals. In addition, potential volunteer resources and private groups should be identified and tracked in WebEOC. Only non-emergency resources and personnel, such as public and private animal services agencies, will be used to rescue and transport animals during an evacuation effort. In most cases, DAS and the OA EOC will coordinate and attempt to collocate animal shelters with people shelters.*

Short-time frame wildfires may require an alternative approach and that approach requires animal owners in rural areas to plan for these events and create contingencies when evacuation may not be possible. This applies with or without development of larger communities.

Evaluating the Addition of Project Traffic to Area Roads including Existing and Projected Growth

The existing roadway capacity was also analyzed in detail in the Project Traffic Impact Analysis (TIA) completed by Linscott, Law & Greenspan (LLG 2017), and summarized in Subchapter 2.2, *Transportation/Traffic* of the EIR. The addition of Project traffic to area roads was evaluated, including full build out of HGV and other existing and projected growth. Project effects were studied for road segments and intersections in both the County and the City of Escondido. Where significant impacts were identified, mitigation also was identified; including widening, signal upgrades, re-striping, payment into the County Transportation Impact Fee or City programs, etc. Although such improvements would be made for the primary purpose of improving daily traffic flows, such improvements would also improve evacuation conditions. The only identified unmitigated impacts are located within the City of Escondido and are a function of CEQA process rather than a likely physical impact.

In any event, it would be infeasible to build roads large enough to handle a mass evacuation without some level of congestion during a mass evacuation, given the infrequency of mass evacuations and the many variables involved in emergency situations. Instead, evacuation plans call for evacuations to be implemented in phases, with numerous evacuation routes, based on predetermined trigger points so smaller percentages of the evacuees are on the road at the same time. When a wildfire occurs, if it reaches a predetermined trigger point, then the population segment located in a particular vulnerable area downwind of that trigger point would be evacuated. Then, when the fire reaches the next trigger point, the next phase of evacuation would occur. This would allow smaller groups of people and correspondingly fewer vehicles to more freely evacuate.

The Project Provides Multiple Egress Points from the Project Site

Even though it is not feasible for the Project to provide Fire Code-conforming secondary access from the Project site, the Project was designed with three points of open and ungated ingress/egress from the Project site onto Country Club Drive. The additional lane proposed within the Project and on Country Club Drive further facilitates these three access points. The Proposed Project would widen Country Club Drive to three lanes in lieu of secondary access. This would improve the function of the existing intersection with Harmony Grove Road and provide for additional capacity to expedite emergency access out of or into the site. It would provide additional emergency evacuation and three separate access ways within the Project. (These access roads are part of a looped interior road system that ensures that the northern roadway can be accessible by all residents.) This widening would benefit the Project, as well as other residents south of Harmony Grove Road in case of emergency. Although not providing secondary access per se, there would be four ingress and egress routes available for the project (Rohde & Associates 2016).

Additional capacity for evacuation would occur throughout the Project by providing travel lanes within 800 feet of all Project structures. The additional travel lane would be included on Country Club Road from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. Country Club Drive would also be widened from its intersection with Harmony Grove Road to the southernmost HGV South Project entrance to three minimum 12-foot-wide travel lanes (Appendix G) which would provide additional capacity for evacuation. Once vehicles reach Harmony Grove Road, multiple options are available for egress, including to the north, east, and/or west (FPP, page 32).

In addition, the Wildfire Risk Analysis Report (Rohde & Associates 2016) analyzed site access and egress using existing and proposed roads. There are four potential evacuation routes that were identified that could carry traffic north of Escondido Creek out of the community that would be available under some circumstances, and two that offer good escape alternatives. (This recommendation considers the proposed road and bridge improvements on Country Club Drive as proposed by the Applicant.) As explained in the Wildfire Risk Analysis Report:

> *Concern had been expressed that only one route was proposed for access/egress to the proposed development site rather than the code required construction of two, and that a variance would be requested/required for the project to move forward. In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable.*

The feasibility of the Project providing Fire Code-conforming secondary access to the north, south, east and west of the Project site was analyzed with both County staff and RSFFPD input. However secondary access routes have proven infeasible based upon this evaluation (FPP Appendix C), which reviewed eight options.

FPP Secondary Access Alternative 4 (here after referred to as Option 4) was determined to be the one option that had the least physical challenges and could provide additional residential access/egress if improved. Option 4 would require improving a privately owned off-site road that connects with Johnston Road and eventually intersects with Citracado Parkway to the east of the HGV South Project. It traverses an existing easement road that currently provides access for four property owners to the east of the project. The easement road extends 3,200 feet from Country Club Drive to Johnston Road and includes a roadway footprint of paved and unpaved sections ranging from 10 feet to approximately 18 feet in width. A sharp "S" curve located approximately 1,000 feet from Country Club Drive combines with a narrow paved section of road and steep terrain to result in curve turning radii that does not meet the County standard of 28-foot minimum for a residential driveway. The road also traverses side slope conditions with existing vegetation (including native habitat) above and below the road. This road is currently passable by high-ground clearance vehicles, but is gated at two locations. Grade ranges between approximately 6 and 25 percent and averages approximately 8 percent. There is an Irrevocable Offer of Dedication (IOD) on the easterly portions of the road.

Johnston Road (Option 4) was analyzed in Section 3.1.4 of the DEIR assuming the existing roadway footprint with potential expansions into currently undeveloped but largely disturbed adjacent land. Any improvement areas that might contain native vegetation at the time of construction and therefore result in small areas of potentially significant impacts (including if a road modification is not approved) would be mitigated for using the same thresholds and standards as the Proposed Project; as identified in Subchapter 2.3 of the EIR. No known archaeological or historical sites were noted for this area in the Project records search; potential location of currently unknown sites that may be located beneath the surface would be addressed as identified in Subchapter 2.4 of the EIR. Visual effects would remain similar to the existing scarring across the hills east of the Project; any minimal widening in focused areas would not be expected to meaningfully differentiate from the existing condition. Noise effects would likely to be limited to

construction in focused areas, which would be localized and short-term in nature, and therefore less than significant; but in any event would be mitigated in accordance with other construction mitigation measures identified in Subchapter 2.5 of the EIR.

The results of that analysis indicated that if access easements could be obtained, and a modification/variance to the County's roadway standards would be granted, improvements to Johnston Road would result in a useable access way for residential access/egress during emergency conditions; but would not conform to the Fire Code as secondary access. Secondary access that conforms to the Fire Code is not feasible (FEIR Section 3.1.3) because full improvements to road width, grade, and turning radii cannot be made to accommodate emergency vehicles. For instance, widening to a full 24-foot width to support contemporaneous ingress/egress lanes, and to a full 28 feet at curves to accommodate emergency vehicle turning radii would not be feasible given the existing slope grades. It also was found infeasible due to the difficulty in obtaining legal access rights. In any event, Johnson Road was identified as an existing road that could provide residential access/egress during emergency conditions but would not conform to the Fire Code as secondary access.

Since Fire Code-conforming secondary access was determined as not being feasible given the constraints described above, the Project developed the alternative approach for secondary access that meets the intent of the code through the implementation of a list of specifically developed measures and features as described in the FPP and as detailed above.

8.3.4.4 *Speculative Simulations Regarding Various Evacuation Scenarios are not Required by CEQA*

Several commenters requested additional traffic analysis to evaluate various evacuation scenarios. It is important to note that precise specifics and simulations regarding various evacuation scenarios and timing of fire events are wholly speculative and beyond the requirements of an EIR. CEQA only requires analysis of reasonably foreseeable impacts (CEQA Guidelines Section 15064[d]). This means that CEQA does not require analysis of impacts that are too remote or speculative (In Re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings [2008] 43Cal.4th.1143, 1173). Evacuation specifics will be wholly determined by the fire event, the direction the fire is moving, and directions issued by emergency fire personnel at the time. Wildfires are fluid events that require situational awareness, scenario pre-planning, and contingencies. It is anticipated that the worst-case evacuation for the greater Harmony Grove region would occur in a similar manner to many other San Diego County planning areas. In the event of a wildland fire in the area, evacuation and contingency plans are an early part of a wildfire's tactical planning process by an Incident Command team. A contingency plan is one of the immediate priorities for development by Incident Command when a wildfire event occurs in a WUI area.

It is also important to note that County fire and law enforcement agencies have successfully evacuated very large numbers of people over the last 15 years in large fire events. Each event resulted in lessons learned and millions of dollars spent to resolve encountered issues (San Diego County Operational Area Emergency Operations Plan Evacuation Annex 2014). The residents of San Diego County's WUI areas, including Harmony Grove, will benefit from these improvements in available resources, quick fire detection and notification technology and overall coordination of

evacuation efforts to minimize the occurrence of congestion on evacuation routes. For example, grid lock on roadways during evacuations is most often the result of intersections; therefore, clearing intersections to keep traffic moving out of the area is anticipated to be a focus of evacuation planning for the greater Harmony Grove region during a large wildfire.

Therefore, the Project was not found to result in adverse effects on evacuation. To the contrary, the presence of ignition-resistant development would be likely to provide a fuel break for some adjacent uses currently within the WUI and would also facilitate easier evacuation for all existing residences currently using the two-lane portion of Country Club Drive south of Escondido Creek and the narrow at-grade crossing.

8.3.4.5 *Shelter-in-Place*

Several comments have been received that assert that the DEIR failed to provide an adequate analysis of the potential fire hazard associated with the shelter-in-place method. Some of the comments misinterpret the proposed temporary safe refuge with the concept of "shelter in place" and also classify the Project as shelter in place, which it is not. This response has been prepared to specifically address this concern.

If directed by emergency personnel, the Project can offer temporary refuge if early, safe evacuation is not possible. Several commenters questioned the feasibility of the proposed temporary refuge area proposed on the Project site. The Project would enable emergency responders/decision makers to utilize some form of temporarily refuging residents, on site during wildfire emergencies. The Project's FPP specifically addresses the possibility that Country Club Drive may not be available during a fire evacuation. The Project, due to its inclusion of code-exceeding fire protection features, enables residents and neighbors with the ability to temporarily refuge on site (FPP pages 38 and 39) within their defensible homes or at the community building. County OES and personnel from emergency responding fire and law enforcement agencies would have the ability, in the event that a wildfire occurs in the immediate Project vicinity with little to no time to evacuate, to make a determination whether temporary safe refuge of residents would be appropriate or warranted.

As noted, some of the comments mis-classify the Project as shelter in place. Specifically, the communities within RSFFPD that are designated shelter-in-place communities (the only such designated communities in the County), do not rely solely on shelter in place. Also, even in The Crosby, Cielo and other shelter-in-place communities, the first and preferred priority is early evacuation. During the 2007 Witch Creek Fire, RSFFPD evacuated residents of The Crosby and did so early, several hours before fire approached the community. Shelter in place should be considered as a contingency solution for instances when an early evacuation is not possible. Fire officials recognize that sheltering in an ignition-resistant community, like The Crosby or HGV South, is safer than a late evacuation. The concept of shelter in place was conservatively used for developing the Project's fire protection system. It has been determined that it in some instances, it is more preferred to refuge people on site, in their well-protected homes or other Project buildings, than to start or continue an evacuation that could result in persons in vehicles being exposed to fire.

Moreover, adequate timeframe for evacuations are expected, based on fire behavior modeling and fire spread rates; during which OES, law enforcement and fire personnel would coordinate an

orderly evacuation of the Project well ahead of fire encroachment (FPP pages 37 and 38). It is unlikely that evacuations would be occurring in a "late" scenario as it would likely be determined in that situation that residents would be safer in their own well-protected homes. This decision process would be consistent with most new developments (approximately 2007 and newer) where late evacuations would be avoided and provided a contingency based on the fire ignition resistance of newer, maintained communities. The Project would also provide options for temporarily refuge for residents from the existing community if a nearby fire ignition made it unsafe to evacuate out of the area, as existing residents may be directed into HGV South or northward on the improved Country Club Drive to HGV.

While not a classified as a shelter-in-place facility, the Project's inclusion of a 5,000-square foot community Club House structure (FPP page 39) will serve multiple functions for the community. The structure will be provided additional fire protection features and will be available to temporarily house community residents, and existing adjacent residents if they are not able to evacuate the area due to a late evacuation scenario. The Club House is not intended, or needed, to house all HGV South residents, as the code-exceeding fire protection features of the residential structures and landscapes will provide the ability for residents to remain in their protected homes. Depending on the nature of the wildfire, it may be directed by responding law enforcement or fire personnel that perimeter homes (those closest to the perimeter fuel modification areas) relocate to the Club House while others remain in their homes. In this case, there is anticipated to be room at the Club House to accommodate these residents as well as neighboring residents.

Many of the comments received reference a burned "shelter in place" community in Ramona, but provide no further details regarding the community name, facts that it was built to the same ignition-resistant standards as proposed for the Project, included maintained fuel modification, and could actually be called a shelter-in-place community. The only designated shelter in place communities in San Diego County are in Rancho Santa Fe. Comments also compared potential evacuation of the Project and surrounding area with that of an evacuation in Portugal but again provide no comparison details. The roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on site are not compared and contrasted between Portugal and HGV South and would indicate that a direct comparison is not valid. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Further, the fact that wildfire related deaths are most often due to late evacuations, like those that occurred in Portugal, was duly considered in preparation of the Project's FPP and the 3rd party Wildfire Risk Analysis prepared for the HGV South Project.

8.3.5 Baseline Conditions

The following Global Response addresses issues related to Harmony Grove Village (HGV) being included within the baseline environmental condition (an existing condition) in the Project's EIR for the topic areas of aesthetics, traffic and traffic-reliant technical issues, such as noise, air quality, and greenhouse gases (GHGs). These are topics heavily affected by and affecting surrounding and ambient conditions. For all other topic areas of the EIR, the baseline condition is the existing

environmental conditions as of the time the Notice of Preparation (NOP) was published. This includes topics such as biological resources, cultural and paleontological resources, etc., or those topics focused most closely on Project site conditions. The description of the Project baseline and the reasons for including HGV are detailed in Subchapters 1.4, and 2.1, and Section 3.1.5 of the EIR. The County determined that by including HGV in the baseline condition for the topic areas of aesthetics, traffic and traffic-reliant technical issues (noise, air quality, and GHG), information would be provided to the decision-makers and the public to allow the environmental consequences of the Project (with the presence of HGV) to be weighed as a whole rather than on an existing condition analysis that would provide only a portion of the relevant information.

In 2007, the County approved the designation of an approximately 470-acre area of land in the center of Harmony Grove Valley to become a new village to contain 742 single-story and two-story homes in village massing. (HGV's approved entitlements assumed first occupancy as early as 2008, with full build-out of the Village occurring as early as 2013.) At the time of issuance of the Project's NOP (2015), most of the buildable portion of the HGV site was graded, resulting in a large expanse of raw soil. Country Club Drive had been widened, Harmony Grove Village Parkway had been newly constructed, and Harmony Grove Road had been realigned and was in the process of being improved. Overall, roadway widths had been widened, additional lanes were present, and striping was completed on these wider roadways. Vertical construction of HGV was underway and home sales had begun. (Vertical construction is still ongoing, with increasing rates of occupancy as additional homes are completed.) In fact, at issuance of the NOP, HGV homes were present on both the east and west sides of Country Club Drive. The grading and the base construction for the HGV Water Reclamation Facility were complete with preliminarily landscaped slopes and structures in place. HGV's "Fourth of July Park" and a private HGV recreational area with a clubhouse and pool had been constructed. The HGV project constructed fenced mixed-use trails along Country Club Drive north of Harmony Grove Road and along Harmony Grove Road project footage north of Escondido Creek (Aesthetics, page 2.1-13.) All of the required roadway improvements were completed or under construction and all have since been completed, with the exception of one improvement, for which ultimate roadway width is already in place (see Table 8.3.5-1, *Harmony Grove Village Roadway Network Assumption Status*). As shown, the conditions assumed in the EIR/TIA match those of the conditions shown in Table 8.3.5.-1, with the improvements having already been completed.

The law supports the inclusion of HGV in the baseline conditions of the Project's EIR. Neither CEQA nor the CEQA Guidelines mandate a uniform, inflexible rule for determining the existing baseline conditions for a project. Since environmental conditions may vary from year to year, the baseline might take into consideration conditions that have existed over a range of time. In some circumstances, peak impacts or recurring periods of resource scarcity may be as important environmentally as average conditions. Where environmental conditions are expected to change quickly during the period of environmental review for reasons other than a proposed project, project effects might reasonably be compared to predicted conditions at the expected date of approval rather than conditions at the time the analysis is begun. In *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, the Court agreed that "the date for establishing baseline cannot be a rigid one. In some cases, conditions closer to the date the project is approved are more relevant to a determination whether the project's impacts will be significant."

The case cited by a commenter, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447, is distinguishable from the factual situation presented in this EIR. The Final EIR in the *Neighbors for Smart Rail* used projected traffic conditions in the year 2030 as its baseline to evaluate the project's traffic and related impacts. This baseline data also relied on assumptions regarding planned growth and funded transportation improvements proposed in the Sothern California Association of Governments Regional Transportation Plan. In other words, the baseline was based on "assumptions" and "guesstimates" set more than two decades after the expected date of the project's approval in 2007. Although the Court held that that particular baseline was inadequate, the Court clearly stated that an agency may, where appropriate, adjust its existing conditions baseline to account for a major change in environmental conditions that are expected to occur when the project begins operations. "In so adjusting its existing conditions baseline, an agency exercises its discretion on how best to define such a baseline under the circumstance of rapidly changing environmental conditions" (Neighbors for Smart Rail, 57 Cal.4th).

In this EIR there is no assumption or "guesstimate" as to when HGV will be constructed since it is already under construction and homes are being sold; a condition that has been ongoing for over 1.5 years. HGV's website describes a variety of single-family home designs with five distinctive neighborhoods currently for sale. The website describes a thriving community: "Harmony Grove's convenient North County location has something for everyone. Situated at the edge of Elfin Forest with over 11 miles of nature trails, puts you right in the center of it all with San Marcos, Lake Hodges, the San Diego Zoo Safari Park and downtown Escondido's dining and entertainment hotspots all nearby." (https://www.calatlantichomes.com/pages/1741-san-diego-hgv-master.html, incorporated herein by this reference and available for public review.) People have already moved into the HGV community, and more will join in the near future as homes are being sold. The baseline is not set a decade out from the expected date of the Project's approval; rather, the baseline reflects near-term existing conditions. The County has exercised its discretion in adjusting its existing conditions baseline, under the circumstance of the rapidly changing environmental conditions posed by the HGV project. Unlike the inadequate speculative, far-forward looking baseline in the Smart Rail, this baseline is adequate and more accurately represents existing conditions. See also *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App. 4th 99, 126 noting "traffic levels as of the time the project is approved may be a more accurate representation of the existing baseline against which to measure the impacts of a project."

A comment also cites *Communities for A Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310, in which the District erred in using the maximum permitted operational levels of four boilers of a permitted cogeneration plant as a baseline. The Court in *Communities for A Better Environment* determined that maximum permitted operational levels were not an appropriate baseline because, as the District acknowledged, the operation of the four boilers simultaneously was not the norm and in fact, actual emissions at the site had never reached the maximum permitted level.

This is not the case here. The EIR's baseline is not based on a hypothetical condition. People have already moved into the homes offered at HGV and additional people are continuing to purchase these homes. According to Real Estate Economics' new home market survey spanning the entire greater San Diego market area, dated "Third Quarter 2017," HGV reports 259 sales and

162 closings. All of the required roadway improvements are completed but one. The existing improvements are adequate to carry all Project traffic, and the existing full width pavement required to complete striping is already in place (see Table 8.3.5-1). Major infrastructure has been constructed, including significant amenities for the HGV community. All such facts further substantiate the existence of a growing community.

A comment cites Woodward Park (2007) 150 Cal.App.4th 683, in which a City erred in comparing a project's impacts with those of a large-scale (more than 600,000 square feet) office and office-related retail development that ***could*** be built consistently with the existing zoning and plan designations. However, the project assumption was based on conjecture at best and not on the existence of any approved project. The City had not advanced any reason why this approach was required as compared to the existing physical conditions that are "normally" the baseline.

The word "normally" as used in CEQA Guidelines Section 15125 is most reasonably understood as recognizing with respect to individual projects that the physical conditions existing exactly at the time the NOP is published or at the time the environmental analysis begins may not be representative of the generally existing conditions and, therefore, an agency may exercise its discretion to apply appropriate methodology to determine the existing baseline conditions.

The County determined that if the presence of HGV was not included in the Project's existing condition, the baseline would be misleading or without informational value and would not best define the study area which is subject to this rapidly changing environmental condition. In fact, if the study area did not include HGV it would have been outdated immediately after the Project's NOP was issued and an unnecessarily artificial image of the existing condition would not accurately reflect the Project's impacts. If the County had simply taken the precise condition of the existing setting in August 2015 as baseline, the Project DEIR would have received comments (and rightly so) that the number of existing cars on area roads had already changed from those assumed in modeling, that the baseline construction state of HGV had already changed due to new homes and varied grading, that disturbed and graded areas south of Harmony Grove Road and west of Country Club Drive had changed to completed park settings as opposed to mass graded dirt, etc.

Instead, the County determined that the existing setting was rapidly changing, and this approach was therefore considered the most analytically conservative and of most informational value. It takes into consideration the constantly changing condition of an area that is under development and is being transformed on a daily basis. The Project's analysis in that regard used a realistic baseline that provides the most accurate picture practically possible of potential environmental impacts that accounts for a major change in environmental conditions expected to occur before the Project's implementation. In fact this area has already transformed due to park installation and completion, and additional home construction and occupancy (affecting traffic numbers and road use patterns) from the time of the Project's NOP to the end of the comment period for the Project's EIR.

If the existing setting reflected the existing condition on the date of NOP issuance (August 2015), it would have been misleading, providing an artificial image of the existing condition that would have been used as the basis for Project effects. For instance (and building upon the above examples), using the NOP baseline would have resulted in the Project being analyzed against a

setting of large expanses of graded and raw soil, partial (but visible grid-like) development, and vegetation at installation size or of young age. This would result in a large-scale highly disturbed existing condition of the valley floor against which the visual and community character effects of the buildout condition of the Proposed Project would have been minimized with lower associated impacts. Rather, the Project's EIR conservatively analyzed the Project's impacts based upon the presence of HGV, thereby resulting in analysis truly focusing on the Project's visual effect, rather than it just being a small extension of a much larger disturbance area.

Also, the incorporation of full traffic loading onto area streets by HGV provided the most accurate and most conservative (most impactful) assessment of traffic and traffic-reliant technical issues, such as noise, air quality, and GHG, when combined with Project effects. In order for the traffic analysis to be informative and not misleading, it was clear that all of HGV's roadway improvements were nearing completion and as such should be included in describing the underlying roadway conditions. However, these roadway improvements would also provide additional capacity at a number of the impacted locations, therefore the addition of HGV's traffic volumes to the overall street system both in the County and the City of Escondido would reduce the available capacity area-wide that would otherwise be available for the Proposed Project, creating a more accurate and conservative picture of the Project's likely impacts. It also allowed for incorporation of HGV-associated noise into modeling, which would have been less conservative if only the number of existing community residences occupied in August 2015 were used to provide baseline numbers relative to traffic-generated noise on area roadways.

The assumption that HGV will be present when the Project's construction begins provides a more conservative analysis in which impacts associated with the Proposed Project are given full weight and the existing conditions effects were not *under*estimated due to rapidly changing conditions. This approach is considered the most analytically conservative and to be of most informational value. It does not tie analyses to a point in time which has already changed since the NOP issuance and takes into consideration the already-approved development of HGV under construction, with associated traffic levels also subject to constant flux. Thus the existing physical environmental conditions would have been misleading and without informational value and would not provide a reasonable baseline if HGV was not factored in the baseline in some fashion.

The assumption that construction of HGV will be completed and thus occupied is based on a contemporaneous set of circumstances that have largely already occurred. By November 2013, mass grading and initial lot preparation had occurred from Harmony Grove Road north to the vicinity of Harmony Heights Road, as well as on both sides of Country Club Drive to west of Wilgen Drive. The large central drainage feature bisecting the development and reconstructing part of a drainage eliminated during on-site agricultural activities is already visible in photographs from that period (now covered where it does not provide a central drainage feature and completed, which presents a far less disturbed "existing condition"). Connections to off-site drainage features south of Harmony Grove Road and associated with the HGV community park are also visible. By the NOP, the wastewater reclamation facility was largely constructed, homes had been completed and were for sale, Fourth of July Park, a community club house and pool facilities, etc. were all available. At this point, all of HGV's roadway improvements assumed in the Project's traffic analysis are in place except one (for which full width is already present to accommodate the last restriping). The HGV wastewater reclamation facility has been completed, and there are enough

residential uses on site to support operations. The HGV community park south of Harmony Grove Road and the County equestrian park south of Harmony Grove Road) have been constructed and are in use. HGV has reported the sale of 259 homes as of the third quarter last year. While it is generally true that the construction of HGV is based upon market conditions as stated by one commenter, in the backdrop of the present widespread regional housing scarcity, it is reasonable and not speculative to assume that housing sales will continue toward ultimate HGV completion. This is especially true in light of the immense cost incurred by the developers to date in constructing that project's many improvements and amenities.

8.3.6 Regional Plan Conformity

A number of comments addressed vehicular travel projected for the Project based on the locations of planned growth anticipated under regional plans. Issues raised included the location of the Project, the availability of services and amenities requiring travel, conformance to the County General Plan and the SANDAG's San Diego Forward: The Regional Plan (Regional Plan), the number of trips associated with the Project; and the use of on-site design features to reduce GHG emissions. Each of the plan conformance issues is addressed below in more detail.

8.3.6.1 *The Project Location is Consistent with Goals to Reduce Sprawl and Site New Development Adjacent to Jobs, Services and Shopping*

Several comments state that the General Plan (and the Regional Plan[9]) recognize that projects should be built in appropriate locations. These comments go on to say that the Project is "several miles from the nearest services and much further from job centers in and near the City of San Diego," that the County is planning development in "far flung areas" and that the EIR is "disingenuous" in its analysis as it seeks to double the planned population in a rural location, far from jobs, services, and shopping; and ignores state and County policies that expressly disfavor sprawl and direct growth to locations that will minimize VMT.

The County agrees that the location of a project is directly related to the number of miles traveled by future residents of that project in order to access these jobs, services and shopping opportunities. Distance from those services and amenities plays an important role in trip length. The County disagrees, however, with regard to conclusions about these issues relative to the HGV South Project.

In order to respond to goals related to reductions in miles traveled and urban sprawl, the County reduced development goals within eastern portions of the County by 20 percent in the 2011 General Plan. Figures 1-1 and 1-2 in Chapter 1.0 of the General Plan, (available at https://www.sandiegocounty.gov/pds/generalplan.html and incorporated herein by reference), depict the County as a whole, with areas under County (as opposed to incorporated cities) jurisdiction as generally the eastern two-thirds of the County overall – and including all the area from the eastern boundaries of the cities of Oceanside, Escondido, Poway, Santee, El Cajon, La Mesa, Lemon Grove, and Chula Vista to the Imperial County line to the east. As described on page 1-2 of the General Plan, growth was:

[9] The SANDAG Regional Plan incorporates the Regional Comprehensive Plan (RCP) and the Regional Transportation Plan and its Sustainable Community Strategy (RTP/SCS).

> *targeted primarily in the western portions of the unincorporated County, where there is the opportunity for additional development...* [and] *shifts 20 percent of future growth from eastern backcountry areas to western communities. This change reflects the County's commitment to a sustainable growth model that facilitates efficient development near infrastructure and services, while respecting sensitive natural resources and protection of existing community character in its extensive rural and semi-rural communities.*

The Project is consistent with this focus. It is located between two incorporated cities at the western extent of County jurisdiction (City land abuts the Project to the south and is within less than 950 feet to the east), and includes areas within the City of Escondido sphere of influence – which also extends west and north of Harmony Grove Road west of Cordrey Drive.

Regarding access to jobs and shopping resources, a number of comments stated that the Project is located a substantial distance from those services. It is acknowledged that the Project vicinity still contains some semi-rural residential uses, that the Project parcels are identified for semi-rural (0.5 acre) residential uses in the General Plan, and that there is immediately adjacent permanent open space to the south and southeast. However, the area is not undeveloped or unserved, and placement of the Project in this location does not constitute "sprawl."

The Project consists of parcels identified for SR-0.5 uses in the adopted General Plan and is also largely zoned with categories (A-70 and Rural Residential) assuming minimum 0.5 acre lots. This allows general planning for approximately 220 homes without consideration for slopes or other constraints. The Project is contiguous with HGV. Proximity to an existing village is identified in the General Plan policies as an area to specifically review when looking at placement of housing and the reader is referred to the Global Response "Project Consistency with General Plan Policy LU-1.4" in Section 8.3.1 of this FEIR for more detailed discussion. It is in immediate proximity to recreational amenities provided by the County (community parks), utilities (water lines and potential hook into the HGV water reclamation facility [WRF; the HGV WRF is less than 600 feet from the Project's northern boundary]), paved roads, and HGV (additional parks and planned limited commercial, as well as the above-noted WRF). Secondarily, it is located near the cities of San Marcos and Escondido, both of which contain shopping, educational and job opportunities, as well as public transit hubs. Proximity to these uses and amenities is depicted on Figure 8.3.6-1, *HGV + HGV South Adjacent Land Uses*. The combination of location in the western extent of the County, within less than 0.5 mile from developed uses in the City of Escondido, immediate adjacency to City boundary on the south side and abutting County developed uses and City sphere of influence on the west – combined with the contiguous nature of HGV existing and planned uses – indicate that the EIR is not "disingenuous" in its analysis.

As noted above, City of Escondido lands abut the southern Project boundary, and developed City uses are less than 0.5 mile from the Project boundary. The City of San Marcos uses are within 2.0 miles to the north and the closest City boundary is approximately 1.1 mile to the northwest. The boundary of the incorporated city of Encinitas is approximately 4.0 miles westerly, and the northern portions of the City of San Diego along the I-15 corridor, are within approximately 4.4 miles. Most of the jobs are aggregated along the SR 78 corridor, stretching from Carlsbad to Escondido. This latter area provides approximately 300,000 jobs (Newstar 2017, based on U.S. Census and State of California Department of Finance database).

Review of the Project setting (see EIR Figures 1-1 and 1-3) clearly shows the developed nature of the area. This is not a rural location far from jobs, services and shopping. As stated in the EIR:

> *Palomar Medical Center is located approximately 2 miles to the north and Stone Brewery is located approximately 1.5 miles to the north as a crow flies. The Escondido Research and Technology Center (ERTC), an industrial/commercial, employment and services locus, is located within 1 mile north-northeast of the Project, accessed by Harmony Grove Road. Other opportunities include the large big box uses at Valley Parkway and I-15 and along Auto Park Way. … this Project is within 3.0 miles of the Nordahl Transit Station* (EIR page 1-28).

Also, as shown on the 2016 SANDAG Smart Growth Concept Map and Smart Growth Concept Map North County Subregion,[10] south of SR 78, Harmony Grove Road at its connection with Citracado Parkway accesses an "Existing Major Employment Area." Just west of this area along the northern extent of Country Club Drive is an area identified as a "Potential Special Use Area" that already contains commercial/light industrial uses in the City of Escondido.

In conclusion on this point, one comment cites the Regional Plan Summary relative to sprawl, and "growing out," indicating that the Project does not comply. The text from the Regional Plan Summary is:

> *Rather than growing "out" as we have in the past, more compact communities are envisioned, providing housing, jobs, and services closer to one another, and giving residents more choices in where to live and how to get around. At the same time, the forecast anticipates an increase in land preserved as open space.*

It is also noted that SANDAG provided a letter in response to the Revised DEIR that is part of the FEIR. In that letter, they reiterate support for the vision and goals of the General Plan Update, stating:

> *In 2011, SANDAG supported the vision and goals of the County of San Diego General Plan Update, which shifted "20% of future growth from eastern backcountry areas to western communities ... reflect[ing] the County's commitment to a sustainable growth model that facilitates efficient development near infrastructure and services, while respecting natural resources and protection of existing community character in its extensive rural and semi-rural communities."*
>
> *SANDAG supports the goals and objectives that are currently laid out in the 2011 County of San Diego General Plan, as they encourage smart, sustainable growth and reinforce the principles set forth in the 2015 Regional Plan. Other County of San Diego planning documents, such as the recently adopted Climate Action Plan, reinforce the vision and goals of the County of San Diego's General Plan.* ***While SANDAG realizes that general plans are meant to be dynamic documents updated to reflect market forces and population growth and trends,*** *SANDAG*

[10] Available at: http://www.sandag.org/index.asp?classid=12&projectid=296&fuseaction=projects.detail.

> *supports key land-use principles that preserve natural resources and limit urban sprawl* (emphasis added.)

The Project is fully consistent with this – proposing village extension to incorporate the proposed community, and located close to major travel thoroughfares such as I-15 and SR 78 and within biking distance of two cities, while retaining approximately 35 percent of the site in permanently preserved open space.

8.3.6.2 *The Project is Clear in Impact Assessment and Provides Relevant Reductions in GHG Emissions*

Concern is voiced over increased density, and that Project increases were not identified in the RTP. Please see the discussion above ("The Project Location is Consistent with Goals to Reduce Sprawl and Site New Development Adjacent to Jobs, Services and Shopping") regarding proximity of the Project to other developed uses, jobs, shopping and amenities in general. The location of the Project to those job and shopping opportunities and amenities are directly applicable to the topic of vehicular emissions. Also relevant, is how those emissions contribute to other Project GHG emissions and factors to make up the total of Project GHG emissions. In the end, it is the total amount of GHGs emitted that must be addressed under CEQA. The sources only become relevant as they vary in ways and methods with which they can be controlled. As such, each effort made on site to reduce Project-related GHGs, regardless of source, is directly relevant to the ultimate total of GHGs emitted. The reader is referred to the detailed list provided in FEIR Subchapter 2.7, on Table 1-2, *Project Design Features*, and in Chapter 7.0, *List of Mitigation Measures and Project Design Features*.

The differences in planned uses for the Project site between the 2011 General Plan and the Proposed Project (the "plan to plan" comparison) are expressly detailed in Chapter 1.0, *Project Description, Location and Environmental Setting*; Subchapters 2.6 and 2.7; Section 3.1.5, *Land Use and Planning*; Chapter 4.0, *Project Alternatives*; and additionally mentioned in other sections of the EIR. The effect of time between County approval of a project requiring a GPA and the time that SANDAG documents update regional analyses to incorporate those development plans, is discussed relative to planned land uses provided to SANDAG in Subchapter 2.6, *Air Quality*, and the current disconnect between the planning agency documents is identified as a significant impact. Relative to plan inconsistency being "clear evidence of significant GHG impacts," the significance of the GHG impacts is based on the analyzed threshold and the amount of GHG emissions. The requested discussion of the "implications of this unplanned growth on regional and state climate change and air quality goals," is provided. As shown in Subchapter 2.6, the Project would not result in emissions of criteria pollutants exceeding any of the noted thresholds. The "plan to ground" analysis, therefore, reaches less than significant conclusions.

As noted in a recent study,[11] the County is only projected to issue building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process by 2020. The County is therefore behind in provisions of projected housing. The associated question is where that housing could be located. The reader is referred to the discussion above ("The Project Location is Consistent with Goals to Reduce Sprawl and Site New Development

[11] Incorporated herein by this reference and available for public review at: http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf.

Adjacent to Jobs, Services and Shopping") regarding how the Project is planned in the western portion of the County; located adjacent to and within 0.5 mile of developed uses in Escondido, and within approximately 1.1 mile of the closest San Marcos boundary, as described in Section 8.3.6.1, above. The analysis of Project efforts to reduce GHG emissions through design, coupled with its location and minimization of off-site vehicular trips, complies with County planning efforts to reduce sprawl and associated emissions.

8.3.6.3 *Conclusion: The Project is Consistent with the SANDAG Regional Plan*

Pursuant to State Government Code Section 65080(b)(2)(K), an SCS does not: (1) regulate the use of land; (2) supersede the land use authority of cities and counties; or (3) require that a local jurisdiction's land use policies and regulations (such as the County General Plan), be consistent with it. SB 375 does, however, make regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process. In this case, the County looks to projects within its jurisdiction to both support attainment of existing housing commitments as well as demonstrate that the Project complies with County requirements to minimize contributions to GHG emissions, as appropriate.

The Project also proposes implementation of on-site reductions, and, as discussed earlier, the Project site is located in the vicinity of areas defined by SANDAG as an "Existing Major Employment Area" and "Potential Special Use Area." The Smart Growth Concept Maps (http://www.sdforward.com/pdfs/Final_PDFs/The_Plan_combined.pdf) were developed by SANDAG as part of the RCP, which was incorporated into the Regional Plan to illustrate the location of existing, planned, and potential smart growth areas.

The 2011 General Plan assumed potential for approximately 220 homes (without consideration for slopes or other constraints). That land designation was assumed in regional modeling completed by SANDAG and incorporated into Regional Plan analyses and projections. Although the full Proposed Project was not included in the 2011 General Plan and is therefore not part of the existing and planned project listing provided by the County to SANDAG for inclusion in the Regional Plan, it is included as a reasonably foreseeable (cumulative) project in the County CAP SEIR, certified in February 2018.[12] The Project also provides mitigation for Project-related emissions. ~~through purchase of offset credits. Please see Global Response: Carbon Offsets in Section 8.3.7 of this FEIR for additional information on that program.~~ Relevant to the current discussion~~, however,~~ is the conservative nature of that mitigation. Projects proposing GPAs in the County understand that GHG emissions associated with those projects' development and vehicular use are already incorporated into County and SANDAG planning efforts relative to use patterns and vehicular emissions. Only those GPA-proposed uses exceeding the adopted General Plan would result in emissions that are not currently specifically accounted for in the current Regional Plan and require additional Applicant-provided mitigation. Nonetheless, the Project takes a conservative approach and proposes to offset all of its Project-related vehicular GHG emissions, to attain no net new emissions (i.e., carbon neutral). This would result in no increases in Project-related emissions over those anticipated as part of the Regional Plan based on General Plan approved growth assumptions,

[12] It is acknowledged that the CAP and SEIR are currently being challenged. However, the challenge does not require an injunction against processing the proposed Project.

and, in fact, would result in reductions above and beyond what is required because some emissions for the Project were approved in the General Plan and, therefore, anticipated in the Regional Plan. Therefore, the Project is consistent.

Additional information related to the topic of plan conformity is provided in Global Responses: Project Consistency with General Plan Policy LU-1.4, and General Plan/Community Plan Amendments CEQA Impact Analysis.

~~8.3.7 Carbon Offsets~~

~~Some comments questioned the effectiveness of Mitigation Measures M-GHG-1 and M-GHG-2, (referred to collectively as "GHG Mitigation Measures") described in the recirculated Revised Draft EIR (RDEIR), Subchapter 2.7, and Greenhouse Gas Emissions Technical Report Addendum. In particular, the comments seem to imply that the purchase of such offsets from a registry is inappropriate, such measures are not feasible or effective, and the GHG Mitigation Measures fail to comply with the rule that proposed offsets must be not otherwise required. Finally, the commenter confuses the obligation to purchase and retire carbon credits with the payment of mitigation fees.~~

~~8.3.7.1 *Mitigation Measures - M-GHG-1 and M-GHG-2*~~

~~The Project's mitigation commitment consists of both attenuation provided through on-site Project Design Features (PDFs), as discussed in the Project's Specific Plan, listed in Table 1-2, *Project Design Features*, and in Chapter 7.0, *List of Mitigation Measures and Project Design Features*, of this EIR, and off-site Mitigation Measures M-GHG-1 and M-GHG-2. The focus of this global response is on Mitigation Measures M-GHG-1 and M-GHG-2.~~

~~Mitigation Measure M-GHG-1 addresses the Project's construction-related GHG emissions. It requires the Project to purchase and retire carbon credits, in the amount of 4,411 MT CO_2e, which reflects the total construction-related GHG emissions including a one-time vegetation loss after applying all PDFs and reductions (RDEIR, p. 2.7-31). Mitigation Measure M-GHG-2 addresses the Project's operational-related GHG emissions, and similarly requires the Project to purchase and retire carbon offsets for the incremental portion of the project within the Site Plan[13] in a quantity sufficient to offset, for a 30-year period, the operational GHG emissions from that incremental amount of development to net zero. The Project will be required to reduce the annual emissions by 5,222 MT CO_2e/year for a 30-year period (project life) or a total of 156,660 MT CO_2e. (Ibid.)~~

~~The GHG Mitigation Measures must comply with the following performance standards and requirements:~~

- ~~The carbon offsets that are purchased to reduce GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in Cal. Health & Saf. Code Section 38562(d)(1). "~~

~~[13] Please note that all of the Project's zones as described in the Specific Plan have a "D" designator, as described in M-GHG-2.~~

- One carbon offset credit shall mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines section 15126.4[c][3]).

- Carbon offsets shall be purchased through a California Air Resources Board (CARB)-approved registry, such as the Climate Action Reserve, American Carbon Registry, or Verified Carbon Standard, or any registry approved by CARB to act as a registry under the State's cap-and-trade program. If no CARB-approved registry is in existence, then the Applicant or its designee shall purchase off-site carbon offset credits from any other reputable registry or entity to the satisfaction of the Director of PDS.

- The County will consider, to the satisfaction of the Director of PDS, the following geographic priorities for GHG reduction features, and off-site carbon offset projects: (1) Project design features/on-site reduction measures; (2) off site within the unincorporated areas of the County of San Diego; (3) off site within the County of San Diego; (4) off site within the State of California; (5) off site within the United States; and (6) off site internationally."

Both GHG Mitigation Measures require GHG emissions credits to be secured by the Project Applicant in advance of when the projected emissions will be generated by the Project. For instance, Mitigation Measure M-GHG-1 requires all of the construction and vegetation removal emissions associated with the project to be offset prior to the County's issuance of the first grading permit for the Project. This includes construction emissions for all grading, site preparation, vegetation removal, worker trips, building construction and architectural coatings related to GHG emissions. Mitigation Measure M-GHG-2 requires the operational emissions associated with the incremental amount of development within a Site Plan being permitted, to be offset prior to the County's issuance of building permits for development within that Site Plan for a 30-year period (Id. at p. 2.7-31). In other words, each permitted development that occurs within the site plan being permitted would be required to reduce or sequester 30 years of projected emissions in advance of the operational emissions being generated, which could be several years depending on when development is constructed in advance of such emissions being generated by the Project. In particular, FEIR Table 2.7-4, *Operational GHG Emissions and Off-site Carbon Offsets per Land Use*, lists each of the Project's land uses and provides the operational emissions reduction obligation for each such use. This allows the County to calculate the amount of emissions offset credits required for each building permit issued by the County for the Project.

8.3.7.2 *The 30-year Mitigation Obligation*

Regarding the 30 years of offset credits, a 30-year project life is an appropriate period to use to mitigate the Project's GHG emissions to net zero emissions. A 30-year project life represents the reasonable current limit of scientific and evidentiary data for the Project, given current modeling tools, the changing regulatory structure, the level of uncertainty beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information. The use of 30-year project life is a methodological determination that is supported by CARB and local air districts and widely used in CEQA. Therefore, the County has exercised its discretion to determine that a 30-year project life is reasonable and is supported by substantial evidence as discussed below:

- CARB, the State agency charged with the responsibility and expertise to administer the State's GHG emissions policies (Cal. Health & Saf. Code Section 38510), has identified several recent examples of sustainable land use development projects in California that have demonstrated that it is feasible to design projects that achieve zero net additional GHG emissions and such projects have used a 30-year project life. CARB, for example, has approved the use of a 30-year project life when certifying AB 900 "leadership Projects," which are required to mitigate all project-related GHG emissions to net zero (see Pub. Resources Code, §§ 21178-21189.3, 21183, subd. [e]).[14] CARB has also identified the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan, in which the applicant, Newhall Land and Farming Company, proposed a commitment to achieve net-zero GHG emissions for a very large-scale residential (21,242 units) and commercial specific planned development in Santa Clarita Valley with a 30-year project life (see page 136 of CARB's The 2017 Climate Change Scoping Plan Update).

- Guidance from the South Coast Air Quality Management District (SCAQMD) supports using a 30-year project life to analyze a project's GHG emissions under CEQA.[15]

- Executive Order (EO) S-3-05 established 2050 as the target year for an 80 percent reduction in statewide GHG emissions below 1990 levels. The regulatory framework for achieving this target will require transforming California's transportation, energy, and industrial sectors. As such, the future GHG emission profiles for these sectors are not generally known. In addition, modeling emissions significantly beyond 2050 requires speculation about GHG emissions that is not knowable or known.[16] The DEIR assumed construction

[14] The cited documentation for the referenced AB 900 projects is located at https://www.opr.ca.gov/s_californiajobs.php.

[15] SCAQMD, Draft Guidance Document – Interim CEQA GHG Significance Threshold, Attachment E, pp. 3-16 (Oct. 2008); 7 see also id., Figure 3-1, p. 3-11 and Table 3-4, pp. 3-18. Indeed, SCAQMD recognized that a shorter project life (i.e., less than 30 years) can be appropriate for use in modeling under certain circumstances (see id., Figure B-3, pp. B-10).

[16] In the 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target, CARB identified its "Proposed Scoping Plan Scenario" for achievement of SB 32's 2030 mandate. As part of that scenario, CARB identified the following emissions-reducing strategies: amendment of the Low Carbon Fuel Standard to secure an 18 percent reduction in the carbon intensity of transportation fuels (the existing standard requires a 10 percent reduction); implementation of the Cleaner Technology and Fuels Scenario in its Mobile Source Strategy to increase the penetration of near-zero and zero emissions technology and to reduce vehicle miles traveled; implementation of its Short-Lived Climate Plan in order to reduce methane and other GHGs; adoption of regulations to attain a 20 percent reduction in GHG emissions from refineries; and, continuation of the cap-and-trade program, with a post-2020 decline in the emissions cap (2017 Scoping Plan Update, Table II-1, pages 34-37). Related to this, the "Cleaner Technologies and Fuels Scenario" of CARB's Mobile Source Strategy (May 2016) is based on the assumption that the combined car and light trucks sales of zero emission vehicles and plug-in hybrid electric vehicles will reach 100 percent by 2050 (Mobile Source Strategy, page 36). On page 65 of the Mobile Source Strategy, CARB similarly observes that: "The updated Vision analysis shows the vast majority of the on-road fleet must be ZEVs and PHEVs by 2050 in order to meet GHG targets, requiring sales to achieve nearly 100 percent ZEVs (BEVs, FVCs, and PHEVs combined) by that point." Therefore, CARB, with the contemplated amendment of its Advanced Clean Cars regulation described in the Mobile Source Strategy, is striving to ensure that 5.3 million combined ZEVs and PHEVs statewide are on California's roadways in 2050 (Mobile Source Strategy, page 65). The referenced "Vision analysis" is based on a multi-pollutant scenario planning tool that quantifies changes in criteria air pollutants (and their pre-cursors), GHG emissions, toxic air contaminants and petroleum usage as various technologies become widespread in vehicle and equipment fleets (Mobile Source Strategy, page 6).

~~of the project would begin in July 2018 and end in 2021.[17] Assuming this date is now later in the future based on when a grading permit for construction or site plan permits for operations would be obtained, the 30-year mitigation period would likely extend beyond the planning horizon for EO S-3-05 of 2050 (i.e., a site plan permit may be obtained after 2020). Therefore, the 30-year period of time has been determined to be a period of time for which GHG emissions can be reasonably estimated without undue speculation.~~

- ~~Additional support for use of the 30-year project life is accepted by lead agencies across California when evaluating a project's construction and operation GHG emissions. It is industry practice to amortize construction emissions for residential and commercial projects over a 30-year period, which corresponds to the assumed operational life of such projects. Examples include:~~

  - ~~Certified Final EIR for the Otay Ranch University Villages Project (SCH No. 2013071077; November 2014), Lead Agency: City of Chula Vista, GHG Consultant: Dudek, Global Climate Change Section at pages 5.14-21 and 5.14-24 (available at: http://www.chulavistaca.gov/home/showdocument?id=8453);~~

  - ~~Draft EIR for the Qualcomm Stadium Reconstruction Project (SCH No. 2015061061; August 2015), Lead Agency: City of San Diego, GHG Consultant: AECOM, Greenhouse Gas Emissions Section at pages 4.5-14, 4.5-16 and 4.5-19 (available at: https://www.sandiego.gov/sites/default/files/legacy/cip/pdf/stadiumeir/chap4.pdf).~~

~~This 30-year period is used in CEQA documents for projects throughout California. Further, Project modeling analysis likely overestimates the Project's GHG emissions because the modeling does not take into account reasonably foreseeable regulatory programs and other governmental strategies and technological factors that likely will result in further reductions in GHG emissions levels throughout California (and that are needed to achieve the 2030 and 2050 targets). The County recognizes that the Project will likely exist beyond 30 years. During and after the 30-year project life period, the Project will be subject to a range of existing and future regulatory standards and policies applicable to the built environment. California is expected to implement numerous additional policies, regulations, and programs to reduce statewide emissions to achieve the GHG reduction goals of SB 32 and Executive Order S-3-05.~~

~~8.3.7.3 *Carbon Offset Credits are a Recognized Form of CEQA Mitigation*~~

~~As set forth in Subchapter 2.7, *Greenhouse Gas Emissions*, "After analyzing and requiring all reasonable and feasible on-site measures for avoiding or reducing GHG emissions, including the project design features and strategies recommended by CARB in the Scoping Plan Second Update, the Applicant has committed to reducing Project emissions to "net zero" through the purchase of additional off-site carbon credits" (see RDEIR, p. 2.7-31).~~

[17] ~~The DEIR anticipated that construction activities would commence in July 2018 and conclude in 2021. This was the estimated construction schedule when the DEIR was prepared. The estimated construction date is now likely to be further into the future. The DEIR, however, continues to provide an accurate and conservative assessment of the Project's construction and operations emissions. Cleaner technologies and equipment are anticipated to continue and would reduce emissions in the future.~~

The use of carbon offset credits is a well-established method for mitigating project-level GHG emissions. The adoption of California Global Warming Solutions Act of 2006 (AB 32) required that California reduce GHG emissions through a comprehensive program of regulatory and market mechanisms to the 1990 emission levels by the year 2020. The State legislature when adopting AB 32, delegated CARB with the responsibility to implement and develop the programs and requirements necessary to achieve the GHG emissions reduction mandates of AB 32. Among the responsibilities given to CARB, AB 32 authorized CARB to adopt market-based mechanisms, which could include carbon offset credits. In particular, CARB's Scoping Plan must "identify and make recommendations on direct emission reduction measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and nonmonetary incentives" to achieve the 2020 goal, and achieve "the maximum technologically feasible and cost-effective GHG emission reductions" by 2020 and maintain and continue reductions beyond 2020.

On December 14, 2017, CARB adopted *The 2017 Climate Change Scoping Plan Update* (Second Update) (CARB 2017). CARB recognized that where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon offset credits issued by a recognized and reputable voluntary carbon registry (2017 Climate Change Scoping Program (Second Update), page 102).

The utilization of carbon offset credits to mitigate GHG emissions is expressly authorized by CEQA Guidelines Section 15126.4(c)(3). The CEQA Guidelines recognize that off-site mitigation, which may include purchase of offsets, may be used as mitigation for GHG emissions.

When establishing the CEQA Guidelines for GHG mitigation, the California Natural Resources Agency (CNRA) and the Governor's Office of Planning and Research (OPR) addressed the legitimacy of offsets as follows:

> *The Initial Statement of Reasons...cites several sources discussing examples of offsets being used in a CEQA context. Further, the CARB Scoping Plan describes offsets as way to provide regulated entities a source of low-cost emission reductions, and ... encourage the spread of clean, efficient technology within and outside California. The Natural Resources Agency finds that the offset concept is consistent with the existing CEQA Guidelines' definition of "mitigation," which includes "[r]ectifying the impact by repairing, rehabilitating, or restoring the impacted environment" and "[c]ompensating for the impact by replacing or providing substitute resources or environments.*

8.3.7.4 *The GHG Mitigation Measures are Feasible and Effective Mitigation Measures*

There is substantial evidence that the GHG Mitigation Measures will be effective in reducing or avoiding the Project's significant impacts. The Project's GHG Mitigation Measures established clear performance standards ensuring the effectiveness of the mitigation by requiring the purchase of carbon offset credits from CARB-approved registries. The GHG Mitigation Measures were developed in accordance with the principles concerning the adequacy of mitigation measures and includes requirements, performance standards, and terms that are sufficiently clear to enable the County's monitoring and enforcement of the mitigation measure in the event the EIR is certified

~~and the Project is approved. (See Citizens for Responsible and Open Government v. City of Grand Terrace (2008) 160 Cal. App. 4th 1323.)~~

~~As required by the GHG Mitigation Measures, there are specific performance standards and requirements that must be adhered to by the Applicant. First, the carbon offsets to be purchased to reduce GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in Cal. Health & Saf. Code Section 38562(d)(1). A carbon offset credit is clearly defined to mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines section 15126.4[c][3]). Second, carbon offsets shall be purchased through a CARB-approved registry, such as the Climate Action Reserve, American Carbon Registry, or Verified Carbon Standard, or any registry approved by CARB to act as a registry under the State's cap-and-trade program. If no CARB-approved registry is in existence, then the Applicant or its designee shall purchase off-site carbon offset credits from any other reputable registry or entity to the satisfaction of the Director of PDS. Finally, the County will consider geographic priorities for GHG reduction features, and off-site carbon offset projects.~~

~~The use of carbon registries provides a mechanism to ensure credits will actually reduce carbon emissions. The use of such registries to purchase and retire carbon credits enable companies and organizations to invest proactively in projects that will reduce GHG emissions forecasted to occur once the projects are fully implemented. It provides a trusted, transparent resource for companies and organizations, such as land developers, manufacturing facilities, and other large projects, to reduce their carbon footprints in a responsible, consistent and accountable manner.~~

~~As an example of the transparent process used by registries, CARB-approved registries (e.g., Climate Action Reserve) track the reductions issued on their websites in a publicly-accessible transparent process. When offsets are retired, a specific serial number associated with the offset credits are transferred to the purchaser of the offset credits and removed from use by others in the voluntary market or from use by compliance offset projects under Cap-and-Trade. The serial numbers have a vintage year and the registries list the reasons why the credits were retired. The projects listed for credits on the CARB-approved registries are verified (typically annually) by a licensed and approved third-party verifier to ensure that the offset projects continue to reduce emissions as stated. If the third-party verifier conducts an audit of the project and determines that the projects are no longer reducing emissions or are reducing emissions to a lesser degree than anticipated, the registries will remove those credits in question from the projects so that they can no longer be purchased as mitigation.~~

~~Some commenters incorrectly state that the Project could purchase offsets from an "unspecified registry without providing a mechanism to ensure credits will actually reduce carbon emissions at all much less in the same quantity" that the Project will generate. As described above, the registry in which such offsets are to be purchased is not "unspecified." The GHG Mitigation Measures require carbon offset credits to be purchased through a CARB-approved registry (i.e., Climate Action Reserve, Verified Carbon Standard, American Carbon Registry), if none of the above are in existence, then from another CARB-approved registry, and if no CARB-approved registry is in existence, then another "reputable registry" or entity, that is satisfactory to the Director of PDS, may be used. The use of such carbon registries is consistent with the Scoping Plan Second Update that recognizes that a project's emissions may be mitigated through the purchase and retirement of carbon credits issued by a "recognized and reputable, accredited carbon registry" (Scoping Plan~~

Second Update, page 102). Also, the County's Climate Action Plan (CAP) adopted approximately one week before the Project's RDEIR was published, "*requires"* the use of CARB-approved registries, such as the Climate Action Reserve, Verified Carbon Standard, and American Carbon Registry (see CAP SEIR Section 2.7.5.1; made available for public review and can be found at the following website; https://www.sandiegocounty.gov/content/sdc/pds/ceqa/Climate_Action_Plan_Public_Review.html). Regardless of the registry, the GHG Mitigation Measures still require compliance with the described performance standards that are set forth therein. Thus, the purchase of carbon offsets must achieve real, permanent, quantifiable, verifiable, additional and enforceable reductions as follows:

- Real: offsets may only be issued for emissions reductions that are a result of complete emissions accounting.

- Permanent: the emissions reductions must be permanent and not be reversed. For example, in the context of forestry, offset project developers must demonstrate that the carbon sequestered in trees will not be released to the atmosphere after the fact; i.e., that the trees will not be cut down.

- Quantifiable: the emissions reductions from an activity must be quantified, and offsets may only be issued in an amount that corresponds to emissions that have been quantified. This is accomplished by adhering to standardized quantification methodologies called "protocols."

- Validated: to receive offset credits, emission reductions must be documented and transparent enough to be capable of objective review by a neutral, third-party verifier.

- Enforceable: to be eligible to generate offsets from reputable programs, the implementation of the activity must represent the legally binding commitment of the offset project developer. Once the developer undertakes the activity, the developer is under a legal obligation to carry it out.

- Additional: the GHG emissions reductions generated by an activity must be additional, meaning that they are only eligible to generate offsets if they would not have occurred without the offset activity. This is accomplished by adhering to the applicable protocol.

In any event, the GHG Mitigation Measures list three registries that are currently available and have been approved by CARB. In particular, CARB accepts carbon offsets issued by the Climate Action Reserve, American Carbon Registry and Verified Carbon Standard methodologies (see, e.g., Cal. Code Regs., Tit. 17, Section 95990[c][5]).

For example, the Climate Action Reserve (CAR) was established in 2006. The purpose of the CAR is to track and register voluntary projects that reduce GHG emissions. The CAR also establishes guidelines to ensure that the offset credits are credible and high-quality emission reductions from projects. This is done by using protocols that have been developed by CAR and expert stakeholder groups, subject to stakeholder engagement, some of which were approved through public review, and approved by CAR's board of directors. Protocols developed by the CAR [one CARB-approved registry] employ a standards-based approach for ensuring additionality. Information about these

~~CARB-approved registries, including information about process and protocols can be found at the following links:~~

- ~~CAPCOA GHG Rx: http://www.capcoa.org/ghg-rx/~~
- ~~Climate Action Reserve: http://www.climateactionreserve.org/~~
- ~~Verified Carbon Standard: http://www.v-c-s.org/~~
- ~~American Carbon Registry: http://americancarbonregistry.org/~~

~~Each of these registries develops its own protocols for estimating emission reductions or adopts parts of or full protocols from other registries. Projects that follow these protocols can be implemented to accrue offsets to be listed and tracked through the relevant registry. These offsets can then be retired (resulting in a net reduction in GHG emissions) or sold on the open market as a commodity. The registries ensure that the emissions are offset from projects listed on their registries. An activity can only generate carbon offset credits if the project developer of the offset project demonstrates the environmental integrity of the activity by meeting specific standards. Carbon offset registries have developed a broad consensus around the standards that are necessary to ensure that offsets are real, permanent, quantifiable, verifiable, enforceable, and additional.~~

~~These carbon offset registries measure compliance with approved protocols using rigorous, standardized review processes and such protocols have been upheld by the court (Our Children's Earth Foundation v. CARB [2015] 234 Cal.App.4th 870, 880). In 2011, CARB formally adopted its own protocols. CARB's protocols were challenged as violating AB 32 because they purportedly failed to accurately ensure additionality as required by the act, but the court sided with CARB, finding that CARB's protocols based on Climate Action Reserve's protocols are a "workable method of ensuring additionality with respect to offset credits" (Our Children's Earth Foundation at p. 889). CARB has since expanded its program to accept carbon offsets issued under American Carbon Registry and Verified Carbon Standard methodologies (see, e.g., Cal. Code Regs., Tit. 17, Section 95990(c)(5)).~~

~~In *Our Children's Earth Foundation v. CARB* the Court of Appeal recognized the validity of carbon offsets:~~

> ~~*[P]rotocols developed by the Climate Action Reserve (Reserve) employ a standards-based approach for ensuring additionality. The Reserve is a national nonprofit organization that (1) develops standards for evaluating, verifying and monitoring GHG emission inventories and reduction projects in North America; (2) issues offset credits for those projects; and (3) tracks offset credits over time "in a transparent, publicly-accessible system." A primary goal of the Reserve is to establish conservative GHG accounting which will ensure that GHG emission reductions are "real, permanent, additional, verifiable, and enforceable by contract." In formulating its standards-based protocols, the Reserve identifies types of emission reduction projects that are both subject to quantification and appropriate for assessment pursuant to performance-based additionality tests (Id at 879-880).*~~

When approving a GHG reduction project, a climate registry requires that the offset project undertake the following steps to receive offsets credits:

- Listing or Registration: Apply to list or register the proposed GHG emission reduction project with the climate registry. The climate registry will review the application and accept it only if it complies with the applicable climate registry requirements.

- Independent, Qualified Third-Party Confirmation of Reduction or Sequestration: Once a GHG emission reduction project has begun, a climate registry will require the offset project developer to retain an independent, qualified, third-party to verify the reduction or sequestration achieved by the project. Each climate registry has adopted stringent requirements applicable to the accreditation of third parties and only such third parties are qualified to verify and audit the activities under the applicable registry rules. Most climate registry rules and protocols require "boots on the ground" audits, although in certain instances desktop reviews may be sufficient.

- Registry Approval and Issuance: The final step under most climate registry rules and protocols involves the issuance of the offsets. Registry rules and protocols require the project developer to apply for issuance and to provide the verification report prepared by the independent, qualified third-party. The registry will typically review a verification report and, to the extent that the registry finds that the report complies with the applicable registry requirements, the registry will issue the offsets to the account of the project developer.

- Carbon Offset Retirement: Each registry has adopted rules and procedures governing the retirement or cancellation of offsets. Typically these rules or procedures involve the transfer of the offset serial numbers from a registry account and ensure that once a carbon offset credit has been retired, the retirement is permanent and the carbon offset cannot be further used in any manner.

One commenter attaches Exhibit B, which discusses the effectiveness of offsets used under the Clean Development Mechanism, and Exhibit C, which states that carbon credits are worthless in reducing emissions. The County does not agree with these statements. First, the offsets credits that are purchased and retired by the GHG Mitigation Measures would be additional for the reasons described above.

Second, the commenter merely citing two articles that question the validity of Clean Development Mechanism (CDM) established as part of the Kyoto Protocol, and other international offset programs do not prove that offsets in compliance with CARB-approved protocols are ineffective. In fact, registries cannot list offsets for purchase in the market until the offsets are proven effective and are retired. The CARB-approved registries contain offset credits from outside the United States, however, all these projects are held to the same protocols and performance standards as offset credits listed from projects in California or the United States. Many international offset projects adhere to specific protocols to the Country where the project is implemented (see, e.g., Climate Action Reserve protocols on Mexico Boilers, Mexico Forest, Mexico Landfill, Mexico Livestock, and Mexico Ozone Depleting Substances. Accessed on April 30, 2018 at http://www.climateactionreserve.org/how/protocols/). Therefore, they are equally effective as

~~mitigation under CEQA. All offsets, whether in San Diego County, California, the United States, or international would still be required to ensure that the offsets are carbon offsets that achieve real, permanent, quantifiable, verifiable, additional and enforceable reductions (Cal. Health & Safety Code Section 38562[d][1]), and would equally contribute to reduction in global climate change effects. Regardless of location, the carbon offset registries ensure that the "reduction is in addition to any greenhouse gas emission reduction otherwise required by law or regulation, and any other greenhouse gas emission reduction that otherwise would occur" (Cal. Health & Saf. Code Section 38562[d][2]).~~

~~For more on the adequacy of the Clean Development Mechanism (CDM), see the United Nations page on Climate Change. Available: http://unfccc.int/kyoto_protocol/mechanisms/clean_development_mechanism/items/2718.php. According to the United Nations, a CDM project must provide emission reductions that are additional to what would otherwise have occurred. The projects must qualify through a rigorous and public registration and issuance process.~~

~~8.3.7.5 *Geographic Hierarchy and On-site Feasible Mitigation*~~

~~Although recognizing the global scale and context of GHG emissions, the GHG Mitigation Measures include a geographic priority for GHG reduction features and GHG reduction projects and programs as follows:~~

~~1. project design features/on-site reduction measures,~~

~~2. off site within the unincorporated areas of the County of San Diego,~~

~~3. off site within the County of San Diego,~~

~~4. off site within the State of California,~~

~~5. off site within the United States, and~~

~~6. off site internationally.~~

~~Thus, geographic priorities would focus first on local reduction features (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide co-benefits. This geographic hierarchy is consistent with 2017 Climate Change Scoping Plan (November 2017, page 102). CARB recommended that lead agencies prioritize on-site design features and direct investments in GHG reductions in the vicinity of a project to help generate real demand side benefits and local jobs. However, CARB also recognized that it might be appropriate to mitigate project emissions through purchasing and retiring carbon credits issued by a recognized and reputable, accredited carbon registry when on-site measures or regional investments are infeasible or non-effective.~~

~~Thus, all feasible on-site measures must be incorporated into the project, and analysis must be provided that clearly demonstrates how all feasible on-site measures had been incorporated. Only upon exhaustion of all on-site feasible mitigation options can an applicant consider off-site mitigation options. International offsets are last on the geographic hierarchy and would only be allowed if the applicant demonstrates infeasibility of the other options in the order of hierarchy.~~

~~Only after all on-site feasible measures have been incorporated and analyzed can the purchase of carbon offsets be considered.~~

~~Here, the Project includes numerous on-site design features as described in the Project's Specific Plan, listed in Table 1-2 and in Chapter 7.0 of the EIR, and required as conditions of approval from the County of San Diego. These features include: (1) charging infrastructure for zero emission vehicles in residential development areas (the Project will plumb for EV charging station for every residential unit); (2) water conservation strategies; (3) solid waste diversion strategies; (4) solar/photovoltaic systems for all residential units and the Center House; (5) compliance with the 2016 California Title 24 Energy Code (which went into effect on January 1, 2017); and (6) installation of a minimum of 2,045 trees within the Project site. Specific to item 5, the following energy efficient items will be included in all residential units: improved HVAC systems with sealed (tight) air ducts; enhanced ceiling, attic and wall insulation; install energy conserving appliances such as whole house fans; high-efficiency water heaters; energy-efficient three coat stucco exteriors; energy efficient appliances; programmable thermostat timers; roof anchors and pre-wiring to allow for the installation of PV systems where such systems are not installed as part of Project implementation; and high-efficiency window glazing.~~

~~Also, Attachment D (CARB Scoping Plan Onsite Mitigation Evaluation) to the Supplemental Letter by Ldn Consulting, dated Feb. 16, 2018, contains an assessment of the Project's implementation of applicable mitigation concepts for land use development projects identified by CARB in Appendix B of its 2017 Climate Change Scoping Plan. As illustrated therein, the Project implements a wide range of strategies that will reduce GHG emissions on the Project site.~~

~~However, it is important to note that GHG emissions represent a global, cumulative impact. This was recently acknowledged by the California Supreme Court in Center for Biological Diversity et al., v. California Department of Fish and Wildlife, and The Newhall Land and Farming Company, 62 Cal. 4th 204 (2015.) The Supreme Court stated that:~~

> ~~*First, because of the global scale of climate change, any project's contribution is unlikely to be significant by itself…With respect to climate change, an individual project's emissions will most likely not have any appreciable impact on the global problem by themselves, but they will contribute to the significant cumulative impact caused by greenhouse gas emissions from other sources around the globe…Second, the global scope of climate change and the fact that carbon dioxide and other greenhouse gases, once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are also global rather than local (Id at 211).*~~

~~At the end of the day, CEQA leaves the issue of geographic preferences to the lead agencies. The Natural Resources Agency in their Final Statement of Reasons for Regulatory Action (2009) which amended the CEQA Guidelines to address GHG emissions pursuant to Senate Bill 97, expressly rejected invitations to establish any sort of mitigation hierarchy for GHG emissions in CEQA Guidelines Section 15126.4(c):~~

> ~~*OPR and the Resources Agency recognize that there may be circumstances in which requiring on-site mitigation may result in various co-benefits for the project and*~~

~~*local community, and that monitoring the implementation of such measures may be easier. However, CEQA leaves the determination of the precise method of mitigation to the discretion of lead agencies.*~~

8.3.78 Climate Action Plan

A number of comments conflate concerns related to the County of San Diego's Climate Action Plan (CAP) with the Harmony Grove Village South Project (Project). In response to those comments, this topical response provides further information regarding the County's CAP, and its effect with respect to the Project. As demonstrated below, the Project would not obstruct implementation of the CAP or the County's ability to attain the greenhouse gas GHG reduction targets and goal set forth therein.

8.3.78.1 *The County's 2018 Climate Action Plan*

On February 14, 2018, the County's Board of Supervisors (Board) adopted a CAP to reduce GHG emissions consistent with state legislative requirements. The County's CAP includes strategies and measures to reduce emissions in the unincorporated communities of San Diego County and from County government operations. The Board's adoption of the CAP is the culmination of a multi-year plan development process that followed from the judicial invalidation (see Sierra Club v. County of San Diego [Case No. D064243]) of the County's prior CAP, which was previously adopted in 2012 as directed by the 2011 General Plan Update.

The adopted CAP includes six chapters: (1) Introduction; (2) Greenhouse Gas Emissions Inventory, Projections, and Reduction Targets; (3) Greenhouse Gas Reduction Strategies and Measures; (4) Climate Change Vulnerability, Resiliency, and Adaptation; (5) Implementation and Monitoring; and (6) Public Outreach and Engagement. The CAP sets the following County-specific GHG reduction targets and a goal: by 2020, a 2 percent reduction from 2014 levels; by 2030, a 40 percent reduction from 2014 levels; and, a goal of 77 percent reduction from 2014 levels by 2050. The CAP is designed to achieve those targets by 2020 and 2030 and make progress toward the 2050 GHG reduction goal through the implementation of multiple strategies and measures applicable to five general categories of GHG emission sources: (1) Built Environment and Transportation; (2) Energy; (3) Solid Waste; (4) Water and Wastewater; and (5) Agriculture and Conservation. The Board also adopted Guidelines for Determining Significance: Climate Change and Appendix A: Final Climate Action Plan Consistency Review Checklist (Checklist). The County set forth the following threshold of significance:

> *A proposed project would have a less than significant cumulatively considerable contribution to climate change impacts if it is found to be consistent with the County's Climate Action Plan; and, would normally have a cumulatively considerable contribution to climate change impacts if it is found to be inconsistent with the County's Climate Action Plan.*

To determine whether discretionary projects will have a significant impact, the County utilizes the CAP's Checklist; that sets forth a two-step process for determining significance. Step 1 (Land Use Consistency) assesses a project's consistency with the growth projections and land use assumptions made in the CAP. If a project is consistent with the projections in the CAP, its associated growth (in terms of GHG emissions) was accounted for in the CAP's emissions

projections and would not increase emissions beyond what is anticipated in the CAP or inhibit the County from reaching its reduction targets. If a project is consistent with the existing General Plan land use designation(s), it can be determined to be consistent with the CAP projections and can move forward to Step 2 (CAP Measures Consistency) of the CAP Checklist. Step 2 of the Checklist contains the CAP GHG reduction measures that projects are required to implement to ensure compliance with the CAP. Also, a project that is inconsistent with existing General Plan or zoning designations but which would propose an equivalent or less GHG-intensive project when compared to the existing designations can move to Step 2.

If an amendment is proposed to the existing land use and/or zoning designation that would increase density or intensity above that which is allowed under the existing General Plan designations, the project must prepare a separate, more detailed project-level GHG analysis. The project also is required to demonstrate compliance with each of the relevant CAP measures identified in the Checklist. The intent of implementing all relevant measures in the CAP Checklist is to ensure GPA projects are implementing measures required of General Plan consistent projects. Additionally, in order to support a determination that such a project would not conflict with the CAP and would not make a cumulatively considerable contribution to global climate change, the project is required to demonstrate that it results either in "no net increase" in GHG emissions from additional density or intensity above that identified in the County's 2011 General Plan Update or "no net increase over baseline conditions (i.e., carbon neutrality)." In doing so, a project must first demonstrate compliance with relevant CAP measures in the Checklist and then achieve any feasible reductions through on-site design features and mitigation measures, followed by off-site mitigation. The specific applicable requirements outlined in the Checklist and additional feasible reductions shall be required as a condition of project approval.

8.3.78.2 *The Project's Recirculated GHG analysis*

As way of background, the Project's Draft EIR (DEIR) was circulated for public comment in 2017. It evaluated the potential environmental impacts associated with the proposed Project's GHG emissions, based on the "County Efficiency Metric" of the 2016 Guidance Document. During the public review period of the Project's DEIR, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric could not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County. This ruling is currently under appeal by the County of San Diego. As a result of the court's ruling, the Project's Greenhouse Gas Analyses Report was updated to reflect this judicial decision even though it is currently under appeal. A supplemental analysis (Supplement; included in the recirculated Revised DEIR as Appendix J) was prepared that utilized the significance criteria in Appendix G of the CEQA Guidelines as related to GHG emissions. The revised GHG subchapter of the DEIR, as well as the amended Appendix J (Revised GHG Analysis), was circulated for public comment from February 22 to April 9, 2018.

The Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on the threshold of significance using an efficiency metric, nor did it tier from the CAP. CEQA provides that the determination of whether or not a project has a significant effect on the environment is based on the thresholds described in the environmental document. These thresholds of significance can be adopted by the local agency

or can be based upon those standards set forth in Appendix G of the CEQA Guidelines (14 Cal Code Regs ["CEQA Guidelines"] Section 15064). In other words, CEQA allows individual projects to be approved using thresholds developed on a project-by-project basis. CEQA Guidelines 15064.4(a) states:

> *[t]he determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to … [use a quantitative model or qualitative model].*

Therefore, Subsection 2.7.2.1 of the RDEIR explains that consistent with CEQA Guidelines 15064.4, the GHG analysis for the Project appropriately relies upon a threshold based on the exercise of careful judgement and believed to be appropriate in the context of this particular project: net zero GHG emissions.

CARB in its release draft of its Proposed Scoping Plan Update for 2030, states that local governments can consider discretionary approvals and entitlements for individual projects through the CEQA process absent an adequate CAP by implementing all feasible measures to reduce GHG emissions (see page 136 of CARB's Draft Scoping Plan Update for 2030). Furthermore, the contention that a project cannot be approved without an adopted CAP or that a project must wait until a CAP is adopted, was recently rejected by the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017; "Second Supplemental Petition"). The Court denied the Sierra Club's request for an injunction prohibiting the County from processing and approving new large-scale developments on undeveloped land in San Diego County until the County approved a lawful CAP and thresholds. The Court held that an injunction to prohibit the County from undertaking its planning process is too broad, would embroil the court in County operations the court is not equipped to oversee and raises due process concerns that could prejudice the applicants of such projects. Therefore, the court in the Second Supplemental Petition specifically rejected the assertion that the County could not process individual projects or make project-specific GHG threshold determinations. In other words, there is no court order prohibiting the County from approving development projects prior to completion of the CAP, or that only a CAP-based significance threshold should be used by the County.

The CAP was adopted by the County's Board of Supervisors approximately one week before the Project's Revised GHG Analysis was recirculated on February 22, 2018. Given the Project's unique situation of being processed while the County's CAP has been in constant flux and is still the subject of litigation; the most appropriate and conservative way for the Project to achieve less than significant impacts is for the Applicant to commit to achieve carbon neutrality through all feasible on-site design measures and off-site mitigation, such as through purchase of carbon credits. Because the CAP is still under challenge, and it is uncertain if the CAP will remain exactly as currently proposed, the analysis takes a conservative approach and proves the Project achieves less than significant impacts independently rather than relying on CAP consistency alone as a basis

for Project approval. Nonetheless, the Project does not conflict with the CAP because it would achieve a no net increase in GHG emissions (i.e., carbon neutrality).

A comment also incorrectly implied that the Project's Revised GHG Analysis somehow relied on the CAP. As noted above, the Project was independently determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines.

8.3.78.3 *The Project and The CAP*

As discussed above, the Revised GHG Analysis did not tier from the CAP. However, it is consistent with and does not conflict with the CAP. The Project would achieve no net increase in GHG emissions (i.e., carbon neutrality) over existing baseline conditions (which are assumed to be zero) with the implementation of the Project's recommended design features and mitigation measures. As the Project will achieve carbon neutrality, the Project will not interfere or affect attainment of the CAP's GHG reduction targets and goal. Also, the Project is consistent with and would not conflict with the County's CAP because the Project would implement all feasible and applicable CAP measures (see Appendix D of the Supplement which contains the CAP Checklist completed so as to provide a Project-specific evaluation)[18]. Finally, Mitigation Measures M-GHG-1 and M-GHG-2 that require the Project to purchase and retire carbon offsets in a quantity sufficient to reduce emissions effects to net zero, is in accord with the Mitigation Measure M-GHG-1 from the County's Final Supplemental EIR (SCH No. 2016101055) for its CAP. (Please see Global Response: Carbon Offsets in this chapter of this Final EIR [FEIR] for further information regarding the Project's use of carbon offsets.)

Specifically, in order to achieve net zero GHG emissions, the Project would implement numerous on-site design features for which quantitative GHG reduction benefits were estimated, but in many cases, no reduction was taken (see RDEIR, Table 2.7-3, *Estimated Annual GHG Emissions with Project Design Features and State and Federal Mandates*). The Project includes numerous feasible on-site design features as described in the Project's Specific Plan, listed in FEIR Table 1-2 and in Chapter 7.0 of the Draft EIR, and required as conditions of approval from the County of San Diego. These features include: (1) charging infrastructure for zero emission vehicles in residential development areas (the Project will plumb for EV charging station for every residential unit); (2) water conservation strategies; (3) solid waste diversion strategies; (4) solar/photovoltaic systems for all residential units and the Center House; and (5) compliance with the ~~2016~~ California Title 24 Energy Code ~~(which went into effect on January 1, 2017)~~ in effect at time of building permit issuance. The following energy efficient items will be included in all residential units: improved HVAC systems with sealed (tight) air ducts; enhanced ceiling, attic and wall insulation; energy conserving appliances such as whole house fans; high-efficiency water heaters; energy-efficient three coat stucco exteriors; energy efficient appliances; programmable thermostat timers; roof anchors and pre-wiring to allow for the installation of PV systems where such systems are not installed as part of Project implementation; high-efficiency window glazing; and (6) installation of a minimum of 2,045 trees within the Project site. In addition, the Project is conditioned to include all relevant measures in the CAP Checklist. As such, the Project's design features and

[18] Available for public review at https://www.sandiegocounty.gov/pds/advance/climateactionplan.html.

implementation of the relevant measures in the CAP Checklist represent all feasible measures to reduce GHG emissions on site (Global Response: Carbon Offsets and Appendix J to this FEIR).

Since the Project would mitigate its GHG emissions to a no net increase above baseline conditions (i.e., carbon neutral), the Project's mitigation framework for GHG emissions would not interfere or affect attainment of the CAP's GHG reduction targets and goal and, therefore, would be consistent with and not conflict with the County's recently adopted CAP. Since the mitigated Project would have no net increase in the GHG emissions level, the Project would not result in a considerable contribution to cumulative global GHG emissions. For information on carbon offsets as a mechanism to mitigate Project-related GHG emissions as a feasible, established, and commonly recognized approach utilized in the discretionary development review process please see Global Response: Carbon Offsets. Regarding the Project's consistency with the Regional Plan, please see Global Response: Regional Plan Conformity in this chapter of this FEIR.) Finally, because the Project will implement all feasible on-site measures to reduce GHG emissions, the Project complies with the CARB's Second Update to the Scoping Plan (CARB 2017),[19] which states that: "achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts is an appropriate overall objective for new development."

8.3.78.4 *Consistency with the General Plan*

Comments were received that incorrectly claim that the General Plan prevents the County from approving projects that do not rely on a County approved CAP. Although General Plan Policy COS-20.1 specifically required the County to prepare and implement a CAP, nothing in the General Plan prohibits the County from approving development projects using project-specific thresholds pending completion of the CAP. (See General Plan policies and mitigation measures COS-20.1, COS-20.2, CC-1.2, and CC-1.8.)

The General Plan includes multiple goals and policies that would reduce the adverse effects of climate change. Table I-1 in the General Plan identifies a number of policies that carry out the primary objectives of compliance with AB 32 (see Global Responses: Regional Plan Conformity and Project Consistency with General Plan Policy LU-1.4; EIR Section 3.1.5*, Land Use and Planning*; as well as Appendix J for Project-specific policies). The Goal COS-15 of the Conservation and Open Space Element promotes sustainable architecture and building techniques that reduce emissions of criteria pollutants and GHGs while protecting public health and contributing to a more sustainable environment (see COS-15.1, COS-15.2, COS-15.3, COS-15.5, and COS-15.7). Goal COS-14 would reduce emissions from GHG by promoting the application of various land use development techniques. (See San Diego County General Plan Update Final EIR (SCH) #2002111067, page 2-17-27, available for public review at: https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS_Aug2011/EIR/FEIR_2.17_-_Climate_Change_2011.pdf.)

The General Plan's Final EIR also identified a number of mitigation measures that would minimize the potentially significant impacts related to AB 32. The preparation of a CAP was one mitigation measure to address GHG emissions from buildout under the General Plan. There were 17 other mitigation measures that specifically dealt with climate change. The Board of Supervisors'

[19] Available for public review at https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

unchallenged findings indicated that the various measures in combination would mitigate the impact related to GHG emissions and compliance with AB 32 to a less than significant level (id at page 2-17-28). Therefore, nothing in the General Plan substantiates the claim that a project cannot be found to be consistent with the General Plan until a new CAP is adopted. To the contrary, the General Plan's many policies can be applied on a project basis and all the project-level mitigation measures that could be included in a CAP can be implemented at a project level without a CAP.

8.4 Individual Comments and Responses

Each comment letter is provided below in the order shown in Subchapter 8.2 of this chapter. The letters are provided in side-by-side format with their responses. Each letter is identified as being authored by representatives of a federal agency (F), state agency (S), local agency (L), organization (O) or individual (I). Within those designations, the comments are identified by number (e.g., F1, O3) and the issues within each comment letter are bracketed and numbered. Responses are numbered to correspond with the bracketed comments and are located immediately adjacent to the comments as possible, within a side-by-side format. Comment letters received during public review of the recirculated RDEIR are prefaced with a capital "R."

Table 8.3.3-1
SUMMARY OF HGV SOUTH RESPONDING FIRE STATIONS

Station	Location	Equipment	Staffing	Maximum Travel Distance*	Travel Time**
Escondido FD Station 1	310 North Quince St. Escondido, California 92029	Paramedic Engine Truck Company Brush Engine Ambulance	27	4.24 miles	7 min 52 sec
Escondido FD Station 6	1735 Del Dios Hwy Escondido, California 92029	Type 1 Engine Brush Engine Ambulance	15	2.76 miles	5 min 21 sec
Elfin Forest/ Harmony Grove	20223 Elfin Forest Rd. Elfin Forest, California 92029	2- Type 1 Engines 2-Brush Engines BLS Ambulance	9	4.97 miles	9 min 6 sec
New Harmony Grove Station 5	Country Club Dr. Escondido, California 92029	Type 1 Engine	9	1.28 miles	2 min 50 sec

* Distance measured to most remote portion of Project site.
** Assumes travel to the primary Project's furthest structure in the southeast, and application of the ISO formula, T=0.65+1.7D (T = time and D = distance). The ISO response travel time formula discounts speed for intersections, vehicle deceleration and acceleration, and does not include turnout time.

Table 8.3.3-2
SUMMARY OF POPULATION AND ESTIMATED CALL GENERATION

Community	Number of Residences	Estimated Population (3.5 persons per residence)	Calculated Annual Call Load*	Total Calls/Day
Harmony Grove Village South	453	1,586	158.6	0.4
Harmony Grove Village	749	2,621	262.1	0.7
Existing Residential	60	210	21.0	<0.06
Totals	**1,262**	**4,417**	**442**	**1.2****

*Annual call load is determined based on RSFFPD's average of 100 calls per 1,000 persons, or per capita call volume of 0.1/year.
**Automatic aid calls average between one and two per day, for a combined total of up to three calls per day

Table 8.3.5-1
HARMONY GROVE VILLAGE ROADWAY NETWORK ASSUMPTION STATUS

Location	Description/Permit Condition	Assumption in TIA	Current Status	Aerial
Intersections				
Intersection #6. Citracado Parkway/Avenida Del Diablo	Restrict left-turns	Completed [a] – Restricted left-turns: EB/WB/SB	Partially Completed [a] – Restricted left-turns: EB/WB/SB	
Intersection #17. Harmony Grove Road/Country Club Drive	Install Signal	Completed	Completed	
Intersection #19. Harmony Grove Road/Harmony Grove Village Parkway	Install Signal	Completed	Completed	

Table 8.3.5-1
HARMONY GROVE VILLAGE ROADWAY NETWORK ASSUMPTION STATUS

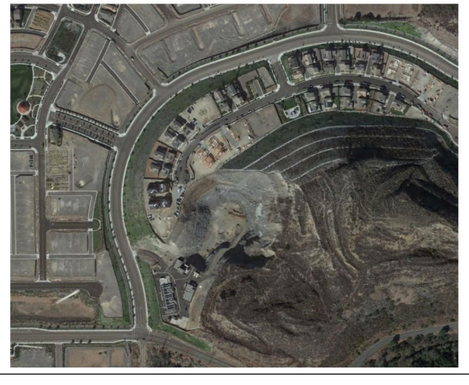
Location	Description/Permit Condition	Assumption in TIA	Current Status	Aerial
Street Segments				
Segment #8a. Country Club Drive: Kauana Loa Drive to Harmony Grove Village Northern Project Boundary	Improved to modified Rural Light Collector standards per the previously adopted General Plan (corresponding with a 2.2F Light Collector on the currently adopted General Plan) with an LOS E capacity of 9,700 ADT.	Completed	Completed	
Segment #8b. Country Club Drive: Harmony Grove Village Northern Boundary to Harmony Grove Village Parkway	Improved to Rural Collector standards per the previously adopted General Plan (corresponding to 2.2E Light Collector on the currently adopted General Plan) with an LOS E ADT capacity of 16,200. For the purposes of being conservative, the LOS E capacity of 9,700 ADT was used in the buildout assessment.	Completed	Completed	
Segment #9. Country Club Drive: Harmony Grove Village Parkway to Harmony Grove Road	Improved to Town Collector standards per the previously adopted General Plan (corresponding to 2.1C Community Collector on the currently adopted General Plan) with an LOS E ADT capacity of 19,000.	Completed	Completed	

Table 8.3.5-1
HARMONY GROVE VILLAGE ROADWAY NETWORK ASSUMPTION STATUS

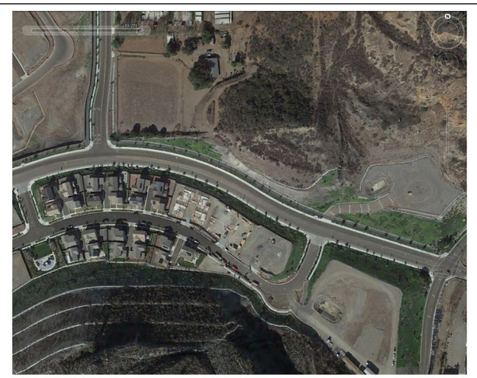
Location	Description/Permit Condition	Assumption in TIA	Current Status	Aerial
Segment #10. Harmony Grove Road: Wilgen Drive to Country Club Drive	Paved width of 54 feet with curb and gutters for an LOS E capacity of 19,000 ADT. Although the County of San Diego General Plan Mobility Element, classifies this segment as a 2.2E Light Collector with an LOS E capacity of 16,200 ADT, because the roadway has been improved to 2.2C Light Collector standards (19,000 ADT), this capacity was used in all near-term and buildout analyses.	Completed – 2.2C Light Collector @ 19,000 ADT	Completed – 2.2C Light Collector @ 19,000 ADT	
Segment #11. Harmony Grove Road: Country Club Drive to Harmony Grove Village Parkway	Paved width of 28 feet *where feasible*. Built to these standards, the roadway functions as a modified Rural Light Collector with an LOS E capacity of 16,200 ADT.	Completed [b]	Completed [b]	
Segment #14a. Harmony Grove Village Parkway: Country Club Drive to Harmony Grove Road *(not analyzed independently from Segment 14b)*	Paved width of 54 feet including curb, gutter and sidewalks for an LOS E capacity of 19,000 ADT.	Completed	Completed	

Table 8.3.5-1
HARMONY GROVE VILLAGE ROADWAY NETWORK ASSUMPTION STATUS

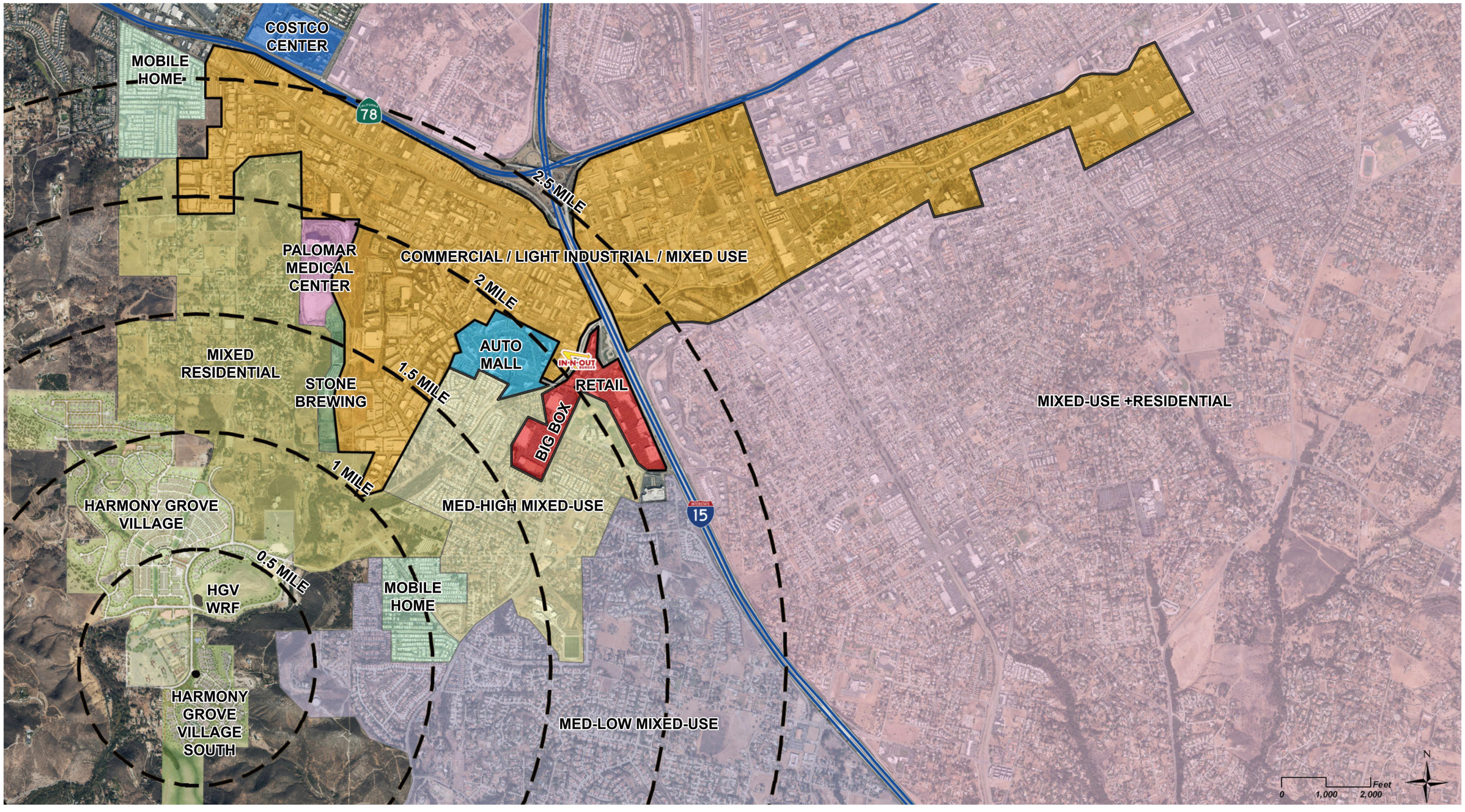
Location	Description/Permit Condition	Assumption in TIA	Current Status	Aerial
Segment #14b. Harmony Grove Village Parkway: Harmony Grove Road to Citracado Parkway *(not analyzed independently from Segment 14a)*	Paved width of 40 feet including curb, gutter and sidewalks for an LOS E capacity of 16,200 ADT.	Completed	Completed	
Citracado Parkway: Avenida Del Diablo to Harmony Grove Village Parkway	Constructed to connect to Avenida Del Diablo.	Completed	Completed	

Source: Harmony Grove Village South Traffic Impact Analysis - LLG Engineers (April 6, 2017)

Footnotes:

a. Two (2) northbound/southbound thru lanes were assumed at this intersection per the Citracado Parkway Extension EIR improvements. One (1) lane is constructed in each direction today and pavement is in place to support future restriping. With the existing configuration, no new impacts would occur at this intersection with the addition of Project traffic.

b. Harmony Grove Road from Country Club Drive to Harmony Grove Village Parkway has been improved to 28' paved width "where feasible", per Permit Condition "B" from TM 5365RPL, February 7, 2017. The Harmony Grove Road intersection approaches to Country Club Drive and Harmony Grove Village Parkway have been improved along this segment.



Source: Project Design Consultants, 2018

HGV + HGV South Adjacent Land Uses

HARMONY GROVE VILLAGE SOUTH

Figure 8.3.6-1

HELIX Environmental Planning

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COMMENTS	RESPONSE

Comment Letter F1

U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
760-431-9440
FAX 760-431-9624

California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
858-467-4201
FAX 858-467-4299

In Reply Refer To:
FWS/CDFW-SD-16B0060-17CPA0123

June 6, 2017
Sent by Email

Ms. Michelle Irace
County of San Diego
Department of Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Draft Environmental Impact Report and Draft Habitat Loss Permit for the Proposed Harmony Grove Village South Project, County of San Diego, California

Dear Ms. Irace:

The U.S Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the draft Environmental Impact Report (DEIR) and draft Habitat Loss Permit (HLP) for the proposed Harmony Grove South project received on April 20, 2017. The comments provided in this letter are based on information provided in the DEIR and HLP, multiple meetings and discussions with San Diego County (County) staff and representatives of the project applicant, our knowledge of sensitive and declining vegetation communities in the County, and our participation in regional conservation planning efforts including the County's draft North County Multiple Species Conservation Plan (NC MSCP).

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. As such, the Service is responsible for administering the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712), Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c), and the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381, respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA) and other sections of the Fish and Game Code, and administers the Natural Community Conservation Planning (NCCP) program. The County has signed a Planning Agreement with the Wildlife Agencies for the development of the draft NC MSCP, and this NCCP/HCP is currently in development for unincorporated lands in north San Diego County. F1-1

The 111-acre project site is located along the southern and eastern border of Country Club Drive south of Harmony Grove Road in the Elfin Forest-Harmony Grove Planning Area of unincorporated F1-2

Response to Comment F1-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment F1-2

Comment noted. This comment summarizes Project locational data and information relative to the Draft Multiple Species Conservation Plan (MSCP) North County Plan document. The paragraph is consistent with information provided in the EIR. No response is required.

COMMENTS	RESPONSE
Comment Letter F1 Ms. Michelle Irace (FWS/CDFW-SD-16B0060-17CPA0123) 2 San Diego County. The proposed project footprint for the preferred alternative is 76.2 acres with the remaining 34.8 designated as biological open space. The project site is located within the Pre-approved Mitigation Area (PAMA) of the draft NC MSCP, and as such, is of particular concern to the Wildlife Agencies in terms of potential project impacts to sensitive species, and overall preserve design. The draft NC MSCP has identified a target level of conservation for lands within the PAMA at 75 percent; however, the project, as proposed, would achieve about 31 percent conservation. We acknowledge that the 75 percent conservation target is an average across the PAMA, where some areas will be conserved at higher levels and others at lower levels. This level of conservation is our starting point as we review each proposed project that is located within the PAMA boundaries. We then factor in other variables including the importance of the project area to identified biological core and linkage areas within the preserve and the presence of critical biological resources. F1-2 We offer the following comments and recommendations to assist the County in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and to ensure that the Project is consistent with the HLP process, Federal and State endangered species laws/regulations, and ongoing regional habitat conservation planning efforts: 1. The proposed project would impact 10.4 acres of coastal sage scrub vegetation (CSS), which is a sensitive habitat covered by the State NCCP program. The applicant proposes to address impacts to the CSS and the federally threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher) through the County's HLP process. The draft HLP proposes to mitigate impacts to CSS and similar habitat (e.g., 4.5 acres of coastal sage-chaparral scrub) at a 2:1 ratio, primarily with off-site conservation; however, no specific conservation parcels have been identified. Although the draft HLP suggests the Red Mountain and Buena Vista Creek mitigation banks as potential sites for the off-site conservation, the proposed project is outside of the primary service area for these banks. The proposed impacts are within an important area targeted for conservation in the draft NC MSCP and is of particular importance for the gnatcatcher; therefore, we recommend that the off-site mitigation target gnatcatcher-occupied CSS and like habitat within the Elfin Forest-Harmony Grove Planning Area. The final HLP should identify specific parcels that will be acquired for conservation and include resource management plan(s) for County and Wildlife Agency review and approval. F1-3 Furthermore, the draft HLP proposes to restore 1.8 acres of CSS along portions of the development-open space boundary as on-site mitigation. The Wildlife Agencies support this restoration effort as it will provide a buffer from development and reduce potentially harmful edge effects in the preserve; however, we recommend that this area be removed from consideration as mitigation for permanent impacts as it is more appropriately defined as restoration to mitigate temporary project impacts in the biological open space.	**Response to Comment F1-3** The stated intent to address impacts to 10.4 acres of coastal sage scrub and the federally listed coastal California gnatcatcher through the County's HLP process is correct. Also consistent with this comment, both the Project *Biological Technical Report* (BTR) and Subchapter 2.3, *Biological Resources*, of the EIR require the following as part of Mitigation Measure M-BI-1b for coastal sage scrub and associated species (excerpted and emphasis added): *Off-site preservation of mitigation land, through the recordation of a BOS easement, and preparation of an RMP to address long-term monitoring, maintenance, management, and reporting directives, in perpetuity, approved by the County and Wildlife Agencies.* ***To the extent the land is available for preservation, off-site mitigation shall occur within land designated as PAMA in the Draft MSCP North County Plan and located in the Elfin Forest-Harmony Grove Planning Area, northern coastal foothills ecoregion. The location shall be deemed acceptable by the County and Wildlife Agencies****. Long-term management shall be funded through a non-wasting endowment in an amount determined through preparation of a Property Assessment Record (PAR) or similar method for determining funding amount. The open space easement shall be owned by a conservancy, the County or other similar, experienced entity subject to approval by the County. Should a regional entity to manage biological open space be formed, the natural habitat areas within the Project site could be dedicated to that entity and managed as part of an overall preserve system for northern San Diego County (BTR pg. 108 and EIR pg. 2.3-58).* The Applicant has identified several potential off-site mitigation parcels within the Elfin Forest-Harmony Grove Planning Area and has reviewed the potential parcels with the County and Wildlife Agency staff. Additional review is anticipated as part of the planning process. It is not required and not the Applicant's intent to publish details and specifics in a public review document regarding the potential parcels, including sensitive information such as parcel location address and landowner contact information, for example. The final HLP will identify such parcel(s) and a Resource Management Plan (RMP) also will be

COMMENTS	RESPONSE
	completed, consistent with this comment. The RMP shall be prepared by a County-approved restoration specialist in accordance with the County's *Report Format and Content Requirements for Conceptual Biological Resources Management Plans*, which requires implementation of site-specific restoration directives for site preparation, installation, maintenance, monitoring and financial assurances for the restoration effort. Restoration directives to be implemented shall include, at a minimum, unless otherwise required by the County and Wildlife Agencies, a mandatory plant establishment period (PEP); monthly, quarterly, and annual technical monitoring of the restoration performance, as appropriate, including plant survivorship, non-native species coverage, native species coverage, and photographs; monthly, quarterly, and annual maintenance of the restoration site for plant replacement, irrigation inspection, non-native species control, and trash removal, as appropriate; and reporting of the restoration effort's progress toward achieving performance standards to be sent to the County and Wildlife Agencies on an annual basis, until success criteria are met. The comment is correct that the draft HLP circulated with the Draft EIR suggests the Red Mountain and Buena Creek Conservation Banks; however, the commenter is directed to the specific language included in Mitigation Measure M-BI-1b acknowledging County and Wildlife Agency involvement in this component of the mitigation, which states (excerpted and emphasis added): > ***If demonstrated to the satisfaction of the County and Wildlife Agencies*** *that off-site preservation of mitigation land is not feasible to fulfill all or a portion of mitigation obligations, then the Project shall include purchase of occupied coastal sage scrub credits at an approved conservation bank, such as the Red Mountain Conservation Bank, Buena Creek Conservation Bank,* ***or other bank deemed acceptable by the County and Wildlife Agencies*** *(EIR pg. 2.3-58).* The stated intent to restore 1.8 acres of coastal sage scrub along portions of the Project development-open space boundary as mitigation is correct. The County would like to clarify that there are no impacts in areas originally identified as biological open space (BOS). The original BOS boundary aligned with the edge

COMMENTS	RESPONSE
	of grading. Just before public review, agreement was reached with the Applicant to allow restoration of acreage that would otherwise be included within irrigated slope as part of Project landscaping. Commitment to seeding, planting, and monitoring of this area rather than simply fencing it off from BOS was attained, and the area was included within the BOS so that it would be ensured permanent protection. As such, restoration is appropriate for mitigation. To ensure that mitigation is successful, a 120-day PEP, followed by a maintenance, monitoring, and reporting period is required. The duration of the maintenance, monitoring, and reporting period is typically 5 years; the restoration effort will not be approved or signed off by the County and Wildlife Agencies until success criteria and performance standards are met, as explained below. To complete the 120-day establishment period, irrigation must be functional, container plantings must have 100 percent survivorship, and all target invasive species (Cal-IPC moderate and high species) must be removed from the restoration area. Any replacement plantings added to attain the survivorship criterion must be installed prior to sign off of the 120-day establishment period. Success criteria provide specific standards to evaluate the progress of the restoration effort. Attainment of these standards indicates that the restoration area is progressing toward, and has the habitat function and services specified by, this plan. Restoration success will be determined by comparing measures of planting survivorship, vegetative cover, and native plant recruitment within the restoration and enhancement areas to specified targets, based on visual observations. The following parameters will determine success, unless otherwise required by the County and Wildlife Agencies during review and approval of the restoration plan: 1. Native cover of at least 80 percent relative to a reference site(s) 2. Absolute non-native cover (excluding target species) of no more than 10 percent 3. No cover by target invasive plants (Cal-IPC moderate and high species; not including annual grasses) 4. Recruitment (the successful, natural reproduction and/or establishment of plants in a given area) of native species (see the matrix below, which reflects general success criteria considered, all of which are subject to County and

COMMENTS	RESPONSE

Wildlife Agency review and modification as part of the restoration plan approval process)

These criteria are based on observations of intact native habitat located on site. Interim success criteria, demonstrating that the restoration effort is on track to meet the final criteria, are also provided for Years 1 through 5. No native cover success criteria are specified for Years 1 and 2; however, the visual estimates should indicate that the restoration effort is progressing towards final goals.

SUCCESS CRITERIA MILESTONES

	TARGET PERCENTAGE				
CRITERIA	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Planting survivorship	90	80	--	--	--
Minimum native vegetation cover*	--	--	45	65	80
Maximum non-native vegetation cover	10	10	10	10	10
Maximum target invasive species cover	0	0	0	0	0
Recruitment**	--	--	1	2	6

* Percent cover of native vegetation is relative to the reference site. For example, if cover is 100 percent it is equal to the cover in the reference habitat.

** Shown as number of species. It is expected that at least six species will have recruited onto the site by the end of Year 5.

Finally, please note that, in addition to being held to these standards, once the restoration effort is "signed off" by the agencies, the mitigation site will be maintained/managed in perpetuity within biological open space in accordance with the Project's RMP. The Project will be conditioned as a part of the approved mitigation measures to complete and receive approval of the RMP in accordance with the standards summarized above.

COMMENTS	RESPONSE
Comment Letter F1 Ms. Michelle Irace (FWS/CDFW-SD-16B0060-17CPA0123) 3 2. The proposed project would impact 44.2 acres of non-native grassland vegetation. To offset impacts to this habitat type and foraging wildlife, including raptors, the DEIR proposes to mitigate at a 0.5:1 ratio, primarily off site. Because the proposed impacts are within an area that is targeted as an important conservation area for the draft NC MSCP, off-site mitigation should target similar habitat within the Elfin Forest-Harmony Grove Planning Area. The final EIR should identify specific parcels targeted for conservation and include resource management plan(s) for Wildlife Agency review and approval. F1-4 3. The Wildlife Agencies do not agree that changes to the general plan designation for the project site represent a less than significant impact to land use planning. The change in land use designation from semi-rural residential to a combination of semi-rural residential, village regional, and neighborhood commercial would nearly double the allowable units from 220 to 453 and adds commercial facilities. The increase in units within the property may require a larger project footprint and result in further loss of native habitats on the project site. F1-5 4. The DEIR identifies several project alternatives including the Biologically Superior Alternative (BSA). The BSA reflects recommendations from the Wildlife Agencies during previous discussions with the County and the applicant. By pulling development away from the northeastern boundaries of the property, the BSA maintains more CSS and chaparral habitat than the preferred alternative and reduces impacts to both live-in habitat and connectivity for wildlife. Therefore, among the alternatives presented, the Wildlife Agencies recommend adoption of the BSA as the project alternative. F1-6 5. Paragraph one of M-BI-1a in the draft HLP states that the applicant would record a conservation easement over the on-site open space; however, elsewhere in the draft HLP and DEIR there is reference to an open space easement. We recommend that a conservation easement rather than an open space easement be the mechanism used to protect both the on-site and off-site conservation areas and that the easement language be provided to the County and Wildlife Agencies for review and approval. At a minimum, the instrument used to protect the conservation value of these lands should include the following: F1-7 a. Easements should not expire regardless of the status of the project that was mitigated; b. The Wildlife Agencies should be granted the right to reasonably access the property and enforce the terms of the easement; c. Easements should reference resource management plans that are approved by the Wildlife Agencies; and d. Easements should include language that requires written consent from the Wildlife Agencies before the easements can be terminated or abandoned through County processes.	**Response to Comment F1-4** Please see Response to Comment F1-3. Similar to Response to Comment F1-3, and consistent with this comment, both the Project BTR (2017: 112) and the EIR (2017:2.3-59-60) require the highlighted text shown in Response to Comment F1-3 as part of Mitigation Measure M-BI-2b for non-native grassland. The County agrees the Wildlife Agencies should review and approve the resource management plan(s), this requirement is included in the EIR. **Response to Comment F1-5** The Project includes a General Plan/Community Plan Amendment addressing refinement of the Village boundary line and additional density, which would be considered as part of the Project during BOS consideration. The EIR concluded a less than significant impact to land use planning. The mitigation for the land use planning effect is incorporated into the Project (proposed General Plan/Community Plan Amendment) (FEIR pages 3.1.5-22 to 3.1.5-27). Relative to the potential biological effects of the General Plan/Community Plan Amendment (increased density), potential Project impacts have been fully evaluated in the Project BTR and EIR. The Project footprint has been consolidated, as described and analyzed throughout those documents. Also as shown in Chapter 4, *Alternatives*, of the EIR, construction of fewer units on site (e.g., the General Plan Consistent with Septic Alternative) could result in a much larger footprint with greater biological effects. There is no direct correlation between the specific number of units and the Project footprint. As stated in Mitigation Measure M-BI-1a, the biological open space also would be subject to long-term monitoring, maintenance and management, as well as reporting directives (BTR 2017:106; EIR 2017:2-3-57). Finally, Project consistency with the General Plan relative to biological resources is specifically addressed in Section 3.1.5, *Land Use and Planning*, of the EIR relative to the Conservation and Open Space, and Land Use, elements of the General Plan 2017: 3.1.5-16-17, with cross-references to EIR Subchapter 2.3, *Biological Resources*, as appropriate. All of these considerations combined render the change in General Plan designation as less than significant relative to land use planning.

COMMENTS	RESPONSE
	Response to Comment F1-6 The comment is correct in its characterization of the Biologically Superior Alternative, and the comments that resource agency staff provided the resulted in design of that alternative are appreciated. The Wildlife Agencies preference for that alternative is noted. **Response to Comment F1-7** The comment is correct that M-BI-1a in the draft HLP states that the Applicant would record a conservation easement over the on-site open space. The term "conservation easement" is used synonymously with the County-specific term "biological open space easement." The required easement wording will be determined by the County in coordination with the Wildlife Agencies, prior to grading permit. Regarding the four items recommended in the comment, the first three will be included (that the easement will not expire, that the Wildlife Agencies may reasonably access the easement area, and that the easement will reference the approved resource management plan[s]), consistent with the comment. Regarding the request that written consent will be required from the Wildlife Agencies prior to County termination or abandonment of the easement, the County would follow the procedure outlined in the Government Code and as required in Board of Supervisors Policy I-103, Open Space Easement Vacations.

COMMENTS	RESPONSE
Comment Letter F1 Ms. Michelle Irace (FWS/CDFW-SD-16B0060-17CPA0123) 4 We appreciate the opportunity to provide comments on the subject project. Should you have any questions regarding this letter, please contact Carol Williams (Department) at 858-637-5511 or Eric Porter (Service) at 760-431-9440. F1-8 Sincerely, DOREEN STADTLANDER Digitally signed by DOREEN STADTLANDER Date: 2017.06.06 08:43:44 -07'00' for Karen A. Goebel Assistant Field Supervisor U.S. Fish and Wildlife Service Gail K. Sevrens Environmental Program Manager California Department of Fish and Game cc: State Clearinghouse	**Response to Comment F1-8** The comment is a conclusion statement and provides identification of staff for future communications. No further response is required.

COMMENTS	RESPONSES

Comment Letter S1

STATE OF CALIFORNIA--CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 11
DIVISION OF PLANNING AND LOCAL ASSISTANCE
4050 TAYLOR ST, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-3137
FAX (619) 688-4299
TTY 711
www.dot.ca.gov

Making Conservation A California Way of Life.

May 31, 2017

11-SD-15
PM R30.09
Harmony Grove Village South
DEIR SCH# 2015081071

Ms. Michelle Irace
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Dear Ms. Irace:

Caltrans has reviewed the Traffic Impact Study (TIS) as part of the Draft Environmental Impact Report (DEIR), dated April 2017, for the Harmony Grove Village South Project, near Interstate 15 (I-15) and State Route 78 (SR-78). Caltrans has the following comments: S1-1

The intersections in the traffic study particularly the Synchro data files should be analyzed as a network and not as an isolated/individual intersections. At a minimum, Intersections 3 & 4 near Nordahl Road and Intersections 9 & 10 near West Valley Parkway need to be included in the study. S1-2

Table 9-1 traffic volumes are inconsistent with Synchro files, specifically for Nordahl Road/SR-78 EB Ramps. S1-3

The Direct Access Ramp (DAR) on I-15 at Hale Avenue was not analyzed as part of the TIS. This should be included in the Synchro network and analyzed. S1-4

Please correct the West Valley Parkway Interchange in the Synchro file to represent existing configuration including the loop ramp. S1-5

If you have any questions, please contact Roy Abboud at (619) 688-6968 or by email at roy.abboud@dot.ca.gov.

Sincerely,

MAURICE EATON, Chief
Development Review Branch

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Response to Comment S1-1
Comments noted. Please see responses to your comments in Responses to Comments S1-2 through S1-5, below.

Response to Comment S1-2
Linscott, Law & Greenspan analyzed the entire Project study area, including Intersections 3 & 4 and Intersections 9 & 10 as a complete network using the Synchro software. The analysis in the Traffic Impact Analysis (TIA), included as Appendix D in the EIR, accurately represents the delay and level of service (LOS) results from the complete Synchro network. The validity of the results is demonstrated by comparing the results of the analysis tables in the TIA to the intersection analysis worksheets provided in the technical appendices. When requested, the California Department of Transportation (Caltrans)-only intersections were isolated and provided to Caltrans staff for review.

Response to Comment S1-3
The County would like to clarify that Table 9-1 of the TIA provides intersection delay and LOS and not traffic volumes. The comment is likely referring to the delays shown in Table 9-1. As noted in Response to Comment S1-2, the analysis in the TIA accurately represents the delay and LOS results from the complete Synchro network, as shown by comparing the results of the analysis tables in the TIA to the intersection analysis worksheets provided in the technical appendices.

Response to Comment S1-4
The Direct Access Ramp (DAR) on Interstate 15 at Hale Avenue was not analyzed because the Proposed Project adds fewer than 50 peak hour trips to the direct access ramp (DAR) interchange, which is consistent with County and SANTEC/ITE intersection analysis criteria.

Response to Comment S1-5
It is the County's opinion that the West Valley Parkway interchange configuration assumed in Synchro software provides the necessary geometry and Caltrans signal timing inputs to result in an accurate representation of delay and LOS at this interchange. For a freeway on-ramp, the software is not sensitive to illustrating loop ramp geometry, and assuming the loop ramp

COMMENTS	RESPONSES
	geometry would solely be an aesthetic representation. No changes to the delay or LOS would result from illustrating the loop ramp. For these reasons, the file is being maintained as submitted.

COMMENTS	RESPONSES

Comment Letter L1

LAFCO
San Diego Local Agency Formation Commission

9335 Hazard Way • Suite 200 • San Diego, CA 92123
(858) 614-7755 • FAX (858) 614-7766
Website: www.sdlafco.org

Chairman
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County Board of Supervisors
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City of San Diego
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Ed Sprague
Olivenhain Municipal Water District

Alternate Members
Greg Cox
County Board of Supervisors
Chris Cate
Councilmember
City of San Diego
Racquel Vasquez
Mayor
City of Lemon Grove
Harry Mathis
Public Member
Judy Hanson
Leucadia Wastewater District

Executive Officer
Michael D. Ott

Counsel
Michael G. Colantuono

June 13, 2017

Michelle Irace
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

SUBJECT: Notice of Availability of a Draft Environmental Impact Report, General Plan Amendment, Specific Plan, and Draft Habitat Loss Permit for the Harmony Grove Village South Project (Log. No. PDS2015-ER-15-08-006; SCH. No. 2015081071; PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-REZ-15-003; PDS2015-TM-5560; PDS2015-MUP-15-008; PDSXXXX-HLP-XXX)

Ms. Irace,

Thank you for allowing the San Diego Local Agency Formation Commission (LAFCO) to provide comments on the above referenced project. LAFCO is responsible for encouraging the efficient provision of public services and has purview over changes to local government organization and any associated sphere of influence actions. Usually, LAFCO is a responsible agency for environmental review under the California Environmental Quality Act (CEQA) when jurisdictional changes and/or sphere amendments are proposed. L1-1

As a responsible agency, LAFCO's discretionary review of proposed sphere of influence and/or jurisdictional boundary changes requires the associated environmental documents to contain, at a minimum: a discussion of the required jurisdictional and/or sphere of influence changes; a description of the ability of existing agencies to provide services; a detailed description of existing and proposed infrastructure; and a discussion of the proposed provision of public services to the subject territory. Therefore, we offer the following comments:

Response to Comment L1-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

COMMENTS	RESPONSES
Comment Letter L1 The proposed "Harmony Grove Village South" project involves the development of 453 residential dwelling units on approximately 111.0 acres within the unincorporated community of Harmony Grove, including the retention of approximately 75.0 acres, or 68% of the project site, as dedicated green space. The proposed project is presently located within the adopted sphere of influence and authorized service area of the Rincon del Diablo Municipal Water District (MWD) for the provision of imported water service; and is presently located within the adopted sphere of influence and authorized service area of the Rancho Santa Fe Fire Protection District (FPD) for the provision of fire protection services. No changes to the fire protection or water service provision arrangements are proposed as part of the project. L1-1 The proposed project area is not presently located within the adopted sphere of influence or authorized service area of a public wastewater service provider. The project proposes two sewer options for the provision of wastewater collection and treatment services to the project site: the construction and operation of an on-site stand-alone wastewater treatment and water reclamation facility (WTWRF); or, connection to the existing Harmony Grove Village WRF. The Harmony Grove Village WRF is located within the adopted sphere of influence and authorized service area of the San Diego County Sanitation District (SD), which owns and operates the facility. Both of the sewer service options identified in the project's Draft Environmental Impact Report (DEIR) would require LAFCO review and approvals for inclusion of the project area within the San Diego County SD sphere of influence, and for annexation of the project area to the SD's authorized service area. Therefore, the DEIR should be revised to disclose and discuss all needed LAFCO approvals for changes to adopted spheres of influence and authorized service area boundaries, as well as to identify the project's connection distances to existing service infrastructure. In addition, the subject agency maps in the DEIR should include the respective agency's adopted sphere of influence. L1-2 *Section 1.8.4 Growth Inducement Due to Extension of Public Utilities* does not adequately disclose or discuss the project area and the unincorporated vicinity in terms of being presently unserved by an authorized sewer service provider. This section should be revised to quantify and provide additional discussion on the potential growth inducement impacts due to the extension of sewer services into currently unserved unincorporated territory. L1-3 *Section 3.2.1 Agriculture* should be revised to identify and discuss the LAFCO statutes and local policies for preservation of Prime Agricultural Lands and Open space. References to and discussions of the project in relation to Government Code Sections 56064 and 56377; and San Diego LAFCO Policy L-101 (Preservation of Open space and Agricultural Lands) should be included in the DEIR. L1-4 (con't on pg. 7) 2	**Response to Comment L1-2** The commenter requests that the EIR disclose and discuss all needed Local Agency Formation Commission (LAFCO) approvals for changes to adopted spheres of influence and authorized service area boundaries as well as to identify the Project's connection distances to existing service infrastructure. Factors such as topography, drainage basins, future growth in the area, public service and utilities impacts, agricultural resource impacts, and conformity with General Plan policies are described in the EIR. A Sewer Master Plan prepared for the Project provides an overall sewer service plan and determines the requirements for an on-site collection system (Dexter Wilson Engineering 2016). With respect to the Project's connection distances to existing service infrastructure, Figure 3-1 of the Sewer Master Plan (Appendix Q) shows the proposed sewage conveyance system for all of the alternatives described for the Project, including the connection distances. Specifics regarding the sewer system scenarios are provided in Section 1.2.2.2 and Subchapter 4.7 of the EIR and in the *Sewer Master Plan* contained in Appendix Q. Figure 1-6b, *Off-site Utilities*, depicts the sewer connections required to implement the Project. With respect to the needed LAFCO approvals, the County acknowledges that LAFCO would have discretion over governmental structure changes associated with the Proposed Project and would be a responsible agency for the related environmental review. This is consistent with the information in the EIR in Chapter 1.0, *Project Description, Location and Environmental Setting*, Section 1.5.1, *Matrix of Project Approvals/Permits* and Section 1.5.2, *Related Review and Consultation Requirements*, where LAFCO is identified as a Responsible Agency for approval of annexation and formation approval (water, sewer district, fire district) as necessary. Chapter 1.0, *Project Description, Location and Environmental Setting*, Section 1.5.2 provides that additional coordination will be required with water/sewer utilities and the school districts, regarding annexation, detachment, and authorization for sewer and fire, if the Project requires expansion of a service area or creation of a new service provider for sewer and reclaimed water. A completed Project Facility Availability – Sewer form dated March 3, 2015, was received from the San Diego County Sanitation District (CSD) (Appendix O). An updated Project

COMMENTS	RESPONSES
	Facility Availability form was received, dated March 7, 2018 (Appendix O). The form notes that the Project is not in the CSD and is not within its sphere of influence boundary, but facilities to serve the Project are reasonably expected to be available within the next 5 years and would be available subject to the conditions in the attachment provided with the form. As described above, a Sewer Master Plan has been prepared for the Project that determines the best sewer service plan alternatives for the Project and determines the requirements for all the identified sewer system scenarios, including an on-site collection system (Dexter Wilson Engineering 2016). Specifics regarding the sewer system scenarios are also provided in Section 1.2.2.2 and Subchapter 4.7 of the EIR. It is noted that LAFCO took action to extend Rincon MWD latent sewer powers to HGV on June 4, 2018. The HGV South Project was included within a "Special Study Area," but no action was proposed to extend the service area to incorporate the Project. It is anticipated that the Project will request annexation into a sewer service as appropriate, subsequent to LAFCO's approval of the Project's amendment to the sphere of influence for a district. Since the treatment system could be owned and operated by the County, it would be designed to County standards. When a final wastewater treatment scenario is selected, a more detailed design report outlining the specific design requirements and associated infrastructure would be prepared and submitted to the County as a condition of Project approval (EIR, Section 3.1.10). **Response to Comment L1-3** The County disagrees that the EIR did not adequately disclose or describe the Project area and the unincorporated vicinity in terms of being presently unserved by an authorized sewer service provider. As described in DEIR Section 3.1.11, *Utilities and Service Systems*, the Project is not located within a current sanitation district. A wastewater treatment facility that is sized to serve only the Proposed Project will be built and the Project Applicant will apply to be annexed into the appropriate district. The option of utilizing the Harmony Grove Village (HGV) Water Reclamation Facility (WRF) for the Proposed Project's wastewater treatment needs is also discussed in EIR Subchapter 4.7, in lieu of the proposed on-site Water Treatment and Water Reclamation Facility (WTWRF) and related facilities. As described in EIR, the Project is located immediately south of (within approximately 550 feet of) the

COMMENTS	RESPONSES
	HGV WRF. HGV South is closer to public HGV park facilities south of Harmony Grove Road. The CSD provides sewer service for approximately 50,000 customers within the unincorporated communities of the County of San Diego. Collectively, the County's wastewater collection and conveyance system includes approximately 432 miles of pipeline, 8,200 manholes, and 12 lift stations. A discussion of facility needs related to wastewater treatment for the HGV South Project necessary in all scenarios is provided in Appendix Q, including administration, operations building, recycled water use areas, and solids disposal needs. The County disagrees that the EIR did not adequately disclose potential growth inducement impacts due to extension of sewer services, nor does this comment provide further specifics as to why the information is inadequate. Section 1.8.4, *Growth Inducement due to Extension of Public Facilities*, adequately discloses these potential impact as follows: *With regard to sewer services, most existing County residences in the Project vicinity use septic systems for treatment of wastewater, with the exception of future HGV residents who will be served by the HGV WRF. Similarly, the Proposed Project would construct an on-site sewer system to serve future HGV South residents through one of several scenarios. These include a stand-alone WTWRF proposed as part of Project design and described above, or one of the alternatives described in Chapter 4.0 of this EIR that could include the provision of private sewer mains linking to the existing Harmony Grove Village WRF. If the Project provides an on-site WTWRF, it would be a small treatment facility that based on current use rates, would accommodate only the wastewater generated by the Project and would not include the processing equipment or capacity to treat effluent from other areas or future growth. No upgrades to the existing HGV pump station are anticipated. Capacity would be provided for Project needs only as determined based on current technology and would not be extended to future development. In addition, there are no known large blocks of land equivalent to HGV South in the Harmony Grove community that owners could propose for development. Should that occur, however, future efforts to tie into any facilities*

COMMENTS	RESPONSES
	by off-site users would be required to undergo independent environmental review and approval by the Board of Supervisors. **Response to Comment L1-4** The County disagrees that the EIR, Section 3.2.1, *Agriculture*, should be revised to discuss the LAFCO statutes for preservation of Prime Agricultural Lands and Open Space. The County acknowledges that San Diego LAFCO Policy L-101 encourages preservation of open space and prime agricultural land and that state law and LAFCO policy require the evaluation of how spheres of influence changes and/or changes of local governmental organization may affect open space and prime agricultural lands. However, the Project site does not support Prime Farmland or Prime Agricultural Lands, pursuant to County or LAFCO definitions, and as addressed in the attachment to the letter providing the definition of "prime agricultural land" under California Government Code Section 56064. Therefore, a conformance discussion is not warranted. Section 3.2.1 of the EIR states: *The Project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. According to the State Farmland Mapping and Monitoring Program (FMMP), only Farmland of Local Importance (approximately 20 acres) and "Other" (approximately 91 acres) are present. Farmland of Local Importance is land that meets all the characteristics of prime and statewide farmland, with the exception of irrigation. "Other" includes timber, brush, wetlands, riparian habitats not suitable for cattle grazing, vacant and non-agricultural land surrounded by development, etc.* *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. In order to qualify for the Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance designations, land must have been cropped at some time*

COMMENTS	RESPONSES
	during the four years prior to the last FMMP mapping date. Given the lack of agricultural use on the site, the Farmland of Local Importance designation of this area according to the State is incorrect. As noted in Appendix A, the Farmland designation was 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.

COMMENTS	RESPONSES
Comment Letter L1 Accordingly, San Diego LAFCO would serve as a Responsible Agency under CEQA for the proposed project's environmental review. The suggested revisions will help to ensure that the project's Final EIR is germane to LAFCO's responsibilities and will be adequate for subsequent use as a Responsible Agency. L1-5 Should you have any questions, or if San Diego LAFCO may be of any further assistance, please contact me at (858) 614-7788. Sincerely, ROBERT BARRY, AICP Chief Analyst Attachment: LAFCO Policy L-101 3	**Response to Comment L1-5** These are conclusion comments. They do not raise specific issues regarding the content of the DEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter L1

LEGISLATIVE POLICY L–101

Subject

PRESERVATION OF OPEN SPACE AND AGRICULTURAL LANDS

Purpose

To further the policies and priorities of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 regarding the preservation of open space and prime agricultural lands.

Background

The State Legislature has instructed Local Agency Formation Commissions to establish policies that address the preservation of open space (Govt. Codes § 56300 and 56377). LAFCOs are required to consider how spheres of influence or changes of local governmental organization could affect open space and prime agricultural lands. Commissions are directed to guide development away from prime agricultural lands – unless that action would not promote the planned, orderly and efficient development of an area – and to encourage development of existing vacant or non-prime agricultural lands within a jurisdiction before approving any proposal that would allow development of open-space lands outside of an agency's boundary (Govt. Code § 56377). Proposals must be further reviewed for their effect on maintaining the physical and economic integrity of agricultural lands (Govt. Code § 56668). L1-4 (con't from pg 2)

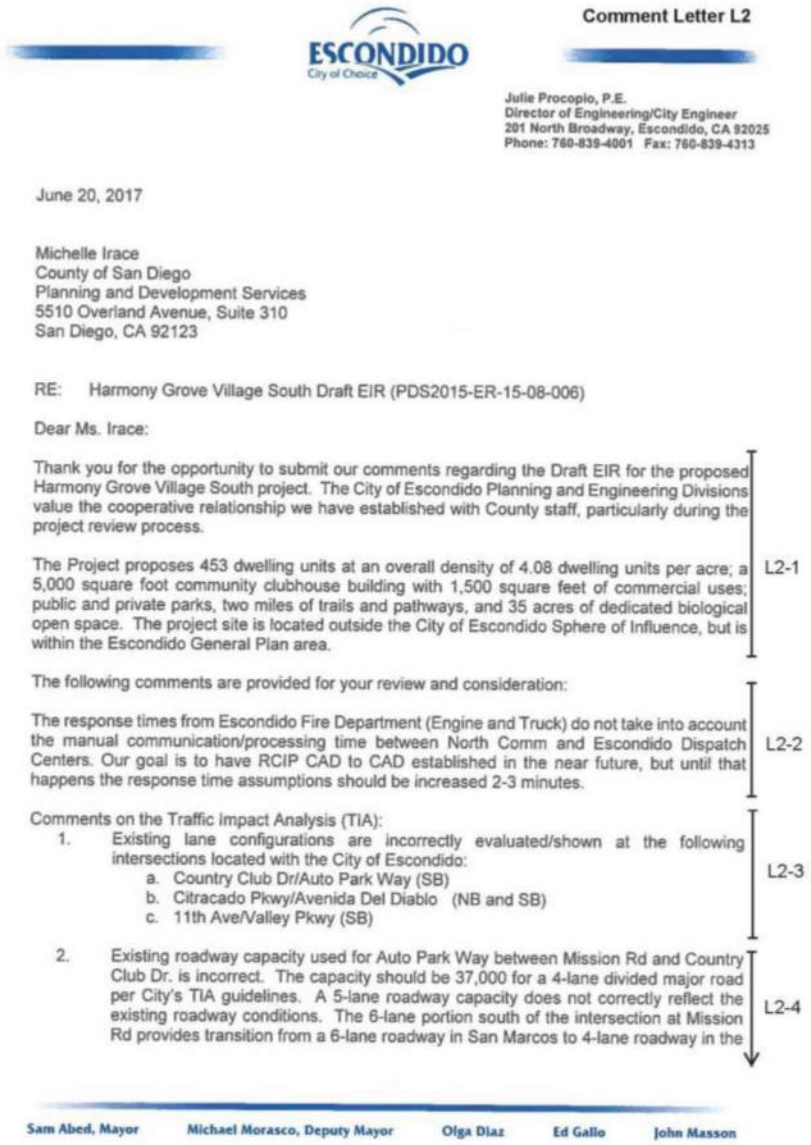
Gov. Code § 56064 contains a definition of "Prime Agricultural Land." "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

(a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

(b) Land that qualifies for rating 80 through 100 Storie Index Rating.

(c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.

COMMENTS	RESPONSES
Comment Letter L1 L–101 LEGISLATIVE POLICY (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre. (e) Land that has returned from the production of unprocessed agricultural plan products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years. **Policy** It is the policy of the San Diego Local Agency Formation Commission to: 1. Discourage proposals that would convert prime agricultural or open space lands to other uses unless such an action would not promote the planned, orderly, efficient development of an area ***or*** the affected jurisdiction has identified all prime agricultural lands within its sphere of influence and adopted measures that would effectively preserve prime agricultural lands for agricultural use; 2. Require prezoning of territory (city only) to identify areas subject to agricultural/preservation and planned development; 3. Follow San Diego LAFCO's adopted procedures to define agricultural and open space lands and to determine when a proposal may adversely affect such lands. Adopted: November 6, 1978 Amended: June 4, 1990 Amended: May 4, 1998 Technically Updated: January 1, 2001 Technically Updated: June 16, 2015 **Cross-reference:** ***SAN DIEGO LAFCO PROCEDURES:*** -Open Space and Agricultural Preservation L1-4 Page 2 of 2 SAN DIEGO LOCAL AGENCY FORMATION COMMISSION	

COMMENTS	RESPONSES
	**Response to Comment L2-1** The County acknowledges these introductory comments. The County similarly appreciates the cooperative relationship with the staff of the City of Escondido. Please see the responses below to specific comments. **Response to Comment L2-2** The City's comment regarding Escondido Fire Department's engine and truck total response times is noted. However, the response times to the Project from the Escondido Fire Stations are listed for informational purposes only to show that there are additional resources that can respond within an acceptable time frame, as a secondary response in accordance with automatic and mutual aid agreements. It is acknowledged that, currently, there may be additional time required for manual communication/processing time between North Command and Escondido Dispatch Centers. As the comment indicates, there is an effort underway to transition "in the near future" the current system to a form of automatic aid/drop boundary where CAD to CAD dispatches the nearest engine and minimizes delays. Even if the system is not yet operational when Harmony Grove Village South (HGV South) is built and occupied, the Project still meets the Fire Authority Having Jurisdiction's requirements. Fire protection will be provided to the Project by the Rancho Santa Fe Fire Protection District (RSFFPD), as recently approved by the Local Area Formation Committee (LAFCO). As described in the Fire Protection Plan (FPP) prepared for the Project (Dudek 2016; included as Appendix L of this EIR), travel times were calculated for the Project using the nationally recognized National Fire Protection Association (NFPA) 1710 and Insurance Services Office (ISO) Public Protection Classification Program's Response Time Standard. The required travel time for Village areas and limited Semi-Rural Residential areas, per the Safety Element of the County General Plan, is 5 minutes or less. Travel time to the HGV South site for the first responding engine from the new station to the most remote area of the Project would be within 3 minutes.

Comment Letter L2

ESCONDIDO
City of Choice

Julie Procopio, P.E.
Director of Engineering/City Engineer
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4001 Fax: 760-839-4313

June 20, 2017

Michelle Irace
County of San Diego
Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

RE: Harmony Grove Village South Draft EIR (PDS2015-ER-15-08-006)

Dear Ms. Irace:

Thank you for the opportunity to submit our comments regarding the Draft EIR for the proposed Harmony Grove Village South project. The City of Escondido Planning and Engineering Divisions value the cooperative relationship we have established with County staff, particularly during the project review process.

The Project proposes 453 dwelling units at an overall density of 4.08 dwelling units per acre; a 5,000 square foot community clubhouse building with 1,500 square feet of commercial uses; public and private parks, two miles of trails and pathways, and 35 acres of dedicated biological open space. The project site is located outside the City of Escondido Sphere of Influence, but is within the Escondido General Plan area. L2-1

The following comments are provided for your review and consideration:

The response times from Escondido Fire Department (Engine and Truck) do not take into account the manual communication/processing time between North Comm and Escondido Dispatch Centers. Our goal is to have RCIP CAD to CAD established in the near future, but until that happens the response time assumptions should be increased 2-3 minutes. L2-2

Comments on the Traffic Impact Analysis (TIA):

1. Existing lane configurations are incorrectly evaluated/shown at the following intersections located with the City of Escondido: L2-3
   a. Country Club Dr/Auto Park Way (SB)
   b. Citracado Pkwy/Avenida Del Diablo (NB and SB)
   c. 11th Ave/Valley Pkwy (SB)
2. Existing roadway capacity used for Auto Park Way between Mission Rd and Country Club Dr. is incorrect. The capacity should be 37,000 for a 4-lane divided major road per City's TIA guidelines. A 5-lane roadway capacity does not correctly reflect the existing roadway conditions. The 6-lane portion south of the intersection at Mission Rd provides transition from a 6-lane roadway in San Marcos to 4-lane roadway in the L2-4

Sam Abed, Mayor Michael Morasco, Deputy Mayor Olga Diaz Ed Gallo John Masson

Response to Comment L2-3

The comment lists three locations within the City of Escondido in which the City believes the existing lane configurations were incorrectly evaluated. The following response addresses each of these intersections:

1. County Club Drive/Auto Park Way. The SB right-turn lane from Auto Parkway Way to Country Club Drive was striped as a dedicated turn lane subsequent to the analysis being performed for that intersection. Thus, the Project's traffic analysis correctly reflected the existing condition at the time of NOP publication (CEQA Guidelines section 15125). However, with the addition of this right-turn lane, delays actually improved at this location. Therefore, the subsequent change to the intersection at this location would not result in any change to the conclusions of significance described in the Project's Traffic analysis and thus the traffic study represents a more conservative analysis.

2. Citracado Parkway/Avenida Del Diablo. The improvements to the Citracado Parkway/Avenida Del Diablo intersection were included in the existing street network assumptions and represent the full improvements required to be built by the Harmony Grove Village (HGV) project. The County approved HGV in 2007, the entire site has been rough graded, and approximately half of the site has been finish-graded. Homes have been available for sale since May 2015 and the construction of more homes is under way. The Water Reclamation Facility (WRF) that will serve HGV has been constructed and the majority of the required roadway improvements are completed, including one restricted left-turn lane in east-, west-, and southbound directions at Citracado and Avenida del Diablo. That improvement accommodates projected Project traffic. The roadway surface to support ultimate width is currently present. Because the development of HGV had been initiated during traffic study preparation, and physical, on-the-ground roadway improvements were already being implemented, the presence of that project was included as a baseline environmental condition (an existing condition) in the HGV South EIR (see also Global Response Baseline Conditions for additional discussion).

   In brief, however, this represents a conservative approach because acknowledging implementation of the roadway network upgrades assumed as part of that project's design or mitigation, but not assuming that the total

COMMENTS	RESPONSES
	traffic generated by HGV would be on the street system prior to the opening day of the Proposed Project, would have would have discounted potential HGV South direct impacts as described below. Appendix A of the TIA contains a copy of the HGV Conditions of Approval (COA), which required the improvements discussed above. If the presence of the HGV project was not included in the existing condition, the baseline would be misleading or without informational value and would not best define the Harmony Grove Valley which is subject to rapidly changing environmental conditions. In any event, while all of the HGV project design or mitigation measures were assumed and have subsequently been implemented as described above (which does provide additional capacity at the impacted locations), the addition of HGV's traffic volumes to the overall street system both in the County and the City of Escondido also commensurately reduces the available capacity area-wide that would otherwise be available for the Proposed Project. As such, the assumed baseline conditions do not result in the Project's traffic effects being underestimated. 3. 11th Ave/Valley Pkwy (SB). The Existing Conditions Diagram in the EIR traffic study contains a typographical error that erroneously depicts two southbound left-turn lanes at the 11th Avenue/Valley Parkway signalized intersection. In fact, there is only one southbound left-turn lane. Linscott, Law & Greenspan, Engineers (LLG) has reviewed the analysis, and the intersection was analyzed using the correct single southbound left-turn lane. No changes to the analysis are required as a result of this comment, because only the graphic was in error and the actual analysis and results are based on the correct geometry. The updated figure (TIA Figure 3-1) has been updated in the Final TIA and FEIR. **Response to Comment L2-4** Auto Park Way between Mission Road and Country Club Drive is approximately 810 feet in length. South of Mission Road for approximately 365 feet, Auto Park Way provides a minimum of five lanes, with a maximum of nine total lanes south of the Mission Avenue/Auto Park Way intersection (six northbound through/turn lanes and three southbound through lanes). North

COMMENTS	RESPONSES
	of Country Club Drive, five lanes are provided for approximately 120 feet (three southbound through/turn lanes and two northbound through lanes). Thus, over half the length of the roadway provides five or more lanes. With respect to additional capacity enhancing features, the length of the roadway includes Class II bike lanes, a raised median, and turn lanes approaching intersections. Bike lanes separate drivers from cyclists (decreasing vehicular/cyclist conflicts), and raised medians preclude left turns to/from minor streets which can create friction and impede arterial flow. Turn lanes at intersections provide additional capacity separating slower moving vehicles out of the free flow of through traffic. These features are all indicative of a high-capacity roadway. Based on roadway features described above, an average five-lane capacity is most accurate and was therefore assumed in the analysis.

COMMENTS	RESPONSES

Comment Letter L2

Letter to Ms. Irace
Harmony Grove Village South – Draft EIR
Page 2

City of Escondido. The evaluation should be correct to reflect that the majority of the segment is 4-lane. L2-4

3. Per City of Escondido's TIA Guidelines, the following intersections and roadway segments should be included in the study because the amount of traffic added to these facilities would exceed the City's thresholds.

   Intersections:
   a. 9th Ave/Auto Park Way
   b. Valley Pkwy/Avenida Del Diablo
   c. Citracado Pkwy/Johnston Rd.
   d. Citracado Pkwy/Mobile Home Park Driveways

   Roadway Segments:
   a. Valley Pkwy south of Citracado Pkwy.
   b. Harmony Grove Rd between Harmony Grove Rd and Hale Ave.

   L2-5

4. The traffic study should evaluate a scenario that includes the completion of the Citracado Pkwy extension project. This important Regional Arterial Roadway is included in both the County of San Diego's and City of Escondido's Circulation Element. It is anticipated that impacts to the roadways and intersections in the area would be different with the extended Citracado Pkwy. The number of trips diverted to Citracado Parkway in near term (after Citracado Parkway project completion) would be the basis for determining fair share contribution towards future Citracado Parkway project. L2-6

5. The traffic study should consider improvement of Country Club Drive between Auto Parkway and Progress Place to Local Collector Standards to provide adequate capacity to handle project traffic in addition to previous Harmony Grove Village and Valiano projects. City and County staff worked cooperatively on the Valiano project to determine appropriate improvements to ensure safe access and adequate capacity for the volumes of anticipated traffic. L2-7

6. The traffic study should consider project traffic impact on Kauana Loa (Oak View Way to Harmony Grove Road) and propose improvement to handle the additional traffic from the project. This segment of Kauana Loa lacks adequate width and structural section to handle any additional traffic by the project without improvements. L2-8

Engineering staff is available to discuss comments or assist with determining required improvements and determining fair share contribution amount.

Sincerely,

Julie Procopio, PE
Director of Engineering Services/City Engineer

Response to Comment L2-5

The project is located within the County's jurisdiction. As such, the Project study area was selected using two sets of guidelines:

1. The County of San Diego's Traffic Report Format Guidelines for locations within the County's jurisdiction; and
2. The regional SANTEC/ITE guidelines for locations outside of the County's jurisdiction (i.e., City of Escondido).

For consistency and as a standard of practice, the regional SANTEC/ITE guidelines (not adjacent local jurisdictions' guidelines) are used to determine the extents of the project study area outside of the County when project traffic may affect a neighboring jurisdiction. These guidelines set the minimum study area based on locations affected by 50 or more peak-hour trips in either direction. If and when traffic volumes meet this 50 peak-hour directional trip warrant, the standard of practice is then to evaluate only the intersections of circulation element (classified) roadways. Typically, unsignalized intersections, non-circulation element roadways, local driveways, and minor intersections where project traffic does not contribute to conflicting (turning) movements are not included in analyses. The pertinent section of these guidelines is attached (see Attachment A to the responses to this letter).

It should be noted that professional engineering judgment is relied upon in determining which intersections and segments should be analyzed within the context of these guidelines. Typically, circulation element roadway segments are analyzed, as well as the signalized intersections where these circulation element roadways intersect. Lesser intersections (signalized or unsignalized) affected directly by Project access or substantial "critical" turning volumes may also be considered, but typically only in the vicinity of project access. It is impractical and provides little value to analyze each minor-street and local driveway intersection along all circulation element roadways; therefore, a reasonable study area is determined by using these guidelines, standards of practice and reliance on engineering judgment.

COMMENTS	RESPONSES
	The comment specifically requests that the following four additional intersections and two additional street segments be analyzed within the City of Escondido. Intersections: 1. 9th Avenue/Auto Park Way (signalized) 2. Valley Parkway/ Avenida del Diablo (signalized) 3. Citracado Parkway/ Johntson Road (unsignalized) 4. Citracado Parkway/ Mobile Home Park Driveways (unsignalized) Street Segments: 5. Valley Parkway from Citracado Parkway to Claudan Road 6. Harmony Grove Road from Harmony Grove Road to Hale Avenue Therefore, in response to this comment, LLG evaluated these intersections and segments against the criteria summarized as follows: • The SANTEC 50 peak-hour directional trip threshold (using traffic volumes from Figure 7–2, Project Traffic Volumes of the traffic study) • The circulation element status of the roadways, and • The presence of Project trips affecting critical (turning) movements at unsignalized locations 1. 9th Ave/Auto Park Way: Intersection No. 13 (W. 9th Ave/I-15 SB Ramps) shows that fewer than 50 peak-hour directional trips would be westbound at this intersection. A maximum of 47 directional peak-hour trips (WB thru, PM peak hour) would affect this segment (see TIA Figure 7–2). Therefore, it would not meet the standards for inclusion based on the SANTEC guidelines described above. No further analysis is warranted. 2. Valley Pkwy/Avenida Del Diablo: Intersection No. 11 (W. 11th Ave/W. Valley Parkway) shows that 58 northbound AM peak-hour trips and 72 southbound PM peak-hour trips would be oriented to the south at the subject intersection (see TIA Figure 7–2). This exceeds the 50 peak-hour

COMMENTS	RESPONSES
	directional trip threshold described in the SANTEC guidelines above. Both roadways are classified as circulation element roadways, and the intersection is signalized, which would satisfy the regional standards of practice for consideration in the study area as described above. Despite these features, the intersection was not originally included since the Project does not add turning trips to the conflicting movements at this intersection. Moreover, substantial traffic calming measures have been completed for Avenida Del Diablo at Citracado Parkway to restrict through traffic onto Avenida Del Diablo, effectively negating its function as a circulation element roadway on the City of Escondido's Circulation Element. Nonetheless, the intersection meets the criteria for analysis described above, and a supplemental analysis has been prepared in response to this comment. The supplemental analysis concludes there would be no new impacts with the addition of Project and cumulative projects' traffic volumes (see Attachment B to the responses to this letter). 3. Citracado Pkwy/Johnston Rd: Intersection No. 6 (Citracado Parkway /Avenida del Diablo) shows that 101 southbound AM peak-hour trips and 126 northbound PM peak-hour trips would be oriented to the north through the subject intersection. While this exceeds the 50 peak-hour directional trips described in the SANTEC guidelines above, Johnston Road is not a classified circulation element roadway. Furthermore, the intersection is unsignalized, and the project does not add peak-hour turning volumes to the critical movements. Given the overall characteristics described above, Johnston Road is not included in the analysis based on the SANTEC guidelines described above, just as numerous other minor street intersections along the other County or City of Escondido circulation element roadways were not included. No further analysis is warranted. 4. Citracado Pkwy/Mobile Home Park Driveways: The same conditions that describe the Citracado Parkway/Johnston Road intersection above apply to the Citracado Parkway/Mobile Home Park Driveways. The same number of Project volumes affect these driveway intersections, both of which are unsignalized and are also not circulation element roadways. As with Johnston Road, the Project does not contribute left-or-right turning trips to/from these unclassified driveways, so no additional trips to critical

COMMENTS	RESPONSES
	movements occur due to the Project. Given the above characteristics, the driveways are excluded from analysis just as numerous other minor street intersections along the other circulation element roadways were excluded in both the County and the City of Escondido. 5. Valley Pkwy from Citracado Pkwy to Claudan Rd: Intersection No. 12 (W. Valley Parkway/Citracado Parkway) shows that 54 northbound AM peak-hour trips enter the intersection. This intersection sets the outer boundary of the overall study area, as it serves just over 50 peak-hour directional trips, and fewer than 50 peak-hour directional trips would occur at further outlying intersections. Therefore, additional circulation element segments and intersections beyond this location would not be analyzed. Nonetheless, as the roadway is a circulation element roadway and the Project volumes immediately adjacent this intersection on the subject segment are slightly above the threshold, a supplemental analysis has been prepared in response to this comment that shows no new impacts with the addition of Project and cumulative projects' traffic volumes would occur to this segment (see Attachment C to the responses to this letter). 6. (City of Escondido - Segment) Harmony Grove Rd between Harmony Grove Rd and Hale Ave: Intersection No. 5 (Harmony Grove Road/Enterprise Street) shows that fewer than 50 peak-hour directional trips would be added to this portion of Harmony Grove Road. A maximum of 44 directional peak-hour trips (WB left, PM peak hour) would affect this segment. Therefore, these volumes do not meet the threshold for inclusion based on the SANTEC guidelines described above. In summary, of the six locations identified by the City for potential inclusion and analysis: • Two locations do not meet the minimum SANTEC/ITE volume thresholds to consider analysis; • Two locations do meet the minimum SANTEC/ITE volume thresholds, but do not meet the circulation element roadway classification requirements to consider analysis;

COMMENTS	RESPONSES
	• Two locations do meet the volume and classification thresholds. These have been analyzed and no new significant impacts were calculated. **Response to Comment L2-6** As stated in the EIR traffic study and described in Subsection 2.2.3.1 of the EIR, funding has yet to be identified for the Citracado Parkway Extension Project. Therefore, the traffic study correctly assumes that Citracado Parkway is not constructed in the near-term baseline condition since it is not fully funded. The study does, however, include a long-term Year 2035 analysis and the Citracado Parkway extension is fully included. Per the Citracado Parkway Extension Project EIR, certified by the City of Escondido in February 2012, this future roadway is planned to be built to Four Lane Major Road standards with a carrying capacity of 37,000 Average Daily Trips (ADT). The forecasted volume in Year 2035 per the Citracado Parkway Extension Project EIR is around 19,000 ADT, equating to Level of Service (LOS) B operations. Even if 100 percent of Project trips (4500 ADT) were to use this roadway, which is not the case, 23,500 ADT continues to result in acceptable LOS C operations of this roadway. Regardless, the City has no financing plan to fund this improvement for the Project to pay a fair share toward, and the County is without jurisdiction to ensure construction. Potential mitigation is therefore not feasible at this time. **Response to Comment L2-7** The commenter suggests that the Project's Traffic Study consider improvement of Country Club Drive between Auto Parkway and Progress Place to local collector standards to provide adequate capacity to handle Project traffic in addition to HGV and Valiano projects. As shown in Figure 2.2-5, *Existing Plus Project Traffic Volumes, and Table 2.2-6, Roadway Segment Operations Under Existing and Existing Plus Cumulative Plus Project Conditions*, one segment on Country Club Drive would operate at unacceptable LOS in the City of Escondido due to the addition of Project traffic: Auto Park Way to Hill Valley Drive. The Proposed Project would add direct and cumulative traffic to the segment of Country Club Drive

COMMENTS	RESPONSES
	from Auto Park Way to Hill Valley Drive in the City of Escondido, resulting in direct and cumulative impacts (TR-1a and 1b). CEQA requires identification of possible mitigation measures for significant impacts. Therefore, potential mitigation measures adequate to lower significant impacts to less than significant levels have been developed and were included within the circulated DEIR. M-TR-1a and M-TR-1b would improve operations on Country Club Drive between Auto Park Way and Hill Valley Drive segment (south of Progress Place). Project effects could be mitigated through the widening of Country Club Drive to provide a paved width of 36 feet consisting of two travel lanes and a 10-foot striped center turn lane starting 220 feet southwest of Auto Park Way for a length of approximately 830 feet. Improvements would include connecting the existing sidewalk along the northern side of this roadway section with a 5-foot sidewalk complete with a 6-inch curb and gutter and providing a 4-foot decomposed granite pathway along the south side of this segment with a 6-inch asphalt berm. With the additional 12 feet added to the paved width, the roadway capacity of would increase to 15,000 ADT. This mitigation was analyzed with the addition of Harmony Grove Village and Valiano project traffic under the cumulative scenario and was shown in the EIR traffic study to improve operations to acceptable LOS C. However, the County cannot ensure mitigation occurring within a separate CEQA lead agency's jurisdiction (the City of Escondido). The County has no jurisdiction to ensure that the mitigation is implemented, and therefore these mitigation measures are identified as significant and unavoidable and are infeasible. Nevertheless, the Applicant will work with the City regarding these mitigation measures, and, should these mitigation measures be approved by the City, they will be implemented as described. If the Proposed Project would complete the improvements, then once constructed, the Project would no longer have a significant impact as the increase in capacity to 15,000 ADT would sufficiently carry the 10,655 ADT expected under the Existing + Project + Cumulative Projects traffic condition. **Response to Comment L2-8** The County concurs with this comment and the information is consistent with the conclusions of the EIR. Kauana Loa Drive is listed in the County of San

COMMENTS	RESPONSES
	Diego Road System 2012 Index of the County Maintained Road System. As a County roadway, it does not receive 25 peak-hour directional trips from the Project, and therefore was not analyzed on a daily roadway segment basis. The Kauana Loa Drive/Harmony Grove Road intersection, however, was analyzed in the EIR and for the cumulative impact at this intersection, the EIR concluded appropriate mitigation to be payment into the County Transportation Impact Fee (TIF) program.

RTC-L2-5
ATTACHMENT A

SANTEC/ITE TRAFFIC GUIDELINES – EXCERPT

SANTEC / ITE GUIDELINES FOR TRAFFIC IMPACT STUDIES [TIS] IN THE SAN DIEGO REGION

MARCH 2, 2000 FINAL DRAFT

PREFACE

These guidelines are subject to continual update, as future technology and documentation become available. Always check with local jurisdictions for their preferred or applicable procedures.

Committee Compilation by Kent A. Whitson

Reviewed by committee members: Hank Morris (co-chair), Tom Parry (co-chair), Arnold Torma (co-chair), Susan O'Rourke, Bill Darnell, Labib Qasem, John Boarman, Ralph Leyva, and Erik Ruehr

Additional review by: Ann French Gonsalves, Bill Figge, Bob Goralka, and Gary Halbert

LOS objectives. For example, the Regional Growth Management Strategy for San Diego has a level-of-service objective of "D;" while the Congestion Management Program has established a minimum level-of-service of "E", or "F" if that is the existing 1990 base year LOS. In other words, if the existing LOS is "D" or worse, preservation of the existing LOS must be maintained or acceptable mitigation must be identified.

These guidelines do not establish a legal standard for these functions, but are intended to supplement any individual TIS manuals or level-of-service objectives for the various jurisdictions. These guidelines attempt to consolidate regional efforts to identify when a TIS is needed, what professional procedures should be followed, and what constitutes a significant traffic impact.

The instructions outlined in these guidelines are subject to update as future conditions and experience become available. Special situations may call for variation from these guidelines. Caltrans and lead agencies should agree on the specific methods used in traffic impact studies involving any State Route facilities, including metered and unmetered freeway ramps.

IV. NEED FOR A STUDY

A TIS should be prepared for all projects which generate traffic greater than 1,000 total average daily trips (ADT) or 100 peak-hour trips. If a proposed project is not in conformance with the land use and/or transportation element of the general or community plan, use threshold rates of 500 ADT or 50 peak-hour trips. Early consultation with any affected jurisdictions is strongly encouraged since a "focused" or "abbreviated" TIS may still be required – even if the above threshold rates are not met.

Currently, a Congestion Management Program (CMP) analysis is required for all large projects, which are defined as generating 2,400 or more average daily trips or 200 or more peak-hour trips. This size of study would usually include computerized long-range forecasts and select zone assignments. Please refer to the following flow chart (Figure 1) for TIS requirements.

The geographic area examined in the TIS must include the following:

- All local roadway segments (including all State surface routes), intersections, and mainline freeway locations where the proposed project will add 50 or more peak-hour trips in either direction to the existing roadway traffic.

- All freeway entrance and exit ramps where the proposed project will add a significant number of peak-hour trips to cause any traffic queues to exceed ramp storage capacities (see Figure 1). (NOTE: Care must be taken to include other ramps and intersections that may receive project traffic diverted as a result of already existing, or project causing congestion at freeway entrances and exits.)

RTC-L2-5
ATTACHMENT B

AVENIDA DEL DIABLO/CITRACADO PARKWAY
INTERSECTION LEVEL OF SERVICE ANALYSIS

RTC-L2-5 – ATTACHMENT B
SUPPLEMENTAL ANALYSIS – AVENIDA DEL DIABLO/ VALLEY PARKWAY
PEAK HOUR INTERSECTION LEVEL OF SERVICE OPERATIONS

Intersection	Jur.	Control Type	Peak Hour	Existing		Existing + Project		Δ [c]
				Delay [a]	LOS [b]	Delay	LOS	
Avenida Del Diablo/ Valley Parkway	City of Escondido	Signal	AM	10.2	B	10.2	B	0.0
			PM	12.7	B	13.4	B	0.7
		Control Type	**Peak Hour**	**Existing + Cumulative Projects**		**Existing + Cumulative Projects + Project**		**Δ [c]**
				Delay [a]	**LOS [b]**	**Delay**	**LOS**	
		Signal	AM	10.3	B	10.3	B	0.0
			PM	13.3	B	13.3	B	0.0

Footnotes:

a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. "Δ" denotes the Project-induced increase in delay.

General Notes:

1. Peak hour data collected in August 2017 while schools were in session.

SIGNALIZED

DELAY/LOS THRESHOLDS

Delay	LOS
0.0 ≤ 10.0	A
10.1 to 20.0	B
20.1 to 35.0	C
35.1 to 55.0	D
55.1 to 80.0	E
≥ 80.1	F

HCM 2010 Signalized Intersection Summary
1: W Valley Pkwy & Avenida Del Diablo

Existing AM
08/29/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	22	64	46	27	8	24	715	46	6	1229	73
Future Volume (veh/h)	36	22	64	46	27	8	24	715	46	6	1229	73
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	39	24	70	50	29	9	26	777	50	7	1335	79
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	233	50	147	182	164	51	40	2340	151	13	2302	136
Arrive On Green	0.12	0.12	0.12	0.12	0.12	0.12	0.02	0.69	0.69	0.01	0.68	0.68
Sat Flow, veh/h	1264	420	1226	1297	1365	423	1774	3377	217	1774	3396	201
Grp Volume(v), veh/h	39	0	94	50	0	38	26	407	420	7	694	720
Grp Sat Flow(s),veh/h/ln	1264	0	1646	1297	0	1788	1774	1770	1824	1774	1770	1827
Q Serve(g_s), s	2.0	0.0	4.0	2.8	0.0	1.4	1.1	6.9	6.9	0.2	15.6	15.7
Cycle Q Clear(g_c), s	3.4	0.0	4.0	6.8	0.0	1.4	1.1	6.9	6.9	0.2	15.6	15.7
Prop In Lane	1.00		0.74	1.00		0.24	1.00		0.12	1.00		0.11
Lane Grp Cap(c), veh/h	233	0	197	182	0	214	40	1226	1264	13	1200	1239
V/C Ratio(X)	0.17	0.00	0.48	0.27	0.00	0.18	0.66	0.33	0.33	0.55	0.58	0.58
Avail Cap(c_a), veh/h	635	0	682	564	0	741	106	1226	1264	97	1200	1239
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.2	0.0	30.8	34.0	0.0	29.7	36.4	4.6	4.6	37.1	6.4	6.4
Incr Delay (d2), s/veh	0.3	0.0	1.8	0.8	0.0	0.4	17.0	0.7	0.7	31.5	2.0	2.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.9	1.0	0.0	0.7	0.7	3.5	3.6	0.2	9.2	9.5
LnGrp Delay(d),s/veh	31.6	0.0	32.6	34.8	0.0	30.1	53.4	5.2	5.3	68.6	8.4	8.4
LnGrp LOS	C		C	C		C	D	A	A	E	A	A
Approach Vol, veh/h		133			88			853			1421	
Approach Delay, s/veh		32.3			32.8			6.8			9.7	
Approach LOS		C			C			A			A	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2		4	5	6		8
Phs Duration (G+Y+Rc), s	5.0	56.5		13.5	6.2	55.4		13.5
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1
Max Q Clear Time (g_c+I1), s	2.3	8.9		6.0	2.1	17.7		8.8
Green Ext Time (p_c), s	0.0	5.2		0.6	0.0	11.4		0.3

Intersection Summary	
HCM 2010 Ctrl Delay	10.2
HCM 2010 LOS	B

HCM 2010 Signalized Intersection Summary
1: W Valley Pkwy & Avenida Del Diablo

Existing PM
08/29/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	40	18	42	108	18	13	26	1167	91	14	672	60
Future Volume (veh/h)	40	18	42	108	18	13	26	1167	91	14	672	60
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	43	20	46	117	20	14	28	1268	99	15	732	65
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	278	76	175	248	166	108	41	2194	171	25	2138	190
Arrive On Green	0.15	0.15	0.15	0.15	0.15	0.15	0.02	0.66	0.66	0.01	0.65	0.65
Sat Flow, veh/h	1369	502	1156	1220	1022	715	1774	3327	259	1774	3289	292
Grp Volume(v), veh/h	43	0	66	117	0	34	28	673	694	15	394	403
Grp Sat Flow(s),veh/h/ln	1369	0	1659	1220	0	1737	1774	1770	1817	1774	1770	1811
Q Serve(g_s), s	2.2	0.0	2.7	6.6	0.0	1.3	1.2	16.2	16.3	0.6	7.7	7.7
Cycle Q Clear(g_c), s	3.5	0.0	2.7	9.3	0.0	1.3	1.2	16.2	16.3	0.6	7.7	7.7
Prop In Lane	1.00		0.70	1.00		0.41	1.00		0.14	1.00		0.16
Lane Grp Cap(c), veh/h	278	0	252	248	0	263	41	1167	1198	25	1150	1177
V/C Ratio(X)	0.15	0.00	0.26	0.47	0.00	0.13	0.67	0.58	0.58	0.59	0.34	0.34
Avail Cap(c_a), veh/h	625	0	672	586	0	704	142	1167	1198	99	1150	1177
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.8	0.0	29.9	33.0	0.0	29.3	37.4	7.2	7.3	37.9	6.1	6.1
Incr Delay (d2), s/veh	0.3	0.0	0.5	1.4	0.0	0.2	17.4	2.1	2.0	29.2	0.8	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.3	2.5	0.0	0.6	0.8	8.3	8.8	0.5	4.0	4.1
LnGrp Delay(d),s/veh	30.1	0.0	29.5	34.4	0.0	29.6	54.8	9.3	9.3	58.0	6.9	6.9
LnGrp LOS	C		C	C		C	D	A	A	E	A	A
Approach Vol, veh/h		109			151			1395			812	
Approach Delay, s/veh		29.7			33.1			10.2			7.8	
Approach LOS		C			C			B			A	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2		4	5	6		8
Phs Duration (G+Y+Rc), s	5.6	55.4		16.2	6.3	54.7		16.2
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5
Max Green Setting (Gmax), s	4.3	50.9		31.3	6.2	49.0		31.3
Max Q Clear Time (g_c+I1), s	2.6	18.3		5.5	3.2	9.7		11.3
Green Ext Time (p_c), s	0.0	10.8		0.4	0.0	5.1		0.5

Intersection Summary	
HCM 2010 Ctrl Delay	11.7
HCM 2010 LOS	B

HCM 2010 Signalized Intersection Summary
1: W Valley Pkwy & Avenida Del Diablo

Ex+Project AM
08/29/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	22	64	46	27	8	24	773	46	6	1252	73
Future Volume (veh/h)	36	22	64	46	27	8	24	773	46	6	1252	73
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	39	24	70	50	29	9	26	840	50	7	1362	79
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	233	50	147	182	164	51	40	2353	140	13	2306	133
Arrive On Green	0.12	0.12	0.12	0.12	0.12	0.12	0.02	0.69	0.69	0.01	0.69	0.69
Sat Flow, veh/h	1364	429	1226	1297	1365	423	1774	3396	202	1774	3401	197
Grp Volume(v), veh/h	39	0	94	50	0	38	26	438	452	7	707	734
Grp Sat Flow(s),veh/h/ln	1364	0	1646	1297	0	1788	1774	1770	1827	1774	1770	1828
Q Serve(g_s), s	2.0	0.0	4.0	2.8	0.0	1.4	1.1	7.6	7.6	0.2	16.1	16.2
Cycle Q Clear(g_c), s	3.4	0.0	4.0	6.8	0.0	1.4	1.1	7.6	7.6	0.2	16.1	16.2
Prop In Lane	1.00		0.74	1.00		0.24	1.00		0.11	1.00		0.11
Lane Grp Cap(c), veh/h	233	0	197	182	0	214	40	1226	1266	13	1200	1239
V/C Ratio(X)	0.17	0.00	0.48	0.27	0.00	0.18	0.66	0.36	0.36	0.55	0.59	0.59
Avail Cap(c_a), veh/h	635	0	682	564	0	741	106	1226	1266	97	1200	1239
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.2	0.0	30.8	34.0	0.0	29.7	36.4	4.7	4.7	37.1	6.5	6.5
Incr Delay (d2), s/veh	0.3	0.0	1.8	0.8	0.0	0.4	17.0	0.8	0.8	31.5	2.1	2.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.9	1.0	0.0	0.7	0.7	3.9	4.0	0.3	8.4	8.7
LnGrp Delay(d),s/veh	31.6	0.0	32.6	34.8	0.0	30.1	53.4	5.5	5.5	68.6	8.6	8.6
LnGrp LOS	C		C	C		C	D	A	A	E	A	A
Approach Vol, veh/h		133			88			916			1448	
Approach Delay, s/veh		32.3			32.8			6.9			8.9	
Approach LOS		C			C			A			A	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2		4	5	6		8
Phs Duration (G+Y+Rc), s	5.0	56.5		13.5	6.2	55.4		13.5
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1
Max Q Clear Time (g_c+I1), s	2.3	9.6		6.0	2.1	18.2		8.8
Green Ext Time (p_c), s	0.0	5.9		0.6	0.0	11.7		0.3

Intersection Summary	
HCM 2010 Ctrl Delay	10.2
HCM 2010 LOS	B

HCM 2010 Signalized Intersection Summary
1: W Valley Pkwy & Avenida Del Diablo

Ex+Project PM
08/29/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	40	18	42	108	18	13	26	1198	91	14	745	60
Future Volume (veh/h)	40	18	42	108	18	13	26	1198	91	14	745	60
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	43	20	46	117	20	14	28	1302	99	15	810	65
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	276	76	175	247	166	108	41	2206	167	25	2165	174
Arrive On Green	0.15	0.15	0.15	0.15	0.15	0.15	0.02	0.66	0.66	0.01	0.65	0.65
Sat Flow, veh/h	1369	502	1156	1220	1022	715	1774	3335	253	1774	3319	266
Grp Volume(v), veh/h	43	0	66	117	0	34	28	689	712	15	432	443
Grp Sat Flow(s),veh/h/ln	1369	0	1659	1220	0	1737	1774	1770	1818	1774	1770	1816
Q Serve(g_s), s	2.2	0.0	2.7	6.7	0.0	1.3	1.2	16.9	17.0	0.7	8.8	8.8
Cycle Q Clear(g_c), s	3.5	0.0	2.7	9.4	0.0	1.3	1.2	16.9	17.0	0.7	8.8	8.8
Prop In Lane	1.00		0.70	1.00		0.41	1.00		0.14	1.00		0.15
Lane Grp Cap(c), veh/h	276	0	251	247	0	263	41	1170	1202	25	1154	1184
V/C Ratio(X)	0.16	0.00	0.26	0.47	0.00	0.13	0.68	0.59	0.59	0.59	0.37	0.37
Avail Cap(c_a), veh/h	615	0	661	576	0	692	102	1170	1202	93	1154	1184
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	30.2	0.0	29.3	33.4	0.0	29.7	37.8	7.3	7.4	38.2	6.2	6.2
Incr Delay (d2), s/veh	0.3	0.0	0.6	1.4	0.0	0.2	17.6	2.2	2.1	29.3	0.9	0.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.3	2.5	0.0	0.6	0.8	8.8	9.0	0.5	4.5	4.6
LnGrp Delay(d),s/veh	30.4	0.0	29.8	34.8	0.0	29.9	55.4	9.5	9.5	59.5	7.2	7.1
LnGrp LOS	C		C	C		C	E	A	A	E	A	A
Approach Vol, veh/h		109			151			1429			890	
Approach Delay, s/veh		30.1			33.5			10.4			8.0	
Approach LOS		C			C			B			A	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2		4	5	6		8
Phs Duration (G+Y+Rc), s	5.6	56.1		16.3	6.3	55.4		16.3
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1
Max Q Clear Time (g_c+I1), s	2.7	19.0		5.5	3.2	10.8		11.4
Green Ext Time (p_c), s	0.0	11.1		0.4	0.0	5.7		0.5

Intersection Summary	
HCM 2010 Ctrl Delay	11.8
HCM 2010 LOS	B

HCM 2010 Signalized Intersection Summary
1: W Valley Pkwy & Avenida Del Diablo

Ex+CP AM
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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	22	64	46	27	8	24	814	46	6	1349	73
Future Volume (veh/h)	36	22	64	46	27	8	24	814	46	6	1349	73
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	39	24	70	50	29	9	26	885	50	7	1466	79
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	233	50	147	182	164	51	40	2360	133	13	2316	124
Arrive On Green	0.12	0.12	0.12	0.12	0.12	0.12	0.02	0.69	0.69	0.01	0.68	0.68
Sat Flow, veh/h	1264	420	1226	1297	1365	423	1774	3406	192	1774	3416	184
Grp Volume(v), veh/h	39	0	94	50	0	38	26	460	475	7	767	798
Grp Sat Flow(s),veh/h/ln	1264	0	1646	1297	0	1788	1774	1770	1829	1774	1770	1830
Q Serve(g_s), s	2.0	0.0	4.0	2.8	0.0	1.4	1.1	8.1	8.1	0.2	18.1	18.3
Cycle Q Clear(g_c), s	3.4	0.0	4.0	6.8	0.0	1.4	1.1	8.1	8.1	0.2	18.1	18.3
Prop In Lane	1.00		0.74	1.00		0.24	1.00		0.11	1.00		0.10
Lane Grp Cap(c), veh/h	233	0	197	182	0	214	40	1226	1267	13	1200	1241
V/C Ratio(X)	0.17	0.00	0.48	0.27	0.00	0.18	0.66	0.37	0.37	0.55	0.63	0.63
Avail Cap(c_a), veh/h	635	0	692	564	0	741	106	1226	1267	97	1200	1241
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.2	0.0	30.8	34.0	0.0	29.7	36.4	4.8	4.8	37.1	6.8	6.8
Incr Delay (d2), s/veh	0.3	0.0	1.8	0.8	0.0	0.4	17.0	0.9	0.8	31.5	2.5	2.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.9	1.0	0.0	0.7	0.7	4.1	4.3	0.2	9.5	9.8
LnGrp Delay(d),s/veh	31.6	0.0	32.6	34.8	0.0	30.1	53.4	5.7	5.6	68.6	9.2	9.2
LnGrp LOS	C		C	C		C	D	A	A	E	A	A
Approach Vol, veh/h		133			88			961			1652	
Approach Delay, s/veh		32.3			32.8			6.9			9.6	
Approach LOS		C			C			A			A	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.0	56.5		13.5	6.2	55.4		13.5				
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5				
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1				
Max Q Clear Time (g_c+I1), s	2.3	10.1		6.0	2.1	20.3		8.8				
Green Ext Time (p_c), s	0.0	6.3		0.6	0.0	12.8		0.3				
Intersection Summary												
HCM 2010 Ctrl Delay			10.5									
HCM 2010 LOS			B									

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HCM 2010 Signalized Intersection Summary
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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	40	18	42	108	18	13	26	1269	91	14	817	60
Future Volume (veh/h)	40	18	42	108	18	13	26	1269	91	14	817	60
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	43	20	46	117	20	14	28	1379	99	15	888	65
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	276	76	175	247	166	108	41	2216	159	25	2182	160
Arrive On Green	0.15	0.15	0.15	0.15	0.15	0.15	0.02	0.66	0.66	0.01	0.65	0.65
Sat Flow, veh/h	1369	502	1156	1220	1022	715	1774	3350	240	1774	3344	245
Grp Volume(v), veh/h	43	0	66	117	0	34	28	726	752	15	470	483
Grp Sat Flow(s),veh/h/ln	1369	0	1659	1220	0	1737	1774	1770	1820	1774	1770	1820
Q Serve(g_s), s	2.2	0.0	2.7	6.7	0.0	1.3	1.2	18.4	18.6	0.7	9.8	9.8
Cycle Q Clear(g_c), s	3.5	0.0	2.7	9.4	0.0	1.3	1.2	18.4	18.6	0.7	9.8	9.8
Prop In Lane	1.00		0.70	1.00		0.41	1.00		0.13	1.00		0.13
Lane Grp Cap(c), veh/h	276	0	251	247	0	263	41	1170	1204	25	1154	1187
V/C Ratio(X)	0.16	0.00	0.26	0.47	0.00	0.13	0.68	0.62	0.62	0.59	0.41	0.41
Avail Cap(c_a), veh/h	615	0	661	576	0	692	102	1170	1204	90	1154	1187
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	30.2	0.0	29.3	33.4	0.0	28.7	37.8	7.6	7.6	38.2	6.4	6.4
Incr Delay (d2), s/veh	0.3	0.0	0.6	1.4	0.0	0.2	17.6	2.5	2.4	29.3	1.1	1.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.3	2.5	0.0	0.6	0.8	9.7	10.0	0.5	5.0	5.2
LnGrp Delay(d),s/veh	30.4	0.0	29.8	34.8	0.0	28.9	55.4	10.1	10.1	58.5	7.5	7.5
LnGrp LOS	C		C	C		C	E	B	B	E	A	A
Approach Vol, veh/h		109			151			1506			968	
Approach Delay, s/veh		30.1			33.5			10.9			8.0	
Approach LOS		C			C			B			A	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.6	56.1		16.3	6.3	55.4		16.3				
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5				
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1				
Max Q Clear Time (g_c+I1), s	2.7	20.6		5.5	3.2	11.8		11.4				
Green Ext Time (p_c), s	0.0	11.9		0.4	0.0	6.4		0.5				
Intersection Summary												
HCM 2010 Ctrl Delay			12.0									
HCM 2010 LOS			B									

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HCM 2010 Signalized Intersection Summary
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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	36	22	64	46	27	8	24	872	46	6	1374	73
Future Volume (veh/h)	36	22	64	46	27	8	24	872	46	6	1374	73
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	39	24	70	50	29	9	26	948	50	7	1493	79
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	233	50	147	182	164	51	40	2370	125	13	2319	122
Arrive On Green	0.12	0.12	0.12	0.12	0.12	0.12	0.02	0.69	0.69	0.01	0.68	0.68
Sat Flow, veh/h	1264	420	1226	1297	1365	423	1774	3420	180	1774	3420	180
Grp Volume(v), veh/h	39	0	94	50	0	38	26	491	507	7	770	802
Grp Sat Flow(s),veh/h/ln	1264	0	1646	1297	0	1788	1774	1770	1831	1774	1770	1831
Q Serve(g_s), s	2.0	0.0	4.0	2.8	0.0	1.4	1.1	8.8	8.8	0.2	18.6	18.8
Cycle Q Clear(g_c), s	3.4	0.0	4.0	6.8	0.0	1.4	1.1	8.8	8.8	0.2	18.6	18.8
Prop In Lane	1.00		0.74	1.00		0.24	1.00		0.10	1.00		0.10
Lane Grp Cap(c), veh/h	233	0	197	182	0	214	40	1226	1269	13	1200	1241
V/C Ratio(X)	0.17	0.00	0.48	0.27	0.00	0.18	0.66	0.40	0.40	0.55	0.64	0.65
Avail Cap(c_a), veh/h	635	0	692	564	0	741	106	1226	1269	97	1200	1241
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.2	0.0	30.8	34.0	0.0	29.7	36.4	4.9	4.9	37.1	6.9	6.9
Incr Delay (d2), s/veh	0.3	0.0	1.8	0.8	0.0	0.4	17.0	1.0	0.9	31.5	2.6	2.6
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.9	1.0	0.0	0.7	0.7	4.6	4.7	0.3	9.9	10.2
LnGrp Delay(d),s/veh	31.6	0.0	32.6	34.8	0.0	30.1	53.4	5.9	5.8	68.6	9.5	9.5
LnGrp LOS	C		C	C		C	D	A	A	E	A	A
Approach Vol, veh/h		133			88			1024			1579	
Approach Delay, s/veh		32.3			32.8			7.1			9.9	
Approach LOS		C			C			A			A	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.0	56.5		13.5	6.2	55.4		13.5				
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5				
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1				
Max Q Clear Time (g_c+I1), s	2.3	10.8		6.0	2.1	20.8		8.8				
Green Ext Time (p_c), s	0.0	6.9		0.6	0.0	13.0		0.3				
Intersection Summary												
HCM 2010 Ctrl Delay			10.6									
HCM 2010 LOS			B									

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1: W Valley Pkwy & Avenida Del Diablo

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Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	40	18	42	108	18	13	26	1300	91	14	839	60
Future Volume (veh/h)	40	18	42	108	18	13	26	1300	91	14	839	60
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1900	1863	1863	1900	1863	1863	1900	1863	1863	1900
Adj Flow Rate, veh/h	43	20	46	117	20	14	28	1413	99	15	966	65
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	276	76	175	247	166	108	41	2220	155	25	2196	148
Arrive On Green	0.15	0.15	0.15	0.15	0.15	0.15	0.02	0.66	0.66	0.01	0.65	0.65
Sat Flow, veh/h	1369	502	1156	1220	1022	715	1774	3357	234	1774	3366	226
Grp Volume(v), veh/h	43	0	66	117	0	34	28	743	769	15	508	523
Grp Sat Flow(s),veh/h/ln	1369	0	1659	1220	0	1737	1774	1770	1821	1774	1770	1823
Q Serve(g_s), s	2.2	0.0	2.7	6.7	0.0	1.3	1.2	19.1	19.3	0.7	10.9	10.9
Cycle Q Clear(g_c), s	3.5	0.0	2.7	9.4	0.0	1.3	1.2	19.1	19.3	0.7	10.9	10.9
Prop In Lane	1.00		0.70	1.00		0.41	1.00		0.13	1.00		0.12
Lane Grp Cap(c), veh/h	276	0	251	247	0	263	41	1170	1205	25	1154	1189
V/C Ratio(X)	0.16	0.00	0.26	0.47	0.00	0.13	0.68	0.63	0.64	0.59	0.44	0.44
Avail Cap(c_a), veh/h	615	0	661	576	0	692	102	1170	1205	93	1154	1189
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	30.2	0.0	29.3	33.4	0.0	28.7	37.8	7.7	7.7	38.2	6.6	6.6
Incr Delay (d2), s/veh	0.3	0.0	0.6	1.4	0.0	0.2	17.6	2.6	2.6	29.3	1.2	1.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile Back Of Q(50%),veh/ln	0.8	0.0	1.3	2.5	0.0	0.6	0.8	9.9	10.5	0.5	5.6	5.8
LnGrp Delay(d),s/veh	30.4	0.0	29.8	34.8	0.0	28.9	55.4	10.3	10.3	58.5	7.8	7.8
LnGrp LOS	C		C	C		C	E	B	B	E	A	A
Approach Vol, veh/h		109			151			1540			1046	
Approach Delay, s/veh		30.1			33.5			11.2			8.5	
Approach LOS		C			C			B			A	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	5.6	56.1		16.3	6.3	55.4		16.3				
Change Period (Y+Rc), s	4.5	4.5		4.5	4.5	4.5		4.5				
Max Green Setting (Gmax), s	4.1	51.3		31.1	4.5	50.9		31.1				
Max Q Clear Time (g_c+I1), s	2.7	21.3		5.5	3.2	12.9		11.4				
Green Ext Time (p_c), s	0.0	12.2		0.4	0.0	7.2		0.5				
Intersection Summary												
HCM 2010 Ctrl Delay			12.1									
HCM 2010 LOS			B									

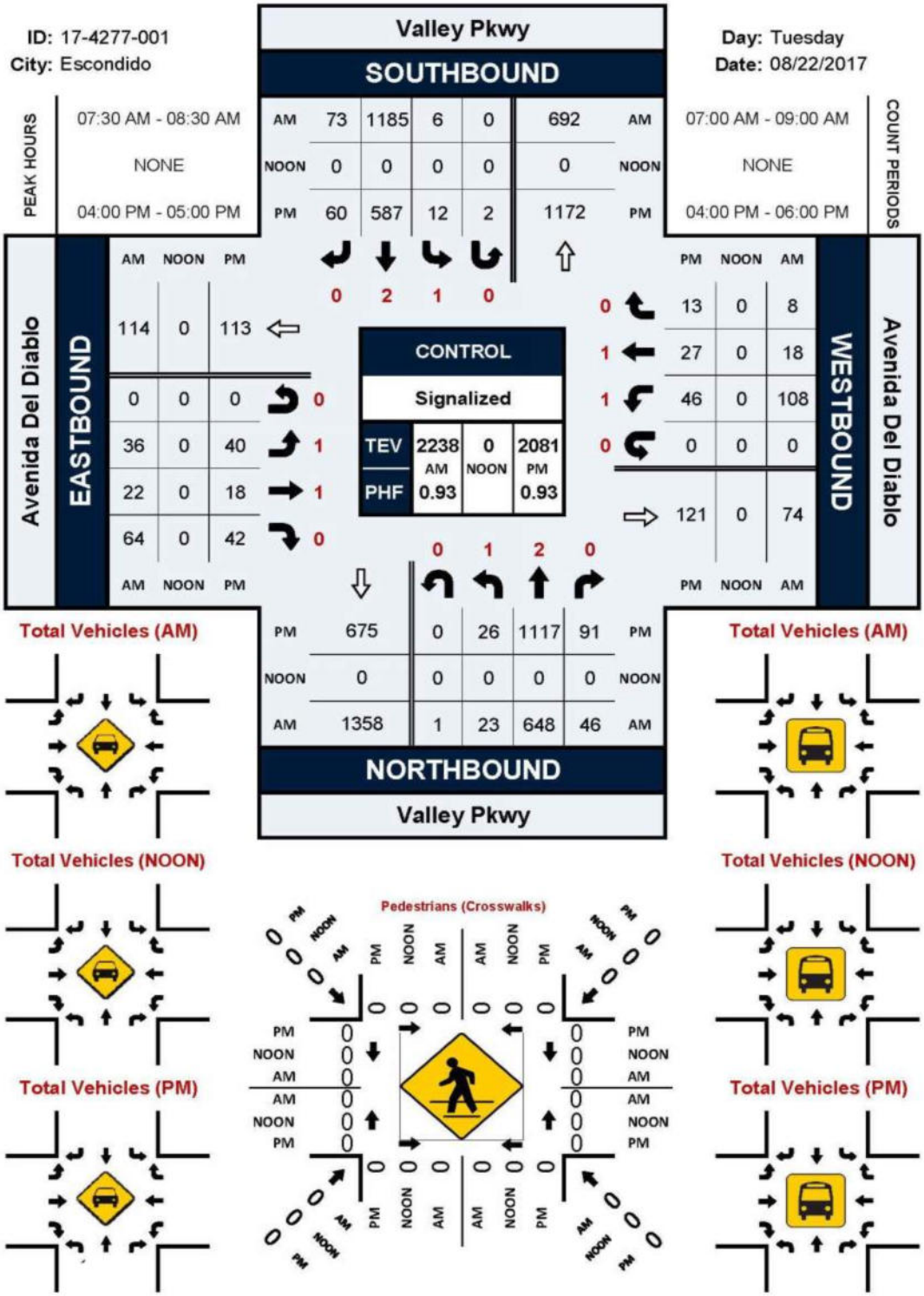
HGVS 08/29/2017 Ex+CP+P PM

Synchro 10 Report
Page 1

Prepared by National Data & Surveying Services

Valley Pkwy & Avenida Del Diablo

Peak Hour Turning Movement Count



RTC-L2-5
ATTACHMENT C

VALLEY PARKWAY: CITRACADO PARKWAY TO CLAUDAN ROAD
STREET SEGMENT LEVEL OF SERVICE ANALYSIS

RTC-L2-5 – ATTACHMENT C
SUPPLEMENTAL ANALYSIS – VALLEY PARKWAY: CITRACADO PARKWAY TO CLAUDAN ROAD
DAILY STREET SEGMENT LEVEL OF SERVICE OPERATIONS

Street Segment	Jurisdiction	Capacity (LOS E) [a]	Existing			Existing + Project			
			ADT [b]	LOS [c]	V/C [d]	ADT	LOS	V/C	Δ [e]
Valley Parkway Citracado Parkway to Claudan Road	City of Escondido	37,000	19,687	B	0.532	20,452	C	0.553	0.021
		Capacity (LOS E) [a]	**Existing + Cumulative Projects**			**Existing + Cumulative Projects + Project**			
			ADT [b]	LOS [c]	V/C [d]	ADT	LOS	V/C	Δ [e]
		37,000	23,187	C	0.627	23,952	C	0.647	0.021

Footnotes:

a. Capacity based on the City of Escondido Roadway Classification Table. Roadway is currently built as a four-lane road divided by a center turn lane. The curb-to-curb distance of 82 feet corresponds to a four-lane Major Road per the City's roadway design standards.
b. Average Daily Traffic Volumes. Data collected in August 2017 while schools were in session.
c. Level of Service.
d. Volume to Capacity.
e. "Δ" denotes the Project-induced increase in V/C

Prepared by NDS/ATD

VOLUME

Valley Pkwy Bet. Citracado Pkwy & Claudan Rd

Day: Wednesday
Date: 8/9/2017

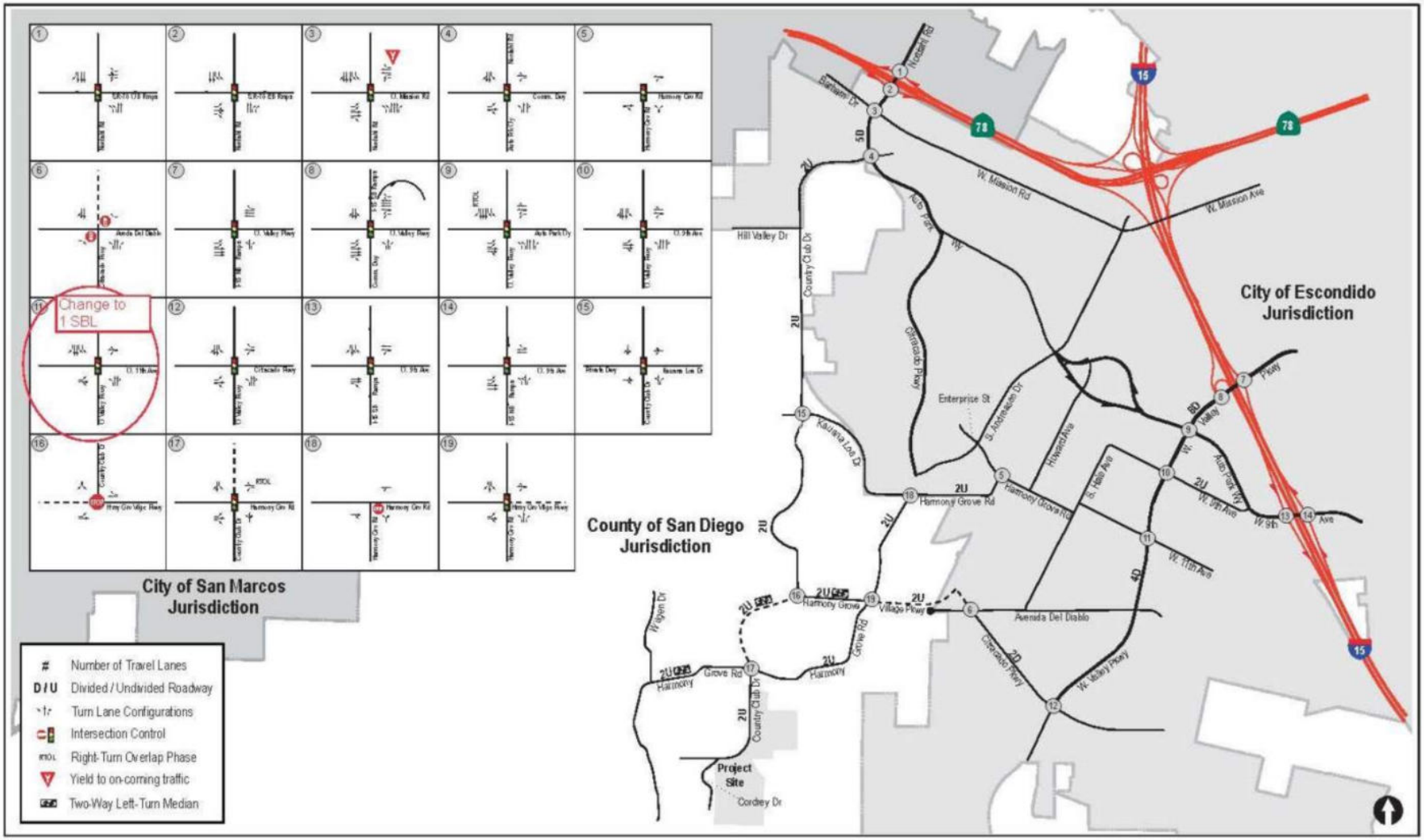
City: Escondido
Project #: CA17_4268_001

DAILY TOTALS	NB	SB	EB	WB	Total
	9,570	10,267	0	0	19,837

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
00:00	10		7				17		12:00	126		142				268	
00:15	15		4				19		12:15	132		142				274	
00:30	6		7				13		12:30	157		140				297	
00:45	4	35	9	27			13	62	12:45	135	550	145	569			280	1119
01:00	8		5				13		13:00	138		151				289	
01:15	3		0				3		13:15	129		152				281	
01:30	4		3				7		13:30	145		132				277	
01:45	6	21	2	10			8	31	13:45	144	556	136	571			280	1127
02:00	2		1				3		14:00	170		135				305	
02:15	3		1				4		14:15	196		123				319	
02:30	0		6				6		14:30	196		131				327	
02:45	4	9	6	14			10	23	14:45	209	771	122	511			331	1282
03:00	2		3				5		15:00	219		143				362	
03:15	0		3				3		15:15	252		136				388	
03:30	2		8				10		15:30	248		157				405	
03:45	1	5	7	21			8	26	15:45	247	966	164	600			411	1566
04:00	2		6				8		16:00	269		148				417	
04:15	2		14				16		16:15	273		150				423	
04:30	6		19				25		16:30	259		140				399	
04:45	7	17	22	61			29	78	16:45	271	1072	146	584			417	1656
05:00	10		35				45		17:00	257		155				412	
05:15	12		62				74		17:15	257		157				414	
05:30	19		98				117		17:30	245		141				386	
05:45	18	59	101	296			119	355	17:45	241	1000	132	585			373	1585
06:00	29		167				196		18:00	209		117				326	
06:15	50		260				310		18:15	239		111				350	
06:30	62		330				392		18:30	204		97				301	
06:45	75	216	308	1065			383	1281	18:45	194	846	91	416			285	1262
07:00	62		304				366		19:00	133		65				198	
07:15	84		336				420		19:15	139		47				186	
07:30	114		319				433		19:30	125		73				198	
07:45	128	388	294	1253			422	1641	19:45	103	500	59	244			162	744
08:00	88		315				403		20:00	86		55				141	
08:15	120		291				411		20:15	87		71				158	
08:30	126		263				389		20:30	65		60				125	
08:45	103	437	191	1060			294	1497	20:45	75	313	40	226			115	539
09:00	118		172				290		21:00	61		37				98	
09:15	111		208				319		21:15	48		29				77	
09:30	101		166				267		21:30	50		41				91	
09:45	112	442	178	724			290	1166	21:45	45	204	37	144			82	348
10:00	113		144				257		22:00	36		26				62	
10:15	107		133				240		22:15	36		23				59	
10:30	110		150				260		22:30	31		18				49	
10:45	109	439	115	542			224	981	22:45	22	125	20	87			42	212
11:00	129		153				282		23:00	26		14				40	
11:15	120		151				271		23:15	19		23				42	
11:30	121		138				259		23:30	23		14				37	
11:45	138	508	152	594			290	1102	23:45	23	91	12	63			35	154
TOTALS		2576		5667				8243	TOTALS		6994		4600				11594
SPLIT %		31.3%		68.7%				41.6%	SPLIT %		60.3%		39.7%				58.4%

DAILY TOTALS	NB	SB	EB	WB	Total
	9,570	10,267	0	0	19,837

AM Peak Hour	11:45	06:30			07:15	PM Peak Hour	16:00	15:30			15:30
AM Pk Volume	553	1278			1678	PM Pk Volume	1072	619			1656
Pk Hr Factor	0.881	0.951			0.969	Pk Hr Factor	0.982	0.944			0.979
7 - 9 Volume	825	2313	0	0	3138	4 - 6 Volume	2072	1169	0	0	3241
7 - 9 Peak Hour	07:45	07:15			07:15	4 - 6 Peak Hour	16:00	16:45			16:00
7 - 9 Pk Volume	462	1264	0	0	1678	4 - 6 Pk Volume	1072	599	0	0	1656
Pk Hr Factor	0.902	0.940	0.000	0.000	0.969	Pk Hr Factor	0.982	0.954	0.000	0.000	0.979



LINSCOTT LAW & GREENSPAN engineers

N:\2314\Figures\2nd Submittal
Date: 05/13/16

Figure 3-1

Existing Conditions Diagram

HARMONY GROVE PARCEL

COMMENTS	RESPONSES
Comment Letter L3 NORTH COUNTY TRANSIT DISTRICT 810 Mission Avenue Oceanside, CA 92054 (760) 966-6500 (760) 967-2001 (fax) www.GoNCTD.com April 26, 2017 Ms. Michelle Irace County of San Diego Planning and Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123 RE: Harmony Grove Village South Dear Ms. Irace : Thank you for the opportunity to review and comment on the Harmony Grove Village South Project at the southeast intersection of Harmony Grove Road and Country Club Drive within the unincorporated area of San Diego County. Upon review of the notice received by North County Transit District (NCTD) on April 20, 2017, NCTD finds the design as proposed appears to be consistent with NCTD standards, and does not appear to impact the bus stops in the vicinity of the project. Thank you again for allowing NCTD to review and comment on this project. Should you have any questions related to this review, feel free to contact me at (760) 966-6708 or via email at dblythe@nctd.org. L3-1 Sincerely, dlb Damon Blythe Deputy Chief of Transit Operations, Planning cc : Ron Kilcoyne, Chief of Transit Planning and Bus Operations, NCTD BOARD OF DIRECTORS Rebecca Jones John J. Aguilera Mark Packard Dave Druker Tony Kranz Ed Gallo Chuck Lowery Bill Horn Jewel Edson EXECUTIVE DIRECTOR GENERAL COUNSEL	**Response to Comment L3-1** Comments noted. These comments agree with, and are not at variance with, the EIR. No additional response is required.

COMMENTS	RESPONSES

Comment Letter O1

San Dieguito Planning Group
P.O. Box 2789, Rancho Santa Fe, CA, 92067

June 19, 2017

Ashley Smith,
Land Use Environmental Planner
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 110
San Diego, CA 92123

RE: Response to DEIR for the Harmony Grove Village South Project – Log No. PDS2015-ER-15-08-006, SCH No. 2015081071, PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003, PDS2015-TM-5600; PDS2015-MUP-15-00, and a draft Habitat Loss Permit (PDSXXXX-HLP-XXX)

Dear Ms. Smith,

The San Dieguito Planning Group appreciates the opportunity to comment on the Draft Environmental Impact Report for the project referenced above (Project). O1-1

Project Description. The Project description refers to Project location as a *"fourth quadrant of Harmony Grove Village"*: this description prematurely assumes that the Project will be deemed to be a bona fide expansion of the original Harmony Grove Village (HGV), and therefore can be misleading to readers. Please revise this wording. This concern about willful confusion of the public carries to the very name of the Project, which is clearly meant to associate it with an existing approved project that has a different ownership and entitlement status.

In the Summary, the Project is said to *"complete the Village"* in conformance with the Community Development Model (CDM) featured in the County General Plan (GP). However, HGV was designed by the County through a series of visioning workshops with the community as a complete village with a perimeter of large lot horse-keeping homes *precisely to limit* further urbanization by implementing the inherent density gradation of the CDM. The County staff proposed this village development model and withdrew their original proposal of 7.3 DUs per acre throughout this valley in 2002 during the GP 2020 process [see Community Working Copy Map – September 2002, page 5 of *Chaparral* http://efhgtc.org/chaparral%20archives/January03Chaparral.pdf]. County staff explained at three County-sponsored visioning workshops that this pattern of a higher density urban core allowed the peripheral low density rural homes to remain while accommodating considerable population growth. The CDM preserves the urban-rural balance so critical to maintaining the community character. O1-2

To realize this goal of preserving the local rural community, the County approved a Specific Plan in 2007 with as condition of approval a restriction on the HGV Water Reclamation Facility to prevent any future expansion, and limited the sewer district to within the County-established Village Limit Line, beyond which only estate residences on septic systems were allowed. To further clarify this objective, the County approved the HG CP on August 3rd, 2011, which states on page 19: *"The Harmony Grove* O1-3

1

Response to Comment O1-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment O1-2

It is not the intention of the EIR to mislead or otherwise misinform the readers or interested parties. The name of the Project describes a geographic and neighborhood location. The name of the Project was chosen because it is proposed as an extension of the village. The same design would not have been proposed if the Project parcels were not contiguous to the existing village. The presence of Harmony Grove Village (HGV), including the completed parks and planned Equestrian Ranch across the street from HGV South, provides physical context.

The comments on the history of HGV entitlement are noted, but not material to the Project's proposal to amend the General Plan.

The General Plan on page 2-7 recognizes the need to accommodate future growth by planning and facilitating housing in existing and planned villages. The General Plan on page 1-15 states that it is intended to be a dynamic document and there are numerous policies in the General Plan that accommodate planning for future growth, such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility) and COS-2.2 (requiring development to be sited in least biologically sensitive areas). In addition, General Plan Policy LU-1.4 permits an expansion of existing or planned villages that are consistent with the Community Development Model (CDM) and meet the requirements set forth therein. Therefore, the language in the General Plan clearly allows for future amendments to the Land Use Map and Regional Categories Map. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis for a thorough discussion on related topics. The County agrees that the CDM is a tool to preserve the urban-rural balance and community character.

COMMENTS	RESPONSES

Comment Letter O1

community, working with County staff, designed a Village Development Pattern Model as represented in the General Plan Land Use Map. There still exist many large undeveloped parcels of land within Harmony Grove outside the footprint of the approved Village. Development of these parcels with an urban, clustered or suburban design would threaten the continued existence of the rural residential and equestrian character of Harmony Grove." Because the Project claims to be an expansion of HGV, the history of HGV should be included in the background information for this project to allow the public and the decision makers to evaluate its claim to be a part. O1-3

We are disappointed that a number of requests made by this group in the NOP comment letters have been ignored. Section 1.2.1 Existing Conditions, continues to fail to describe 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. Again, we ask that this important background information be added so that the reader can properly interpret the impacts of the Project within its historical and municipal context. We also asked for a discussion of the likely consequences of a breach of trust because the overall planning scheme proposed by the County for the valley is disregarded and nullified by the Project. Approval of this GPA, given the County's integral and leading role in the planning of the Harmony Grove Village area, will have repercussions on community faith in their planning documents, not just for this area, but for every planning area in the County. From an overall planning perspective, this backfill clustered housing Project could result in checkerboard development that contravenes the adopted goals and maps of the General Plan. The impact of this possibility should be identified, discussed, and adequately mitigated. O1-4 O1-5

Page 1-36: The DEIR states of the Project that "It supports planning agencies goals to reduce "leap frog" development, urban sprawl and increased traffic congestion as residents of far-flung communities compete for access to centralized resources." In fact this Project introduces leap frog development, as it provides high-density multifamily units located beyond the lowest density Hillside Farmhouses in HGV, beyond the Village Limit Line, and outside of established water and sewer service boundaries. It creates urban sprawl by introducing 453 units where only 25 were allowed under the previous General Plan, and increases traffic congestion on the surrounding rural two-lane roads. Please delete this misleading statement or provide evidence-based support for retaining it. O1-6

Land Use and Planning

Page 3.1.6-14. Policy **LU-6.4** requires (among other things) protection of agricultural operations for residential subdivision projects. The EIR concludes that there are no existing agricultural operations on, or adjacent to, the Project site, and therefore, the Project would not result in indirect conversion of agricultural resources and no impacts would occur. However, family farms, which can be a significant source of agricultural resources, already exist in the HG community and are encouraged by the CP. Current zoning would allow for such land uses on the Project site, but these land uses are not allowed by the Project. This reduction in land use diversity creates a significant impact that should be analyzed and mitigated. O1-7

2

Response to Comment O1-3

Comments noted. The history of HGV is not necessary to an understanding of the existing and planned conditions within the Harmony Grove Valley. The Project is amending the General Plan by expanding an existing Village and meets the criteria of Policy LU-1.4. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis for a thorough discussion on related topics. Please also note that review was specifically undertaken to evaluate the potential for additional parcels with development potential. As noted in EIR Chapter 4.0, *Alternatives*, on page 4-4, no other similarly sized property is available in the community. Additionally, as stated in the EIR:

> *…most of the land west of the Project is already developed or lies within an approved development plan, with the exception of a small section of Semi-Rural (4) to the west of the Project, and south of Country Club Drive. Scattered within that area, there are seven unbuilt parcels, all in individual ownerships, that range in size from 0.81 acre to 3.46 acres. At this time, there are no known plans for development in this area. Parcels to the east are primarily developed as privately owned estate residential, to the west with large lot residential, and to the south (and east of the southern part of the Project site), there is existing open space preserves... (EIR pgs. 1-36 to 1-37).*

Response to Comment O1-4

This comment generally contends that Notice of Preparation (NOP) comments provided by the commenter and others were not addressed. However, the DEIR adequately analyzes potential environmental impacts and relevant NOP comments in Chapters 2.0 through 4.0 of the EIR. Please refer to Response to Comment O1-3 regarding area history relative to HGV. Subchapter 1.4, *Environmental Setting*, of the EIR specifically addresses the historic nature of the Harmony Grove Spiritualist Association. Relevant discussion of the site is also provided in the Project Cultural Resources Technical Report (Appendix F to the EIR) with summary conclusions provided in Subchapter 2.4, *Cultural Resources and Tribal Cultural Resources*.

Response to Comment O1-5

The County acknowledges this comment; however, it does not address environmental evaluations or the adequacy of the EIR and therefore does not require a response. The EIR, pursuant to CEQA, is required to analyze and disclose physical impacts on the environment due to the Proposed Project. In reference to the comments regarding the perceived "breach of trust" issues and "checkerboard development" please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. This comment will be made a part of the administrative record and will be available to the decision makers during consideration of the Project for approval or denial.

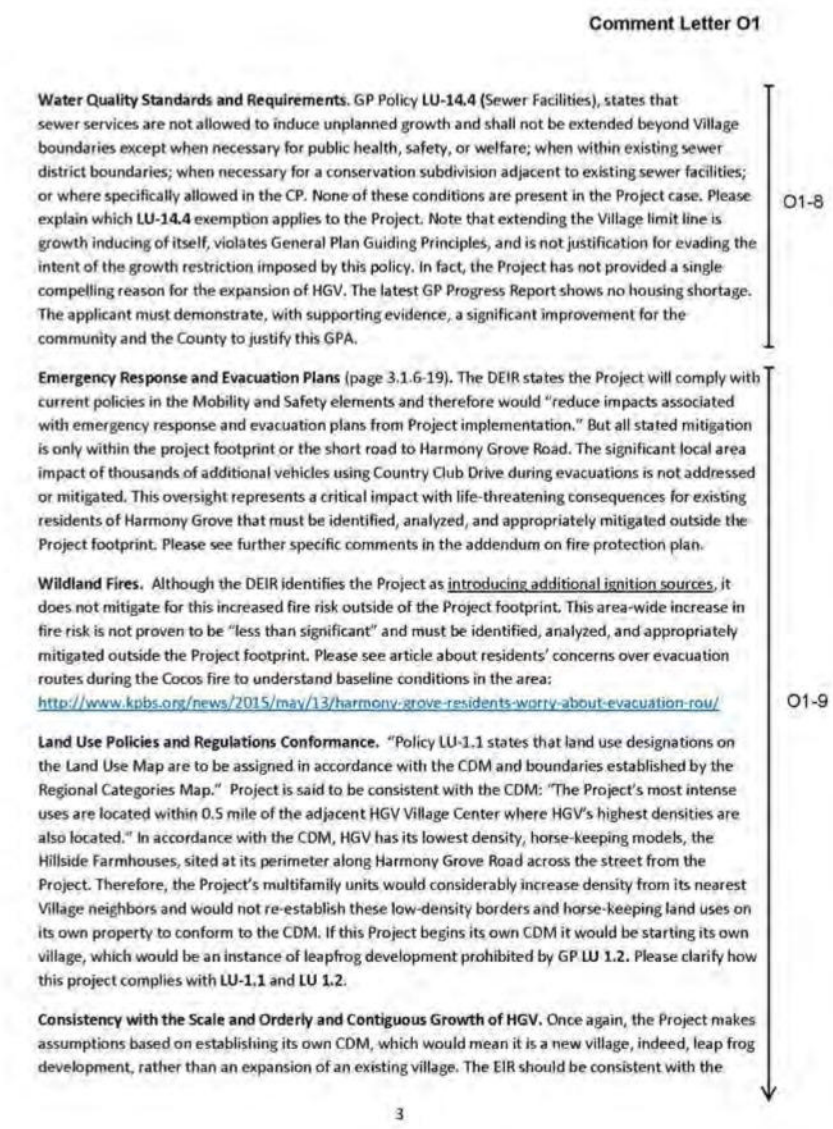
Response to Comment O1-6

The County respectfully disagrees that the Project would result in leapfrog development or urban sprawl. The Project does not meet the definition of leapfrog development under Policy LU-1.2 because the Project proposes to be designated as a "village" by expanding the existing or planned village of HGV pursuant to the criteria outlined in policy LU-1.4. Therefore, the Project's village densities will not be located away from an established village. Rather, the Project will expand the existing village of HGV consistent with the CDM. It is acknowledged that the Project would require sewer service and modification of the village limit line. These are expressly addressed as part of the analyses in the FEIR Chapter 1.0, *Project Description*, Section 3.1.5, *Land Use and Planning*, Section 3.1.8, *Public Services*, and Section 3.1.10, *Utilities and Service Systems*. Project Facility Availability Forms, or "will serve" letters, have already been obtained from water and sewer providers (see Appendix O of the EIR). However, placing additional housing in close proximity to an existing village provides an efficient development pattern by allowing the County to maximize existing infrastructure, provides for efficient service delivery, and strengthens town center areas (see County of San Diego General Plan, page 3-2).

Response to Comment O1-7

Potential direct and indirect agricultural impacts are addressed in EIR Section 3.2.1, *Agriculture*. These impacts were identified as less than significant during preparation of the Project Initial Study, for reasons explained in that discussion. Similar to the direction in LU-6.4 to "conserve open space and

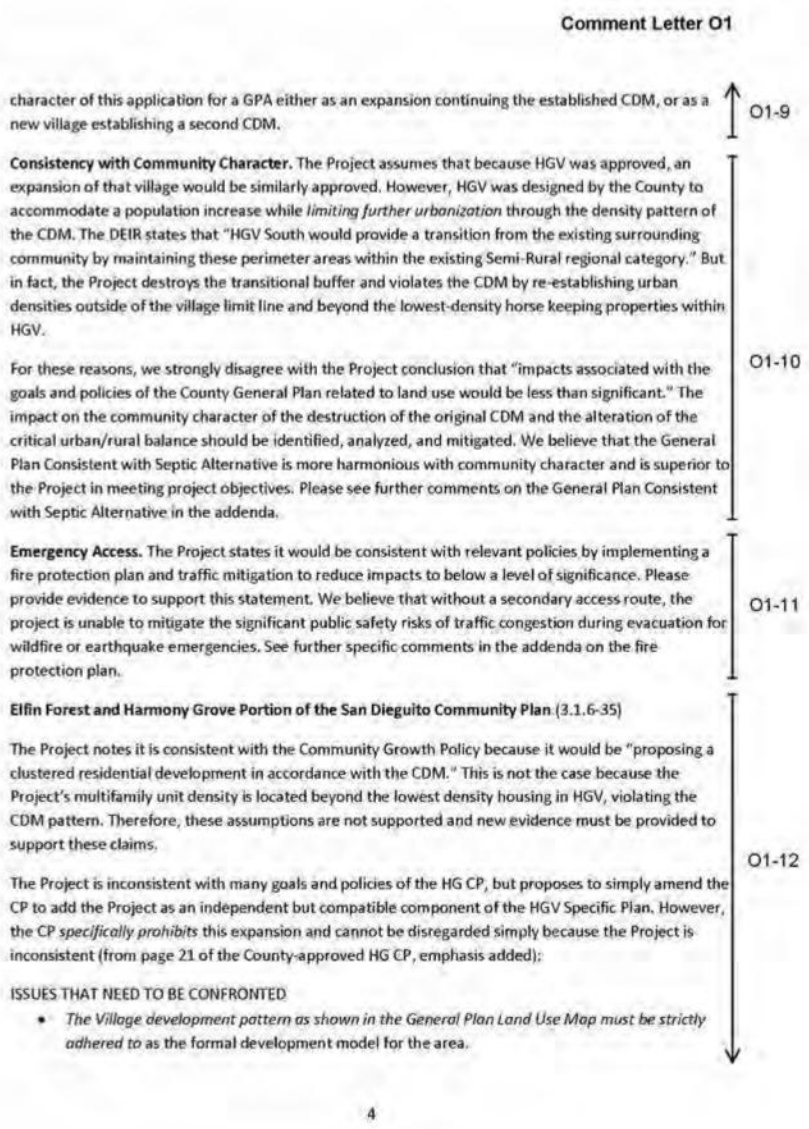
COMMENTS	RESPONSES
	natural resources," the goal is addressing preservation of existing conditions. There are no existing on-site agricultural uses to conserve, as indicated in the both Figure 2.3-1, *Vegetation and Sensitive Resources*, and in Chapter 4.0, *Alternatives*, in the description of the Section 4.2.1, *No Project, No Development Alternative Description and Setting*, which references the "native and non-native habitat throughout the site." There is no need to additionally address impacts related to "reduction in land use diversity," which is not an element of the policy.

COMMENTS	RESPONSES
	**Response to Comment O1-8** The comment states that the Project is inconsistent with LU-14.4. However, the Project will be consistent with LU-14.4 upon its designation as a village. The Project is proposing to amend the General Plan Regional Land Use Map to redesignate the portion of the site served by the Project sewer as "village" pursuant to Policy LU-1.4 (expansion of existing HGV Village). Once the Project is designated as a village, it would fall within the criteria of LU-14.4. With respect to the comment regarding extending the village limit line as violating General Plan guiding principles, please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis for a thorough discussion on this issue. The assertion that a housing shortage must be demonstrated or significant improvement for the community must be shown to "justify" or support a General Plan/Community Plan amendment is incorrect. Nothing in the General Plan requires that such factors be considered or demonstrated before approving a General Plan/Community Plan Amendment. To the broader issue, while the San Diego Association of Governments (SANDAG) Regional Housing Needs Assessment shows that the County has planned for the necessary number of housing units over the assessment period, the County is behind in the number of approvals one would expect per year if housing availability is averaged over the planning period (see the Housing Scorecard at: http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf). Without approval of a substantial number of residential units over the next few years, the County will have a housing shortage. The County respectfully disagrees that the Project is growth-inducing, please refer to discussions in Subchapter 1.8 of the EIR. The discussion addresses potential for growth-inducement impacts relative to land use policy changes and construction of housing, provision of public utilities or services, roadway

COMMENTS	RESPONSES
	improvements, and extension of public utilities, concluding that Project-related growth-inducing impacts would be less than significant. Please also see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. **Response to Comment O1-9** The Fire Protection Plan (FPP) analyzes evacuation from the Project. The Project would widen Country Club Drive from its intersection with Harmony Grove Road to the southernmost HGV South Project entrance to three minimum 12-foot-wide travel lanes. This provides additional capacity for evacuation. The three access points into the Project from Country Club Drive provide the ability to move vehicles out while responding emergency personnel travel inbound. The FPP includes a conservative estimate of the number of vehicles, which accounts for existing residents, as stated in the FPP on page 34: *The project's traffic engineer states that each lane can effectively handle 1,900 vehicles per hour. There are roughly 60 existing residential units that rely on Country Club Drive as their only means of ingress/egress. With the maximum unit site plan for HGVS, an additional 453 residences would be added. If a conservative estimate of three cars per household is used (the California average is roughly 2.7 vehicles – U.S. Census Bureau 2016), there would be a total of approximately 1,584 vehicles seeking egress, assuming worst case. The actual number of vehicles would likely be much lower than this. For example, if a fire occurred during the daylight hours, many of the vehicles would already be off-site. If a fire occurred at night, families are likely to evacuate in one or two vehicles. Conservatively assuming three vehicles per household are evacuating, with one lane, all existing and proposed residences could evacuate within one hour and still be approximately 316 vehicles below the capacity. The extra evacuation lane essentially doubles the capacity and*

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	provides a significant buffer of 2,216 vehicles per hour over what would otherwise be necessary. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access for this and additional information about mass evacuation. Please also see the Rohde & Associates report on the Project website for additional analysis on evacuation. Section 3.1.3, *Hazards and Hazardous Materials*, of the FEIR concludes that impacts associated with wildland fire hazards would be less than significant. The statement that the EIR "identifies the Project as introducing additional ignition sources" is not understood. Searches were run for the words "additional," "ignition," and "increase." No reference to increased ignition danger was found. Rather, discussion was of ignition-resistant construction elements or reductions in vegetation prone to ignition due to the Project. Indirect impacts also were not identified as significant. The Project would not expose people or structures to a significant risk of loss, injury, or death from wildland fires. The Project would comply with the FPP that has been prepared in conformance with the County Consolidated Fire Code, and would be in compliance with the fire codes by including as design features of the Project, the specifically developed measures and features (detailed in Section 5.2.1.2 of the FPP). Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. HGV did not place its lowest-density and horse-keeping properties along Harmony Grove Road across from the Project. HGV lowest-density units are located in "The Groves" area at the northern extent of that project. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. The commenter incorrectly states that the Project is establishing its own CDM, making it a new village under LU-1.2. The Project does not meet the definition of leapfrog development under Policy LU-1.2 because the Project proposes to be designated as a "village" by expanding the existing or planned village of

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	HGV pursuant to the criteria outlined in policy LU-1.4. Therefore, the Project's Village densities will not be located away from an established Village. Rather, the Project will expand the existing village of HGV consistent with CDM. This Project proposes to amend the General Plan Regional Land Use Map to redesignate a portion of the Project site to "village" pursuant to Policy LU-1.4. In particular, the Project proposes an expansion to an existing Village commonly identified as the HGV that would comply with the CDM (Harmony Grove Subarea Community Plan, page 48). Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis for a thorough discussion on this issue.

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	**Response to Comment O1-10** The County respectfully disagrees the Project would impact community character or is inconsistent with the CDM for reasons explained in the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. The preference for the General Plan Consistent with Sewer Alternative is noted. The aesthetic effects of the alternative, and the comparison with those of the Project, were addressed in Section 4.3.2 of the DEIR. As noted, the alternative would provide housing more consistent with uses to the east and west, but not as consistent with uses to the north. There could be greater variation among lot uses, but the lots would extend further into areas retained as open space under the Project, and increasingly visible to off-site viewers. There is also a possibility that those homes would experience less dense landscaping than the Project due to individual homeowner preference. Finally, when all grading and construction is complete, this alternative would place 50 percent of the site into residential lots and streets, whereas the Proposed Project would place 31 percent of the site into residential lots and streets. Balancing these issues overall, the alternative and Project were found similar under CEQA, and both less than significant relative to long-term effects. The difference in objective attainment for each of the eight objectives is also detailed in the section. The alternative would not meet objectives to the same extent as the Proposed Project due to the smaller number and more uniform nature of the homes, the encroachment farther south into sensitive habitat, etc. **Response to Comment O1-11** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment O1-12** Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis.

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Comment Letter O1 • *Urban homes must not outnumber the rural homes* to maintain the rural voice and preserve the rural heritage of this historic community. O1-12 • Annexation of Harmony Grove properties into adjacent cities allows landowners *to escape the rural community development standards and must be discouraged* O1-13 Indeed, the GP **LU-2.4** (Relationship of Land Uses to Community Character), requires projects to "Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles." The Project cannot change the CP solely to meet the Project needs, but rather, the Project must change to reflect the objectives of the CP. Therefore, the claim that the Project may amend the County-approved, GP-consistent CP to avoid its own inconsistencies is unfounded and should be withdrawn, as it would violate **LU-2.4**. O1-14 Thank you for the opportunity to comment. Sincerely, Douglas Dill Chair, Seat 15 San Dieguito Planning Group cc: EFHGTC 5	**Response to Comment O1-13** The Project does not propose annexation into any adjacent city. No further response is required. **Response to Comment O1-14** LU-2.4 has to be considered in the context of other General Plan policies, which allow for land use changes, such as and expansion to an existing village (LU-1.4) or establishment of a new village (LU-1.2). It has been well established that state law does not require a precise match between a project and the General Plan, nor does a project need to be in perfect conformity with each and every General Plan policy. Rather, to be consistent, a project must be compatible or in harmony with a General Plan's objectives, goals, and policies. A project is considered to be compatible with the General Plan if considering all aspects of the project, it will further the objectives and policies of the General Plan (*Corona-Norco Unified Sch. Dist. V. City of Corona* [2001] 13 Cal.App.4th 1577; see also *Sequoyah Hills Homeowners Ass'n v. City of Oakland* [1993] 23 Cal.App.4th 704). The land use and densities being proposed by the Project reflect the unique issues, character, and development objectives of the Harmony Grove/Elfin Forest Community Plan area, in addition to the General Plan Guiding Principles. The Project is located contiguous to the HGV area of the Harmony Grove/Elfin Forest Community Plan. HGV South will expand HGV Village pursuant to the requirements set forth in General Plan Policy LU-1.4, and will further implement the CDM by concentrating the highest densities of uses closest to HGV while decreasing intensities adjacent to semi–rural land uses and nearby open space areas. The Project also proposes to amend the Community Plan to add the Project as an independent but compatible component of the HGV Specific Plan. The Project will follow as appropriate the policies described in the Community Plan and the HGV Specific Plan Area of the Community Plan. For example: (1) the Project will provide a transition from the Village portion of HGV South and HGV Village Center to the existing surrounding residential and rural uses by maintaining approximately 58 acres around the perimeter of the site within the existing Semi-Rural regional category (Goal SPA-1.1); (2) the Project also incorporates various design

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	features to reduce visual effects along the Project perimeter by preserving biological open space areas around the southern portion of the property (CO S-3.2); (3) the Project provides a system of trails that connect the Project with HGV and the surrounding community (Policy SPA-2.2.3); (4) the Project will provide a range of housing, a local-serving commercial area and walkable core (Goal SPA-4.1); and (5) the Project will comply the County's dark nightline sky ordinance (Goal SPA-2.3).

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	**Response to Comment O1-15** Please note that while the general introduction text on EIR page 4-13 states that the alternative would not support the goal, the detailed part of the objectives consistency text expands upon the concept and provides rationale, stating that: *The low density, dispersed pattern of development provided in this alternative would **limit the ability to fully meet Objective 1** because it would not provide an efficient development pattern in close **proximity** to an existing village consistent with the Community Development Model (CDM)" (emphasis added). The General Plan Consistent with Septic Alternative has a **limited ability to support the economic and social success of the existing village (Objective 1)** when compared to the Proposed Project because the substantial decrease in number of residents would not provide the same level of support to HGV's commercial uses and the alternative would lack the diversity in land uses needed to promote social interaction.* In the full analysis, it is not that the alternative fully fails, but rather that it does not satisfy Objective 1 to the same extent as the Proposed Project. In this instance, the alternative design does not represent an efficient residential development model that enhances and supports the economic and social success of the village or the surrounding areas to the same extent as does the Project. The Project provides greater support to the existing village uses, and increases the number and diversity of residential options, more efficiently by a greater number of residences, and a greater diversity of residence types, than a smaller number of single-family residences. The County agrees that the General Plan Consistent with Septic Alternative is consistent with the CDM. The County also finds the Proposed Project consistent with the CDM development pattern. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis.

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	Response to Comment O1-16 The comment asserts that the alternative supports a vibrant Harmony Grove "rural historic community" better than the "urban" Project. However, supporting a vibrant "rural historic community" is not a Project objective. Rather the first Project objective expresses the desire to *create one complete and vibrant community* that would enhance and support the economic and social success of *the village and Project* by increasing the number and diversity of residential opportunities." As explained in Chapter 4.0 of the EIR, the alternative, with only 49 single-family residential units, has only a limited ability to support the economic and social success of the existing village when compared to the Proposed Project because the substantial decrease in number of residents would not provide the same level of support to HGV's commercial uses and the alternative would lack the diversity in land uses needed to promote social interaction. The commenter also asserts that the alternative will accommodate a portion of projected population growth. While this statement is correct that the alternative would provide a minimal amount of housing to satisfy "a portion" of projected population growth, this is not the underlying purpose of the Project. Although a part of the underlying purpose of the Project is to accommodate a portion of the projected population growth and housing needs in San Diego County, the overall purpose of the Project is to accommodate population growth by expanding an existing village that will further enhance and support the success of that village and create a complete and vibrant pedestrian-oriented sustainable community that provides a variety of housing types for a diverse range of incomes and lifestyles. The alternative would not increase "the number and diversity of residential opportunities at least as much as does the Project" as stated in the comment. In terms of number of residences, even if one assumes that each home would incorporate "possible secondary home sites" the total number of residences would be 98, less than 25 percent of the number proposed under the Project. Relative to diversity, those homes would all be single-family residences, as compared to the Project, which would provide single-family residences on a variety of lot sizes, as well as options for multi-family housing, which is

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	currently lacking in HGV. Also, there is nothing that substantiates the commenter's assertion that there is a "much needed" demand for low-density rural residences. Finally, with respect to the comment that the alternative meets the Harmony Grove community plan objective of providing a balance of urban and rural homes so rural voice is not lost, please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis. This comment is related to a project's consistency to the County's General Plan and Community Plan, not to the question of whether an alternative would meet the Project's objectives relative to CEQA Guidelines Section 15126.6(c). Response **to Comment O1-17** Please refer to Response to Comment O1-19 regarding why the alternative would not meet Objective 1 to the same extent as the Proposed Project, and Response to Comment O1-2 regarding consistency with the CDM. Please also see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. **Response to Comment O1-18** The County does not agree that the alternative would meet Objective 2 in the same manner as the Proposed Project. While there would be potential for residents to have horses in the alternative (and that would certainly provide a non-motorized form of transportation), the focus of the discussion was on the lack of trails or pathways that would be provided by the alternative. As an alternative that could be developed by individuals following sale of individual lots, and with no Homeowners Association to construct and maintain trails, the alternative would not support the ability to walk, bike, or even ride horses in the same way as the Proposed Project as there would not be any alternative-related community trail, primitive trail, or pathway implementation that would support those activities out of roadbed and out of potential conflict with vehicular uses.

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centers. This is not supported by the facts, as this alternative would be just as close to regional transportation centers as is the Project, similarly allows walking and bicycling, and would add another means of transportation via horseback riding, thereby increasing the diversity of transport methods more than the Project does. O1-18

The DEIR concludes the Septic Alternative is similar to the Project for Objective 3. We can expect the alternative to be similar to the Project for Objective 4, where the large lot sizes and nearby trail system that connects to County parks would provide ample space for a variety of active and passive recreational opportunities. O1-19

The DEIR also concludes this alternative is less consistent with Objective 5, which requires a diversity of housing choices and land uses that support a diversity of residents. The Septic Alternative proposes 49 custom home sites that accommodate many leisure and recreational diversions and agricultural uses on-site with the possibility of smaller secondary dwelling units (SDUs) for elderly or young adult family members. As such, it may encourage at least as much resident diversity as the Project's urban multifamily apartments and high-density urban homes, two choices that arguably attract the same type of city home buyer. Because high-density urban units are already plentiful in the Village, the Project does not add more true diversity as well as does the Septic Alternative, where the large lots support more variety in housing styles. In addition, the large lots allow for more diverse land uses such as small family farming opportunities and can provide additional family income sources through horse boarding or small scale farming. O1-20

The Septic Alternative is more consistent with Objective 6 that requires development compatible with existing and planned development in the immediate vicinity, which is currently designed as a rural buffer. Surrounding homes of large lot, on-septic ranchettes with horses and the larger HGV Hillside Farmhouses are very compatible with the Septic Alternative. There is a planned public equestrian ranch in the immediate vicinity as well. O1-21

Objective 7 is well met by the Septic Alternative in that it encourages walkability and social interaction with the existing close-knit, established rural community. This alternative also meets the Community Plan objective of providing a balance of urban and rural homes so that the rural voice is not lost. This balance is critical to the success of the Village. O1-22

Missing in the Alternative Analysis is the relative impact on the safety of current and future residents of a project with fewer dwelling units. It stands to reason that in the likely case of an evacuation 49 homes would pose less of an impact on evacuating traffic and provide a greater chance for the existing residents to avoid fatal entrapment, than would the 453 homes proposed by the Project. O1-23

The Septic Alternative will also avoid the adverse "edge effects" that can degrade sensitive habitat. This impact occurs when high-density urban development is situated immediately next to protected open space preserves, in this case, the Del Dios Highlands County Park and the Elfin Forest Recreational Reserve. O1-24

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Response to Comment O1-19

Relative to Objective 4 being obtained to the same extent under both the alternative and the Proposed Project, the County respectfully disagrees. The comment is correct that the number of planned trails (and existing trails in Del Dios Highlands Preserve and Elfin Forest Recreational Reserve) would remain the same under both scenarios. A key difference, however, is related to the fact that none of the planned trails would be improved and provided for use under the alternative, whereas the Proposed Project would implement a pathway down Country Club Drive, connect to multi-use trails off-site, complete multi-use trail portions and a trail head on-site, and reinforce/improve the existing primitive trail accessing the Del Dios Fire Road, none of which would occur under the alternative (please see EIR Figure 1-17, *Trails and Pathways Plan*, and rationale in Response to Comment R-O1-22 of this letter). Similarly, the objective also refers to the park opportunities provided by the Proposed Project (please refer to EIR Figures 1-20c, *Conceptual Park Plans*, and 3.10-1, *Proposed Public and Private Park Locations*), for recreational opportunities that would be provided to the public under the Proposed Project and which would not be available under the alternative development. For these reasons, the EIR correctly stated that "the alternative would be less effective in meeting Objective 4."

Response to Comment O1-20

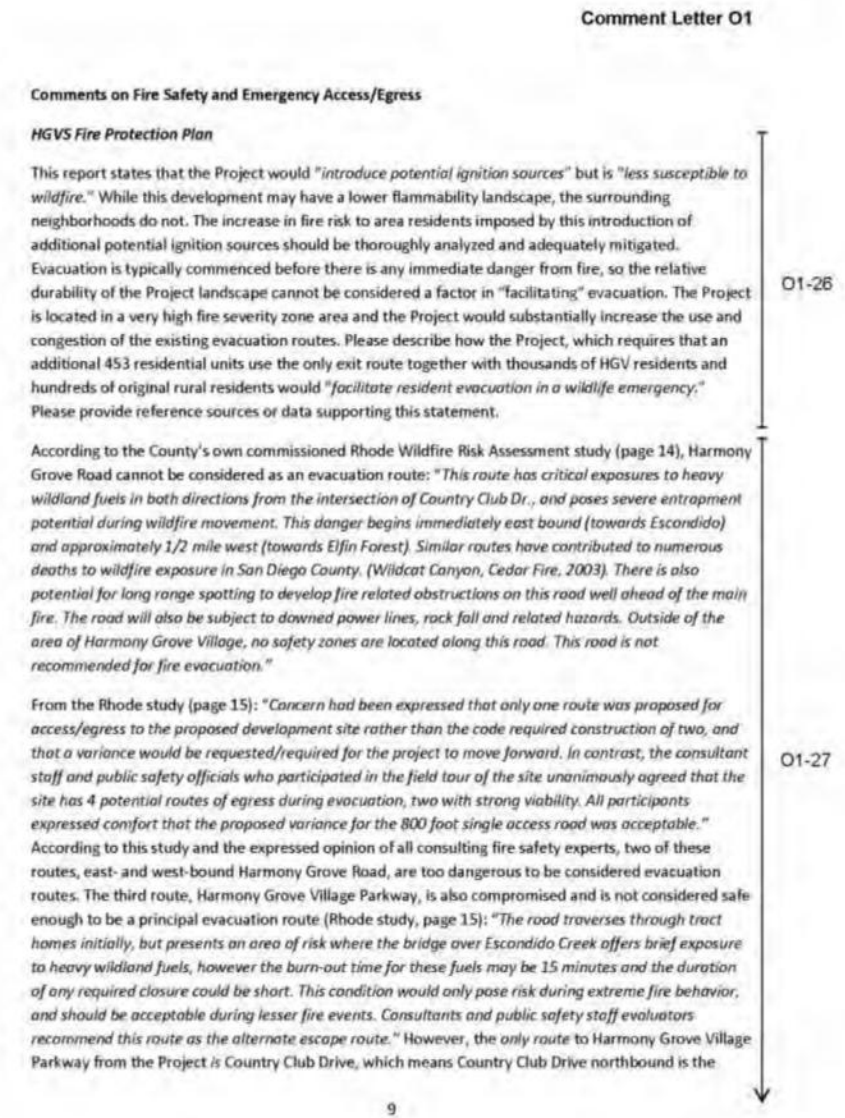
The alternative would provide residential uses with some ancillary potential uses (private agricultural or large animal keeping consistent with the alternative lot sizes), as suggested in the comment. The alternative, however, would be uniform in providing single-family housing on larger lots. Additionally, potential ancillary uses are speculative, as the potential for their occurrence is not the same thing as their provision and there is no guarantee that homeowners would use their lots for anything other than residential purposes. The Proposed Project is considered more diverse in that it is designed to (and would be required to) provide single-family and multi-family residential uses of varying sizes and formats, recreational uses for both Project residents and community members, as well as some limited commercial and civic opportunities. This is a more diverse group of uses that would more fully contribute to residential options and support uses (such as recreational

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	opportunities) within the Project versus the alternative, which offers large lot single-family residential uses that allow unguaranteed potential for some ancillary uses of agricultural or large animal keeping consistent with the alternative lot sizes). **Response to Comment O1-21** The County agrees that the alternative is consistent with Objective 6 relative to compatibility with existing and planned land uses. But unlike the Project, the alternative is not more compatible with the adjacent HGV. Also, similar to Response to Comment O1-20, that does not comprise the total objective. Objective 6 is to: *Create a mixed-use development that is compatible with existing and planned development in the immediate vicinity of the property while optimizing the operational effectiveness of public facilities and services of the Project and the existing village by increasing the number and diversity of residents within the Project.* Please refer to Response to Comment O1-20 regarding mixed uses and increases in number and diversity of residents within the Project and its increased consistency with the objective. Specific to the HGV planned Equestrian Ranch across Country Club Drive, both the alternative and the Proposed Project would be compatible with this planned private facility (described as private in the HGV EIR 2007:1-7). As described in Section 3.2.1, *Agriculture*, under "Indirect Effects" of the HGV South EIR: *...potential nuisance effects would be reduced to below a level of significance through the use of an environmental design feature. Disclosure statements would be included in sales documentation for all proposed residential units. The statements would notify potential owners that the adjacent property could potentially be used for agricultural operations and that there could be associated issues such as odors, noise, and vectors. Indirect impacts were found*

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	less than significant with the inclusion of this environmental design feature. The small potential number of large animals associated with abutting residential lots, the buffer provided by Country Club Drive and associated landscaping that would provide a buffer between the future Equestrian Ranch and HGV South, and the disclosure statement regarding the future equestrian ranch required as an environmental design feature (see Table 1-2 and Chapter 7.0), all combine to render indirect Project impacts to agricultural resources as ***less than significant.***
	Response to Comment O1-22 It is unclear how the alternative would encourage walkability etc. without trails. Please refer to Response to Comment O1-19. The alternative also would not provide a destination gathering place as part of Project design, which is an explicit part of the Proposed Project description. Please refer to Response to Comment O1-16 regarding the urban quality. This is not an element of Objective 7. Rather, this comment is related to a project's consistency to the County's General Plan and Community Plan, not to the question of whether an alternative would meet the Project's objectives in accordance with CEQA Guidelines Section 15126.6(c).
	Response to Comment O1-23 The alternatives section proposes reasonable alternatives that address significant impacts assessed to the Project through proposing alternatives "which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project" in accordance with CEQA Guidelines Section 15126.6. Safety issues were found to be less than significant, in accordance with analysis provided in Section 3.1.3, *Hazards and Hazardous Materials*, of the FEIR. As such, the topic was not one identified for discussion in Chapter 4.0.
	Response to Comment O1-24 Project edge effects were extensively addressed in the Project *Biological Technical Report* (Appendix E to the EIR) as well as the EIR. Potential edge effects have been fully discussed in Subchapter 2.3*, Biological Resources*, under the headings "Core Wildlife Area (Guideline 7)," "Indirect

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	Impacts/Edge Effects (Guideline 8)," Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts to Wildlife Movement and Nursery Sites." Guideline 8 discussion in particular specifically addresses increased human activity, domesticated animal effects, introduction of invasive non-native plant species, and night lighting. The conclusion was that Project-related long-term impacts to sensitive species from indirect edge effects would be less than significant. In addition, "Required installation of fencing and signage around the BOS, dedication of a BOS easement, protection of the BOS by a limited building zone easement, and implementation of the RMP for the Proposed Project, would further minimize potential edge effects over the long-term." The approximately 35 acres of biological open space located between the development footprint and the Del Dios Highlands Preserve (DDHP) would lower potential effects on DDHP open space. The Elfin Forest Recreational Reserve is located further away and therefore less than significant impacts would be even further diminished. This distance between the Project and DDHP would not be the case with the alternative, which would place residential uses and associated human and human-related activities closer to the DDHP boundaries.

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Comment Letter O1 Therefore, we believe that the General Plan Consistent with Septic Alternative is superior to the Project in meeting project objectives, inflicting less environmental impacts, and ensuring greater public safety, and should thus replace the Project as the most suitable alternative for future development of this site. O1-25 8	**Response to Comment O1-25** Comments noted. Please refer to Responses to Comments O1-15 through O1-24.

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	**Response to Comment O1-26** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. It is noted that the commenter states that the FPP should have analyzed the increase in fire risk to area residents resulting from the Project's introduction of additional potential ignition sources and should identify adequate mitigation measures. Potential "risk" that is related to the Project site would be attenuated by Project design, as described in the FPP and alluded to in the comment. **Response to Comment O1-27** The comment provides extensive text from the Wildland Fire Risk Analysis Report (Rohde & Associates 2016). However, the text is presented out of context and then used to suggest that there is only one possible evacuation route available in the Harmony Grove area—Country Club Drive—and that even it is not safe. However, the Rohde & Associates report indicates that there are four potential evacuation routes available for ingress/egress from the area during evacuations: The conclusion of that report's analysis was: *In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 [sic] potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800 foot single access road was acceptable.* There are four potential evacuation routes. Route 1 is Harmony Grove Road to the west into developed areas of coastal cities. This option would be viable for evacuation unless a wildfire were threatening the fuels throughout the canyons west of Harmony Grove. Route 2 is Harmony Grove Road into Escondido. This route is viable for evacuation unless fires were burning in the native fuels to the south or east of the roadway. Route 3 is Country Club Drive to the north, then east to Harmony Grove Road, into Escondido. This route is viable and bypasses some of the large expanses of native fuels east of Harmony Grove Road. Route 4 is Country Club Drive to the north into Escondido. This viable route passes through developed and maintained landscapes with some larger

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	**Response to Comment O1-28** Please see the Global Responses to Fire Hazards Impact Analysis for information on why the modification to the dead-end road length code standard was found to not lessen life, health, or safety. Please also see the Global Responses to Adequacy of Emergency Evacuation and Access. **Response to Comment O1-29** The provided fire protection features referred to in the comment and defined in the FPP (pages 33 to 40) combine to provide a system of fire protection that results in a fire-hardened community. This fire hardening, and ongoing maintenance and inspections that ensure that it remains as designed, enable contingency options to evacuation if the evacuation is considered less safe than temporarily (until the fire front burns through) refuging people in their protected homes or the Project's clubhouse. This directly affects evacuation of the area by potentially resulting in fewer vehicles using the roads to evacuate and providing a safer area for neighboring existing residents. This would, in effect, reduce the distance existing residents would have to travel to a safer site, particularly during a late evacuation where a wildfire is encroaching upon the area's roads. The Rohde & Associates (2016) report is incorrect regarding its assumption that Dudek had not considered existing residents in its calculation of traffic (vehicles per hour). The study included the 60 existing residents and a conservative three cars per household, and the number of vehicles per hour was over 300 per hour fewer than the road is designed to flow. **Response to Comment O1-30** The comment on parking eliminating roadway obstructions is noted and it is agreed that the term "eliminate" should be changed to "minimizes" in FPP Section 5.2.1.2, *Measures Exceeding the Code*, item 2. The additional parking and third lanes into the Project are designed to minimize the likelihood that fire department access is slowed or prevented by illegally parked vehicles. This further applies to wildfire evacuations in that illegally parked vehicles can interfere with evacuations and slow emergency responder ingress into the Project. Providing numerous parking spots and wider roads with an additional lane to Harmony Grove Road facilitates emergency evacuation from the

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	Project area to the point where up to four evacuation routes are available (Harmony Grove Road and Country Club Drive intersection).

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Comment Letter O1 associated communities and is one of the most dangerous and complicated situations firefighters face." (*from "Preparing a Community Wildfire Protection Plan" by the National Association of State Foresters, among others*). The HG WUI analysis was completed in 2015 (http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-WUIFERP_v3.pdf) and was based on only 735 homes and a population of 2,087. The HGV alone has 742 homes, there are about 100 original homes in Harmony Grove, and the Project will add another 453 homes, for a total of 1,300 homes, or nearly double the amount analyzed in the WUI. The nearby Valiano project, if approved, would add 380 homes to an existing 80 Eden Valley homes, all using the same evacuation route, Country Club Drive, for a grand total of 1,735 homes and a population of nearly 5,000. An updated WUI should be created that uses the anticipated number of homes and population at buildout of all the proposed communities to ensure that the area roads can safely accommodate this population during an evacuation. O1-32 11	Please refer to response O1-33 for more discussion regarding how the Project's design features influence evacuation traffic. Please also see the Global Responses to Adequacy of Emergency Evacuation and Access. **Response to Comment O1-31** Please see the Global Responses to Adequacy of Emergency Evacuation and Access. As described in more detail in that response, emergency evacuations are completed per direction from emergency personnel, who will decide when to evacuate, and when (as necessary and as a last point of refuge) it could be safer to remain on property rather than to leave. If there are many hours before a fire threatens the area, evacuation will occur and could include congestion, but there would be time to move all vehicles to urban areas in Escondido or elsewhere. However, if there were a short-notice evacuation scenario, that would be when fire and law enforcement personnel might make a decision to keep residents of HGV South (and HGV) in their well-protected, defensible homes. This would remove traffic from the roadways and leave them available to residents who do not have the ability to shelter in their homes during a wildfire. As necessary and directed, Harmony Grove community residents may be directed to shelter at the Center House or HGV. When time permits, animals are included within regional evacuation plans. **Response to Comment O1-32** The comment requesting that a new Wildland Urban Interface (SIC Wildland Urban Interface Plan or Community Wildfire Protection Plan) be prepared is noted. Updating these plans is recommended on at least a 5-year basis to account for changing conditions within the planning area. With conversion of fuel beds to ignition-resistant communities, priority hazard areas may change, evacuation options may be available that previously were not, and areas requiring additional focus may be identified. Please note that region-wide plans are not subject to individual development CEQA documents; these are greater planning efforts. As stated in the EIR (2017:3.1.3-14, 15): *The Unified San Diego County Emergency Services Organization has the primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the*

COMMENTS	RESPONSES
	unincorporated area of San Diego County. The County of San Diego Office of Emergency Services (OES) serves as staff to the Unified Disaster Council (UDC), the governing body of the Unified San Diego County Emergency Services Organization. *Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. Both of these plans develop goals and objectives for OES in regards to large-scale natural or man-made disasters.* *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 provides the framework for emergency response throughout the County, including at the Project site. It 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.* A representative of the HGV South Project would be a participant in the updating of the Harmony Grove Wildland-Urban Interface/Community Wildfire Protection Plan report to reflect changing conditions.

COMMENTS	RESPONSES

Comment Letter O2

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

June 17, 2017

Ms. Ashley Smith
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Ashley.Smith2@sdcounty.ca.gov

RE: Harmony Grove Village South Draft Environmental Impact Report

Dear Ms. Smith:

Endangered Habitats League (EHL) appreciates the opportunity to comment on the DEIR for this proposed project. For reference, EHL is a long term stakeholder in County planning endeavors and served on the advisory committee for the 2011 General Plan. O2-1

As you know, the current General Plan accommodates the County's fair share of regional population growth and identifies towns and villages within whose boundaries the bulk of such growth will be accommodated. These boundaries were devised after extensive community input. In the case of Harmony Grove, the community accepted a new village core. But that village came with boundaries that *also* identified the locations for continued rural uses. O2-2

Without any showing that there is now a deficit in housing capacity, or that the project would alleviate a shortage of housing affordable to these with median incomes—the actual source of the region's housing shortage—this project proposes to nullify the village boundary of the General Plan. EHL opposes this change.

The DEIR's deficiencies are manifold, and documented in comments from the Elfin Forest Town Council. We incorporate these comments by reference. Among the deficiencies are General Plan and Community Plan inconsistency, violation of Land Use Policy 1.4, failure to use the proper baseline of existing conditions for analysis, fire safety, traffic, biological impacts, and greenhouse gas emissions. O2-3 O2-4

We urge developers to help build out the current General Plan rather than undermine it by speculating on rural land. We furthermore urge the Department of Planning and Development Services to expeditiously complete Community Plans for all the towns and villages, a task woefully delayed. If trends continue, the current General Plan's sustainable vision for discrete towns and greenbelts could transform into the worst of both worlds—loss of rural lands as well as loss of higher density villages. O2-5

8424 Santa Monica Blvd Suite A 592 Los Angeles CA 90069-4267 • www.ehleague.org • Phone 213.804.2750

Response to Comment O2-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

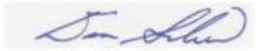
Response to Comment O2-2

The comments regarding the current General Plan and Endangered Habitats League's (EHL's) opposition to amending the General Plan/Community Plan are noted. The County respectively disagrees with the comment that showing of a deficit in housing capacity or shortage of affordable housing is required in order to propose a General Plan/Community Plan amendment. The Regional Categories Map and Land Use Maps are graphic representations of the Land Use Framework and the related goals and policies of the General Plan (Chapter 3.)

The General Plan, on page 2-7, recognizes the need to accommodate future growth by planning and facilitating housing in existing and planned villages. The General Plan, on page 1-15, states that it is intended to be a dynamic document and there are numerous policies in the General Plan that accommodate planning for future growth, such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility), and COS-2.2 (requiring development to be sited in least biologically sensitive areas).

General Plan Policy LU-1.4 permits an expansion of existing or planned villages that are consistent with the community development model and meet the requirements set forth therein. Therefore, the language in the General Plan clearly allows for future amendments to the Land Use Map and Regional Categories Map. The project is amending the General Plan/Community Plan by expanding an existing Village and meets the criteria of Policy LU-1.4. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a thorough discussion on related topic.

COMMENTS	RESPONSES
	Response to Comment O2-3 The County disagrees that the EIR is deficient. The comment notes that the deficiencies are documented in the letter from the Elfin Forest Town Council. Please refer to Response to Comment Letters O3a through O3c, which provides specific responses to those letters. **Response to Comment O2-4** The comment lists several general environmental issues and perceived deficiencies but does not provide any specifics as to how or why these items are deficient. Therefore, no specific response is possible. Each of the items noted, however, is subject to substantial discussion in the EIR. The Project's relationship to the General Plan and Community Plan is addressed in detail in the FEIR Chapter 1.0, *Project Description, Location and Environmental Setting*, and Section 3.1.5, *Land Use and Planning*, which also includes detail as to Project consistency with Policy LU-1.4. Project baseline, and the reasons why it is the correct baseline, are detailed on pages 3.1.5-1 and -2. Fire safety is addressed in Section 3.1.3, *Hazards and Hazardous Materials* as well as Section 3.1.8, *Public Services*. Traffic is addressed in Subchapter 2.2, *Transportation/Traffic*; biological effects are detailed in Subchapter 2.3, *Biological Resources*; and greenhouse gas emissions are evaluated in Subchapter 2.7, *Greenhouse Gas Emissions*. Each of these topics is also cross-referenced within applicable portions of the Section 3.1.5, *Land Use and Planning*, discussions. Project design features relevant to each of these topics are presented in Table 1-2, *Project Design Features*, and both the features and mitigation measures, as applicable, are provided in Chapter 7.0, *List of Mitigation Measures and Design Features*. Each of these sections appropriately addresses the topics. Please also refer to Response to Comment Letters O3a through O3c for more information provided in response to specific comments provided by the Elfin Forest Town Council. **Response to Comment O2-5** This comment does not raise an issue pertaining to the environmental analysis or adequacy of the EIR; therefore, no further response is warranted.

COMMENTS	RESPONSES
Comment Letter O2 Thank you for considering our comments. Yours truly,  Dan Silver Executive Director	

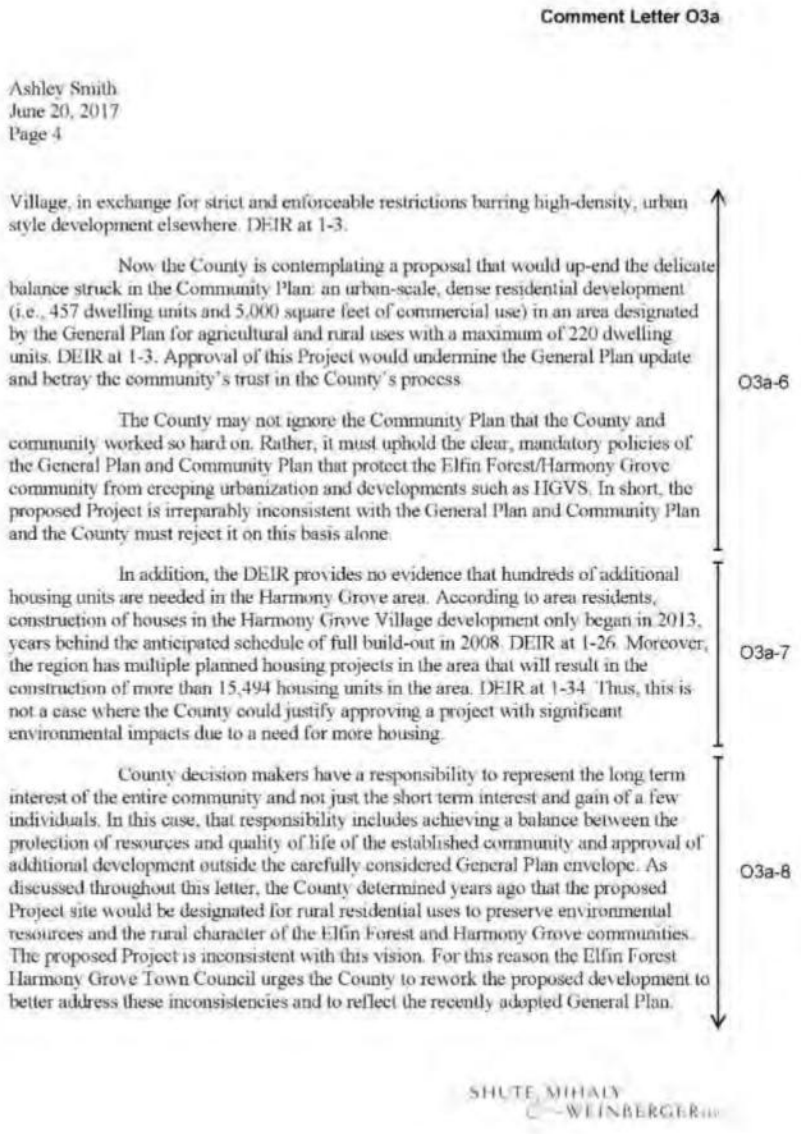
COMMENTS	RESPONSES
Comment Letter O3a SHUTE, MIHALY & WEINBERGER LLP 396 HAYES STREET, SAN FRANCISCO, CA 94102 T: (415) 552-7272 F: (415) 552-5816 www.smwlaw.com WINTER KING Attorney king@smwlaw.com June 20, 2017 ***Via Electronic Mail*** Ms. Ashley Smith Land Use & Environmental Planner Planning & Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123 Ashley.Smith2@sdcounty.ca.gov Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.) 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"). The purpose of this letter is to inform the County that the Draft Environmental Impact Report ("DEIR") for the Project violates the minimum standards of adequacy under the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the "CEQA Guidelines," California Code of Regulations, title 14, § 15000 et seq. As described below, the Elfin Forest Harmony Grove Town Council is deeply concerned about the far-ranging impacts the Project will have on environmental resources, land use planning, and public safety. After years of negotiations and hard work, the County and the communities of Elfin Forest and Harmony Grove agreed upon a plan for development in the region that struck a fair balance between conserving the area's outstanding natural resources and rural beauty while allowing substantial new development that was properly sited and mitigated, including public investment of millions of dollars in open space in the project vicinity, recognizing both the habitat value and the extreme fire risk which renders the area unsuitable for dense housing. Now, however, the County is contemplating approval of a Project that would permanently O3a-1	**Response to Comment O3a-1** The comment overall addresses general subject areas but does not raise specific issues regarding those subject areas. Therefore, no more specific response can be provided or is required. The comment also expresses the opinions of the commentator only and as such the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed Project. With respect to comments regarding the Project's General Plan/Community Plan Amendments please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue. Specific to the summary climate-change comment, this letter includes specific focused discussion of this issue in Response to Comment O3a-41 through Response to Comment O3a-49, below.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 2 destroy that balance. For example, the proposed Project would build a new village beyond the existing Village Limit Line and outside established sewer service boundaries. It would create urban sprawl, by introducing 453 units where only 220 are allowed under the County's General Plan, and substantially increases traffic congestion. Not only would approval of the Project betray the trust and confidence of the communities that just worked so closely with the County to develop a community plan, it would also violate state Planning and Zoning Law and the Subdivision Map Act. As detailed below and in our prior correspondence with the County, this urban-scale Project is patently inconsistent with numerous provisions of the General Plan, Community Plan, and Zoning Ordinance. In addition, the DEIR for the Project fails to provide the public and decision makers with crucial information about the Project, its impacts, alternatives, and feasible mitigation measures, in direct violation of CEQA. For example, the DEIR's analysis of climate change impacts for this large, car-dependent subdivision, relies on a methodology that has been invalidated repeatedly by the courts and contradicts the County's own general plan policies. The Legislature and the Supreme Court have provided guidance on how to analyze that contribution, but the DEIR ignores those rules. As described further below and in the Supreme Court's decision in *Center for Biological Diversity v. California Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, environmental impact reports ("EIRs") for new developments like this one must acknowledge their heightened responsibility for meeting the State's ambitious (but achievable) emissions-reduction goals. In another striking example, the DEIR fails to provide an adequate evaluation of the Project's fire hazard impacts. The Project, along with the previously approved Harmony Grove Village project, would add thousands of new residents to the area that has been designated Limited Agriculture and Rural Residential. In an emergency, such as a wildfire or earthquake, evacuation would require use of Country Club Drive, which is the only safe route available for ingress/egress to the Project site. DEIR at 1-2; Harmony Grove Wildland Urban Interface Fire Emergency Plan, Rohde & Associates (Apr. 14, 2016) at 2 ("Rohde Fire Emergency Plan"), *available at* www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-WUIFERP_v3.pdf. Yet, the DEIR fails entirely to evaluate safety hazards related to evacuating these new residents in an emergency, as well as the risks the Project introduces to the safe evacuation of the surrounding residents. This is not a mere SHUTE, MIHALY & WEINBERGER LLP O3a-1 O3a-2	**Response to Comment O3a-2** The County disagrees that the EIR failed to evaluate safety hazards related to the Project and that the Rohde Report suggests that Country Club Drive is the only safe route available for ingress/egress to the Project site. Fire safety is addressed in Section 3.1.3, *Hazards and Hazardous Materials* as well as Section 3.1.8, *Public Services*, of the FEIR. The Rohde Report does state that Country Club Drive is the fastest route to safety, on Page 15 it also states: > *Concern had been expressed that only one route was proposed for access/egress to the proposed development site rather than the code required construction of two, and that a variance would be requested/required for the project to move forward. In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable.* Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access for a thorough analysis on this topic.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 3 technical violation of CEQA, it is a dangerous, callous failure to consider the real effects of this oversized Project. O3a-2 Similarly, the DEIR's analysis of the Project's traffic impacts employs outdated traffic data and methodology that skews the analysis of project-related vehicle trip increases, thus masking significant impacts. In turn, reliance on an inaccurate traffic analysis undermines the DEIR's air quality and climate change analyses. O3a-3 As a result of the DEIR's numerous and serious inadequacies, there has been no meaningful public review of the Project, and there cannot be such review unless and until the DEIR is wholly revised. The County decision makers cannot reasonably consider approval of the proposed Project without an adequate understanding of its environmental costs and potential alternatives. O3a-4 This letter is submitted along with the reports prepared by Neal Liddicoat, P.E., of MRO Engineers, Inc., attached as Exhibit A ("MRO Report"), and Dr. Matthew Rahn, Ph.D., M.S., J.D., of Rahn Conservation Consulting, LLC, attached as Exhibit B ("Rahn Report"). We respectfully refer the County to the aforementioned attached reports, both here and throughout these comments, for further detail and discussion of the DEIR's inadequacies. We request that the County reply to each of the comments in this letter and to each of the comments in the attached reports. O3a-5 **I. Background** Just a few years ago, the County invested a substantial amount of time and millions of taxpayer dollars updating its General Plan "to establish a blueprint for future land development projects in the unincorporated County that meets community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality." General Plan EIR at S-2. At the same time, the County developed the Elfin Forest and Harmony Grove Community Plan ("Community Plan" or "CP") as a subarea plan of the San Dieguito Community Plan. O3a-6 This years-long process, which involved countless hours of community meetings, culminated in a General Plan and Community Plan that carefully selected growth areas in the Harmony Grove community while assiduously protecting the rural character of the remaining land. The Elfin Forest and Harmony Grove communities worked hard to develop the Community Plan and have worked for years to enforce it. The communities were willing to accept their share of growth in the form of Harmony Grove SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-3** The County disagrees that the Project's traffic impact analysis employs outdated traffic data and methodology. Please see detailed Response to Comment O3a-19. **Response to Comment O3a-4** The County acknowledges the comment but disagrees. The County finds the EIR provides full discussion, relevant detail and analysis, and is adequate under CEQA. The County also finds that the document supported full and informed review. Specific to obligations to respond under CEQA, his comment does not raise specific issues regarding the content of the EIR. A comment that does not raise a specific environmental issue does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis" (CEQA Guidelines 15088[c]). These responses "shall describe the disposition of the significant environmental issues raised ... [and] giv[e] reasons why specific comments and suggestions were not accepted" (CEQA Guidelines, 15088[c]). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient]). **Response to Comment O3a-5** Please see Response to Comment O3b for a response to Exhibit A ("MRO Report") and Response to Comment O3c for a response to Exhibit B ("Rahn Report"). As primary sources for traffic and fire-related comments in this letter, those reports and responses to comments provided for those reports are cross-referenced in a number of the responses below. **Response to Comment O3a-6** The Project is amending the General Plan/Community Plan by expanding an existing or planned village in accordance with the requirements set forth in Policy LU-1.4.

COMMENTS	RESPONSES
	The Regional Categories Map and Land Use Maps are graphic representations of the Land Use Framework and the related goals and policies of the General Plan (Chapter 3). General Plan Policy LU-1.4 specifically permits expansions of villages. Therefore, the language in the General Plan clearly allows for future amendments to the Land Use Map and Regional Categories Map in such instances. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue. With respect to the Community Plan, the hierarchical relationship between the General Plan and the County's many community plans is described in General Plan Policy LU-2.2; that makes it clear that General Plan policies take precedence over community plan policies and that community plans cannot be interpreted in a manner that would undermine the policies of the General Plan. General Plan Policy LU-2.2 states: *Community Plans are part of the General Plan. These plans focus on a particular region or community within the overall General Plan area. They are meant to refine the policies of the General Plan as they apply to a smaller geographic region and provide a forum for resolving local conflicts. As legally required by State law, Community Plans must be internally consistent with General Plan goals and policies of which they are apart. They cannot undermine the policies of the General Plan. Community Plans are subject to adoption, review, and amendment by the Board of Supervisors in the same manner as the General Plan.* Therefore, even though community plans are an integral part of the County's General Plan, these documents must still be internally consistent with the General Plan's goals and policies of which they are a part. This means that community plans must be read and interpreted in the context of the goals and policies set forth in the General Plan and cannot be interpreted in isolation. Although Community Plans are an important component of the General Plan, General Plan Policy LU-1.4 specifically permits expansions of villages. The logic behind the commenter's assertion would lead to the conclusion that no general plan amendments would be allowed. However, the General Plan on

COMMENTS	RESPONSES
	page 2-7 recognizes the need to accommodate future growth by planning and facilitating housing in existing and planned villages. The General Plan states: *As growth continues in the region, the County will accommodate a reasonable share in the unincorporated County in a manner that sustains the natural setting, characteristics, and qualities that distinguish the County, its communities, and rural places as special places to live. The County will implement this guiding principle by planning and facilitating housing in and adjacent to existing and planned villages.* Also, the General Plan on page 1-15 states that it is intended to be a dynamic document, and numerous policies in the General Plan accommodate planning for future growth, such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility), COS-2.2 (requiring development to be sited in least biologically sensitive areas) and Policy LU 1.2 (establishment of a new village) and Policy LU-1.4 (expansion of an existing or planned village).

COMMENTS	RESPONSES
	**Response to Comment O3a-7** It is important to note that a private property owner can propose any lawful use of their property and have it evaluated for environmental impacts. Although one of the Project's objectives is to provide housing, a showing of a deficit in housing capacity or shortage of housing is not required in order for the County to consider approval of a project. Please see Response to Comment O3a-6 above. The County concurs that Harmony Grove Village (HGV) is building out and that the cumulative projects list totals approximately 15,500 housing units. However, the numbers cited include County, City of Escondido, and City of San Marcos numbers. In fact, the comment fails to cite the very next sentence from the EIR, "Specifically within County jurisdiction, the cumulative projects (including the Proposed Project) would result in a total of 2,403 units in the Project site vicinity." With respect to the need for additional housing units, the San Diego Association of Governments (SANDAG) Regional Housing Needs Assessment shows that although the County has planned for the necessary number of housing units over the assessment period, the County is behind in the number of approvals one would expect per year if housing availability is averaged over the planning period. Without approval of a substantial number of residential units over the next few years, the County will have a housing shortage. The County has responsibility for providing a percentage of projected required housing. As noted in a recent study,[1] the County has only issued building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process. The lack of housing supply can be considered to contribute to scarcity and high housing prices that put a strain on the general welfare of County residents. Guiding Principle 1 of the County General Plan (Chapter 2, pages 2-6 and 2-7) calls for the County to accommodate a reasonable share of regional growth. Accordingly, given the current widespread regional housing scarcity, the County finds increasing housing supply to be within the general welfare of County residents.

COMMENTS	RESPONSES
	[1] http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf (incorporated herein by this reference, such report is available for public review at the aforementioned cite.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 5 **II. The Project Cannot Be Approved Because It Violates State Planning and Zoning Law.** The Project violates state Planning and Zoning Law in two distinct ways. First, the proposed amendments to local land use rules are incompatible with the General Plan. Second, even if the proposed amendments were valid, the proposed development would still violate numerous local land use regulations and policies. Thus, the County must reject the proposed amendments. **A. Land Use Decisions Must Be Consistent with the General Plan.** The state Planning and Zoning Law requires development decisions to be consistent with the jurisdiction's general plan. *See Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806 ("propriety" of land use and development decisions depends on consistency with the general plan); *Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors* ("*FUTURE*") (1998) 62 Cal.App.4th 1332, 1336 ("The 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."). As the "constitution" for future development, the general plan provides the overarching framework for a region's development. *Lesher Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. O3a-8 It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov. v. Napa County* (2001) 91 Cal.App.4th 342, 379. A project need not present an "outright conflict" with a general plan provision to be considered inconsistent. *Id.* Rather, the determinative question is whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Id.* Courts will invalidate a project approval that is inconsistent with fundamental, mandatory, and clear general plan policies, regardless of whether the project is 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. **B. The Proposed Land Use Amendments Are Invalid Because They Are Incompatible and Inconsistent with the General Plan.** The DEIR acknowledges that the proposed development is inconsistent with the current General Plan, Community Plan, and Zoning Ordinance. DEIR at 1-33. Thus, the Project proposes amendments to each of these. *Id.* The amendments would: re- SHUTE, MIHALY & WEINBERGER LLP	In addition, there is no commitment to solely place any specific number of the 22,412 projected units on any precise property within the County, however, this particular location, on an already disturbed site near employment centers and shopping opportunities in the cities of Escondido and San Marcos, and in proximity to SR-78, I-15, and the Nordahl Transit Station, is consistent with General Plan policies to site growth adjacent to existing amenities and not extend built environments into pristine areas of the County. **Response to Comment O3a-8** The County disagrees with the comment that the Project is incompatible with the General Plan and would create internal inconsistencies in the General Plan. Please see Response to Comment O3a-6 and O3a-7 above and the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis.

COMMENTS	RESPONSES

Comment Letter O3a

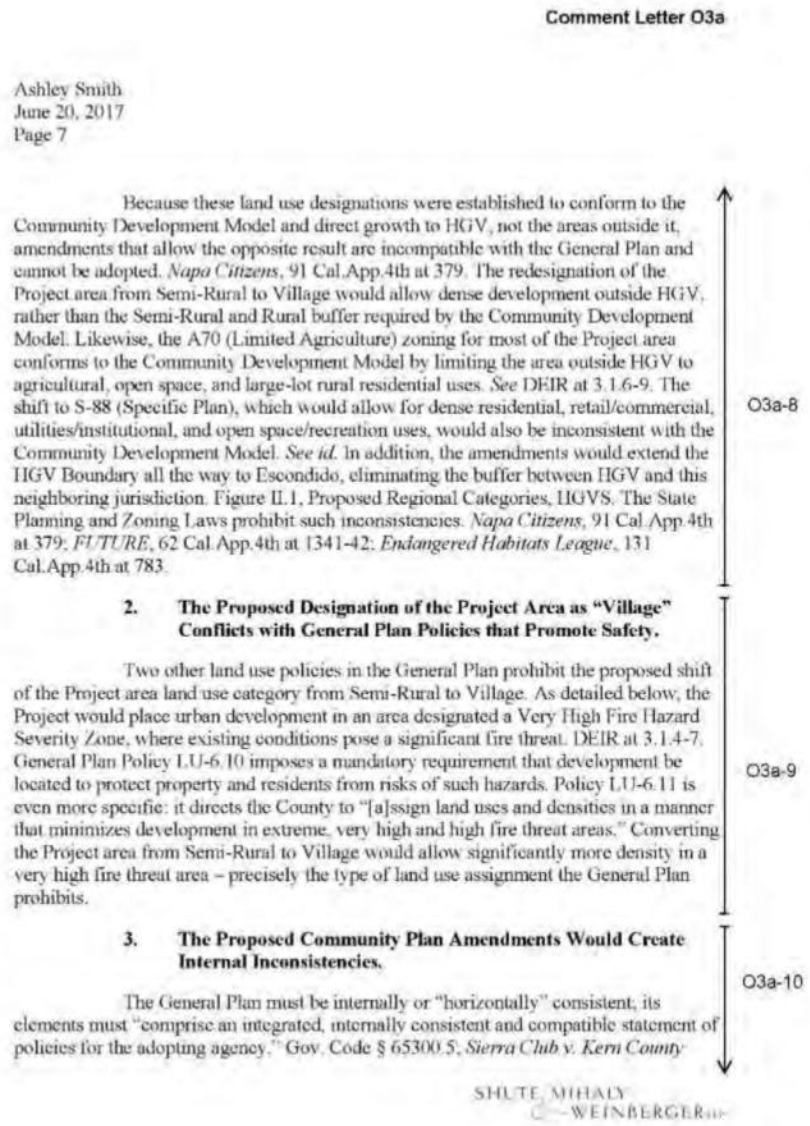
classify the Project area from Semi-Rural to Village; extend the HGV boundary significantly, to encompass the entire proposed development area and surrounding open space; eliminate numerous strict limitations on growth from the Community Plan; and change the Project area from an agricultural, open space, and large-lot rural residential land use designation to a designation that allows dense residential, retail/commercial, utilities/institutional, and recreational uses. *Id.* at 1-4, 1-33, 3.1.6-42. The proposed amendments are incompatible with other General Plan provisions and would create internal inconsistencies in the General Plan. Accordingly, they cannot be approved.

1. The Proposed Amendments Are Incompatible with the General Plan's Guiding Principle for Development.

The General Plan establishes the Community Development Model as the guiding principle for development in the County. San Diego County General Plan (Aug. 2011) ("GP") at 2-8. The General Plan uses three regional land use categories to implement the Model: Village, Semi-Rural, and Rural. *Id.* at 2-8, 3-6. In the County's version of the Model, dense Village cores are surrounded by areas of less intense Semi-Rural and Rural use. *Id.*

The Land Use Element of the General Plan allocates land uses based on the Community Development Model. *Id.* at 3-2. In particular, Policy LU-1.1 directs the County to assign land use designations "in accordance with the Community Development Model," and Policy LU-1.2 prohibits "leapfrog development which is inconsistent with the Community Development Model." *Id.* at 3-23. Similarly, Policy LU-2.5 ("Identify and maintain greenbelts between communities to reinforce the identity of neighboring communities.") promotes defined communities, rather than sprawl, and Policy LU-2.6 directs the County to use "buffers or other techniques" to maintain separation between unincorporated communities and neighboring jurisdictions. *Id.* at 3-25. O3a-8

Pursuant to the Community Development Model, the General Plan and Community Plan currently designate HGV as a dense Village, surrounded by Semi-Rural and Rural uses. GP, San Dieguito Regional Category Map; CP at 25. The Community Plan notes that the HGV Boundary shown on County land use maps "is a growth boundary that identifies land to which development should be directed." CP at 27. It also states 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.* These land use designations place a Semi-Rural buffer between HGV and neighboring Escondido, as directed by the General Plan. GP, San Dieguito Regional Category Map, 3-25 (Policies LU-2.5, LU-2.6).

COMMENTS	RESPONSES
	**Response to Comment O3a-9** The County disagrees with the comment that expands Policies LU-6.10 and LU-6.11 to "prohibit" the County from converting areas that are located in a Very High Fire Hazard Severity Zone from Semi-Rural to Village. Policy LU-6.10 provides that development be located and designed to protect property and residents from the risks of natural and man-induced hazards. Policy LU-6.11 provides that land uses and densities be assigned in a manner that minimizes development in extreme, very high, and high fire threat areas or other *unmitigable* hazardous areas. There is nothing in either policy that prohibits development in areas designated as a Very High Fire Hazard Severity Zone, as exemplified by the location of the Harmony Grove Village adjacent to the Project site. As explained in the Safety Element of the General Plan, because most of the unincorporated County is located within very high or extreme fire threat areas, avoiding high threat areas is not possible (Figure S-1 [Fire Threat]). Therefore, policies focus on minimizing the impact of wildfires through land use planning techniques and other mitigation measures (General Plan, Safety Element, page 7-5)' As such, Policies LU-6.10 and LU-6.11 respectively require that development be located and designed to protect property and residents from risks such as fire, and that land uses be assigned in a manner that minimizes development in " unmitigable" hazards areas. Development on the Project site has been located so as to provide substantial fuel management zones and minimize the risk of structural loss and life safety resulting from wildland fires consistent with Policy LU-6.10. Also, the Project does not fall into a situation where hazards are unmitigable. A Fire Protection Plan (FPP) has been prepared for the Project that has been reviewed and approved by both the Rancho Santa Fe Fire Protection District (RSFFPD) and the County. The plan provides standards for the development to protect property and residents from wildfire, and reduces the threat of wildfire by incorporating residential requirements exceeding code and substantial fuel management zones and plant materials resistant to fire. Therefore, the Project is consistent with the goals of these policies. **Response to Comment O3a-10** The County disagrees that the General Plan/Community Plan amendments would create internal inconsistencies. In fact, the amendment would help

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Because these land use designations were established to conform to the Community Development Model and direct growth to HGV, not the areas outside it, amendments that allow the opposite result are incompatible with the General Plan and cannot be adopted. *Napa Citizens*, 91 Cal.App.4th at 379. The redesignation of the Project area from Semi-Rural to Village would allow dense development outside HGV, rather than the Semi-Rural and Rural buffer required by the Community Development Model. Likewise, the A70 (Limited Agriculture) zoning for most of the Project area conforms to the Community Development Model by limiting the area outside HGV to agricultural, open space, and large-lot rural residential uses. *See* DEIR at 3.1.6-9. The shift to S-88 (Specific Plan), which would allow for dense residential, retail/commercial, utilities/institutional, and open space/recreation uses, would also be inconsistent with the Community Development Model. *See id.* In addition, the amendments would extend the HGV Boundary all the way to Escondido, eliminating the buffer between HGV and this neighboring jurisdiction. Figure II.1, Proposed Regional Categories, HGVS. The State Planning and Zoning Laws prohibit such inconsistencies. *Napa Citizens*, 91 Cal.App.4th at 379; *FUTURE*, 62 Cal.App.4th at 1341-42; *Endangered Habitats League*, 131 Cal.App.4th at 783.

O3a-8

2. The Proposed Designation of the Project Area as "Village" Conflicts with General Plan Policies that Promote Safety.

Two other land use policies in the General Plan prohibit the proposed shift of the Project area land use category from Semi-Rural to Village. As detailed below, the Project would place urban development in an area designated a Very High Fire Hazard Severity Zone, where existing conditions pose a significant fire threat. DEIR at 3.1.4-7. General Plan Policy LU-6.10 imposes a mandatory requirement that development be located to protect property and residents from risks of such hazards. Policy LU-6.11 is even more specific: it directs the County to "[a]ssign land uses and densities in a manner that minimizes development in extreme, very high and high fire threat areas." Converting the Project area from Semi-Rural to Village would allow significantly more density in a very high fire threat area – precisely the type of land use assignment the General Plan prohibits.

O3a-9

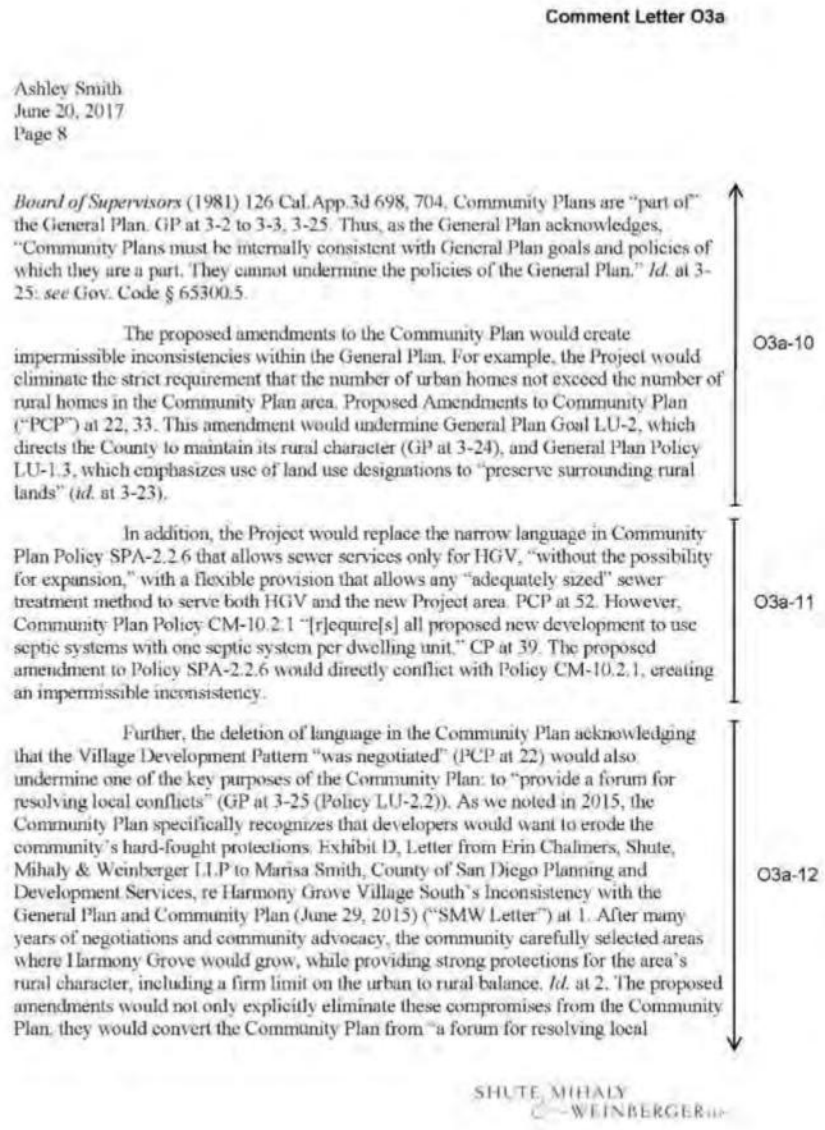
3. The Proposed Community Plan Amendments Would Create Internal Inconsistencies.

O3a-10

The General Plan must be internally or "horizontally" consistent, its elements must "comprise an integrated, internally consistent and compatible statement of policies for the adopting agency." Gov. Code § 65300.5; *Sierra Club v. Kern County*

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	eliminate potential inconsistency. Although the Community Plan may have expressed a desire to limit the number of urban residences that could be built within the communities of Harmony Grove and Elfin Forest, the strict interpretation of this Policy provided by some of the commenters would be inconsistent with General Plan Policies that allow existing or planned villages to be expanded or new villages to be established. Clearly, these General Plan policies indicate that land use designations were not intended to be locked in forever. There are also numerous other policies in the General Plan that contemplate that future growth will occur and provide direction with respect to its future planning; such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility), and COS-2.2 (requiring development to be sited in least biologically sensitive areas). The General Plan states that it is intended to be a dynamic document and must be periodically updated to respond to changing community needs (General Plan, p. 1-15). Even the Community Plan contemplates that future amendments to the Community Plan may occur when necessary to implement the plan (Community Plan, page 5). Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and Project Consistency with General Plan Policy LU-1.4 regarding Project consistency with the General Plan/Community Plan for additional discussion.

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	**Response to Comment O3a-11** The commenter is correct that HGV is served by sewer. The Proposed Project would be an extension of the village, and as such, also would be eligible for sewer service. Also, please note that Policy CM 10.2.1 is the third tier of a three-part standard that applies to Elfin Forest, not Harmony Grove. It is a subset of Issue CM-10.2 and Goal CM-10.2. As is clear from Issue CM-10.2, which states: "septic systems *are the sole and preferred sewage management for Elfin Forest*, [emphasis added] because they ensure that Elfin Forest - Harmony Grove will remain a rural community. The issue relates to Elfin Forest and not Harmony Grove. The Project is not in Elfin Forest. Also, the Goal is for a sewage disposal system that "retains rural character." The sewage treatment plant designed for HGV South references rural elements and would not conflict with rural character. The issue provides context for the reader, the goal addresses that issue, and the policy is secondary to the goal. One element should not be parsed out from the overall context. Here, the express statement is that Elfin Forest is the area within the larger community where the issue is most sensitive. The goal allows for any treatment available that will retain rural character. Although the Project is not located in a rural zone, the semi-rural elements of the community have been folded into Project design of the proposed Village extension, including architectural treatment of the WTWRF. **Response to Comment O3a-12** The County cannot "negotiate" or contract away its future right to exercise its land use authority as may be suggested by the commenters. Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and Project Consistency with General Plan Policy LU-1.4.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 9 conflicts" to a tool developers may use to pave over the community's wishes. Such a result would frustrate the Community Plan purposes identified in the General Plan. In sum, while the Project applicant has attempted to squeeze the Project into the General Plan's framework with a handful of amendments, these amendments bump up against overarching General Plan and Community Plan goals and policies aimed at preventing precisely the type of urban sprawl that the Project would bring to Harmony Grove. As a result, the proposed amendments cannot withstand scrutiny. O3a-12 **C. The Project Cannot Be Approved Because It Is Inconsistent with Local Land Use Plans and Regulations.** Even if the County could approve the proposed land use amendments, the proposed development would still violate numerous local land use policies and regulations. It is directly inconsistent with several provisions in the General Plan, Community Plan, and Zoning Ordinance. Numerous inconsistencies detailed in our 2015 letter are summarized here, and additional inconsistencies are identified. **I. The Project Violates Mandatory Requirements in Policy LU-1.4.** General Plan Policy LU-1.4 ensures conformity with the Community Development Model by strictly limiting the expansion of villages. GP at 3-24. New Village designations are "only" allowed on land "contiguous" with an existing or planned village and "only" if "all" of four distinct criteria are met. *Id.* As detailed in our 2015 letter, the Project fails this test because it is not contiguous with HGV and does not meet "all" of the mandatory criteria. SMW Letter at 4-11. O3a-13 As explained above, the existing HGV Boundary is surrounded by Semi-Rural and Rural lands, as required by the Community Development Model. GP at 2-8, 3-6, San Dieguito Regional Category Map. The Project is not "contiguous" with this Boundary because it is not in actual contact with it. *Id.* at 5-9; Merriam-Webster Dictionary, https://www.merriam-webster.com/dictionary/contiguous (last visited May 23, 2017) (defining "contiguous" as "being in actual contact," "touching along a boundary or at a point," or "touching or connected throughout in an unbroken sequence"). The DEIR attempts to make the contiguity rule more generous by claiming that an expansion may be "physically adjacent *or* contiguous" with an existing village, rather than simply "contiguous." DEIR at 3.1.6-24 (emphasis added). It also describes various components of HGV that are *near* the Project, but identifies none that actually SHUTE, MIHALY WEINBERGER LLP	**Response to Comment O3a-13** Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Comment Letter O3a

share a border with or are even immediately next to the HGV Boundary. Word games and hand waving do not bring the Project within the meaning of Policy LU-1.4.

In addition, one of the four mandatory criteria for an expansion is that it be "consistent with community character, the scale, and the orderly and contiguous growth" of the existing village. GP 3-24. As detailed in our previous letter, the character and scale of the Project clash with the surrounding rural, large-lot, equestrian-friendly community. SMW Letter at 10. The Project also interferes with the orderly and contiguous growth of HGV. The Community Development Model directs villages to concentrate density and higher intensity uses in the center of the village and transition to less intense uses near and outside the village boundary. GP at 2-9. The Project would locate new density outside the HGV Boundary, in a region that the Community Plan directs to reduce land use intensity. SMW Letter at 10. This change is not consistent with the orderly growth of HGV.

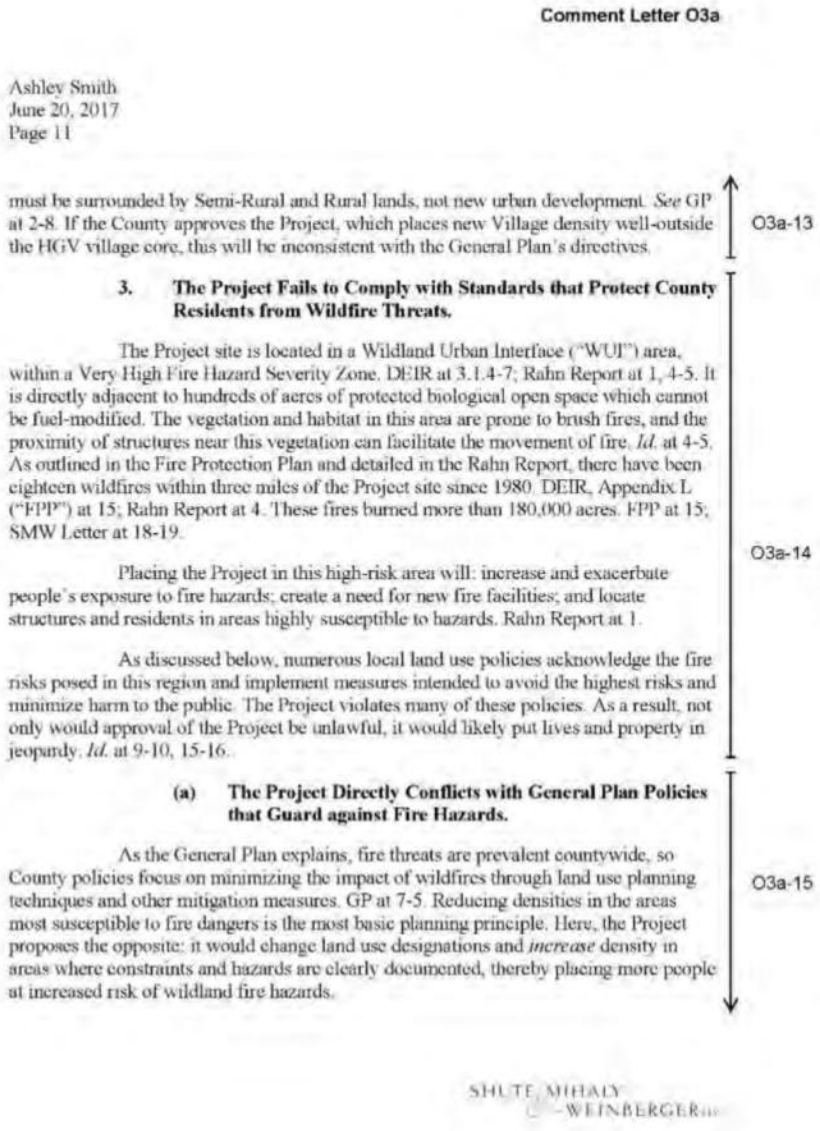
Further, the Project fails to meet the requirement that the expansion be "compatible with environmental conditions and constraints, such as topography." GP at 3.24. The proposed new village area would include 7.7 acres of steep slopes – approximately a fifth of the development. DEIR at 1-33 to 1-34. Accordingly, an expansion of HGV into this steep area is not compatible with the local topography. O3a-13

Because the Project is not contiguous with HGV and fails to meet several other mandatory requirements for village expansions, it directly conflicts with the General Plan and cannot be approved. *Napa Citizens*, 91 Cal.App.4th at 379.

2. The Project Is Inconsistent with the Community Development Model.

Like the proposed land use amendments, the proposed development itself is incompatible with the Community Development Model. General Plan Policy LU-1.1 directs the County to assign land use designations "in accordance with the Community Development Model." GP at 3-23. Likewise, General Plan Policy LU-1.2 prohibits "leapfrog development" (defined as "Village densities located away from established villages") that is inconsistent with the Community Development Model. *Id.*

The existing land use designations were selected to implement the Community Development Model and reflect the unique issues, character, and development objectives of the Community Plan area. *Id.* at 3-23 (Policy LU-1.1), 3-25 (Policies LU-2.1, LU-2.4). This means that to be consistent with the General Plan, HGV

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	**Response to Comment O3a-14** Please see Response to Comment O3c for a response to Exhibit B ("Rahn Report") and the Global Response to Fire Hazards Impact Analysis. **Response to Comment O3a-15** The County disagrees that the Project would conflict with General Plan Land Use and Safety Element policies related to fire hazards. The comment is correct in stating the Safety Element protects County residents with policies "that locate development away from hazardous areas." However, the County General Plan policies also focus on minimizing the impact of wildfires through land use planning techniques and other mitigation measures. The General Plan explains that such minimizing techniques are necessary because avoiding high threat areas is not possible as most of the unincorporated County is located within very high or extreme fire threat areas (Figure S-1 [Fire Threat], General Plan, Safety Element, page 7-5). Therefore, the commenter's suggestion that reducing density is the only acceptable land use planning technique in areas most susceptible to fire danger in the County would result in preventing development within most of the unincorporated County. It also ignores the focus on minimizing the impact of wildfires through mitigation measures and incorrectly implies that there is only one way to minimize the risks posed from wildland fires. In addition, the EIR does not neglect Policy S-1.1. Relevant to assignment of land use densities and designations in the general sense, this is a County responsibility as a land use agency. In order to carry out this responsibility, the County is engaged in a continuing process of analyzing proposed projects and their appropriateness of varied settings. The Project has been specifically reviewed relative to its incorporation and responsiveness to site specific constraints and hazards. In conjunction with S-1.1, applying the other policies of the General Plan such as Policy LU-6.10 and 6.11 would mean that development would be located on the Project site so as to minimize the risk of structural loss and life safety resulting from wildland fires. The Project would not be developed where hazards cannot be mitigated. Additional information relevant to fire concerns is provided below. The RSFFPD and the County have vetted the Project's FPP and related risk assessment and have accepted the FPP, thus concurring that the Project's location does not heighten its vulnerability to wildfire. The developed portions

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	of the Project are located on the lower elevations (more valley floor) instead of at ridgetops with adjacent shrub fuels, where wildfire typically burns more aggressively. Also, the Project is located adjacent to lower density fuel load landscapes that provide buffers from encroaching wildfire (HGV to the north, existing grass-dominated landscape to the northwest). Further, there is a fully staffed, Schedule A (full time staffing 24 hours per day, 7 days per week) RSFFPD fire station within a very short distance and response time to all portions of the Project. Importantly, the Project's location includes a robust fire-fighting response capability through various mutual and automatic aid agreements. Fire agencies that can respond quickly to wildfires in the region include RSFFPD, San Marcos Fire Department, Escondido Fire Department, and CAL FIRE. Vegetation fires require special apparatus and depending on weather and fuel conditions, may require a significant response. RSFFPD will be able to call on the full CAL FIRE response, which initially would include 5 to 10 Type III engines (depending on dispatch level), a Battalion Chief, three fixed-wing aircraft (two tankers and air attack), a dozer, two hand crews, and two helicopters. Extended fire events would result in a much larger response with thousands of firefighters and hundreds of engines, as well as additional aircraft. Please refer to Response to Comment O3a-9 regarding Policies LU-6.10 and 6.11. Please also see the Global Response to Fire Hazards Impact Analysis.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 12 The DEIR acknowledges that, to avoid hazards associated with fires, the Project "must be consistent with" numerous General Plan Land Use and Safety Element policies. DEIR at 3.1.6-19. The Safety Element protects County residents with policies "that locate development away from hazardous areas." GP at 7-2. While the DEIR cites several of these relevant safety policies, it neglects the overarching Policy S-1.1, which seeks to "[e]nhance[] public safety and the protection of public and private property" by directing the County to "[m]inimize the population exposed to hazards by assigning land use designations and density allowances that reflect site specific constraints and hazards." *Id.* at 7-4. Likewise, the Land Use Element and maps ensure land use designations will direct development away from hazards. *Id.* at 7-2. Policy LU-6.11, which the DEIR identifies as relevant, states: "**Protection from Wildfires and Unmitigable Hazards.** Assign land uses and densities in a manner that minimizes development in extreme, very high and high fire threat areas." *Id.* at 3-29. Similarly, Policy LU-6.10, which the DEIR fails to cite, "[r]equire[s] that development be located . . . to protect property and residents from the risks of natural and man-induced hazards." *Id.* O3a-15 Because the Project places dense, urban development in a Very High Fire Hazard Severity Zone, it directly conflicts with these policies. Further, because these conflicts stem from the location of the Project, they cannot be resolved with fire safety measures in a Fire Protection Plan. **(b) The Project violates the County's secondary egress requirements, and no evidence supports an exception.** Development regulations – as well as common sense – require more than one point of access for a community as large as that proposed here. Numerous local, state, and federal fire safety standards emphasize the importance of multiple ingress/egress routes. Rahn Report at 8-10. Both the General Plan and the County Fire Code apply this requirement to developments in the County. O3a-16 The General Plan requires developments to include secondary access routes, to facilitate emergency services and evacuation. Policy M-1.2 directs the County to "provide both primary and secondary access/egress routes that support emergency services during fire and other emergencies." GP at 4-12. The Fire Hazards section of the General Plan similarly states the County will "[r]equire development to include multiple access/egress routes when necessary to ensure adequate safety." *Id.* at 7-7. Policy S-3.5 states: "Access Roads. Require development to provide additional access roads where necessary to provide for safe access of emergency equipment and civilian evacuation SHUTE, MIHALY WEINBERGER	**Response to Comment O3a-16** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. Specifically regarding Policies M-1.2, S-3.5 and S-2.6, these policies are directed at County-wide application and are not specifically project related . Each of these policies focuses on secondary access and/or safe evacuation in emergency, with S-3.5 requiring "additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently." Secondary access is not required in every instance by S-3.5, but is only required where necessary. S-2.6 requires the development and implementation of an effective evacuation program for areas of risk in the event of a natural disaster. Policy M 1.2 reflects the County's desire to provide an interconnected public road network with multiple connections that improve efficiency by incorporating shorter routes between trip origin and destination, disperse traffic, reduce traffic congestion in specific areas, and provide both primary and secondary access/egress routes that support emergency services during fire and other emergencies. Further, the Fire Code allows for modifications (Sec 96.1.104.8) subject to specific findings. The HGV South modification has been determined by the County and RSFFPD to meet the necessary specific findings, as detailed in the HGV South FPP Section 5.2.1 and described below. The Proposed Project would widen Country Club Drive to three lanes and provide multiple additional fire protection and traffic measures in lieu of secondary access. This would improve the function of the existing intersection with Harmony Grove Road and provide for additional capacity to expedite emergency access out of or into the site. It would provide additional emergency evacuation and three separate access ways within the Project. (These access roads are part of a looped interior road system that ensures that the northern roadway can be accessible by all residents.) This widening would benefit the Project, as well as other residents south of Harmony Grove Road in case of emergency.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 13 concurrently."[1] *Id.* at 7-8; *see also id.* at 7-5 (Policy S-2.6: "Effective Emergency Evacuation Programs. Develop, implement, and maintain an effective evacuation program for areas of risk in the event of a natural disaster."); SMW Letter at 21-22. The County Fire Code puts these General Plan directives into action by requiring that developments meet numerous, strict standards to protect health and safety. In particular, the Fire Code limits the length of dead-end roads for fire safety purposes. Fire Code § 503.1.3, Dead-end roads,[2] including all dead-end roads accessed from other dead-end roads, must not exceed a maximum length of 800 feet for parcels zoned for less than 1 acre. This ensures that residents can escape even if one road is blocked and that emergency personnel may access a site via multiple routes. As detailed in our previous letter and the Rahn Report, the requirement for safe egress is absolutely crucial. Nonetheless, the Project proposes to have a dead-end road that is approximately a mile long – more than five times longer than the maximum allowed by the Fire Code. *See* FPP at 20; DEIR at 3.1.4-20. Accordingly, some Project residents would have to drive nearly a mile 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 evacuate. Rahn Report at 9. O3a-16 While the Fire Code allows modifications to its requirements in certain, narrow circumstances, a modification to the secondary egress requirement is wholly inappropriate here. Rahn Report at 9-10; SMW Letter at 20-21. A modification to Fire Code requirements is only allowed where: strict compliance is "impracticable," "the modification is in compliance with the intent and purpose" of the Fire Code, and the modification "does not lessen health, life and fire safety requirements." Fire Code § 96.1.104.8. The DEIR and Fire Protection Plan do not demonstrate that strict compliance with the dead-end rule is "impracticable." Rahn Report at 9, 16. Further, they offer only conclusory claims that the proposed alternative measures would provide an equivalent level of safety, without any empirical evidence. *Id.* In addition, as we previously noted, the Town Council is concerned that the County might be unduly motivated by funding issues to approve a modification to the egress standard. SMW Letter at 25. The Project is slated to be served by the planned [1] Though the DEIR cites almost every General Plan policy supporting Goal S-3 ("Minimized fire hazards"), the DEIR omits this key policy. *See* DEIR at 3.1.6-19. [2] A dead-end road is "[a] road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads." Fire Code § 96.1.202. SHUTE, MIHALY WEINBERGER LLP	Although not providing secondary access as normally configured, there also would be four ingress and egress routes available north of Escondido Creek (Rohde & Associates 2016). Therefore, there is no conflict with Policies M-1.2, S-3.5, and S-2.6. The courts have consistently held that a project need not be a perfect match with each and every policy, but needs only to be consistent overall with the General Plan (Friends of Lagoon Valley v. City of Vacaville [2007] 154 Cal.App.4th 807, 817; see also Sequoyah Hills Homeowners Assn. v. City of Oakland [1993] 23 Cal.App.4th 704, 719, 29 Cal.Rptr.2d 182, consistency is defined as "compatibility" and not strict adherence to every policy in the general plan). The comment regarding the speculative motive to approve the Proposed Project is noted but does not raise specific issues regarding the content of the EIR. As such, it does not require further response.

COMMENTS	RESPONSES

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Harmony Grove Village fire station, which is currently underfunded. *See* DEIR at 3.1.4-22; 3.1.9-9. Approving the Project would provide more homes—and accordingly more funding—for this fire station, thereby helping address this funding shortfall. *Id.* at 3.1.9-9 (HGV fire station requires additional funding to cover annual operating costs and the Project would provide funding "to help close the financial gap that currently exists."). Although the County should certainly consider all reasonable ways to address the funding shortfall, the County must not place budget issues before public safety.

The measures proposed to substitute for the secondary egress are untested and would use the new community as guinea pigs, rather than ensuring their safety. *Id.* Even if a modification to the dead-end road maximum could ever be appropriate in a Very High Fire Hazard Severity Zone like the Project area, the information included in the DEIR and FPP fall far short of the bar. Thus, the Project would violate General Plan and Fire Code provisions that require a secondary egress to protect public safety. O3a-16

III. Approval of the Project Would Violate the Subdivision Map Act.

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 1-31. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov. Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision … may be enjoined for lack of consistency of the subdivision map with the general plan."). O3a-17

As detailed above and throughout this letter, the Project is inconsistent with various goals and policies set forth in the County's General Plan. *See, e.g.*, Section II, *supra*. Because approval of the Project would violate the general plan consistency requirements of the Subdivision Map Act, the Project application must be denied.

IV. The DEIR's Description of the Project and Environmental Setting Are Flawed.

A. The Project Description Is Misleading. O3a-18

The DEIR presents a misleading project description that paints the proposed Project as a continuation and natural outgrowth of Harmony Grove Village. The

Response to Comment O3a-17

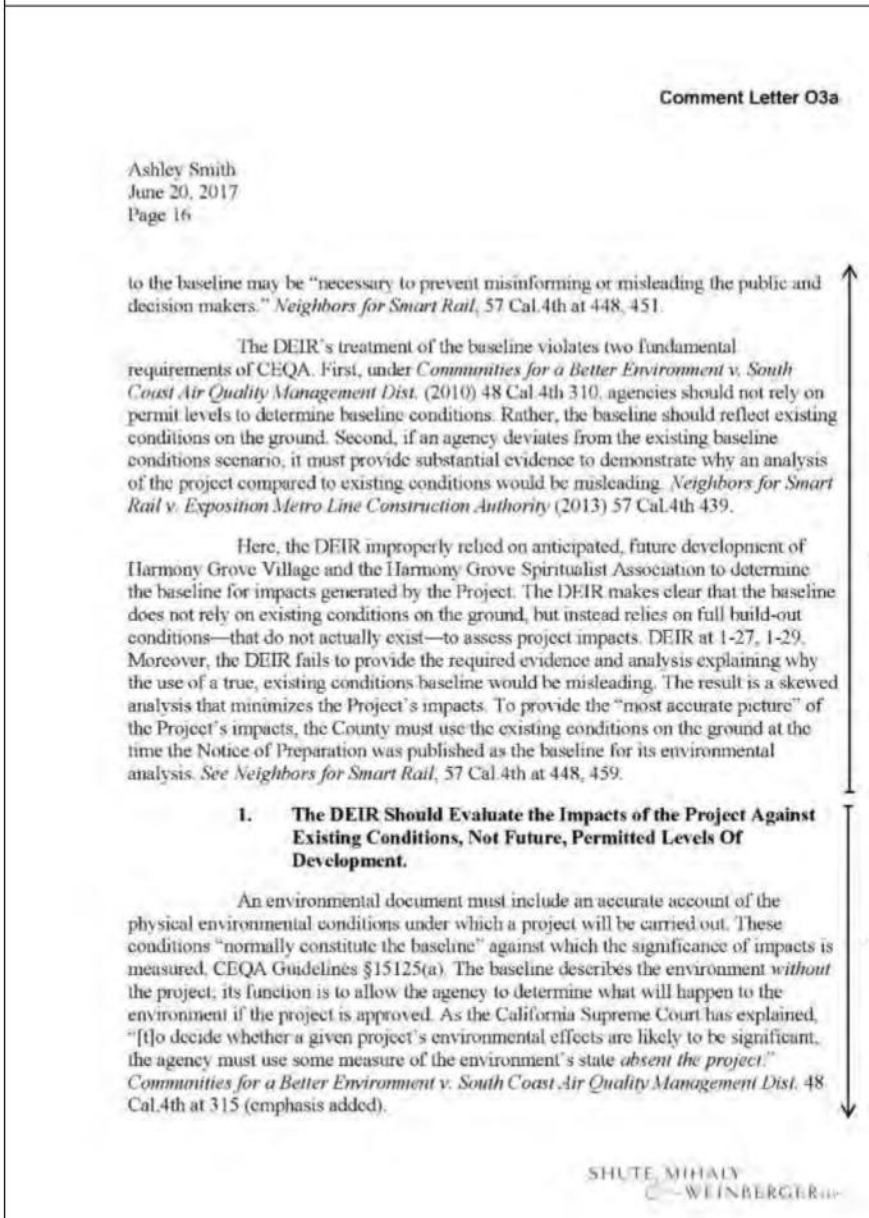
The County disagrees that the Project is inconsistent with the General Plan as detailed in the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. Therefore, the Project is not in violation of the Subdivision Map Act.

Response to Comment O3a-18

The County disagrees that the EIR Project Description is flawed or misleading or that the Project is not contiguous to the adjacent HGV. The name of the Project describes a geographic and neighborhood location. The comment is incorrect that the Project is described as "infill" on the cited pages. That word does not occur in either the Summary or Chapter 1.0 of the EIR, regardless of page. The comment is correct that the presence of HGV, including the completed parks and planned Equestrian Ranch across the street from HGV South, provides physical context for Project analysis. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 15 DEIR states that "The presence of HGV, as well as the improvements already built or committed to as part of HGV, provides the physical context through which to view the Proposed Project." DEIR at 1-2. Even the name of the proposed Project (i.e., Harmony Grove Village South) appears to be chosen to purposely confuse decision-makers and the public, and to suggest that it is part of the already approved project to the north. The DEIR also describes the Project as "infill development" that would complete the fourth quadrant of the cross-road intersection occupied by Harmony Grove Village. DEIR at ES-3 to ES-4, 1-26. These statements imply that Harmony Grove Village somehow sets the stage for the proposed Project and that HGVS is planned to complete Harmony Grove Village. However, the two projects are completely separate and unrelated. Development of the Project is not a natural evolution of the existing community, but rather a new subdivision of 450 units inconsistent with the rural densities designated on the site that would alter the site from rural to urban scale uses. *See* CP at 27 (HGV Boundary limits urban development to areas within the Boundary; "[a]reas outside this limit line are not intended to expand and should retain the original Harmony Grove rural residential and agricultural character."); *see also* GP, San Dieguito Regional Category Map, 3-25 (Policies LU-2.5, LU-2.6) (existing General Plan land use designations ensure a buffer between HGV and Escondido). Urban densities on this site were specifically rejected during the visioning workshops for the entire valley led by County staff as part of the General Plan update process. Instead the community and County staff agreed to site all of the new dense housing north of Escondido Creek at the Harmony Grove Village site. O3a-18 **B. The DEIR Uses an Improper Baseline for Assessing Project Impacts.** Under CEQA, a lead agency must establish an appropriate baseline against which to assess whether a project's environmental effects are likely to be significant. *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447. "The key [to determining the proper baseline] is the EIR's role as an informational document." *Id.* at 453. The lead agency must "employ a realistic baseline that will give the public and decision makers the most accurate picture practically possible of the project's likely impacts." *Id.* at 459. This baseline normally reflects "the existing physical conditions in the affected area, that is, the real conditions on the ground." *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321 (citations omitted). Accordingly, agencies cannot use allowable development as the baseline for environmental review, when such development has not been realized. *Id.* at 320-22. However, under certain circumstances, adjustments O3a-19 SHUTE, MIHALY WEINBERGER	**Response to Comment O3a-19** The County agrees with the general statements regarding identification of baseline, that it generally reflects the existing condition, that its purpose is to establish the most appropriate basis against which to assess whether Project impacts could be significant, and that in some instances adjustments "may be necessary to prevent misinforming or misleading the public and decision makers." The County disagrees with the comment that baseline data used in the traffic study is not appropriate or would otherwise violate CEQA. Please see the Global Response to Baseline Conditions, which addresses this question overall. However, addressing just the issue of traffic, it was determined that assuming solely existing conditions would result in skewing Project analyses. In order for the traffic analysis to be informative and not misleading, it was clear that all of HGV's roadway improvements were completed or nearing completion and as such should be included in describing the underlying roadway conditions. These roadway improvements would provide additional capacity at a number of the impacted locations. Therefore, the addition of HGV's traffic volumes to the overall street system both in the County and the City of Escondido would reduce the available capacity area-wide that would otherwise be available for the Proposed Project, creating a more accurate and conservative picture of the Project's likely impacts. It eliminated any artificial capacity that would have appeared available based on existing traffic loads, but which was actually already allocated to the approved and building out HGV; and therefore clarified the additional loading that HGV South traffic would put on the existing system. Assuming traffic counts based solely on existing uses at that time would have created a misleading picture of existing conditions that would continue to change on a monthly (or perhaps even shorter periods of time) as sales ensued and residents moved in. To demonstrate that the study was conservative, and did not underestimate existing conditions, 2017 validation counts were undertaken. Please see the Response to Comment O3a-29 of this letter, which specifically addresses this issue.

COMMENTS	RESPONSES
	Relative to the Harmony Grove Spiritualist Association (HGSA), the assumption that it would rebuild was based on conversations both with HGSA residents and County staff following the Cocos fire. The current EIR assumptions related to HGSA do not significantly affect substantive analysis relative to the Project and its setting given its small size and location at the far extent of Country Club Drive.

COMMENTS	RESPONSES
	**Response to Comment O3a-20** The comment uses the concepts of "permitted" development and "building out" development as synonymous terms. This is not appropriate to the discussion. This is not a case of assuming "permitted" development. That term usually applies to a baseline assuming that future, speculative, and unknown uses could be in place simply because those uses would be allowed under a plan or permit. In this case, at the time of issuance of the Project's NOP (2015), most of the buildable portion of the HGV site was graded, Country Club Drive had been widened, Harmony Grove Road and Harmony Grove Village Parkway had been newly constructed, and Harmony Grove Road had been realigned and was in the process of being improved. Overall, roadway widths had been widened, additional lanes were present, and striping was completed on these wider roadways. Vertical construction of HGV was underway and home sales had begun. Other HGV infrastructure (sewer facility) and public park areas were completed. Sales are ongoing, and residents are moving in. What would be most speculative at this point (as well as earlier in the process) would be to assume that the developer would suddenly stop implementing the parts of that project that will provide payment for all the up-front development costs that had already been expended. Please see the Global Response to Baseline Conditions as well as Response to Comment O3a-19. With respect to the comment that the Project-generated traffic is the result of an inflated baseline, which results in an underestimation of Project-related traffic impacts, the County disagrees. Instead, the County finds that the baseline volumes used in the analysis conservatively overstate current traffic loading in the study area. As noted above, if only the traffic utilizing area roadways had provided baseline for the Project traffic study, the roadway capacity that had already been improved or newly constructed by HGV as part of its build out along Harmony Grove Road, Country Club Drive and Harmony Grove Village Parkway, would have provided an apparent and substantial excess capacity, which the Project traffic could have filled during modeling, with the result that Project impacts would have been underestimated.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 17 Given the particular facts surrounding a project, an agency must determine, "in the first instance, exactly how the existing physical conditions *without the project* can most realistically be measured." *See id.* at 328 (emphasis added). Selecting the appropriate baseline is crucial to ensuring that a project's impacts are fully disclosed and analyzed, as required by CEQA. *See Woodward Park*, 150 Cal.App.4th at 707 (baseline requirement "protect[s] the fundamental essence of an EIR, its evaluation of a project's environmental impacts"). Selecting an improper baseline "can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result." *Environmental Planning and Information Council of W. El Dorado County v. County of El Dorado* (1982) 131 Cal.App.3d 350, 357 ("*EPIC*"). Here, the DEIR's reliance on permitted, rather than actual levels of site use and occupancy, violates CEQA. The DEIR acknowledges that, at the time the NOP was published (August 2015), Harmony Grove Village was not constructed, much less occupied, and that Harmony Grove Spiritualist Association (comprised of a church, residences, and associated buildings) was burned by wildfire in May 2014. DEIR at 1-27, 1-29. In addition, area residents report that, since the NOP, only approximately 30 dwelling units in Harmony Grove Village are occupied. The DEIR provides no information on Harmony Grove Village's actual current level of occupation. Yet, the DEIR assumed that all the vehicle trips previously approved for Harmony Grove Village in 2008—thousands of daily weekday trips from more than 700 dwelling units—would serve as the baseline for the Project's impacts. DEIR at 2.2-5. O3a-20 Construction and occupation of the remainder of the Harmony Grove Village residences is subject to market conditions, and is thus, speculative. Given that those trips were not occurring at the time of the Notice of Preparation ("NOP"), this assumption is based on speculation of a theoretical future condition rather than the existing traffic condition. The result is that Project-generated traffic is compared to an inflated baseline, which results in an underestimation of Project-related traffic impacts. This approach runs contrary to legal precedent, as well as to the fundamental purposes of CEQA. **2. The DEIR Lacks Support For Establishing a Baseline Based Upon Theoretical Future Conditions.** *Communities for a Better Environment* establishes that the baseline must be consistent with the major purposes underlying CEQA: public disclosure and mitigation of a project's environmental impacts. *Id.* at 322; *see also Woodward Park Homeowners Association*, 150 Cal.App.4th at 707. As a result, an agency cannot select a baseline that O3a-21 SHUTE, MIHALY WEINBERGER LLP	**Response to Comment O3a-21** Please see Response to Comment O3a-19. Please see the Global Response to Baseline Conditions. Regarding the final point in this comment, it is agreed that assuming HGV traffic pushes Project traffic closer to thresholds. This is exactly what is meant by conservative—by adding Project traffic to a baseline assuming HGV results in any Project exceedances being seen as direct impacts that require direct mitigation, rather than simply contributing to a cumulative condition.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 18 provides "an illusory basis for a finding of no significant adverse effect." *Communities for a Better Environment*, 48 Cal.4th at 322. The Supreme Court reiterated this holding in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 453, where it found that agencies must support the decision to deviate from an existing conditions baseline by demonstrating that it would result in a misleading view of a project's impacts. As discussed above, an agency's choice of baseline must allow it to realistically describe *both* the existing environmental conditions and the impacts of the project. Thus, an agency's choice of baseline should both accurately characterize the existing environment and allow the agency to analyze and mitigate the full scope of a project's impacts. The DEIR evaluates conditions for the permitted levels for Harmony Grove Village but fails to evaluate existing environmental conditions. The DEIR states that incorporating full traffic loading that will result from Harmony Grove Village into the existing baseline provides "the most accurate and most conservative (most impactful) assessment of traffic and traffic-reliant technical issues, such as noise, air quality and GHG." DEIR at 2.1.6-2. However, to the extent that the Harmony Grove Village traffic makes area intersection operating conditions worse, the effect would be to create a more conservative version of existing conditions (i.e., intersection levels of service would be closer to exceeding the adopted threshold). The DEIR fails to provide substantial evidence in support of its decision to deviate from an existing conditions baseline. **V. The DEIR's Analysis of and Mitigation for the Impacts of the Proposed Project Are Inadequate.** The EIR is "the heart of CEQA." *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392 (citations omitted). It is "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action." *Id.* (citations omitted). Where, as here, the environmental review document fails to fully and accurately inform decision-makers, and the public, of the environmental consequences of proposed actions, it does not satisfy the basic goals of the statute. *See* Pub. Resources Code § 21061 ("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment. . . ."). SHUTE, MIHALY WEINBERGER LLP O3a-21 O3a-22	**Response to Comment O3a-22** The County disagrees that the EIR fails to adequately analyze the Project's environmental impacts. Moreover, the comment is general and does not raise specific issues regarding the content of the EIR. Please see Response to Comment O3a-23 through O3a-51 for responses to specific issues raised.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 19 The evaluation of a proposed project's environmental impacts is the core purpose of an EIR. *See* CEQA Guidelines § 15126.2(a) ("An EIR shall identify and focus on the significant environmental effects of the proposed project"). It is well established that the County cannot defer its assessment of important environmental impacts until after the project is approved. *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306-07. As explained below, the DEIR fails to analyze the Project's numerous environmental impacts, including those affecting land use, transportation and circulation, air quality, climate change, and public health and safety. In addition, in numerous instances, the EIR also fails to adequately analyze the Project's cumulative impacts. These inadequacies require that the DEIR be revised and recirculated so that the public and decision-makers are provided with a proper analysis of the Project's significant environmental impacts and feasible mitigation for those impacts. *See* CEQA Guidelines § 15002(a)(1) (listing as one of the "basic purposes" of CEQA to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities"). O3a-22 **A. The DEIR Fails to Address Environmental Impacts that Will Likely Result from the Proposed Land Use Amendments.** CEQA requires agencies to study the environmental impacts of discretionary project approvals, including projects that will weaken land use policies and regulations designed to avoid or mitigate environmental effects. Pub. Resources Code § 21100; *Inyo Citizens for Better Planning v. County of Inyo* (2009) 180 Cal.App.4th 1, 9-10. "Projects" subject to environmental review include the adoption and amendment of general plans. CEQA Guidelines § 15378(a)(1); *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 409. For example, in *Inyo Citizens*, the court found that, because a land use plan could be interpreted as a development moratorium, an EIR was required to consider the environmental impacts of an amendment that would remove the moratorium. 180 Cal.App.4th at 9-10. O3a-23 In particular, under well settled law, an EIR must analyze a planning amendment's maximum development potential, not an estimated or desired level of development. Specifically, the evaluation of a general plan amendment must include consideration of all future development permitted by the amendment. *City of Redlands*, 96 Cal.App.4th at 409. Environmental review of potential development allowed by planning enactments must occur regardless of whether additional impediments to that development remain. *Christward Ministry v. Super. Ct.* (1986) 184 Cal.App.3d 180, 194- SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-23** Please see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis (particularly under the heading "Secondary Effects of Plan Amendments" and Project Consistency with General Policy LU-1.4).

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Comment Letter O3a Ashley Smith June 20, 2017 Page 20 95; *City of Carmel-by-the-Sea v. County of Monterey* (1986) 183 Cal.App.3d 229, 235, 241-42 (EIR must be prepared for rezoning, even if no expanded use of the property is proposed). The proposed land use amendments associated with this Project would loosen development restrictions intended to strictly control growth in the unincorporated County, with far-reaching impacts. For example, the Project would extend the HGV Boundary well beyond the proposed development area for the Project. Figure II.2, Proposed Regional Categories, HGVS. Although the Project does not designate the entire area within the Boundary as Village land, the Community Plan's growth directive turns on the Boundary, not the Village land designation. PCP at 29 (HGV Boundary "is a growth boundary that identifies land to which development should be directed"). This means that future growth could be directed throughout the HGV Boundary area. In addition, the proposed Community Plan amendments eliminate the requirement that urban homes not outnumber the rural homes. *Id.* at 22, 33. So while the Community Plan currently imposes an absolute cap on the pace of urban growth, the qualitative policies in the proposed amendments would allow substantially more urbanization, with a wide range of environmental impacts, including impacts related to wildland fire hazards, traffic, air quality, and climate change. O3a-23 If the County had approved only the land use plan amendments, without the proposed development, the County would have been required to analyze the potentially significant impacts of the full range of potential development allowed by those amendments. CEQA Guidelines § 15378(a)(1). The fact that the Project also includes a specific development does not change this obligation. Nonetheless, the DEIR systematically fails to consider the broad potential environmental impacts of development allowed by the proposed amendments. Failure to disclose this critical information violates CEQA. **B. The DEIR Fails to Adequately Analyze Fire Hazards.** The fire hazards caused by and affecting development in the Project area cannot be overstated. As recent years have demonstrated, wildfires dramatically alter the environment in California, pose a tremendous risk of injury and death, and cause billions of dollars of damage to buildings and infrastructure. The Project site, in particular, is located in a Very High Fire Hazard Severity Zone and has burned regularly: the site itself burned in the 1997 Del Dios Fire and the 2014 Cocos Fire reached the northwest edge of the property. FPP at 14. In addition, the area immediately surrounding the Project site has O3a-24 SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-24** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. Please also see Response to Comment O3c for a response to Exhibit B ("Rahn Report").

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suffered from eighteen fires since the 1980s – a fire frequency of less than two years. *Id.* at 15; Rahn Report at 4.

The proposed Project would expand the WUI, contributing to even greater fire risks. Rahn Report at 4-5. The environmental destruction wrought by wildfires is exacerbated by development in the WUI, which unwisely places people and structures directly in the line of fire. *Id.* at 5. Further, the threat of wildfire is increasing. *Id.* at 12-15. In the coming decades, climate change will alter temperatures, winds, precipitation, and species, with potentially substantial fire hazard impacts. *Id.* Because of the severe fire risks, one would expect the DEIR to thoroughly examine the potential for the Project to exacerbate hazardous conditions and identify comprehensive measures to reduce this risk. It does not.

1. The DEIR Improperly Concludes Inconsistencies with Fire Hazard Policies Are Not a Significant Impact.

As explained above, the DEIR fails to acknowledge that the Project is inconsistent with the land use policies regarding fire hazards and safe evacuations. These inconsistencies constitute significant environmental impacts. *See* CEQA Guidelines, Appendix G; DEIR at 3.1.4-19 to 3.1.4-20 (significant impacts related to fire hazards would occur if the Project cannot demonstrate compliance with all applicable fire codes; Project does not comply with Fire Code § 503.1.3). The Project's proposed alternatives to strict compliance with Fire Code section 503.1.3 are premature and unlawful mitigation measures that cannot be used to avoid identifying this significant impact. *See Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658 (rejecting EIR that relied on project modifications to find no significant impact, instead of identifying significant impacts and considering mitigation measures). O3a-24

2. The DEIR's Conclusion that the Project Will Not Increase Fire Hazards Is Unsupported.

The DEIR's analysis of the Project's fire hazards is also inadequate. The Project would result in a significant impact if it would 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. CEQA Guidelines, Appendix G § VIII(h); FPP at 19. The DEIR and FPP conclude that, because the Project would convert ignitable fuels into a developed landscape, the Project would not significantly increase fire hazards. DEIR at 3.1.4-26; FPP at 19.

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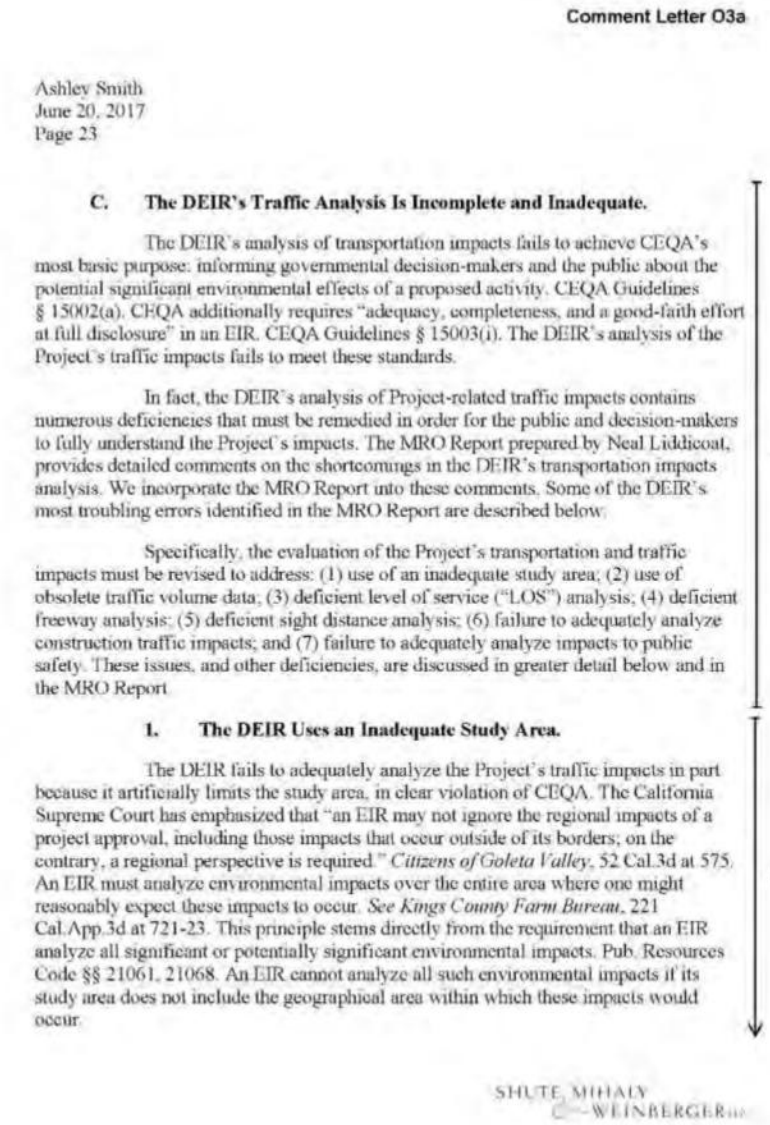
This conclusion is not supported by substantial evidence. To the contrary, the Project would expose current and future residents in the area to a significant risk of injury or death involving wildland fires. Rahn Report at 6-12. The Project would place nearly 500 residences in wildlands that have burned regularly. All residences are potential ignition sources, regardless of fire hardening measures. *Id.* at 6. Further, allowing development at "Village" densities exacerbates the risk of fire compared to existing patterns of development. The benefits of fuel modification do not outweigh these added risks. "[W]hen a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users." *Cal. Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 377. The DEIR failed to do so.

3. The DEIR Fails to Propose Feasible Mitigation Measures to Reduce Project-related Fire Hazards.

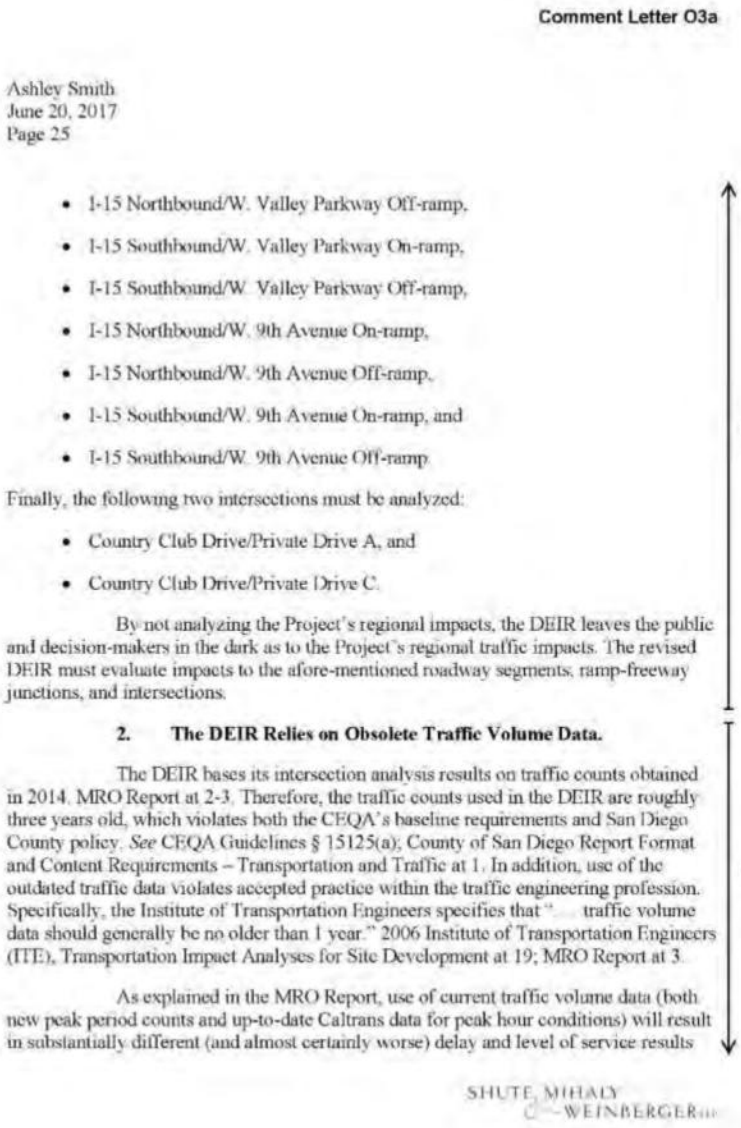
An EIR is inadequate if it fails to suggest feasible mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79. Of course, the County may not use the inadequacy of its impacts review to avoid mitigation: "The agency should not be allowed to hide behind its own failure to collect data." *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 36. Building dense residential development on steep hillside areas with limited ingress/egress is not a trivial issue; the County General Plan and CEQA mandate that these impacts be fully evaluated and minimized. *Id.*

O3a-24

Here, as described above, the Project would exacerbate risks from wildfire hazards to existing residents and introduce new hazards in terms of providing inadequate emergency evacuation routes. These risks constitute a significant impact requiring the County to identify feasible mitigation measures and alternatives to minimize them. The DEIR describes project features to protect the proposed development in case of fire. These features include ignition and ember resistant construction materials and methods for roof assemblies, walls, vents, windows, and appendages, as mandated by San Diego County Consolidated Fire and Building Codes. DEIR at 3.1.4-26. These methods of hardening structures would provide some measure of protection in the case of fire. *Id.* The same hardening methods proposed for the Project would also provide some level of protection to existing homes. Therefore, the DEIR should identify the same mitigation for existing residences to the west and east of the Project to minimize wildfire hazard risks.

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	**Response to Comment O3a-25** Responses to Comments O3b-4, O3b-5, O3b-10, O3b-12, and O3b-13 address traffic data timing, study area, LOS analysis, freeway analysis methodology, and sight distance, respectively. These issues are also addressed below where specific questions have been pulled forward from Response to Comment O3b. Please refer to Response to Comment O3a-29 regarding traffic volumes, O3a-26 for information on the study area, O3a-30 regarding LOS analysis methodology, and O3a-32 regarding sight distance. Response to Comment O3a-33 addresses construction impacts, and Response to Comment O3a-34 addresses public safety. **Response to Comment O3a-26** The commenter states that the traffic study area is inadequate and does not consider the potential impact that the Project could have based on a "regional perspective." The comment does not specify what is meant by "regional perspective," other than that studies cannot ignore impacts occurring "outside of its borders" and to voice concern regarding potential effects with respect to I-15 and I-78. Therefore, the following specific response is provided. Specific to identifying the local street study area, the traffic study area for this Project was established by the County in accordance with its Traffic Guidelines and in accordance with normal process regarding traffic effects under the jurisdiction of sister agencies (abutting cities). Traffic loading analysis did not stop at the County's boundary, as indicated by identification of traffic impacts within the City of Escondido. Those impacts and the proposed mitigation have been reviewed by the City. The I-15 freeway lies within Caltrans jurisdiction. Caltrans reviewed the Project TIA and provided comments during the public review process and did not request such analyses be performed. Despite the lack of need for additional study, a supplemental analysis of the I-15 segment was conducted as requested. No new significant Project impacts were calculated. This issue was raised as part of the attached Comment Letter O3b. The analysis is demonstrated in Attachment D to the final TIA, looking at I-15 mainline analysis.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 24 If the proposed Project were approved, the new development would add a substantial amount of new traffic on Interstate 15 ("I-15"). The Project will generate hundreds of trips each day. Despite this anticipated increase in traffic, the DEIR includes only two freeway segments in the study area, both of which are on State Route 78 ("SR 78"). MRO Report at 3. The DEIR provides no analysis of impacts to traffic operations on I-15. *Id.* As explained in the MRO Report, this is particularly inappropriate given that I-15 will indisputably carry a substantial amount of Project traffic. *Id.* at 3-4. O3a-26 In addition, the DEIR provides no analysis of freeway system capacity on either SR 78 or I-15 to safely and effectively accommodate vehicles entering and exiting these freeways. *Id.* at 4. Such an analysis would address conditions at the locations where ramps meet the freeway and evaluate the effects of delays at these locations on traffic upstream and downstream of the junction. *Id.* This analysis is especially important in this case because the DEIR indicates that certain affected freeway segments (*e.g.*, SR 78 west of Nordahl Road) will operate at an unacceptable level of service under cumulative conditions, thus increasing the likelihood that deficient operations will occur at the ramp-freeway junctions as well. DEIR at 2.2-39; MRO Report at 4. O3a-27 Finally, the DEIR did not analyze impacts to the intersections of Country Club Drive/Private Drive A and Country Club Drive/Private Drive C. Such a limited study area is insufficient to evaluate the impacts of the proposed Project. At a minimum, a revised DEIR should expand the study area to include evaluation of the following mainline segments of I-15: • I-15 between W. Valley Parkway and W. 9th Avenue (both directions), and • I-15 south of W. 9th Avenue (both directions). In addition, merge/diverge analyses must be performed at: O3a-28 • SR 78 Westbound/Nordahl Road On-ramp, • SR 78 Westbound/Nordahl Road Off-ramp, • SR 78 Eastbound/Nordahl Road On-ramp, • SR 78 Eastbound/Nordahl Road Off-ramp, • I-15 Northbound/W. Valley Parkway On-ramp, SHUTE, MIHALY & WEINBERGER LLP	In addition, the EIR traffic study analyzes the SR-78 freeway mainlines and Nordahl Road interchange. As shown in the analysis, acceptable LOS C operations are forecasted with the addition of Project traffic in the near-term condition. While LOS F(0) operations are forecasted on SR-78 westbound, west of Nordahl Road, the Project's contribution to the LOS F(0) conditions is less than significant. The analysis of SR-78 was included to be consistent with other nearby development projects' traffic studies. **Response to Comment O3a-27** The County disagrees with this comment. The traffic study area for this Project was established by the County in accordance with its Traffic Guidelines. The commenter is requesting a merge/diverge analysis. However, in San Diego County (District 11), merge/diverge analyses are not required or included in traffic studies prepared for local development projects, as the measure of effectiveness is not subject to any locally published significance criteria thresholds. When Caltrans District 11 has required merge/diverge analyses, it has been for the purposes of confirming specific design recommendations for freeways yet to be constructed. As such, a merge/diverge analysis was not requested by Caltrans, is not required in District 11, and is therefore not included in the traffic study. Moreover, as previously mentioned, Caltrans provided comments during the public review process and did not request such analyses be performed. See also Response to Comment O3b-6. **Response to Comment O3a-28** The County disagrees with this comment. With respect to the comment regarding the intersection at the two identified private driveways, the EIR/TIA conducted a peak-hour level of service (LOS) analysis for the Project driveways: Private Drive A and Private Drive C, both intersecting with Country Club Drive. Per Section 11.1 of the EIR traffic study, the center turn lane along Country Club Drive will store vehicles turning left onto the Project access streets, thus removing them from the free flow of traffic destined to the existing residences on Country Club Drive. Stop signs would be installed at the Project access roads, and Country Club Drive would flow uninterrupted. With these geometric conditions, acceptable LOS A operations are calculated at the Project access intersections and no excessive queuing would occur. This issue was

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	raised as part of Comment Letter O3b. A supplemental analysis provides the results of the LOS analysis, as demonstrated in Attachment E to the final TIA. With respect to the additional merge/diverge analyses see Response to Comment O3a-27. With respect to expanding the study areas see Response to Comment O3a-26. **Response to Comment O3a-29** The County disagrees with this comment. The comment asserts that the baseline traffic volumes used in the EIR traffic study analysis are "obsolete" and violate County of San Diego "policy," as well as "accepted practice within the traffic engineering profession." The comment goes on to cite specific passages from the County of San Diego's *Report Format and Content Requirements – Transportation and Traffic* document, as well as the ITE's *Transportation Impact Analyses for Site Development* as evidence of these policies and violations. The citations themselves are contrary to the comment's assertion that there are policy violations. For example, with respect to the cited County requirements, the commenter's emphasis is that an assessment "***…is typically based upon traffic counts that are less than two years old…***" However, the remaining portion of that policy goes on to state that traffic counts that are more than two years old can be validated if it can be demonstrated that traffic volumes have not significantly changed since prior counts were taken. The County's Traffic Guidelines clearly state that "These are intended to serve as a guideline and are not intended to replace sound traffic engineering judgment." In fact, the standard of practice by the County is to assess the validity of existing or baseline counts. It is important to note that neither of the other reviewing agencies (City of Escondido, Caltrans) had comments about the age of the counts on the EIR traffic study. Similarly, the ITE document is neither a policy nor a guideline used in San Diego County for the purposes of assessing validity of existing traffic volumes. Again, the commenter's own citation "*…traffic volume data should generally be no older than 1 year.*" would mean that the validity of existing or baseline counts are to be based on sound traffic engineering judgment and the circumstances at hand.

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- I-15 Northbound/W. Valley Parkway Off-ramp,
- I-15 Southbound/W. Valley Parkway On-ramp,
- I-15 Southbound/W. Valley Parkway Off-ramp,
- I-15 Northbound/W. 9th Avenue On-ramp,
- I-15 Northbound/W. 9th Avenue Off-ramp,
- I-15 Southbound/W. 9th Avenue On-ramp, and
- I-15 Southbound/W. 9th Avenue Off-ramp

O3a-28

Finally, the following two intersections must be analyzed:

- Country Club Drive/Private Drive A, and
- Country Club Drive/Private Drive C.

By not analyzing the Project's regional impacts, the DEIR leaves the public and decision-makers in the dark as to the Project's regional traffic impacts. The revised DEIR must evaluate impacts to the afore-mentioned roadway segments, ramp-freeway junctions, and intersections.

2. The DEIR Relies on Obsolete Traffic Volume Data.

The DEIR bases its intersection analysis results on traffic counts obtained in 2014. MRO Report at 2-3. Therefore, the traffic counts used in the DEIR are roughly three years old, which violates both the CEQA's baseline requirements and San Diego County policy. *See* CEQA Guidelines § 15125(a); County of San Diego Report Format and Content Requirements – Transportation and Traffic at 1. In addition, use of the outdated traffic data violates accepted practice within the traffic engineering profession. Specifically, the Institute of Transportation Engineers specifies that "… traffic volume data should generally be no older than 1 year." 2006 Institute of Transportation Engineers (ITE), Transportation Impact Analyses for Site Development at 19; MRO Report at 3.

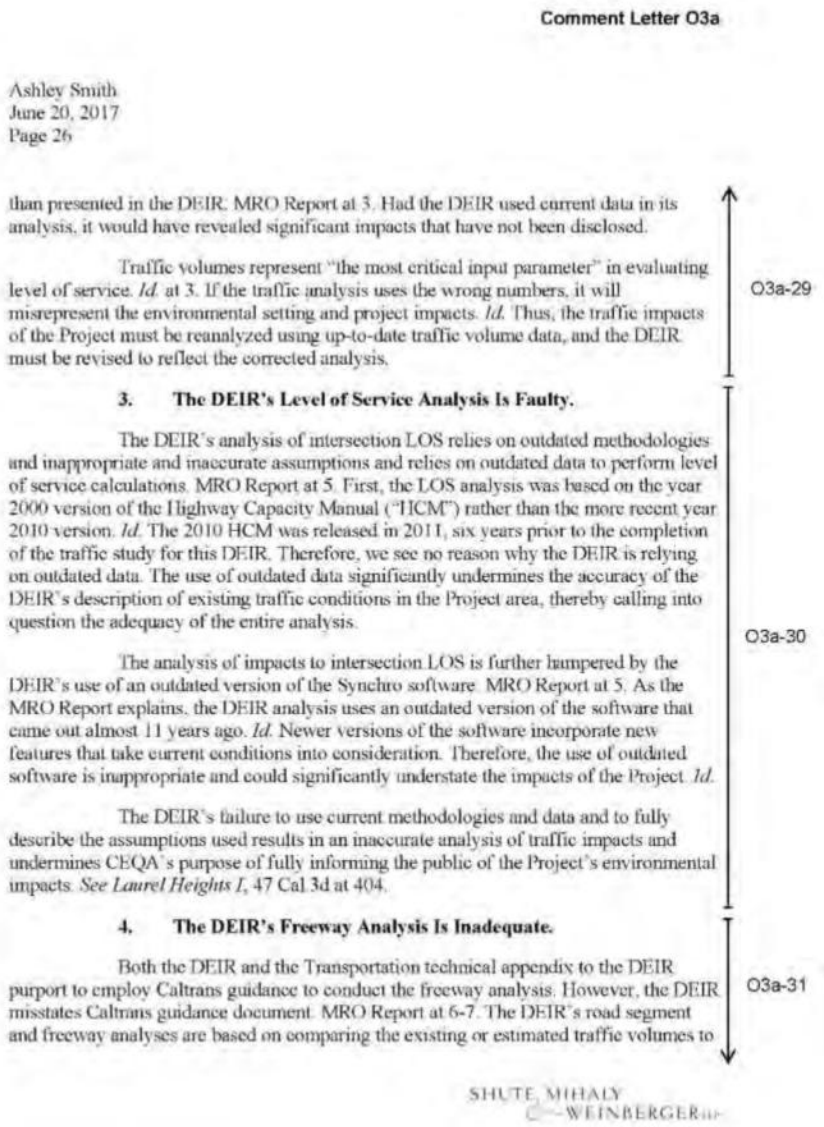
O3a-29

As explained in the MRO Report, use of current traffic volume data (both new peak period counts and up-to-date Caltrans data for peak hour conditions) will result in substantially different (and almost certainly worse) delay and level of service results

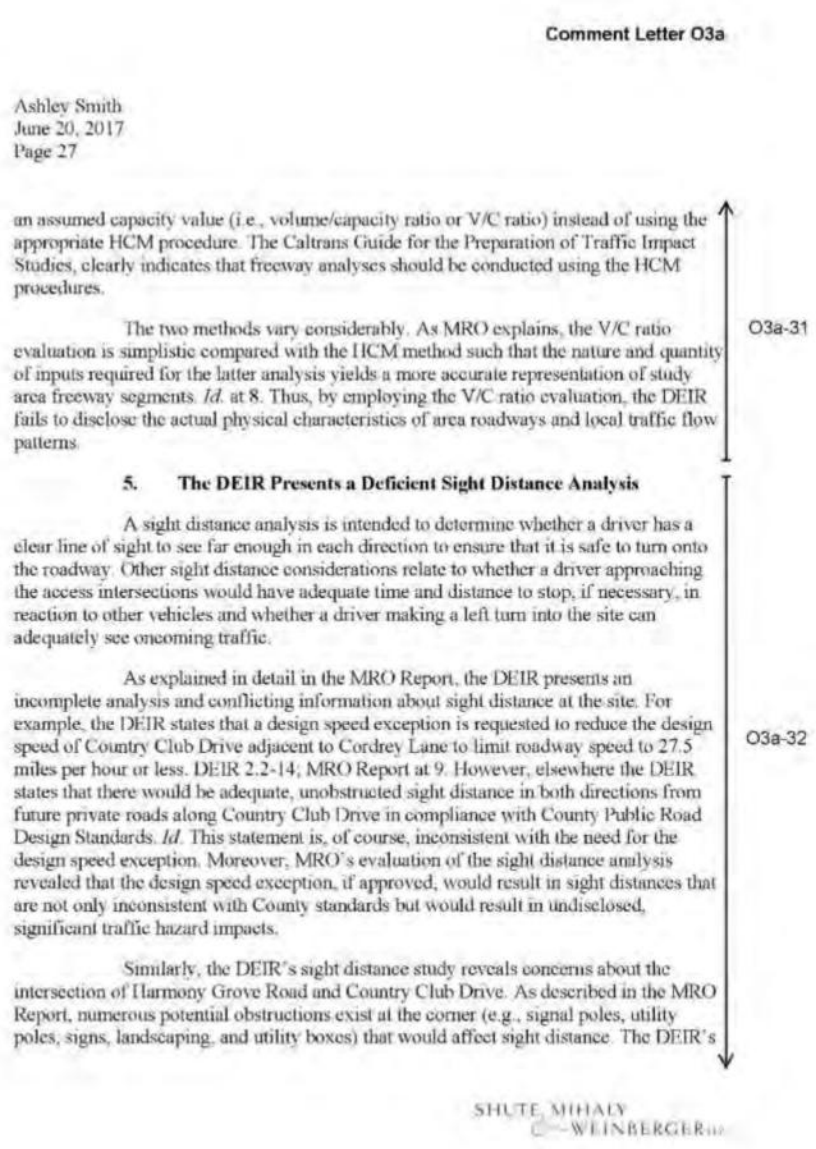
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& WEINBERGER LLP

COMMENTS	RESPONSES
	The County disagrees that local policies or national practices have been violated. Lead agencies always retain the ability to tailor analytical data specific to the Project. This issue also was raised as part of Comment Letter O3b. Particularly in this case, the tailoring has resulted in a very conservative assessment, as discussed below. A supplemental analysis provides the results of the LOS analysis. As demonstrated in Attachment A to the final TIA, validation counts were conducted on all 14 street segments in the study area analyzed in the EIR traffic study to determine if existing counts are higher or lower than the baseline counts used in the EIR traffic study, upon which the Project impacts are based. These counts included the six segments in the City of Escondido, and the eight segments in the County of San Diego. The 24-hour average daily trip (ADT) counts were conducted on Thursday, October 5, 2017, when local schools were in session. The results showed that as compared to the traffic counts used in the EIR traffic analysis, the 2017 counts were lower on 11 of the 14 roadway segments, supporting that the traffic assessment was conservative when it was run, and consistent with the belief that the analysis would appropriately reflect roadway conditions and capacity by the time that Project traffic would be added to area roads. Throughout the study area, the average reduction in traffic between 2017 validation counts as compared to the EIR traffic study counts is 23 percent. For the three segments that were observed to have higher traffic in 2017, the maximum increase was 10 percent (on one segment) with the other two segments being higher by 4 percent and 8 percent. A general guideline used by traffic engineers is that traffic volumes on a given roadway can vary day-to-day by as much as 10 percent, which would be within the margin of error, and therefore within expected variation. In the context of a validation comparison, a 10 percent increase on 1 of 14 segments would not indicate that the baseline volumes were obsolete, especially with an overall average reduction throughout the study area of 23 percent. Thus, the baseline volumes remain valid as compared to existing 2017 data, and the corresponding analysis results also remain conservative.

COMMENTS	RESPONSES
	Please also see Response to Comment O3a-19 and O3b-4.

COMMENTS	RESPONSES
	**Response to Comment O3a-30** The Synchro software utilizes the HCM methodology and data input to calculate intersection delay and LOS. In response to the comment, the Project's traffic consultant, LLG, conducted an intersection analysis using Synchro version 10.0, which utilizes the HCM 2010 methodology and data. Application of the HCM 2010 methodology and the latest version 10.0 show that changes to level of service and delay vary; however, the changes do not result in new or different significant impacts, and the conclusions of significance remain identical to the EIR traffic study analysis. This issue also was raised as part of the attached Comment Letter O3b. The results are demonstrated in Attachment F to the final TIA, which shows the results of this analysis and the supporting Synchro analyses. The recalculation of Project effects in Synchro version 10 confirms the prior results and thus the accuracy of the original TIA. For information purposes, the reason the TIA analysis used the HCM 2000 parameters for conducting LOS and intersection delay analysis was that the Project was the third of three substantial projects in the immediate area. The first of the projects was Harmony Grove Village, which was approved and is under construction. The analysis for that project was conducted using HCM 2000 methodology. Subsequently, the traffic analysis (approved December 2015) for the Valiano project was prepared using the same HCM 2000 methodology. (The Valiano project is currently awaiting hearing and approval by the Board of Supervisors.) The NOP for HGV South was issued in August 2015, prior to the approval of the Valiano traffic study; therefore, as both studies were being conducted concurrently for the same intersection locations, the HCM 2000 was considered the appropriate analysis methodology. Efforts were made to maintain consistency to the extent possible among the three projects' analyses, since they share over 50 percent of the same study area intersections and two of the studies (Valiano and HGV South) had the potential to be under concurrent County review. The County guidelines do not specify the version of Synchro or the HCM to be used in the analysis of study area locations, but use of the HCM 2000 methodology ensures that the Project's analysis is consistent with the County's General Plan Mobility Element EIR traffic study, as well as other traffic analyses prepared for the County. It is important to note that while versions of the HCM are updated periodically, wholesale changes to chapters

COMMENTS	RESPONSES
	such as those referenced in the comment do not occur. Subtle changes to signalized and unsignalized methodologies are present, but have not been observed to result in substantive changes when compared with HCM 2000. In fact, the primary changes from HCM 2000 to HCM 2010 relate to the introduction of new methodologies to evaluate multi-modal transportation, application of microsimulation analysis, and the presentation of active traffic management—none of which affect the analysis in this EIR. **Response to Comment O3a-31** The comment suggests that based on the Caltrans statewide guidelines appended to the comment letter, an HCM-methodology freeway analysis should have been conducted instead of the V/C method used in the EIR traffic study. It is true that the HCM method involves more variables. However, the comment is incorrect. The Project is in Caltrans District 11 jurisdiction, and therefore subject to Caltrans District 11 direction. The Caltrans Guide for the Preparation of Traffic Impact Studies (Section V) lists analyses that are typically performed for different state-owned facilities, and states that HCM ***or operational analysis*** may be conducted. With regard to "operational analysis," it is up to direction from the lead agency, Caltrans, and those preparing the traffic study to decide which type of analysis to prepare. Caltrans District 11 is a signatory agency to the regional SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region. The regional significance criteria for freeway impacts listed in this document use change in V/C to determine significant freeway impacts (Table 1, Page 10). Therefore, it is the industry standard to perform the V/C freeway analysis within Caltrans District 11. As previously mentioned, Caltrans provided comments during public review of the EIR and technical reports, and made no comments requesting the type of freeway analysis requested in the comment.

COMMENTS	RESPONSES
	**Response to Comment O3a-32** The County disagrees there would not be adequate sight distance at Project intersections. The Project would not significantly impact safe movement. Nonetheless, a slightly reduced speed exception was requested to provide an even safer condition. This is because the amount of reaction time permitted while driving is in large part based on a combination of when a driver sees another vehicle or person/object, how far the vehicle is from another static or moving object, and how fast they are each moving. In this instance the road is curving and there is also a small hill. The slightly slower speed requested (and approved by the County) permits drivers a few extra seconds to react. Relative to the southernmost Project entry, engineering review of the TM and Project site visits supported County approval of the deviation. This in turn supported Project design of the County Club Drive transition presented in the DEIR as part of Project design. The cited text regarding conformance with County standards and requirements is an introductory statement for the reader, prior to the specific elements that follow. Once the design exception was approved, it became part of the Project, and analysis assumed its implementation. Regardless, a basic purpose of CEQA is informational. Full disclosure of the deviation was made and included in Appendix D so that it could be reviewed by commenters on the DEIR, as has occurred. In addition, and in response to this comment, additional review cited in the DEIR has been undertaken. Please see Attachment G to the TIA. As noted in that document, the existing roadway segment identified in the design exception would extend from the southernmost Project driveway westerly for approximately 320 feet, the distance from the driveway to where Project improvements to Country Club Drive transition back to existing roadway. Based on substandard roadway features related to: (1) lane-width, (2) road surfacing width, (3) paved shoulder width, (4) parkway width, and (5) maximum desirable grade, the road has a functional speed of approximately 25 miles per hour (mph). Also, as described in the Attachment G memorandum, a 7-day speed survey of actual driving practice was undertaken in March 2018. The 85th percentile was 22.1 mph, with the maximum average driving speed 25.8 and the minimum average driving speed during that period 8.6 mph. These low speeds are

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	consistent with anticipated conditions based on the roadway characteristics, and well within the design speed proposed for the Project. With the Project, there would not be sight distance constraints between the Project driveway traffic and westbound traffic, as both are on the same side of the crest (hill). For eastbound drivers, and with respect to the sight distance between eastbound Country Club Drive traffic as it comes over the hill and traffic entering or exiting the Project, as noted above, the available sight distance is a function of approach speed and object height. Consistent with the approved design exception, the Project would construct and improve the profile of Country Club Drive by lengthening the crest vertical curve, improving the stopping sight distance of a 6-inch object to 27.5 mph. This improvement would meet the County's sight distance requirements at this location. It also addresses the transition from the full width Rural Residential Collector improvements southernmost Project driveway to the existing nonconforming roadway to the west. Project improvements would provide a 30-mph stopping sight distance for a pedestrian or a vehicle at this Project driveway, consistent with observed existing speed conditions and the County's sight distance requirements. As shown, the observed 85th percentile eastbound speed is 22.1 mph, which is well below the 27.5 mph design speed provided by the design exception. It is also noted that the Project would underground currently above-ground utilities along Project frontage, and also would coordinate landscaping installation and maintenance at Project entries to retain open sight lines (e.g., shrubs will not exceed County-specified allowable heights and trees will be placed so that trimming of understory can maintain sightlines). Sight lines would be open at the Harmony Grove Road and Country Club Drive intersection in both directions. The Project would not be installing any uses that could block views at the Country Club Drive and Harmony Grove Road intersection, where abutting uses are owned by others. The Project would improve the intersection by additionally "squaring it off," as the Project would eliminate the angle at which Country Club Drive currently accesses the

COMMENTS	RESPONSES
	intersection from the south, which would potentially contribute to more open sight lines. The intersection itself additionally controls traffic flow due to its signal. It is anticipated that traffic will follow the signal demands to slow, stop and go—thereby eliminating cross-traffic conflicts. Finally, it is noted that some of the existing "visual noise" noted in the comment at this intersection may now be gone following completion of the County equestrian park located in the southwest quadrant of the intersection.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 28 sight distance analysis does not take these obstructions into account so that obstructions to sight distance have not been disclosed or analyzed. *Id.* at 11. O3a-32 **6. The DEIR Fails to Analyze Project Construction Traffic.** The DEIR omits any analysis of construction traffic impacts. Instead, it includes a conclusory statement that Project construction would be phased so that no capacity impacts would result. However, this statement is unsupported. MRO Report at 11. The DEIR provides no information on the amount of traffic generated during each phase of construction and no evaluation of impacts during peak-hour conditions, as is standard practice. *Id.* A proper evaluation of construction traffic impacts would identify the number of construction worker vehicles and the volume of heavy trucks in each phase. Moreover, this omission implicates other sections of the DEIR, including air quality and greenhouse gases. A revised DEIR must analyze construction period traffic and identify feasible mitigation measures for any potentially significant impacts. O3a-33 **7. The DEIR Fails to Adequately Analyze the Project's Impacts on Emergency Access.** The DEIR describes an existing public safety issue in the Project area related to adequate emergency and evacuation access. DEIR at 1-2. The DEIR specifies that "during wildfire (or other emergency) evacuation events, the two-lane crossing provides substantial logistical challenges to providing emergency vehicle access while evacuating residents and large animals from the area." *Id.* Given this description of the potentially life-threatening conditions at the site, one would expect a thorough analysis of the potential for the Project to exacerbate the existing public safety risks. But here too, the DEIR's analysis falls far short. O3a-34 As discussed in detail in section II.C., above, the Project's proposed single ingress/egress is inconsistent with County requirements. DEIR at 1-18. In addition, while Country Club Drive would connect the development to Harmony Grove Road to the north, it is a dead-end road at the western end, with no second connection to the regional road network. DEIR at Figure 1-6a, Site Plan. Moreover, a County assessment and fire emergency plan for the area identified other access routes as unsafe. Rohde Fire Emergency Plan. Specifically, the Evacuation Plan in the risk assessment specified the following: Do not use dirt roads/truck trails for evacuation! Move north via Country Club Dr. as the primary route, or east via Harmony Grove Village Pkwy. SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-33** The County disagrees with this comment. Project phasing shows the majority of construction activities occurring prior to any dwelling units being occupied. See, for example, the information provided on Tables 7 in both the Air Quality and Greenhouse Gas studies, which shows that architectural coatings (final finishes) do not begin until 4 months preceding complete construction end. It is during this period that some homes may be occupied; if finishes, sales, and occupation all occur. This is similar to HGV, in that mass grading and backbone infrastructure were accomplished prior to homes being occupied. According to Real Estate Economics' new home market survey spanning the entire greater San Diego market area, dated "Third Quarter 2017," HGV reports 259 sales and 162 closings. Averaging closings over the 10 quarters since homes went up for sale in May 2015, the average number of closings per month is identified as 16.2 residential units. In the most conservative scenario, if the Project sold and closed on 22 homes during the 4-month period starting when architectural finishes begin to be applied, then the following activities could also be occurring: building construction, paving and architectural coating. Based on the CalEEMod calculations provided during DEIR review for construction worker trips, these three categories of activity would total 430 workers and vendor trips during the overlapping period (see Section 3.0, Construction Detail, of Appendix A to EIR Appendix J, as well as a summary Table O3a-1 provided below). Based on residential trips associated with the Project (10 trips per home per day), 220 residential trips could occur under a reasonable sales assumption (based on an average of the past six 10 quarters of sales closings of HGV, located contiguous to the site). Please also note that construction activities generally require workers to be on site when construction begins (often at 7:00 AM). This is usually before peak-hour trips that result in the greatest congestion. Specific to this Project, the most impactful construction traffic is generally related to soil import/export, as it can require numerous trucks added to off-site ADT on an ongoing basis during grading activities. As stated in EIR Chapter 1.0, *Project Description*, the Project has been designed for grading to balance on site. As a result, no import or export

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	truck activity is anticipated that could significantly adversely impact traffic volumes on roads currently operating at capacity. As clarified above, even when three potentially overlapping phases (including the building construction phase with the largest number of worker and vendor trips) are combined with potential occupied residences, it would not generate more traffic than the approximately 4,500 ADT the Project will generate once constructed. Similarly, in the most conservative scenario, if the construction periods that overlap with each other are added together, it would generate fewer ADT than any of the residential triggers required for off-site roadway mitigation as identified in Subchapter 2.2 of the EIR and not assumed as Project design. As such, no capacity impacts are anticipated to occur during any construction phase. All appropriate work zone traffic control plans would be prepared to ensure efficient ingress/egress of trucks and equipment, and to maintain access to the degree possible to Country Club Drive during construction. Similarly, no significant impacts related to construction-period vehicular impacts would occur to air quality. This response is incorporated into the Final EIR through the integration of comments and responses. No additional changes are required to EIR text. The reader is referred to Response to Comment O3a-41 regarding greenhouse gases (GHGs).

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	Table O3a-1 **MODELED CONSTRUCTION SCHEDULE AND ASSOCIATED TRIPS**

Construction Activity	Construction Period		
	Start	End	Associated Worker / Vendor Trips
Site Preparation and Blasting	07/01/2018	09/30/2018	20
Backbone Infrastructure	10/01/2018	03/31/2019	15
Road Construction	10/01/2018	03/31/2019	120*
Grading	04/01/2019	06/30/2019	20
Bridge Construction	04/01/2019	03/31/2020	356
Building Construction	07/01/2019	09/30/2021	356
Parking Lot Paving	05/01/2021	09/30/2021	15
Architectural Coating	05/01/2021	09/30/2021	59

Source: CalEEMod (output data is provided in Appendix A to both the AQ and GHG technical studies)

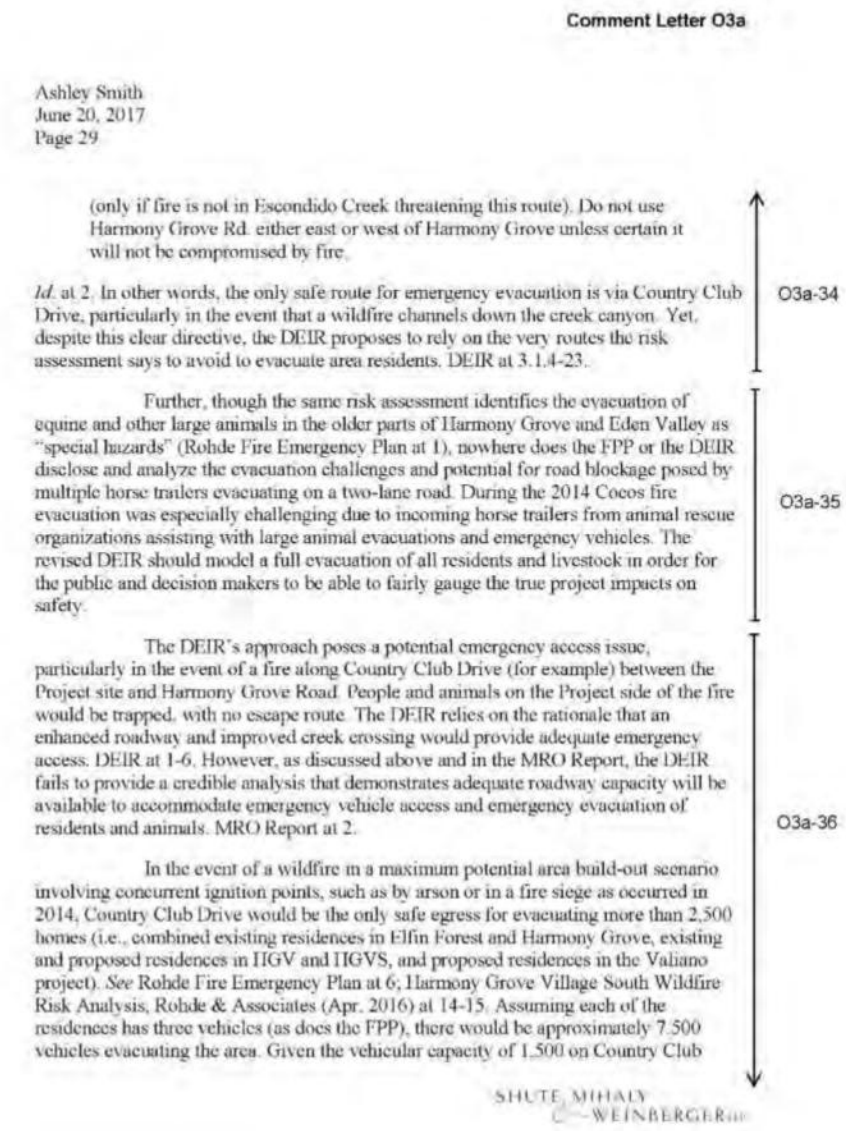
*Road Construction is further broken into four sub-phases. The greatest trip generating portion is associated with grading, which would only total 40 modeled trips.

Response to Comment O3a-34

The comment mischaracterizes the statement in the DEIR and takes its meaning completely out of context. The statement that the two-lane crossing provides substantial logistical challenges for emergency vehicle access while evacuating residents and large animals refers to the existing condition. Nevertheless, the EIR provides a thorough discussion of the Project's evacuation system and no safety problem was determined to be caused by the physical changes to the Project. Please also see the Global Response to Adequacy of Emergency Evacuation and Access.

The comment also provides text from the Wildland Fire Risk Analysis Report (Rohde & Associates 2016) out of context and then utilizes it to suggest that there is only one possible evacuation route available in the Harmony Grove area,

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	Country Club Drive, and that even it is not safe. Again, please see the Global Response to Adequacy of Emergency Evacuation and Access.

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	**Response to Comment O3a-35** Animal evacuations present a host of challenges that may affect the overall successful movement of people and their possessions out of harm's way. For example, livestock owners do not always have the means to load and trailer their livestock out of the area. Further, most wildfire evacuation relief shelters or commercial lodging facilities do not allow people to bring in pets or other animals. Sorensen and Vogt (2006) indicate that an issue receiving increasing attention is what evacuees do with pets or other animals such as livestock when they leave their homes and whether having pets or animals impacts their decision to evacuate. Large animal evacuations are an integral component of the Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP 2014). Department of Animal Services and the San Diego Humane Society are both participating agencies that during an emergency. Per the Evacuation Annex of this document: *The San Diego County Department of Animal Services (DAS) has plans in place to transport and shelter pets in a disaster under Annex O of the OA EOP, including the Animal Control Mutual Aid Agreement. Animal Control Officers, the San Diego Humane Society, and private animal care shelters will assist in the rescue, transport, and sheltering of small and large animals. In addition, potential volunteer resources and private groups should be identified and tracked in WebEOC. Only non-emergency resources and personnel, such as public and private animal services agencies, will be used to rescue and transport animals during an evacuation effort. In most cases, DAS and the OA EOC will coordinate and attempt to collocate animal shelters with people shelters.* Animal owners in rural areas are anticipated to plan for these events and create contingencies when evacuation may not be possible. This applies with or without development of larger communities. The Project's FPP (Page 37) commits the HGV South Project to prepare a Wildland Fire Evacuation Plan for the community and its residents. The Project-specific Wildland Fire Evacuation Plan would be prepared to County standards,

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	using the consistent planning tools, language, and maps so that it is user-friendly to residents and can be integrated to County and City-level emergency planning efforts. This evacuation plan would include easy-to follow maps and instructions for residents to prepare their own "Ready, Set, Go!" action plans and would be prepared prior to occupation of the site's structures. (Note, however, that there will not be livestock allowed in the Project so there would be no additional animal trailers associated with the Project.) However, community evacuation requires planning coordination on a regional level and is not within the preview of the Project, such coordination is the responsibility of the Office of Emergency Services and Law Enforcement Agencies. **Response to Comment O3a-36** The scenario described was evaluated and is described in the Project's FPP (pages 41 and 42). This is a short-notice evacuation and the HGV South Project would provide options to its residents and to existing residents south of the Project that are not currently available. The Wildfire Safety Assessment (WSA) identified four routes of escape north of Escondido Creek that exist for evacuation from the Proposed Project site and the valley in general, two with strong viability. Country Club Drive and Harmony Grove Village Parkway were determined to offer good escape alternatives to the north and east, respectively. (The WSA is incorporated herein and available for the public on the County's website for the Project at http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/HARMONY%20GROVE%20VILLAGE%20SOUTH%20WILDFIRE%20RISK%20ANALYSIS.pdf.) The WSA also determined that shelter-in-place was a viable option should there be threats along evacuation routes. In any event, as evacuations are fluid events and the incident command, law enforcement, and County Office of Emergency Services (OES) would jointly enact evacuations based on fire behavior. The Project will work with evacuation coordinators at the San Diego County OES and San Diego Sheriff's offices. As pointed out in the Project FPP, a key to any evacuation of a large number of people is controlling the intersections downstream of the evacuating population. To that end, evacuation routes available to HGV South will be identified and

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	prioritized and key intersections mapped and shared with OES and the Sheriff's office. Integration of this information into pre-planned evacuation scenarios will assist these agencies in mobilizing the necessary number of officers to control these key intersections for movement of HGV South residents during an emergency situation. HGV South also provides the contingency option to temporarily refuge on site. In this scenario, it would be likely that fire and law enforcement officials would direct the existing residents to evacuate to HGV South's club house or, if Country Club Drive is passable, across Harmony Grove Road into HGV. In either case, the post-Project build-out condition improves the wildfire evacuation safety of existing residents. Therefore, the development of HGV South will result in additional options for existing residents and HGV South residents and potentially animals, should a wildfire or other emergency block ingress/egress along Country Club Drive. With respect to the comment raised regarding the adequate roadway capacity of Country Club Drive to evacuate all residents and their animals, the following response is presented. In an evacuation scenario, it is assumed that drivers would not make multiple trips to and from their homes as is considered when ADT is calculated. Instead, the number of trips per unit would be one-way (outbound only) and would be determined by the number of vehicles present on the site, and the number of drivers available to operate them. The existing homes in the vicinity are on large lots and may have square footages that allow for larger households (including more drivers). Therefore, it could be assumed that on average there could be four vehicles/unit. By contrast, the Project will construct smaller units on smaller lots; therefore, an estimate of three vehicles/unit is made. It is estimated that there are approximately 50 dwelling units within the vicinity along both roadways. Were all 50 existing lots to evacuate, this would result in 200 vehicles. Were all approximately 450 Project lots to evacuate, this would result in 1,350 vehicles. Together, both existing plus Project units could generate approximately 1,550 outbound vehicle trips. These outbound trips would likely occur over a period of several hours, depending on the evacuation event.

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	The comment regarding evaluation of a region-wide mass evacuation from the area is noted. It is not feasible to construct roadways near populated areas that can quickly move the number of people that may need to use them in a short timeframe during a region-wide mass evacuation. Even the multi-lane freeways, like I-5, I-8, and I-15 in San Diego County become congested for hours each morning and evening during the commute, and following accidents. Mass evacuations due to any type of emergency cannot be based on short timeframes because the roadways cannot accommodate the number of people that would use them. This concept applies to the Harmony Grove area and was considered in the Project's FPP analysis and confirmed by the RSFFPD, Rohde & Associates, and the County. If an emergency does not allow enough time to safely evacuate the Project's residents, then a contingency plan will be available. This contingency plan is not available to all communities that are not built and maintained to highly ignition resistant levels. However, this concept is becoming an important evacuation component in new communities in Southern California and offers a safety net for the possibility that evacuation of all residents is not possible. However, please also note that region-wide plans (i.e, region-wide evacuation plans) are not subject to individual development CEQA documents; these are greater planning efforts. As stated in the EIR, *The Unified San Diego County Emergency Services Organization has the primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the unincorporated area of San Diego County. The County of San Diego Office of Emergency Services (OES) serves as staff to the Unified Disaster Council (UDC), the governing body of the Unified San Diego County Emergency Services Organization.* *Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. Both of these plans develop goals and objectives for OES in regards to large-scale natural or man-made disasters.* *The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be*

COMMENTS	RESPONSES
	established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan provides the framework for emergency response throughout the County, including at the Project site. It 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 (EIR pg. 3.1.4-14 to 3.1.4-15). The Project is consistent with the framework of emergency response as required in the above plans, as well as the goals, objectives, and actions required by the County. Please also see the Global Response to Adequacy of Emergency Evacuation and Access.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 30 Drive between Mt. Whitney Road and Hill Valley Drive, it could take as long as four to six hours to evacuate all of the residents. This would constitute a significant impact that has not been evaluated in the DEIR. A revised DEIR must include this analysis. O3a-36 In addition, in contravention to the Evacuation Plan for the area, the DEIR relies in part on an alternative emergency access route (i.e., Alternative 4) using a privately owned dirt road that connects with Johnston Road. DEIR at 3.14-20 and 3.14-21. The DEIR acknowledges that this route does not meet fire code requirements due to non-conforming width, surface, and grade and dismisses secondary access via this alternative as infeasible. DEIR at 3.14-21. Instead, the DEIR concludes that the Project "meets the intent of the code through a layered and redundant fire protection and evacuation system." DEIR at 3.14-21. However, as explained in the Rahn report, the DEIR fails to provide any evidence to support this conclusion. Rahn Report at 10. The DEIR appears to acknowledge its own failure because, even though the privately owned off-site road and Johnston Road do not provide code-conforming secondary access, the DEIR states that this access would be available for evacuation in an emergency. *Id.*; DEIR at 3.14-23; FPP at 38 (§ 5.2.1.2). The DEIR's approach is inadequate for multiple reasons. First, the unimproved, unpaved dirt road connecting Country Club Drive to Johnston Road is only accessible for four-wheel drive vehicles and unsuitable for emergency equipment, typical passenger vehicles, and large animal trailers. *See* Exhibit E (photographs of private roadway). Use of this road would pose its own safety hazards, which have not been evaluated in the DEIR. Second, the extremely steep terrain and sensitive habitat in the area make improvement of the road difficult if not impossible. Lastly, even if the road could be improved, it is privately owned so that easements from the landowners would be required. The DEIR acknowledges these limitations and concludes that "there is not a secondary access road solution that would conform to code requirements. FPP at 32 (§ 5.2.1.2). However the DEIR contradicts itself and claims that this secondary access could be made available in an emergency. For the reasons stated above, this conclusion is completely unsupported and misleading. A revised EIR must provide a comprehensive evaluation of the feasibility of improving this road for use as a secondary access, including likely impacts on biological resources from construction, aesthetics, and potentially archeological resources, since no survey was conducted outside the project footprint yet DEIR asserts there would be none. O3a-37 Finally, the DEIR fails to include modeling of evacuating traffic all the way to safety. As explained in the Rahn Report, the DEIR should have analyzed a comprehensive, worst-case evacuation scenario accounting for the total time that would O3a-38 SHUTE, MIHALY WEINBERGER LLP	**Response to Comment O3a-37** The comment regarding the Project's reliance on Johnston Road as a potentially available emergency access route is incorrect and requires clarification. The feasibility of secondary access to the north, south, east, and west of the Project site was analyzed with both County staff and RSFFPD input. However, secondary access routes have proven infeasible based upon this evaluation (FPP, Appendix C), which included an evaluation of eight alternatives for secondary access. Alternative 4, which would require improving a privately owned off-site road that connects with Johnston Road and eventually intersects with Citracado Parkway to the east of the HGV South Project, was determined to be the most feasible of the options but with limitations. The result of Alternative 4 analysis indicated that even if access easements could be obtained, improvements to Johnston Road would result in a useable access way, but that it would not strictly conform to the Fire Code as a secondary access and a modification/variance to the County's roadway standards would need to be granted (FPP Appendix C). Since secondary access was determined to be infeasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions, or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the code through the implementation of a list of specifically developed measures and features as described in the FPP. In any event, Johnson Road was identified as an existing road that would provide access in an emergency but was not relied upon as a way to provide secondary access. This is all addressed in greater detail in the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment O3a-38** Please see Response to Comment O3a-36 for more discussion of the Project's evacuation analysis and approach, and responsibility for regional evacuations.

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be required to evacuate the entire surrounding community that ultimately uses Country Club Drive to Auto Park Way that addresses the population of the proposed Project along with that of Harmony Grove Village, Eden Valley, Hidden Hills, Harmony Grove and Elfin Forest. Rahn Report at 9. O3a-38

8. The DEIR's Buildout Conditions Analysis Is Inadequate.

As explained in the MRO Report, County guidelines require that the DEIR include a level of service analysis under buildout conditions with the Project. MRO Report at 13. The DEIR fails to perform such an analysis. A revised EIR should include an analysis of full buildout conditions, including a buildout analysis of impacted freeway roadway segments. *Id.* O3a-39

D. The DEIR Fails to Adequately Analyze the Project's Air Quality Impacts Relating to Obstructing Implementation of the Regional Air Quality Strategy.

The DEIR provides a superficial analysis of the Project's potential to obstruct implementation of the Regional Air Quality Strategy ("RAQs") before concluding this impact would be significant and unavoidable. DEIR at 2.6-5-7, 2.6-16. The emissions inventory in the San Diego Air Pollution Control District's ("SDAPCD") RAQs is based on regional population, housing, and employment projections. As the DEIR explains, because the Project is not included in the County's demographic projections, its criteria air pollutant emissions were not included in the RAQs. *Id.* As a result, the DEIR concludes that the Project's potential to cause a delay in the ability of the region to attain the California and federal ambient air quality standards and related cumulative impacts constitute significant impacts. We do not dispute the DEIR's conclusion that these impacts are significant. The DEIR errs, however, because it does not reveal the severity of these impacts or identify potential mitigation measures. O3a-40

CEQA does not allow an agency to simply conclude that an impact is significant and unavoidable and move on. An agency's rote acknowledgement that impacts are "significant" does not cure its EIR's failure to analyze the issue. As the court stated in *Galante Vineyards v. Monterey Peninsula Water Mgmt. Dist.*, "this acknowledgment is inadequate. 'An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences . . . .'" (1997) 60 Cal.App.4th 1109, 1123 (quoting *Santiago County Water Dist. v. Cty. of Orange* (1981) 118 Cal.App.3d 818, 831); *see also Mira Monte Homeowners Assn. v. County of*

Response to Comment O3a-39

A buildout Year 2035 street segment LOS analysis of Mobility Element roadways is provided in the traffic study, consistent with County guidelines. Projects that propose to change the County's General Plan, Mobility Element, or zoning above the current density or intensity are required to provide a buildout analysis (see EIR Subchapter 2.2). The purpose of this analysis is to conclude whether the proposed land use changes are consistent with the County's Mobility Element. If not, a project may be required to make changes to the Mobility Element. As shown in the EIR traffic study, no changes are needed to Mobility Element roadways. A freeway analysis under buildout conditions is not required per County guidelines.

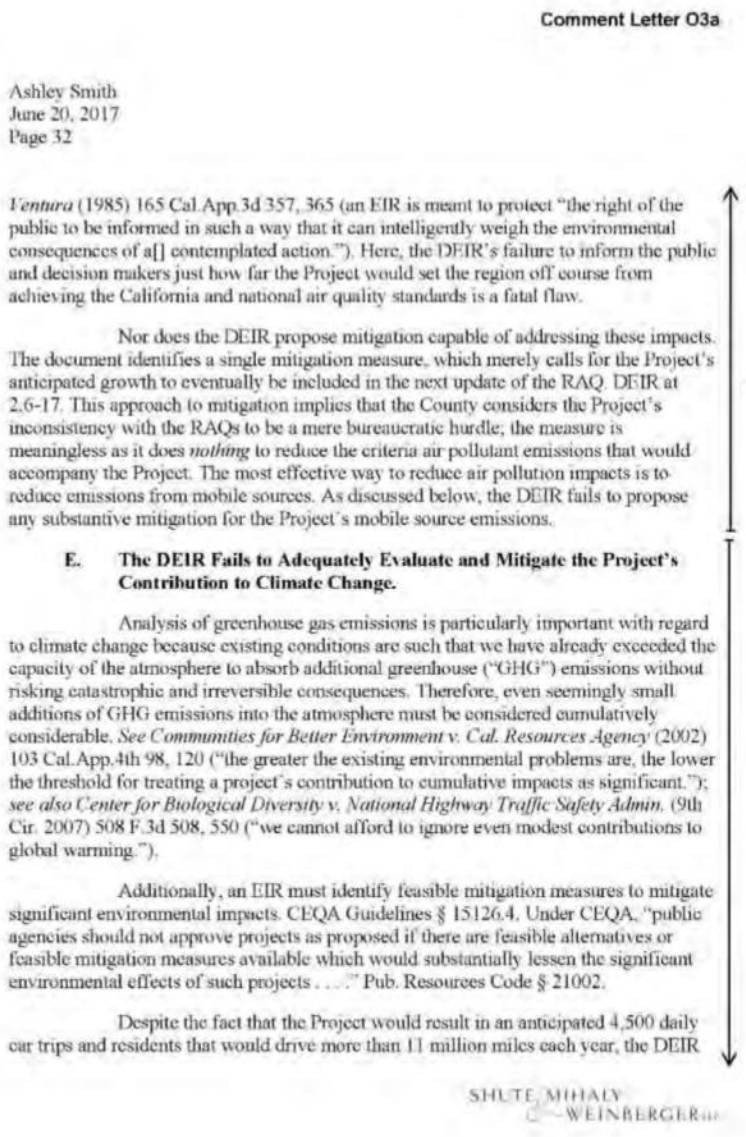
In addition, please see Response to Comment O3a-26.

Response to Comment O3a-40

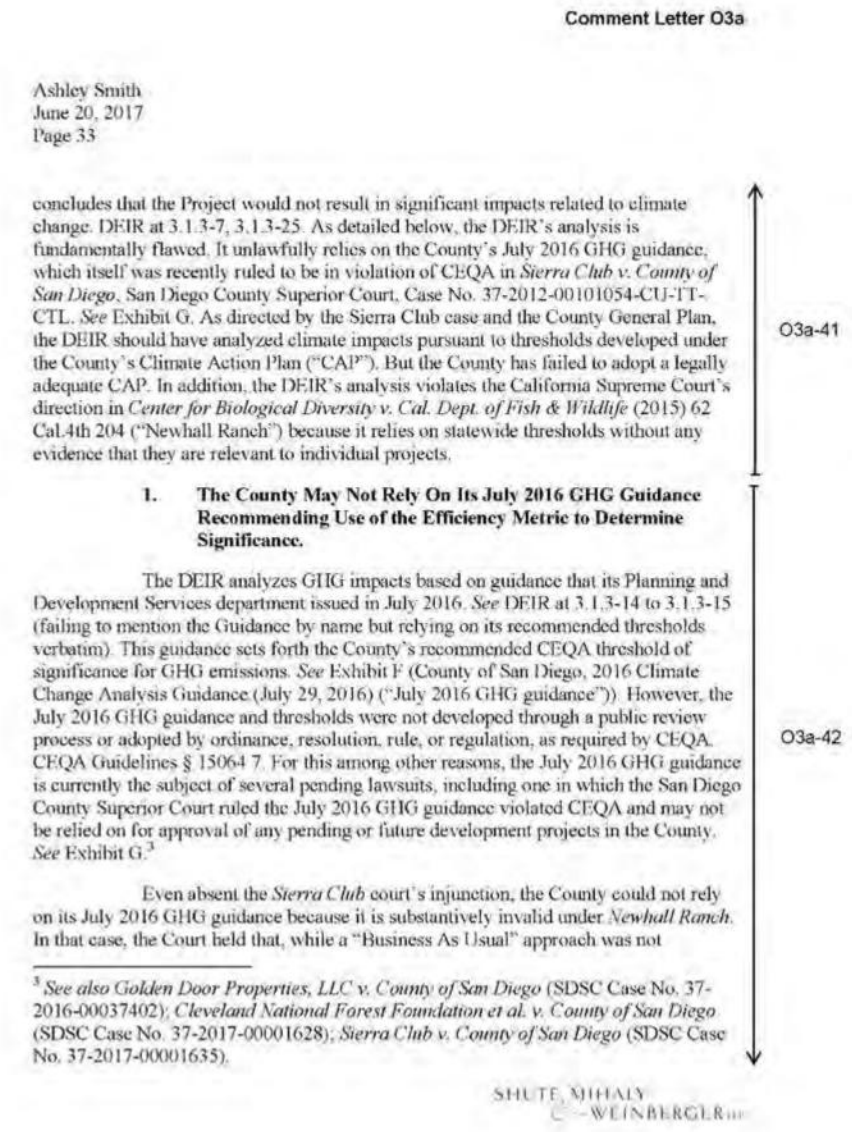
The County respectfully disagrees with this comment. While concurring that the EIR finds a temporary significant impact relative to consistency with the RAQS, the statement regarding the EIR's finding is incorrect and strongly contested. In two adjacent sentences the comment states both that the EIR "does not reveal the severity of the impacts" and that "we do not dispute the DEIR's conclusion that these impacts are significant," which proves the prior sentence wrong. The comment, with references to specific pages in the EIR, then goes on to manufacture an EIR conclusion that does not exist, as it misstates the conclusion rationale of the RAQS analysis. For purposes of clarity, the conclusion in the EIR on page 2.6-7 has been re-written to state:

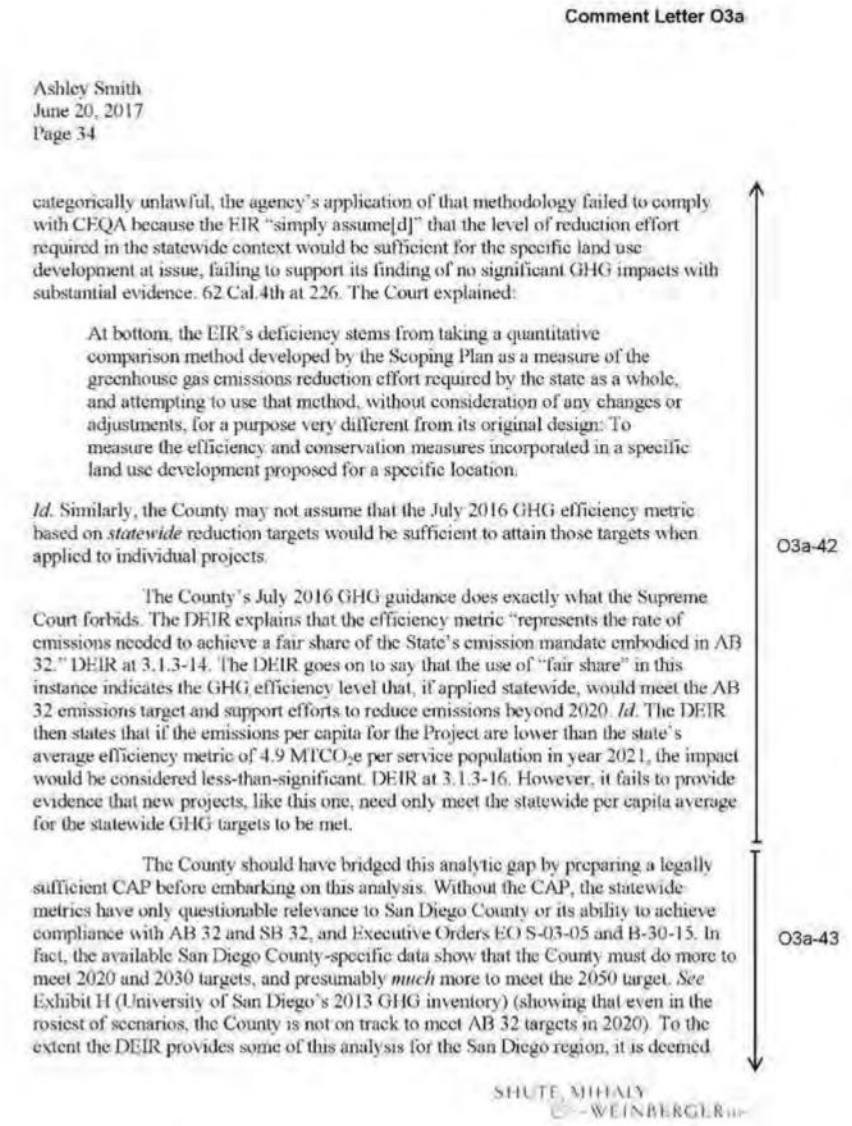
> *Although the Project is not in complance with the 2016 RAQS because the Project is amending the General Plan, it is in compliance with the air quality standards as described below, and would not result in a significant air quality impact with regards to construction- and operational-related emissions of ozone precursors or criteria air pollutants. Therefore it is unlikely that the additional units from the Project would interfere with the SDAPCD's goals for improving air quality in the SDAB.* ***Impacts associated***

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	with conformance to regional air quality plans would be potentially significant. (Impact AQ-1a) The analysis makes it clear that Project implementation is *not* expected to delay the ability of the region to attain California air quality goals. In fact, the impact is not related to air quality exceedances, but to plan conformance. The actual air quality effects are detailed in EIR Subchapter 2.6, *Air Quality*, Section 2.6.2.2, *Conformance to Federal and State Ambient Air Quality Standards*, which expressly addresses existing and projected air quality violations, and measures impacts against the County thresholds. No existing or future Project-related exceedance was identified. This is relevant to the mitigation proposed for the RAQS planning document impact, addressed in the second paragraph of the comment. Because the impact is not related to the environmental effects of the Project, but is rather a "paper" inconsistency, the impact requires a "paper" mitigation measure. This would be accomplished through ensuring that the appropriate RAQS update incorporates the proposed change to the General Plan assumptions (see Mitigation Measure M-AQ-1a). The update would bring both plans into conformance. Again, no mitigation relative to actual emissions is required. The decision-makers have all the information necessary to make a decision, and the public is fully informed about Project emissions.

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	**Response to Comment O3a-41** The first paragraph of this comment states generally accepted concepts regarding GHGs. The County agrees with the comment. The second paragraph makes a blanket statement that an EIR "must identify feasible mitigation measures to mitigate significant environmental impacts," and cites CEQA Guidelines Section 15126.4 as the source. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. It is noted, however, that the GHG technical discussion in the EIR for this Project received separate review and recirculation during February to March of 2018. Feasible mitigation measures have been identified for the Project which would take Project emissions to net zero. (See Mitigation Measures M-GHG-1 and M-GHG-2 as described in Subchapter 2.7, *Greenhouse Gas Emissions*, and Chapter 7.0, *List of Mitigation Measures and Project Design Features*, of the FEIR.) Relative to comments on the County CAP, the County disagrees with the commenter's mischaracterization that the Sierra Club case and the County General Plan require the DEIR to analyze climate impacts pursuant to thresholds developed under the County's Climate Action Plan (CAP). In fact, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) denied the Sierra Club's request for an injunction prohibiting the County from processing and approving new large-scale developments on undeveloped land in San Diego County until the County approved a lawful CAP and thresholds. The commenter is correct in that the April 2017 Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) evaluated the potential environmental impacts associated with the proposed Project's emissions of greenhouse gases (GHG) using the 2016 Guidance Document and its County Efficiency Metric. During the public review period of the Project's DEIR, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the

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	basis for CEQA review of GHG impacts for development proposals within the unincorporated County. As a result, a supplemental analysis (Supplement; included in current Appendix J) was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. The Project no longer relies on the County Efficiency Metric to determine whether or not the Project would have a significant effect on the environment. See Response to Comment O3a-42 below.

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	**Response to Comment O3a-42** The commenter is correct in that the April 2017 Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) did originally evaluate the potential environmental impacts associated with the proposed Project's emissions of greenhouse gases (GHG) using the 2016 Guidance Document and its County Efficiency Metric. During the public review period of the Project's Draft EIR, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County. As a result, and as noted in Response to Comment O3a-41, a Supplement was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. CEQA provides that the determination of whether or not a project has a significant effect on the environment is based on the thresholds described in the environmental document. These thresholds of significance can be adopted by the local agency or can be based upon those standards set forth in Appendix G of the CEQA Guidelines Section 15064. In this case, the Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on a threshold of significance adopted by the County. In addition, in response to public comment the Project Applicant has committed to reducing the Project's construction and operational emissions to net zero (Mitigation Measures GHG-1 and GHG-2) as described in Subchapter 2.7, *Greenhouse Gas Emissions*, and Chapter 7.0, *List of Mitigation Measures and Project Design Features*, of the FEIR. Through the purchase of those carbon credits, construction and operationally related GHG emissions of the Project would not result in a net increase to GHG emissions (i.e., would result in no net increase over existing GHG emissions. Therefore, Project implementation would not result in a substantial contribution to a cumulatively considerable GHG impact.

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	**Response to Comment O3a-43** See Response to Comment O3a-41 above. Specifically, with regard to compliance with AB 32 and SB 32, as described in the Response to Comment O3a-42, the Project would result in no net increase in GHG emissions. As a result, the Project also would not have any adverse effect on County efforts to meet targets specified in those bills.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 35 "preliminary" since the County is still in the process of preparing the CAP and refining the emissions inventories. DEIR at 3.1.3-11. In short, the DEIR and the July 2016 GHG guidance both fail to explain why cumulative targets for the entire state or San Diego region should be presumptively sufficient for individual projects like this one. O3a-43 To be consistent with AB 32, SB 32 and the Executive Orders, any new individual project will likely need to provide significantly greater emission reductions than merely meeting a statewide target. Contrary to the methodology applied by the DEIR, there is no reason to presume without evidence that the Project's "fair share" of reductions would match a state or even regional average. The Court explained this point in *Newhall Ranch*: new projects may require a greater level of reduction because "[d]esigning new buildings and infrastructure for maximum energy efficiency and renewable energy use is likely to be easier, and is more likely to occur, than achieving the same savings by retrofitting of older structures and systems." 62 Cal.4th at 226. The DEIR ignores this reality and directly imports the statewide standards, assuming the reduction rate for new and existing development should be the same. The Scoping Plan, on which these methodologies are all based, is silent on the distinction between new and existing development in terms of the capacity to reduce emissions, but it stands to reason that new developments will need to reduce at a greater rate, as older development will continue to exist and emit at levels higher than the average. As the DEIR blindly assumes the same emissions reductions levels for statewide and project-specific compliance with AB 32, its GHG analysis is not supported by substantial evidence and the EIR is deprived of its "sufficiency as an informative document." *Id.* at 227 (citing *Laurel Heights*, 47 Cal.3d at 392). O3a-44 **2. The County's Failure to Adopt a Legally Sufficient Climate Action Plan Is the Root of the Problem.** The County's General Plan contains a mitigation measure that requires the County to adopt a Climate Action Plan that will ensure that the County sufficiently reduces its GHG emissions to meet AB 32's goals and beyond. As the Court of Appeal stated: O3a-45 [Mitigation Measure] CC-1.2 requires the preparation of a County Climate Change Action Plan within six months from the adoption date of the General Plan Update. The Climate Change Action Plan will include a baseline inventory of greenhouse gas emissions from all sources and more detailed greenhouse gas emissions reduction targets and deadlines. The County Climate Change Action Plan will achieve comprehensive and SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-44** In response to the comment that new individual projects would likely be required to provide significantly greater emission reductions, the Applicant has committed to reduce all Project GHG emissions to net zero through a combination of on-site use of photovoltaic panels and other amenities, as well as purchase of carbon credits as necessary. Textual changes to the Final EIR to reflect specific commitments are located in EIR Chapter 1.0, *Project Description*, Table 1-2, *Project Design Features* relevant to GHG Emissions, Subchapter 2.7, *Greenhouse Gas Emissions*, Section 3.1.1, *Energy*, Section 3.1.5, *Land Use and Planning*, and Chapter 7.0, *List of Mitigation Measures and Project Design Considerations*, as well as to EIR Appendix J, *Greenhouse Gas Analyses Report*. The attainment of net zero by the Project provides the County with the necessary information to confirm consistency with AB 32, SB 32, and Executive Orders that require projects not to substantially contribute to GHGs. See also Response to Comment O3a-43 above. At net zero, the Project's contribution by definition would be less than cumulatively considerable, and less than significant. **Response to Comment O3a-45** Regarding Mitigation Measures CC-1.2 and, and CC-1.8, such matters are beyond the purview of an individual project applicant. The commenter conflates the County's responsibilities as related to the adoption of the General Plan with the requirements of an applicant under CEQA to reduce GHG emissions of the Project to less than significant. CEQA provides that the determination of whether or not a project has a significant effect on the environment is based on the thresholds described in the environmental document. These thresholds of significance can be adopted by the local agency or can be based upon those standards set forth in Appendix G of the CEQA Guidelines Section 15064. The Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on a threshold of significance adopted by the County.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 36 enforceable GHG emissions reduction of 17% (totaling 23,572 $MTCO_2e$) from County operations from 2006 by 2020 and 9% reduction (totaling 479,717 $MTCO_2e$) in community emissions from 2006 by 2020. *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1159. This mitigation measure is a crucial aspect of the General Plan, and the General Plan EIR made it clear that adoption of the Climate Action Plan, among other measures, was necessary to mitigate the Plan's significant climate impacts. However, when the County adopted its Climate Action Plan, it failed to ensure that the Plan contained enforceable measures to reduce Countywide emissions to 1990 levels by 2020. Sierra Club successfully challenged the Climate Action Plan, which the court invalidated. *Id.* Without the Climate Action Plan, the Project cannot be found consistent with the General Plan's climate-related policies. For example, the General Plan requires the CAP to establish thresholds: CC-1.8 Revise County Guidelines for Determining Significance based on the Climate Change Action Plan. The revisions will include guidance for proposed discretionary projects to achieve greater energy, water, waste, and transportation efficiency. O3a-45 The Project is flatly inconsistent with Policies CC-1.2 and CC-1.8, and the County has failed to comply with these mitigation measures. These policies prohibit the County from approving major development projects at this time. The County must first adopt a legally adequate CAP (as required by CC-1.2) and adopt thresholds based on that CAP (as required by CC-1.8). The County's backwards approach is also unfair and bad public policy. When the County ultimately completes the analysis required by the General Plan, the thresholds may need to be made more stringent. Ironically, future applicants proposing projects that are *consistent* with the General Plan will bear a greater burden of reducing GHG emissions than projects like this one that are *inconsistent* with the General Plan. In sum, the County puts the cart before the horse by analyzing impacts based on the July 2016 GHG guidance, not on thresholds developed by the CAP. The DEIR's analysis violates CEQA because it relies on a threshold of significance that: (1) the County is enjoined by court order from applying; (2) violates the Supreme Court's guidance in *Newhall Ranch*; and (3) violates the express policies of the General Plan. SHUTE, MIHALY WEINBERGER LLP	This approach is confirmed by the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) denied the Sierra Club's request for an injunction prohibiting the County from processing and approving new large-scale developments on undeveloped land in San Diego County until the County approved a lawful CAP and thresholds. Furthermore, the Project Applicant has committed to reducing the Project's emissions to net zero made enforceable through mitigation measures (M-GHG-1 and M-GHG-2 for purchase and retiring off-site carbon offsets for both construction and operational periods, respectively), as well as a number of PDFs, as described in Subchapter 2.7 and Chapter 7.0 of this FEIR. Through the purchase of carbon credits to cover construction and operational GHG emissions, the Project would result in no net increase to the existing GHG emissions, and the Project would not have a substantial contribution to a cumulatively considerable GHG impact. The Project's commitment to achieve net zero GHG emissions also ensures that the Project would not conflict with the General Plan's applicable policies or regulations adopted for the purpose of reducing GHG emissions. In summary, with the Project's additional mitigation commitment to purchase and retire off-site carbon offset credits to reduce the Project's GHG emissions to net zero, the Project would not result in a significant impact to global climate change and would be consistent with the policies of the County's General Plan.

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Comment Letter O3a Ashley Smith June 20, 2017 Page 37 In addition, until the CAP is completed, the DEIR cannot adequately analyze the cumulative GHG impacts of the Project together with those of existing and reasonably foreseeable future development. The CAP will presumably include information on the cumulative GHG emissions under potential buildout of the General Plan. Until such information is developed, the County lacks the information upon which a meaningful cumulative analysis can be based. O3a-45 **3. Air Districts Developed Per Capita "Efficiency" Thresholds to Analyze Impacts of Infill Projects, Not Sprawl Developments.** The County's chosen threshold of significance is improper for the additional reason that it was designed for infill and transit oriented development ("TOD") projects, not greenfield projects like Harmony Grove Village South. The per capita threshold methodology was developed as a tool to accommodate infill projects that may have large overall GHG emissions due to the size of the project, but low GHG emissions per capita due to high density design and access to alternative methods of transportation. For example, the Bay Area Air Quality Management District ("BAAQMD") designed a similar "fair share" approach to assess a project's GHG significance. *See* Exhibit I (BAAQMD, *Proposed Thresholds of Significance* (2009)). BAAQMD recommended a bright-line numeric threshold to limit large new developments that could max out GHG reduction targets. *Id.* at 18-19, 22. In contrast, the per capita "efficiency" threshold was recommended to encourage highly-efficient infill development. *Id.* at 29. Using the per capita threshold for greenfield projects conflicts with the policy goal the methodology was originally designed to achieve. BAAQMD staff specifically noted that "the efficiency-based thresholds should be applied to individual projects with caution . . . [if] the project's emissions on a mass level will have a cumulatively considerable impact on the region's GHG emissions, the insignificance presumption afforded to a project that meets an efficiency-based GHG threshold would be overcome." *Id.* at 7. O3a-46 In sum, the per capita threshold was developed to accommodate and promote highly efficient infill development. The proposed Project is not such a development. It is located far from mass transit and would result in a substantial increase in car trips. Therefore, it is inappropriate to use this methodology in the context of greenfield development that generates an excessive amount of vehicle miles traveled. SHUTE, MIHALY WEINBERGER LLP	**Response to Comment O3a-46** Please refer to Response to Comment O3a-42 and 44.

Comment Letter O3a

4. The DEIR Understates Vehicle Emissions Resulting from the Project.

As discussed above, the DEIR underestimates predicted traffic volumes because it relies on outdated traffic volume data. Inasmuch as the greenhouse gas emissions are dependent on the transportation analysis assumptions, any underestimation of vehicular trips necessarily results in an underestimation of vehicle-related greenhouse gas emissions. Once the County accurately analyzes the Project's increase in traffic volumes, it must revise the greenhouse gas impact analysis. O3a-47

5. The DEIR Fails to Propose Feasible Mitigation Measures to Reduce Project-related GHG Emissions.

For the reasons discussed above, the DEIR lacks any basis for determining that the Project will result in less-than-significant GHG impacts because the analysis of those impacts is based on a legally inadequate threshold of significance. By any rational measure, the Project will have a significant impact related to climate change. The DEIR concludes otherwise only because it distorts the Project's actual impacts, uses an inappropriate way to measure the significance of the Project's impacts, and ignores that the Project conflicts with various relevant GHG-reduction policies.

Because the DEIR concludes that the Project will not have a significant climate-related impact, it also fails to adopt feasible mitigation.[4] But, because the Project's impact will actually be significant, the DEIR must identify and include adequate mitigation measures to reduce or avoid the Project's contribution to climate change. However, the best mitigation would be to disapprove this Project and adopt a city-centered, infill alternative that conforms to actual smart growth principles. This would have numerous benefits, including preservation of the rural character of Harmony Grove, reduced vehicle miles traveled (and concomitant reductions in GHG and other air pollutant emissions), preservation of wildlife habitat, and less traffic on rural roads. O3a-48

[4] As discussed above, the Project includes "design features," which are functionally equivalent to mitigation measures, that are intended to reduce the Project's GHG emissions. DEIR at 1-49 to 1-50. However, the DEIR never suggests that these few features represent all feasible mitigation, therefore satisfying CEQA's requirement that agencies adopt all feasible mitigation to reduce or mitigate a Project's significant impacts. Pub. Resources Code § 21081.

Response to Comment O3a-47

The traffic volumes used in the air quality and GHG analyses came from the Project *Traffic Impact Analysis* prepared by Linscott, Law and Greenspan, and provided as Appendix D to the EIR. As discussed in Response to Comment O3a-29, the traffic counts used in the TIA did not undercount traffic volumes. This was documented in 2017, when counts indicated that volumes were within 10 percent (an allowable variation based on daily variation) of the numbers used, and generally still somewhat lower than modeled conditions. As such, there was not an underestimation of traffic volumes and the GHG modeling does not require modification based on the traffic data. Please also refer to Attachment A to the final TIA.

Response to Comment O3a-48

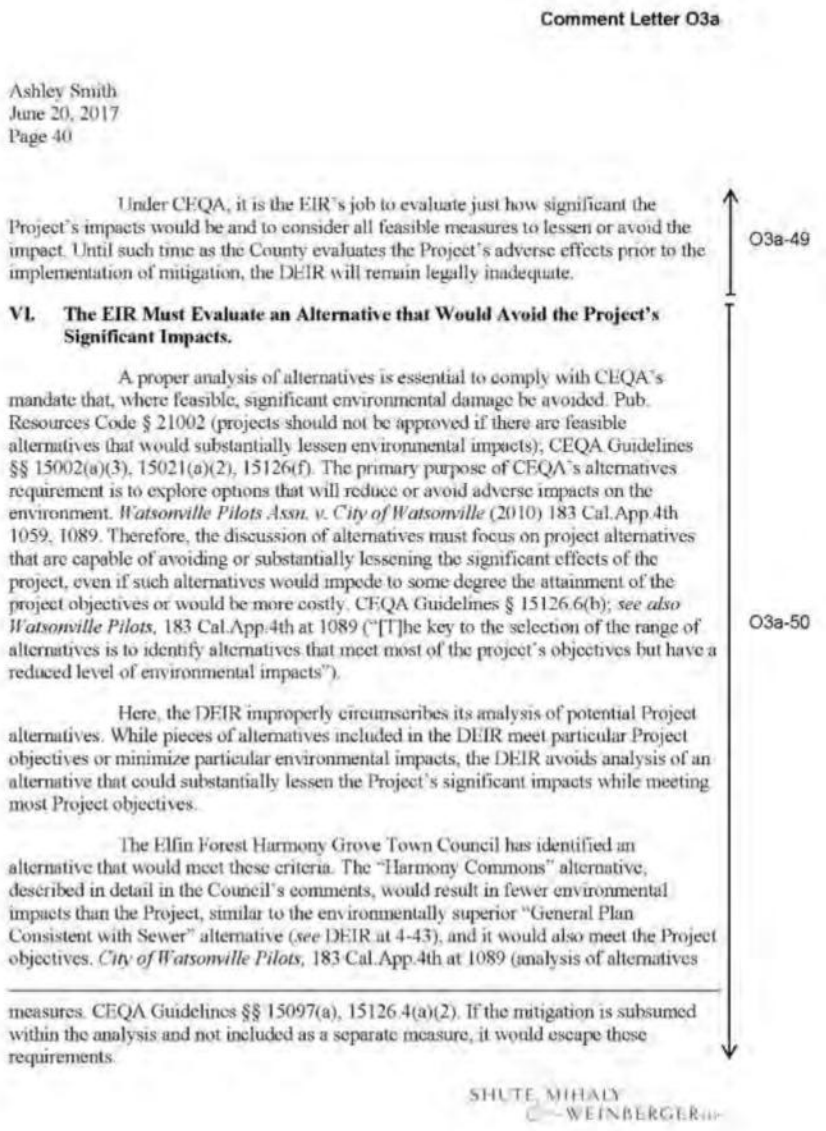
Relative to the threshold of significance and legal adequacy, the April 2017 Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) evaluated the potential environmental impacts associated with the proposed Project's GHG emissions using the 2016 Guidance Document and its County Efficiency Metric. During the public review period of the Project's DEIR, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County.

As a result, a supplemental analysis (Supplement; see revised Appendix J) was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. In addition, and in response to comment received, the Project Applicant has committed to reducing the Project's emissions to net zero, made enforceable through PDFs and mitigation measures (M-GHG-1 and M-GHG-2 for purchase and retiring off-site carbon offsets for construction and operational periods, respectively), as described in Subchapter 2.7 and Chapter 7.0 of this FEIR. Through the Project PDFs and purchase of carbon credits to offset Project construction and operationally related GHG emissions, the Project would result in no net increase to the existing GHG emissions, and the Project would not have a substantial contribution to a cumulatively considerable GHG impact. The

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	Project's commitment to achieve net zero GHG emissions also ensures that the Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. In summary, with the Project's additional mitigation commitment to purchase and retire off-site carbon offset credits to reduce the Project's GHG emissions to net zero, the Project would not result in a significant impact to global climate change. Please refer to the revised Subchapter 2.7, *Greenhouse Gas Emissions*, in the FEIR. The County cannot adopt a "city-centered" infill alternative because the County only has jurisdiction over unincorporated lands within the County and it would not meet the Project's objectives, particularly with respect to efficiently developing property in close proximity to an existing village in order to create one complete and vibrant community that would enhance and support the economic and social success of the village. The Project is also consistent with County-adopted smart-growth policies; including preferring infill development over expansion into pristine open-space areas and areas not adjacent to existing public facilities. Smart growth is described in the General Plan Land Use Element under the heading "Village and Town Centers, Context" and the proximity to services, jobs, and amenities comprises an underlying element of the Project approach as described in EIR Chapter 1.0, *Project Description* and Section 3.1.5, *Land Use and Planning*. The Project is consistent with these policies. The comment (footnote 4) also alludes to the Project Design Features (PDFs), stating that they are functionally equivalent to mitigation measures, and continuing that "the DEIR never suggests that these few features represent all feasible mitigation, therefore satisfying CEQA's requirement that agencies adopt all feasible mitigation to reduce or mitigate a Project's significant impacts. Pub. Resources Code [PRC] Section 21081." First, although the County applies the same strict rigor to confirmation of PDF installation as they do to mitigation measures through inclusion in Chapter 7.0 as Project conditions, PDFs vary from mitigation measures in their application. PDFs are identified prior to evaluation of the Project and comprise part of the

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	Project itself. The proposed action is then evaluated with those features included. This occurs in the same way, for example, as a total number of units is evaluated. Removal of a PDF would result in an alternative scenario (i.e., the base project would change), not a mitigation measure to lower an assessed impact to a less than significant effect. The "D" Designator is an integral element of the Project and requires compliance with a number of standards set forth in the Specific Plan. Second, the comment is correct that the EIR does not assert that the PDFs (or indeed recommended mitigation) comprise all feasible mitigation. The comment provides a mistaken characterization of the code section. PRC Section 21081 (and the related CEQA Guidelines Section 15091) do not require an agency to adopt all feasible mitigation to reduce or mitigate a project's significant impacts. It requires changes incorporated into or required in the Project to either avoid or mitigate significant impacts (i.e. design features or mitigation).

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Comment Letter O3a Ashley Smith June 20, 2017 Page 39 **F. The DEIR Improperly Avoids Analysis of Impacts By Relying on Project Features to Mitigate Project-Related Impacts.** Where a project may have significant environmental impacts, any appropriate mitigation measures must be identified in the environmental review process, not outside of it. *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1199-1200. This ensures that impacts are reduced to the greatest extent possible, as a result of informed decision making. *Lotus*, 223 Cal.App.4th at 658. Accordingly, reliance on mitigation measures to avoid CEQA review amounts to an "end run" around the governing standards. *Azusa Land Reclamation Co.*, 52 Cal.App.4th at 1201. According to the DEIR, the proposed Project design features ("PDFs") "minimize potential long-term adverse effects associated with the Proposed Project" for a long list of issue areas. *See* DEIR Table 1-2 at 1-44 to 1-58. The DEIR concludes that these features would reduce many of the Project's impacts to an insignificant level. For example, the DEIR concludes that these features will reduce the Projects greenhouse gas emissions, wildfire hazards, and hydrology and water quality impacts to less than significant levels. *See, e.g.*, DEIR at 3.1.3-19 to 3.1.3-20, 3.1.4-22 to 3.1.4-26, 3.1.5-17. O3a-49 CEQA does not allow an EIR to fold what is effectively an assumed mitigation measure into a significance determination—the project's significant impacts must be determined first, and then the EIR must identify enforceable mitigation that will "offset" the impacts. *See Lotus*, 223 Cal.App.4th at 656. *Lotus* held that an EIR was legally inadequate where it assumed certain mitigation techniques would be incorporated into the project, and thus the EIR did not disclose the impacts of the project without those special techniques. *See id.* Further, the court in *Lotus* held that the EIR there was inadequate because it "fail[ed] to discuss the significance of the environmental impacts apart from the proposed 'avoidance, minimization, and/or mitigation measures' and thus fail[ed] to consider whether other possible mitigation measures would be more effective." *Id.* at 657. Such is the case here: the DEIR relies on a list of "Project Design Features" as a key factor in its determination that a long list of Project-related impacts would be less than significant. *See* DEIR at S-6. In so doing, the DEIR fails to reveal the true nature of the impacts and consider other feasible mitigation measures and their effectiveness, in violation of CEQA.[5] [5] Conflating environmental analysis and mitigation is also prejudicial because CEQA contains special requirements to ensure monitoring and enforcement of mitigation SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-49** Please refer to Response to Comment O3a-48 regarding lack of need to reduce impacts to the "greatest extent possible." The statement is correct that PDFs result in reduction of severity (up to and including) elimination of some impacts that otherwise would be identified as significant. The DEIR did not fold an "assumed mitigation measure" into a significance determination. The analysis stands on its own and provides an assessment of the potential impacts associated with implementation of the Project as described (including the incorporated PDFs) in the Project baseline conditions. The incorporation of PDFs the Project is committed to implementing is relevant. The PDFs are mandatory and not assumed. The County requires full disclosure of elements considered during impact analysis, and also specifically requires that all PDFs become Conditions of the Project that are included within Chapter 7.0. That chapter provides the basis for assessment of Project compliance with Project Conditions, and treats PDFs and mitigation measures with equal attention to detail and their mandatory nature. It is noted that PDFs are often based in mandatory regulatory compliance (e.g., specific requirements of a fire code, Title 24 building requirements, or water quality regulations). Although frequently regulatory based, however, they do need to be mandatory, enforceable, and committed to as part of Project design actions. Mitigation measures, on the other hand, may be more voluntary in nature (although enforceable), may be subject to discussion as to their efficacy, may require actions by others that need to be clearly disclosed and committed to (e.g., City of Escondido approval of grading in their jurisdiction), and generally can vary without affecting an underlying project. For example, the implementation of low-energy-use appliances, reduced-water-use fixtures, specific landscape requirements, etc., are required under the "D" Designator, which requires compliance with a number of standards set forth in the Specific Plan; including the sustainability policies. Regardless, because these commitments are equally mandatory, their incorporation simply reflects good planning, similar to incorporation of other best management practices, ordinance compliance, etc., and complies with CEQA, as indicated in PRC Section 21081 (see also Response to Comment O3a-48).

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	**Response to Comment O3a-50** The commenter expresses concern that the discussion of alternatives in the EIR does not meet CEQA requirements in that the EIR avoided analysis of alternatives that could substantially lessen the Project's significant impacts while meeting most Project objectives. In other words, the commenter believes that the EIR contains an overly narrow range of alternatives. The citation provided by the commenter from CEQA Guidelines Section 15126.6(a) is correct as far as it goes, but omits the following critical sentences: > *An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation... There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.* The term "feasible" is defined as "capable of being accomplished in a successful manner within a reasonable period of time; taking into account economic, environmental, legal, social, and technological factors" CEQA Guidelines 15364. This response is divided into two sections. The first explains why the alternatives provided in the EIR constitute a reasonable range of potentially feasible alternatives and why analysis of another alternative is not required. Second, a review was undertaken of the proposed alternative. Both of these are discussed below, followed by an overall conclusion. ***The EIR Analyzes a Reasonable Range of Potentially Feasible Alternatives*** The EIR already contains a reasonable range of potentially feasible alternatives. Proposed Project significant impacts were identified for aesthetics, air quality, transportation/traffic, biological resources, cultural resources, tribal cultural resources, and noise. As noted, CEQA Guidelines 15126.6(a) requires that each of those impacts be addressed by alternatives that would have the potential to reduce or avoid these significant impacts. This is accomplished by the Project

COMMENTS	RESPONSES
	alternatives. There is no CEQA mandate to include additional alternatives that achieve the same end relative to impact avoidance/reduction to a less than significant level. That would support identification of endless alternatives varying only in detail, which is expressly rejected in the citation above. The Project's alternatives were selected based on: (1) ability to meet Project objectives; (2) ability to build the alternative taking into consideration technological factors (i.e., it can be engineered within the identified footprint); and (3) ability of the alternative to substantially improves or eliminate one or more significant impact assessed to the Project (and it should do so to an extent greater than EIR alternatives already designed to answer the same impact). The Project's EIR analyzed six alternatives; the No Project/No Development Alternative, as well as a total of four development alternatives with varying levels of density, and two sewer options (combined under one alternative). The Project's EIR provides a narrative description of the factors considered in evaluating the range of alternatives and reasons for excluding others. As described in Section 4.1.1. of the EIR, the alternatives were selected based on the alternative's ability to feasibly attain most of the basic Project objectives as well as reduce or avoid the significant impacts of the Project, in the light of the constraints of feasibility. The Project's significant impacts to aesthetics, air quality, transportation/traffic, biological resources, cultural resources, tribal cultural resources, and noise resulted in alternatives designed to reduce the Project's impacts through modifications to the development footprint and/or development intensity. Each of the alternatives selected was vetted for both planning and engineering feasibility. This was an intensive process that resulted in alternatives that are internally consistent and would each work as a feasible standalone project, and the basis of such feasibility was thoroughly explained in the EIR. Excluding short-term visual effects and (unknown but conservatively planned for cultural resources impacts) the Project alternatives accomplish the required goal by reducing Project impacts through modifications to the potential footprint and/or development intensity. The General Plan Compliant with Septic Alternative is composed of 49 residences using septic (fewer homes than suggested in the Council scenario)

COMMENTS	RESPONSES
	that would substantially minimize or eliminate significant impacts to air quality planning effects associated with the Regional Air Quality Strategy (RAQS) residential assumptions, transportation/traffic generation, and noise. The Biologically Superior Alternative is the smallest footprint alternative, and was developed in concert with the wildlife resource agencies specifically to address focused biological resources. Between these two, other build alternatives addressed lower intensity development than the Project, as well as differently focused development. The General Plan Consistent with Sewer Alternative would provide consistency with the existing General Plan land use designation by compliance with the County's Conservation Subdivision Program and Planned Development Regulations and reduce traffic and air quality impacts. The Senior Care Traffic Reduction Alternative is intended to substantially reduce impacts associated with traffic in the context of providing a different development program that would still allow for an increase in density adjacent to the existing HGV Village through a GPA. Among these alternatives a varying range of densities was provided (49, 119, 425, and 266 units, respectively) along with a different development program and a condensed footprint. The fact that an additional alternative may exist which also attains these goals does not require its inclusion in the EIR. In fact, it is certain that an endless number of alternatives that pick elements from one or more alternatives, as well as introducing other new elements, are possible. But that is not the mandate—rather, the lead agency must only provide a reasonable range of alternatives, and that has occurred here. ***The EFHG Council Alternative*** The County has carefully reviewed the suggested Elfin Forest/Harmony Grove Town Council design scenario (Council Alternative) provided by the Council and suggested as a Project alternative. The proposed Council Alternative contains the following primary elements: • 119 single-family detached homes • A 15.5-acre, robustly-amenitized central park area • Five home types, ranging in size from 12 homes to 36 homes/project • An on-site waste water treatment facility

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	First, this alternative would not meet the purpose of the Project nor its first objective of efficiently developing property in close proximity to an existing village to create one complete and vibrant community that would enhance and support the economic and social success of the village and Project by increasing the number of residential opportunities. The number of homes that would be developed under the Council Alternative is a great deal smaller than the number of homes proposed by the Project. This exponentially decreases the potential to enhance and support the economic and social success of HGV. Also, the lesser number of homes proposed under this alternative does not make the most efficient use of a site that is located next to an existing village with existing infrastructure and associated facilities and amenities. It is also noted that while at first blush the Council Alternative appears to provide a diversity of residential opportunities by designing a plan that would include five different home types; this appears to contradict industry practices in the County of San Diego. The Council Alternative has an average of 24 homes per home type. However, based on industry standards, this is 70 percent (70%) below the standard for a 111-acre parcel offering an entirely new community of 119 homes, infrastructure improvements and community amenities. Comparison of the proposal with the Real Estate Economics Third Quarter 2017 survey of all active new housing developments in greater San Diego (www.realestateeconomics.com) shows an average of 87 homes per home type in these projects. HGV South is consistent with this industry average; averaging 91 homes per home type. Using this criterion, the Council Alternative should more appropriately offer two home types in order to meet industry standards. In other words, the land plan appears to have been contrived to appear to provide a more diverse number of product type than what is commonly recognized by industry standards which is presumably based on an economies of scale principle that is related to a project's financial feasibility. Also, the Council Alternative would not meet the objective of providing a variety of passive and active recreational opportunities. Although the alternative is presented as improving non-vehicular travel over the Proposed

COMMENTS	RESPONSES
	Project, no off-site multi-purpose trail improvements are proposed to support movement of horses and pedestrians throughout the larger community. It is also highly questionable whether the Council Alternative could meet the Project's fourth objective of providing a variety of passive and active recreational opportunities. Under the County's Parkland Dedication Ordinance, projects are required to dedicate land or pay fees, or both, that "shall not exceed the proportionate amount necessary to provide three acres of park area per 1,000 persons residing within a subdivision." Therefore, the amount of park land legally required by this project would equal 1.01 acres. However, the amount of parks identified for dedication under the Alternative exceeds the legal amount of park land required by over 1,500 percent (1,500%). A total of 16.3 acres is proposed as public-park, versus the 1.01 acres that would be required. This would result in both building costs and operational costs (as initially reflected in home price point, and then in assessments on the individual homes/residents) to be grossly out of scale with the construction and operations costs of similar properties. As a point of comparison, that amount exceeds the park acreage provided for the entire HGV development, which is supported by 742 homes and a variety of commercial land uses. To additionally look at parks issues, it is noted that the description of the potential "possible" amenities includes two suggested uses (a frisbee golf course and functional fitness course) that could each use approximately 10 acres, which would exceed even the large area identified for recreational uses on this plan. Potential incorporation of 4H pens would introduce potentially significant impacts exceeding those of the Proposed Project (related to vectors, manure management, potential water quality issues associated with runoff, etc.). Also, provision of public park uses which could substantially draw from the larger community (e.g., provision of a frisbee golf course, which is not included in the County community parks along Harmony Grove Road) could substantially increase visitors to the alternative design over the number of vehicular trips assumed for the DEIR 119-home alternative. Stated another way, the Council Alternative is said to be "composed of elements of the Proposed Project and other feasible alternatives considered in the DEIR."

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	However, it appears to be a simple compilation of attractive elements, without thought to actual implementation. The alternative does not meet the objective of preserving and enhancing landforms in dedicated open space easements to the extent represented by this alternative. The Council Alternative suggests that the central park area could preserve a "unique" topographic feature of the site. However, it is noted that the feature referred to appears to be located on the same ground that is underlaying the "common" area. As detailed in the DEIR, that area is not considered topographically unique (see also the Director of PDS's agreement in EIR Appendix C: Resource Protection Study Steep Slopes Waiver). Regardless, given the alternative land uses, and even those proposed for the "common," the area would not be "preserved," but would be graded and modified to support the noted potential park features as well as to make the road network viable within the building envelope. Also, there are a number of other technological factors (i.e., can it be engineered within the identified footprint); with respect to the ability to develop the Council Alternative as proposed. Although it is acknowledged that alternatives do not need to be as precisely engineered as a proposed project, looking at the alternative in a very broad sense indicates that several items are so poorly defined that comparative analysis of them is not possible. The Project's engineers (PDC) looked at the schematic land plan provided for the Council Alternative and scaled the land uses on the Plan in an effort to clarify alternative specifics. Examples of areas in which specifics are not clear, or may be misleading include questions related to: • Which of the "possible" park amenities are actually proposed? The difference in uses translates into large differences in potential alternative impacts and comparison against the Proposed Project, including the possibility that this park would result in increasing potential traffic generation by drawing outside users to amenities not available elsewhere in the community;

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	• How many senior homes would be included? (the legend says 25, but the plan shows 13); and • Whether portions of the internal primary road could meet County standards and how potential need to rectify that could affect the rest of the plan and increase the development footprint. As noted above, the "common" area would require grading in order to implement the potential recreational use, and would not be preserved. Specific to road width, it is noted that the alternative does not appear to propose road widths that meet the County Fire Code. As scaled by PDC, the roads appear to be approximately 16-foot wide. If so, the roadways would not qualify as appropriate driveway widths under County requirements (which require a 24-foot width for all roads accessing more than three homes), with emergency vehicle turn radii being wider yet. Including wider roads would affect overall grading and lot placement assumptions, resulting in a potentially expanded alternative footprint. This could result in the "reduced" footprint that is presented in the alternative to actually be closer in size to the Proposed Project (or at a minimum the already analyzed Biologically Superior Alternative). Finally, the alternative locates a waste water treatment facility (WWTF) at its north end. Based on sewage treatment facility elements as required and approved by the County for a similar facility at HGV, the estimated cost of operating that facility would exceed those of the analogous facility at HGV. (This is based on recent and relevant operating costs ranging from $733,196 to $896,905 provided for the Harmony Grove area as shown on Table 2 (Harmony Grove Allocation of Costs Per EDU [equivalent dwelling unit]) in the San Diego County Sanitation District Sewer Charges – Rate Study, Fiscal Year 2015-16.) This translates to $879 to $1,075 per year per EDU. Assuming similar base staffing and operations cost per annum to the alternative's proposed 119 homes, this would produce an annual per household cost allocation about 5.6 times this assumption. Having this facility supported by only 119 homes would result in yearly assessment to every home owner of approximately $6,697. This

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	operations cost would be substantially exacerbated when costs for the plant approvals and construction are included. It is noted, however, that the Council Alternative also notes that the "CSP Compliant" homes could use septic, substantially exacerbating the build and operational costs assessed to the remaining 93 homes over industry standards. If only 93 homes are served by the WWTF, the annual cost to homeowners would increase to approximately $8,569/year, exceeding the amount spent by their HGV residents by 7.1 times. The CSP compliant homes resemble a common subdivision rather than being part of a master planned community that expands an existing village. Relative to impacts, the construction-period aesthetics impacts would be cured with time and maturity of landscaping implemented by the Project. The Council scenario also would be expected to have the same unmitigable construction-period effects, as grading and residential construction would occur within the northern portion of the site, including the central "bench," the areas identified in the EIR as being the most visually accessible to off-site viewers. As addressed in the EIR, survey and on-site testing to date has not identified any significant resources. Although significant cultural resources impacts are therefore not anticipated, the Project takes a conservative approach, and measures have been put in place as Project Conditions to allow for full mitigation of any currently unforeseen impacts. The same would be expected for the Council scenario. Finally, as clarified for the Project in the Revised DEIR circulated in 2018, the Project would purchase off-set credits to address Project greenhouse gas emission, and also would plant and maintain a substantial number of trees as part of the robust landscaping scheme associated with the Project. These are both expensive endeavors that would also be expected of the Council Alternative. ***Conclusion*** The alternatives as a group evaluated even fewer homes, with less traffic generation, and equally consistent with the existing RAQS and SIP (see, variously, the 49- and 119-unit design scenarios). The public good provided by the senior portion of the Council-suggested alternative would not provide

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	benefits close to those of the Senior Care Traffic Reduction Alternative. Biological resources are considered appropriately addressed as the Biologically Superior Alternative, which was designed in the field with County biology and wildlife agency personnel. Review of additional alternatives is unnecessary when the goal of CEQA Guidelines 15126.6 is to demonstrate the ability to avoid or minimize significant impacts while feasibly attaining most of the objectives, as provided in the EIR. Given these considerations, the alternative is not considered "substantially superior" to the alternatives evaluated in the circulated EIR and as addressed earlier in this response.

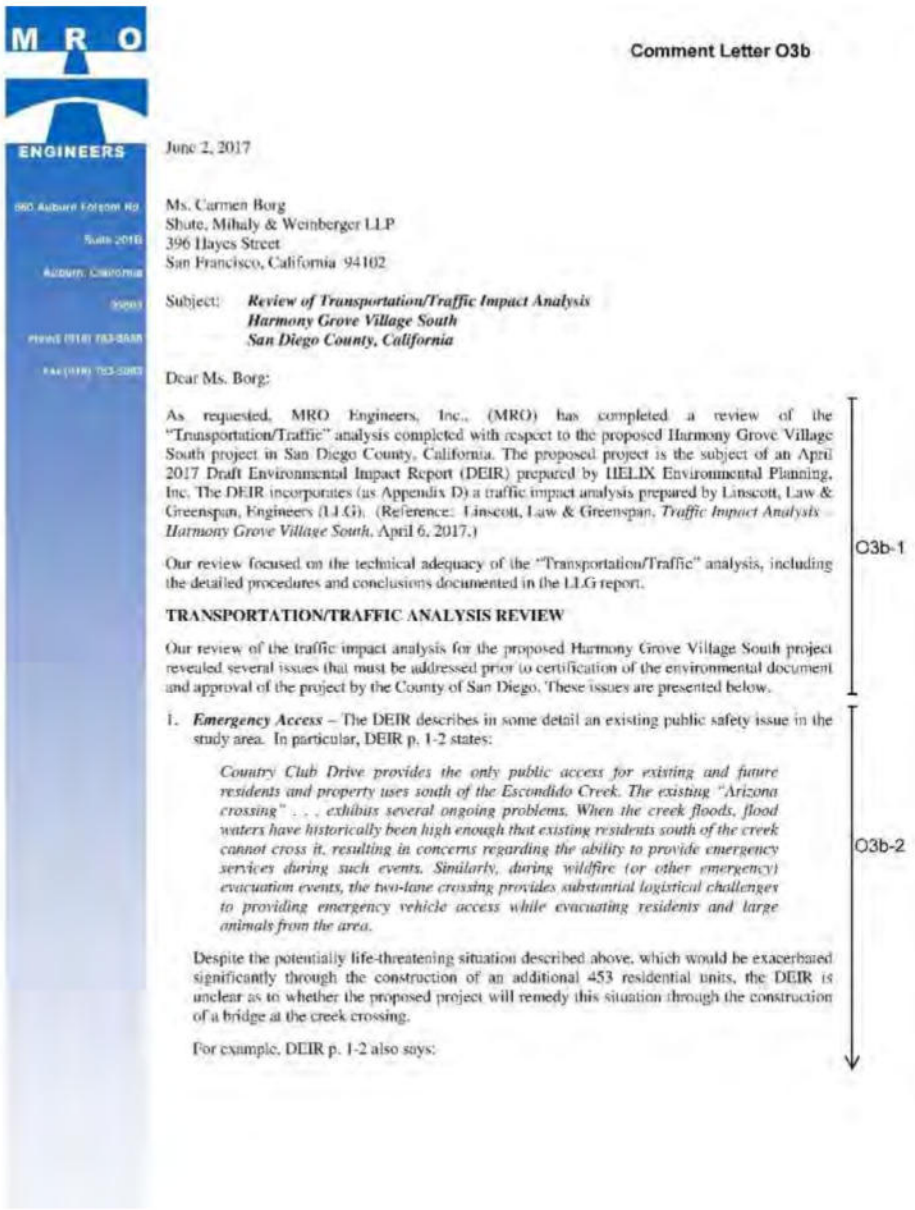
COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 41 that did not meet most project objectives failed to inform decision makers "about how most of the project's objectives could be satisfied without the level of environmental impacts that would flow from the project"). Critically, this alternative would be consistent with numerous General Plan, Community Plan, and Zoning Code provisions that prohibit the Project as proposed; in particular, the less dense development would complement HGV, without clashing with the Community Development Model. By omitting discussion of an alternative like Harmony Common, the DEIR leaves the reader with the impression that no alternative could meet both Project objectives and reduce the Project's significant environmental impacts. As a result, the DEIR fails to "foster informed decision making and public participation." CEQA Guidelines § 15126.6(a); *see Watsonville Pilots*, 183 Cal.App.4th at 1089-90 (holding that where the impacts of a project were primarily due to the impacts of growth, the alternatives analysis should have included a reduced growth alternative that would meet most project objectives). To ensure that the alternatives analysis complies with CEQA and serves its informational purposes, the DEIR should be revised to include the Harmony Commons alternative. O3a-50 **VII. Conclusion** For all of the foregoing reasons, we respectfully submit that the County cannot lawfully approve Harmony Grove Village South. The Project is plainly inconsistent with numerous General Plan policies. The DEIR is deeply flawed and fails to inform the public of the full impacts of the Project. It can support neither the findings required by CEQA nor a determination of General Plan consistency. We urge the County to exercise its discretion and deny this ill-advised Project. O3a-51 SHUTE, MIHALY WEINBERGER	**Response to Comment O3a-51** These are conclusion comments. They do not raise specific issues regarding the content of the DEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter O3a Ashley Smith June 20, 2017 Page 42 Sincerely, SHUTE, MIHALY & WEINBERGER LLP Winter King Allison A. Johnson Carmen J. Borg, AICP Urban Planner cc (e-mail only): Dianne Jacob, Chair, Supervisor, District 2 Kristin Gaspar, Supervisor, District 3 Greg Cox, Supervisor, District 1 Ron Roberts, Supervisor, District 4 Bill Horn, Supervisor, District 5 Sarah Aghassi, Deputy CAO and group General Manager for LUEG David Sibbett, Planning Manager, PDS Doug Dill, San Dieguito Planning Group Jacqueline Arsivaud, Elfin Forest Harmony Grove Town Council David Kovach, RCS Harmony Partners, LLC Marcel Arsenault, Real Capital Solutions Brian Paul, Homebuilder Capital Solutions Matt Dias, Executive Officer, CA State Board of Forestry and Fire Protection SHUTE, MIHALY WEINBERGER LLP	

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Comment Letter O3a Ashley Smith June 20, 2017 Page 43 **List of Exhibits** Exhibit A — Transportation & Traffic Impact Analysis Report, Neal K. Liddicoat, P.E., Traffic Engineering Manager, MRO Engineers, Inc. (June 2, 2017) Exhibit B — Wildfire Risk & Mitigation Analysis Report, Dr. Matthew Rahn, Ph.D., M.S., J.D., Partner & Principal Scientist, Rahn Conservation Consulting, LLC (June 13, 2017) Exhibit C — Curricula vitae for Neal Liddicoat and Matthew Rahn Exhibit D — Letter from Erin Chalmers to Marisa Smith, County of San Diego Planning and Development Services, re Harmony Grove Village South's Inconsistency with the General Plan and Community Plan (June 29, 2015) Exhibit E — Photographs of private connector road to Johnston Road Exhibit F — County San Diego, 2016 Climate Change Analysis Guidance (July 29, 2016) Exhibit G — Final Judgment for Second Supplemental Petition, Sierra Club v. County of San Diego, San Diego County Superior Court, Case No. 37-2012-00101054-CU-TT-CTL Exhibit H — University of San Diego, San Diego County Updated Greenhouse Gas Inventory (March 2013) Exhibit I — Bay Area Air Quality Management District, Proposed Thresholds of Significance (Dec. 7, 2009) O3a-52 802057.12 SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment O3a-52** A series of supporting documents is referenced in the comments in this letter. Each was reviewed prior to authoring the responses to comments in Letters O3a, O3b and O3c. The notes below summarize the type of documents and location in the responses where related discussion is provided. Exhibit A: This exhibit is addressed in Response to Comment Letter O3b. Exhibit B: This exhibit is addressed in Response to Comment Letter O3c. Exhibit C: This exhibit is the resume for the authors of Response to Comment Letter O3c. It is not further addressed. Exhibit D: This exhibit consists of a 2015 letter submitted to the County regarding the project consistency with the General Plan and Community Plan. This letter is a part of the County record and does not require further response. Plan policies relevant to the Project are addressed in FEIR Section 3.1.5, *Land Use and Planning*. Please also see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis. Exhibit E: This exhibit consists of photographs of Johnston Road and is addressed in Response to Comment O3a-37. Exhibit F: The 2016 Climate Change Analysis Guidance is a former County planning public document. The use of this guidance is no longer applicable to this Project as addressed in Response to Comment O3a-41. Exhibit G: This exhibit is addressed in Response to Comment O3a-41. Exhibit H: This exhibit consists of the 2013 San Diego County GHG Inventory and is addressed in Response to Comment O3a-43. Exhibit I: The exhibit consists of planning documents from a different jurisdiction. However, please refer to Responses to Comments O3a-42 and 44.

COMMENTS	RESPONSES
Comment Letter O3b **Transportation & Traffic Impact Analysis Report** **Neal K. Liddicoat, P.E., Traffic Engineering Manager, MRO Engineers Inc.** EXHIBIT A	

COMMENTS	RESPONSES



Comment Letter O3b

M R O
ENGINEERS

June 2, 2017

Ms. Carmen Borg
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Transportation/Traffic Impact Analysis***
Harmony Grove Village South
San Diego County, California

Dear Ms. Borg:

As requested, MRO Engineers, Inc., (MRO) has completed a review of the "Transportation/Traffic" analysis completed with respect to the proposed Harmony Grove Village South project in San Diego County, California. The proposed project is the subject of an April 2017 Draft Environmental Impact Report (DEIR) prepared by HELIX Environmental Planning, Inc. The DEIR incorporates (as Appendix D) a traffic impact analysis prepared by Linscott, Law & Greenspan, Engineers (LLG). (Reference: Linscott, Law & Greenspan, *Traffic Impact Analysis – Harmony Grove Village South*, April 6, 2017.)

O3b-1

Our review focused on the technical adequacy of the "Transportation/Traffic" analysis, including the detailed procedures and conclusions documented in the LLG report.

TRANSPORTATION/TRAFFIC ANALYSIS REVIEW

Our review of the traffic impact analysis for the proposed Harmony Grove Village South project revealed several issues that must be addressed prior to certification of the environmental document and approval of the project by the County of San Diego. These issues are presented below.

1. ***Emergency Access*** – The DEIR describes in some detail an existing public safety issue in the study area. In particular, DEIR p. 1-2 states:

> *Country Club Drive provides the only public access for existing and future residents and property uses south of the Escondido Creek. The existing "Arizona crossing" . . . exhibits several ongoing problems. When the creek floods, flood waters have historically been high enough that existing residents south of the creek cannot cross it, resulting in concerns regarding the ability to provide emergency services during such events. Similarly, during wildfire (or other emergency) evacuation events, the two-lane crossing provides substantial logistical challenges to providing emergency vehicle access while evacuating residents and large animals from the area.*

O3b-2

Despite the potentially life-threatening situation described above, which would be exacerbated significantly through the construction of an additional 453 residential units, the DEIR is unclear as to whether the proposed project will remedy this situation through the construction of a bridge at the creek crossing.

For example, DEIR p. 1-2 also says:

Response to Comment O3b-1

The issues presented in this summary comment are responded to in Response to Comment O3b-2 through Response to Comment O3b-23.

Response to Comment O3b-2

There is no uncertainty with respect to the Escondido Creek bridge crossing being an essential element of the Project's circulation design. Section 1.2.2.1 of the EIR described the Project's circulation improvements to include improvements to the Harmony Grove Road and Country Club Drive intersection; crossing of Escondido Creek on a bridge; and trail, road, and sidewalk amenities. The EIR assumed a conservative bridge footprint that encompassed the full extent of the anticipated County bridge design to ensure that all potential environmental impacts were thoroughly evaluated in this EIR. Project technical studies assume bridge implementation as a critical design element to be both assessed and relied upon (e.g., see, variously, the biological resources, noise, aesthetics, air quality, and hydrology studies). At the time of the Notice of Preparation (NOP) issuance of the Project's EIR, the County was contemplating construction of this crossing as a future capital improvement plan (CIP) project. The EIR therefore also ensured that if the County Department of Public Works (DPW) were to construct the bride crossing prior to the development of the Project, the Applicant would pay its fair share contribution with respect to this improvement. Likewise, if another developer were to construct the bridge crossing, the Applicant would do the same. In any event the EIR has been amended to clarify that the bridge crossing is a Project feature, as shown on the Project vesting tentative map (VTM).

COMMENTS	RESPONSES
 **Comment Letter O3b** *Ms. Carmen Borg* *June 2, 2017* *Page 2* *Separate from the Proposed Project, the County Department of Public Works (DPW) has been reviewing potential implementation of a bridge at this location.* This suggests that, not only will the Proposed Project not be constructing the bridge, but that the County is still far short of being prepared to do so. On the other hand, DEIR p. 1-4 describes one of the "Project Themes" as: *Circulation improvements that would benefit the entire Harmony Grove community located south of Harmony Grove Road (including . . . crossing of Escondido Creek on a bridge . . .* This suggests that the Proposed Project will construct the bridge, but DEIR p. 1-6 says: *The Project would contribute to or participate in implementation of County plans to improve the connection over Escondido Creek by improving the existing substandard "Arizona" crossing with a bridge . . .* O3b-2 That paragraph goes on to list the benefits of the bridge project, including (as the last item presented) improvements to emergency evacuation conditions and emergency vehicle access. Finally, DEIR p. 1-18 says: *In the event of construction of the bridge by others, the Project would make fair share contributions to bridge improvements.* This apparent uncertainty regarding the proposed project's involvement in construction of the badly-needed bridge must be resolved. More to the point, the proposed project must be required to construct the bridge (with the possibility of partial reimbursement for costs beyond the project's fair share as other development projects are approved). Absent construction of the bridge, the proposed project would result in a previously-unrevealed significant impact relating to "Traffic Hazards Due to an Existing Transportation Design Feature," particularly with respect to the following significance factor (as presented at DEIR p. 2.2-14): 9. *Design features/physical configurations of access roads may adversely affect the safe movement of all users along the roadway.* The DEIR also describes improvements to Country Club Drive that are proposed in connection with the project. (DEIR p. 1-17) Specifically, that road will be widened from the existing two-lane cross section to three lanes from Harmony Grove Road to just west of the southern project access road (i.e., Private Drive C). The proposed three-lane, 38-foot-wide cross section will provide one travel lane in each direction plus a center turn lane. As described at DEIR p. 1-17: O3b-3 *The center lane would provide opportunities for southbound left turns at the Project entrances (to take slowing cars out of the through lanes), and, as an ancillary benefit, could be converted to a through lane for its total length in an emergency evacuation scenario. South of the southern Project entrance north of Cordrey Drive, the improved road would transition back to the existing two-lane configuration . . .*	**Response to Comment O3b-3** The requirement for the Project to construct a bridge over Escondido Creek is ensured; please refer to Response to Comment O3b-2. Evacuations are fluid events and the incident command, law enforcement, and County Office of Emergency Services (OES) would jointly enact evacuations based on fire behavior. The Project will work with evacuation coordinators at the San Diego County OES and San Diego Sheriff's offices. As pointed out in the Fire Protection Plan (FPP), a key to any evacuation of a large number of people is controlling the intersections downstream of the evacuating population. To that end, evacuation routes available to Harmony Grove Village South (HGV South) will be identified and prioritized and key intersections mapped and shared with OES and the Sheriff's office. Integration of this information into pre-planned evacuation scenarios will assist these agencies in mobilizing the necessary number of officers to control these key intersections for movement of HGV South residents during an emergency situation. The Wildfire Safety Assessment (WSA) identified four routes of escape that exist for evacuation from the Proposed Project site; two with strong viability. Country Club Drive and Harmony Grove Village Parkway were determined to offer good escape alternatives. (The WSA is incorporated herein and available for the public on the County's website for the project at http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/HARMONY%20GROVE%20SOUTH%20WILDFIRE%20RISK%20ANALYSIS.pdf.) The WSA also determined that shelter-in-place would be a viable option should there be threats along evacuation routes. With respect to the comment raised regarding the adequate roadway capacity of Country Club Drive to evacuate all residents and their animals, the following response is presented. In an evacuation scenario, it is assumed that drivers would not make multiple trips to and from their homes as is considered when ADT is calculated. Instead, the number of trips per unit would be one-way (outbound only), and would be determined by the number of vehicles present on the site, and the number of drivers available to operate them. The existing homes in the vicinity are on large lots, and may have sufficient square footages

COMMENTS	RESPONSES
	that allow for larger households (including more drivers). Therefore, it could be assumed that on average there would be four vehicles/unit. By contrast, the Project will construct smaller units on smaller lots; therefore, an estimate of three vehicles/unit is made. It is estimated that there are approximately 50 dwelling units within the vicinity along both roadways. Were all 50 existing lots to evacuate, this would result in 200 vehicles. Were all 450 Project lots to evacuate, this would result in 1,350 vehicles. Together, both existing plus Project units could generate 1,550 outbound vehicle trips. These outbound trips would likely occur over a period of several hours, depending on the evacuation event. Roadway capacity is generally described in terms of daily capacity (over 24-hours), or hourly capacity. Since evacuation events occur within hours, the latter is the most appropriate capacity to consider. The Highway Capacity Manual (HCM) contains the published methodology used by jurisdictions, including the County of San Diego, to analyze traffic operations. The HCM generally ascribes an hourly capacity to a single lane of traffic of 1,900 passenger cars/hour (Chapter 16, Urban Street Facilities). The Project proposes to construct Country Club Drive with a three-lane cross section such that the striped median could be used as a lane. Thus, the two lanes, each with 1,900 passenger cars/hour capacity, would provide a combined hourly capacity of 3,800 passenger cars. The County of San Diego has no published methods for evaluating roadway volume or capacity during an evacuation event. Using engineering judgment, the worst-case volume estimated for the evacuation of approximately 50 existing units plus the approximately 450 proposed units is 1,550 outbound vehicles/hour. The roadway capacity for two outbound lanes (one standard lane + one median) is calculated at 3,800 vehicles/ hour. This would indicate that the roadway as proposed would have more than sufficient capacity to accommodate peak outbound traffic during an evacuation event, without compromising counter flow capacity needed to serve inbound safety service vehicles such as fire-trucks or ambulances.

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	Finally, the County disagrees that the ability of the residents living beyond the Project would be constrained because Country Club Drive widening would terminate at the Project's western boundary and there would be increased traffic from the Project. The residents living south and west of the Project will still have the existing two-lane road that accesses their properties and currently serves existing traffic. The Project will improve Country Club Drive north of that point to three-lanes as required by M-TR-1a and 1b (EIR Section 2.2.6), to serve both existing residents and future Project traffic. The Project will also incorporate an appropriate transition from three to two lanes southwest of the southernmost Project entry, as depicted on Figure 1-14b of the EIR. For more discussion of each of these items, as well as large animal evacuation, please see the Global Response to Adequacy of Emergency Evacuation and Access.



Comment Letter O3b
Ms. Carmen Borg
June 2, 2017
Page 3

Consideration of this proposed improvement reveals two issues that have not been adequately addressed in the DEIR. The first issue concerns the possibility of an emergency (such as a wildfire) between the proposed project site and Harmony Grove Road. In such a case, access to the regional road system would be eliminated for all residents south of the location of the emergency, and not just residents of the proposed project, as Country Club Drive connects only to Harmony Grove Road; it has no other connections to the regional road system.

The second issue relates to the safety of residents living beyond the project site (i.e., farther from Harmony Grove Road). Because the proposed Country Club Drive widening project would terminate at approximately the proposed project's western boundary, residents living beyond that point will receive no benefit from the road improvements; their ability to evacuate safely will be severely constrained by the existing 20-foot-wide road. Furthermore, they will now have to contend with the traffic associated with the residents of an additional 453 homes, which is substantially more than would be allowed under current land use designations.

O3b-3

A credible analysis must be provided to demonstrate that adequate road capacity will be available to accommodate emergency vehicle access in combination with an emergency evacuation of all residents and animals located along Country Club Drive and connecting roadways such as Cordrey Drive, Cordrey Lane, Hillside Road, etc..

2. ***Obsolete Traffic Volume Data*** – DEIR p. 2.2-4 and LLG p. 12 state that the traffic volume data used in the analysis was collected in February and June 2014, about three years ago. This is a violation of San Diego County policy. Specifically, page 1 of the document entitled, *County of San Diego Report Format & Content Requirements – Transportation and Traffic* (Reference: County of San Diego, Land Use and Environment Group, Second Modification, August 24, 2011) states:

> *Documentation of the existing traffic volumes, levels of service, and geometrics for roads and intersections that may be potentially impacted by the proposed project must be provided.* ***This assessment is typically based upon traffic counts that are less than two years old****, unless it can be demonstrated that traffic volumes have not significantly changed since prior counts were taken.* [Emphasis added]

Furthermore, this is contrary to accepted practice within the traffic engineering profession. Page 19 of the 2006 Institute of Transportation Engineers (ITE) document, *Transportation Impact Analyses for Site Development*, specifically states that:

O3b-4

> *. . . traffic volume data should generally be no older than 1 year.*

In addition, LLG p. 12 says:

> *Freeway volumes were taken from the most recent Caltrans Performance Management System (PeMS) data. The PeMS software distributes real-time peak hour and average daily traffic volumes and provides a graphical representation of volumes at each PeMS station location.*

Appendix B to the LLG report provides the traffic volume data, including the Caltrans PeMS data sheets. Attachment A to this letter presents the Caltrans PeMS data from the LLG report. As shown there, the State Route 78 (SR 78) freeway volumes used in the analysis are from October 11, 2011, over 5½ years ago. Also shown in Attachment A is Table 6-3 from the LLG report, which verifies that the freeway volumes used in the analysis of existing conditions

Response to Comment O3b-4

The comment asserts that the baseline traffic volumes used in the EIR traffic study analysis are "obsolete" and violate County of San Diego "policy," as well as "accepted practice within the traffic engineering profession." The comment goes on to cite specific passages from the County of San Diego's *Report Format and Content Requirements – Transportation and Traffic* document ("County's Traffic Guidelines"), as well as the ITE's *Transportation Impact Analyses for Site Development* as evidence of these policies and violations. The citations themselves are contrary to the comment's assertion that that there are policy violations. For example, with respect to the cited County requirements, the commenter's emphasis is that an assessment "...is typically based upon traffic counts that are less than two years old unless it can be demonstrated that traffic volumes have not significantly changed since prior counts were taken."

As stated in the citation, the County's Traffic Guidelines allow for use of traffic counts that are more than two years old if it can be demonstrated that traffic volumes have not significantly changed since prior counts were taken. The County's Traffic Guidelines also clearly state that "These are intended to serve as a guideline and are not intended to replace sound traffic engineering judgment." In fact, the standard of practice in the County is to assess the validity of existing or baseline counts as time passes with project processing. It is important to note that neither of the reviewing agencies with jurisdiction over traffic issues (City of Escondido, Caltrans) had comments about the age of the counts on the EIR traffic study.

Similarly, the ITE document is neither a policy nor a guideline used by the County for the purposes of assessing validity of existing traffic volumes. Again, the commenter's own citation "*...traffic volume data should generally be no older than 1 year*" would mean that the validity of existing or baseline counts is based on sound traffic engineering judgment and the circumstances at hand.

The County disagrees that local policies or national practices have been violated. Lead agencies always retain the ability to tailor analytical data specific to the project. In fact, the modeling for this Project was very conservative, in that all traffic loading for Harmony Grove Village (HGV)

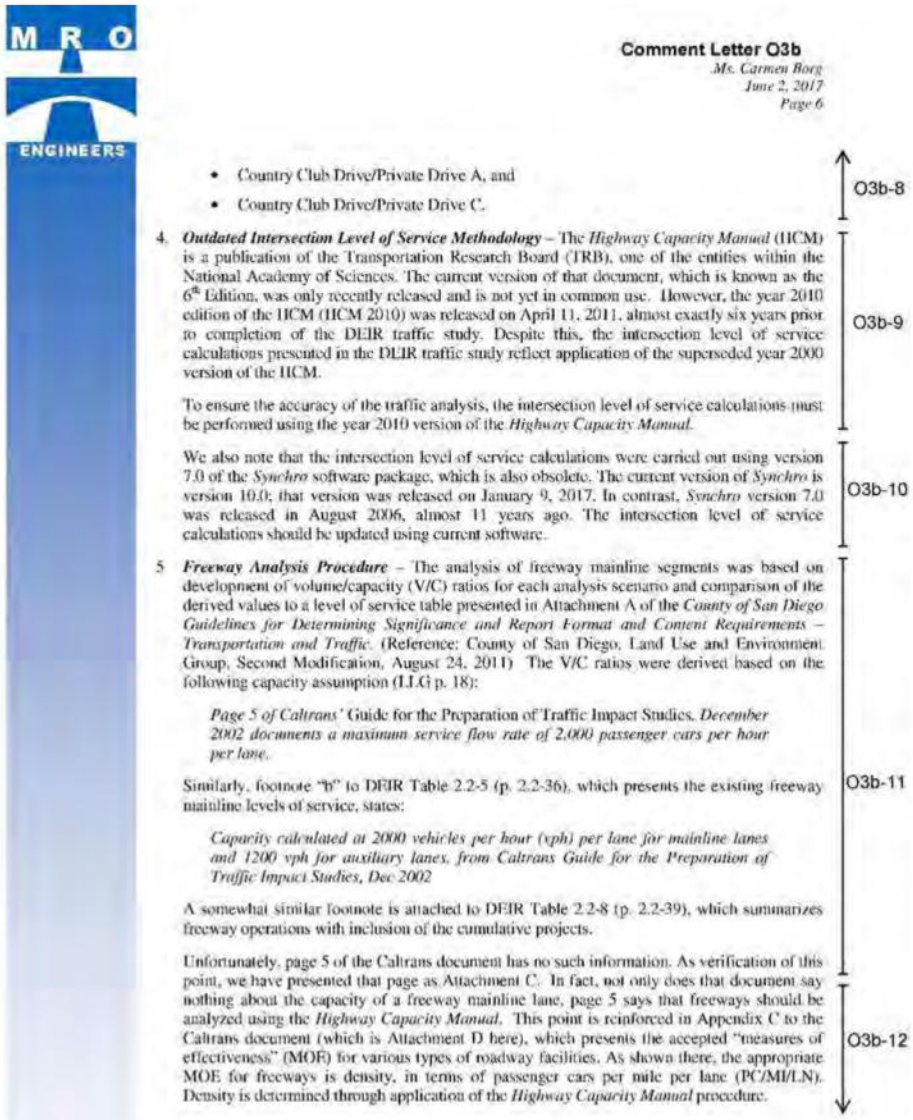
COMMENTS	RESPONSES
	buildout was assumed as part of the existing condition (because physical, on-the-ground improvements were already underway, ignoring associated HGV traffic would have resulted in misleading analyses regarding road capacity without this balance). Please see the Global Response to Baseline Conditions. Project modeling, therefore, resulted in a conservative assessment as discussed below. The Project's traffic consultant, LLG, was commissioned to take validation counts on all 14 street segments in the study area analyzed in the EIR traffic study (see Attachment A to the final TIA) to determine if existing counts are higher or lower than the baseline counts used in the EIR traffic study, upon which the Project impacts are based. These counts included the six segments in the City of Escondido, and the eight segments in the County of San Diego. The 24-hour average daily traffic (ADT) counts were conducted on Thursday, October 5, 2017, when local schools were in session. The results showed that as compared to the baseline traffic counts used in the EIR traffic analysis, the 2017 counts are lower on 11 of the 14 roadway segments (see Attachment A to the final TIA). Throughout the study area, the average reduction in traffic between 2017 validation counts as compared to the EIR traffic study counts is -23 percent. For the three segments that were observed to have higher traffic in 2017, the maximum increase was 10 percent (on one segment) with the other two segments being higher by 4 percent and 8 percent. It is noted that these counts are a snapshot in time. A general guideline used by traffic engineers is that traffic volumes on a given roadway can vary day-to-day by as much as 10 percent, which would be within the margin of error, and therefore within expected variation. In the context of a validation comparison, a 10 percent increase on 1 of 14 segments would not indicate that the baseline volumes were obsolete, especially with an overall average reduction throughout the study area of -23 percent. Thus, the baseline volumes remain valid as compared to existing 2017 data, and the corresponding analysis results also remain conservative. The comment also suggests that the SR-78 freeway mainline volumes utilized in the report are outdated as they were from 2011. A 2017 validation count was

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	completed in October 2017 at the locations analyzed in the EIR traffic study, east and west of the Nordahl Road interchange, using Caltrans Performance Measurement System (PeMS) data. A comparison of the daily freeway volumes on the SR-78 sections analyzed in the report show a decrease of 8 percent on one segment and an increase of 6 percent on another. Again, this may be accounted for by daily variations in traffic volumes. See Attachment B to the final TIA, which shows a comparative summary of the EIR traffic study volumes and 2017 freeway volumes obtained from Caltrans (PeMS). It can therefore be concluded that the analysis presented in the EIR/Traffic Impact Assessment (TIA) accurately represents existing baseline conditions and no new impacts would be expected to occur per the traffic count data validation.

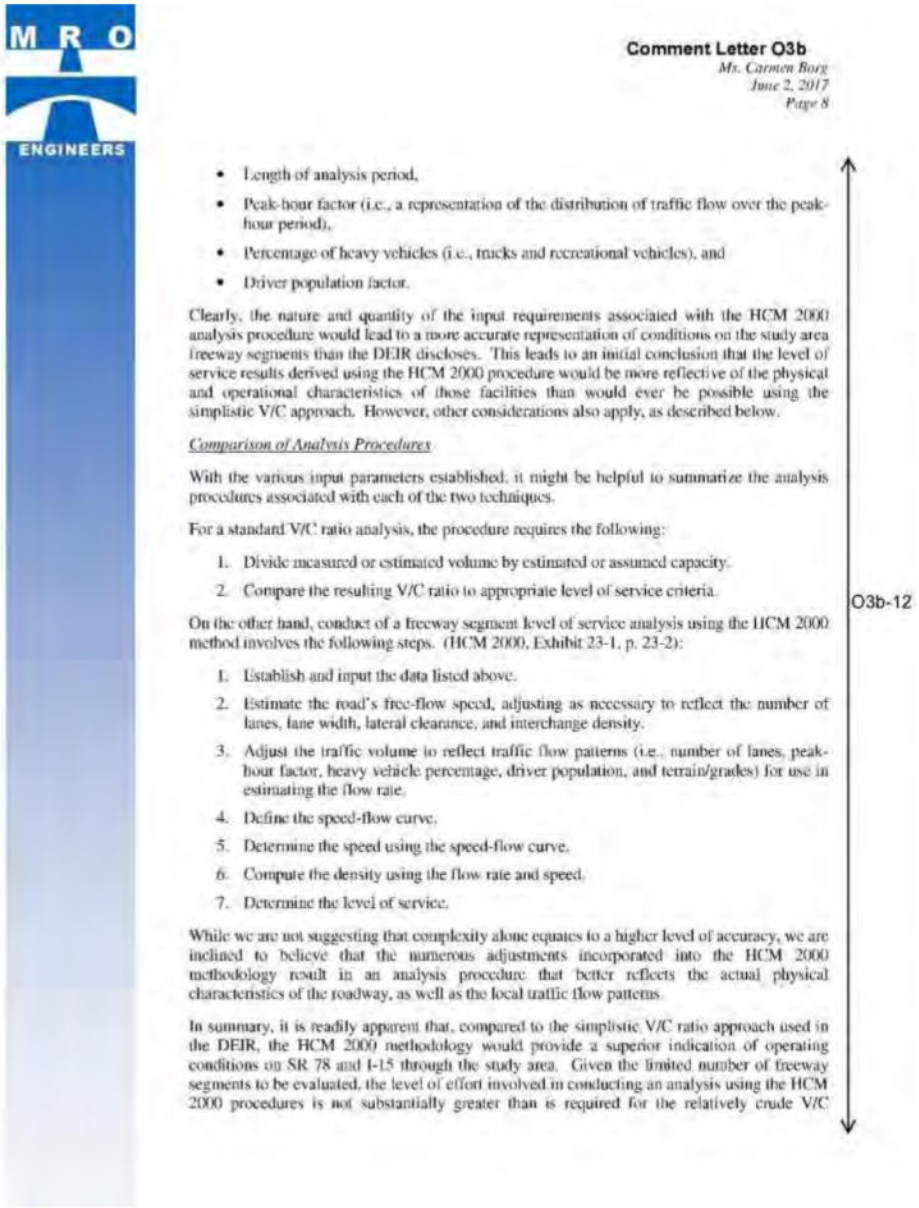
COMMENTS	RESPONSES
 freeway operations are the same October 2011 volumes taken from LLG Appendix B. Obviously, these traffic volumes are too old to be meaningful. Because the traffic volumes represent the most critical input parameter in the level of service calculation process, any inaccuracies in those values directly affect the validity of the level of service results. In short, to the extent that the existing traffic volumes fail to represent current conditions in the study area, the corresponding level of service results reported in the DEIR are invalid, and a misleading representation of the environmental setting and project-related impacts will be provided. New traffic volume data must be obtained for the study intersections, roadway segments, and freeway facilities, and the analysis must be revised to incorporate that new data. 3. ***Study Area*** – The study area for the traffic impact analysis is seemingly extensive, as it includes 19 intersections and 14 road segments. However, only two freeway segments were analyzed, both of which are on State Route 78 (SR 78). (DEIR pp. 2.2-30 and 2.2-34 – 2.2-35 and LLG pp. 7 – 8) No analysis was included with respect to existing or projected traffic operations on the Interstate 15 (I-15) mainline. This is particularly odd, given that I-15 is expected to carry a greater percentage of project traffic than SR 78. Specifically, referring to DEIR Figure 2.2-3 (DEIR p. 2.2-45) and LLG Figure 7-1 (LLG p. 33), both of which are labeled "Project Traffic Distribution," SR 78 west of Nordahl Road is shown to carry 15 percent of the project's traffic. East of Nordahl Road, SR 78 will carry five percent of the project-generated traffic. In contrast, those same figures show that I-15 between W. Valley Parkway and W. 9th Avenue will carry 13 percent of the project-generated traffic. South of W. 9th Avenue, I-15 will carry 26 percent of the project's traffic. (Note that the figures incorrectly show that this latter segment of I-15 will carry 18 percent of the project-generated traffic. When we examine the intersection turning movement volumes at the I-15 freeway ramp intersections at W. Valley Parkway and W. 9th Avenue, we see that 13 percent of the project's traffic enter/exit the freeway to/from the south at both of these locations. Combining these values reveals that 26 percent of the project's traffic will travel on I-15 south of W. 9th Avenue, rather than the 18 percent shown on Figure 7-1. Attachment B presents an annotated version of the DEIR figure with the corrected percentages.) Thus, even though I-15 south of W. 9th Avenue will carry over 70 percent more project traffic than SR 78 west of Nordahl Road, I-15 has been inappropriately ignored in the traffic analysis. This is a substantial shortcoming in the traffic analysis. Moreover, no analysis was provided to determine whether adequate freeway system capacity exists on either SR 78 or I-15 to safely and effectively accommodate vehicles entering and exiting those facilities. Such "merge" (i.e., on-ramp) and "diverge" (i.e., off-ramp) analyses address conditions at the locations where the ramps meet the freeway mainline and evaluate the level of turbulence created in the traffic stream by the intensive lane-changing maneuvers associated with entering and exiting drivers. According to the *Highway Capacity Manual* (Transportation Research Board, 2010, p. 13-2): *Ramps and ramp junctions do not operate independently of the roadways they connect. Thus, operating conditions on the main roadways can affect operations on the ramp and ramp junctions, and vice versa. In particular, a breakdown [Level* O3b-4 O3b-5 O3b-6	**Response to Comment O3b-5** The I-15 freeway lies within Caltrans jurisdiction. Caltrans reviewed the EIR traffic study the public review of the EIR and technical studies and did not request an analysis of the I-15 mainlines. TIA Figure 7–1, *Project Distribution*, contained one incorrect percentage at the I-15/Auto Park Way interchange. It erroneously showed a 13 percent distribution to/from I-15 from Auto Park Way when the actual Project distribution is 7 percent at this interchange (6 percent to/from 9th Avenue and 1 percent to/from Auto Park Way arriving at the I-15 southbound ramps where 5 percent turns onto the freeway and 2 percent continues to the east on 9th Avenue). This amounts to the correctly shown 18 percent (rather than the suggested 26 percent) along I-15 south of Auto Park Way, where 13 percent comes from the Valley Parkway interchange and 5 percent comes from Auto Park Way. The incorrect number has been corrected on the figure in the TIA and the EIR. Since the intersection analysis in the EIR traffic study used a higher assignment of Project trips to the I-15 South Ramps/Auto Park Way intersection (13 percent), using the correct 7 percent of trips at this location results in no new impacts and no changes to the significance conclusion. Attachment C to the final TIA provides the revised analysis. With the correct distribution of trips to I-15 as described above, only 3 percent more traffic is distributed to I-15 than SR-78 (15 percent to SR-78, 18 percent to I-15). Nonetheless, to additionally address the comment, a supplemental freeway analysis using Caltrans District 11's V/C method for the I-15 segment south of 9th Avenue was completed; see Attachment D to the final TIA. Data were collected from the Caltrans PeMS database 2016 for I-15 as those files reflect the best available data available for I-15. This analysis concluded that no new direct or cumulative impacts would occur with the addition of Project traffic. The analysis of State Route (SR) 78 was included in the EIR traffic study to be consistent with other nearby development projects' traffic studies.

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	Response to Comment O3b-6 As previously mentioned, Caltrans provided comments during public review of the EIR and technical studies and did not request such analyses be performed. In San Diego County (District 11), ramp junction analyses are not required or included in traffic studies prepared for local development projects as the measure of effectiveness is not subject to any locally published significance criteria thresholds. When Caltrans District 11 has required ramp junction analyses, it has been for the purposes of confirming specific design recommendations for freeways/interchanges yet to be constructed. As such, a ramp junction analysis was not requested by Caltrans, is not required in District 11, and is therefore not included in the traffic study. County guidelines require the analysis of freeways in the near-term scenarios but not in the buildout. Per County guidelines, projects conforming to the General Plan do not require buildout analyses. Projects that propose to change the County's General Plan, Circulation Element or zoning above the current density or intensity are required to provide a focused buildout analysis of Mobility Element roadways. Given the Project does not conform to the General Plan, a buildout Year 2035 street segment level of service (LOS) analysis of Mobility Element roadways is provided in the EIR traffic study consistent with this practice. The purpose of this analysis is to conclude whether the proposed land use changes are consistent with the County's Mobility Element. If not, the Project may be required to make changes to the Mobility Element. As shown in the EIR traffic study, no changes are needed to Mobility Element roadways.

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 **Comment Letter O3b** *Ms. Carmen Borg* *June 2, 2017* *Page 5* *of Service (LOS) F] at a ramp-freeway junction may have serious effects on the freeway upstream or downstream of the junction. These effects can influence freeway operations for miles in the worst cases.* We note that DEIR Table 2.2-8 (DEIR p. 2.2-39) shows that SR 78 west of Nordahl Road is projected to operate at LOS F(0) in the AM and PM peak hours under two analysis scenarios: Existing + Cumulative Projects and Existing + Project + Cumulative Projects. In each case, the SR 78 freeway is shown to operate at 4 – 9 percent beyond its capacity. Although this does not guarantee that deficient operations will occur at the ramp-freeway junctions, it increases the likelihood of such an occurrence. O3b-6 Because no analysis of freeway operations was conducted for "Buildout" conditions, it is impossible to comment on the project-related impacts on the freeway mainline or ramp-freeway junctions. Given that a portion of SR 78 is documented as operating at LOS F under less intensive analysis scenarios, it is reasonable to expect that operational deficiencies would be found through the conduct of such an analysis. Finally, no analysis was performed to determine whether the two project access intersections on Country Club Drive will operate effectively. Consequently, we have no information with respect to delays and projected queue lengths at the intersections of Country Club Drive/Private Drive A and Country Club Drive/Private Drive C. O3b-7 To ensure a thorough analysis of the proposed project's traffic impacts, we believe the following mainline segments of I-15 must be evaluated: • I-15 between W. Valley Parkway and W. 9th Avenue (both directions), and • I-15 south of W. 9th Avenue (both directions). In addition, merge/diverge analyses must be performed at: • SR 78 Westbound/Nordahl Road On-ramp, • SR 78 Westbound/Nordahl Road Off-ramp, • SR 78 Eastbound/Nordahl Road On-ramp, • SR 78 Eastbound/Nordahl Road Off-ramp, • I-15 Northbound/W. Valley Parkway On-ramp, • I-15 Northbound/W. Valley Parkway Off-ramp, • I-15 Southbound/W. Valley Parkway On-ramp, • I-15 Southbound/W. Valley Parkway Off-ramp, • I-15 Northbound/W. 9th Avenue On-ramp, • I-15 Northbound/W. 9th Avenue Off-ramp, • I-15 Southbound/W. 9th Avenue On-ramp, • I-15 Southbound/W. 9th Avenue Off-ramp, Finally, the following two intersections must be analyzed: O3b-8	**Response to Comment O3b-7** Per Section 11.2 of the EIR traffic study, a qualitative analysis of the Project access was conducted based on the proposed lane configurations and traffic control devices. The center turn lane proposed along Country Club Drive will store vehicles turning left onto the Project access streets, thus removing them from the free flow of traffic destined to the existing residences on Country Club Drive. Stops signs would be installed at the Project access roads, and Country Club Drive would flow uninterrupted. In order to address the comment, a supplemental peak hour LOS analysis for the Project driveways: Private Drive A and Private Drive C, both intersecting with Country Club Drive, was prepared and is included in Attachment E to the final TIA. With these geometric conditions, acceptable LOS A operations are calculated at the project access intersections and therefore no excessive queuing would occur. **Response to Comment O3b-8** Please see Responses to Comments O3b-5 and O3a-28.

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	**Response to Comment O3b-9** The Synchro software uses the HCM methodology and data input to calculate intersection delay and LOS. In response to the comment, the Project's traffic consultant, Linscott, Law & Greenspan (LLG), conducted an intersection analysis using Synchro version 10.0 which uses the HCM 2010 methodology and data. Application of the HCM 2010 methodology and the latest Version 10.0 show that changes to LOS and delay vary; however, the changes do not result in new or different significant impacts, and the conclusions of significance remain identical to the EIR traffic study analysis. The results are demonstrated in Attachment F to the final TIA, which shows the results of this analysis and the supporting synchro analyses. Therefore, by completing Synchro 10, it confirms the results and that the original TIA was accurate. For purposes of information, the reason the TIA used the HCM 2000 parameters for conducting LOS and intersection delay analysis was because the Project was the third of three substantial projects in the immediate area. The first of the projects was Harmony Grove Village, which was approved and is under construction. The analysis for that project was conducted using HCM 2000 methodology. Subsequently, the traffic analysis (approved December 2015) for the Valiano project was prepared using the same HCM 2000 methodology. (The Valiano project is currently awaiting hearing and approval by the Board of Supervisors.) The NOP for HGV South was issued in August 2015, prior to the approval of the Valiano traffic study; therefore, as both studies were being conducted concurrently for the same intersection locations, the HCM 2000 was considered the appropriate analysis methodology. Efforts were made to maintain consistency to the extent possible among the three projects analyses since they share over 50 percent of the same study area intersections and two of the studies (Valiano and HGV South) had the potential to be under concurrent County review.

COMMENTS	RESPONSES
 • Length of analysis period, • Peak-hour factor (i.e., a representation of the distribution of traffic flow over the peak-hour period), • Percentage of heavy vehicles (i.e., trucks and recreational vehicles), and • Driver population factor. Clearly, the nature and quantity of the input requirements associated with the HCM 2000 analysis procedure would lead to a more accurate representation of conditions on the study area freeway segments than the DEIR discloses. This leads to an initial conclusion that the level of service results derived using the HCM 2000 procedure would be more reflective of the physical and operational characteristics of those facilities than would ever be possible using the simplistic V/C approach. However, other considerations also apply, as described below. *Comparison of Analysis Procedures* With the various input parameters established, it might be helpful to summarize the analysis procedures associated with each of the two techniques. For a standard V/C ratio analysis, the procedure requires the following: 1. Divide measured or estimated volume by estimated or assumed capacity. 2. Compare the resulting V/C ratio to appropriate level of service criteria. On the other hand, conduct of a freeway segment level of service analysis using the HCM 2000 method involves the following steps. (HCM 2000, Exhibit 23-1, p. 23-2): 1. Establish and input the data listed above. 2. Estimate the road's free-flow speed, adjusting as necessary to reflect the number of lanes, lane width, lateral clearance, and interchange density. 3. Adjust the traffic volume to reflect traffic flow patterns (i.e., number of lanes, peak-hour factor, heavy vehicle percentage, driver population, and terrain/grades) for use in estimating the flow rate. 4. Define the speed-flow curve. 5. Determine the speed using the speed-flow curve. 6. Compute the density using the flow rate and speed. 7. Determine the level of service. While we are not suggesting that complexity alone equates to a higher level of accuracy, we are inclined to believe that the numerous adjustments incorporated into the HCM 2000 methodology result in an analysis procedure that better reflects the actual physical characteristics of the roadway, as well as the local traffic flow patterns. In summary, it is readily apparent that, compared to the simplistic V/C ratio approach used in the DEIR, the HCM 2000 methodology would provide a superior indication of operating conditions on SR 78 and I-15 through the study area. Given the limited number of freeway segments to be evaluated, the level of effort involved in conducting an analysis using the HCM 2000 procedures is not substantially greater than is required for the relatively crude V/C O3b-12	The County guidelines do not specify the version of Synchro or the HCM to be used in the analysis of study area locations, but use of the HCM 2000 methodology ensures that the Project's analysis is consistent with the County's General Plan Mobility Element EIR traffic study, as well as other traffic analyses prepared for the County. It is important to note that while versions of the HCM are updated periodically, wholesale changes to chapters such as those referenced in the comment do not occur. Subtle changes to signalized and unsignalized methodologies are present, but have not been observed to result in substantive changes when compared with HCM 2000. In fact, the primary changes from HCM 2000 to HCM 2010 relate to the introduction of new methodologies to evaluate multi-modal transportation, application of microsimulation analysis, and the presentation of active traffic management, none of which affect the analysis in this EIR. To illustrate this point and to address the comment, LLG conducted an HCM 2010 analysis of the study area intersections using Synchro Version 10.0. Application of the HCM 2010 methodology and the latest Version 10.0 show that changes to LOS and delay vary; however, the changes do not result in new or different significant impacts, and the conclusions of significance remain identical to the EIR traffic study analysis. Attachment F to the final TIA shows the results of this analysis and the supporting synchro analyses. **Response to Comment O3b-10** Similar to the HCM updates described above in Response to Comment O3b-9, the Synchro software is periodically updated with new versions. As with all software, continued use in the market place reveals bugs that the maker addresses with updates. Often these reflect enhancements to the user interface or to minor changes to implementation of the current HCM methodology in the

COMMENTS	RESPONSES
	software, not wholesale changes in the standard methodology for analyzing study area locations. Attachment F to the final TIA includes the results of the Synchro 10 analysis and demonstrates no changes to the conclusions of significance occur between the two software versions. **Response to Comment O3b-11** The traffic study utilized a conservative 2,000 passenger cars per hour per lane for the freeway analysis but incorrectly references the Caltrans *Guide for the Preparation of Traffic Impact Studies*, with regard to the capacity. This capacity has been used as an industry practice among San Diego traffic engineering firms and all local reviewing agencies, and is accepted and used by Caltrans District 11 in their own planning documents. It should be noted it is a very conservative estimated capacity given the Caltrans guidelines allow for a maximum of 2,350 passenger cars per hour per lane capacity (page 3 of Caltrans's Appendix C). **Response to Comment O3b-12** The comment suggests that based on the Caltrans statewide guidelines appended to the comment letter, an HCM-methodology freeway analysis using a modulus of rupture (MOE) of density (pc/mi/ln) should have been conducted instead of the V/C method used in the EIR traffic study. It is true that the HCM method involves more variables. However, the comment is incorrect. As discussed in Response to Comment O3b-11 above, the Project is in Caltrans's District 11 jurisdiction, and therefore subject to Caltrans District 11 preferences. The Caltrans Guide for the Preparation of Traffic Impact Studies (Section V) lists analyses that are typically performed for different state-owned facilities, and states that HCM ***or operational analysis*** may be conducted. With regard to "operational analysis," it is up to direction from the lead agency, Caltrans and those preparing the traffic study to decide which type of analysis to prepare. Caltrans District 11 is a signatory agency to the regional San Diego Traffic Engineer's Council (SANTEC) and the Institute of Transportation Engineers (ITE) Guidelines for Traffic Impact Studies in the San Diego Region. The regional significance criteria for freeway impacts listed in this document use change in V/C to determine significant freeway impacts (Table

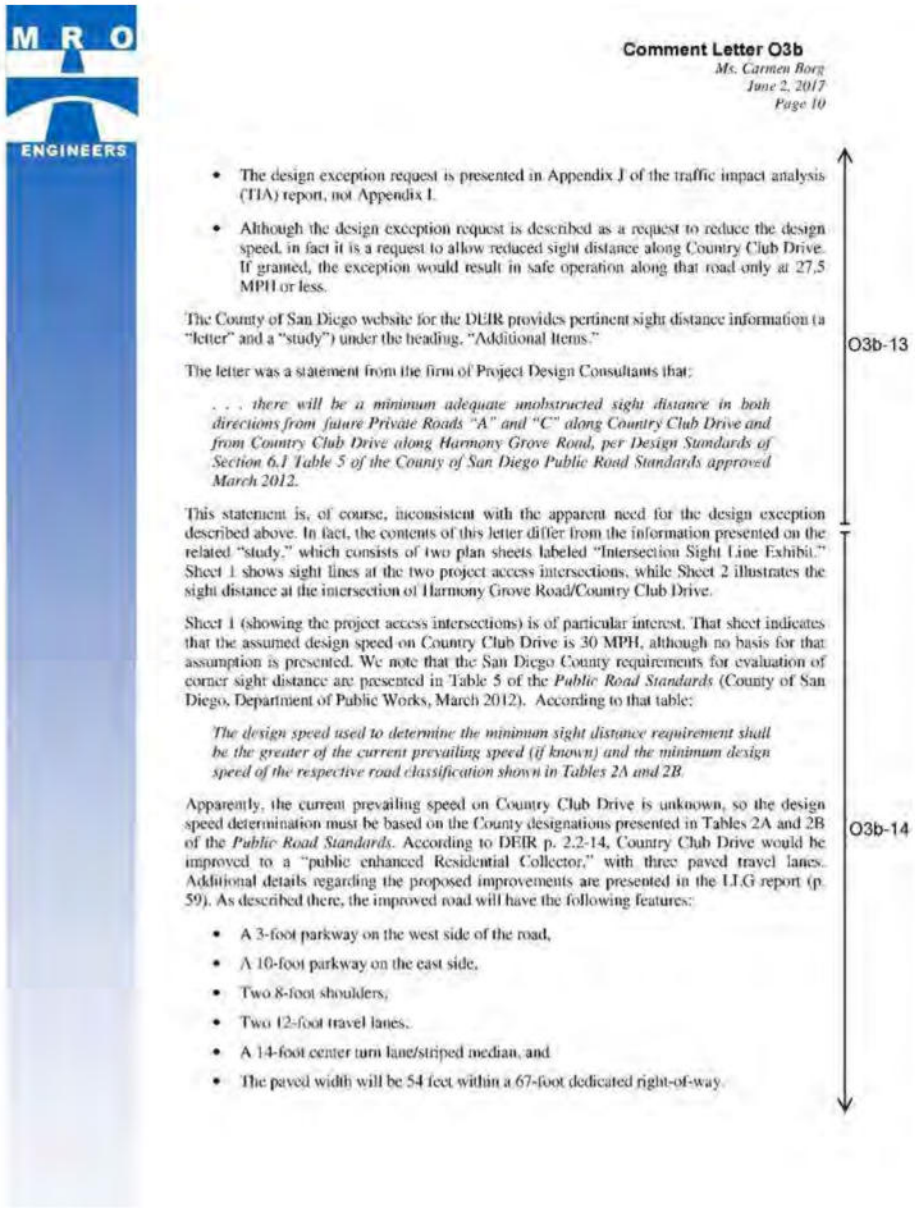
COMMENTS	RESPONSES
	1, Page 10). Therefore, it is the industry standard to perform the V/C freeway analysis within Caltrans District 11.

COMMENTS	RESPONSES
 **Comment Letter O3b** *Ms. Carmen Borg* *June 2, 2017* *Page 8* • Length of analysis period, • Peak-hour factor (i.e., a representation of the distribution of traffic flow over the peak-hour period), • Percentage of heavy vehicles (i.e., trucks and recreational vehicles), and • Driver population factor. Clearly, the nature and quantity of the input requirements associated with the HCM 2000 analysis procedure would lead to a more accurate representation of conditions on the study area freeway segments than the DEIR discloses. This leads to an initial conclusion that the level of service results derived using the HCM 2000 procedure would be more reflective of the physical and operational characteristics of those facilities than would ever be possible using the simplistic V/C approach. However, other considerations also apply, as described below. *Comparison of Analysis Procedures* With the various input parameters established, it might be helpful to summarize the analysis procedures associated with each of the two techniques. For a standard V/C ratio analysis, the procedure requires the following: 1. Divide measured or estimated volume by estimated or assumed capacity. 2. Compare the resulting V/C ratio to appropriate level of service criteria. O3b-12 On the other hand, conduct of a freeway segment level of service analysis using the HCM 2000 method involves the following steps. (HCM 2000, Exhibit 23-1, p. 23-2): 1. Establish and input the data listed above. 2. Estimate the road's free-flow speed, adjusting as necessary to reflect the number of lanes, lane width, lateral clearance, and interchange density. 3. Adjust the traffic volume to reflect traffic flow patterns (i.e., number of lanes, peak-hour factor, heavy vehicle percentage, driver population, and terrain/grades) for use in estimating the flow rate. 4. Define the speed-flow curve. 5. Determine the speed using the speed-flow curve. 6. Compute the density using the flow rate and speed. 7. Determine the level of service. While we are not suggesting that complexity alone equates to a higher level of accuracy, we are inclined to believe that the numerous adjustments incorporated into the HCM 2000 methodology result in an analysis procedure that better reflects the actual physical characteristics of the roadway, as well as the local traffic flow patterns. In summary, it is readily apparent that, compared to the simplistic V/C ratio approach used in the DEIR, the HCM 2000 methodology would provide a superior indication of operating conditions on SR 78 and I-15 through the study area. Given the limited number of freeway segments to be evaluated, the level of effort involved in conducting an analysis using the HCM 2000 procedures is not substantially greater than is required for the relatively crude V/C	As previously mentioned, Caltrans provided comments during public review of the EIR and technical reports, and made no comments requesting the type of freeway analysis requested in the comment.

COMMENTS	RESPONSES
 evaluation. Consequently, in keeping with the guidance provided in the Caltrans *Guide for the Preparation of Traffic Impact Studies*, we believe that the analysis should be revised to incorporate an analysis using the HCM 2000 procedures (or, preferably, the HCM 2010 procedures), and the results should be circulated for further public review. O3b-12 6. ***Project Access Intersection Sight Distance*** – The issue of "sight distance" at the project access intersections was addressed to some degree in both the LLG study and the DEIR. For reference, corner sight distance is described in the Caltrans *Highway Design Manual* (p. 400-14, May 7, 2012): *At unsignalized intersections a substantially clear line of sight should be maintained between the driver of a vehicle, bicyclist or pedestrian waiting at the crossroad and the driver of an approaching vehicle. . . . Adequate time must be provided for the waiting user to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed.* In other words, the analysis was intended to determine whether a driver exiting the project site can see far enough in each direction to ensure that it is safe to turn onto Country Club Drive. Other sight distance considerations relate to whether a driver approaching the project access intersections would have adequate time and distance to stop, if necessary, in reaction to a vehicle exiting the project unsafely and whether a driver making a left turn into the site can adequately see oncoming traffic. The LLG report (p. 62) simply states that, ". . . a review of the corner and stopping sight distances for these locations shall be conducted and the Project would meet the County's Road Standards for sight distance . . ." No sight distance analysis is documented in that report. O3b-13 The DEIR presents a slightly more extensive discussion of sight distance issues. (DEIR p. 2.2-14 – 2.2-15), although inconsistencies are evident in that text. On the one hand, DEIR p. 2.2-14 states: *The Proposed Project circulation system, including driveway corner sight distances, was designed in conformance with applicable County standards and requirements and would not significantly impact the safe movement of users along the area roadways.* However, DEIR p. 2.2-14 goes on to say: *It should be noted that a design speed exception is requested for a portion of Country Club Drive adjacent to Cordrey Lane. The request is for a reduced design speed on Country Club Drive from 30 mph to 27.5 mph at the existing crest vertical curve near the intersection of Cordrey Lane. A copy of the design exception request is included in Appendix I of the TIA (Appendix D to this EIR).* Several points of clarification might be helpful: • The portion of Country Club Drive in question is apparently adjacent to Cordrey Drive, not Cordrey Lane (which does not intersect Country Club Drive). • A "crest vertical curve" is a hill.	**Response to Comment O3b-13** Thank you for the corrections relative to the identification of Cordrey Drive/Lane and the TIA appendix number. The County disagrees there would not be adequate sight distance at Project intersections. Both statements in the EIR are correct. The Project would not significantly impact safe movement. Nonetheless, a slightly reduced speed exception was requested to provide an even safer condition. This is because the amount of reaction time permitted while driving is in large part based on a combination of when a driver sees another vehicle or person/object, how far the vehicle is from another static or moving object, and how fast they are each moving. In this instance, the road is curving and there is also a small hill. The slightly slower speed requested (and approved by the County) permits drivers a few extra seconds to react. Relative to the southernmost Project entry, engineering review of the TM and Project site visits supported County approval of the deviation. This in turn supported Project design of the County Club Drive transition presented in the DEIR as part of Project design. The cited text regarding conformance with County standards and requirements is an introductory statement for the reader, prior to the specific elements that follow. Once the design exception was approved, it became part of the Project, and analysis assumed its implementation. Regardless, a basic purpose of CEQA is informational. Full disclosure of the deviation was made and included in Appendix D so that it could be reviewed by commenters on the DEIR, as has occurred. In addition, and in response to this comment, additional review cited in the DEIR has been undertaken. Please see Attachment G to the final TIA. As noted in that document, the existing roadway segment identified in the design exception would extend from the southernmost Project driveway westerly for approximately 320 feet, the distance from the driveway to where Project improvements to Country Club Drive transition back to existing roadway. Based on substandard roadway features related to: (1) lane-width, (2) road surfacing width, (3) paved shoulder width, (4) parkway width, and (5) maximum desirable grade, the road has a functional speed of approximately 25 miles per hour (mph).

COMMENTS	RESPONSES
	Also as described in the Attachment G memorandum, a 7-day speed survey of actual driving practice was undertaken in March 2018. The 85th percentile was 22.1 mph, with the maximum average driving speed 25.8 and the minimum average driving speed during that period 8.6 mph. These low speeds are consistent with anticipated conditions based on the roadway characteristics, and well within the design speed proposed for the Project. With the Project, there would not be sight distance constraints between the Project driveway traffic and westbound traffic, as both are on the same side of the crest (hill). For eastbound drivers, and with respect to the sight distance between eastbound Country Club Drive traffic as it comes over the hill and traffic entering or exiting the Project, as noted above, the available sight distance is a function of approach speed and object height. Consistent with the approved design exception, the Project would construct and improve the profile of Country Club Drive by lengthening the crest vertical curve, improving the stopping sight distance of a 6-inch object to 27.5 mph. This improvement would meet the County's sight distance requirements at this location. It also addresses the transition from the full width Rural Residential Collector improvements southernmost Project driveway to the existing nonconforming roadway to the west. Project improvements would provide a 30 mph stopping sight distance for a pedestrian or a vehicle at this Project driveway, consistent with observed existing speed conditions and the County's sight distance requirements. As shown, the observed 85th percentile eastbound speed is 22.1 mph, which is well below the 27.5 mph design speed provided by the design exception. It is also noted that the Project would underground currently above-ground utilities along Project frontage, and also would coordinate landscaping installation and maintenance at Project entries to retain open sight lines (e.g., shrubs will not exceed County-specified allowable heights and trees will be placed so that trimming of understory can maintain sightlines). Sight lines would be open at the Harmony Grove Road and Country Club Drive intersection in both directions. The Project would not be installing any uses that

COMMENTS	RESPONSES
	could block views at the Country Club Drive and Harmony Grove Road intersection, where abutting uses are owned by others.

COMMENTS	RESPONSES
	The Project would improve the intersection by additionally "squaring it off" as the Project would eliminate the angle at which Country Club Drive currently accesses the intersection from the south, which would potentially contribute to more open sight lines. The intersection itself additionally controls traffic flow due to its signal. It is anticipated that traffic will follow the signal demands to slow, stop, and go—thereby eliminating cross-traffic conflicts. Finally, it is noted that some of the existing "visual noise" noted in the comment at this intersection may now be gone following completion of the County equestrian park located in the southwest quadrant of the intersection. **Response to Comment O3b-14** The comment asserts that the design speed for the portion of County Club Drive where full Project improvements (three lanes, parkway, shoulders, etc.) would be implemented should be 45 rather than 30 mph based on those improvements. The comment is noted, but it does not change the proposed design elements or their footprint. Relative to travel speeds north of the driveway, it is possible that reaching 45 mph on a short stretch of road with a signalized intersection preceded by a bridge *could* occur. Regardless, speeds on that portion of the road are not material to the issue of sight distance, as it is a straight-away and sight lines are open. Please see Response to Comment O3b-13 regarding the area where there is a curve and small hill.

The LLG report (p. 59) goes on to say:

> *This configuration is similar to a "Community Collector With Continuous Left Turn Lane (2.1B), which is identified as having an "LOS E" threshold at 19,000 ADT.*

Critically, Table 2A of the *Public Road Standards* shows that a "Community Collector With Continuous Left Turn Lane (2.1B)" has a minimum design speed of 45 MPH. This is, obviously, substantially different from the 30 MPH assumption in the sight distance analysis presented on the San Diego County website.

A 45 MPH design speed would call for minimum corner sight distance of 450 feet (compared to 300 feet for 30 MPH) and 275 feet for the requested 27.5 MPH design speed. Therefore, the requested design speed exception would be equivalent to a sight distance reduction of almost 40 percent from the required value.

Allowing such a dramatic reduction in corner sight distance would be inappropriate. Moreover, the failure to provide adequate sight distance constitutes a significant impact with respect to "Traffic Hazards Due to an Existing Transportation Design Feature," which was not identified in the DEIR.

In fact, the DEIR statement presented above (DEIR p. 2.2-14) claiming that the project, ". . . was designed in conformance with applicable County standards and requirements and would not significantly impact the safe movement of users along the area roadways" is simply false.

O3b-14

7. ***Harmony Grove Road/Country Club Drive Intersection Sight Distance*** – Sheet 2 of the sight distance study described above concerns the intersection of Harmony Grove Road/Country Club Drive. That exhibit purports to demonstrate that adequate corner sight distance will be available to northbound drivers on Country Club Drive approaching Harmony Grove Road, based on a design speed of 45 MPH. The exhibit illustrates the sight lines for such drivers, looking in both directions down Harmony Grove Road. However, the analysis neglects the fact that the sight lines pass well south of the southerly edge of Harmony Grove Road for a substantial distance in both directions. Consequently, numerous possibilities exist with respect to potential roadside obstructions that would reduce or eliminate the available sight distance – signal poles, utility poles, pedestrians, signs, landscape materials, electrical transformers and other utility boxes, etc.

O3b-15

Attachment E presents a pair of recent (November 2016) street-level views from Google Earth showing the southeast corner of the intersection from the approximate perspective of a driver waiting on the northbound approach to the intersection. Although it was not possible to obtain a view from the exact location required by County standards, as set forth in Table 5 of the *Public Road Standards* (i.e., ". . . at least 10 feet from the edge of the major road pavement") – one is too close to the intersection and the other is too far back – it is clear that numerous potential obstructions are present at the corner that were not considered in the sight distance analysis.

In short, the claim that adequate corner sight distance will exist at this location has not been adequately proven. It appears that field investigations would reveal obstructions to driver sight lines that are not apparent on paper.

8. ***Deficient Construction Traffic Analysis*** – The DEIR "Transportation/Traffic" section contains no meaningful analysis of construction traffic impacts. Oddly, the only mention of

O3b-16

Response to Comment O3b-15

As a point of clarification, the photographs in the Commentor's Attachment E appear to be of views easterly from the southeast corner of the intersection, not the northeast. Please see Response to Comment O3b-13. As noted, this is a signalized intersection. Drivers are directed to stop or move forward based on the changing lights. It is likely that drivers preparing to cross the intersection would actually be stopped closer to the white line indicated in the first photograph. Regardless, given the controlled nature of the intersection, travelers would be expected to have a view to vehicles along the roadway moving east-west along Harmony Grove Road and the time to react to them.

Response to Comment O3b-16

The County disagrees with this comment. Project phasing shows the majority of construction activities occurring prior to any dwelling units being occupied. See, for example, the information provided on Tables 7 in both the Air Quality and Greenhouse Gas studies, which shows that architectural coatings (final finishes) do not begin until 4 months preceding complete construction end. It is during this period of time that some homes may be occupied, if finishes, sales, and occupation all occur. This is similar to HGV, in that mass grading and backbone infrastructure were accomplished prior to homes being occupied.

According to Real Estate Economics' new home market survey spanning the entire greater San Diego market area, dated "Third Quarter 2017," HGV reports 259 sales and 162 closings. Averaging closings over the 10 quarters since homes went up for sale in May 2015, the average number of closings per month is identified as 16.2 residential units. In the most conservative scenario, if the Project sold and closed on 22 homes during the 4-month period starting when architectural finishes begin to be applied, then the following activities could also be occurring: building construction, paving and architectural coating. Based on the California Emission Estimator Model (CalEEMod) calculations provided during DEIR review for construction worker trips, these three categories of activity would total 430 workers and vendor trips during the overlapping period (see Section 3, *Construction Detail*, of Appendix A to EIR Appendix J, as well as a summary Table O3a-1 provided in Response to Comment O3a and also included below). Based on residential trips associated with the Project (10 trips per home per day), 220 residential trips could occur

COMMENTS	RESPONSES
	under a reasonable sales assumption (based on an average of the past six 10 quarters of sales closings of HGV, located contiguous to the site).

Table O3a-1

MODELED CONSTRUCTION SCHEDULE AND ASSOCIATED TRIPS

Construction Activity	Construction Period		
	Start	End	Associated Worker / Vendor Trips
Site Preparation and Blasting	07/01/2018	09/30/2018	20
Backbone Infrastructure	10/01/2018	03/31/2019	15
Road Construction	10/01/2018	03/31/2019	120*
Grading	04/01/2019	06/30/2019	20
Bridge Construction	04/01/2019	03/31/2020	356
Building Construction	07/01/2019	09/30/2021	356
Parking Lot Paving	05/01/2021	09/30/2021	15
Architectural Coating	05/01/2021	09/30/2021	59

Source: CalEEMod (output data is provided in Appendix A to both the AQ and GHG technical studies)

*Road Construction is further broken into four sub-phases. The greatest trip generating portion is associated with grading, which would only total 40 modeled trips.

Please also note that construction activities generally require workers to be on site when construction begins (often at 7:00 a.m. in the morning). This is usually before peak hour trips that result in the greatest congestion. Specific to this Project, the most impactful construction traffic is generally related to soil import/export, as it can require numerous trucks added to off-site ADT on an ongoing basis during grading activities. As stated in EIR Chapter 1, *Project Description*, the Project has been designed for grading to balance on site. As a result, no import or export truck activity is anticipated that could significantly adversely impact traffic volumes on roads currently operating at capacity.

As clarified above, even when three potentially overlapping phases (including the building construction phase with the largest number of worker and vendor trips) are combined with potential occupied residences, it would not generate

COMMENTS	RESPONSES
	more traffic than the approximately 4,500 ADT the Project will generate once constructed. Similarly, in the most conservative scenario, if the construction periods that overlap with each other are added together, it would generate fewer ADT than any of the residential triggers required for offsite roadway mitigation as identified in Subchapter 2.2 of the EIR and not assumed as Project design. As such, no capacity impacts are anticipated to occur during any construction phase. All appropriate work zone traffic control plans would be prepared to ensure efficient ingress/egress of trucks and equipment, and to maintain access to the degree possible to Country Club Drive during construction. Similarly, no significant impacts related to construction-period vehicular impacts would occur to air quality. This response is incorporated into the Final EIR through the integration of comments and responses. No additional changes are required to EIR text. The reader is referred to Response to Comment O3a-41 regarding greenhouse gases (GHGs).



construction-related traffic impacts occurs at DEIR p. 2.2-17, under the heading, "Traffic Hazard to Pedestrians or Bicyclists or Equestrians." The two-sentence "analysis" of construction impacts consists of the following conclusory statement, which is derived from nearly-identical text in the LLG traffic impact analysis report (LLG p. 63):

> *The Project would be constructed in phases, and each phase would consist of sub-phases, none of which would generate more traffic than the ADT identified for the Project overall. As such, no capacity impacts are anticipated to occur during any construction phase, and all appropriate work zone traffic control plans would be prepared during construction.*

This statement is unsubstantiated, as no analysis was documented that would allow such a conclusion to be reached. For example, how much traffic will be generated during each phase and sub-phase of construction? What analysis was performed with respect to construction-related capacity impacts? Furthermore, the reference to "ADT" (i.e., average daily traffic) reinforces the inadequacy of the DEIR analysis, as intersection impacts are evaluated based on peak-hour conditions, not daily (ADT) conditions. O3b-16

Full consideration of construction-related impacts at the study intersections would identify both the number of construction-worker vehicles and the volume of heavy trucks in each phase. Further, appropriate factors would be applied to convert the truck volumes to "passenger car equivalents," in recognition of the reduced operating characteristics of heavy vehicles (e.g., greater size, slower acceleration, increased braking distance, etc.).

In this case, no evidence is presented to document the number of peak-hour employee and truck trips that would occur during the construction period. Without that basic information, it is simply impossible to make a determination regarding the significance of project impacts.

The DEIR must be revised to incorporate a credible analysis of the project's construction-related impacts.

9. ***Vehicle-Miles-Traveled*** – The project-related vehicle-miles-traveled (VMT) estimate is documented in DEIR Appendix J, (Reference: HELIX Environmental Planning, Inc., *Harmony Grove Village South Project - Greenhouse Gas Analyses Report*, April 2017) According to p. 26 of the report presented in Appendix J:

> *The Project would generate approximately 4,500 average daily trips (ADT) (Linscott, Law & Greenspan Engineers [LLG] 2017). CalEEMod estimated that the Project would result in an annual total of 11.08 million miles traveled each year. This total annual VMT was based on the average trip length calculated for this Project which was 7.88 miles per trip (LLG 2016; see Appendix C). Trip rates were based on the Traffic Impact Analysis (TIA), which estimated 9.93 daily trips per dwelling unit.* O3b-17

The document referenced above as "LLG 2016" is presented as Appendix C to DEIR Appendix J. Derivation of the average trip length of 7.88 miles is presented in Attachment A to the LLG document presented as Appendix C to DEIR Appendix J (specifically, "Attachment A – SANDAG Series 12 Traffic Model Data"). (Reference: LLG, Memorandum dated June 8, 2016, "Harmony Grove Village South Traffic Study – Average Trip Length," which is located in Appendix C to DEIR Appendix J; HELIX Environmental Planning, *Greenhouse Gas Analyses Report – Harmony Grove Village South Project*, April 2017.)

Response to Comment O3b-17

The County disagrees that there is a "lack of consistency (and accuracy)." The cited differences are the result of differing approaches describing trip generation and vehicle miles traveled and the Project has taken a conservative approach.

The average trip length calculated from the San Diego Association of Governments (SANDAG) model is derived from two factors: ADT volumes and vehicle miles traveled (VMT). VMT is calculated by taking the length in miles of all roadway links in the model and multiplying it by the project trips assigned to each of those links. Once the total VMT is calculated, the average trip length is reverse engineered to arrive at the "average" length of each of those assigned trips. The inputs into the model are specific to the Project land use type: single-family residential. The model, however, is not sensitive to the quantity of single-family units, but only sensitive to the land use type. Thus, the exact ADT and VMT that are generated within the model do not need to be specific to the land use quantity so long as they are specific to the land use type. Following that, the 7.88 average trip length in miles is representative of the single-family residential land use type and is then post-processed to be applied to the total Project trip generation of 4,500 ADT.

The VMT calculations utilized a custom SANDAG model run using 450 residential units, consistent with the Project description and land use analyzed in the traffic study. Once the land use is inputted into the model, the SANDAG post-processing algorithm assigns the total vehicular trips expected to leave the Project site to the street system. The algorithm accounts for the synergy of land uses in the surrounding area and multi-modal opportunities. Under the SANDAG model, this would reduce the number of trips generated by the approximately 450 residential uses. The trip generation included in the traffic study, however, is more conservative in that it is calculated in a vacuum and does not include any reductions for proximity to nearby land uses and alternative transportation means. This results in the SANDAG model effectively generating less ADT than that shown in the EIR traffic study (i.e., 3,549 ADT versus 4,500 ADT). This phenomenon, however, has no effect on the average trip rate derived from this methodology.

COMMENTS	RESPONSES
 **Comment Letter O3b** *Ms. Carmen Borg* *June 2, 2017* *Page 13* Page 122 of the Appendix J pdf summarizes the results of applying the SANDAG model. It shows a daily VMT of 27,975 and average daily traffic (ADT) of 3,549. Dividing 27,975 by 3,549 yields the 7.88 mile average trip length. However, the LLG traffic study shows (correctly) that the project ADT will be 4,500 trips per day, not 3,549 trips per day. If you divide 27,975 by 4,500, you get an unrealistically low average trip length of only 6.22 miles. Looking at this differently, if you divide 3,549 daily trips by 450 DU, you get a daily trip rate of 7.89 trips per day, compared to the 10.0 trips per day used in the LLG traffic analysis and the incorrect value of 9.93 trips per day referred to on p. 26 of DEIR Appendix J (p. 39 of the pdf). This lack of consistency (and accuracy) is both puzzling and disturbing. Moreover, DEIR p. 2.2-18 incorrectly states that because of the proposed project's "proximity to a variety of service and employment uses," it: *. . . would be expected to incrementally reduce the average VMT [vehicle-miles-traveled] for the average commuter residing at HGV South from 7.9 to 7.88 miles per trip.* First, the reference to VMT is incorrect. The parameter referred to in the statement is the average trip length, which is one component of VMT, but is clearly not VMT. Second, a reduction from 7.9 to 7.88 is virtually no reduction at all, since the difference of 0.02 mile (i.e., 106 feet) is inconsequential. In fact, it would be preferable to simply round-off 7.88 to 7.9, as that would more accurately reflect the level of precision of the estimate. Third, as noted in the LLG memo documenting the VMT estimate (i.e., Appendix C to DEIR Appendix J), 7.9 miles is simply the standard trip length value for residential uses, as presented in the *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region* (San Diego Association of Governments, April 2002). In effect, the proposed project will have an average trip length that is virtually identical to the default value for the San Diego region. Fourth, because there are currently no commuters at HGV South (average or otherwise), no reduction in VMT is possible. All VMT associated with the proposed project will represent additions to vehicle-miles-traveled within the study area. Finally, we note that Appendix A to DEIR Appendix J presents the "CalEEMod and Roadway Model Output Data" associated with the emissions calculations. "Page 34 of 45" (pdf p. 88) shows trip length assumptions listed under the heading, "4.3 Trip Type Information." As previously discussed, a value of 7.88 miles was used for "H-W or C-W" (i.e., Home-Work or Commercial-Work) trips. The other trip purposes, though, have different trip lengths: • 7.30 miles for Home-Shop (H-S) or Commercial-Customer (C-C) trips, and • 7.50 miles for Home-Other (H-O) or Commercial-Nonwork (C-NW) trips. No basis is presented for these trip length assumptions. In summary, it is obvious that significant problems exist in the derivation of the VMT estimate. These issues must be resolved or adequately explained. O3b-17 O3b-18 O3b-19 O3b-20 O3b-21	The trip rate is based on the land use type and the travel patterns of that land use. Any quantity of single-family residential units generated in the location of the Project site would ultimately have arrived at the 7.88 mile-average trip length. The 7.88 miles is representative of single-family residential units specific to the Project location. Although the SANDAG model assumes 450 single-family residences generate 3,549 net ADT due to post-processing trip reductions, the VMT calculations were conservatively arrived at by using the gross 4,500 ADT trip generation from the EIR traffic study. This method is consistent with VMT calculations for other development projects in the County, including the nearby Valiano project. Therefore, it is correct to take the 7.88 miles and multiply it by the 4,500 gross ADT from the EIR traffic study to arrive at 35,460 VMT per County standards of practice. **Response to Comment O3b-18** Thank you for identification of this wording error. The text in the FEIR on page 2.2-19 has been revised to state: "…would be expected to incrementally reduce the average trip length for the average commuter residing at HGV South from 7.9 to 7.88 miles per trip." **Response to Comment O3b-19** The comment is noted, but the text as written is retained. The text notes that this is an "incremental" reduction. **Response to Comment O3b-20** As stated by the commenter in Response to Comment O3b-18, the reference to VMT was (inadvertently) used incorrectly. Please see the Response to Comment O3b-18. The average trip length would be incrementally reduced from that assumed for the region as a whole. It is immaterial whether or not there are existing uses on site relative to this conclusion. **Response to Comment O3b-21** The commenter has accurately noted an error in the CalEEMod assumptions regarding assumed trip lengths for Home–Shop and Home–Other trip types,

COMMENTS	RESPONSES
	which the County appreciates having an opportunity to rectify. The modeling has been revised in response to this comment, as documented in the table attached here and was part of an RDEIR recirculation on GHGs that occurred in February to April 2018. **4.3 Trip Type Information** Miles / Trip % / Trip Purpose % Land Use: H-W or C-W; H-S or C-C; H-O or C-NW; H-W or C-W; H-S or C-C; H-O or C-NW; Primary; Diverted; Pass-by City Park: 7.88; 7.88; 7.88; 33.00; 48.00; 19.00; 56; 28; 6 Condo/Townhouse: 7.88; 7.88; 7.88; 41.60; 18.80; 39.60; 86; 11; 3 Parking Lot: 7.88; 7.88; 7.88; 0.00; 0.00; 0.00; 0; 0; 0 Single Family Housing: 7.88; 7.88; 7.88; 41.60; 18.80; 39.60; 86; 11; 3 Strip Mall: 7.88; 7.88; 7.88; 16.60; 64.40; 19.00; 45; 40; 15 As described in the Information for the Reader and Part I of Appendix J, the Project would result in operational emissions of 5,222 MT CO_2e per year, an increase of 134 MT CO_2e over what was previously reported in the DEIR. These emissions will be mitigated through purchase of credits as described in EIR Subchapter 2.7, *Greenhouse Gas Emissions*. In conclusion, the County disagrees that "significant" problems existing in the derivation of the VMT estimate. Rather, the identified issues relate to a single minor wording error and clarification, as described in the Responses to Comments O3b-18 through 21. These issues have been appropriately resolved and adequately explained.

10. ***Buildout Conditions Analysis*** – An analysis of "buildout" conditions was documented beginning at DEIR p. 2.2-21 and LLG p. 51. This analysis was required because the proposed project will generate approximately 2,220 daily trips more than the current General Plan land use designation.

The guidelines for conduct of a buildout analysis are provided by the County. (Reference: County of San Diego, Land Use and Environment Group, *County of San Diego Report Format & Content Requirements – Transportation and Traffic*, Second Modification, August 24, 2001) Page 16 of that document presents the required contents for such an analysis, including:

> *Figure or table showing the horizon LOS for* ***intersections during peak hours*** *and roadway sections for two scenarios: with and without the proposed project and with the land use assumed in the Community plan (include the analysis sheets in the appendix).* [Emphasis added]

O3b-22

The buildout analysis presented in the DEIR incudes no intersection analyses and is, therefore, in violation of the County requirements. Buildout conditions analyses of the study intersections must be performed and incorporated into a revised DEIR, which must then be circulated for further public review. As noted above, we believe that a buildout analysis of the freeway "roadway sections" should also be provided, to ensure thorough consideration of the proposed project's potential traffic impacts.

CONCLUSION

Our review of the Transportation/Traffic analysis completed in connection with the proposed Harmony Grove Village South project revealed several issues affecting the validity of the conclusions presented in the Draft Environmental Impact Report. These issues must be addressed prior to approval of the proposed project and its environmental documentation by the County of San Diego.

O3b-23

We hope this information is useful. If you have questions concerning any of the items presented here or would like to discuss them further, please feel free to contact us at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

Response to Comment O3b-22

Per County guidelines, projects conforming to the General Plan do not require buildout analyses. Projects that propose to change the County's General Plan, Circulation Element or zoning above the current density or intensity are required to provide a focused buildout analysis of Mobility Element roadways. Given the Project does not conform to the General Plan, a buildout Year 2035 street segment LOS analysis of Mobility Element roadways is provided in the EIR traffic study consistent with this practice. The purpose of this analysis is to conclude whether the proposed land use changes are consistent with the County's Mobility Element. If not, the Project may be required to make changes to the Mobility Element. As shown in the EIR traffic study, no changes are needed to Mobility Element roadways.

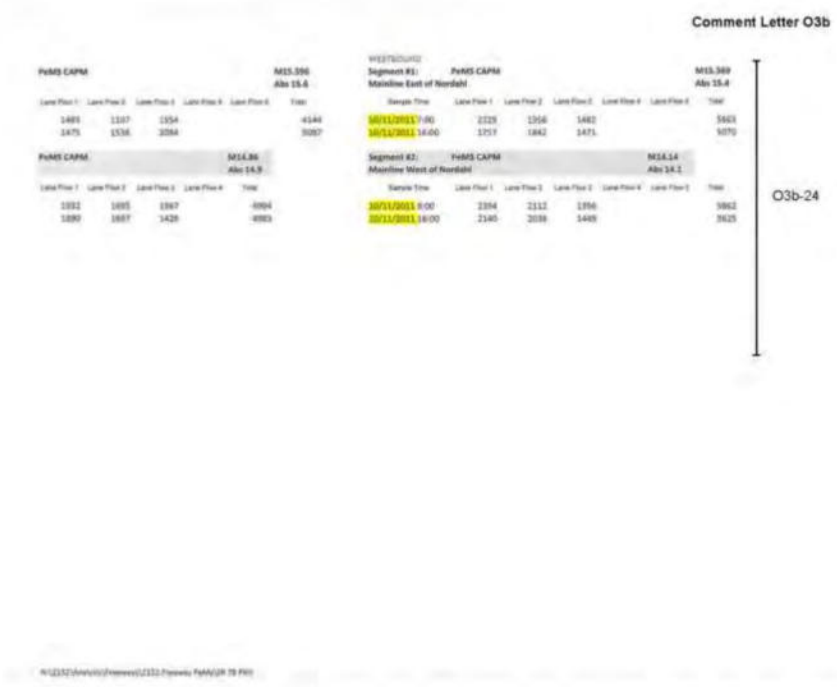
In addition, the County disagrees with this comment. The EIR/TIA evaluated the standard buildout analysis consistent with GPA evaluations. Horizon year intersection analyses and freeway analyses are typically not included and were not required during the County's review.

Response to Comment O3b-23

The County acknowledges the conclusion comments; however, they do not raise new issues concerning the substantive environmental analysis within the EIR. As such, the commenter is referred to the substantive responses provided in Responses to Comments O3b-1 through -22 of this letter. As a reminder, please also see the attachments to the final TIA (A through F) as cited in responses above.

COMMENTS	RESPONSES
Comment Letter O3b ATTACHMENT A CALTRANS PeMS DATA O3b-24	**Response to Comment O3b-24** This attachment provides a comparison of the existing baseline traffic volumes used in the Final TIA analysis and recently collected traffic data. The findings from this comparison validate the existing baseline analysis in the Final TIA. Please also see Response to Comment O3b-4.

COMMENTS	RESPONSES
Comment Letter O3b LINSCOTT LAW & GREENSPAN engineers TECHNICAL APPENDICES HARMONY GROVE VILLAGE SOUTH County of San Diego, California April 6, 2017 *Prepared for the County of San Diego* PSD2015-SP-15-002 LLG Ref. 3-14-2314 O3b-24 Linscott, Law & Greenspan, Engineers 4542 Ruffner Street Suite 100 San Diego, CA 92111 858.300.8800 t 858.300.8810 f www.llgengineers.com	

COMMENTS	RESPONSES
Comment Letter O3b  O3b-24	

COMMENTS	RESPONSES

Comment Letter O3b

TABLE 6–3
EXISTING FREEWAY MAINLINE OPERATIONS

Freeway Segment	Dir.	# of Lanes [a]	Hourly Capacity [b]	Volume [c]	Peak Hour Volume [d]		V/C [e]		LOS [f]	
					AM	PM	AM	PM	AM	PM
State Route 78										
1. West of Nordahl Rd	EB	3M+1A	7,200	159,000	4,094	4,983	0.694	0.692	C	C
	WB	3M	6,000		5,862	5,025	0.977	0.938	E	E
2. East of Nordahl Rd	EB	3M+1A	7,200	164,000	4,141	5,097	0.576	0.708	B	C
	WB	4M+1A	9,200		5,663	5,070	0.616	0.551	B	B

O3b-24

Footnotes:

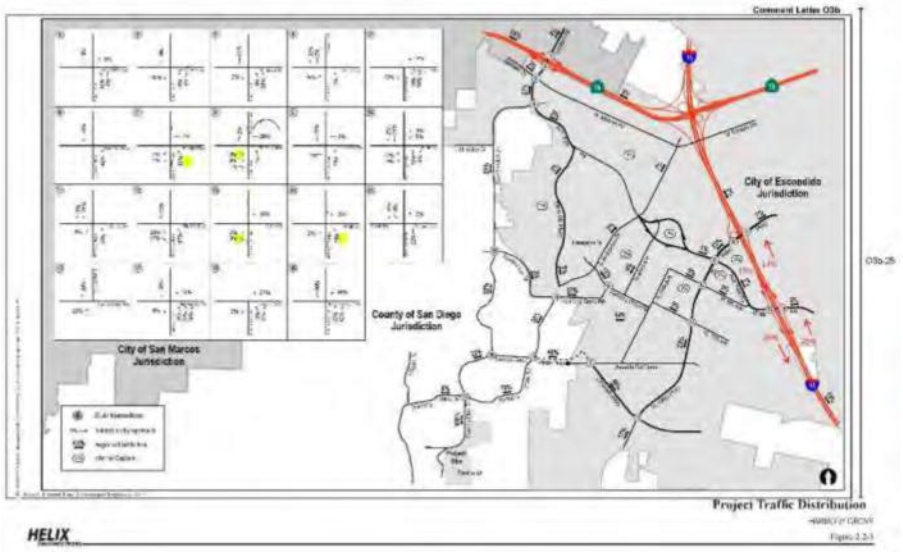
a. Lane geometry taken from PeMS lane configurations at corresponding post miles including SR 78 recent improvements.
b. Capacity calculated at 2000 vehicles per hour (vph) per lane for mainline lanes and 1200 vph for auxiliary lanes, from *Caltrans Guide for the Preparation of Traffic Impact Studies, Dec 2002.*
c. Existing ADT volumes taken from most recent Caltrans traffic volumes.
d. Peak hour volumes taken from most recent PeMS traffic volumes.
e. V/C = (Peak Hour Volume/Hourly Capacity).
f. LOS = Level of Service.

LOS	V/C
A	<0.60
B	0.61
C	0.80
D	0.92
E	1.00
F(0)	1.25
F(1)	1.33
F(2)	1.45
F(3)	>1.46

General Notes:

1. M = Mainline
2. A = Auxiliary

COMMENTS	RESPONSES
Comment Letter O3b ATTACHMENT B ANNOTATED DEIR FIGURE 2.2-3 "PROJECT TRAFFIC DISTRIBUTION" O3b-25	**Response to Comment O3b-25** This attachment is addressed in Response to Comment O3b-5.

COMMENTS	RESPONSES
	

COMMENTS	RESPONSES
Comment Letter O3b ATTACHMENT C PAGE 5 FROM *GUIDE FOR THE PREPARATION OF TRAFFIC IMPACT STUDIES* (CALTRANS, DECEMBER 2002) O3b-26	**Response to Comment O3b-26** This attachment is a Caltrans resource document. This document is addressed in Response to Comment O3b-11.

COMMENTS	RESPONSES
Comment Letter O3b  O3b-26 **GUIDE FOR THE PREPARATION** **OF** **TRAFFIC IMPACT STUDIES** **STATE OF CALIFORNIA** **DEPARTMENT OF TRANSPORTATION** **December 2002**	

COMMENTS	RESPONSES
Comment Letter O3b **D. Travel Forecasting (Transportation Modeling)** The local or regional traffic model should reflect the most current land use and planned improvements (i.e., where programming or funding is secured). When a general plan build-out model is not available, the closest forecast model year to build-out should be used. If a traffic model is not available, historical growth rates and current trends can be used to project future traffic volumes. The TIS should clearly describe any changes made in the model to accommodate the analysis of a proposed project. **V. TRAFFIC IMPACT ANALYSIS METHODOLOGIES** Typically, the traffic analysis methodologies for the facility types indicated below are used by Caltrans and will be accepted without prior consultation. When a State highway has saturated flows, the use of a micro-simulation model is encouraged for the analysis (please note however, the micro-simulation model must be calibrated and validated for reliable results). Other analysis methods may be accepted, however, consultation between the lead agency, Caltrans and those preparing the TIS is recommended to agree on the data necessary for the analysis. A. Freeway Segments – Highway Capacity Manual (HCM)*, operational analysis B. Weaving Areas – Caltrans Highway Design Manual (HDM) C. Ramps and Ramp Junctions – HCM*, operational analysis or Caltrans HDM, Caltrans Ramp Metering Guidelines (most recent edition) D. Multi-Lane Highways – HCM*, operational analysis E. Two-lane Highways – HCM*, operational analysis F. Signalized Intersections[8] – HCM*, Highway Capacity Software**, operational analysis, TRAFFIX™**, Synchro**, see footnote 8 G. Unsignalized Intersections – HCM*, operational analysis, Caltrans Traffic Manual for signal warrants if a signal is being considered H. Transit – HCM*, operational analysis I. Pedestrians – HCM* J. Bicycles – HCM* K. Caltrans Criteria/Warrants – Caltrans Traffic Manual (stop signs, traffic signals, freeway lighting, conventional highway lighting, school crossings) L. Channelization – Caltrans guidelines for Reconstruction of Intersections, August 1985, Ichiro Fukutome *The most current edition of the Highway Capacity Manual, Transportation Research Board, National Research Council, should be used. **NOTE: Caltrans does not officially advocate the use of any special software. However, consistency with the HCM is advocated in most but not all cases. The Caltrans local development review units utilize the software mentioned above. If different software or analytical techniques are used for the TIS then consultation between the lead agency, Caltrans and those preparing the TIS is recommended. Results that are significantly different than those produced with the analytical techniques above should be challenged. [8] The procedures in the Highway Capacity Manual "do not explicitly address operations of closely spaced signalized intersections. Under such conditions, several unique characteristics must be considered, including spill-back potential from the downstream intersection to the upstream intersection, effects of downstream queues on upstream saturation flow rate, and unusual platoon dispersion or compression between intersections. An example of such closely spaced operations is signalized ramp terminals at urban interchanges. Queue interactions between closely spaced intersections may seriously distort the procedures in" the HCM. 5 O3b-26	

COMMENTS	RESPONSES
 Comment Letter O3b ATTACHMENT D APPENDIX C FROM *GUIDE FOR THE PREPARATION OF TRAFFIC IMPACT STUDIES* (CALTRANS, DECEMBER 2002) O3b-27	**Response to Comment O3b-27** This attachment is a Caltrans resource document. This document is addressed in Response to Comment O3b-12.

COMMENTS	RESPONSES
Comment Letter O3b # APPENDIX "C" ## MEASURES OF EFFECTIVENESS ## BY ## FACILITY TYPE O3b-27	

COMMENTS	RESPONSES
Comment Letter O3b **MEASURES OF EFFECTIVENESS BY FACILITY TYPE** | TYPE OF FACILITY	MEASURE OF EFFECTIVENESS (MOE)
Basic Freeway Segments	Density (pc/mi/ln)
Ramps	Density (pc/mi/ln)
Ramp Terminals	Delay (sec/veh)
Multi-Lane Highways	Density (pc/mi/ln)
Two-Lane Highways	Percent-Time-Following Average Travel Speed (mi/hr)
Signalized Intersections	Control Delay per Vehicle (sec/veh)
Unsignalized Intersections	Average Control Delay per Vehicle (sec/veh)
Urban Streets	Average Travel Speed (mi/hr) | Measures of effectiveness for level of service definitions located in the most recent version of the Highway Capacity Manual, Transportation Research Board, National Research Council. O3b-27	

COMMENTS	RESPONSES
Comment Letter O3b ATTACHMENT E GOOGLE EARTH STREET VIEWS HARMONY GROVE ROAD/COUNTRY CLUB DRIVE (NOVEMBER 2016) O3b-28	**Response to Comment O3b-28** This attachment consists of photo documentation of the Harmony Grove Road/Country Club Drive intersection. This attachment is addressed in Response to Comment O3b-15.

COMMENTS	RESPONSES
Comment Letter O3b  ATTACHMENT E Harmony Grove Road/Country Club Drive Northeast Corner O3b-28	

COMMENTS	RESPONSES
Comment Letter O3b  O3b-28 ATTACHMENT E Harmony Grove Road/Country Club Drive Northeast Corner	

COMMENTS	RESPONSES
Comment Letter O3c **Wildfire Risk & Mitigation Analysis Report** **Dr. Matthew Rahn, Ph.D., M.S., J.D.,** **Partner & Principal Scientist,** **Rahn Conservation Consulting, LLC** EXHIBIT B	

Comment Letter O3c



To: Carmen Borg, Urban Planner, Shute, Mihaly & Weinberger LLP
From: Matthew Rahn, PhD, MS, JD
Re: Harmony Grove Village South – Draft EIR, Wildfire Risk Analysis and Mitigation Measures
Date: June 13, 2017

Ms. Borg:

The following analysis is provided on behalf of Rahn Conservation Consulting ("RCC") at the request of Shute, Mihaly & Weinberger LLP. Our firm was retained to evaluate the Draft Environmental Impact Report ("DEIR"), Fire Protection Plan ("Plan"), and other associated documents related to wildfire risk and community protection for the Harmony Grove Village South Project ("Project" or "HGVS"), San Diego County, California (April 2017). For over twenty years, I have worked in the fields of environmental science and policy, with an emphasis on wildfires, land management, and planning (qualifications are provided in Appendix A). O3c-1

As proposed, the Project is located within the unincorporated area of San Diego County, which is classified as a "very high fire severity zone" by CAL FIRE. This area has a regular occurrence of wildfires with the most recent incident occurring in 2014. Given the fire history of the site, the complex topography, access issues, and surrounding vegetation, this area should be considered an extremely high-risk development zone. The proposed Project and its mitigation measures do not provide long-term assurances that adequate wildfire protection and community safety will occur. The DEIR and the Plan also fail to address increased risks under future climatic and vegetative conditions. Finally, the Plan fails to adequately address community risk and protection standards related to fire brands and structure fires within the community. O3c-2

If recent wildfire events in the area are any indication of the future, HGVS and surrounding communities are not only susceptible during "average" wildfire events, but are at considerable, and arguably catastrophic risk during higher intensity events (which are becoming more common in our region). Given that the backcountry is expected to experience drier climates, increased Santa Ana wind events, hotter temperatures, longer droughts, and increased abundance of invasive species, the risk of wildfire hazards will only increase in the future. In this case, the risk to the proposed community is so high that it is seemingly not a question of whether this area will experience a catastrophic loss, but when. Even more alarming is that alternative routes and access were dismissed without evidence that they are not feasible. The proposed Project would thus be constructed despite being noncompliant with emergency access standards where catastrophic losses are not only probable, but expected. O3c-3

1

Please see the Global Responses to Fire Hazard Impact Analysis and Adequacy of Emergency Evacuation and Access along with Responses to Comments O3a-24 through O3a-49 for more details regarding the following responses.

Response to Comment O3c-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment O3c-2

The County disagrees with the stated opinions regarding the Project. The Project's Fire Protection Plan (FPP) recognizes that the area has been designated a very high fire hazard severity zone. As such, it is required to implement important fire safety measures including ignition-resistant construction materials and methods for all structures, fuel modification on the perimeter and throughout the Project, access, water, and many others (refer to the Project's FPP). Regarding long term assurance that the adequate wildfire protection and community safety will occur, the Project's FPP defines numerous fire protection and fire safety measures that are required to be implemented and maintained for the life of the Project. Additionally, it has been determined that adequate fire protection from existing fire response resources are available and can and will respond to the Project.

The FPP evaluates the climax condition for vegetation surrounding the Project. This is considered a worst-case condition that would produce the highest flame lengths. It is speculative at this point to presume future fire conditions based on climate change. Research indicates that vegetation in southern California may convert to lighter fuels as the result of more frequent fires. This would result from drier, hotter climates where fuels would convert to lighter flashy fuels through repeated wildfires and a change in the fire regime to one with lower intensity and faster spread rates. These types of fires may produce embers, but they include faster decay rates and enable firefighters better options for control. The comment's assertion that the Project has not adequately considered embers (fire brands) and structure fires is not accurate. The Project's FPP requires

	ember-resistant vents, beyond the code requirements, along with application of Chapter 7A which largely focuses on mitigating ember intrusion. Further, application of the latest code requirements, including interior, automatic sprinklers, addresses structure fires based on decades of code development aimed at minimizing structure fire occurrence, damage, and duration. **Response to Comment O3c-3** The Project's FPP analyzes and prescribes fire protection measures based on typical and extreme fire weather. The potential risk to the Project was evaluated to levels exceeding County requirements and results of the FPP, the Rohde & Associates independent fire study, as well as Rancho Santa Fe Fire Protection District (RSFFPD) and County review and evaluation, is that the fire protection features being provided lower the Project's fire risk to a less than significant level. It is speculative to make conclusions regarding future climates, especially given the varying scientific studies that indicate different future conditions. Several alternative routes for secondary access were evaluated and the results of that analysis is presented in the FPP, Appendix C. The results presented in that study are the culmination of County Planning, Biological, Fire and discussions with the Project applicant and the applicant's team. No additional analysis is considered necessary. Please see the Global Response to Fire Hazard Impact Analysis for response to the assertion that the Project would be non-compliant with County emergency access standards.

In summary, the following issues were identified in our review of the DEIR, Fire Protection Plan and supporting materials:

1) The DEIR and Plan fail to adequately describe the fire history and existing setting of the area;
2) Current understanding of fire branding and structure loss during a wildfire event is not adequately addressed in the DEIR and the Plan;
3) Evacuation plans, community design, and shelter in place measures proposed in the DEIR provide inadequate protection and assurance that the community can safely respond to severe wildfires;
4) The DEIR and Plan fail to adequately address future changes in precipitation, temperature, and wind;
5) The DEIR and Plan fail to consider how future land use change scenarios, invasive species, and habitat succession are expected to alter fire frequency and intensity;
6) The Plan as proposed does not adequately address actual wildfire community risks.

O3c-4

A detailed review of the Project is provided on the following pages, along with supporting references. If you have any questions, please feel free to contact me at any time.

Respectfully submitted,

Matthew Rahn, PhD, MS, JD

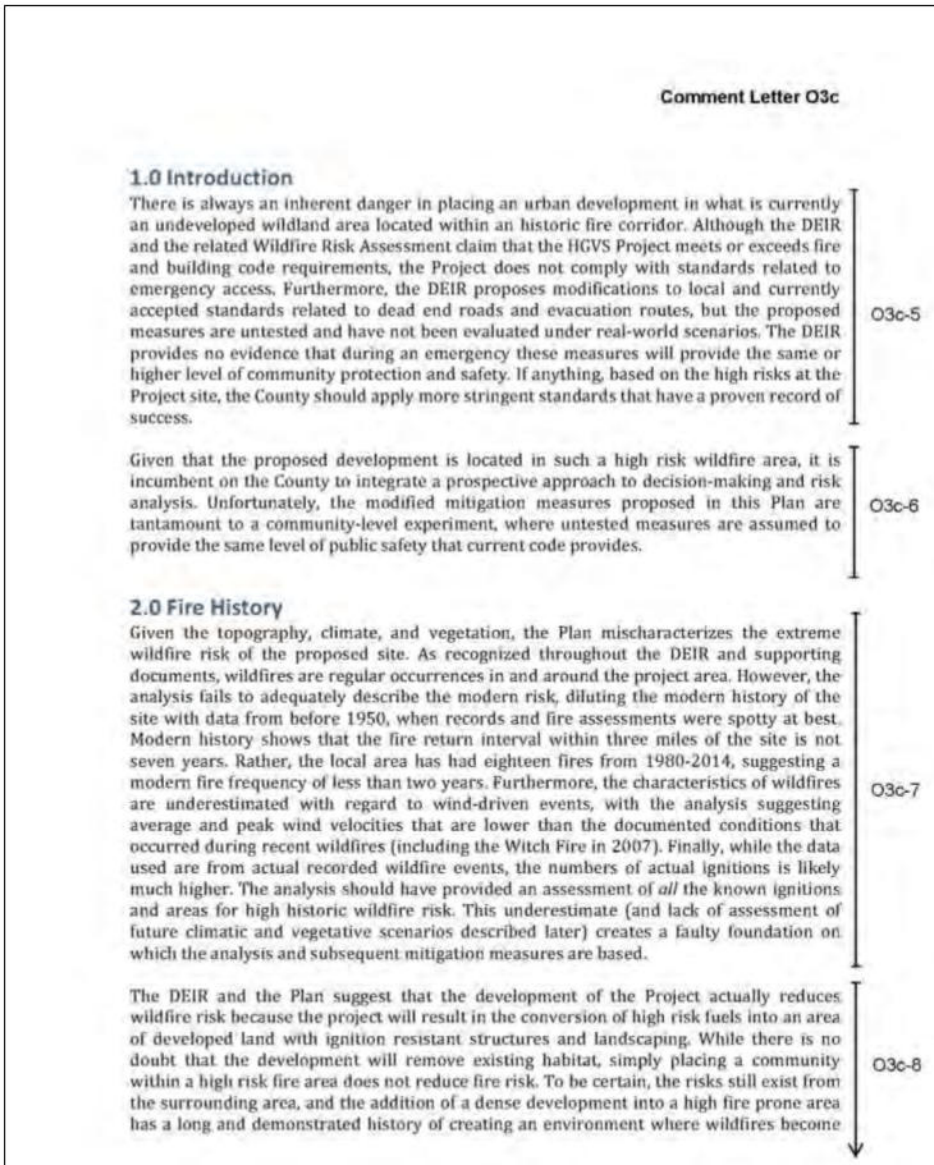
Partner, Principal Scientist
Rahn Conservation Consulting, LLC
(619) 846-1916
mattrahn@me.com

Response to Comment O3c-4

Summary comment noted. Please see Response to Comment O3c-2 and Response to Comment O3c-3. Additional detailed response to the listed items is provided in responses specific to these topics in Responses to Comments O3c-5 through O3c-49, below.

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Comment Letter O3c

1.0 Introduction

There is always an inherent danger in placing an urban development in what is currently an undeveloped wildland area located within an historic fire corridor. Although the DEIR and the related Wildfire Risk Assessment claim that the HGVS Project meets or exceeds fire and building code requirements, the Project does not comply with standards related to emergency access. Furthermore, the DEIR proposes modifications to local and currently accepted standards related to dead end roads and evacuation routes, but the proposed measures are untested and have not been evaluated under real-world scenarios. The DEIR provides no evidence that during an emergency these measures will provide the same or higher level of community protection and safety. If anything, based on the high risks at the Project site, the County should apply more stringent standards that have a proven record of success.

O3c-5

Given that the proposed development is located in such a high risk wildfire area, it is incumbent on the County to integrate a prospective approach to decision-making and risk analysis. Unfortunately, the modified mitigation measures proposed in this Plan are tantamount to a community-level experiment, where untested measures are assumed to provide the same level of public safety that current code provides.

O3c-6

2.0 Fire History

Given the topography, climate, and vegetation, the Plan mischaracterizes the extreme wildfire risk of the proposed site. As recognized throughout the DEIR and supporting documents, wildfires are regular occurrences in and around the project area. However, the analysis fails to adequately describe the modern risk, diluting the modern history of the site with data from before 1950, when records and fire assessments were spotty at best. Modern history shows that the fire return interval within three miles of the site is not seven years. Rather, the local area has had eighteen fires from 1980-2014, suggesting a modern fire frequency of less than two years. Furthermore, the characteristics of wildfires are underestimated with regard to wind-driven events, with the analysis suggesting average and peak wind velocities that are lower than the documented conditions that occurred during recent wildfires (including the Witch Fire in 2007). Finally, while the data used are from actual recorded wildfire events, the numbers of actual ignitions is likely much higher. The analysis should have provided an assessment of *all* the known ignitions and areas for high historic wildfire risk. This underestimate (and lack of assessment of future climatic and vegetative scenarios described later) creates a faulty foundation on which the analysis and subsequent mitigation measures are based.

O3c-7

The DEIR and the Plan suggest that the development of the Project actually reduces wildfire risk because the project will result in the conversion of high risk fuels into an area of developed land with ignition resistant structures and landscaping. While there is no doubt that the development will remove existing habitat, simply placing a community within a high risk fire area does not reduce fire risk. To be certain, the risks still exist from the surrounding area, and the addition of a dense development into a high fire prone area has a long and demonstrated history of creating an environment where wildfires become

O3c-8

4

Response to Comment O3c-5

Please see the Global Response to Fire Hazard Impact Analysis for response to the assertion that the Project would be non-compliant with County emergency access standards. The decision-making process used to determine consistency of the proposed alternative methods with the code are based on several months of evaluation by multiple professional fire planners and fire prevention officers. The list of measures providing justification for the County making findings that the measures meet the intent of the code included evaluation by Dudek fire protection planners, an independent third-party, Rohde & Associates, RSFFPD the agency providing fire service to the Project), and the County. Typically, these types of decisions are made by one fire agency within whose jurisdiction a project occurs. This Project is unique in that it included additional analysis and critique by multiple fire professionals with long histories of working throughout San Diego County and within the Harmony Grove area. Therefore, the County disagrees with the comment that the provided measures are untested and not suitable for making the appropriate findings.

Response to Comment O3c-6

The County disagrees that the proposed measures have not been tested and or observed in real world applications to provide fire protections in line with their intended uses at Harmony Grove Village South (HGV South). The FPP provides a list of fire protection features, many of which exceed the existing fire and building codes, which the RSFFPD and the County have deemed appropriate and adequate to make findings that the Project meets the intentions of the fire and building codes. The proposed features include a variety protections that have been proven through scientific testing and/or real world experience to reduce the potential fire impacts to residential communities. Providing structure related protections reduce the potential for ember penetration, landscape related protections set structures back from off-site fuels, road and parking related protections are designed to increase the flow of traffic and minimize obstructions, and resident educational protections raise the awareness of residents to their options during an emergency; all are measures that are in use in varying degrees throughout the County.

Response to Comment O3c-7

The County disagrees with the commenter's opinion that the wildfire risk has been mischaracterized. The Project's FPP and independent Rohde's & Associates report both analyzed the area's fire environment according to industry standard methods. The data used for the various fire behavior modeling was considered to represent worst-case conditions. Fire history includes all recorded fires occurring within a given area. The analysis considers the long term fire history, but does recognize that as areas develop, the fire environment changes. The frequency with which fires occur provides a data point, but is not the basis for Project design. As such, whether fires burn in a pattern of 2 years, 7 years, or some other period, is not germane to the discussion of wind direction, topography, etc. In fact, placing reliance on and assuming more frequent fires could lead to underestimation of available fuel to support a fire (not the case here). Fire patterns change as areas are converted from naturally vegetated areas to urban areas. Fire starts may increase, at least for a temporary period, but the average burned acreage is reduced due to the maintained landscapes, which are more ignition-resistant and the typical presence of fire response resources in urbanizing areas. The County further disagrees that the fire risk analysis creates a faulty foundation on which the analysis and subsequent mitigation measures are based. The FPP adequately recognizes that the area has been subject to wildfires, can have extreme fire behavior, and is within a Very High Fire Hazard Severity Zone (VHFHSZ). The FPP then proceeds to address the proposed structures, access, fuel modification, and other fire requirements consistently with the applicable codes. Finally, the comment includes a number of unsubstantiated claims. For instance, the comment states that the average and peak wind velocities used in the analysis are lower than the documented conditions that occurred during recent wildfires. The commenter also claims that while data used are from actual recorded wildfires events, the number of actual ignitions is "likely" much higher but fails to provide any information or evidence to substantiate this statement. Without further information to substantial such claims it is difficult to address such claims.

Response to Comment O3c-8

The comment mischaracterizes the FPP as concluding that merely removing existing habitat with the development of the Project will reduce fire risk. As previously described, the Project will implement important fire safety measures

	including using ignition-resistant construction materials and methods for all structures, and provide fuel modification on the perimeter and throughout the Project. The Project's FPP defines numerous other fire protection and fire safety measures that are required to be implemented and maintained for the life of the Project. Additionally, it has been determined that adequate fire protection from existing fire response resources are available and can and will respond to the Project. The County also disagrees with the comment's suggestion that well designed, master planned communities have a long and demonstrated history of posing higher risk to first responders, residents, and infrastructure. In fact, this type of development, where landscape level conversions to maintained, irrigated, ignition-resistant communities occurs, creates a large fuel break. With regard to the comment that the Project would result in a wildland/urban interface fire of higher risk, developments with the type of highly restricted, inspected and maintained structures and landscapes have been tested by fire within RSFFPD and have performed as designed.

Wildland Urban Interface ("WUI") fires, posing an even higher risk to our first responders, residents, and infrastructure. O3c-8

Today we are experiencing a shift in our natural fire regimes due to a multitude of anthropogenic factors, including man-made fires, increases in the wildland-urban interface, invasive species, and climate change. Since the 1970s the frequency and intensity of wildfires has increased across the United States, expanding from three million to an overwhelming eight million acres burned each year, with further increases projected.[1] A critical factor associated with wildfires is the current and continuing urbanization and the expansion of the wildland urban interface (WUI). As our region grows in the coming decades, decisions on where to locate future development and how to manage the WUI will determine our vulnerability and potential increases in wildfire risk. O3c-9

There are now 44 million homes in 50,000 communities at risk within the WUI in the US, and the annual cost of WUI fires nationwide exceeds $14 billion.[2] California, not surprisingly, has the highest number of WUI housing units of any state (5.1 million). Expansion of the WUI is particularly alarming in California, where half of the twenty largest wildfires in California's recorded history have occurred in only the past decade. Many of these events have had an unprecedented physical and financial impact to the state.[3] For example, the 2003 wildfire event that consumed much of San Diego County cost the region nearly $2.5 billion. More recently, the 2008 wildfires in northern California burned over 1.2 million acres, destroyed over 500 structures, and killed 15 people. O3c-10

Modern catastrophic wildfires are significantly different from the historic fire regime. Fires once started by lightning strikes or Native Americans would ignite smaller burn areas that created a heterogeneous vegetated landscape[4] whose patchiness created "natural fuel breaks" that prevented today's larger fire events.[5] Currently, only a fraction of the wildfires we experience in California are caused by natural events, with nearly ninety-five percent started by human activities. Future wildfire risk is not the exclusive result of human negligence or accidents. Rather, it highlights the concerns of firefighting agencies throughout the country: wildfire response and management must anticipate and adapt its practices and policies to deal with changing circumstances. O3c-11

3.0 Problems with Modeling and Planning

With regard to traditional modeling, the type of data used to generate models is extremely important. Given the limited amount of weather data used and and lack of consideration for modern trends in wind, temperature, and precipitation patterns, the amount of error and uncertainty is a concern. With weather records covering a questionable temporal and spatial distribution, it is not clear whether the extent of the records used is sufficient to O3c-12

[1] National Interagency Fire Center. 2007. Fire information: Wildland fire statistics, 1960-2006). Boise, ID.
[2] Nelson Bryner. 2012. National Institute of Standards and Technology, Wildfire Research Program. Personal Communication.
[3] Rahn , M.E. 2009. Wildfire Impact Analysis: 2003 Wildfires in Retrospect. San Diego State University. Wildfire Research Report No. 1. Montezuma Press. San Diego, CA.
[4] Bonnickson, T. M. 2000. America's Ancient Forests: from the Ice Age to the Age of Discovery. John Wiley & Sons, Inc., New York. 594 p.
[5] Bonnickson, T. M. and E. C. Stone. 1981. The giant sequoia-mixed conifer forest community characterized through pattern analysis as a mosaic of segregations. Forest Ecology and Management 3(4): 307-328.

Response to Comment O3c-9

The comment is noted and will be before the decision makers during consideration of the Project. The potential risk to the Project was analyzed in accordance with County standards and a FPP was accepted by the RSFFPD.

Response to Comment O3c-10

The County appreciates the commenter's opinion but it is not at variance with the EIR and requires no further response.

Response to Comment O3c-11

The County appreciates the commenter's opinion but it is not at variance with the EIR and requires no further response.

Response to Comment O3c-12

The County disagrees with the commenter's assertion that the fire modeling is not adequate. It is unclear if the comment is intended for this Project as it mentions modeling conducted by HELIX. HELIX was not involved with fire modeling for HGV South. Regardless, the modeling conducted by Dudek utilized the latest fire behavior models, standard and extreme weather based on actual historical weather data from the HGV South area, and actual and projected vegetation conditions. The comment that the Rohde & Associates analysis states deficiencies in the Dudek modeling is inaccurate. Both modeling efforts (Dudek and Rohde & Associates) utilized the latest models. Both modeling efforts resulted in similar outputs for flame length, rate of spread, and ember travel. Between the two analyses, the fire behavior modeling was evaluated beyond that which typically occurs for projects in California, including in San Diego County.

make decisions or inferences about historical climatology or determine long-term trends and future conditions. There is a meaningful need to assess the effectiveness of the Plan across a range of WUI community types and exposure conditions, as the assumptions for modeling must be meaningful, justified, and appropriate.[6] Overall, the modeling provided in the DEIR and supporting documents does not adequately address future conditions, nor does it address actual worst-case scenarios. As noted by the Wildfire Risk Analysis, the modeling conducted by Helix is deficient in its scope, characterization of the vegetative communities, fuel modeling, and weather data.[7] The DEIR needs to update its analysis to reflect our best understanding of wildfire modeling and a more realistic assessment of risk that addresses rate of spread, indefensible areas, and overall community hazards.

O3c-12

3.1 Fire Branding, Modeling, and Community Risk

The Fire Protection Plan asserts that "fires from off-site would not have continuous fuels across this site and would therefore be expected to burn around and/or over the site via spotting." The Plan further states that burning vegetation embers may land on structures, but are "not likely to result in ignition based on ember decay rates that would not impact the types of non-combustible and ignition resistant materials that will be used on site."[8] Yet the Wildfire Risk Analysis acknowledges that because branding may "travel a minimum of 1/4 mile and as much as 1 mile ahead, the entire proposed development site would therefore be subject to significant fire branding."[9] These statements are contradictory.

O3c-13

As demonstrated by post-fire assessments by the National Institute of Standards and Technology (NIST), it is simply not true that embers and fire brands do not pose a significant risk to the proposed community. In fact, some of the most recent and devastating fires in our communities, including the nearby 2007 Witch Fire, were the result of impacts from fire brands and spotting that ignited homes within the interior of the community, and in some cases left homes at the perimeter unscathed. Current concepts of defensible space do not account for hazards of burning primary structures, hazards presented by embers, and the hazards outside of the home ignition zone, which is a serious deficiency in identifying actual risk.[10]

O3c-14

The Fire Protection Plan asserts that the potential for "off-site wildfire encroaching on, or showering embers on the site is considered moderate to high, but risk of ignition from such encroachments or ember showers is considered low based on the type of construction and fire protection features that will be provided for the structures."[11] However, given our current state of understanding about wildfires and how embers and brands actually lead to structure loss, this is an unsubstantiated and spurious assertion. Hardening of structures (e.g. building homes with materials or design features that reduce fire risk) is just one factor in structure risk and ignition. It is well documented that the actual operations and management of the community is just as important with regard to wildfire risk.

O3c-15

[6] Mell, W.E. et al. 2010. The wildland-urban interface fire problem – current approaches and research needs. International Journal of Wildland Fire. 19: 238-251.
[7] Rhode and Associates. 2016. Pg 3.
[8] Dudek. 2017. Fire Protection Plan. Harmony Grove Village South. Appendix L. Draft Environmental Impact Report. April 2017. Pg. 19
[9] Rhode and Associates. 2016. Harmony Grove Village South. Wildfire Risk Analysis. April 2016. Pg. 13.
[10] Maranghides, A. et al. 2015. A Case Study of a Community Affected by the Waldo Fire. Nist Technical Note 1910.
[11] Dudek. 2017. Pg 27.

Response to Comment O3c-13

The County disagrees that the statements quoted from the FPP are contradictory. The FPP is stating that the fire modeling and practical experience acknowledges that there will be fire embers produced by off-site vegetation and that it may produce embers that blow onto and over the HGV South Project, but that the ignition resistance of the buildings and landscape features will be difficult to ignite and unlikely to sustain fire.

Response to Comment O3c-14

The County appreciates the comment regarding embers. Because the FPP identifies embers (pages 19 and 27) as a potential risk, it specifically addresses the most vulnerable component of a structure to embers, its vents. On page 33, it requires code-exceeding, ember-resistant vents for all structures, which combined with the ignition resistance of the latest building code for structures in VHFHSZs, provides an appropriate level of protection for the fire environment in which the Project occurs. Based on the ignition resistance of the structures to wildfire flames, the primary other means to any wildland urban interface structure is from burning embers/fire brands. The Project has addressed this by requiring code-exceeding, ember-resistant vents on all structures. The fire protection system that the Project will implement is based on these significant threats and mitigates the most likely avenues of ignitions, resulting in a development that is considered to include a relatively low risk.

Response to Comment O3c-15

The County disagrees with the assertion that the risk of structure fire from embers, as presented in the Project's FPP, is inaccurate. The County agrees with the comment that structure hardening is one factor is structure risk and ignition and that the operations and management of the community are also important factors. To that end, the FPP details the level of maintenance that will be required and because the Project occurs within RSFFPD, it will be subject to ongoing inspections, as currently occurs with similar communities. The landscape and structure exteriors will be required to be maintained as intended and described in the Project's FPP.

Examples throughout the recent literature show that even hardened structures can be lost when residents install ornamental landscaping, build attached decks, have outdoor furniture adjacent to the home, stack firewood next to the wall, allow plant material to build up in the eaves and gutters, or allow landscaping to dry out during droughts. These are just a few examples of how an average community functions. It is dangerous and irresponsible to assume that any community built in this area will maintain a level of vigilance, operations, and maintenance for wildfire protection; this level of dedication and oversight is simply improbable and unrealistic. Moreover, history has demonstrated time and again that any community placed within a high risk area can suffer catastrophic losses, regardless of planning, design, or best intentions. O3c-16

In fact (and as described below), it is recognized throughout the DEIR, the Plan, and other supporting documents that portions of HGVS would not be adequately protected. According to the Wildfire Risk Analysis, many of the existing properties in the area "generally lack defensible space" or safety zones and are "likely un-defendable" against critical fire behavior. In addition, the loss of these homes could "significantly contribute to fire intensity and fire branding," resulting in an estimated 15% of the homes being indefensible.[12] In addition, the report states that there exists critical exposure to chaparral fuels across two-thirds of the HGVS project site, creating a risk of impacts from direct flame, radiant energy, and heavy branding on the Project site.[13] The DEIR is obliged to evaluate and analyze the impacts of the Project, identify feasible measures to minimize, and mitigate the risks of severe fire, and consider alternatives that would reduce any significant impacts from the Project rather than just provide a triage of anticipated and acceptable losses. The Risk Analysis fails to meet this mandate and only further highlights how at-risk this community actually is and that losses are expected, if not inevitable. O3c-17

The modeling for the Project's fire hazard impacts does not adequately characterize the structure exposure conditions (heat flux from flames and firebrands generated by burning vegetation or burning structures) for a range of WUI fire settings (e.g. housing density, terrain, vegetative fuels, winds, wildland fuel treatments). The Plan is also deficient in failing to assess the vulnerability of structure design and proposed building materials when subjected to a given level of exposure or wildfire incident. Not all materials are rated the same and not all materials have been put through appropriate testing and rigorous assessments by which to compare benefits (if any) of the design elements or materials chosen. O3c-18

According to the National Institute of Standards and Technology (NIST), there is an urgent need to conduct a systematic, science-based, research effort to characterize how wildland fuel treatments alter the fire behavior, firebrand, and smoke generation from wildland fires. This must be done for wildland fires[14] and WUI communities,[15] and unfortunately has O3c-19

[12] Rhode and Associates, 2016.
[13] Rhode and Associates, 2016. Pg. 12.
[14] Carey H, Schumann M (2003) Modifying wildfire behavior – the effective nest of fuel treatments, the status of our knowledge. National Community Forestry Center, Southwest Region Working Paper 2. Available at http://maps.wildrockies.org/ecosystem_defense/Science_Documents/Carey_Schumann_2003.pdf

Response to Comment O3c-16

Please refer to Response to Comment O3c-15. In addition, the type of accumulation of flammable materials described would not be allowed in HGV South due to the homeowners' association restrictions and the ongoing inspections by RSFFPD.

Response to Comment O3c-17

The County disagrees with the comment, which appears to confuse statements from the Rohde & Associates report. The comment quotes the Rohde & Associates report out of context. In fact, the statement regarding 15 percent of the homes being indefensible is referring to existing residences that are already built and not part of the HGV South Project. These homes are not part of a master planned community and each homeowner is responsible for maintaining landscapes and fuel modification areas as well as the ignition resistance of their homes. At the time of the inspection, Rohde & Associates identified a number of them that would be especially vulnerable to wildfire. These residences would not directly threaten the HGV South. Regarding the Rohde & Associates reference to chaparral on the site, again the comment takes the quote out of context. The reference was made as part of the general description of the Project site. If homes were to be built within or adjacent to chaparral fuels, then there would be concern for flames, radiant heat, and branding. However, the Project is not building within the chaparral vegetated areas and has set back structures appropriately with fuel modification zones adjacent to off-site scrub and grass fuels. Therefore, no additional response or analysis is necessary.

Response to Comment O3c-18

The County disagrees with this comment's assertion that the modeling conducted for the Project does not adequately characterize structure exposure conditions. The modeling evaluated the expected fire behavior for fuels directly adjacent to the Project's structures, which is the fuel that would have the highest impact. The perimeter fuel modification zones and site-wide landscaping restrictions, along with ongoing inspections and maintenance, separate flammable vegetation from the structures by at least 100 feet and/or reduce the fuel loads so that less heat is generated.

	Heat dissipates across distances and Cohen's (1995, 1996, 2000, 2003) research confirms that a distance of 30 feet (the Project provides at least 100 feet from native habitat) is adequate for separating the site's ignition-resistant structures from vegetation heat sources. The modeling also analyzed the ember production and exposure. All materials used for constructing the Project's structures will meet the highly restrictive requirements of the building code and the state fire marshal. Therefore, the comment requires no further analysis or response. **Response to Comment O3c-19** The County disagrees with the comment that additional analysis is required regarding firebrands. The Project has analyzed and addressed fire embers requiring code-exceeding, ember-resistant vents on all structures. The potential vulnerabilities expressed in the comment are vulnerabilities that every structure in the wildland urban interface faces. The fire protection system has been based on the significant threats and mitigates the most likely avenues of ignitions, resulting in a project that is considered to include a relatively low risk. Please refer to responses provided to comments in Sections 3.0 and 3.1 of this letter (above) for more information.

not been assessed for this Project. No real effort was made to address or quantify community exposure to ignitions from firebrands for this Project. Firebrands, from both vegetation and structures, are often a major source of structure ignition in WUI fires.[16] NIST has been actively engaged in WUI/firebrand research; results from this research should be included in modern planning. This is particularly important for the Project, since the majority of houses lost during local fires were not from direct flame contact, but rather from the intrusion of embers driven by winds. O3c-19

Current wildfire research supports the need to augment and improve existing modeling and actual causes of structure loss as a high priority. Recently, NIST conducted a post-fire study of a community burned by the nearby Witch and Guejito fires during the October 2007 southern California firestorm.[17] Those fires destroyed 30% of the structures within the fire line, 40% of the structures on the perimeter (in closest proximity to wildland fuels), and 20% in the interior were destroyed. Firebrands were responsible for at least two out of every three structures lost. More worrisome is that the fire during this event spread up to 500 meters into the interior of the community. This demonstrates the importance of modeling for firebrands and of implementing protection measures during the planning process rather than relying solely on heat flux radiation or direct flame contact. Understanding the impact of firebrands and embers is a serious consideration for modern planning, and our current understanding of the causes of structure loss should be incorporated into the DEIR and supporting documents. This is particularly important for this Project, as much of the most insightful research on this topic was conducted on 2007 fires near the Project site. O3c-20

3.2 Inadequate Emergency Access and Evacuation

The Fire Protection Plan states that secondary access for the project site is infeasible, citing challenges with biological resources, topography, and land-owner agreements/easements. Secondary access is not something that can be dismissed due to logistical constraints – it is a development standard for very important reasons. For example, the National Fire Protection Association 2016 standards provide guidelines for disaster planning, mitigation and evacuation, with experts roundly stressing that people should have multiple evacuation routes, if possible, as fire conditions can change rapidly.[18] Similarly, as described in the Plan, local and state standards emphasize multiple access routes for communities in high risk wildfire areas.[19] Ignoring this long-established and necessary requirement may potentially be acceptable in areas with low risk, but extreme fire risk areas, such as the HGVS site, should arguably never be approved without adequate secondary access. O3c-21

[16] Mell et al.
[17] Maranghides A, Mell WE (2009) A case study of a community affected by the Witch and Guejito fires. National Institute of Standards and Technology, Technical Note 1635. (Gaithersburg, MD) Avail- able at http://www2.bfrl.nist.gov/userpages/wmell/PUBLIC/TALKS_PAPERS/NIST_Witch_Fire_TN1635.pdf [Verified 22 February 2010]
[18] Maranghides and Mell.
[19] National Fire Protection Association, 2016: 1600-Standard on Disaster/Emergency Management and Business Continuity/Continuity of Operations Programs.
[20] California Building Code [Chapter 7a] and County of San Diego Consolidated Fire Code (2014).

Response to Comment O3c-20

The County agrees with the comment that embers are a significant wildfire threat and that homes were lost in the 2007 wildfires from ember penetration. It is important to note that the homes that were lost from embers were not fitted with ember-resistant vents and were not subject to the type of inspections and maintenance that will occur at HGV South. Ember threats have been analyzed in San Diego County as a result of past fires and measures that are now required to build in VHFHSZs address the risk. In addition, the Project is incorporating measures beyond the code to prevent ember penetration. Therefore, the County appreciates the comment, but it does not raise an issue with the EIR's analysis or conclusions and no further response is necessary.

Response to Comment O3c-21

Please see the Global Response to Adequacy of Emergency Evacuation and Access.

A single access road is also problematic because such access does not allow efficient and safe movement of residents out of the area in a timely manner. With an estimated 1,500 to 1,800 vehicles (for just this community – depending on the analysis and report cited) attempting evacuation during a wildfire, a best-case evacuation time would take at least one hour and thirty minutes.[20] Given that the modeling predicts that wildfires can result in spread rates of 17 mph, the development and its evacuation route can become encircled by a wildfire in less than five minutes. Moreover, wind speed and direction of wildfires can change in unpredictable and rapid ways (something that is not accounted for in traditional modeling or this risk assessment). O3c-22

It is widely recognized that evacuations can result in traffic jams, traffic collisions, nervousness and panic, which can cause harm to people during fire events and result in a breakdown of the best designed plans. Evacuation is further complicated when having to evacuate large and small animals and residents with special needs. The DEIR as well as supporting documentation should be revised to address these issues. The DEIR should also include a comprehensive worst case evacuation scenario accounting for the total time that would be required to evacuate the entire surrounding community that ultimately uses Country Club Drive to Auto Park Way that addresses the population of Harmony Grove, Eden Valley, Hidden Hills and Elfin Forest. Unfortunately, none of this analysis was performed in the DEIR. O3c-23

Widening the road should be discussed not just for the section contemplated in the DIER, but also to ensure that residents are able to get "all the way out" to safety. It is not enough to simply address widening the section of road directly at the point of egress from the proposed development without a comprehensive analysis of broader evacuations and potential needs for extending the road widening to ensure full evacuation. Furthermore, direct flame impingement, radiant heat, heavy smoke, and limited visibility can significantly contribute to evacuation breakdowns. Having a single point of entry/exit only exacerbates an already tenuous and dangerous situation. Given the propensity of both interior and perimeter homes to ignite during a wildfire, excessive evacuation times, and single evacuation route, the potential for catastrophic losses cannot be overlooked. O3c-24

Compounding the community emergency response and overall risk is the applicant's request that the County approve a modification of the dead end road length rules in County Fire Code section 503.1.3. Again, the request is being made because of the alleged constraints due to topography, geology, and environmental conditions that make this infeasible (although the request appears to also be driven by a lack of agreement with landowners for access and easements). The standards of care regarding maximum dead end road lengths are established to ensure adequate opportunity for emergency vehicle access, turn around, and ease of evacuation. The fact that there are alleged conditions that may make meeting the existing regulations unattainable only emphasizes the unsuitability of this location because public safety and community protection cannot be assured. Ultimately, failure to secure secondary access results in significant Project-related impacts. O3c-25

[20] Ibidd. 2017.

Response to Comment O3c-22

The comment quotes from the EIR and raises no issues with the analysis or conclusions. Please see the Global Responses to Adequacy of Emergency Evacuation and Access, particularly the section "Evacuation Scenarios were Analyzed."

Response to Comment O3c-23

The County disagrees with the comment's assertion that worst case evacuation conditions were not considered in the EIR. Please see the Global Response to Adequacy of Emergency Evacuation and Access, particularly the section "Evacuation Scenarios were Analyzed."

Response to Comment O3c-24

The County disagrees with the commenter's opinion that the Project has only a single point of access and that the road widening only occurs at the point of egress only. Please see the Global Response to Adequacy of Emergency Evacuation and Access, particularly the section "Evacuation Scenarios were Analyzed."

Response to Comment O3c-25

The County disagrees with the comment's opinion that the modification to dead end road length is based only on access and easement agreements or that it has not been adequately mitigated. The topography and environmental conditions that require a modification have all been taken into account in the design of Project roads proposed in lieu of meeting an 800-foot road length, which were subject to intensive review by County and fire staff. The site is constrained by a number of environmental factors that needed to be addressed during site design, the most notable of which is the pristine biological habitat in the southern portion of the Project. The terrain is often steep, with hills that do not allow for straight access routes. Given the terrain, on-site streets must curve in order to meet required grade and curve requirements. In addition, there are a number of open space areas (including landscaped swaths) in the Project site that were avoided in order to reduce visual effects. Finally, the Project was designed to avoid adding traffic to off-site streets south of the southern Project entrance. With respect to the comment that the Project has inadequately

	analyzed and addressed wildfire hazards and public safety, Section 3.1.3.2 of the FEIR concluded that the Project would not expose people or structures to a significant risk of loss, injury or death from wildland fires because the Project would comply with the FPP accepted by the Fire Authority Having Jurisdiction (FAHJ) and would be in compliance with the fire codes by including, as design features of the Project, the specifically developed measures and features detailed in Section 5.2.1.2 of the FPP. Please see the Global Response to Fire Hazards Impact Analysis, particularly the section "The Project Complies with the Fire Codes and Project is Consistent with the Recommendations Described in an Accepted FPP." Finally, as described in the Project's FPP and the Rohde & Associates report, there are multiple egress routes provided for the HGV South Project.

related to wildfire hazards and public safety the extent of which have been inadequately addressed and mitigated in the Fire Protection Plan and DEIR. O3c-25

It is worth repeating: the proposed modifications to currently acceptable standards related to dead end roads and evacuation routes have never been adequately tested or evaluated under real-world scenarios. The current standards exist for a reason and modifications should only be approved if it can be clearly demonstrated that they meet the intent of the code. The DEIR and the Plan provide no empirical evidence to demonstrate that the proposed measures provide the same or higher levels of community protection and safety during an emergency as the required secondary access. The following issues highlight the faulty assumptions made in asserting the mitigation measures meet or exceed existing code and should therefore be approved as meeting the intent of the code: O3c-26

- The third travel lane provides a widened road, but simply widening a road does not address issues where the only way to enter or exit the community is limited by unforeseen factors including fire impingement, vehicle collisions, etc. O3c-27
- While fuel management zones are an important aspect of community protection, the plan still fails to address fire embers and branding that enter the community during a wildfire O3c-28
- Current research has shown that ember resistant vents provide limited protection during a wildfire. Reducing the size of the mesh can simply cause the embers to burn down to a smaller size before entering the attic, and can still result in a structure ignition.[21] In fact, current ASTM standards for vents do not address the ability of these vents to completely exclude entry of flames of firebrands.[22] And while requiring 1/8th inch vents screening (rather than ¼ inch) seems to improve protection, no clear evidence suggests that this is the case, and has the problem of adding a maintenance burden on the homeowner (related to clogged vents, over spraying and clogging during painting, etc.).[23] O3c-29
- While increasing parking within the community may assist in minimizing potential obstructions and emergency vehicle access, it does not contribute to addressing the single access road issue. Furthermore, restricting parking may seem like a good idea, and while there may be requirements for single residence events over 10 persons to park off site and shuttle to the residence, a serious parking situation could occur when several homes (on a holiday for instance) all have up to nine visitors, and avoid parking mitigation measures yet still create a dangerous situation for emergency vehicle access and community evacuation. O3c-30
- Restricting landscaping adjacent to structures 1-3 feet away is another untested strategy to reduce risk. In fact, any vegetation adjacent to the home would still carry flame lengths sufficient to ignite the wall, particularly during a wind driven fire. O3c-31

[21] Manzello SL, Park SH, Suzuki S, Shields JR, Hayashi Y. Experimental investigation of structure vulnerabilities to firebrand showers. Fire Safety Journal 2011;46: 568-578.
[22] ASTM Standard E2886/E2886M – 14, 2014, "Standard Test Method for Evaluating the Ability of Exterior Vents to Resist the Entry of Embers and Direct Flame Impingement," ASTM International, West Conshohocken, PA, 2014.
[23] Quarles, T. and TenWolde, A. 2004. Attic and Crawlspace Ventilation: Implications for homes located in the Urban-Wildland Interface. Woodframe Housing Durability and Disaster Issues Conference, Las Vegas, NV.

Response to Comment O3c-26

The County disagrees with the comment's opinion that the modification to dead end road length has not been adequately analyzed or mitigated. With regard to "real world scenarios," please refer to Response to Comment O3c-6. Please also see the Global Response to Fire Hazards Impact Analysis, particularly the section "The Project Complies with the Fire Codes and Project is Consistent with the Recommendations Described in an Accepted FPP".

Response to Comment O3c-27

Please see the Global Response to Fire Hazards Impact Analysis, particularly the section "The Project Complies with the Fire codes and Project is Consistent with the Recommendations Described in an accepted FPP" as well as Global Responses to Adequacy of Emergency Evacuation and Access, particularly the section "Evacuation Scenarios Were Analyzed." Note that a contingency plan would be available if it was considered unsafe to evacuate.

Response to Comment O3c-28

Please refer to responses provided to comments in Sections 3.0 and 3.1 of this letter, as well as Global Response to Fire Hazards Impact Analysis for more information on the EIR's analysis of fire embers/brands.

Response to Comment O3c-29

The County disagrees with the commenter's suggestion that ember-resistant vents, designed and tested to exclude embers, provide limited protection during a wildfire. The comment focuses on mesh opening size, but neglects to consider the type of vents that are being required at HGV South, which are vents that rely on configuration, not mesh size, to exclude embers.

Response to Comment O3c-30

The proposed modification to dead-end road length is expressly addressed in Global Response to Fire Hazards Impact Analysis under the heading "The Project Complies with the Fire Codes and Project is Consistent with the Recommendations Described in an Accepted FPP." The County disagrees with the commenter's statement that a parking plan and enforcement within HGV South would not contribute to successful evacuations. In addition to keeping

	lanes unobstructed for evacuation events, it also provides for faster response during medical or other emergencies within the community. Parking enforcement would occur at all times. The comment's statement on illegal holiday parking is speculative and therefore, does not require additional response. **Response to Comment O3c-31** The County disagrees with the commenter's opinion that restricting landscaping within 3 feet of the structures in unproven. Vegetation and flammable materials within 3 feet of structures has been observed during after-fire assessments to result in ignitions through the weep screed. Therefore, providing this restriction directly reduces the possibility that flame impinges through the weep screed and into the home.

- Structure spacing and density is widely recognized and a critical component in WUI fires, influencing how firefighters can respond. Community design can significantly reduce effectiveness and their ability to respond quickly to stop fire spread in a community. As with so many protection plans, no empirical evidence or evaluation is provided to address defensibility from structure to structure fire spread, or defensibility from dangerous topographic configurations. Further, the DEIR and Fire Protection Plan provide no clear evaluation or analysis to identify exposure and structure vulnerabilities, including an assessment for high and low fire and ember exposure risk, nor are the fuel treatment standards assessed to quantify exposure reduction for different topographical and weather conditions. O3c-32

3.3 Shelter in Place

Recognizing that there may be serious deficiencies in ingress/egress during an emergency, the planning documents for Harmony Grove discuss a "shelter in place" philosophy for the community. In fact, the Wildfire Risk Analysis states that the shelter in place requirement is "derived primarily from either high intensity wildfire threats to escape routes, or the rapid onset of high intensity wildfire which denies civilians an opportunity for escape." O3c-33

While this is seen as a last resort option, confusingly the community is not seeking an official shelter in place status. Arguably, the standards for obtaining this status are significant, and likely are triggered when there is no other option available to the community. However, as a newly planned community, appropriate evacuation options should be designed into the project. The community center building is proposed as an evacuation center, yet again the Plan and DEIR acknowledge that is it not actually "planned as an evacuation center."[24] While this may seem to be a suitable option, the risk that the facility, like all others within HGVS, may ignite due to fire brands or ignition by adjacent structures is not adequately addressed. O3c-34

Shelter in place is not only a dangerous strategy, it has a long history of catastrophic failures and can be terribly tragic. In 2009, wildfires in Australia cost the lives of 173 individuals who chose to stay in the community rather than evacuate. The results of a review by the Royal Commission asserted that abandoning the philosophy entirely is not appropriate, yet the policy should not apply in severe fire conditions, stating that leaving early is still the safest option, and there needs to be an emphasis on education and qualifications for those that stay behind.[25] O3c-35

In contrast, the DEIR emphasizes a shelter in place scenario during the most extreme conditions. While we refer to this philosophy as "shelter-in-place" in California, communities like those in Australia use the "Stay and Defend" terminology. A significant distinction between these two philosophies highlights the challenges in adopting and promoting this community protection standard. Unlike shelter-in-place, stay-and-defend connotes residents actively patrolling the community, putting out small spot fires, keeping rooftops and vegetation wet, and potentially combating actual fires. The issue is that O3c-36

[24] Dudek 2017. Pg. 39.
[25] http://www.utpa.org/news-and-research/publications/utpa-journal/2011/september-2011/features/stay-or-go

Response to Comment O3c-32

The County disagrees with the commenter's assertion that fire spread and embers have not been adequately analyzed and mitigated. Please refer to responses provided to comments in Section 3.0 and 3.1 of this letter as well as Global Response to Fire Hazards Impact Analysis for more information on the EIR's analysis of fire embers/brands. Further, regarding structure spacing and density, the same ignition-resistant features provided for wildfire protection provide a level of fire protection from neighboring structures. The close proximity of fire response resources combined with the ignition-resistive exteriors and interior sprinklers that are very successful controlling or extinguishing interior fires will assist to provide adequate protection from structure-to-structure fires.

Response to Comment O3c-33

The County acknowledges the comment and disagrees with its suggestion that the Project's ability to temporary refuge firefighters and citizens is based on recognition of serious deficiencies in ingress/egress. The Project, like any new master planned development in southern California, would enable emergency responders/decision makers to utilize some form of temporarily refuging firefighters and (as a last resort) residents, on site during wildfire emergencies. It is worth noting that the only "shelter in place" communities, which HGV South has been modeled after, within the RSFFPD, do not rely solely on shelter-in-place; just as HGV South does not solely rely on shelter-in-place. The RSFFPD has required a very high level of ignition resistance and fuel modification that is consistent with what will be provided at the HGV South site. Also, even in The Crosby, Cielo and other shelter-in-place communities, the first and preferred priority is early evacuation. During the 2007 Witch Creek Fire, RSFFPD evacuated residents of The Crosby and Cielo and did so early, several hours before fire approached the community. Temporarily refuging on site should be considered as a contingency solution for instances when an early evacuation is not possible. Fire officials recognize that sheltering in an ignition-resistant community, like The Crosby or HGV South, is safer than a late evacuation.

Response to Comment O3c-34

Please refer to Response to Comment O3c-33 regarding the temporary refuge option that is available at HGV South. Please see the Global Responses to Adequacy of Emergency Evacuation and Access for more details regarding the planned approach. Further, the County has determined the analysis of the evacuation options and the Project's clubhouse, which can provide temporary refuge during an emergency, to meet the industry standards. Please refer to responses provided to comments in Section 3.0 and 3.1 of this letter for details of the Project's considerable analysis of embers and their potential at the HGV South site and how the Project addresses embers for the site's structures and landscape.

Response to Comment O3c-35

The commenter compares the concept of sheltering in place with the "Leave Early or Stay and Defend" (LEOSAD) model that was at one time promoted in Australia. The two concepts are completely different as are the building requirements between San Diego County and Australia. The Australian strategy of "stay and defend" differs from the "temporary refuge" strategy. "Stay and defend" is an active process where individuals who decide to remain at home during a wildfire actively implement fire protection measures before, during, and following a wildfire. The proposed temporary refuge strategy emphasizes early evacuation, if evacuation can be done safely. Only if early evacuation is not possible would the temporary refuge strategy be implemented.

As described by Dr. Chris Dicus (Professor, Cal Poly San Luis Obispo) in his 2010 presentation to the California Fire Prevention Officers Institute, the concept of LEOSAD is very different from what is proposed for HGV South. Dr. Dicus was in Melbourne, Australia, before, during, and after the 2009 Victorian wildfires. Based on information in his presentation "Fire Down Under – The Good, the Bad, and the Downright Tragic," and communication during the question/answer session with Mr. Michael Huff of Dudek who prepared the Project FPP, the damage and loss from the Australian wildfires cannot be compared to wildfire risks for the Project site for several reasons.

	Some of the homes that were destroyed in the Victorian fire were located in eucalyptus forest and were not protected with defensible space (fuel modification zones). Some homes were not constructed with ignition-resistant materials. In addition, many residents ignored the evacuation warning given 24 hours before the wildfire began. In contrast, the Project will provide substantial fuel modification zones throughout the Project site. New structures will be built with ignition-resistant materials and the site will be regularly inspected by RSFFPD. The emergency procedures for the Project require the early evacuation of residents as the primary option during a wildfire emergency. If safe relocation is not possible, the residents may be directed to temporarily refuge on-site in their homes or at the clubhouse, both of which will be designed to the latest ignition-resistant standards. For a description of other protective features, please see the FPP, Appendix L of the EIR. **Response to Comment O3c-36** Please refer to Response to Comment O3c-35. The commenter fails to acknowledge the difference between all aspects of the Australian communities and that of HGV South and other San Diego County developments with regard to contrasts between fuel types, building and construction standards, landscape fuel modification standards, enforced maintenance, and inspections.

residents lack the proper training, equipment, and resources necessary, giving a false sense of security and faulty assumption that homeowners are as capable as firefighters. Another key distinction is that a shelter-in-place strategy may place residents at risk if (for instance) entry by first responders into the community is cut off or significantly delayed. In that scenario, homes are then at risk for catching on fire and having fire spread throughout the community as the homes have been largely left unprotected and un-monitored. O3c-36

The simple fact that this Project is even contemplating a shelter-in-place option (due to threats along evacuation routes among other factors) only serves to highlight the risk to the proposed Project area and the existing community; it is an acknowledgement that evacuation may not only be infeasible, but impractical in certain (unspecified) conditions. Given the propensity for fire branding and the spread of fire within the community, shelter-in-place is even more worrisome. Additionally, current research on smoke exposure and the significant health risks associated with fires within the WUI places residents in a serious situation where the short term benefits of sheltering in place are potentially outweighed by the long-term risks associated with cancer, respiratory, and cardiac issues. Those engulfed in WUI fires are exposed to unsafe levels of high-risk contaminants including trace metals, polycyclic aromatic hydrocarbons (PAHs), benzene, carbon monoxide (CO), nitrogen and sulfur oxides, cyanide, volatile organic compounds (VOCs), airborne acids, and particulates. When extreme physiological conditions exist in an environment where ambient heat, smoke, and high-risk exposures are commonplace, a WUI fire can exceed the limits of what the human body should withstand. The DEIR fails to evaluate these impacts. O3c-37

Furthermore, under this plan, the DEIR and the Wildfire Risk Analysis acknowledge that extreme wildfire events may require those who shelter in place to "reposition" themselves during an incident to avoid radiant heat.[26] Not only are individuals in this scenario not adequately prepared to protect themselves from the threats of radiant heat (among other risks), but they are also being asked to know when to move and respond to changing circumstances and safely navigate what is arguably one of the most intense and risky environments on the planet. This is a dangerous strategy and a substantial expectation of residents that could have extreme consequences on the health and welfare of the community. O3c-38

4.0 The Future of Wildfires

4.1 Climate Change

There is consensus within the scientific community that climate change will generally increase fire risk due to its effects on fuel loads and weather,[27] and in fact we have seen a dramatic shift in the frequency and intensity of wildfires throughout North America. Shifting climatic conditions and land use change are combining to produce more frequent O3c-39

[26] Rhodes and Associates 2016. Pg 16.
[27] Moritz, M.A. and S.L. Stephens. 2008. Fire and sustainability: Considerations for California's altered future climate. Climatic Change (2008) 87 (Suppl 1):S265–S271

Response to Comment O3c-37

The comment is speculative. There is no information regarding amount or type of smoke, length of exposure, etc. that can be tied to a specific future fire event. Regardless, please refer to previous responses to comments regarding the Project's temporary refuge contingency option. Should this contingency option be enacted by responding law enforcement and emergency personnel, it would be for a short period of time as a wildfire burned through the native vegetation beyond the Project's fuel modification zones. The typical wildfire through fuel types found near the Project would be 30 minutes or less. Even if the burn time were longer, the residents would remain in their homes or the clubhouse, which would limit their exposure to smoke and contaminants listed in the comment. The availability of open air sheltering (parkland) is not relied upon for the Project's evacuation or contingency. The open air refuge would be appropriate for firefighters and as a last resort for motorists and large animal trailers. There is no intention of temporarily refuging HGV South residents in the open air where they would be exposed to smoke conditions except as a tertiary contingency option. In this scenario, those seeking refuge would remain in their vehicles with windows rolled up, limiting their exposure to smoke. The EIR's analysis is considered adequate and no further response is required or necessary.

Response to Comment O3c-38

The County acknowledges the EIR/Wildfire Risk Analysis contemplation of sheltering individuals possibly needing to reposition themselves if sheltering in one of the off-site open field or park areas. The Project intends to temporarily refuge only when it is unsafe to evacuate and the refuge will occur within homes and/or the clubhouse. The areas mentioned in the Wildfire Risk Analysis report would be tertiary sheltering sites for anyone who may be attempting a late evacuation and needing to seek a safe space or for existing residents who may have large animals and trailers. The County anticipates the open air sheltering would be appropriate for trained firefighters and as a last resort for motorists. The repositioning mentioned in the Wildfire Risk Analysis refers to the possibility that off-site fuels ignite and create heat. Repositioning would mean

moving away from the heat source, but remaining within the large park and within vehicles.

The EIR analysis is considered sufficient and no additional response is necessary or required.

Response to Comment O3c-39

The County acknowledges the comment and climate change projections it presents. However, it is speculation to attempt to determine the potential future fire impacts from climate change and to directly relate increased acreage burned to climate alone. By the end of this century, average temperature in California is expected to increase by 2.7°F to 8.1°F (1.5°C to 4.5°C) depending on many factors, including future carbon emissions (Cayan et al. 2008). Under projected future climate change scenarios, wildfire risk and the amount of area burned annually in California is predicted to increase (Lenihan et al. 2008; Westerling and Bryant 2008). Generally, it is presumed that if temperatures rise, vegetation communities will gradually shift elevations upward, with grasslands dominating larger areas. For example, grasslands are predicted to expand into woodlands and shrublands, which could further affect wildfire regimes (Lenihan et al. 2008), resulting in more frequent fires and perpetuation of the flashy-fuel dominated landscape. Models of fire damage in a changing climate predict an increase in wildfire-caused property damage in the WUI near major metropolitan areas, such as coastal southern California (Westerling and Bryant 2008). However, there is some uncertainty about future fire regimes in southern California as increasing aridity and higher temperatures could reduce availability of fine fuels, which could lower fire frequency and the conversion of heavier fuels to lighter fuels could result in less intense fires and a reduction in wildfire-caused property damage, especially given the ever-improving ignition-resistant building codes. It is also unclear whether Santa Ana winds might be altered in a warming climate. Because of the speculative nature of projecting future conditions and the potential possibility that fire risk is reduced through vegetation type conversions, the FPP analysis of worst-case conditions is considered valid and no additional analysis is required or necessary.

and intense wildfires while also expanding the overall annual wildfire season.[29] California is considered a climate change hotspot likely to experience higher than average impacts when compared to the rest of the United States.[30] In fact, we may already be seeing these effects. Compounding this risk is the prediction that large fires (defined as 500 acres or more) will increase nearly 35% by 2050, and an alarming 55% by the end of the century.[30] If our population expands into and increases the WUI, there is a concomitant increase in the probability of property losses due to wildfires. All of these high risk factors describe the HGVS Project.

O3c-39

4.1.1 Temperature Changes

Climate change has broad implications for wildfires, spanning both the physical and natural environment. Recent research suggests that regional temperatures in California may increase from 1.7 C to 5.8 C by 2100, depending on the climate model used and the emissions scenarios assumed.[31] This of course leads to an increase in the number of days of high or extreme fire risk (as assessed by CAL FIRE in their daily wildfire risk warning system). In fact, recent research suggests that the fire seasons are already longer than they were historically.[32]

O3c-40

4.1.2 Changes in Wind

As identified in the Plan, fires in the area were historically wind driven. In the modeling of the planning area, winds were calculated at variable speeds up to 50 mph. Ultimately the fire season is predicted to become longer in California, with predicted increases in the number of Santa Ana wind days under future climate scenarios.[33] Therefore, wind driven fires are predicted to change in the future. Wind modeling can assist fire managers in estimating local wind patterns and the potential for wind-based increases in fire spread rate and intensity.[34] Recurrent wind patterns, such as those that arise during Santa Ana wind events, can be modeled to help identify local areas that have high potential for Santa Ana wind-based increases in fire spread and intensity. Unfortunately, the limited analysis performed to evaluate this Project introduces considerable uncertainty into efficacy of the mitigation measures and the Fire Protection Plan.

O3c-41

The ability to model fire intensity spread is of utmost importance in planning. However, the planning process is only as good as the modeling used and the availability of suitable data. Without this, creating hazard maps and identifying indefensible areas is problematic. Given what we know about wind modeling and the lack of empirical data for the HGVS planning area, there are inherent problems for developing an effective fire plan for the HGVS project. The lack of data can lead to a serious misrepresentation and underestimation of onsite conditions, wind events, temperature, and fuel moisture. Planning done under this scenario can lead to an inaccurate model that does not truly represent onsite conditions. When it

O3c-42

[29] A.L. Westerling, H.G. Hidalgo, D.R. Cayan, and T.W. Swetnam, *Warming and Earlier Spring Increase Western U.S. Forest Wildfire Activity*, 313 Science 940 (2006).
[30] Diffenbaugh, N. S., F. Giorgi, & J.S. Pal (2008). Climate change hotspots in the United States. Geophys. Res. Lett. 35: L16709.
[31] Westerling, A, et al. 2006. Warming and Earlier Spring Increase Western U.S. Forest Wildfire Activity, 313 Science 940.
[32] D. Cayan, A. L. Luers, M. Hanemann, G. Franco, and B. Croes, *Scenarios of Climate Change in California: Overview*, CEC-500-2005-186-SF (2006).
[33] *Id.*
[34] Running, S.W., 2006. Is Global Warming Causing More, Larger Wildfires? Science 313: 927-928.
[35] Butler, B.W., M. Finney, L. Bradshaw, J. Forthofer, C. McHugh, R. Stratton, and D. Jimenez, 2006. WindWizard: A new tool for fire management decision support. USDA Forest Service Proceedings RMRS-P-41

Response to Comment O3c-40

Please refer to the Project's EIR and to Response to Comment O3c-39 for more information regarding climate change and its potential effects on wildfire risk, and corresponding conclusion on the EIR's analysis adequacy.

Response to Comment O3c-41

The County agrees with the commenter's statements that Santa Ana winds can affect fire spread rates and intensities. However, the County disagrees with the commenter's suggestions that the fire behavior modeling conducted by Dudek and Rohde & Associates is limited or introduces uncertainty of the mitigation measure efficacy. The Project's fire behavior analysis was performed according to industry standards and then re-analyzed with FlamMap and LANDFIRE applications. This level of analysis exceeds County standards and provides a reliable estimation of typical and worst-case fire conditions, including during Santa Ana wind events. Attempting to predict future changes in wind events is speculative and not required by CEQA. Therefore, no additional analysis is required or necessary.

Response to Comment O3c-42

Please refer to Response to Comment O3c-2. Modeling worst-case fire behavior near the Project is the best way to determine how fires are expected to respond given fuels, terrain, and weather. Beyond the modeling efforts, fire events that have occurred in the area are analyzed in order to gain a more regional view, as well as to predict specific on-site effects, and to confirm models are consistent. To that end, knowing how a fire behaves based on data obtained from like areas, similar fuels, etc. is considered critical for determining appropriate fuel modification zone setbacks, appropriate ignition-resistant construction features, and where additional measures may be necessary. The County disagrees that there was a lack of data or that modeling inputs were not accurate and conservative (i.e., allowed for appropriate estimate of uncertainty). The modeling was performed according to County and industry standards and does not require additional analysis.

Response to Comment O3c-43

Please refer to Response to Comment O3c-39 for information regarding the speculative nature of attempting to predict future climate conditions, which would include precipitation conditions. Please note that it can be argued that if the commenter is correct and precipitation is reduced, certain vegetation types will not be sustainable, converting to a grassland with potentially more fires, but of much lower, controllable intensity.

Response to Comment O3c-44

The County acknowledges that climate change may result in future fuel conditions that are different than today. However, as indicated in Responses to Comments O3c-39 and O3c-41, it is speculative to assume how climate change may impact native vegetation areas and whether it will result in a more or less risky condition. Regardless, the approach to fire protection being applied to the HGV South Project considers a worst-case condition at the outer perimeter of the Project. The vegetation throughout the Project's landscape and its perimeter fuel modification zones can be predicted with a high degree of accuracy since it will be a managed, maintained space. Based on the requirements for the fuel modification zones and landscape space throughout the Project, wildfire within these areas will be minimal as the fuels will not support/facilitate fire ignition or spread. Changes in the vegetation beyond the maintained areas, within the open space preserve areas, may occur, and may include the establishment of species that are not presently there. Because the open space would be managed for habitat continuity and function, however, substantial changes are not considered likely in the foreseeable future, and are speculative in any event. Because such conditions are currently speculative, modeling of unknown future conditions is not required.

Response to Comment O3c-45

Please refer to Responses to Comments O3c-39 through O3c-44 for information and approach regarding the fire behavior of existing vs future conditions. Specifically with regard to non-native grasses cited in the comments, however, if the commenter's climate change scenario occurs, it is likely that the non-native species will be grasses, herbs and forbs or other weedy species that can

	survive with reduced moisture that also include reduced fire behavior from that modeled.

Climate change is also likely to augment the spread of invasive species, which is already occurring in the planning area and surrounding habitat. This can occur when the normal disturbance regimes under which the native community evolved are altered. Throughout the western United States, we have witnessed the spread of invasive species, particularly grasses, which change the fire frequency and intensity and shorten the return interval of fires. This results in a feedback loop where wildfires advance the spread of invasive species, ultimately leading to a type-conversion of the habitat to a nonnative dominated ecosystem.[43,44] Therefore, what was modeled in the DEIR and supporting documents was not the worst-case scenario, but one based largely on existing conditions. O3c-46

In sum, the DEIR relies on a faulty model which yields a faulty analysis and inadequate mitigation. O3c-47

4.2 Changes in the Causes of Wildfires

While historic fires were generally recorded under wind events, future fires will likely not be exclusively wind driven. Given recent trends and possible changes due to a myriad of interrelated factors such as climate change, succession, and invasive species, there may be a concomitant increase in both human-caused fire events and lightning-caused wildfires. These scenarios are not addressed in the DEIR or the Plan. For example, human-caused ignition events are predicted to increase with population.[45] This is exacerbated by the prediction that there will also be an increase in the frequency of lightning as a result of climate change.[46] This, of course, has direct implications for the risk of wildfires that we are already experiencing. O3c-48

In 2008, over 2,000 wildfires were started by over 6,000 dry-lightning strikes in Northern California. The record number of lightning strikes and extreme drought conditions created catastrophic conditions that burned nearly 1.2 million acres, destroyed over 500 structures, and killed 15 people.[47] It is assumed that climate change is stimulating this change, and may bring lightning-caused fires to areas in quantities never seen in recorded history.[48] Adding additional homes to an already burdened fire district adds the potential for an increase in human-caused fire events. It should be noted that this is not just in reference to arson. Most wildfires today are the cause of human negligence or accidents from vehicles, heavy equipment, lawn care equipment, etc. O3c-49

[43] Klinger, R. C., M. L. Brooks, and J. M. Randall. Fire and Invasive Plant Species. in Sugihara, N. G., J. W. van Wagtendonk, K. E. Shaffer, J. Fites-Kaufman, and A. E. Thode (eds). 2006. Fire in California's Ecosystems. University of California Press.
[44] Harrison, S., B.D. Inouye, and H.D. Safford. 2003. Ecological heterogeneity in the effects of grazing and fire on grassland diversity. Conservation Biology 17:837-845.
[45] Syphard, A., V. Radeloff, J. Keeley, T. Hawbaker, M. Clayton, S. Stewart, and R. Hammer. 2007. "Human influence on California fire regimes." Ecological Applications 17: 1388 - 1402.
[46] Price, C., 2008. Thunderstorms, Lightning and Climate Change. in Lightning - Principles, Instruments and Applications, ed. H.D. Betz. Springer Publications.
[47] http://www.fire.ca.gov/index_incidents_overview.php
[48] http://www.nsnews.com/science/articles/2010/04/21/an-arctic-with-fire.html

Response to Comment O3c-46

The County disagrees with the commenter's opinion that the EIR's fire behavior modeling did not model the worst-case condition. The County agrees that if a future condition includes conversion to non-native grasses, which is already the case for much of the Project site, there may be a higher fire frequency. However, the fire intensity would be reduced, therefore not representing a worst-case condition. Please refer to Responses to Comments O3c-39 through O3c-44 for information and approach regarding the fire behavior of existing vs future conditions.

Response to Comment O3c-47

The County disagrees with the assertion that the EIR relies on a faulty model and analysis for mitigation measures, as described in the preceding responses to Section 4.1 of this letter.

Response to Comment O3c-48

Please refer to Responses to Comments O3c-39 through O3c-44 for information and approach regarding the existing vs future conditions. Further, while it is true that humans are the cause of most fires in California and throughout the United States, no available data link increases in wildfires with the development of ignition-resistant, fire-aware communities. Likewise, lighting-caused fires are associated primarily with forested areas where vertical, flammable objects may be more prone to strikes. Lightning-caused fires typically become wildfires because they occur in remote areas where detection and suppression are delayed. That would not be the case in the vicinity of HGV South as fires that start in the Harmony Grove Valley are quickly detected due to the developed areas throughout the valley.

Response to Comment O3c-49

The County disagrees with the commenter's comparison of northern California lighting strikes with future conditions in southern California and provides no evidence regarding southern California conditions. In any event, please refer to Responses to Comments O3c-39 through O3c-44 and Response to Comment O3c-48 for information and approach regarding the fire behavior of existing versus future conditions.

5.0 Conclusion

Wildfires are a predictable occurrence, and will happen again. Even with best practices and mitigation measures, wildfire hazard risk to the proposed HGVS development and to existing and future residents in the area would be significant. In fact, there is a high likelihood that the community could suffer catastrophic losses to structures, infrastructure, and poses a considerable risk to public safety, community resilience, and the safety of first responders. Like most of southern California, wildfire events that threaten HGVS can occur under the most adverse environmental conditions, and (if recent fire history is a guide) can likely occur during times of a regional fire siege of multiple large fires. Under an extreme (yet all too common) fire siege, the number of first responders and resources required to be assigned for adequate structure defense at HGVS may be deficient. While mitigating the need for resource deployment is a laudable goal, the extreme risk to this proposed community and the surrounding area is undeniable, and places a significant burden on area residents, forcing them to make critical decisions (without adequate training) that can be consequential to their safety and survival during a wildfire.

The analysis of fire risks and mitigation measures for the Project is based on faulty modeling, which led to a faulty analysis and unsubstantiated conclusions and recommendations. No clear evidence is provided that a secondary access is infeasible or that the proposed measures are a superior option. This is not how communities should be planned today – it was how we did it things in the past, and we saw the catastrophic results of those bad decisions. Rolling back our planning process and standards for this Project is not justified.

O3c-50

It is alarming to see that the solution to a regional fire siege threat is to rely on untested strategies designed to reduce the need for resource deployment for structural defense, while also ignoring many of the time tested measures that are known to provide adequate protection (e.g. multiple access roads and dead-end road standards). Despite the assertion throughout the DEIR and supporting documents that the Project design and proposed mitigation measures will provide adequate community protection, the DEIR provides no evidence to support this conclusion. With no significant empirical evidence to support the effectiveness of the proposed measures, the Project will regrettably become an experimental community, designed to test whether certain features can improve community resilience and public safety. The consequences of this approach could be tragic.

The County has a responsibility to be prospective and protective in its planning decisions, particularly when they involve high fire risk areas like the Project site. The Project should include an adaptive management framework that provides for the flexibility to anticipate issues such as changes in extreme climate conditions and heightened wildfire risk (at a level informed by the best available science). While, advancements in our understanding of fire risks lag behind community planning and risk assessment needs, this *is* no excuse for placing a community in a high risk area with inadequate and untested protection measures. A lack of critical information and understanding in this area creates a situation in which pivotal land use decisions are made based on such malleable factors as public perception or budgetary constraints.

Response to Comment O3c-50

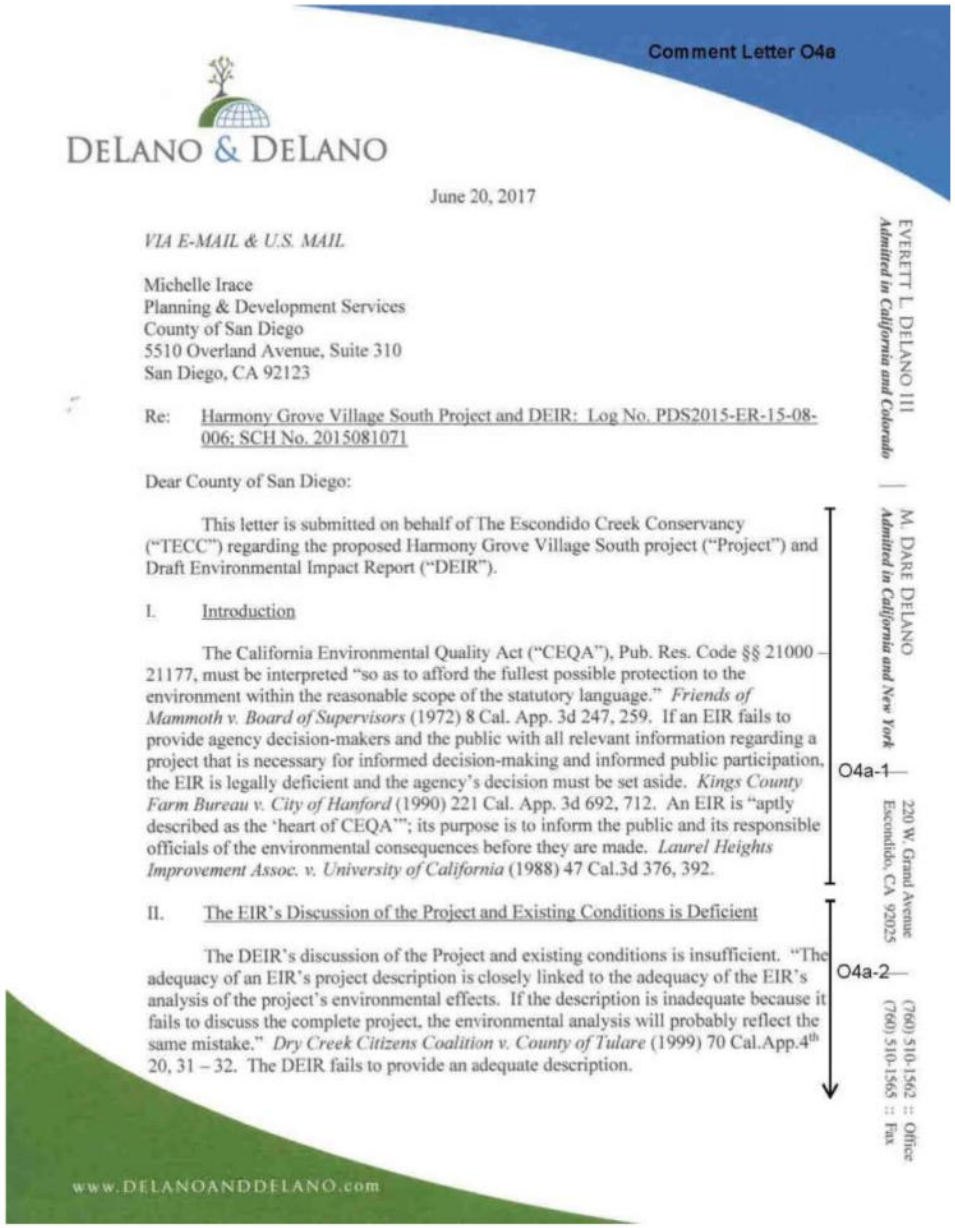
The County acknowledges the comment and notes that it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the EIR. Please refer to previous responses provided to comments in Sections: Cover Letter, and Sections 1.0 through 4.0 of the letter correlating with this response, with particular attention to Responses to Comments O3c-24 through O3c-49. For these reasons, the County provides no further response to this comment.

Regardless of analysis used or the models evaluated, it must be remembered that these are simply tools that are meant to provide information to assist in making an informed decision. We must remember that these tools are fraught with considerable uncertainty. Ultimately, the decision to approve a development is based on the level of risk that we are willing to accept for a community. Ideally, decision-makers should operate under the precautionary principle that states: "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically."[49] Failure to adhere to a "caution is best" approach can have serious repercussions on the long-term sustainability and resilience of our neighborhoods and the success or failure of community planning.

O3c-50

999469.2

[49] The most widely cited definition of the precautionary principle comes from the Wingspread Statement on the Precautionary Principle, 1998.



Comment Letter O4a

DELANO & DELANO

June 20, 2017

VIA E-MAIL & U.S. MAIL

Michelle Irace
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Re: Harmony Grove Village South Project and DEIR: Log No. PDS2015-ER-15-08-006; SCH No. 2015081071

Dear County of San Diego:

This letter is submitted on behalf of The Escondido Creek Conservancy ("TECC") regarding the proposed Harmony Grove Village South project ("Project") and Draft Environmental Impact Report ("DEIR").

I. Introduction

The California Environmental Quality Act ("CEQA"), Pub. Res. Code §§ 21000 – 21177, must be interpreted "so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. App. 3d 247, 259. If an EIR fails to provide agency decision-makers and the public with all relevant information regarding a project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient and the agency's decision must be set aside. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 712. An EIR is "aptly described as the 'heart of CEQA'"; its purpose is to inform the public and its responsible officials of the environmental consequences before they are made. *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 392.

O4a-1

II. The EIR's Discussion of the Project and Existing Conditions is Deficient

The DEIR's discussion of the Project and existing conditions is insufficient. "The adequacy of an EIR's project description is closely linked to the adequacy of the EIR's analysis of the project's environmental effects. If the description is inadequate because it fails to discuss the complete project, the environmental analysis will probably reflect the same mistake." *Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 31 – 32. The DEIR fails to provide an adequate description.

O4a-2

EVERETT L. DELANO III
Admitted in California and Colorado
M. DARE DELANO
Admitted in California and New York
220 W. Grand Avenue
Escondido, CA 92025
(760) 510-1562 :: Office
(760) 510-1565 :: Fax
www.DELANOANDDELANO.com

Response to Comment O4a-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment O4a-2

The commenter asserts that the DEIR's discussion regarding the Project and existing conditions is insufficient. The County disagrees that the EIR project description is sufficient. It is detailed in its information regarding the Project and consistent with the County *2006 Environmental Impact Report Format and General Content Requirements.*

The comment correctly cites elements of Harmony Grove Village (HGV) South noted under the heading "Continuity with HGV" on page 1-4 of the EIR. The comment also notes that "there is no discussion or showing of how a 'diversity' of housing is needed to 'complement and support' the HGV project." The comment is confusing Project *goals* and *description* with Project *justification*, which is not required in a project description. The goals to provide a broader range of residential diversity and opportunities are expressly stated or incorporated into Project goals 1, 5, and 6 (see EIR page 1-1). The provision of additional amenities and housing types that do not conflict with existing village uses and plans within a larger village boundary is considered complementary by definition.

Relative to commercial uses within HGV, the goal of the HGV South Project is to provide additional economic support for those businesses within walking distance, as well as to provide some limited commercial area that could also support HGV residents should they choose to use them. The EIR does not indicate that HGV South residents are necessary to provide workers for HGV businesses. The job opportunities for HGV South residents are expected to largely be located within the large surrounding metropolitan areas as well as throughout north County. Provision of additional amenities and residential options would not "distort" the jobs/housing balance. Nor does the EIR require that HGV residents participate in the limited commercial opportunities provided by HGV South. The County agrees with the comment that "the very minimal square footage of such uses would not have a significant impact on

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	the needs for commercial and civic facilities in the area." This is considered a statement of fact, however, and not an adverse impact or weakness in the document.

- The DEIR claims the Project "would complement and support the [Harmony Grove Village ("HGV")] Village Core by diversifying the mix of housing opportunities and providing limited commercial/civic uses that are compatible with the existing and planned elements of HGV." DEIR at 1-4. But there is no discussion or showing of how a "diversity" of housing is needed to "complement and support" the HGV project; in fact, the HGV project already has substantial housing, much more than would support a jobs/housing balance, such that adding more housing, no matter the type, would only further distort the jobs/housing balance. Additionally, the DEIR's claim that the Project's extremely limited "commercial/civic uses" would provide any utility for the HGV project is not supported, since the very minimal square footage of such uses would not have a significant impact on the needs for commercial and civic facilities in the area. O4a-2
- The DEIR makes no sense when discussing the Project's substantial changes to topography. The following statement is a non-sequiter: "once pads and hardscape such as streets have been installed, what the pattern is of built environment versus open space." DEIR at 1-5. The DEIR claims: "Lots would be graded to reflect the natural topography, as feasible." *Id.* In reality, the Project will represent a substantial amount of soil disturbance. The Project description should make this clear. O4a-3
- Likewise, the assertion that the Project "has been designed to maximize open space (including preserve areas) by clustering development" is simply unsupported. DEIR at 1-5. In fact, the Project will "impact 10.4 out of 10.9 acres of" Coastal Sage Scrub habitat on the site, as well as substantial impacts to other biological resources. DEIR at 2.3-46. Indeed, Section 2.3 specifically acknowledges the "Project design does not minimize habitat loss to the maximum extent practicable." *Id.* The Project description should reflect this basic fact. O4a-4
- The DEIR claims the Project includes "low impact development (LID) techniques ...." DEIR at 1-7. But the attached comments from a stormwater expert decry the DEIR's "premature dismissal of the entire suite of LID techniques that can reduce or even eliminate contaminated runoff discharge ...." O4a-5
- The DEIR claims currently "drainage flows overland." DEIR at 1-16. This is not entirely accurate, as there are existing drainage basins and ephemeral streams on the site. O4a-6
- The DEIR claims the site is "bordered by more intensive development." DEIR at S-1. This is inaccurate, as most of the site is bordered by open space and rural residential uses. O4a-7
- The Project would violate TECC's property rights. Country Club Drive runs through a 50-foot-wide road easement granted to the County. TECC owns the property upon which the road is situated. The Project includes plans to widen Country Club Drive so that it would extend outside of the easement area. There is no easement or other grant that gives the right to extend the road onto this TECC property. O4a-8

Response to Comment O4a-3

The cited quote is correct, but it is only part of the sentence; and it is the partial citation that renders the sentence fragment confusing for the commenter based on loss of context. Reading the two sentences together removes the cited confusion. Please also note that the focus of the citation is not on topographic modification per se, but on the visible open space (under the heading "Preservation of Open Space").

> *It is also noted that the end result of a project's footprint upon the land is ultimately based not just upon overall surface disturbance during construction, but upon the resulting grading pattern —how much or how little it disturbs natural topographic flow,* ***and, ultimately, how much of a developed nature is placed upon the soil. In other words: (1) surficial disturbance extent is less determinative of a project's ultimate grading impact than the depth and modification of topographic rise and fall; and (2) once pads and hardscape such as streets have been installed, what the pattern is of built environment versus open space.***

The remainder of the comment attempts to set up a juxtaposition of two items that are not in conflict. The Project would both grade to reflect the natural topography as feasible, and result in soil disturbance. These two elements are not in conflict. The EIR is very clear about the projected amount of grading required and provides the anticipated amount of cut and fill in Section 1.2.2.8, *Grading and Construction Parameters*, of Chapter 1.0. Grading contours are clearly depicted on Figure 1-6a, *Site Plan*.

Response to Comment O4a-4

This comment conflates (i.e., attempts to merge two separate issues into one) the concepts of development consolidation with specific findings made for biological resources under the County Habitat Loss Permit (HLP).

The Project absolutely clusters development. Residential and most other uses would be located in the northerly portion of the Project, and largely in the most disturbed portion of the property. The entire southern third of the Project would be set aside into permanent open space (and approved public trail) uses. The

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	portion of the site chosen for preservation contains the largest and most pristine natural elements on site, including some of the most sensitive, including oak riparian habitat, chaparral containing sensitive plants, some Diegan coastal sage scrub, etc. These areas are also abutted on two sides by the Del Dios Highlands Preserve (DDHP), which would allow for maximization of protection. The Project is therefore clustered and designed to substantially support and prioritize open space. The impact to other areas of Diegan coastal sage scrub is acknowledged (and clearly stated throughout the document). At the most conservative counting, however (i.e., eliminating areas divided by existing roads), the total acreage of 10.9 acres is made up through combination of 13 relatively small patches of habitat (see Figure 2.3-1, *Vegetation and Sensitive Resources*). The preservation of the "maximum" amount feasible is not the same as the term of art "maximum amount practicable," which is drawn from findings made for a County HLP. The comment refers to page 2.3-46 of the EIR. As explained on that page, finding that a habitat is not conserved to the maximum amount practicable is not the end of the story. *The Project design does not minimize habitat loss to the maximum extent practicable. However, impacts are allowable according to the Southern California Coastal Sage Scrub NCCP Conservation Guidelines (CDFW 1993b), which establish the criteria for determining a site's potential value for conservation. According to the NCCP Logic Flow Chart, the quality of habitat supported on the Project site is defined as being "Low Value" and "Intermediate Value." The County's Habitat Evaluation shows the Project site ranked as having No Value to the coastal California gnatcatcher for nesting (County 2008b). According to the Conservation Guidelines, sites of Low and Intermediate Value can be impacted on a case by case basis with appropriate mitigation.* The analysis then goes on to describe the specific impacts, as well as the appropriate mitigation. There is no need to describe this technical biological analysis in the Project description.

Response to Comment O4a-5

The Project has submitted a Drainage Report, Storm Water Quality Management Plan, and Hydromodification Management Plan that demonstrate that the Project is in compliance with applicable County of San Diego Drainage and Water Quality requirements included in the County's BMP Design Manual.

Response to Comment O4a-6

Overland flow does not only refer to sheet flow. It is acknowledged that there are ephemeral surface drainages on site and that they carry water during storm events. The phrase "overland" refers to the fact that water is not currently channeled into man-made drainage facilities. The presence of ephemeral streams on the property is part of this overland flow.

Response to Comment O4a-7

The comment cites a portion of a sentence and states that it is inaccurate; however, the quote omits a critical portion of the sentence that renders it both clear and accurate. As written (emphasis added), the statement is "The Proposed Project site **vicinity** is bordered by more intensive urban development **in the cities of San Marcos and Escondido to the north and east**, respectively."

Response to Comment O4a-8

In response to this comment, the County would like to first clarify that the Project includes improvements to Country Club Drive south of Harmony Grove Road that are outside the existing County right of way (ROW). Specifically, in order to improve this segment of County Club Drive, two small areas of ROW acquisition are required—0.09 acre (westerly) and 0.13 acres (easterly), for a total of 0.23 acre. (This roadway design outside of the ROW is referred to in this Response as the "Off-site Segment of Country Club Drive.") The Project Description (EIR Chapter 1.0) identified all of the off-site improvements that are a part of the Project, which included the Off-site Segment of Country Club Drive. Thereafter, each subject area of the EIR included a discussion of these improvements as applicable. See FEIR Subchapters 2.1 (Aesthetics), 2.3 (Biology), 2.4 (Cultural), and 3.1.4 (Hydrology).

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	A comment was made that the property owner does not have an easement, grant or right to extend the off-site segment of Country Club Drive onto the property owned by TECC and would therefore violate their property rights. This comment is unrelated to an environmental issue within the meaning of CEQA and the statement as a general principle is incorrect. California law grants local public agencies the ability to impose conditions on private development requiring the construction of public improvements located within land not owned by the Applicant. The public agency may thereafter condemn the land needed on the developer's behalf so the developer may complete the required improvements with the developer funding the acquisition costs (Gov. Code §§ 66462.5). This has been memorialized by the County Standard Conditions for Tentative Maps. Moreover, the Subdivision Map Act allows a local agency to approve a subdivision map with an off-site improvement condition if the agency determines such a condition is appropriate and these conditions often reflect local ordinances or policies adopted by the local agency. If the subdivider does not have the real property rights necessary for public access or the construction of required improvements, he/she is required to request the local agency to begin eminent domain proceedings for acquisition of the property rights needed for public access or off-site improvements. If the agency does not wish to begin the eminent domain proceedings, the condition is considered waived (Gov. Code Section 66462.5). County Board of Supervisors Policy J-33 requires the subdivider to use every reasonable effort to acquire the property rights. If the off-site property owners are unwilling to sell their property interests to the subdivider, the Board of Supervisors may choose to use their power of eminent domain to obtain the needed rights. The Project Applicant will be required to pay full County costs of eminent domain proceedings, including all costs to purchase the real property rights (County Board of Supervisors Policy J-33, which is incorporated herein by this reference). Whether TECC grants an easement to the property owner or eminent domain is used, the actual physical impacts to the environment that would result from the construction of the off-site segment of Country Club Drive have been analyzed by the EIR. The EIR adequately discloses all physical environmental

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	impacts that would result from the on-site and off-site improvements, including those that may require the use of eminent domain, such as the construction of the Off-site Segment of Country Club Drive, described as a part of the Proposed Project. In the event that the Board of Supervisors should decide not to pursue eminent domain (or TECC does not grant an easement), the Project has been conditioned to construct Country Club Drive entirely within the existing ROW (Existing ROW Road Option). The Existing ROW Road Option would be improved according to County Public Road Standards to an "enhanced" Residential Collector and would be designed to include two 12-foot travel lanes, a 12-foot travel or turn center lane, as well as additional amenities (on each side). The Existing ROW Road Option would be developed entirely within the disturbance area identified and evaluated for the Off-site Segment of Country Club Drive, but is narrower in design, as depicted. The Existing ROW Road Option does not include improvements outside the existing right-of-way that were included in the off-site segment of Country Club Drive. As a result, the physical impacts to the environment that would result from the construction of this segment of Country Club Drive entirely within the existing ROW, is included in the analysis in the EIR. See FEIR Subchapters 2.1 (Aesthetics), 2.3 (Biology), 2.4 (Cultural), and 3.1.4 (Hydrology). The land upon which the Existing ROW Road Option is located was dedicated to the County of San Diego on the maps of Tract No. 5365-1 as Map No. 15888 and Tract No. 5365-2 as Map No. 15889. The Existing ROW Road Option complies with the San Diego County Consolidated Fire Code and Rancho Santa Fe Protection District Code (Section 503.2.1) and would not lessen the health and safety elements of the Proposed Project bridge (Dudek 2017). This is because three vehicular travel lanes (minimum 12 feet each) have been retained with exactly the same width as the wider bridge, thereby accommodating daily traffic as well as access/evacuation during emergency events to the same level as the Off-site Segment of Country Club Drive. This Existing ROW Road Option would also provide non-

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	vehicular transportation support for pedestrians, equestrians, and cyclists. In short, no functional benefits of the bridge would be notably lessened with the narrower design. Please see the attachment entitled “Existing ROW Option” in the Final TIA, as well as memoranda attached to the end of this letter.

- The DEIR claims: "Two transit centers [are] located nearby." DEIR at S-1. It also claims that because the Project is 3 miles away from the Nordahl Transit Station, "[t]hat proximity allows residents to walk, bike or drive to the station, before accessing bus service or the SPRINTER to other points … and other carriers, such as Amtrak." DEIR at 1-28. And it claims that the Escondido Transit Center is "in the Project's general vicinity …." *Id.* This is both inaccurate and misleading. The Nordahl station, at 3 miles away, is certainly not within any reasonable walking distance, and substantial topographic features deter walking or biking. Additionally, Amtrak is not available at either station. The Escondido station is approximately 5 miles away, certainly not a reasonable walking or biking distance for commuters. To claim these centers are "nearby" is highly misleading and an inaccurate description of the Project's isolation from reliable transit service.

O4a-9

III. The EIR's Discussion of Project Impacts is Deficient

The EIR fails to adequately analyze land use, aesthetic, and community character impacts.

- The EIR notes that the applicable guidelines note a relevant question is whether the Project will "detract from or contrast with the existing visual character and/or quality of a neighborhood, community or localized area …." DEIR at 2.1-26. The Project would introduce high density uses in a largely rural and undeveloped area. There is only one side of the site with higher density development, and that area is on the other side of Escondido Creek and Harmony Grove Road. Indeed, even the EIR acknowledges "the Project would vary from the immediately abutting uses to the west, which generally have been individually designed and landscaped, set into large lots." DEIR at 2.1-27. The same can be said of the uses to the east of the site. And both to the immediate south and north is open space. Yet the EIR claims the Project is "visually consistent with the Harmony Grove Valley as a whole …." DEIR at 2.1-27. This is incorrect. Indeed, were this statement correct, the Project would not need to amend the General Plan and Community Plan.

O4a-10

- It is remarkable that the Project would add such a substantial number of units, yet there are only two visual simulations in the EIR and both show the units from a substantial distance away. For example, the simulation from Key View 1 shows the Project's units from approximately ½ mile away. DEIR Figure 2.1-8a. The EIR could have and should have shown view simulations from closer public vantage points, such as the location where Country Club Drive turns (and therefore people will be adjacent to the Project as they drive slowly around the turn). Indeed, the EIR shows existing conditions farther north on Country Club Drive, but this is farther away from the Project site. DEIR Figure 2.1-3h. It also shows existing conditions looking east along Country Club Drive at Cordrey Lane, but at this location the road rises, reducing visibility. DEIR Figure 2.1-3i. The EIR did not show the existing

O4a-11

Response to Comment O4a-9

Major transit centers are regional amenities. As such, location of a project within 3 miles of such a facility (a distance clearly specified in the EIR text) is considered "nearby." Three miles is indeed considered a reasonable walking distance for people who focus on pedestrian travel, is certainly within bike-riding distance for bicycle commuters, and is a very short distance by car. The EIR text does not say that the Escondido Transit Center is nearby, but rather that it is in the general vicinity. Relative to the access to Amtrak, the commenter again parses the sentence to remove critical content. The EIR does not say that Amtrak is available at either station. The actual text states (emphasis added):

> *As described above, this Project is within 3.0 miles of the Nordahl Transit Station. That proximity allows residents to walk, bike or drive to the station, before accessing bus service or the SRINTER* ***to other points (both within the County, but also points north) and other carriers, such as Amtrak.*** *The SPRINTER light rail line runs every 30 minutes in each direction Monday through Friday, from approximately 4:00 a.m. to 9:00 p.m. The Escondido Transit Center (also with parking available) serves as the current eastern terminus of the North County Transit District's (NCTD's) SPRINTER and the northern terminus of the Breeze Rapid bus rapid transit line. It is also in the Project's general vicinity, being located just east of I 15 and south of S78. Express bus service to downtown San Diego is available at the Center, as is local bus service to inland North County.*

Response to Comment O4a-10

The majority of this comment is not at variance with the EIR and does not require a response. Relative to the last two sentences, the statement that the Project is "visually consistent with the Harmony Grove Valley as a whole" is correct. As noted throughout the EIR (and in the comment itself) development patterns throughout the valley vary widely. The visual analysis assesses what can be seen and what is projected to be seen upon Project implementation. As detailed in Subchapter 2.1, surrounding uses within the viewshed vary from rural to semi-rural to village uses. Development provides prominent visual

COMMENTS	RESPONSES
	elements, ranging from multi-story single homes on large lots, to structures along ridgelines, to the (previously) dense lot uses of the Harmony Grove Spiritualist Association and HGV. The base land use designation of the General Plan would allow one dwelling per 0.5-acre lot use (or approximately 220 structures prior to assessment of slope control. With slope control, approximately 174 structures would be allowed. The Project proposes a total of 453 single-family and multi-family residences. As currently proposed, these residences would be sited within a smaller number of structures (approximately half that many). This allows for larger and consistent greenswards within the development than often can be attained with larger lot uses. The reduction in number of visible structures and their placement below the iconic valley ridgelines, combined with the intensive conceptual landscape plan described in EIR Chapter 1.0 and Subchapter 2.1, in conjunction with the varied developed setting and limited numbers of immediately abutting viewers, results in the Project being "visually consistent with the Harmony Grove Valley as a whole." Please refer to Subchapter 2.1 for detailed analysis. **Response to Comment O4a-11** Close-in simulations do not provide context and can easily be manipulated to focus on positive project elements. The EIR is wholly consistent with the County's 2007 *Guidelines for Determining Significance and Report Format and Content Requirements* regarding simulations, which requires "at least one" photo-simulation (County 2007:9). Also, as stated in the requirement, the focus should "be from the point of highest visibility." In this instance, the viewpoint chosen was from the most heavily traveled road, at a point where Project elements could be most clearly seen. The simulation is taken from the closest point at which the greatest number of viewers would see the Project (including changes at the creek crossing and upgrades to Country Club Drive), and potentially while paused at the light, so that there would be some duration. This is also the location that most clearly depicts the potential changes to portions of Harmony Grove Road adjacent to the creek, as this section is a County scenic corridor. This satisfies the Guidelines requirement.

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	Taking a conservative approach that the Project also should provide a view from the worst-case recreational location, a simulation was provided from the DDHP fire-break trail. This provides an unobstructed view onto the Project site (i.e., no intervening uses, terrain, or vegetation). The comment regarding Figure 2.1-3h being "farther away from the Project site" is not understood. It is taken from a point adjacent to the northwest corner of the Property on Country Club Drive. It is noted, however, that the simulation was not created from this point as the Project-related effects at the intersection with Harmony Grove Road and the impacts to Escondido Creek would not be seen. This view also is currently seen primarily by residents south of the creek, which comprises a much smaller number of viewers, and therefore does not provide either the most encompassing or most typical view. The County concurs with the comment on Figure 2.1-3i regarding how the view to the site is reduced from this vantage point. It was one of the criteria used to eliminate this location from simulation. Along with fewer viewers, a view from "higher" on Country Club Drive is not shown as the view onto the site is more peripheral in nature and part of the development footprint would be "behind" the viewer. As discussed above, the view from the north encompasses more of the development footprint and provides a better representation of maximum visibility to the Project site. The comment is correct in stating that Figure 2.1-2b looks east, but it is not from Country Club Drive or a public view. This photograph represents a picture from the site, on private property, and was taken to illustrate existing topography and vegetation/access easement. The primary viewers of Project changes from this viewpoint will be Project residents. No simulation is required.

COMMENTS	RESPONSES

view from the curve in the road where the roadway is higher and views of the Project site are substantial.[1] The EIR does present a view looking east from a location near this curve (DEIR Figure 2.1-2b-B), but no visual simulation is shown. O4a-11

- The EIR's assertion that impacts to views from nearby trails is insignificant is unsupported by the evidence. As noted, the neighboring Del Dios Highlands Preserve "provides a direct view into the Project." DEIR at 2.1-58. The Project would change views of the site substantially, introducing substantial constructed elements and verticality into a terrain that currently has very little of either. O4a-12
- The EIR also claims that several steep slopes are insignificant, including one slope that is approximately four acres in size. DEIR at 2.1-53. Regarding this particular slope, the EIR acknowledges that it is visible from several locations, including from the Del Dios Highland Trail, but claims it is not significant. DEIR at 2.1-54. However, a review of Figure 2.1-12c, photo b, demonstrates that the slope is indeed very significant. O4a-13
- Despite failing to address several impacts, the EIR acknowledges that certain visual impacts "would be substantial" for "approximately 10 years." DEIR at 2.1-70. But the EIR lacks any discussion of ways to mitigate what the EIR labels as "short-term adverse visual impacts." *Id.* at 2.1-71. For example, the EIR fails to discuss staging Project construction to reduce the extent of the visual impacts over the large site, temporary landscape screening to mitigate the impacts, or reductions in the scope of demolition and grading of the site to reduce such impacts. CEQA contains a "substantive mandate" that agencies refrain from approving a project with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002. It "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects." *Sierra Club v. Gilroy* (1990) 222 Cal.App.3d 30, 41. And the EIR's failure to even discuss possible mitigation measures or alternatives makes the analysis insufficient. O4a-14
- The EIR claims "the Project is proposing to expand the southern extent" of the Harmony Grove Village project. DEIR at 3.1.6-1; *see also id.* at 1-1 ("purpose … is to expand the contiguous Harmony Grove Village"). This is both a misleading statement about the Project and about its impacts. The Harmony Grove Village project involves the development of 742 single-family homes on approximately 500 acres. *Id.* at S-4. This is slightly less O4a-15

[1] Indeed, existing roads through the site, which are used by neighboring property owners, enter the site at the northernmost aspect of this curve. Therefore, the consultants who prepared this analysis would have entered the Project site at this location. One can observe what are likely their cars parked on one of these roads in DEIR Figure 2.1-2b-A.

Response to Comment O4a-12

The comment correctly quotes the EIR relative to the view onto the Project from DDHP. The County agrees that the Project would change views onto the Project site. The same text cited by the commenter refers the reader to Section 2.1.2.1 of the aesthetics discussion, which provides a substantial discussion of proposed Project elements, their nature and visibility, and consistency with surrounding viewshed elements. EIR pages 2.1-41 through 45 detail the specific effects from the DDHP trail. The visual effects of Project development are not artificially restricted to the site itself, but the discussion is context-specific and evaluates the Project in its setting. Based on consideration of the proposed development, potential visible photo-voltaic panels, potential fire-resistive walls, etc. balanced by the foreshortening of the development from this elevated viewpoint, the highly visible nature of internal greenswards from this location, the massing of adjacent homes to the west, and the backdrop of the much more grid-like and dense appearing HGV, visual impacts associated with the Project are acknowledged as different from the existing condition, but less than significant in nature.

Response to Comment O4a-13

The comment refers to an assessment of several isolated locations of areas with slopes in excess of 25 percent that are found visually insignificant in accordance with Resource Protection Ordinance (RPO) Section 86.604(e)(2)(cc)(3). This issue was thoroughly analyzed in the Project Resource Protection Study Steep Slope Waiver (Appendix C to the EIR), and the EIR. In summary, each of the areas for which the waiver is proposed is both isolated from other areas of steep slope and visually indistinguishable from adjacent areas that are not steep slope. The County does not agree with the comment that the slope shown is "very significant." It appears flatter than the other slopes of 25 percent and above and is isolated from those other slopes. Upon recommendation of approval of this encroachment by the Director of PDS, and based upon the rationale provided in the cited documents, these encroachments qualify for the exception, and no significant impact is identified. The ultimate decision to approve the exception request will be part of the discretionary action of the Board of Supervisors.

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	Response to Comment O4a-14 The statements as to requirements for feasible mitigation under CEQA are correct. There is, however, no reasonably feasible mitigation possible. This is specifically stated on EIR page 2.1-70. Phased grading is not possible because the overall Project drainage and earth balancing requirements require the site to be mass-graded at one time. Vegetative screening of slopes and areas closest to roadway would occur immediately. This is a Project Design Feature. As stated in Chapter 1.0, on Table 2-1, "Final landscape (including container/box plant sizes) along Country Club Drive, at entries, along Project streets, and on manufactured slopes, shall be installed immediately following completion of grading and installation of irrigation." The lack of mitigation measure efficacy is not because plants are not being installed, but because they have been carefully evaluated as to when their level of maturity would appropriately screen the Project. The analysis is sufficient. **Response to Comment O4a-15** Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue.

than 1.5 units per acre. The Project, however, proposes 453 residential units on approximately 111 acres. *Id.* at S-1. That equates to slightly over 4 units per acre. The Project is not merely an "expansion" to the south of the Harmony Grove Village project; it is a vastly increased density in a rural area. Indeed, the EIR acknowledges the site is currently designated Semi-Rural Residential and Rural Lands. *Id.* at 3.1.6-7. O4a-15

- Furthermore, the Harmony Grove Village project involves the construction of single-family residences. The Project involves the construction of five different housing types, including single-family units, attached units, and multi-family housing. Again, this is not an "expansion" of the Harmony Grove Village project, but a substantial expansion of the type of housing and density of housing provided. O4a-16
- The EIR acknowledges the existence of the General Plan's "Community Development Model" ("CDM"), but fails to provide an accurate analysis of the Project's many inconsistencies with the CDM. DEIR at 3.1.6-5. For example, the Project does not respect the rural and semi-rural areas surrounding the Project site, it does not locate "housing closer to retail, services, schools, and job centers," it does not provide an appropriate "transition to the lowest density category," and it does not increase "the efficiency of delivering police, fire, and other public services …." *Id.* O4a-17
- The EIR acknowledges the existence of the Community Plan, but fails to provide an accurate analysis of the Project's many inconsistencies with the plan. DEIR at 3.1.6-7. For example, the Project does not preserve the "rural small town feeling," it does not promote environmentally sensitive uses, it does not preserve a rural visual environment, and it does not provide appropriate buffer between urban and rural uses. *Id.* at 3.1.6-8. O4a-18
- The attached comments from Robert Hamilton identify the Project's inconsistency with the Natural Community Conservation Planning Program. Indeed, the EIR itself acknowledges "Project design does not minimize habitat loss to the maximum extent practicable." DEIR at 2.3-46. O4a-19
- The Project does not cluster "development in the least environmentally sensitive areas …." DEIR at 3.1.6-13. Indeed, the "Project would impact 10.4 out of 10.9 acres of" coastal sage scrub habitat. *Id.* at 2.3-46. O4a-20
- The Project does not "provide a transition from the on-site residential uses to transition into existing lower-density portions of Harmony Grove Valley." DEIR at 3.1.6-22. To the contrary, the Project proposes high density uses immediately adjacent to open space uses, both open space to the north of the Project site and open space in the southern portion of the site. The Project also proposes high density uses within a matter of feet from very low density residential uses to the east and west of the site. *See e.g.*, DEIR Figure 1-6a & proposed grading plan. O4a-21
- The Project is not compatible with existing conditions and constraints. DEIR at 3.1.6-24. Indeed, were the Project designed as such, it would not need 850,000 cubic yards of cut and fill (DEIR at 2.1-50) nor would it need to impact several acres of steep slopes (*id.* Figures 2.1-11c & 2.1-12c). O4a-22

Response to Comment O4a-16

Please refer to Response to Comment O4a-15. The precise uses proposed are immaterial to the EIR's wording. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue.

Response to Comment O4a-17

The Project's consistency with the Community Development Model is addressed in FEIR Section 3.1.5, *Land Use and Planning*, as well as the Project Specific Plan. The model (as clearly depicted on page 3-23 of the County adopted 2011 General Plan), provides an approach to siting village, semi-rural, and rural uses near one another.

Please see the Global Responses to Project Consistency with General Plan Policy LU-1 and to General Plan/Community Plan Amendments CEQA Impact Analysis for a full discussion relevant to this issue.

Response to Comment O4a-18

The Project's consistency with both General Plan and Community Plan policies are analyzed in the technical discussions in the EIR under the appropriate topics. For example, the concepts of the visual environment and the Project's consistency, are addressed in both Section 3.1.5 and Subchapter 2.1.

Response to Comment O4a-19

Responses to Mr. Hamilton's comments are provided in Response to Comment 04b. Please also refer to Response to Comment O4a-4, above.

Response to Comment O4a-20

Please refer to Response to Comment O4a-4, above.

Response to Comment O4a-21

The Project does provide a transition from on-site higher density uses to lower density abutting uses. As stated in the same paragraph cited in the comment on page 3.1.5-22:

> *HGV South would provide a transition from the Village portion of the site and the existing surrounding community by maintaining the perimeter of the site within the existing*

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	Semi-Rural regional category. This land surrounds the HGV South's Village area along the southwestern, southern, and eastern property boundaries. Lower intensity single-family uses (typically with larger lot sizes) are planned in this area in addition to the designated open space areas being located in this vicinity. **Response to Comment O4a-22** The County respectfully disagrees with this comment. The Project is compatible with existing conditions and constraints as required in the LU-1.4 analysis (and cited in the comment). The topic is specifically addressed on pages 3.1.5-24 and 25 under the heading "Compatibility with Existing Conditions and Constraints." Specifically noted are the retention of slopes exceeding 50 percent in permanent open space, avoidance of the 100-year floodplain, the consistency of the Project with the RPO, and improvements to degraded Escondido Creek and wildlife safety as a result of Project implementation. The amount of cut and fill in a topographically variable area does not render the Project incompatible. Similarly, the Project is consistent with the RPO through processes outlined in the ordinance—including ordinance exemptions for streets and utilities, a waiver of steep slope encroachment where those encroachments are found visually insignificant in compliance with the RPO, and strict compliance of no more than 10 percent encroachment into protected steep slope areas by individual lots, again in conformance with the RPO. These encroachments ultimately will be before the Board of Supervisors, but preliminary findings by the Director of PDS is that each of these encroachments conforms to the ordinance. They are extremely common elements of development in topographically variable areas, and also far more restricted than has been required of individually developed lots in the area (which are not subject to the RPO and therefore not restricted by it in terms of steep slope encroachment).

Rather than being compatible with existing conditions and constraints, the Project would impact 7.7 acres of RPO steep slopes. DEIR at 3.1.6-44; *see also id.* at 1-34. The Project would also create private roads and driveways on steep slopes. DEIR at 3.1.6-45 – 46. O4a-22

- And for the reasons discussed herein, the Project does not meet the criteria necessary for a waiver of RPO restrictions. O4a-23
- The EIR claims the Project provides "[l]ower intensity single-family uses (typically with larger lot sizes) … located along the site perimeter …." DEIR at 3.1.6-26. In fact, the Project would develop uses at several dwelling units per acre immediately adjacent to rural residential uses to both the east and west of the site. *See e.g.*, DEIR Figure 1-6a & proposed grading plan. O4a-24
- Contrary to the EIR's assertion (DEIR at 3.1.6-39 to 40), the Project is inconsistent with several provisions of the Community Plan. Among other things, the Project does not preserve the "unique features of a rural lifestyle" nor does it preserve "the rural small town feeling of Harmony Grove." It does not ensure "[c]ontinued preservation of mature native trees." Nor does it provide for the "historic equestrian character of Harmony Grove" or "leisure and market animals grazing in fenced front yards." And it is not "compatible with and sensitive to [Harmony Grove's] natural setting; unspoiled views of intact hills, valleys, and creeks." O4a-25
- The EIR inappropriately relies upon a "Western Farmhouse/Cottage architectural theme" as a basis to conclude the Project is consistent with the community. DEIR at 3.1.6-54. But as discussed herein, the Project will significantly impact existing community character and land use in several respects, and no application of an "architectural theme" can avoid those significant effects. O4a-26
- The EIR's claim that "Project development would be generally consistent with the relative scale of development planned in the area" (DEIR at 3.1.6-55) is not supported by the evidence. As noted, the Project proposes high density uses immediately adjacent to open space uses, both open space to the north of Project site and open space in the southern portion of the site. The Project also proposes high density uses within a matter of feet from very low density residential uses to the east and west of the site. *See e.g.*, DEIR Figure 1-6a & proposed grading plan. O4a-27

The EIR fails to adequately analyze growth inducing impacts.

- The EIR claims the Project will not lead to growth inducement. DEIR 1-39. Yet it is precisely the Harmony Grove Village project to the immediate north that is repeatedly used to justify the Project. *See e.g.*, DEIR at 1-33. The same rationale will be used by subsequent applicants to justify expansion and continued leapfrog development. Indeed, the EIR uses the Harmony Grove Village project as a baseline in its analysis (DEIR at 1-27), something the next project will undoubtedly do with the Project. O4a-28

Response to Comment O4a-23

The County disagrees with this conclusion. Please refer to Appendix C of this EIR, which focuses on the Steep Slope Waiver, Subchapter 2.1, which addresses the visual reasons why isolated areas of potentially protected slopes do not qualify for protection, and Section 3.1.5 of the EIR for discussion of RPO roadway exemptions and strict conformance by lot.

Response to Comment O4a-24

The County agrees that the Project would include areas with several dwelling units per acre, but the comment is misleading. The discussion cited in the comment is addressing community character, which can be largely based on visual effect. While several homes per acre may be accommodated in the first two tiers of dwelling units along the western southern and eastern portions of the Project, the most visible area consists of the first tier adjacent to off-site uses. This area retains 0.5-acre lots, consistent with the General Plan S1 category. The additional homes within the acre would be sited "behind" or east of the first tier of homes, and would not be as visible to off-site viewers given the intervening home and landscaping. In addition, there is an approximately 35-acre parcel of open space between the southern edge of the development footprint and open space uses to the south.

Response to Comment O4a-25

The cited preservation of "unique features of a rural lifestyle" does not come from the land use discussion in Section 3.1.5 of the EIR, but is part of the Goal SPA-2.2 regarding HGV in the Elfin Forest-Harmony Grove subarea portion of the San Dieguito Community Plan. The full citation on page 49 of that plan is: "Preservation of the unique features of a rural lifestyle, while integrating the urban lifestyle of the HG Village." While there may be some disagreement over whether the lifestyle of HGV is "urban" in nature as opposed to a village, the Project is consistent with the goal. The Project does ensure the preservation of mature native trees. Although no preservation is currently applicable to the Project site (and therefore continued preservation is not possible), the most sensitive on-site mature native trees are located in coast live-oak woodland in the southerly portion of the Project. This area would largely be preserved in perpetuity as part of the Project biological open space. Although the Project does not propose equestrian or market animals grazing in front yards, it would

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	be located directly across the street from the HGV future Equestrian Ranch and as part of an expanded village would incorporate those elements into HGV South. Finally, it is compatible with and sensitive to the natural setting, with unspoiled views to intact hills and creeks. This is because although the site is currently largely disturbed in nature, the pristine southernmost slopes would be retained in biological open space and would continue to be visible to residences along the western boundary with views to the south, as well as to users of the trail to DDHP and more distant viewers from the north looking toward DDHP. Views to Escondido Creek also could be improved through removal of invasives, reconstruction of the creek bed, and revegetation, as described throughout the EIR. Please see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis. **Response to Comment O4a-26** The County respectfully disagrees. The Project does not rely solely on the proposed architectural theme to support overall community consistency, although that is one element. The details of consistency are provided throughout the FEIR Section 3.1.5 land use analysis, as well as detailed in Subchapter 2.1, as indicated in the responses above. Indeed, the lack of single-factor analysis is documented in the summary statement on page 3.1.5-55 of the discussion from which the comment focus is excerpted (emphasis added). > ***Community character compatibility, therefore, would result from the diversity of elements that would be consistent throughout the Project site*** *based on conformance with the Project Specific Plan, as well as neighboring development (particularly nearby residential portions of the abutting HGV project) that will include a similar residential development pattern. Additionally, preservation of the highest on site existing topographic forms in the southern portion of the Project site, retention of sight lines to surrounding mountains and ridgelines, and revegetation with native and/or locally compatible plants would further reinforce the existing character.* Please see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis for a full discussion relevant to this issue. Please also

COMMENTS	RESPONSES
	see the Global Response to Project Consistency with General Plan Policy LU-1.4. **Response to Comment O4a-27** The sentence in the EIR text that describes the Project as "generally consistent with the relative scale of development planned in the area" is correctly cited in the comment, but its meaning has been misconstrued in the context of the paragraph in which the sentence is found. As described in the EIR, while the Project site is located in the semi-rural Elfin Forest and Harmony Grove portion of the San Dieguito Community Plan Area (CPA), this portion of the CPA is located in close proximity to a major freeway (I-15), a major highway (SR-78), and two major city jurisdictions (Escondido and San Marcos). The areas along the I-15 and SR-78 corridors contain more intense uses by design and have been planned for large-scale residential and commercial/industrial uses. The Project is located contiguous with the HGV project. HGV is constructing 742 homes, recreational and equestrian uses, and small commercial/retail/office uses within a pedestrian-oriented Village Core. The Project will locate its densest residential neighborhoods within 0.5 mile of HGV's Village Center, an area described in HGV's Specific Plan as the heart of the community. HGV's Village Center consists of both commercial/retail/office uses, with over two-thirds of all its residences located there (approximately 519 homes). The Project's densest residential neighborhoods will be located within 0.5 mile from HGV's Village Center. The density of this area within the Project site equates to approximately eight dwelling units per acre (du/ac) which is consistent with the density of HGV's Village Center of approximately 8.7 dwelling units per acre. Together HGV and the Project will form one seamless, unified village, cohesive and interconnected by a series of trails, pathways, amenities as well as design. Please also refer to Response to Comment 04a-24 regarding the nature of residential uses placed along the site perimeter, which also contain areas where multi-story and large-scale single-family residences are located. The biological open space in the southern portion of the site is a use allowed with the S1 land use designation. There is no prohibition against placing even the most intensive

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	village uses adjacent to open space/rural uses. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis, for a full discussion relevant to this issue. **Response to Comment O4a-28** Growth inducement is defined as in CEQA as those activities that would foster (e.g., encourage or promote) economic or population growth or additional housing in the surrounding area. The existence of HGV did not foster HGV South, in that the HGV project neither encouraged or promoted the current proposal. Similarly, HGV South would not foster any other project any more than the large-lot single family residential uses to the east are specifically expected to foster similar uses adjacent to them. Individual property owners are allowed under California state law to propose any legal use of their property, and then to undergo the appropriate level of environmental review. The stringent process required of all projects varying from projections in existing plans, including a complete application, staff analysis for zoning and land use, CEQA compliance, public involvement, and a recommendation to a decision-making body to implement such changes, are expected to maintain the vision of a combination of County rural and semi-rural lands with higher-density villages. Regardless, review of the potential for project development during early planning as described in Section 4.1.3, *Alternatives Considered but Rejected from Further Study*, "Alternative Location" identified no additional undeveloped large acreage parcels that could support a similar project. Similarly, no parcels are adjacent to the Project that could use the rationale of village expansion. The Project does not propose leapfrog development as it is adjacent to the village.

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Comment Letter O4a

The EIR fails to adequately analyze impacts to recreation.

- The EIR notes that there are adjacent recreation areas and acknowledges that an on-site trail "is routinely used by the existing local community." DEIR at 1-20. But it fails to analyze the impacts to neighboring open space associated with the substantial increase in population and the widening of the trails, which will increase their use substantially.

O4a-29

The EIR fails to adequately analyze impacts to waters and drainages.

- The attached comments from Dr. Richard Horner are hereby incorporated by reference.
- The Project will negatively impact Escondido Creek and the habitat it provides and supports.
- The EIR fails to analyze potential protected waters under the Clean Water Act and Porter-Cologne Act. Also, the Project fails to ensure that on-site streams and drainages are allowed to remain open, choosing instead to place such flows under streets and other surfaces despite the many beneficial effects of "daylighting" water bodies. The EIR acknowledges that currently "drainage flows overland." DEIR at 16.
- The EIR fails to adequately analyze the substantial existing on-site erosion and the potential effects associated construction of the Project in light of these erosion problems.
- The EIR states that Escondido Creek is "currently impacted by active construction activities for the HGV development." DEIR at 2.3-17. But it fails to analyze the cumulative impacts associated with that impact combined with other impacts to Escondido Creek, including impacts associated with construction of the Project.
- As the attached notice identifies, the Harmony Grove Village wastewater facility has been cited for violations. Yet the EIR fails to analyze the potential impacts associated with a similar violation by the facility proposed for the Project, despite the fact that it is likely to be substantially similar to that facility. DEIR at 1-13.

O4a-30

The EIR fails to adequately analyze impacts to public services and facilities and to human health.

- The Project would introduce a high density of uses into a rural area with a very high fire danger. The EIR discusses response times to the site (DEIR at 3.1.9-6), but fails to analyze the potential that a need to evacuate in case of wildlands fire and the substantial numbers of people attempting to evacuate all at one time could have on the ability of both new and existing residents to leave safely. This is despite the fact the EIR acknowledges "a typical fire in

O4a-31

Response to Comment O4a-29

The comment heading implies that the comment will address recreation, but the comment focuses on open space impacts. As described in the EIR, the existing unimproved trail would receive focused improvements that would render it more suitable for use by the public. Trails are one of the few uses that are expressly allowed within biological open space under County standards. The trail would be fenced and posted, consistent with other County open space. Impacts to the open space resulting from focused trail improvements and the increased use as part of Project implementation are expressly addressed in Subchapter 2.3, *Biological Resources*, of the EIR.

Response to Comment O4a-30

Please see Response to Comment Letter O4b for responses to Dr. Horner's letter. Additional specific issues in Comment O4a-30 are addressed below.

Project-related impacts to Escondido Creek and its habitat (as well as the mitigation measures identified to mitigate those impacts) are addressed in FEIR Subchapter 2.3. This same subchapter addresses jurisdictional waters in Sections 2.3.1.1, 2.3.1.2, 2.3.2.3, and 2.3.5. Subchapter 2.3 also references the Porter-Cologne Act as relevant (see pages 2.3-6, 7, 21) and clarifies that there are no isolated wetlands (protected by Porter-Cologne) on site. Long-term operational and maintenance impacts to water quality are addressed (including Project consistency with requirements of the expressly noted Clean Water Act and Porter-Cologne Act due to compliance with County and state standards that address that Act where it is applicable) in FEIR Section 3.1.4, *Hydrology/Water Quality*. The major on-site drainage is south of the Project development footprint and remains in open space. Retention of smaller "run-on" areas has occurred where feasible, but it is not feasible to allow storm water to flow over Project streets and pathways or over cut slopes, which could result in an erosion issue. Following development, as noted in EIR Chapter 1.0 starting on page 1-24, post-grading "only 32 acres, or 29 percent of the site, would contain lots and streets. The remainder of the Project would be in BOS, parks or landscaped/revegetated swaths between pads."

COMMENTS	RESPONSES
	Substantial on-site erosion problems are not identified in Project technical documentation (see the Project drainage information in EIR Appendices M). Post-Project erosion potential is addressed through Project low impact development (LID) design and best management practices (BMPs; see FEIR Section 3.1.4.2). The Project is required to comply with SWPPP regulations during construction to control sediment on the construction site. The County disagrees. Cumulative impacts relative to hydrology and water quality are addressed in the cited ordinances and regulations in EIR Section 3.1.4. Relative to the cited biology, County guidelines address treatment of cumulative projects. First, only those projects specifically contributing to a specific impact are considered for cumulative impacts to that issue, and second, the analysis is focused on the affected resources. The biological resources cumulative impact discussion specifically addresses the riparian habitat elements and sensitive species associated with those habitats. It also addresses jurisdictional areas. These discussions address Escondido Creek habitats, species and jurisdictional issues. The Project contribution to identified cumulative impacts is identified as less than significant. Regarding the Notice of Violations provided for the HGV wastewater treatment facility, the issuance of those violations for that other facility is noted. Similar problems are not anticipated for HGV South. Good planning, does address the potential. Requirements addressing potential for spills, and remediation of accidents, are expressly addressed in Section 3.1.3.2. As stated on FEIR page 3.1.3-18, “The DEH HMD is also 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. Implementation of the RMP [Risk Management Plan] and HMBP [Hazardous Material Business Plan] would minimize the potential for accidental release of hazardous materials and the associated potential risk to public safety.”

COMMENTS	RESPONSES
	Response to Comment O4a-31 Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
 Comment Letter O4a the Project vicinity would be a sage scrub-chaparral fueled fire that moves quickly, burning with moderate to high intensity." DEIR at 3.1.4-9. O4a-31 • To the extent the EIR provides an analysis of evacuation problems, it fails to consider the impacts on existing residents in the area. Indeed, the EIR attempts to justify a rejection of a secondary access despite the fact the single access is a single road. *Id.* at 3.1.4-21. O4a-32 The EIR's fails to adequately analyze impacts to biological resources. • The attached comments from Robert Hamilton are hereby incorporated by reference. • The Project will negatively impact Escondido Creek and the habitat it provides and supports. • The attached mapping demonstrates the extent of protected biological resources. As can be clearly seen, the site is surrounded on several sides by important biological resources and provides a connection for species. • The Project's proximity to both on-site and off-site open space is likely to result in both people and pets using these resources, which will only add to impacts to biological resources. O4a-33 The EIR fails to adequately analyze traffic impacts. • The EIR acknowledges "several … roads [on the Project site] provide access to residential uses east of the property." DEIR at 1-29. But the EIR fails to analyze how those uses will be accommodated once the Project is constructed. O4a-34 • The EIR assumes that "trips from outside the Harmony Grove Villages area would not be expected to/from [the on-site commercial uses] in any meaningful way." DEIR at 2.2-8. But there is no support for this assumption, and it is very likely that those on-site businesses would advertise and otherwise seek to draw business from areas outside the immediate uses. O4a-35 • The EIR asserts that a design speed exception is being requested for a portion of Country Club Drive. DEIR at 2.2-14. The EIR also discusses potential safety impacts to pedestrians, bicyclists, and equestrians. *Id.* at 2.2-16 – 17. But it fails to account for such safety impacts associated with the design of this portion of Country Club Drive, taking into account the reduced visibility along this stretch of roadway and the substantial additional vehicle traffic that the Project will introduce in the area. O4a-36 • The EIR claims the "Project incorporates and would facilitate Smart Growth principles and alternative transportation …." DEIR at 2.2-18. But there is little evidence to support this claim. There is no indication the Project will provide for additional transit stops and facilities, despite the recognition of the need for such, as expressed by Mobility Element Policy ME-8.1. And there are no transit facilities within reasonable walking or bicycling distance from the site. O4a-37	**Response to Comment O4a-32** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment O4a-33** Please see Response to Comment Letter O4c. **Response to Comment O4a-34** The access easement for off-site properties would be maintained and impacts associated with those easements are incorporated into overall Project improvement effects. As noted on EIR page 1-19, a retained travel easement for off-site property owners to the east would branch off of Private Drive K. On page 3.1.5-56, the FEIR states: "The very few homes located between Country Club Drive and the City of Escondido boundary east of that road would attain upgraded access through the Project property on paved and standard roads, which is not currently the case." No additional analysis is necessary. **Response to Comment O4a-35** The commercial/retail uses are ancillary in nature and are proposed to serve the residents of the immediate vicinity in a maximum of 5,000 total square feet. SANDAG trip generation guidelines state that 45 percent of the trips to a retail space are "new" trips while the remaining 55 percent are trips already on the street system. SANDAG also allows for an additional 10 percent reduction in new trips to account for internal capture where retail uses are located close to residential uses. This is not the category of retail proposed, however, which is anticipated to truly serve on-site and local residents in a pass-by capacity. Appendix F of the EIR traffic study provides a trip generation comparison that includes the traffic generation with the ancillary retail uses. The calculations show that a decrease in the overall trip generation would occur with the inclusion of retail uses and thus, the EIR traffic study analyzes a more conservative scenario by assuming residential-only traffic generation. **Response to Comment O4a-36** The design exception being requested (travel speed) is for that portion of Country Club Drive located between the southernmost Project entrance and

COMMENTS	RESPONSES
	Cordrey Drive. That portion of the road transitions back into two lanes and is designed (and would continue) to carry only the traffic accessing existing homes. There are no uses that would draw traffic from the Project to the south. As such, Project traffic would not be on that southern portion of the road, and conditions very similar to existing conditions are anticipated to continue. With respect to visibility, there would not be reduced visibility along the roadway. Either existing conditions would continue to pertain, or (on site) increased visibility would result from management of Project vegetation. **Response to Comment O4a-37** Smart-growth principles are not restricted to transportation-related issues. Focused on that, however, alternative transportation modes would be supported by the Project. Pedestrian, bicycle, and equestrian improvements are proposed both on and off site along Country Club Drive. The improvements to Country Club Drive abutting the Project are proposed to provide a 3-foot parkway on the west side of the road, a 10-foot parkway on the east side, two 8-foot shoulders, two 12-foot travel lanes and a 14-foot center turn lane/striped median. The parkways would accommodate pedestrians, cyclists and equestrians. The shoulders would allow for a 5-foot bike lane with 3-foot buffer. There is also a multi-use trail proposed by the adjacent property owner to the west and a horse staging area on the southwest corner of Harmony Grove Road and Country Club Drive. Per communication with the North County Transit District, there are no transit stops planned in the area nor are there any proposed routes that would serve them (see their statement regarding Project consistency with NCTD facilities in letter L3 of this FEIR). The Nordahl transit station is within 3 miles of the Project. That distance is common for those who seriously commute by bicycle, and also provides an excellent opportunity for those who might otherwise drive a longer distance to stop at the park-and-ride and take public transportation for the rest of their trip. Relative to overall compliance with smart growth principles, this is a regional issue that directs growth within the County overall and is expressly designed to restrict expansion into isolated County properties that are not near services.

COMMENTS	RESPONSES
	The County has adopted smart-growth policies related to preferred in-fill rather than expansion into pristine open-space areas and existing public facilities, services, and commercial services and jobs; as demonstrated in the 2011 General Plan. The County General Plan also provides a planning approach to proposing additional housing adjacent to existing villages. The Project is consistent with these policies through being sited: (1) between the cities of Escondido and San Marcos; (2) within an area with existing development to the north, east, and west; (3) in proximity to a major medical facility (Palomar Medical Center); (4) within 1 mile of an industrial /commercial employment and services locus (the Escondido Research and Technology Center); (5) near to "big box" uses located at Valley Parkway and I-15 and along Auto Park Way; and (6) in the general vicinity of two transit centers—Nordahl Road, as described above, and the Escondido Transit Center. The Project also has demonstrated the applicability of Village expansion consistent with Land Use Policy 1.4 in the detailed discussion provided in Section 3.1.5, *Land Use and Planning*, of the EIR. All of these Project elements support the County's commitment to smart growth.

COMMENTS	RESPONSES

- The EIR correctly notes: "Placing residential uses within [less than 0.5 mile] to transportation, employment, shopping, and services, helps minimize travel times and is consistent with Senate Bill 375." DEIR at 2.2-18. But with the minor exception of relatively small square footage of commercial uses, the Project accomplishes none of these things. As such, it is not consistent with applicable Smart Growth policies, and its impacts to air quality, traffic and other areas will be significant. O4a-38
- The EIR includes mitigation for impacts to roadways in the City of Escondido, but M-TR-9 fails to specify where the "fair share" payment shall be made. DEIR at 2.2-24. If the City is not able to receive the payment at the time required by this measure, the Project should be required to deposit such funds into an escrow account until such time as the City can receive such payment. O4a-39
- Similarly, M-TR-1a & 1b and M-TR-8 should be structured such that if the City of Escondido is not able to accommodate those requirements at the time provided by the mitigation measures, the Project applicant will be required to perform them at the first opportunity the City can accommodate them. O4a-40

The EIR fails to adequately analyze noise impacts. O4a-41

- The EIR acknowledges applicable standards in the Community Plan for horses and birds. DEIR at 2.5-3. But it fails to adequately analyze the Project's impacts in relation to these standards.
- The EIR inappropriately averages construction noise over an eight-hour period. DEIR at 2.5-9. Likewise, it averages blasting, dozer, and other construction related noise. *Id.* at 2.5-10 – 12. But the temporary nature of a noise impact does not make it insignificant. *See Berkeley Keep Jets Over the Bay Comm. v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1380 – 81. And it would be no more appropriate to use the lack of a standard as a basis to ignore significant effects than it would be to apply "a threshold of significance or regulatory standard 'in a way that forecloses the consideration of any other substantial evidence showing there may be a significant effect.'" *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 342 (quoting *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 114). O4a-42
- The Project's construction noise mitigation is insufficiently vague and unenforceable. DEIR at 2.5-18 – 19. *See Citizens for Responsible and Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1341 ("there is no evidence of any measures to be taken that would ensure that the noise standards would be effectively monitored and vigorously enforced"). O4a-43

The EIR fails to adequately analyze impacts to air quality. O4a-44

- The EIR acknowledges concurrent Project operational and construction emissions to air quality. DEIR at 2.6-9. But the EIR fails to analyze the

Response to Comment O4a-38

The Project will locate its densest residential neighborhoods within 0.5 mile of HGV's Village Center, an area described in HGV's Specific Plan as the heart of the community. HGV's Village Center consists of commercial /retail/office uses. Please see Response to Comment O4a-27 above, Global Responses to Project Consistency with General Plan Policy LU-1.4 and Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis for a full discussion relevant to this issue.

Response to Comment O4a-39

The comment is incorrect; M-TR-9 provides that fair share be paid into the approved Citracado Parkway Extension Project. Because the City is its own CEQA lead agency, the County cannot ensure implementation of mitigation, and therefore must take a conservative stance that the impact would remain unmitigated at this point in the planning process. As stated in both EIR Table S-1, *Summary of Significant Effects*, and in Subchapter 2.2, Section 2.2.6, *Mitigation*, and 2.2.7, *Conclusion*, appropriate mitigation is identified. The Applicant will coordinate with the City regarding these mitigation measures, and should these mitigation measures be approved by the City, they will be implemented as described.

Response to Comment O4a-40

Please see Response to Comment O4a-39.

Response to Comment O4a-41

The EIR does contain this analysis. Relative to horses, page 2.5-11 states:

> *The Elfin Forest and Harmony Grove Community Plan requires community specific procedures for blasting due to the frequent horseback riding in the area. The loud blast noise and pressure wave from blasting can frighten horses, causing riders to fall. Many residences in the vicinity have stables or similar facilities for horses. In addition, many visitors use the area for horseback riding, including the Del Dios Highlands trail that passes within 0.5 mile of the Project site. The construction best management practices for blasting described in Table 1-2 of this EIR would be*

COMMENTS	RESPONSES
	implemented to minimize impacts to horses and horseback riders. The required measures include a series of notification measures, as referenced on page 2.5-3. The EIR also goes on to conservatively assess the potential impact of possible pile-driving activities at Escondido Creek, and their potential effect on equestrians. The Project Design Features required and documented on Table 1-2, as well as in Chapter 7.0 of the EIR, are clear, and reduce potential impacts to less than significant. Relative to birds, County and USFWS standards are specified on page 2.5-4. For the construction discussion, the reader is referred to Subchapter 2.3 of the EIR. Impact BI-4 specifically addresses construction-related noise (including the use of heavy equipment, potential blasting, potential use of a rock crusher, and potential use of cast-in-drilled holes or a pile driver) relative to sensitive bird species such as coastal California gnatcatcher and least Bell's vireo, as well as raptors. Mitigation (M-BI-4) is specified in Subchapter 2.3 and Chapter 7.0 that would reduce impacts to less than significant levels. **Response to Comment O4a-42** The County impact evaluation standards require an 8-hour time-period average noise level for construction equipment noise, as specified in the County Regulatory Ordinances, Chapter 4 Noise Abatement and Control, Sections 36.409, 410 and 410A. This is generally applied regardless of the construction noise source, including bulldozers and blasting. While pile-driving can be evaluated as an impulsive noise source, when so doing the standard is a maximum sound level of 82 dBA during 25 percent of a given time period (typically 1 hour). Use of the averaged 75 dBA standard holds the construction noise emission to a stricter threshold. The legal citation in the comment is correct, but please note that it addresses aircraft noise. Aircraft noise does look at single-event level (SEL), but that is not relevant to the Proposed Project, which does not propose aircraft use. **Response to Comment O4a-43** The County respectfully disagrees that the measures are either vague or unenforceable. Review of mitigation measures M-N-4 through 6 shows that the

COMMENTS	RESPONSES
	measures variously specify periods of time for which equipment can operate, distance of equipment from property lines, requirements that decibel output be measured by a County-approved noise specialist, maximum number of blasting events per week (three), required permits from the San Diego County sheriff, and alternative methods to use should blasting be proposed within 200 feet of a residence. All of these restrictions and requirements specify the standards /requirements to be met, are routine in nature for County projects, and subject to confirmation by construction monitors during the construction period. This provides the appropriate level of specificity and supports enforceability. **Response to Comment O4a-44** The EIR analyzes cumulative air quality effects in Section 2.6.3, *Cumulative Impact Analysis*. The discussion expressly states that: "Past and present project impacts are…included in the background ambient air quality data. The cumulative projects used in the air quality analysis are the same 65 projects presented in Figure 1-23." The HGV project is number 15 of the cumulative projects. Also as stated in the EIR, a regional cumulative impact currently exists for ozone precursors (NO_X and VOCs) and PM_{10} and $PM_{2.5}$. This includes the HGV site, as well as the Project locale. The relevant question, then, is whether the operational impacts of the Project would result in a considerable contribution to that condition. As described in the section, and based on the Project modeling, "the Project would not create a cumulatively considerable net increase in criteria pollutants associated with operation and impacts would be less than significant." Relative to the construction period, as described under Section 2.6.3.1, *Construction*, short-term emissions associated with construction generally result in near-field impacts. In particular, cumulative construction particulate (PM_{10} and $PM_{2.5}$) impacts are limited to projects being simultaneously constructed within a few hundred yards of each other because of: (1) the combination of the short range (distance) of particulate dispersion (especially when compared to gaseous pollutants); and (2) the SDAPCD's required dust-control measures, which further limit particulate dispersion from a project site.

COMMENTS	RESPONSES
	There are no known projects within 1,500 feet of the Proposed Project where major construction would occur concurrently with the Project. Specific to HGV, which has existing residents but is also continuing to build out, the EIR states that all major grading activities within 1,500 feet would be completed prior to the commencement of HGV South construction. Therefore, there would be no cumulative construction particulate impacts. This is consistent with Figure 1-3 of the EIR, which is an aerial. That aerial shows that mass grading and preliminary lotting was completed (at a minimum) all the way north to the general vicinity of Country Club Drive and Harmony Heights Road prior to circulation of the EIR. A check of Google Earth on July 6, 2017 indicates that grading and preliminary lotting is now completed all the way to the northern HGV project boundary, just south and west of Mt. Whitney Road. Further, any cumulative projects would also need to comply with SDAPCD Rules for dust control and construction equipment, which would further reduce emissions of particulates.

impacts associated with nearby emissions, such as from the continued construction of the Harmony Grove Village project simultaneous with Project operational and construction emissions. O4a-44

- The EIR claims average vehicle trip lengths from the Project would be 7.88 miles. DEIR at 2.6-9. But there is inadequate justification for this short length, particularly in light of the site's distance from employment opportunities for the many residents who will reside there. O4a-45

The EIR fails to adequately analyze greenhouse gas emission impacts.

- The EIR relies primarily upon measures adopted by the State in order to meet its goals. EIR at 3.1.3-18 – 20. But as the California Supreme Court has noted, such reliance is insufficient to ensure compliance – "That a project is designed to meet high building efficiency and conservation standards, for example, does not establish that its greenhouse gas emissions from transportation activities lack significant impacts." *Center for Biological Diversity v. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 229. This issue is particularly stark here, since the Project, by its very nature, places suburban uses, with their attendant greenhouse gas emissions, in an area designated for rural uses. O4a-46
- The EIR claims average vehicle trip lengths from the Project would be 7.88 miles. DEIR at 3.1.3-19. But there is inadequate justification for this short length, particularly in light of the site's distance from employment opportunities for the many residents who will reside there. O4a-47
- The EIR averages construction emissions over the life of the Project. DEIR at 3.1.3-27. Such emissions should be calculated as they will actually occur, not averaged over a longer period of time. *See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1049. O4a-48
- Additionally, on April 29, 2015, Governor Brown issued Executive Order B-30-15, which establishes a "new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 …." The EIR does not address compliance with Executive Order B-30-15. O4a-49

The EIR fails to adequately analyze water supply impacts.

- There is an inadequate showing of water supply for the Project. The California Supreme Court recently identified three "principles for analytical adequacy under CEQA": (1) "CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to a problem of supplying water to a proposed land use project"; (2) "an adequate environmental impact analysis for a large project, to be built and occupied over a number of years, cannot be limited to the water supply for the first stage or the first few years"; and (3) "the future water supplies identified and O4a-50

Response to Comment O4a-45

The Project is located near an abundant amount of employment opportunities in Escondido and San Marcos, is close to retail shopping areas, and has schools nearby. In order to arrive at the Project-specific trip length, the Project traffic engineers worked with SANDAG to utilize the SANDAG 2050 Regional Transportation Plan Series 12 Forecast Model. The model assumed existing land use and network conditions (i.e., no Citracado Parkway extension from Andreasen Drive to Harmony Grove Village Parkway). The Project-specific land uses were input into the model to include the 453 residential units.

Once the model assumptions were validated, a site-specific SANDAG model run was conducted for the Project zone. The results of the model run are based on Project access locations, characteristics of the roadway system, and the location of residential, commercial, and employment opportunities in the surrounding area. The model run was reviewed for accuracy and the trip length was derived from the data provided. This approach to calculating trip length is consistent with County practices.

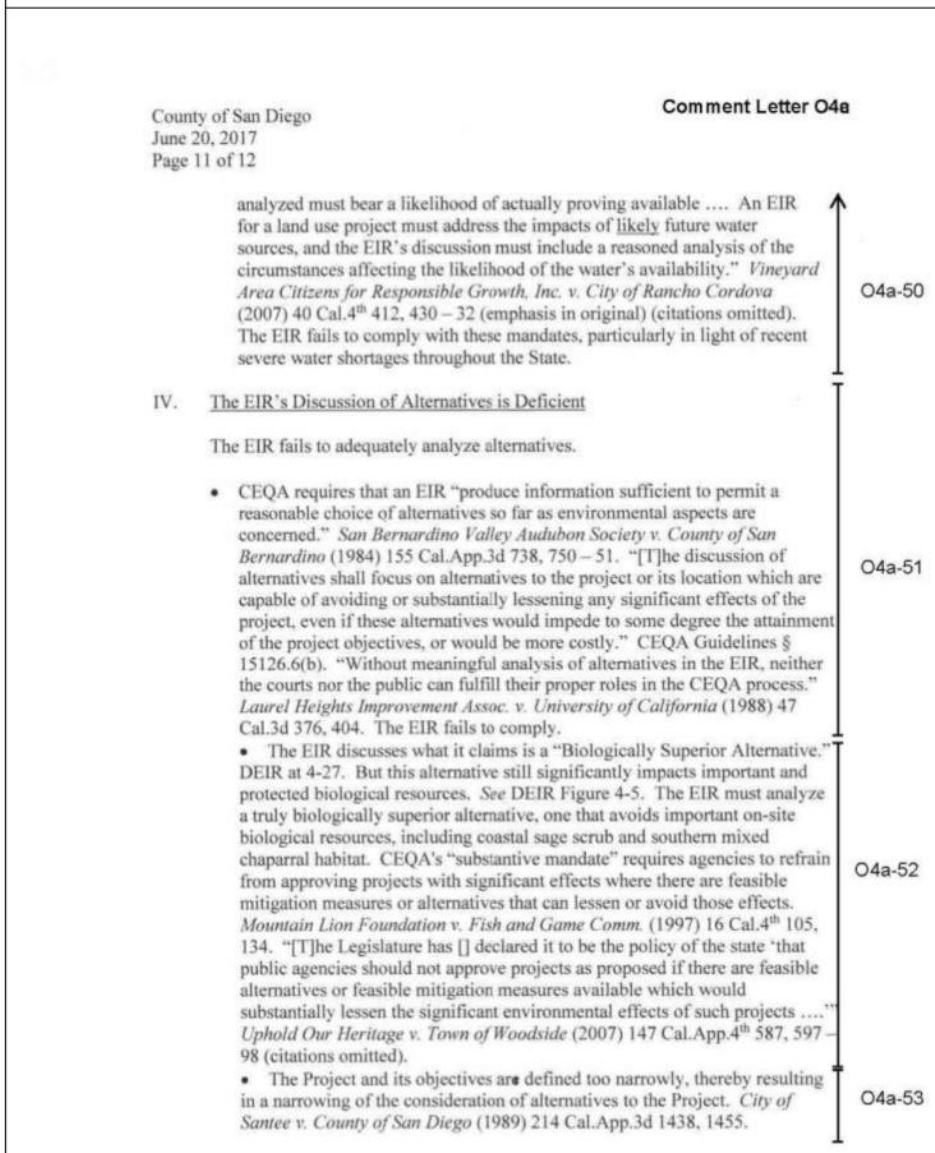
Response to Comment O4a-46

The commenter is correct in that the April 2017 Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) did originally evaluate the potential environmental impacts associated with the proposed Project's emissions of greenhouse gases (GHG) using the 2016 Guidance Document and its "County Efficiency Metric." During the public review period of the Project's DEIR, the Superior Court in Sierra Club v. County of San Diego, Case No. 2012-0101054/ Golden Door Properties LLC v. County of San Diego, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County.

As a result, a supplemental analysis (Supplement) was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. Please note that the Project is currently proposing attainment of "net zero" GHG emissions. Textual changes to the FEIR to reflect this upgraded commitment are located in EIR Chapter 1.0, Project Description, Table 1-2, Project Design Features relevant

COMMENTS	RESPONSES
	to GHG Emissions, Section 3.1.1, Energy, Subchapter 2.7, *Greenhouse Gas Emissions*, Section 3.1.5, *Land Use and Planning*, and Chapter 7.0, *List of Mitigation Measures and Project Design Considerations*, as well as to EIR Appendix J, *Greenhouse Gas Analyses Report.* Specifically regarding traffic contributions, the GHG analyses incorporated Project effects from the TIA (Appendix D to the EIR). The number of projected trips and associated emissions did not result in significant impacts. Relative to the comment that the Project would place residences in an area identified for rural uses, the General Plan land use designation for the site is a semi-rural category, not rural. The location of the Project in this part of County lands would minimize commuter distances based on the proximity of the area to jobs and services provided in the nearby urban centers of Escondido and San Marcos. **Response to Comment O4a-47** Please see Response to Comment O4a-45. **Response to Comment O4a-48** All references to amortization are now removed from Subchapter 2.7; and the topic is no longer relevant. Please note that with the current Project net-zero commitment (and in accordance with Mitigation Measures M-GHG-1 and M-GHG-2 addressed in the subchapter), the Applicant will make one purchase to offset the full amount of construction-related GHG emissions before construction occurs (e.g., at final map or grading permits), followed by purchase of credits to offset of the full amount of operation-related GHG emissions prior to Project occupation. As a point of information, however, the amortization of the construction GHG emissions as addressed in the DEIR was consistent with prior County guidance. The use of 20 years was actually somewhat conservative because some agencies amortize over a 30-year period (e.g., the City of San Diego prior to adopting their 2016 Climate Action Plan, and the South Coast Air Quality Management District). **Response to Comment O4a-49** Through the purchase of carbon credits, the Project would result in a net zero increase in GHG emissions, which would be consistent with statewide GHG reduction targets established by AB 32 and SB 32 (see EIR page 2.7-25).

COMMENTS	RESPONSES
	Response to Comment O4a-50 This comment states the EIR fails to adequately analyze water supply impacts but provides no evidence or substantiation as to why. The water supply analysis in the EIR complies with all applicable mandates, in light of recent severe State water shortages. Please see EIR Section 3.1.10.2 for analysis of water supply impacts.

COMMENTS	RESPONSES
	**Response to Comment O4a-51** The comment quotes accepted language regarding the need for an EIR to provide information "sufficient to permit a reasonable choice of alternatives," that those alternatives should "avoid or substantially lessen any significant effects of the Project, even if they would impede to some degree the attainment of the Project objectives or would be more costly," and that such analysis is important to the CEQA process. The comment states that the EIR "fails to comply." Because no specifics are provided, it is difficult to pinpoint specific concerns. Regardless, the alternatives analyzed comply with CEQA requirements, and specifically comply with the elements called out in the comment. Alternatives analyzed address both an alternative location, as well as four on-site build alternatives that were designed to address one or more of the significant impacts identified in the EIR. Those significant impacts were identified for aesthetics, transportation/traffic, biology, cultural resources, noise, and air quality. Impacts associated with those topics result either from the amount and location of ground surface modified by the Project, or the projected number of residents, which affect consistency with regional planning document assumptions, the amount of traffic on area roadways and emissions from those vehicles during operations, as well as emissions associated with construction activities. Alternatives evaluated widely varying numbers of residences (49 to 425, all of them less than the Proposed Project) and associated footprints. The mix of uses included solely single-family residences to a mix of single-family residences and multi-family residences, single-family uses and senior care facilities, to solely multi-family uses. The alternatives responded to community concerns regarding lot size, as well as County concerns regarding promotion of housing for the regional aging populations. These variations resulted in equally varying ground disturbance and landform modification, traffic generation numbers and associated pollutants emissions, along with varying disturbance to existing on-site vegetation. Although cost is not generally considered a CEQA issue (unless it results in environmental impacts), the differing designs would differ in construction costs; and given the number of baseline access/egress

COMMENTS	RESPONSES
	improvements and mitigation costs necessary for any development on site, result in ultimate costs to both the Project Applicant and the ultimate home buyer to have a wide range. The County finds that the Project appropriately complied with CEQA direction regarding alternatives development and analysis as required in CEQA Guidelines Section 15126.6. **Response to Comment O4a-52** The comment finds issue with the Biologically Superior Alternative because biological impacts would still occur. The comment states that an alternative avoiding all on-site coastal sage scrub and southern mixed chaparral habitat must be analyzed. This is not correct. Similar to all other alternatives, the biologically superior alternative must be designed "to avoid or substantially lessen one or more significant effects" consistent with CEQA Guidelines Section 15126.6(c). As detailed in the alternatives analysis, the Biologically Superior Alternative was designed in the field with County staff and a California Department of Fish and Wildlife representative, and was reviewed by U.S. Fish and Wildlife staff. These agencies provided a comment letter on the Project that agreed with the characterization of the alternative as biologically preferred. As detailed in the alternative discussion in Section 4.6.2, approximately 42 percent of the site would be placed in permanently preserved and managed biological open space under this alternative, as opposed to approximately 31 percent under the Proposed Project. Although the Project site overall is located in a disturbed area, this alternative would preserve 3.5 acres of the Intermediate Value sage scrub habitat in the eastern area and was specifically designed to avoid impacts to a portion of the habitat supporting the gnatcatcher nest location and surrounding foraging and dispersal habitat by approximately 66 percent in this area (2.8 acres impacted versus 6.3 acres). These are substantial reductions to habitat effects. Relative to the Mojave ground squirrel case law cited in the comment, the following sentences are located immediately under the excerpted statement regarding "CEQA's substantive mandate" and show that the intent is not to

COMMENTS	RESPONSES
	require complete avoidance of impacts (case law citations inserted between the sentences have been deleted here for ease of reading): *Under this provision, a decisionmaking [sic] agency is prohibited from approving a project for which significant environmental effects have been identified unless it makes specific findings about alternatives and mitigation measures… The requirement ensures there is evidence of the public agency's actual consideration of alternatives and mitigation measures, and reveals to citizens the analytical process by which the public agency arrived at its decision.* In this instance and consistent with the stated case law, the County has prepared a substantial Alternatives analysis (approximately 45 pages in length excluding supporting figures). Each of the significant impact categories is reviewed for variation of impacts from the Proposed Project for each of the alternatives. Mitigation is referenced where appropriate; i.e., where an alternative does not result in wholly eliminating a significant impact. The County also will take public action on Findings prepared for the Project, in which each of the significant impacts is assessed for whether it has been fully mitigated, and in which each of the alternatives is reviewed. The comment also cites case law stating that public agencies should not approve projects as proposed if there are feasible alternatives or mitigation measures to substantially lessen environmental effects. An alternative is presented for agency consideration that substantially reduces biological impacts. That alternative will be weighed by the decision makers relative to overall benefits and adverse effects to the County, its residents and habits, in comparison with the Proposed Project. Regardless, there is no possibility of Project approval without mitigation substantially lessening environmental impacts. Project-identified biological impacts would be lessened to less-than-significant levels through mitigation identified in Subchapter 2.3 of the EIR, and incorporated as conditions of approval.

COMMENTS	RESPONSES
	The Project is consistent with CEQA Guidelines Section 15126.6, as well as the cited case law. **Response to Comment O4a-53** This comment states the Project objectives are defined too narrowly but does not provide any evidence or substantiation as to why. Although it is not possible to respond to specific contentions (given their absence), the County disagrees with the comment in general. CEQA Guidelines Section 15124 addresses project description, and Section 15124(b) specifically addresses objectives. That section states that the objectives should include the underlying purpose of a project and that clearly written objectives will (later) help the lead agency develop a reasonable range of alternatives, and, potentially will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. Noting that the Proposed Project is not located in a pristine and otherwise undeveloped setting, the Project objectives address integration of the proposed uses into the existing development pattern (including residential uses and support of amenities provided by nearby developing uses), native habitats, non-vehicular transportation, and the way that the potential development should modify Project terrain. The underlying purpose is provided in the introductory paragraph to the enumerated eight objectives. The objectives identify the goals that would create a project fitting into existing constraints and opportunities. Although alternatives are evaluated relative to their ability to satisfy Project objectives in Chapter 4.0 following environmental impact assessment analysis, the alternatives were defined based on avoidance or substantial lessening of Project-identified significant impacts, and are sufficiently broad to address avoidance or substantial lessening of significant impacts. Please also see Response to Comment O4a-51.

COMMENTS	RESPONSES
Comment Letter O4a County of San Diego June 20, 2017 Page 12 of 12 V. The Need to Recirculate The EIR is sufficiently lacking that the only way to fix these issues is to revise it and recirculate an adequate report. O4a-54 VI. Conclusion For the foregoing reasons, TECC urges you to reject the Project and EIR as drafted. Thank you for your consideration of these concerns. O4a-55 Sincerely, Everett DeLano Enclosures: 1. Letter and CV from Robert Hamilton 2. Letter and CV from Dr. Richard Horner 3. Notice of Violation to CalAtlantic Homes, Harmony Grove Village Development, from SDRWQCB 4. "Sensitive Species Occurrences in the Vicinity of Harmony Grove Village South" O4a-56	**Response to Comment O4a-54** Based on all of the above, the discussion in the EIR is sufficient. Excluding GHGs, which was recirculated in February to April 2018, no new significant impacts have been identified and no recirculation is necessary. **Response to Comment O4a-55** Your request for Project denial of the Project and the EIR as drafted will be before the decision makers during consideration of the Project for approval. **Response to Comment O4a-56** The following enclosures were reviewed prior to authoring the responses to comments in Letters O4a, O4b and O4c. The notes below summarize the type of documents and location in the responses where related discussion is provided. 1. This enclosure comprises Comment Letter 4c. The CV is specifically addressed in Response to Comment O4c-49. 2. This enclosure comprises Comment Letter 4b. The CV is specifically addressed in Response to Comment O4b-15. 3. This enclosure consists of a Notice of Violation for a different project and is addressed in Response to Comment O4a-30. 4. This enclosure regarding sensitive species on the Project site is attached to Response to Comment Letter 4c and addressed in Response to Comment O4c-29.

LINSCOTT LAW & GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego , CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

October 2, 2017

RCS Harmony Partners
2305 Historic Decatur Road, Suite 100
San Diego, CA 92106

LLG Reference: 3-14-2314

Subject: **Harmony Grove Village South – Existing ROW Option**

At the request of County staff, this letter summarizes the operational capacity of road improvements to Country Club Drive, south of its intersection with Harmony Grove Road, designed within the current 50-foot right-of-way ("Existing ROW Option" or "The Option").

BACKGROUND AND SCOPE

1. Within the full scope of its Application, Harmony Grove Village South ("The Project") proposes a design configuration ("Preferred Configuration") at this intersection that is believed superior to the Existing ROW Option as described above, in the former's function as a vibrant village connector between the HGVS and HGV planning areas.

   The Preferred Configuration would operate outside of the existing 50' ROW but also provide a third lane as does The Option.

2. Specifically, this memo addresses:
   a. The Option's County roadway classification;
   b. The intersection operations at Harmony Grove Road/Country Club Drive signalized intersection with The Option (No. 17 in the Traffic Impact Analysis ("TIA"); and
   c. The Option's ability to serve the forecasted Average Daily Traffic ("ADT") on Country Club Drive.

3. The Existing ROW Option includes the following design components:
   - 2 x 5-foot sidewalks
   - 1 x 4-foot bike lane (northbound direction)
   - 2 x 12-foot travel lanes
   - 1 x 12-foot center turn lane

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

An LG2WB Company Founded 1966

The profile of The Option is shown below in ***Figure A***:

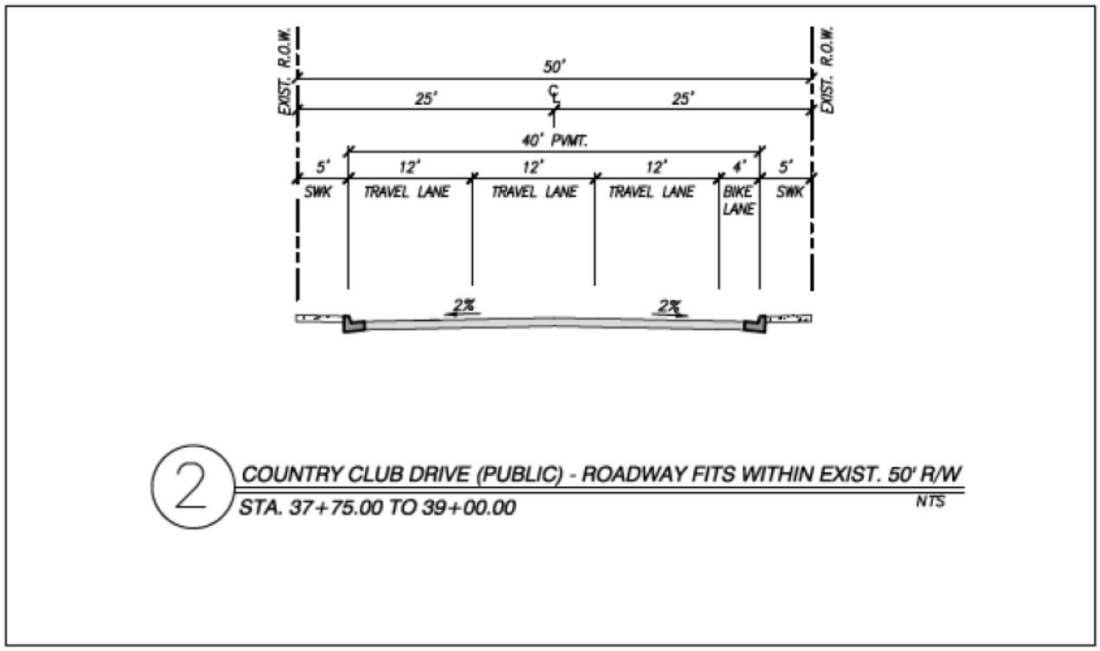


Figure A – 50' R/W (Existing Right-of-Way Option) Profile

ASSESSMENT

County of San Diego Roadway Classification

A review of the County's Public Road Standards indicates that from a ROW perspective, The Option roadway (40-feet of pavement width) could be considered similar to a Non-Mobility Element public roadway standard for "*Residential Collector*", which provides two 12-foot travel lanes in 40 feet of pavement width and 60 feet of ROW. The published capacity for this two-lane roadway is 4,500 ADT at LOS C.

A 3-lane roadway segment section—same as the Preferred Configuration—is maintained in The Option, which improves the overall roadway's function for emergency ingress/egress. The third lane would also substantially increase capacity over that of a two-lane Residential Collector. For example, the County's published public road standards and roadway capacity tables show that a "*Light Collector with Continuous Left-Turn Lane (2.2B)*" roadway has a capacity of 9,500 ADT at LOS C, whereas the "*Light Collector – No Median (2.2E)*" roadway has a LOS C capacity of 7,100 ADT. The addition of the 3rd lane therefore increases capacity by 2,400 ADT, or 34%.

Table A shows a summary of the Public Roadway Standards and the increase in capacity afforded by the 3rd lane.

LINSCOTT LAW & GREENSPAN engineers

TABLE A
COMPARATIVE INCREASE IN LOS CAPACITY WITH CONTINUOUS (TWO-WAY) LEFT TURN LANE
FOR COUNTY MOBILITY ELEMENT ROADS

Mobility Element Roads			**Levels of Service**				
Road Classification		**No. of Travel Lanes**	**A**	**B**	**C**	**D**	**E**
Light Collector	*w/Continuous Left Turn Lane (2.2B)*	2	<3,000	<6,000	<9,500	<13,500	<19,000
	No Median (2.2E)	2	<1,900	<4,100	<7,100	<10,900	<16,200
% Increase w/Continuous Left Turn Lane			58%	46%	**34%**	24%	17%

Source: County of San Diego "Table 1 Average Daily Vehicle Trips"

This relative magnitude of increase would be expected for "*Enhanced Residential Collector*" series proposed for The Option as well.

Based on the above, the capacity for the The Option would increase from 4,500 ADT (standard) to 6,030 ADT with the enhancement of the 3rd lane, as shown in ***Table B***.

TABLE B
ESTIMATED INCREASE IN LOS WITH CONTINUOUS (TWO-WAY) LEFT TURN LANE
FOR COUNTY NON-MOBILITY ELEMENT RESIDENTIAL COLLECTOR

Non-Mobility Element Roads		**Levels of Service**				
Road Classification	**No. of Travel Lanes**	**A**	**B**	**C**	**D**	**E**
Residential Collector	2	–	–	<4,500	–	–
ADT Increase w/Continuous Left Turn Lane (+34%)		–	–	**<6,030**	–	–

Source: County of San Diego "Table 1 Average Daily Vehicle Trips" and LLG, 2017.

Attachment A shows the County's published public road standards. ***Attachment B*** shows the County's roadway capacity.

Intersection Operations

The northbound approach of The Option provides for a left-turn lane and a shared through/right-turn lane on Country Club Drive at Harmony Grove Road. LLG's capacity analyses conducted for The Option's design criteria, concluded ***no new significant intersection impacts*** would occur, compared to the Preferred Configuration.

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Roadway Segment Operations

The maximum Average Daily Traffic (ADT) load forecasted for Country Club Drive is 5,105 ADT under Existing + Project + Cumulative traffic volumes (See *Figure 8–2* of the TIA – *"Existing + Project + Cumulative Traffic Volumes"*).

As discussed above, the Option section is similar in ROW to the County's two-lane "Residential Collector" standard, which has a published capacity of 4,500 ADT at LOS C, but with the addition a third lane. This results in an increase in capacity of 34% to 6,030 ADT. Thus, The Option would result in better than LOS D operations, and ***no new significant street segment impacts*** would be calculated.

CONCLUSIONS

The Option will provide an enhancement to the Residential Collector standard for Country Club Drive by providing a third lane which is estimated to provide a 34% increase in capacity to 6,030 ADT (LOS C) based on similar comparisons of other published County Mobility Element roadways. The maximum traffic volume demand for this segment is 5,105 ADT. Therefore, the proposed Existing ROW Option roadway segment will provide sufficient segment capacity to address all forecasted volumes and no significant impacts are calculated.

Furthermore, no significant impacts are calculated at the Country Club Drive/Harmony Grove Road intersection with the two-lane northbound approach (left-turn lane and a shared through/right-turn lane).

Sincerely,

Linscott, Law & Greenspan, Engineers

Christopher J. Mendiara
Associate Principal

Attachments: *Attachment A*: Table 2A/B County of San Diego Public Road Standards
Attachment B: Table 1 Average Daily Vehicle Trips

TABLE 2A: COUNTY OF SAN DIEGO - PUBLIC ROAD STANDARDS

MOBILITY ELEMENT ROAD CLASSIFICATIONS

ROAD CLASSIFICATION	# LANES / LANE WIDTH	MEDIAN WIDTH	ROAD SURFACING WIDTH	R.O.W. WIDTH	PAVED SHOULDERS (# / WIDTH)	PARKWAY WIDTH	MIN. CURVE RADIUS	MAX. DESIRABLE GRADE	MIN. DESIGN SPEED (MPH)
Expressway (6.1)	6 / 12'	34'	126'	146'	2 / 10'	10'	1,700'	6%	65
Prime Arterial (6.2)	6 / 12'	14'	102'	122'	2 / 8'	10'	1,700'	6%	65
Major Road									
With Raised Median (4.1A)	4 / 12'	14'	78'	98'	2 / 8'	10'	1,200'	7%	55
With Intermittent Turn Lanes (4.1B)	4 / 12'	-	64' - 78'	84' - 98'	2 / 8'	10'	1,200'	7%	55
Boulevard									
With Raised Median (4.1A)	4 / 12'	14'	78'	106'	2 / 8'	14'	500'	9%	40
With Intermittent Turn Lanes (4.2B)	4 / 12'	-	64' - 78'	92' - 106'	2 / 8'	14'	500'	9%	40
Community Collector									
With Raised Median (4.1A)	2 / 12'	14'	54'	74'	2 / 8'	10'	700'	9%	45
With Continuous Left Turn Lane (2.1B)	2 / 12'	14'	54'	74'	2 / 8'	10'	700'	9%	45
With Intermittent Turn Lanes (2.1C)	2 / 12'	-	40' - 54'	60' - 74'	2 / 8'	10'	700'	9%	45
With Improvement Options (2.1D)	2 / 12'	-	40' - 54'	84'	2 / 8'	15' - 22'	700'	9%	45
No Median (2.1E)	2 / 12'	-	40'	60'	2 / 8'	10'	700'	9%	45
Light Collector									
With Raised Median (2.2A)	2 / 12'	14'	54'	78'	2 / 8'	12'	500'	9%	40
With Continuous Left Turn Lane (2.2B)	2 / 12'	14'	54'	78'	2 / 8'	12'	500'	9%	40
With Intermittent Turn Lanes (2.2C)	2 / 12'	-	40' - 54'	64' - 78'	2 / 8'	12'	500'	9%	40
With Improvement Options (2.2D)	2 / 12'	-	40' - 54'	88'	2 / 8'	17' - 24'	500'	9%	40
No Median (2.2E)	2 / 12'	-	40'	64'	2 / 8'	12'	500'	9%	40
With Reduced Shoulder (2.2F)	2 / 12'	-	28'	52'	2 / 2'	12'	500'	9%	40
Minor Collector									
With Raised Median (4.1A)	2 / 12'	14'	54'	82'	2 / 8'	14'	350'	12%	55
With Intermittent Turn Lanes (2.3B)	2 / 12'	-	40' - 54'	68' - 82'	2 / 8'	14'	350'	12%	35
No Median (2.3C)	2 / 12'	-	40'	68'	2 / 8'	14'	350'	12%	35

NOTES:

1 Minimum longitudinal gradient shall be 1.0 percent for all road classificationis shown above.

2 The maximum grade for a permanent cul-de-sac street turning area shall be 6 percent.

3 The maximum grade for a temporary cul-de-sac street turning area shall be that of the classification of the road being constructed.

4 For standards, see County Design Standard Drawing DS-2, DS-3, DS-4, and Section 4.5N of these Standards.

5 Additional pavement and ROW may be required for ME Boulevards / Community Collectors (4 feet) and Light Collectors (12 feet) in Industrial/Commercial Zones.

6 ME roads needing additional turn or passing lanes will require an additional 12 to 14 feet of pavement and ROW for each lane.

7 The maximum superelevation allowed on ME roads is 6%. Superelevation is not normally required on Non-ME roads.

8 ME roads designated with Bike Lanes will require an additional 10 feet of pavement and ROW. This may be increased to 12' for four-lane roads and above based upon the provisions in Section 7.3 of these standards.

9 The minimum curve radii, shown in the table above, are based on the design speed with 6% superelevation.

10 Interim roads are to be a minimum of 28 feet A.C. within a 40 feet graded roadbed. They may be larger if traffic volumes require more travel lanes.

11 Road surfacing widths include median width.

TABLE 2B: COUNTY OF SAN DIEGO - PUBLIC ROAD STANDARDS

NON-MOBILITY ELEMENT ROAD CLASSIFICATIONS

ROAD CLASSIFICATION	# LANES / LANE WIDTH	MEDIAN WIDTH	ROAD SURFACING WIDTH	R.O.W. WIDTH	PAVED SHOULDERS (# / WIDTH)	PARKWAY WIDTH	MINIMUM CURVE RADIUS	MAXIMUM DESIRABLE GRADE	MINIMUM DESIGN SPEED (MPH)
Residential Collector	2 / 12'	-	40'	60'	2 / 8'	10'	300'	12%	30
Rural Residential Collector *	2 / 12'	-	28'	48'	2 / 2'	10'	300'	12%	30
Residential Road	2 / 12'	-	36'	56'	2 / 6'	10'	200'	15%	30
Rural Residential Road *	2 / 12'	-	28'	48'	2 / 2'	10'	200'	15%	30
Residential Cul-de-sac	2 / 12'	-	36'	52'	2 / 6'	10'	200'	15%	30
Residential Loop	2 / 12'	-	32'	52'	2 / 4'	10'	200'	15%	30
Industrial/Commerical Collector	4 / 12'	-	68'	88'	2 / 10'	10'	200'	8%	30
Industrial/Commerical	2 / 16'	-	52'	72'	2 / 10'	10'	300'	8%	30
Industrial/Commercial Cul-de-sac	2 / 16'	-	52'	72'	2 / 10'	10'	200	8%	30
Frontage	2 / 12'	-	32' min	52' min	1 / 8'	10'	See above	See above	-
Alley	2 / 10'	-	20-30'	20-30'	None	None	50'	12%	n/a
Hillside Residential	See NOTE 4	-	-	-	-	-	-	-	-

NOTES:

1 Minimum longitudinal gradient shall be 1.0 percent for all road classificationis shown above.

2 The maximum grade for a permanent cul-de-sac street turning area shall be 6 percent.

3 The maximum grade for a temporary cul-de-sac street turning area shall be that of the classification of the road being constructed.

4 For standards, see County Design Standard Drawing DS-2, DS-3, DS-4, and Section 4.5N of these Standards.

5 The minimum curve radii, shown in the table above, are based on the design speed with 6% superelevation.

6 Interim roads are to be a minimum of 28 feet A.C. within a 40 feet graded roadbed. They may be larger if traffic volumes require more travel lanes.

LEGEND: * Serves lots > 2 acres in size w/ no demand for on-street parking

TABLE 1
AVERAGE DAILY VEHICLE TRIPS*

MOBILITY ELEMENT ROADS			LEVELS OF SERVICE				
Road Classification		# of Travel Lanes	A	B	C	D	E
Expressway (6.1)		6	<36,000	<54,000	<70,000	<86,000	<108,000
Prime Arterial (6.2)		6	<22,200	<37,000	<44,600	<50,000	<57,000
Major Road	w/ Raised Median (4.1A)	4	<14,800	<24,700	<29,600	<33,400	<37,000
	w/ Intermittent Turn Lanes (4.1B)	4	<13,700	<22,800	<27,400	<30,800	<34,200
Boulevard	w/ Raised Median (4.2A)	4	<18,000	<21,000	<24,000	<27,000	<30,000
	w/ Intermittent Turn Lanes (4.1B)	4	<16,800	<19,600	<22,500	<25,000	<28,000
Community Collector	w/ Raised Median (2.1A)	2	<10,000	<11,700	<13,400	<15,000	<19,000
	w/ Continuous Left Turn Lane (2.1B)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	w/ Intermittent Turn Lane (2.1C)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	w/ Passing Lane (2.1D)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	No Median (2.1E)	2	<1,900	<4,100	<7,100	<10,900	<16,200
Light Collector	w/ Raised Median (4.2A)	4	<3,000	<6,000	<9,500	<13,500	<19,000
	w/ Continuous Left Turn Lane (2.2B)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	w/ Intermittent Turn Lane (2.2C)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	w/ Passing Lane (2.2D)	2	<3,000	<6,000	<9,500	<13,500	<19,000
	No Median (2.2E)	2	<1,900	<4,100	<7,100	<10,900	<16,200
	w/ Reduced Shoulder (2.2F)	2	<5,800	<6,800	<7,800	<8,700	<9,700
Minor Collector	w/ Raised Median (2.3A)	2	<3,000	<6,000	<7,000	<8,000	<9,000
	w/ Intermittent Turn Lane (2.1C)	2	<3,000	<6,000	<7,000	<8,000	<9,000
	No Median (2.3C)	2	<1,900	<4,100	<6,000	<7,000	<8,000
NON-MOBILITY ELEMENT ROADS**			LEVELS OF SERVICE				
Residential Collector		2	-	-	<4,500	-	-
Rural Residential Collector***		2	-	-	<4,500	-	-
Residential Road		2	-	-	<4,500	-	-
Rural Residential Road***		2	-	-	<4,500	-	-
Residential Cul-de-Sac or Loop Road		2	-	-	<200	-	-

* The values shown are subject to adjustment based on the geometry of the roadway, side frictions, and other relevant factors as determined by the Director, Department of Public Works.

** Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors.

*** Rural Residential Collectors and Rural Residential Roads are intended to serve areas with lot sizes of 2 acres or more which do not have a demand for on-street parking. On-street parking is not assured for these cross sections. Additional right-of-way is needed if on-street parking is in paved area.

**** See Tables 2A and 2B for roadway surfacing and right-of-way widths.

DUDEK

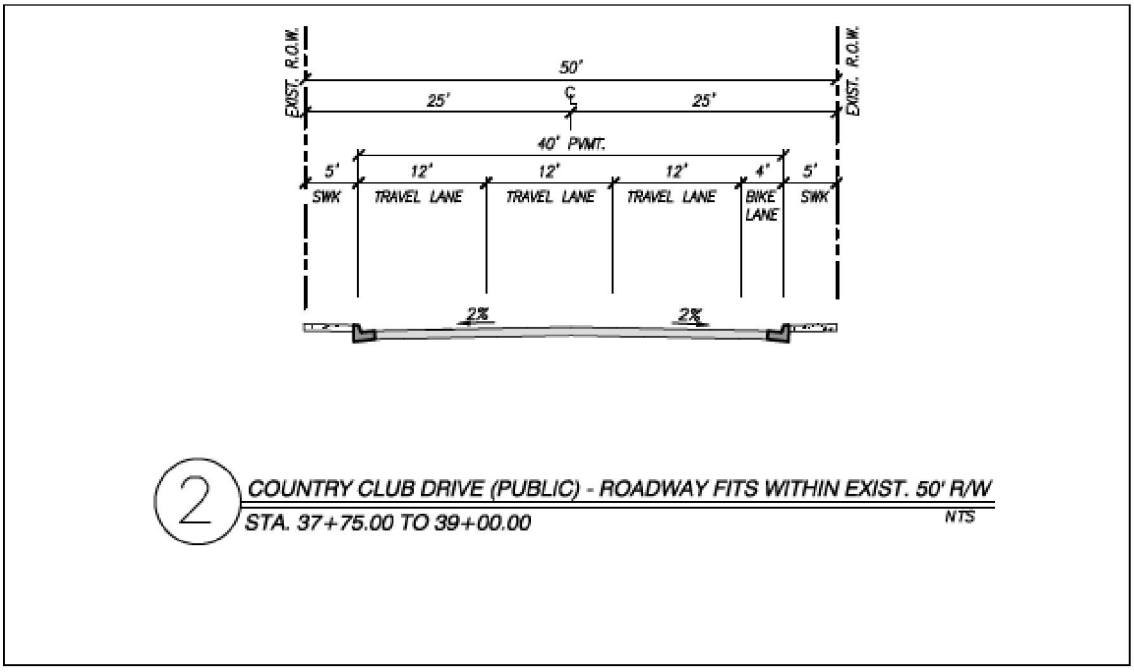
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 760.942.5147 T 800.450.1818 F 760.632.0164

MEMORANDUM

To: RCS Harmony Partners
From: Michael Huff, Principal Fire Protection Planner
Subject: **Harmony Grove Village South County Club Drive Road Section**
Date: October 19, 2017
Attachment(s): Country Club Drive Bridge Section

Dudek has reviewed the Harmony Grove Village South Bridge/Road Section prepared by Project Design Consultants and dated 10/13/2017 (attached). The graphic depicts a 50-foot wide right-of-way which includes three travel lanes, bike lanes and sidewalks. The two primary travel lanes are each 12-feet wide. The third travel lane, provided as a measure to increase traffic flow during an emergency, is located between the primary travel lanes and is also a code consistent 12-feet wide. Beyond the travel lanes, there are provisions for a 4-foot wide bike lane and a 5-foot wide pathway on the eastern edge of Country Club Drive and a minimum 5-foot wide trail along the west edge of Country Club Drive. The road, as configured, complies with the San Diego County Consolidated Fire Code and Rancho Santa Fe Fire Protection District Code (Sec. 503.2.1, respectively) for 12-foot wide travel lanes and 24-foot minimum unobstructed road width (two lanes) and 36 feet for three lanes.

Please feel free to contact me if you have any questions or require any additional information.



2 *COUNTRY CLUB DRIVE (PUBLIC) - ROADWAY FITS WITHIN EXIST. 50' R/W*
STA. 37+75.00 TO 39+00.00 NTS

HGVS **COUNTRY CLUB DRIVE (PUBLIC) - ROADWAY FITS WITHIN EXIST. 50' R/W**

DATE: 2017-10-13

PROJECT DESIGN CONSULTANTS
Planning | Landscape Architecture | Engineering | Survey

COMMENTS	RESPONSES

Comment Letter O4b

RICHARD R. HORNER, PH.D.

BOX 551, 1752 NW MARKET STREET
SEATTLE, WASHINGTON 98107

TELEPHONE: (206) 782-7400
E-MAIL: rrhorner@msn.com

June 9, 2017

Everett DeLano, Esq.
DeLano & DeLano
220 West Grand Avenue
Escondido, California 92025

Dear Mr. DeLano:

At your request on behalf of The Escondido Creek Conservancy, I reviewed documents submitted by the proponent of the Harmony Grove Village South development in San Diego County (the County). I focused principally on the proposed stormwater management system and the project's potential effects on the waters receiving its stormwater runoff (Escondido Creek, San Elijo Lagoon, and the adjacent Pacific Ocean shoreline). This letter presents the opinions I reached.

In forming my opinions I reviewed and assessed a number of sections of the Draft Environmental Impact Report (DEIR), concentrating particularly on sections 3.1.5 (Hydrology/Water Quality) and 3.1.2 (Geology/Soils) and Appendices M-1 through M-3 and N. I also referenced documents titled: (1) Preliminary Detention and Preliminary Hydraulic Calculations, and (2) Priority Development Project (PDP) SWQMP, Attachment 1, Backup for PDP Pollutant Control BMPs. Finally, I consulted the Specific Plan, Tentative Map, and Preliminary Grading Plan found on the County web page for the project.

O4b-1

In evaluating the Harmony Grove Village South documents I applied the experience of my 40 years of work in the stormwater management field and 11 additional years of engineering practice. During this period I have performed research, taught, and offered consulting services on all aspects of the subject, including investigating the sources of pollutants and other causes of aquatic ecological damage, impacts on organisms in waters receiving urban stormwater drainage, and the full range of methods of avoiding or reducing these impacts. Attachment A to this letter presents a more complete description of my background and experience. My full *curriculum vitae* are available upon request.

SUMMARY OF MY OPINIONS

I assert that a project put forward for approval to proceed should collect all underlying data pertinent to the required environmental assessments, conduct those assessments with the best available methods, and provide all of the information regulators and citizens need to make a full

O4b-2

Response to Comment O4b-1

These are conclusion comments. They do not raise specific issues regarding the content of the DEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

Response to Comment O4b-2

This is a summary of the following more specific comments, which are addressed in the responses below.

COMMENTS	RESPONSES
 Comment Letter O4b and confident evaluation of the proposal and its potential environmental effects. The Harmony Grove Village South project documents do not meet this standard, specifically with respect to: • Not using the best available hydrologic analysis method, the San Diego Hydrologic Model, for all assessments; • Not obtaining adequate soils data through on-site testing and analysis; • As a consequence of the first two failings, compromising several key analytical tasks, specifically the Hydrology/Drainage Study, stormwater management practice selection and design, sizing of the vaults intended to serve most of the site for storm runoff quantity and quality control, and properly assessing construction-phase erosion potential and the consequent management strategies needed to prevent negative impacts to the receiving waters; O4b-2 • Not preparing anything close to a complete construction-phase stormwater pollution prevention plan, a necessity before regulatory decision making in my opinion because of the steep slopes to be developed and the already impaired status of the receiving waters by the pollutants potentially released from a poorly controlled construction site; • Preparing no contingency plan if the proposed water harvesting arrangements do not work out; and • Ignoring important low impact development options, a consequence of not investigating actual site soils and of making the most pessimistic assumptions about their ability to support these options. The remainder of my letter elaborates on these points. DEFICIENCIES IN ASSESSMENT METHODS The DEIR is compromised by defects in certain methods used in the analyses underlying its conclusions and proposals, specifically in hydrologic analyses and accounting for soils conditions. The shortcoming in hydrologic analysis has particular implications for both water quantity and water quality control post-development. Lacking sufficient definition of the soils on-site affects both of these areas of concern, along with construction-phase stormwater management. O4b-3 Hydrologic Methods The proposed storm drain facilities are based on accommodating peak 100-year storm flows pursuant to County guidelines. Facilities to be designed on this basis include a curb and gutter system with drain inlets, underground pipes and related structures, and two detention vaults. According to Appendix M-1, analysis of these facilities was performed using a Modified Rational Method. The San Diego area has a state-of-the-technology continuous simulation	**Response to Comment O4b-3** The County agrees that data are required to support environmental assessments. The majority of the comments address the hydrological analyses. The information required to address hydrological analyses is specified in County documents. The San Diego County Hydrology Manual outlines the methodology for preparing hydrology studies in accordance with the Rational Method and the Modified Rational Method and governs the flow calculations for flood control facilities for large storms such as the 100-year storm event. The County of San Diego BMP Design Manual (BMP Design Manual) outlines the methodology for continuous simulation modeling to meet hydromodification requirements in accordance with the Municipal Separate Storm Sewer System (MS4) permit requirements. The BMP Design Manual governs the requirements for water quality and hydromodification impacts due to smaller storm events, including the 2-year to 10-year storm events which are much more frequent and therefore have a higher potential impact to water quality and hydromodification. Project reports apply each of the methodologies as required and as appropriate for the current timeframe of Project design. Specific to on-site soils testing, as described in Project documentation (the EIR and EIR Appendix I), soils characterizations were made based on on-site review, and supplemented by on-site borings. Adequate information was gathered to provide recommendations for steps during final design in conjunction with routine building standards and requirements. Similarly, the request for complete detail as to construction specifics and final design at this time is too early in the process. The Storm Water Pollution Prevention Plan (SWPPP) is a requirement that must be completed, but, consistent with timing noted in the comment, will be prepared prior to obtaining regulatory permits on the Project. Detailed construction-phase data are not required prior to knowing if the Project is even approved given the level of construction and implementation controls already identified in FEIR Table 1-2, Chapter 7.0, and Section 3.1.2.

COMMENTS	RESPONSES
Comment Letter O4b Everett DeLano June 9, 2017 Page 3 hydrologic model, the San Diego Hydrology Model (SDHM), based on the U.S. Environmental Protection Agency's (USEPA's) Hydrologic Simulation Program – FORTRAN. The Preliminary Hydromodification Management Study (Appendix M-3) employed this model. Unaccountably, the Hydrology/Drainage Study (Appendix M-1) and preliminary sizing of the detention vaults did not, but instead used the inferior Modified Rational Method. SDHM creates a continuous, simulated runoff production record based on a long-term precipitation record representing all conditions occurring during the period of record. It thus covers situations such as the full range of events, from small and relatively frequent up to large and less frequent; highly intense storms; and repeated rainfall over several days. It employs actual land cover and soils data to generate hydrographs (plots of runoff rate over time) for all conditions that may be faced. While the soils data are insufficient (please see the following discussion), this flaw can be corrected when the data are collected and the model rerun. In contrast, the Modified Rational Method is based on a single statistical event or several such events (here, just one, the once in 100-year frequency event) and generic runoff coefficients[1] to represent land cover. Its mathematics is greatly simplified relative to SDHM and accounts far less for realistic hydrologic mechanisms. It may be thought that using a large event like the 100-year storm is conservative, but reliance on this basis has several flaws: (1) the associated rainfall is just a statistical construction from data that usually do not stretch nearly as long, (2) the output does not supply real patterns of precipitation and routing of runoff through drainage facilities, and (3) it does not account for back-to-back storms that can occur over several days to as long as a week at times in the San Diego area. O4b-3 Use of the Modified Rational Method conveys less confidence to the results of the Hydrology/Drainage Study and sizing of the detention vaults than if they were based on the state-of-the-technology continuous simulation model. The study and the vault sizing should be repeated using SDHM. The vaults should be reconsidered in light of the results with respect to both their water discharge regulation function and the wet pool volume established to contain the water quality design storm volume. Soils Definition Soils characterization in the DEIR work relied solely on the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) soil survey. Soil survey data of this nature were generally not obtained through on-site testing, or even observation, but commonly through more remote sensing. They are, accordingly, sometimes wrong or misleading. Soils and related hydrogeologic conditions can vary extensively within short distances. Coarser, more infiltrative formations can lay among finer, more restrictive ones, to the detriment of low impact development (LID) considerations involving potential infiltration. Likewise, relatively more erosive formations can be interspersed with more resistant ones; not knowing conditions locally around the site is a disadvantage to proper construction-phase stormwater control assessment. O4b-4 [1] A runoff coefficient is the ratio of the expected depth of runoff produced over an area receiving precipitation to the depth of incident precipitation.	**Response to Comment O4b-4** The Project is proposing Harvest and Use BMPs, not infiltration BMPs. The EIR work does not rely solely on the U.S. Department of Agriculture's Natural Resources Conservation Service soil survey, but also on the research, multiple site checks, and approximately 60 trenches and borings completed by the geotechnical engineers. Please refer to the site-specific geotechnical report prepared by Geocon Inc. under Technical Appendix I of the EIR. The Geotechnical investigation performed for the site does not recommend infiltration due to underlying dense granitic bedrock that could cause water to perch. Please see Response to Comment O4b-3 regarding data used to support the Hydrology/Drainage Study.

COMMENTS	RESPONSES

Comment Letter O4b

Soil conditions are highly important in hydrologic modeling and stormwater practice selection and design. It is essential, in my opinion, for the proponent to characterize thoroughly the soils of all portions of the site that will be subject to construction. This characterization should include areally extensive soil coring to some depth below the surface, analysis of textural properties in the core samples, and percolation testing to determine infiltration rates. The resulting data should be employed in reassessing the selection of practices and their placement and design, both in the construction and post-construction phases.

This long-held personal opinion agrees with the San Diego County BMP Design Manual (County Manual), where Table D.3-1[1] notes that regional soil maps are known to contain inaccuracies at the scale of typical development sites. Furthermore, at the planning level, mapped soil types must be confirmed with site observations. For the design phase, NRCS soil survey maps are not suitable, unless a strong correlation is developed between soil types and infiltration rates in the direct vicinity of the site and an elevated factor of safety is used.

Similarly, a USEPA-sponsored report[2] states, "Very large errors in soil infiltration rates can easily be made if published soil maps … are used for typically disturbed urban soils, as these tools ignore compaction. … it is recommended that site specific data be obtained." O4b-4

Important considerations in gathering site-specific soils data are, How many spots should be tested, and how should they be distributed? A NRCS publication[3] gives the advice:

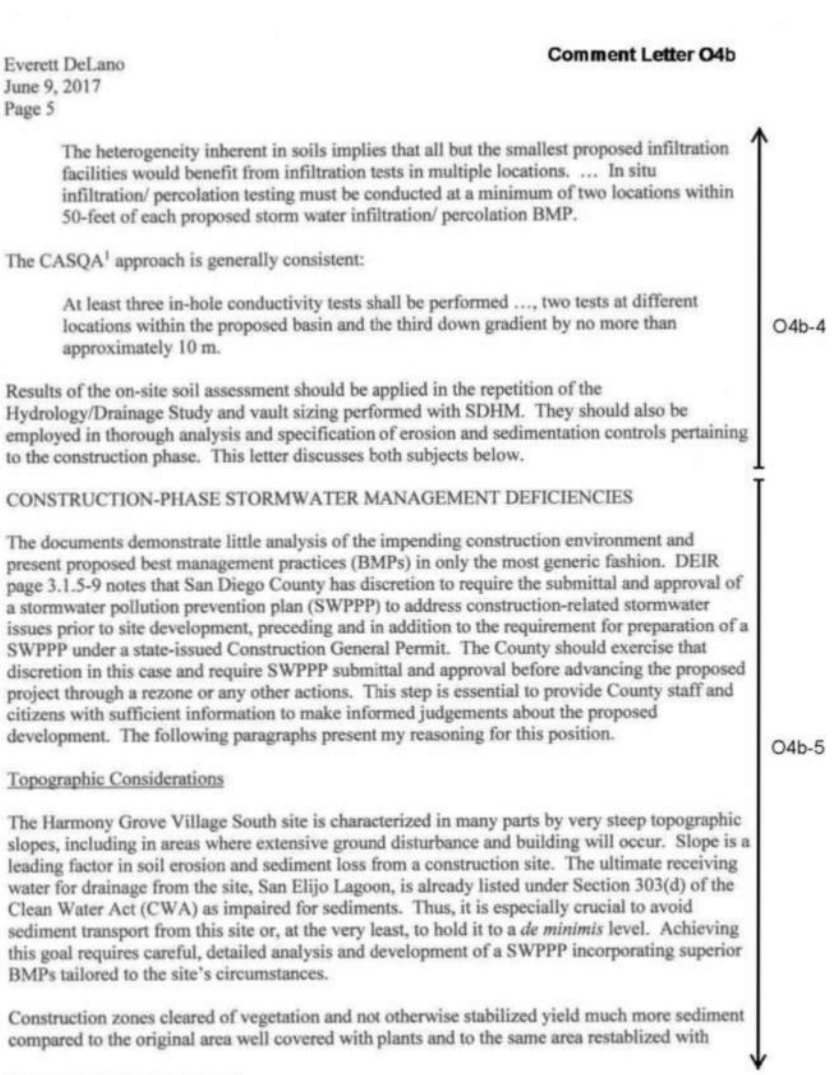
> It is recommended that a minimum of three samples or measurements be collected on any one soil type and management combination. In general, the greater the variability of the field, more measurements is needed to get a representative value at the field scale.

A strategy would be to scatter soil investigation pits throughout the entire property, guided by the apparent variability in soil types, geology, water table levels, bedrock, topography, *etc*., and then replicate them in order to narrow spacing. If replication should show little variability in some locations but more in others, it would then be reasonable to concentrate the latter set of tests in the areas of greater variability.

If stormwater infiltration is a specific consideration, as it certainly should be at Harmony Grove Village South, San Diego County and California Stormwater Quality Association (CASQA) documents provide guidance generally consistent with NRCS's. The County Manual[4] specifies:

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[1] County of San Diego. 2016. County of San Diego BMP Design Manual, Appendix D, Approved Infiltration Rate Assessment Methods for Selection of Storm Water BMPs (page D-3). County of San Diego, San Diego, CA.
[2] Pitt, R., J, Lantrip, R. Harrison, C.L. Henry, and D. Xue. 1999. Infiltration Through Disturbed Urban Soils and Compost-Amended Soil Effects on Runoff Quality and Quantity, EPA/600/R-00/016 (page 5-2). Water Supply and Water Resources Division, National Risk Management Research Laboratory, U.S. Environmental Protection Agency, Edison, NJ.
[3] Natural Resources Conservation Service. Undated. Soil Quality Measurement, Guide for Educators (page 3). Natural Resources Conservation Service, U.S. Department of Agriculture, Washington, DC.
[4] County of San Diego, *Ibid.*, page D-13.

COMMENTS	RESPONSES
	**Response to Comment O4b-5** This Project will disturb more than 1 acre and is thus subject to the Statewide General Construction Storm Water permit. The Project will be required to file a Notice of Intent and develop and implement an SWPPP and Monitoring Program to address potential erosion and sediment transport during the final engineering phase of the Project. The topographic realities of the site (including mapped steep slopes) and the proximity to Escondido Creek are evaluated throughout the FEIR, including in Section 3.1.4, *Hydrology and Water Quality*. The level of information provided in the EIR is appropriate and sufficient to understand the kinds of issues that would rise during construction of the Project, and also the routine nature of these issues, including control of runoff (both volumes and quality) and erosion control. Project requirements include the Construction Site Monitoring Plan (CSMP), a Risk Assessment to determine the Project's Risk Level (1, 2, or 3), and appropriate Risk Level Requirements as outlined in the Construction General Permit and the SWPPP, as noted in Response to Comment O4b-3. The SWPPP and CSMP would be prepared by a qualified SWPPP preparer, with this plan to be located on-site at all times during construction. The types of erosion and sediment controls applicable to the Project are enumerated, as requirements for containment of construction debris distance from storm drain inlets/water courses and disposal so as not to allow runoff into surrounding waters. Prior to and after storm events, BMP function and efficiency would be checked by construction contractor and implementation monitors. Sampling/analysis, monitoring/reporting, and post-construction management programs would be implemented per National Pollutant Discharge Elimination System and/or County requirements, along with additional BMPs as necessary to ensure adequate erosion and sediment control. All of these, as well as numerous other relevant BMPs, are detailed in EIR Table 1-2 and Chapter 7.0. Their discussion and required implementation not only demonstrate an understanding of potential adverse impacts without their use, but also

COMMENTS	RESPONSES
	ensure that proper actions would be taken to render impacts less than significant.

COMMENTS	RESPONSES

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vegetative cover following construction. Measurements and estimates using a mathematical model (Revised Universal Soil Loss Equation Version 2, RUSLE2) indicate 30 to more than 1000 times as much soil loss after compared to before clearing. Therefore, one year of construction with no or inferior erosion controls can release into the environment as much sediment loading as occurred over decades or even centuries before the piece of land was cleared.

DEIR Appendix M-3, in its Appendix 1, tabulates pre- and post-development slope and land cover data in basins that it labels 1-3. Basins 1 and 2 would contain the great majority of the proposed development. The tables show that in the pre-development state most of Basins 1 and 2 have "steep" topography (> 10 percent slope) with "natural" land cover. They further indicate that the majority of these steep, natural areas will be subject to construction disturbance and converted to impervious surfaces and landscaping. Please refer to Table 1 below for a quantitative summary. Whereas 82.3 percent of the steeply sloping areas in two basins are now natural, that percentage would decline to 33.7 after development. The developed steep, natural area disturbed is projected to total 46.26 acres.[1] According to the Appendix M-3 tables, developed land (impervious and landscaping) will total 63.92 acres in these two basins. Thus, the majority of the development (72.4 percent)[2] will be carved out of the steepest slopes. These findings reinforce the need to perform more analysis and development of protective strategies through a SWPPP.

O4b-5

Table 1. Summary of "Steep" Area (> 10 percent) Land Cover Conversion from Natural to Developed[a]

Basin	Land Cover	Pre-Development		Post-Development	
		Area (acres)	% of Basin	Area (acres)	% of Basin
1	Natural	65.42	80.6	30.15	37.1
	Developed	0.26	0.3	13.07	16.1
2	Natural	13.00	92.0	0	0
	Developed	0	0	2.01	14.2
Total	Natural	78.42	82.3	32.16	33.7
	Developed	0.26	0.3	15.08	15.8

[a] Total Basin 1 and 2 areas are 81.21 and 14.13 acres, respectively. The balance of the areas not included in this table is in other slope classes (flat, 0-5%; or moderate, 5-10%) in Basins 1 and 2 and in a third, small (< 2 acres) Basin 3. This basin was not included in the analysis because handwritten notations in Appendix M-3 raise doubts about the actual numbers.

Going further into the matter of slope as an important determinant of erosion, using just three slope categories in a situation involving steep topography is an inadequate basis. RUSLE2 estimates soil loss potential according to variables representing rainfall characteristics, soils, slope length, vegetation cover, BMPs, and contributing area, in addition to slope steepness. All other factors being equal, the equation predicts the approximate increases in soil loss at different slope gradients given in Table 2. It can be seen that the rate of soil loss escalates greatly with

[1] The difference of 78.42 acres existing before development minus the 32.16 acres remaining after construction = 46.26 acres.
[2] (46.26/63.92) x 100 = 72.4%.

COMMENTS	RESPONSES

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increasing gradient. The Geology Map indicates that slopes in the upper ranges of Table 2 do exist in the area to be disturbed for development. Their presence and the related high potential soil loss further support my position that full analysis and construction SWPPP development, followed by assessment by the County and the public, should proceed before the project moves forward.

Table 2. Comparison of Estimated Soil Loss as Slope Increases from 3 Percent

Slope (%)	Estimated Soil Loss Compared to 3% Slope[a]
6	1.8 times
10	3.0 times
14	4.7 times
20	7.0 times
25	8.9 times
30	10.7 times

[a] From Table4-3 of Renard, K.G., G.R. Foster, G.A. Weesies, D.K. McCool, and D.C. Yoder. 1997. Predicting Soil erosion by Water: A Guide to Conservation Planning with the Revised Universal Soil Loss Equation (RUSLE). Agricultural Handbook No. 703, U.S. Department of Agriculture, Washington, DC. The example is for a slope 50 ft in length.

O4b-5

Soils and Hydrology

Beyond paying little attention to the topographic challenges to limiting sediment export during construction, the applicant has likewise given little emphasis to the site's soils. As pointed out earlier, soils information has been derived only from the NRCS soil survey. Site-specific soils characterization is entirely lacking. Without thorough attention to the exact soils that will be disturbed and their relevant characteristics, it is impossible to make a proper assessment of erosiveness and the BMPs that will be necessary to prevent or mitigate it. The soils investigation outlined above should be performed and fully taken into account in site analysis and SWPPP development.

O4b-6

Producing a truly site-specific SWPPP will require hydrologic modeling of flows to be generated during construction; passed through on-site conveyances; probably held in basins or tanks for flow control, sedimentation and possibly other treatment; and then discharged. This modeling should be performed with SDHM. Resource protection demands that flows are estimated as well as possible to avoid erosion of conveyance channels, to size equipment correctly, and to protect Escondido Creek from high discharges during construction.

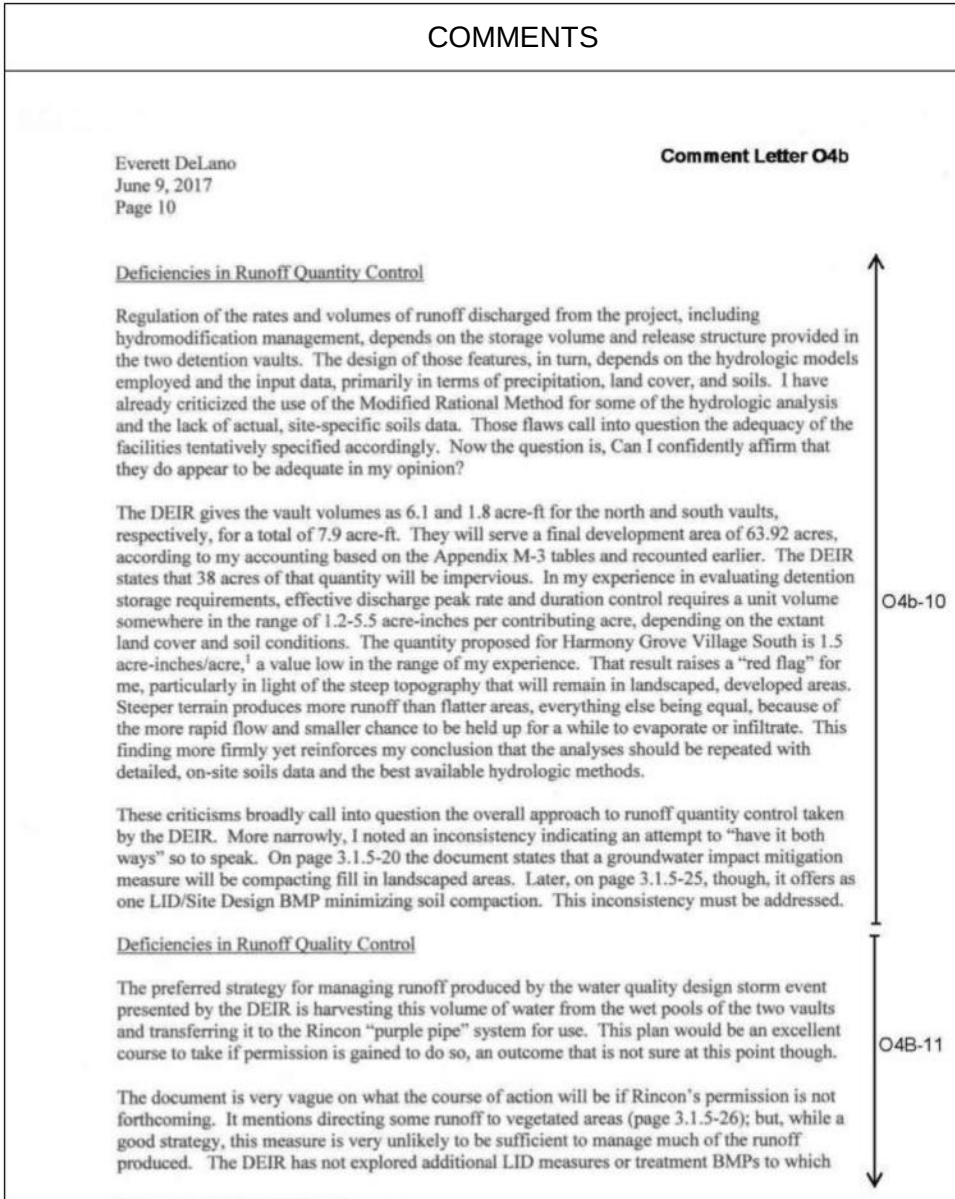
The County should not move further with this project until these construction-phase soils and hydrology assessments occur. They must then be incorporated in a project-specific SWPPP, along with the topographic considerations, for proper judgment of an Environmental Impact Report by County staff and citizens.

Response to Comment O4b-6

This statement mis-characterizes the Project geotechnical evaluation. Please see Response to Comment O4b-4 and refer to the site specific geotechnical report prepared by Geocon Inc. under Technical Appendix I of the EIR. Please refer to Responses to Comments O4b-3 and O4b-5 regarding the full understanding and timing of the site-specific SWPPP.

COMMENTS	RESPONSES
 Comment Letter O4b Negative Aquatic Ecological Effects of Increased Sediment Transport Increased sediment transport into streams and estuaries has numerous ecological consequences, including: • Covering and seeping into the gravels where fish spawn and eggs develop; in filling the pore spaces, sediments restrict the flow of water carrying dissolved oxygen, resulting in asphyxiation of the young; • Covering the stones serving as habitat for fish food sources (e.g., insects, algae); • Filling pools where fish rest and feed; • Reducing visibility, making it harder for fish to find food and avoid predators; • Reducing light penetration to underwater plants and algae; • Abrading the soft tissues of fish, especially gills; and • Transporting other pollutants present in the soil or picked up in transport. O4b-7 Soils generally contain nutrients such as phosphorus and nitrogen that fertilize plants and algae. These nutrients are transported along with eroded soil. When they enter natural water bodies and raise the amounts of these substances present in the water, they can stimulate increased growths of algae and aquatic plants, a process known as eutrophication. In these circumstances the forms of algae tend to change from single-celled organisms to filamentous forms, which are less desirable for several reasons. They are generally an inferior food source for wildlife; clog water intakes, conveyances, and boat motors; and foul beaches when they wash up on them. When the increased masses of algae die, bacteria decomposing them exert a large demand on the oxygen dissolved in the water and reduce the amount available for fish. It is not unusual for a eutrophic lake or estuary to have little or no oxygen in the colder waters at the bottom and reduced oxygen even near the surface. Escondido Creek is listed under CWA Section 303(d) as impaired for orthophosphates and total nitrogen, nutrients transported by eroded soil particles. San Elijo Lagoon is listed for eutrophication under the same authority. Sediment transport from Harmony Grove Village South will aggravate those conditions if the construction site is not very well controlled. Additional Construction-Phase Considerations The information available indicates that Harmony Grove Village South will be a construction challenge from the standpoint of steep topography. It is not known with the available information how much challenge soils and hydrology will present. The topographic considerations alone merit strong consideration of extraordinary sediment control methods O4b-8	**Response to Comment O4b-7** The general sediment concerns listed in this comment are noted. Please note, however, that this comment does not distinguish between fine sediments, which can have detrimental effects on downstream aquatic life, and coarse sediment, which is valuable to replenish downstream watercourses and beaches. A Project-specific SWPPP will be prepared during the Final Engineering/Design stage of the Project, to address fine sediment transport during construction phase of the Project. Also, modular wetland systems will be employed to remove fine sediments in the post construction phase. Please note that the Project-specific Priority Development Project Priority Development Project Storm Water Quality Management Plan (SWQMP) also addresses Critical Coarse Sediment Yield Areas that need to be preserved, avoided, and bypassed in order to maintain the integrity of downstream facilities that require coarse sediment to stabilize downstream watercourses and replenish area beaches. **Response to Comment O4b-8** A Project-specific SWPPP will be prepared during the Final Engineering/Design stage of the Project, which will address sediment and erosion prevention measures and monitoring requirements during the construction phase of the Project in accordance with the Statewide General Construction Storm Water Permit requirements.

COMMENTS	RESPONSES
 Comment Letter O4b during construction. All of these options, described immediately below, should be seriously considered in developing the SWPPP. Strategic construction management offers cost-effective potential options, such as: (1) performing all ground-disturbing work in the dry season, stabilizing disturbed surfaces, and then working off the ground in the wet season; (2) greatly limiting the area disturbed at any one time; and (3) self-containing disturbed areas so that they cannot possibly flow out. The latter strategy can be applied at different space and time scales. For example, on the large scale, an entire area can be channeled to a large depression for evaporation and infiltration of runoff. On the small scale, a short slope above a completed curb can drain to a recess below the curb level. On the medium level, soil stockpiles can be placed within a recess sufficient to contain drainage from them. These measures can be established briefly, until an area is stabilized, or for a longer period while extensive work occurs in the contributing drainage area. Appropriate hydrologic analysis is needed to be sure that containment areas are large enough not to drain out during foreseeable conditions. O4b-8 Another measure that should be strongly considered at Harmony Grove Village South is active treatment of any sediment-laden runoff that will discharge from the site. Active treatment goes beyond passive solids settlement to apply physical and/or chemical agents to capture particles. Two methods are widely utilized in the Pacific Northwest and found to be highly effective in reducing solids and other pollutants encountered in construction: (1) chitosan-enhanced sand filtration (CESF), and (2) electrocoagulation (EC). CESF uses a natural polymeric material derived from shellfish waste to flocculate particles to a denser form for improved success in settling and filtering. EC employs electric charge for the same purpose. Both can be, and frequently are, fitted with additional treatment units to target special pollutants, such as carbon adsorption to reduce organic pollutants in dewatering flows from contaminated groundwater. O4b-9 The preceding discussion has emphasized the sediment that may issue from the construction site and compromise receiving water quality and aquatic life. Just as the DEIR is incomplete in covering this area, it is equally vague on construction site pollutants besides sediments. These materials include construction materials; wastes produced; and pollutants associated with vehicles and other mechanized equipment, such as fuels, lubricants, and cleaning materials. These substances can introduce toxic pollutants to storm runoff, and Escondido Creek is already Section 303(d)-listed for toxicity. The SWPPP that I have recommended be produced and evaluated before further project consideration should fully detail the BMPs that will be used to control pollutants from these sources. DEFICIENCIES IN POST-CONSTRUCTION STORMWATER MANAGEMENT MEASURES O4b-10 Several defects in the DEIR's prescriptions for post-construction stormwater management stem, to a large extent, from the failures in hydrologic modeling and soils characterization described earlier. This portion of my letter elaborates on these deficiencies.	**Response to Comment O4b-9** The Project-specific SWPPP prepared during final engineering will evaluate construction BMPs to address sediment and erosion control during construction and will also evaluate BMPs to address construction materials, wastes, and pollutants associated with vehicles, trash, debris, portable toilets, etc. Additionally, the General Construction Permit requires projects to implement a wet-weather Monitoring and Reporting protocol, which includes sampling of stormwater discharges during significant storm events and having the samples tested for specific visible and nonvisible pollutants, such as volatile organic compounds, metals, oil and grease, and total suspended solids by a certified testing laboratory. The results of this monitoring program are reported to the Regional Water Quality Control Board. **Response to Comment O4b-10** This comment mis-characterizes the Project studies relative to flow control and flow duration control. The proposed vaults have been designed using continuous simulation modeling in accordance with the San Diego Hydrology Model not the Modified Rational Method. This model takes into account historic rainfall data and runs continuous simulation modeling accounting for slope, land cover, vegetation, and soil conditions. It is noted that the Project modeling provided a number within the range the commenter said is typical for the area. Please refer to the Preliminary Hydromodification Management Study, EIR Technical Appendix M-3. The Preliminary Hydromodification Management Study will be further refined and updated at the Final Engineering/Design phase of the Project.

COMMENTS	RESPONSES
	**Response to Comment O4b-11** Refer to page 23 of the Project *Storm Water Quality Management Plan,* technical Appendix N of the EIR. Should the concept of harvest and reuse not be viable for the Project, a series of biofiltration basins will be incorporated within the Project's graded footprint (via the reconfiguration of residential pads) to meet the County's BMP Design Manual requirements for detention, water quality, and hydromodification management controls.

COMMENTS	RESPONSES
Comment Letter O4b Everett DeLano June 9, 2017 Page 11 runoff discharged from the vault wet pools would be directed if it cannot be harvested. This subject should be covered as a contingency if harvesting does not work out, and firm commitments should be expressed. As I elaborate in the following section of my letter, the DEIR has given short shrift to LID possibilities. Water in the vault wet pools should either be kept from discharging to Escondido Creek by one or more LID measures or highly treated if it does discharge. The available performance data on wet vaults shows relatively poor pollutant capture.[1] The document should be upgraded to specify what type of management would supplement the vaults with the failure of harvesting and what level of performance it can be expected to provide. This information is essential for the County and citizens for their full assessment of the proposed project and should be supplied before any decision making. O4b-11 Deficiencies in Consideration of Low Impact Development Measures LID techniques are methods of reducing the quantity of runoff generated above that produced by the pre-existing natural landscape and improving the quality of any remnant. They thus cut across both of the broad areas of stormwater management, water quantity and water quality control. Over the years in my practice I have developed the tabulation of LID (also known as green stormwater infrastructure, GSI) practices in Attachment B. A comparison of this table with the practices incorporated in the Harmony Grove Village South DEIR (pages 3.1.5-24 through 26) indicates that the proponent has omitted the entire categories of "Practices for temporary runoff storage followed by infiltration and/or evapotranspiration" and "GSI landscaping". In my opinion this omission has been with far too little consideration, and no informed assessment at all. The first category in question includes 10 types of practices structured to reduce the quantity of surface runoff, to a greater or lesser degree, through infiltration to the soil and evaporation to the atmosphere. They generally involve installing an amended soil (the GSI landscaping category) if the natural soils provided by the site do not maximize infiltration and evaporation potential. In my experience most soils can be successfully amended, excepting the clays and silty clays, which excessively restrict water passage, and the coarse sands, which can convey contaminated runoff too rapidly to groundwater. O4b-12 DEIR Appendix M-3 (pages 7-8) has a brief passage regarding the consideration given to these practices: > The majority of the site's soils are Soil Type C. Type C soils have slow infiltration rates. … on the order of 0.1 inches per hour. … The project geotechnical engineer has recommended that this project not pursue infiltration as a stormwater treatment method. [1] One study found reductions of only 36 percent for total suspended solids, 13 percent for total recoverable copper, 26 percent for total recoverable zinc, and 7 percent for total phosphorus. Source: Shapiro and Associates, Inc. 1999. Lakemont Stormwater Treatment Facility Monitoring Program. Draft Final Report.	**Response to Comment O4b-12** A site-specific geotechnical report (see Appendix I to EIR) was prepared for the Project and the recommendations of this report were followed for the design of the stormwater treatment facilities. Again, this comment mischaracterizes the report soils data; please refer to Response to Comment O4b-4 for clarification. Harvest and reuse is proposed for the Project, in addition to site design and source control measures to minimize pollutants in stormwater runoff. The Catalogue of Green Storm Water Infrastructure (GSI) Practices shown in Attachment B to the letter are noted. A number of these practices are already part of Project design (e.g., under "Conservation site design," "Conservation construction," and Practices for temporary runoff storage followed by infiltration."

COMMENTS	RESPONSES

Hydrologic Group C soils are one of four categories ranging from the least restrictive to water percolation (A) to the most restrictive (D). The view expressed in this appendix, and reflected through the entire DEIR, is conditioned on completely relying on the NRCS soil survey and not investigating the actual site soils. Furthermore, the NRCS (2007)[1] itself disagrees with the DEIR's categorically pessimistic view of the achievable infiltration rate in such soils, stating, "The saturated hydraulic conductivity in the least transmissive layer between the surface and 20 inches is between 0.14 and 1.42 inch per hour." O4b-12

Beyond these analytical flaws, the DEIR ignores the potential for soil amendment, if needed, to improve conditions substantially to achieve major runoff reduction. It further ignores the boost to runoff decrease afforded by evaporation and plant transpiration (together termed evapotranspiration). These factors are important in the San Diego regional climate, where warm weather often follows rainfall, boosting evaporation so that infiltration is not the only mechanism operating to reduce runoff. O4b-13

The premature dismissal of the entire suite of LID techniques that can reduce or even eliminate contaminated urban runoff discharge should be redressed in the final EIR, with the consideration based on full characterization of the site's soils and the investigation of all relevant aspects, such as possible soil amendment and the role of evapotranspiration. This assessment should be made even if harvesting would be a certainty, because of the vault cost savings that would likely result, but especially if harvesting is at all unsure. Furthermore, vegetated LID features like rain gardens can be aesthetic landscape amenities and habitat for pollinator organisms, and thus serve multiple benefits in an urban environment. In my opinion the County should not move forward with rezoning or any other actions advancing the project until the proponent completes this and the various other work items I have recommended in this letter. O4b-14

I would be pleased to answer any questions you may have and invite you to contact me if you wish.

Sincerely,

Richard R. Horner

Richard R. Horner

Attachments: A. Background and Experience; Richard R. Horner, Ph.D.
B. Catalogue of Green Storm Water Infrastructure ("GSI") Practices

[1] Natural Resource Conservation Service. 2007. Part 630, Hydrology, National Engineering Handbook, Chapter 7, Hydrologic Soil Groups. U.S. Department of Agriculture, Washington, DC.

Response to Comment O4b-13

Drainage facilities designs are analyzed in the Project's technical reports; refer to technical Appendices M-1 through M-4 and N (CEQA Preliminary Hydrology/Drainage Report, Preliminary Hydromodification Screening Analysis, Preliminary Hydromodification Management Study, Hydraulic Floodplain Analysis, and Priority Development Project SWQMP, respectively). These reports have been prepared and approved in accordance with County of San Diego regulations. Refer to the approved SWQMP for documentation of mitigative measures employed to address water quality concerns as part of Project design. Also refer to the FEIR Section 3.1.4, *Hydrology/Water Quality*. The Project has also met the landscaping and open space requirements per County regulations, which will result in providing the benefits of evapotranspiration for water quality. Soil amendments will likely be used in on-site landscape areas as well.

Response to Comment O4b-14

The design of the drainage facilities is analyzed in the Project's County-approved technical reports (refer to EIR Appendices M-1 through M-4 and N as listed and described in Response to Comment O4b-13). Also refer to the FEIR Section 3.1.4, *Hydrology/Water Quality.*

COMMENTS	RESPONSES
Comment Letter O4b **Attachment A. Background and Experience** RICHARD R. HORNER, PH.D. I have 50 years of professional experience, 44 teaching and performing research at the college and university level. For the last 39 years I have specialized in research, teaching, and consulting in the area of storm water runoff and surface water management. I received a Ph.D. in Civil and Environmental Engineering from the University of Washington in 1978, following two Mechanical Engineering degrees from the University of Pennsylvania in 1965 and 1966. Although my degrees are all in engineering, I have had substantial course work and practical experience in aquatic biology and chemistry. For 12 years beginning in 1981, I was a full-time research professor in the University of Washington's Department of Civil and Environmental Engineering. From 1993 until 2011, I served half time in that position and had adjunct appointments in two additional departments (Landscape Architecture and the College of the Environment's Center for Urban Horticulture). I spent the remainder of my time in private consulting through a sole proprietorship. My appointment became emeritus in late 2011, but I continue university research and teaching at a reduced level while maintaining my consulting practice. My research, teaching, and consulting embrace all aspects of stormwater management, including determination of pollutant sources; their transport and fate in the environment; physical, chemical, and ecological impacts; and solutions to these problems through better structural and non-structural management practices. I have conducted numerous research investigations and consulting projects on these subjects. Serving as a principal or co-principal investigator on more than 40 research studies, my work has produced three books, approximately 30 papers in the peer-reviewed literature, and over 20 reviewed papers in conference proceedings. I have also authored or co-authored more than 80 scientific or technical reports. In addition to graduate and undergraduate teaching, I have taught many continuing education short courses to professionals in practice. My consulting clients include federal, state, and local government agencies; citizens' environmental groups; and private firms that work for these entities, primarily on the West Coast of the United States and Canada but in some instances elsewhere in the nation. Over a 17-year period beginning in 1986 I spent a major share of my time as the principal investigator on two extended research projects concerning the ecological responses of freshwater resources to urban conditions and the urbanization process. I led an interdisciplinary team for 11 years in studying the effects of human activities on freshwater wetlands of the Puget Sound lowlands. This work led to a comprehensive set of management guidelines to reduce negative effects and a published book detailing the study and its results. The second effort involved an analogous investigation over 10 years of human effects on Puget Sound's salmon spawning and rearing streams. These two research programs have had broad sponsorship, including the U.S. O4b-15	**Response to Comment O4b-15** This attachment is the resume for the author of Response to Comment Letter O4-b. It is not further addressed.

COMMENTS	RESPONSES
Comment Letter O4b Environmental Protection Agency, the Washington Department of Ecology, and a number of local governments. I have helped to develop stormwater management programs in Washington State, California, and British Columbia and studied such programs around the nation. I was one of four principal participants in a U.S. Environmental Protection Agency-sponsored assessment of 32 state, regional, and local programs spread among 14 states in arid, semi-arid, and humid areas of the West and Southwest, as well as the Midwest, Northeast, and Southeast. This evaluation led to the 1997 publication of "Institutional Aspects of Urban Runoff Management: A Guide for Program Development and Implementation" (subtitled "A Comprehensive Review of the Institutional Framework of Successful Urban Runoff Management Programs"). My background includes 23 years of work in California, where I have been a federal court-appointed overseer of stormwater program development and implementation at the city and county level and for two California Department of Transportation districts. I was directly involved in the process of developing the 13 volumes of Los Angeles County's Stormwater Program Implementation Manual, working under the terms of a settlement agreement in federal court as the plaintiffs' technical representative. My role was to provide quality-control review of multiple drafts of each volume and contribute to bringing the program and all of its elements to an adequate level. I have also evaluated the stormwater programs in San Diego, Orange, Riverside, San Bernardino, Ventura, Santa Barbara, San Luis Obispo, and Monterey Counties, as well as a regional program for the San Francisco Bay Area. At the recommendation of San Diego Baykeeper, I have been a consultant on stormwater issues to the City of San Diego, the San Diego Unified Port District, and the San Diego County Regional Airport Authority. I was a member of the National Academy of Sciences-National Research Council ("NAS-NRC") committee on Reducing Stormwater Discharge Contributions to Water Pollution. NAS-NRC committees bring together experts to address broad national issues and give unbiased advice to the federal government. The present panel was the first ever to be appointed on the subject of stormwater. Its broad goals were to understand better the links between stormwater discharges and impacts on water resources, to assess the state of the science of stormwater management, and to apply the findings to make policy recommendations to the U.S. Environmental Protection Agency relative to municipal, industrial, and construction stormwater permitting. My principal contribution to the committee's final report, issued in October 2008, was the chapter presenting the committee's recommendations for broadly revamping the nation's stormwater program. O4b-15	

COMMENTS	RESPONSES

Comment Letter O4b

Attachment B
Catalogue of Green Storm Water Infrastructure ("GSI") Practices

Category	Definition	Examples
Source control	Minimizing pollutants or isolating them from contact with rainfall or runoff	• Substituting less for more polluting products • Segregating, covering, containing, and/or enclosing pollutant-generating materials, wastes, and activities • Avoiding or minimizing fertilizer and pesticide applications • Removing animal wastes deposited outdoors • Conserving water to reduce non-stormwater discharges
Conservation site design	Minimizing the generation of runoff by preserving open space and reducing the amount of land disturbance and impervious surface	• Cluster development • Preserving wetlands, riparian areas, forested tracts, and porous soils • Reduced pavement widths (streets, sidewalks, driveways, parking lot aisles) • Reduced building footprints
Conservation construction	Retaining vegetation and avoiding removing topsoil or compacting soil	• Minimizing site clearing • Minimizing site grading • Prohibiting heavy vehicles from driving anywhere unnecessary
Runoff harvesting	Capturing rainwater, generally from roofs, for a beneficial use	• Storage and distribution system for gray water and/or irrigation supply for a public building • Cistern for residential garden watering
Runoff conveyance practices	Maintaining natural drainage patterns (e.g., depressions, natural swales) as much as possible, and designing drainage paths to increase the time before runoff leaves the site	• Emphasizing sheet instead of concentrated flow • Eliminating curb-and-gutter systems in favor of natural drainage systems • Roughening land surfaces • Creating long flow paths over landscaped areas • When flow must be concentrated, using vegetated channels with flow controls (e.g., check dams)
Practices for temporary runoff storage followed by infiltration and/or evapotranspiration[a]	Use of soil pore space and vegetative tissue to increase the opportunity for runoff to percolate to groundwater or vaporize to the atmosphere	• Bioretention cell (rain garden) • Vegetated swale (channel flow) • Vegetated filter strip (sheet flow) • Planter box • Tree pit • Infiltration basin • Infiltration trench • Roof downspout surface or subsurface dispersal • Permeable pavement • Vegetated (green) roof

O4b-16

Response to Comment O4b-16

This attachment consists of storm water infrastructure common practices and is addressed in Response to Comment O4b-12.

COMMENTS	RESPONSES
Comment Letter O4b (continued) Category / Definition / Examples GSI landscaping[b] — Soil amendment and/or plant selection to increase storage, infiltration, and evapotranspiration — • Organic compost soil amendment • Native, drought-tolerant plantings • Reforestation • Turf conversion to meadow, shrubs, and/or trees [a] Some of these practices are also conventional storm water BMPs but are GSI practices when GSI landscaping methods are employed as necessary to maximize storage, infiltration, and evapotranspiration. The first five examples can be constructed with an impermeable liner and an underdrain connection to a storm sewer, if there is a good reason to do so (see further discussion later). Vegetated roofs store and evapotranspire water but offer no infiltration opportunity, unless their discharge is directed to a secondary, ground-based facility. [b] Selection of landscaping methods depends on the GSI practice to which it applies and the storm water management objectives, but amending soils unless they are highly infiltrative and planting several vegetation canopy layers (e.g., herbaceous growth, shrubs, and trees) are generally conducive to increasing storage, infiltration, and evapotranspiration. O4b-16	

COMMENTS	RESPONSES
 **Comment Letter O4c** HAMILTON BIOLOGICAL June 19, 2017 Everett DeLano DeLano & DeLano 220 W. Grand Ave. Escondido, CA 92025 **SUBJECT: REVIEW OF BIOLOGICAL RESOURCE ISSUES DRAFT EIR FOR THE PROPOSED HARMONY GROVE VILLAGE SOUTH PROJECT** Dear Mr. DeLano, At your request, Hamilton Biological, Inc., has reviewed the Draft EIR (DEIR) for the Harmony Grove Village South project, located in San Diego County, California. Specifically, I reviewed the Section 2.3 of the DEIR (Biological Resources), Section 4 of the DEIR (Project Alternatives), and Appendix E to the DEIR (Biological Technical Report). Hamilton Biological is a consultancy specializing in field reconnaissance, regulatory compliance, preparing CEQA documentation, and providing third-party review of CEQA documentation. This review has the following purposes: • To identify any areas in which the document reaches conclusions not supported by adequate field work or thorough review of the scientific literature. • To identify and discuss any biological impact analyses not consistent with CEQA, its guidelines, or relevant precedents. • To evaluate the project's "edge effects" upon adjacent preserved areas. • To evaluate the DEIR's analysis of cumulative impacts and the proposed project's consistency with the County's Draft North County Multiple Species Conservation Program (MSCP). • To evaluate the project alternatives to determine whether one or more of them may better protect sensitive biological resources. • To recommend changes to impact analyses, mitigation measures, and/or resource management practices to avoid or minimize to the maximum extent practicable potentially significant impacts to biological resources, as required under CEQA. It is my understanding that the firm of DeLano & DeLano has been retained by The Escondido Creek Conservancy (TECC) to represent their interests, and the faithful execution of CEQA and its Guidelines, with regard to the proposed Harmony Grove Village 316 Monrovia Avenue ~ Long Beach, CA 90803 ~ 562-477-2181 ~ robb@hamiltonbiological.com O4c-1	**Response to Comment O4c-1** These are introductory comments that identify the commenter and entities represented by the commenter. The comments are not at variance with the EIR and do not require a response.

COMMENTS	RESPONSES

South project. TECC has a long history of participating in natural lands management issues in the project vicinity, and the organization seeks to ensure that implementation of the proposed Harmony Grove Village South project would not adversely affect their past and future efforts to establish and maintain the ecological integrity of a natural habitat preserve in the local area. As described on TECC's web page[1]:

> Lands owned or managed by TECC are managed comprehensively in what we call the Escondido Creek Conservation Area (Conservation Area). In early 2015, the Conservation Area consisted of approximately 1,300 acres, including lands located throughout the Escondido Creek watershed but primarily lands located in Elfin Forest. Conservation Area lands are protected by combination of fee ownership, conservation easements, and management agreements. In keeping with TECC's founding and ongoing purpose, the primary management goal for all Conservation Area land is preservation of wildlife habitat.

O4c-1

HAMILTON BIOLOGICAL'S REVIEW PROCESS

As part of my evaluation of the DEIR and its adequacy, I participated in a visit to the site on May 18, 2017, with local resident Kevin Barnard, a TECC board member.

To help put the DEIR in context, I reviewed the following technical reports:

Technology Associates. 2008. Biological Diversity Baseline Report for the Del Dios Highlands Preserve, County of San Diego. Report dated November 4, 2008, prepared for the County of San Diego Dept. of Parks and Recreation, San Diego, CA.

This report evaluated the 469-acre Del Dios Highlands Preserve, located southwest of Escondido, west of Del Dios Highway, and northwest of Lake Hodges, adjacent to the Harmony Grove Village South project site. As discussed on Page iv of their report, field work included the following studies:

O4c-2

> ... (1) mapping of vegetation communities, (2) a floral inventory including rare plant surveys, (3) checklist butterfly surveys, (4) pitfall trapping to sample amphibians, reptiles, and small mammals, (5) avian point count surveys, (6) nocturnal avian surveys, (7) acoustic sampling and roost and foraging surveys for bats, (8) small mammal trapping using live Sherman traps, and (9) track and camera station surveys for medium and large mammals.

Dudek. 2011. Baseline Biodiversity Survey for the Escondido Creek Preserve. Report prepared for the County of San Diego Dept. of Parks and Recreation, San Diego, CA.

This report evaluated several properties covering a total of 347 acres, north and south of Elfin Forest Road and Harmony Grove Road, in the vicinity of the Harmony Grove

[1] https://escondidocreek.org/about/places-we-protect/

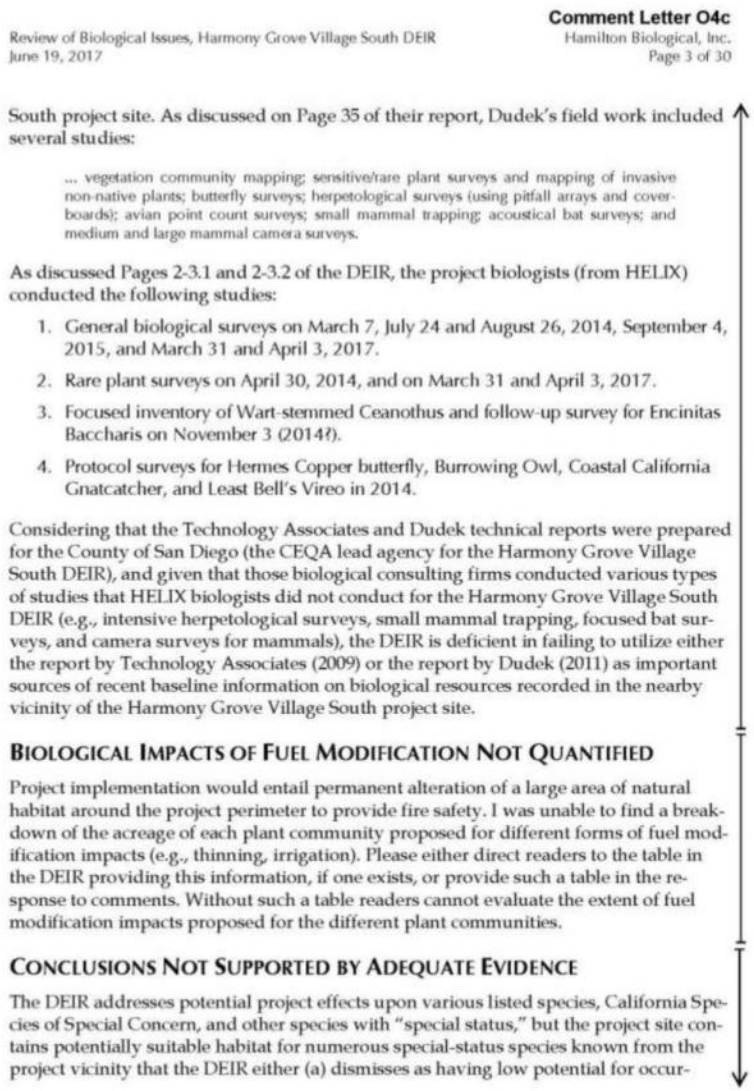
Response to Comment O4c-2

As a general comment in response to the commenter's May 18, 2017 site visit, please note that the Project site is private property and (excluding access easements to off-site homes) is not open to the public. Although entering the property for reasons other than residential access is considered trespass, the concern with entering the property without the owner's knowledge or permission makes it impossible to confirm or understand the extent of the site observed.

The biological resources scopes of work completed by other firms for the Del Dios Highlands Preserve (DDHP) and Escondido Creek Preserve referenced by the commenter are not appropriate for comparison against the scope of work required to be completed for the Project. These reports reflect comprehensive and intensive biological surveys for the purpose of gathering a complete and all-inclusive data set on biodiversity within two existing County preserves. The reports were not prepared for the purposes of establishing a baseline or analyzing potential impacts of a project in accordance with CEQA. The comprehensive and intensive level of effort to establish a complete biodiversity baseline is not required for the Project. That sort of study details every species noted on site. That is not the requirement for identification of significant impacts under CEQA, which focuses on impacts to populations under threat, and therefore required review of species identified as sensitive and the quality of habitats that support them. The County has detailed requirements for contents and standards of review for preparation of documents in compliance with CEQA. The study completed for the Project, is comprehensive and appropriate for establishing a baseline and analyzing potential impacts in accordance with CEQA and County 2010 Guidelines for Determining Significance and Report Format and Content Requirements in that the study focuses on determining presence or absence and assessing potential for occurrence of sensitive biological resources afforded protection by local, State, and federal regulations for the Project.

Numerous surveys were completed for the Project from 2014 to 2017, including all surveys required to adequately establish baseline conditions and analyze potential impacts in accordance with CEQA and County guidelines.

COMMENTS	RESPONSES
	Following the winter rains, additional rare plant and Hermes copper butterfly surveys were undertaken in 2017 that included the period when the EIR was in print or out for public review and that were therefore not referenced in the Draft EIR or by the commenter, with both efforts confirming the findings of the previous survey efforts. Specifically, the update rare plant surveys and botanical inventories were completed by qualified HELIX biologists in March, April, May, and June 2017. Although some additional common (i.e., frequently seen and not threatened) plant species were noted, no new sensitive plant species were observed and the findings are in agreement with previous surveys completed for the Project. The common plants observed [such as canchalagua or charming centaury (*Zeltnera venusta*)], do not affect significance assessments for this Project. Updated Hermes copper surveys were completed by qualified HELIX biologists in May and June 2017. No Hermes copper or additional host plant resources were observed and the findings are in agreement with previous surveys for the Project. The 34 biological surveys and other non-specific site visits conducted by Project biologists at the Project site between the years 2014 and 2017 are well in-line with what is required under CEQA and County guidelines. Based on HELIX's extensive experience in San Diego County, the number of surveys and site visits completed for the Project are above and beyond what is typically undertaken for projects with similar scope and biological resources issues. Last, both reports referenced by the commenter, in addition to other data, were reviewed for context and in establishing a baseline for the local and regional area. In fact, contrary to this comment, the studies completed for the DDHP were reviewed extensively for issues pertaining to soils, vegetation communities, and sensitive species with potential to occur in the local area. Specifically, Section 1.4.5 of Appendix E of the Draft EIR references the DDHP Resource Management Plan. The County does not agree that the Draft EIR is deficient and the Draft EIR does utilize information from these studies.

COMMENTS	RESPONSES
	**Response to Comment O4c-3** In accordance with County requirements, all fuel modification areas were identified as permanent impacts within the Draft EIR, with impacts to sensitive vegetation communities requiring compensatory mitigation (regardless of the fuel modification type). The commenter is directed to Figure 13 of Appendix E of the EIR, which depicts the distinct types of direct impacts with respect to biological resources. A breakdown of acreages by type of impact is not germane to the analysis. (In some jurisdictions, thinning, or temporary impacts may be treated as lesser impacts, with differences in required mitigation. That is not the case here.) The County is conservative, and thinning is treated like removal, and temporary impacts are treated as permanent. All the direct impacts are assessed to the same level of significance with respect to requiring compensatory mitigation. Additional discussion is provided in Sections 2.3.2.1, 2.3.2.4, 2.3.2.5, and 2.3.3 of the EIR about the wildlife functions and values expected to be retained, at least in part, within the Project's fuel modification zones. **Response to Comment O4c-4** Species not observed or otherwise detected, but determined to have a high potential to occur, are species that are not federally or State-listed as endangered or threatened. This includes California State species of special concern, County List sensitive plants, and County Group sensitive animals. In accordance with CEQA and County guidelines, the significance of an impact on these non-listed species is determined based largely on whether the impact would occur to an on-site population and/or impact the local long-term survival of the species. The potential for the Project site to support regionally significant populations of these species was analyzed and considered to be unlikely. In accordance with County requirements and CEQA, potential impacts on these species, when the impacts would not result in the loss of an on-site population or impact the local long-term survival of the species, are adequately mitigated through the implementation of habitat-based mitigation. Refer to Response O4c-2 regarding literature review and survey adequacy. The conclusions made in the EIR are based on numerous surveys and site visits, in addition to a thorough review of available data.

South project site. As discussed on Page 35 of their report, Dudek's field work included several studies:

> ... vegetation community mapping; sensitive/rare plant surveys and mapping of invasive non-native plants; butterfly surveys; herpetological surveys (using pitfall arrays and cover-boards); avian point count surveys; small mammal trapping; acoustical bat surveys; and medium and large mammal camera surveys.

As discussed Pages 2-3.1 and 2-3.2 of the DEIR, the project biologists (from HELIX) conducted the following studies:

1. General biological surveys on March 7, July 24 and August 26, 2014, September 4, 2015, and March 31 and April 3, 2017.
2. Rare plant surveys on April 30, 2014, and on March 31 and April 3, 2017.
3. Focused inventory of Wart-stemmed Ceanothus and follow-up survey for Encinitas Baccharis on November 3 (2014?).
4. Protocol surveys for Hermes Copper butterfly, Burrowing Owl, Coastal California Gnatcatcher, and Least Bell's Vireo in 2014.

O4c-2

Considering that the Technology Associates and Dudek technical reports were prepared for the County of San Diego (the CEQA lead agency for the Harmony Grove Village South DEIR), and given that those biological consulting firms conducted various types of studies that HELIX biologists did not conduct for the Harmony Grove Village South DEIR (e.g., intensive herpetological surveys, small mammal trapping, focused bat surveys, and camera surveys for mammals), the DEIR is deficient in failing to utilize either the report by Technology Associates (2009) or the report by Dudek (2011) as important sources of recent baseline information on biological resources recorded in the nearby vicinity of the Harmony Grove Village South project site.

Biological Impacts of Fuel Modification Not Quantified

Project implementation would entail permanent alteration of a large area of natural habitat around the project perimeter to provide fire safety. I was unable to find a breakdown of the acreage of each plant community proposed for different forms of fuel modification impacts (e.g., thinning, irrigation). Please either direct readers to the table in the DEIR providing this information, if one exists, or provide such a table in the response to comments. Without such a table readers cannot evaluate the extent of fuel modification impacts proposed for the different plant communities.

O4c-3

Conclusions Not Supported by Adequate Evidence

The DEIR addresses potential project effects upon various listed species, California Species of Special Concern, and other species with "special status," but the project site contains potentially suitable habitat for numerous special-status species known from the project vicinity that the DEIR either (a) dismisses as having low potential for occur-

O4c-4

COMMENTS	RESPONSES
  rence, or (b) fails to mention at all. Some species with high potential to occur are mentioned in the Setting but not accounted for in the Impact Analysis. Finally, as a result of deficiencies in both the literature review and the field surveys conducted for the DEIR, the project biologists set forth conclusions about the likely absence of various special-status species that are not supported by adequate evidence, and some that are actually contradicted by the available evidence. These are serious flaws in the CEQA documentation that require additional field work and additional analyses to remedy. O4c-4 **Plant Species** The timing of rare plant surveys excluded May/June, an important blooming period for several rare annual plants that have moderate or even high potential to occur on the project site. During a brief walk through the site's grasslands on May 18, 2017, I observed a population of several dozen native wildflowers known as Canchalagua (*Zeltnera venusta*). This is a fairly common annual plant in the region, with an extended flowering period of April to October: http://www.calflora.org/cgi-bin/species_query.cgi?where-taxon=Zeltnera+venusta Exhibits 1 and 2, below, are photos of Canchilagua, both the common pink form and the less prevalent white form, taken on the site:  O4c-5 **Exhibits 1 (left) and 2 (right).** Canchalagua flowers, both pink and white forms, photographed on the project site in annual grassland near one of the central stands of coastal sage scrub, on May 18, 2017. The list of plant species that the project biologists observed on the project site, provided as Appendix C to the biological technical report (Appendix E to the DEIR), does not include this conspicuous wildflower, which was hard to miss during my brief, mid-May walk on the site. In my opinion, a rare plant survey effort inadequate to find this annual wildflower cannot be considered adequate to detect various truly rare species that (a) have much shorter flowering periods, (b) typically flower later in the season than the surveys were completed, and (c) may not have flowered at all during the drought spring of 2014, when the main floral surveys for the project were conducted.	The commenter provides no specifics about the evidence alleged to be lacking or contradictory to the conclusions made, or the special status species that is of concern. Therefore, no further focused response is required. **Response to Comment O4c-5** Rare plant surveys and botanical inventories were completed for the Project in April, August and November 2014, and were conducted concurrent with other survey efforts in 2014, 2015, 2016 and 2017. Following the 2016/2017 rains that broke the drought, additional botanical inventories were completed in March, April, May and June 2017. These post-drought surveys were completed specifically to ensure that previously mapped conditions were not the result of dry years, and the results bore this out. This information has been updated in the Final EIR Subchapter 2.3, *Biological Resources*, on page 2.3-2 regarding 2017 survey dates and purpose. The 2017 surveys were consistent with the results from previous years. Again, it should be noted that the Project site is private property and (excluding access easements to off-site homes) is not open to the public. Entering the property for reasons other than residential access is considered trespass and entering the property without the owner's knowledge or permission makes it impossible to confirm or understand the extent of the site observed. The commenter references an observation of a single common annual plant, Canchalagua (*Zeltnera venusta*) during a May 18, 2017 unauthorized site visit. This is not a rare plant, but rather, as the comment states, a common annual. This common plant was in fact observed during the additional post-drought rare plant surveys completed for the Project in May and June 2017. Therefore, the observation of this plant is consistent with the findings of the additional rare plant surveys completed for the Project in May and June 2017, which further confirms the findings of the previous survey efforts. The plant species compendium for the Project in the Biological Resources Technical Report Appendix A has been updated and can be found in Appendix E to the EIR.

COMMENTS	RESPONSES

Furthermore, the Biological Resources section of the DEIR discounts the potential for several plants to occur on the site due to putative lack of clay soils, yet Table 3.1.2-1 on Page 3.1.2-14 of the DEIR clearly states that project geologists have identified clay soils with "High" expansion potential on the project site:

Huerhuero	Moderately well-drained loam with a clay subsoil derived from marine sediments. Occurs on shallow to moderate slopes along the west-central site boundary.	High	Strongly acidic to neutral (pH 5.1 to 7.8)	Low to moderate
Las Posas	Well-drained, moderately deep stony fine sandy loam with a clay subsoil derived from igneous rock. Occurs on shallow to moderate slopes in the northeastern central and southern portions of the site.	High	Neutral (pH 6.6 to 7.3)	Moderate

O4c-6

Page 3.1.2-10 the Geology and Soils section of the DEIR states:

> Soil conditions encountered on site range from very low expansive silty sands, to potentially highly expansive topsoil, alluvium and/or colluvium containing clay materials. Specifically, several mapped on-site soils exhibit moderate or high expansion potential (refer to Table 3.1.2-1), and the Project geotechnical investigations identify the presence of clay soils in alluvium and note that observed colluvial deposits "...generally possess low to high expansion potential..." Accordingly, a number of standard measures are identified to address potential expansion impacts.

The documented presence of two types of clay soils on the site flatly contradicts the DEIR's assertions that certain rare plants have low potential to occur on the site due specifically to lack of clay soils.

The following discussions address rare plant species that have legitimate (i.e., moderate or high) potential to occur on the site, but that the DEIR dismisses as having "very low" potential to occur (or that the DEIR fails to mention at all).

O4c-7

***Brodiaea filifolia* – Thread-leaved Brodiaea.** California Native Plant Society (CNPS) List 1B.1. This federally threatened and state endangered bulbiferous annual herb is found mainly in grasslands. Dudek (2011) considered this plant to have "moderate potential to occur" in grasslands elsewhere in the project vicinity (Page D-3). Appendix E to the DEIR characterizes this plant as having "very low" potential for occurrence: "No clay soils or vernal pools occur on site. Species would have been observable during the April 2014 survey if present." As noted previously, however, the DEIR also states that clay soils do occur on the site. In San Diego County, 2014 was the third consecutive drought year, and so annual herbs like Thread-leaved Brodiaea may have been difficult to find, or possibly did not bloom at all. Furthermore, this species blooms mainly in May and June, months in which no floral surveys of the project site were conducted.

Response to Comment O4c-6

Please refer to Response to Comment O4c-5 regarding timing of Project surveys. These surveys included targeted and comprehensive inspections of the Project site for plant species and confirmed the absence of the plants mentioned by the commenter. The cited EIR text is accurate. The analysis of soils with respect to having clay components was considered in determining potential to occur for plant species. Many of the sensitive plants mentioned by the commenter in subsequent comments are more associated with specific clay soil series than they are with other soils containing clay inclusions. For example, in San Diego, Orange, and Los Angeles Counties, it has been well documented that occurrences of thread-leaved Brodiaea are highly correlated and therefore have a high potential to occur in association with specific clay soil series such as, but not limited to: Alo, Altamont, Auld, and Diablo or clay lens inclusions in a matrix of loamy soils such as Fallbrook, Huerhuero, and Las Flores series, which occur on mesas and hillsides with gentle to moderate slopes, or in association with vernal pools (USFWS 201176 FR 6854; DOI 2011 50 CFR Part 17). Considering the soil requirements for this species in San Diego County, the Project site lacks all of them, except for the portion supporting Huerhuero soils, which is limited to a very small area along the western boundary of the site, as depicted on Figure 7 of Appendix E. No thread-leaved Brodiaea or other sensitive plant species were observed in this or any other area on the Project site during Project surveys. Regardless of the potential to occur determinations and soil conditions encountered, the floristic surveys completed throughout the Project site, and especially those completed in post-drought and optimal conditions in May and June 2017, confirmed the absence of the species mentioned by the commenter.

Response to Comment O4c-7

Refer to Response to Comment O4c-5 regarding timing of surveys, and Response to Comment O4c-6 regarding the absence of this species and clay soils. Refer to Appendix C of Appendix E of the EIR for a summary determination of the potential for this and other species to occur on the Project site.

COMMENTS	RESPONSES

Note that 30 out of 34 dated records in Calflora from San Diego County are from May 1 or later:

http://www.calflora.org/entry/observ.html#srch=t&lpcli=t&taxon=Brodiaea+filifolia&cch=t&inat=r&cc=SDG

Based on these considerations, and failure to detect Canchalagua flowers that were readily detectable on May 18, 2017, the project biologists lack adequate evidence to determine the status of Thread-leaved Brodiaea on the project site.

O4c-7

***Brodiaea orcuttii* – Orcutt's Brodiaea.** CNPS List 1B.1. This bulbiferous annual herb is found mainly in grasslands near vernal pools or streams. Dudek (2011) considered this plant to have "high potential to occur" in the project vicinity (Page D-3). Appendix E to the DEIR characterizes this plant as having "very low" potential for occurrence: "No suitable clay soils or vernally moist habitat occur on the site." As noted previously, however, the DEIR states that clay soils do occur on the site, and the site also includes seasonal swales and a perennial creek, both of which qualify as "vernally moist" habitats consistent with this species' habitat requirements. In San Diego County, 2014 was the third consecutive drought year, and so annual herbs like Orcutt's Brodiaea may have been difficult to find, or possibly did not bloom at all. Furthermore, this species blooms mainly in May and June, months in which no floral surveys of the project site were conducted. Note that 89 out of 111 dated records in Calflora from San Diego County are from May 1 or later:

http://www.calflora.org/entry/observ.html#srch=t&lpcli=t&taxon=Brodiaea+orcuttii&cch=t&inat=r&cc=SDG

The DEIR also fails to note that the iNaturalist contains a photographic record for Orcutt's Brodiaea dated May 24, 2013, attributed to the study area for the project:

http://www.inaturalist.org/observations/277682#activity_comment_927424

The iNaturalist page randomizes the locations of special-status species to within 10 km of the reported observation site, and I confirmed with the finder that this record did not take place at the location shown on the map. Nevertheless, this photographic record from the project vicinity should have been acknowledged and discussed in the DEIR.

Based on these considerations, and failure to detect Canchalagua flowers that were readily detectable on May 18, 2017, the project biologists lack adequate evidence to determine the status of Orcutt's Brodiaea on the project site.

O4c-8

***Acanthomintha ilicifolia* - San Diego Thorn Mint.** CNPS List 1B.1. Coastal sage scrub and chaparral; small herb. Appendix E to the DEIR characterizes this plant as having "very low" potential for occurrence: "Suitable clay soils do not occur on the site. Species would have been observable during the April 2014 survey if present." As noted previously, however, the DEIR also states that clay soils do occur on the site. In San Diego County, 2014 was the third consecutive drought year, and so annual herbs like San Diego Thorn Mint may have been difficult to find, or possibly did not emerge at all. Furthermore, this species blooms mainly in May and June, months in which no floral sur-

O4c-9

Response to Comment O4c-8

Refer to Response to Comment O4c-6 regarding clay soils. The focus of the Project studies is the site, and species found there. The observations reported to the iNaturalist website by the user, "snakeinmypocket," are anecdotal and the location is not accurate. This species was not observed on the Project site during any of the 34 surveys and site visits completed for the Project from 2014 through 2017. Refer to Appendix C of Appendix E of the EIR for a summary determination of the potential for this and other species to occur on the Project site.

Response to Comment O4c-9

Refer to Response to Comment O4c-6 regarding clay soils and the absence of this species, and Response to Comment O4c-5 regarding post-drought surveys. Refer to Appendix C of Appendix E of the EIR for a summary determination of the potential for this and other species to occur on the Project site.

COMMENTS	RESPONSES

veys of the project site were conducted. Note that 52 out of 62 dated records in Calflora from San Diego County are from May 1 or later:

http://www.calflora.org/entry/observ.html#srch=t&lpcli=t&taxon=Acanthomintha+ilicifolia&cch=t&inat=r&cc=SDG

O4c-9

Based on these considerations, and failure to detect Canchalagua flowers that were readily detectable on May 18, 2017, the project biologists lack adequate evidence to determine the status of San Diego Thorn Mint on the project site.

***Calandrinia breweri* – Brewer's Calandrinia.** CNPS List 4.2. This plant is not mentioned in the DEIR, but could occur on the project site, especially in disturbed soils or recently burned areas. In the project vicinity, Brewer's Calandrinia is known from the Del Dios Highlands County Preserve:

http://ucjeps.berkeley.edu/cgi-bin/new_detail.pl?accn_num=SD206172&YF=1

O4c-10

Technology Associates (2009) recorded Brewer's Calandrinia at the Del Dios Highlands Preserve, and Dudek (2011) considered the species to have "high potential to occur" in the project vicinity (Page D-4). Since most of the Harmony Grove Village South project site is not disturbed, and not recently burned, the status of this plant on the site is uncertain.

***Clarkia delicata* – Delicate Clarkia.** CNPS List 1B.2. This annual herb is not mentioned in the DEIR, but could occur on the project site. Delicate Clarkia is found mainly in coastal sage scrub, chaparral, and oak woodlands, below 1,000 meters elevation. In the project vicinity, it has been recorded as close as the San Diego Zoo Safari Park (aka, Wild Animal Park) in the San Pasqual Valley:

http://ucjeps.berkeley.edu/cgi-bin/new_detail.pl?accn_num=SD188065&YF=1

O4c-11

In San Diego County, 2014 was the third consecutive drought year, and so annual herbs like Delicate Clarkia may have been difficult to find, or possibly did not emerge at all during that spring. Furthermore, this species blooms mainly in May and June, months in which no floral surveys of the project site were conducted. Note that 101 out of 128 dated records in Calflora from San Diego County are from May 1 or later:

http://www.calflora.org/entry/observ.html#srch=t&lpcli=t&taxon=Clarkia+delicata&cch=t&inat=r&cc=SDG

Based on these considerations, and failure to detect Canchalagua flowers that were readily detectable on May 18, 2017, the project biologists lack adequate evidence to determine the status of Delicate Clarkia on the project site.

Special-status Wildlife Species

O4c-12

Southern Steelhead. The project site lies within the historical range of the federally endangered, southern California "distinct population segment" of the Southern Steelhead (*Oncorhynchus mykiss irideus*). The Escondido Creek Conservancy has a long-term goal of re-establishing this fish in Escondido Creek, including the project site:

Response to Comment O4c-10

As noted in the comment, the Project site did not burn in the 2014 fire. The commenter is correct that the species has been previously recorded at the DDHP. The source provided by the commenter includes additional details about the location of the record, specifically stating that the species was observed at "*Del Dios Highlands County Preserve, top of peak, accessed west on trail (road) beginning at Del Dios Highway parking lot, N of Lake Hodges*" and at a "*Dry seep dissecting dirt road/trail*." The Project site does not support the habitat described for the DDHP record, which is a dry seep dissecting an existing dirt road/trail at the top of a peak. The Project site further does not support the disturbed, post-burn conditions reported as being suitable for this species. Regardless, this species was not observed anywhere on the Project site during its blooming period from March through June.

Response to Comment O4c-11

Refer to Response to Comment O4c-6 regarding clay soils and the absence of this species, and Response to Comment O4c-5 regarding post-drought surveys.

Response to Comment O4c-12

The plans of the Conservancy and others to one day restore Southern Steelhead to Escondido Creek are commendable. The species is currently absent from the Project reach of Escondido Creek and is not likely to occur in the foreseeable future without substantial restoration and other actions that are outside of the scope of the Project analysis. The existing condition presents a substantial impediment to upstream fish migration through the Project reach. There are other impediments downstream of the Project reach that also impede with movement. Regardless, replacing the existing Arizona Crossing impediment with a bridge and widening the floodplain would positively represent a substantial habitat improvement for wildlife, including fish such as Southern Steelhead, should the area ever be restored to sustain the species in the future.

COMMENTS	RESPONSES
  http://www.sandiegouniontribune.com/sdut-region-conservancy-aims-to-return-steelhead-to-2011aug27-story.html In the linked article, former Conservancy President Steve Barker is quoted: The Escondido Creek is quite habitable to steelhead. It's one of the few creeks that has open access and year-round water... The county and state spent a lot of money buying habitat in this watershed, so it's going to stay pristine for years to come. The newspaper article continues: Despite their ability to adjust to a shifting environment, the fish nearly vanished in the latter part of the last century. Scientists list their Southern California populations at fewer than 500 fish, said Penny Ruvelas, the Southern California office supervisor for the National Marine Fisheries Service. The conservancy proposes to help arrest that decline with a "rescue hatchery" on Escondido Creek, which would protect and breed some of the remaining fish stock for possible reintroduction to the creek or other regional waterways. O4c-12 What are the potential effects of the proposed project upon the Southern Steelhead and the Conservancy's plans for restoring this listed taxon in the project vicinity? Since Southern Steelhead move upstream during winter high-flow events, when water in Escondido Creek overflows the existing "Arizona crossing" of Country Club Drive, the plan to replace this crossing with a bridge does not appear to represent a substantial habitat improvement for the fish. Please discuss the potential adverse project effects upon fish habitat in terms of degradation of water quality, increased sedimentation, changes in runoff patterns, etc. **Western Spadefoot.** The Biological Resources section of the DEIR fails to mention this California Species of Special Concern. Appendix E to the DEIR reports that this toad has "low" potential to occur there: "Suitable habitat found on site is limited. Bullfrogs and crayfish occur off site along Escondido Creek." But Western Spadefoots use seasonal ponds *outside* of riparian zones, then move into nearby grasslands to aestivate. As described at http://www.californiaherps.com/frogs/pages/s.hammondii.html: Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Rainpools which do not contain bullfrogs, fish, or crayfish are necessary for breeding. O4c-13 Breeding sites include vernal pools and other temporary rain pools, cattle tanks, and occasionally in pools of intermittent streams. Typically the pools are turbid with little or no cover. Breeding takes place after heavy rainfall and the formation of temporary shallow rain pools, typically from January to May, peaking in February and March, but this species of spadefoot is an opportunistic breeder, physiologically capable of breeding at any time if conditions are favorable. One pond full of tadpoles was found in San Diego County in August after a heavy rainstorm. Breeding typically occurs 1 - 2 days after heavy rains, sometimes as few as one or two nights each year at a particular location. There may be additional breeding during later rains.	**Response to Comment O4c-13** Refer to Response to Comment O4c-4 regarding significance thresholds, impacts, and mitigation for non-listed species with potential to occur. Review of available aerial imagery during the years in which Project studies took place show the area referenced by the commenter as being included in the Harmony Grove Village active restoration area. No ponding is evident from the imagery, although the larger floodplain area in the immediate vicinity appears to have flooded and inundated in the past. The Project would have no impact on the area referenced by the commenter as potentially supporting breeding habitat for this species. The potential for the species to occur within the Project site was analyzed and suitable upland estivation habitat was found, although confirmed to be limited. No sign or evidence of the species was found during the biological surveys completed at the Project site. In accordance with County requirements and CEQA, potential impacts on this species, when the impacts would not result in the loss of an on-site population or impact the local long-term survival of the species, are adequately mitigated through the implementation of habitat-based mitigation. Habitat-based mitigation ensures compensation for the loss of habitat for the species that does not support local populations and is not critical for the local long-term survival of the species. This is considered adequate mitigation because, to the extent available, the habitat-based mitigation will be directed within areas designated as Pre-Approved Mitigation Area (PAMA) under the draft North County Plan, and this, areas supporting habitat for multiple species.

COMMENTS	RESPONSES

Adults emerge from their underground refuges and move to the breeding pool. Pools do not always occur in the same place each year, so the adults may be scattered at a distance from the pool. The loud calls of the first male to enter the pond quickly attract other males and females. During dry years, breeding pools may not form at all and breeding will not take place.

During my investigation of the site and nearby areas on May 18, I found a substantial seasonal pool approximately 550 feet west of the Harmony Grove Village South project site (see Exhibits 3 and 4, below).



Exhibit 3. Photo showing seasonal pond on May 18, 2017, as viewed facing east toward the Harmony Grove Village South project site.

O4c-13



Exhibit 4. Location of seasonal pond relative to the Harmony Grove Village South project site (shown in red).

COMMENTS	RESPONSES
  The project biologists apparently did not investigate whether Western Spadefoots utilize the seasonal pool shown in Exhibits 3 and 4, although the pond represents suitable breeding habitat, and the project biologists failed to report that grasslands on the project site represent suitable aestivation habitat for any toads that breed in the pond. Furthermore, the DEIR fails to report: • Technology Associates (2009) captured a Western Spadefoot in a pitfall trap located "on a south-facing slope composed of sparse southern mixed chaparral." • Dudek (2011) detected Western Spadefoots "during 2010-11 amphibian surveys conducted along Escondido Creek." In summary, the DEIR (a) mischaracterizes the habitat requirements of this toad, focusing on Escondido Creek instead of seasonal ponding features; (b) does not report the presence of a suitable breeding pond near the project site; and (c) fails to acknowledge that both Technology Associates (2009) and Dudek (2011) found Western Spadefoots in the project vicinity, including one record in chaparral, well away from any water source. In these important ways, the DEIR both mischaracterizes the habitat requirements of this species and fails to report known occurrences within nearby areas, and therefore misrepresents the potential for Western Spadefoots to occur on the project site. O4c-13 The known facts support a conclusion that this special-status species has high potential to aestivate in annual grasslands (and possibly other upland habitats) on the project site. Thus the EIR should identify a potentially significant impact to the Western Spadefoot and its annual grassland aestivation habitat. Required mitigation for this impact should be required to demonstrate a tangible conservation benefit to the Western Spadefoot population within the Escondido Creek watershed, as close to the site of impact as feasible. **Blainville's (Coast) Horned Lizard.** Page 2.3-13 of the DEIR states that this California Species of Special Concern has potential to occur on the project site, although it was not observed (the project biologists reported finding only a single lizard species, the ubiquitous Western Fence Lizard, and no snake species, on the project site). Page D-3 in Appendix E to the DEIR characterizes the species' habitat requirements: > Occurs in coastal sage scrub, chaparral, open oak woodlands, and open coniferous forests. Important habitat components include basking sites, adequate scrub cover, areas of loose soil, and an abundance of harvester ants (*Pogonomyrmex* sp.), a primary prey item. O4c-14 This incomplete description fails to acknowledge that Blainville's Horned Lizard also utilizes grasslands. See, for example: http://www.californiaherps.com/lizards/pages/p.blainvillii.html: > Inhabits open areas of sandy soil and low vegetation in valleys, foothills and semiarid mountains. Found in **grasslands**, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. [emphasis added]	**Response to Comment O4c-14** See Response to Comment O4c-4 regarding significance thresholds, impacts, and mitigation for non-listed species with potential to occur. Potential impacts on this and other non-listed species determined to have a high potential to occur are mitigated through habitat-based mitigation in accordance with County requirements.

COMMENTS	RESPONSES
  Technology Associates (2009, Page 96): > This lizard occupies open habitats such as **grasslands**, coastal sage scrub, and chaparral, with loose soils. Horned lizards forage on the ground in open areas, often between shrubs and near ant nests (Morey 2000). They are also commonly found along dirt roads and trails. [emphasis added] In fact, during our site visit on May 18, 2017, we found and photographed the fresh carcass of a Blainville's Horned Lizard that appeared to have been run over by a bicycle on a dirt road ***within the site's annual grasslands***:  **Exhibit 5.** Adult Blainville's Horned Lizard, recently killed, photographed May 18, 2017, on a dirt road in annual grassland habitat on the project site. Thus, while the DEIR correctly identifies a high potential for this special-status species to occur on the site, the document fails to correctly identify the range of habitats known to be utilized by Blainville's Horned Lizard and therefore misrepresents the nature and extent of impacts to this species and occupied habitats. As discussed subsequently, the DEIR fails to identify any potentially significant impacts to Blainville's Horned Lizard or several other special-status species that the DEIR reports as having "high" potential to occur on the project site, and is therefore deficient. **Western Pond Turtle.** This California Species of Special Concern is not mentioned in the Biological Resources section of the DEIR. Page D-5 of Appendix E describes the species' preferred habitat as follows: > Almost entirely aquatic; occurs in ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation. Requires basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying. O4c-14 O4c-15	**Response to Comment O4c-15** The cited text in Appendix E is accurate. The species was determined to have a low potential to occur and the habitat is of low quality. It is well documented that occupied and high quality aquatic habitat for the species consists of habitat with abundant logs, rocks, submerged vegetation, mud, undercut banks, and ledges for cover and water depth greater than 2.0 meters. The Project site does not support these high-quality habitat components. For example, the site lacks abundant logs, submerged vegetation, and ledges. Water depth is also shallower than 2.0 meters. In addition, the site is subject to urban-related predation pressures that are well documented as adversely affecting the species and its habitat, including predation on young by introduced aquatic species that are known to occur, including bullfrogs, largemouth bass, dogs, raccoons, skunks, and other predators. An unidentified turtle was observed by one of the Project biologists. The unidentified turtle was not likely to have been western pond turtle and was likely a red-eared slider (Trachemys scripta elegans) given the existing conditions and abundance of the introduced species in the region. The conditions observed at the Project site are more typical of habitat that is suitable for the red-eared slider. This agrees with the commenter's understanding of the negative western pond turtle survey findings reported by others.

COMMENTS	RESPONSES

The same table on Page D-5 characterizes the potential for this turtle to occur on the project site as "Low" and states, "Suitable aquatic habitat occurs to the north of the site along Escondido Creek; however, the habitat is of low quality." The DEIR provides no further analysis. Exhibit 6, on the following page, is a photo of Escondido Creek as viewed from Country Club Drive.



Exhibit 6. Photo showing dense willows in Escondido Creek on May 18, 2017, as viewed facing west (downstream) from the crossing of Country Club Drive.

It is my understanding that the U.S. Geological Survey and The Escondido Creek Conservancy did survey for Western Pond Turtles in the project vicinity in recent years, and did not find this species. Clearly there must be reasons for this, but between this large, perennial stream and the nearby pond with adjacent open fields that appear to be suitable for egg-laying (shown in Exhibits 3 and 4 of these comments), the project biologists fail to identify what aspect of the habitat should be regarded as being "of low quality" for the Western Pond Turtle.

Page B-1 of the biological technical report indicates that an "unidentified turtle" in the Emydidae was detected on the project site. Since this sighting is not discussed anywhere in the report, it is unclear how the project biologists determined that this turtle could not have been a Western Pond Turtle.

O4c-15

COMMENTS	RESPONSES
  California Gnatcatcher. The DEIR identified one pair of this federally threatened species, nesting in coastal sage scrub and southern mixed chaparral habitats on the project site. During the brief field visit on May 18, 2017, I observed two adult males utilizing coastal sage scrub on the northeastern side of the project site, in the general area where the EIR biologists observed the single nesting pair. See Exhibits 7 and 8, below.  **Exhibits 7 (left) and 8 (right).** Two adult male California Gnatcatchers photographed on May 18, 2017, utilizing coastal sage scrub growing in the northeastern portion of the project site. It is likely that both males were mated, and that the females were on nests, but the site visit was too brief to allow for confirmation. O4c-16 The discussion of wildlife movement on Pages 2.3-18 of the DEIR contains the following discussion of the California Gnatcatcher: > Core habitat for gnatcatcher does not exist on or in the vicinity of the study area. Known breeding locations for gnatcatcher are limited and include the one breeding pair found along the eastern boundary of the site in 2014, in addition to two gnatcatcher occurrences (presumed to be breeding) north of the study area, on the north side of Escondido Creek and Harmony Grove Road, within the HGV open space. As noted above, I documented two adult males on the site on May 18, 2017. Page 2.3-19 continues: > Previous agricultural uses eliminated much of the coastal sage scrub in the local area and the upland habitat that remains is mostly chaparral and grassland. The Draft MSCP North County Plan California Gnatcatcher Habitat Evaluation Model ranks the habitat within the study area itself and further to the east as having no value to the gnatcatcher for nesting (County 2008b). This is a misuse of the Habitat Evaluation Model, which was intended to help evaluate conservation priorities over a large scale rather than actually determining on the potential value of any single site to California Gnatcatchers. The fact that at least one or two pairs of gnatcatchers uses the habitat on the Harmony Grove Village South project site for nesting indicates that the site ***has value to the gnatcatcher for nesting.***	**Response to Comment O4c-16** The cited text in the EIR is accurate. Consistent with the comment, the EIR does find that the Project site has value to the California gnatcatcher (CAGN) for nesting, as it documents the presence of a nesting pair. Section 2.3.1.1 of the EIR also notes other incidental CAGN observations on other portions of the site during non-protocol surveys and site visits, like that completed by the commenter, and documents the presence of known occurrences north of Escondido Creek. This is also addressed in Section 2.3.2.5 of the EIR. Regardless, these findings do not result in identification of "core" habitat, which is the focus of the cited text. Extensive evaluation was completed for habitat value on and near the site for the species, as provided in Sections 2.3.1.1 and 2.3.2.5 of the EIR, Appendix E of the EIR, and the draft HLP findings for the Project. The EIR does not discount the value of the on-site habitat for the species based on the information gathered for the study. It is acknowledged that the Habitat Evaluation Model has limitations in the way described by the commenter. Habitat Evaluation Model rating was provided for informational purposes, but the vegetation mapping, and ultimate findings – including identification of significant impacts, and identification of required mitigation – are based on the detailed site-specific evaluation carried out for the Project. Following this method, potential significant impacts were identified for CAGN and Diegan coastal sage scrub (CSS), and successful implementation of mitigation measures M-BI-1b, M-BI-4, M-BI-5b, and M-BI-5c would reduce the impacts to less than significant. Next, the comment introduces a quote stating that CAGN may be more abundant in areas of less dense scrub and in areas of CSS-grassland interface than in areas where CSS grades into chaparral. These comments are noted, and again, although they are presented as if they are at variance with the EIR, they are not. The nesting pair was identified in an area where CSS is not particularly dense, and where there is enough disturbed area that dirt, or non-native grassland species also exist. The low quality of the grassland relative to CAGN foraging and dispersal, however, and the stated close presence of extremely dense chaparral, results in the small locales of CSS not having high quality for breeding.

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  Page 2.3-19 continues: This is consistent with the patchiness of scrub habitat inventoried during 2014 surveys, despite one gnatcatcher pair confirmed along the eastern boundary. The scrub also supports a prevalence of chaparral and grassland constituents due to its adjacency with these habitats, which have been established in the area for some time. The prevalence of chaparral and grassland constituents in the scrub reduces the quality of the habitat for breeding gnatcatchers, although it still provides habitat for dispersal and migration. The notion that a presence of chaparral or especially grassland elements in the site's coastal sage scrub "reduces the quality of the habitat for breeding gnatcatchers" is unsubstantiated and speculative. In fact, with respect to grasses, the *Birds of North America* species account[2] suggests that the opposite is true: More abundant near coastal sage scrub–grassland interface than where coastal sage scrub grades into chaparral. **Areas of dense scrub occupied less frequently than more open sites**: perennial cover on territories in Orange Co. 23–50% (mean 34%, n = 12), in s. San Diego Co. 23–50% (mean 38%, n = 7), and 27–56% in sw. Riverside Co. **Increased cover of grass and forbs among variables associated with increased fledging success in Riverside Co.** [emphasis added; citations and references to figures omitted for clarity.] The following tortured language starts the second paragraph on Page 2.3-19: While the Project site itself does not function as a corridor, the eastern edge of the site likely contributes to north-south wildlife movement that occurs through the general area referred to as West Ridge, which would connect known coastal California gnatcatcher occurrences north of Escondido Creek to other known occurrences south and southeast of the site within the DDHP. O4c-16 The DEIR is attempting to draw a fine line between an area that "functions as a corridor" and an area that "likely contributes to north-south wildlife movement." For California Gnatcatchers, the Harmony Village South project site lies within approximately one mile of the Lake Hodges "core" population, and is connected to that core via the "West Ridge" corridor. The bottom of Page 2.3-20 attempts to assemble the pieces into a coherent argument against recognizing the Harmony Grove Village South site as having high value to the California Gnatcatcher: In summary, gnatcatcher presence in the local area is limited to a few scattered known occurrences, including the breeding pair confirmed along the eastern boundary of the site in 2014 and two occurrences in the Harmony Grove open space. Overall habitat quality for gnatcatcher is low, as previous human activity eliminated much of the coastal sage scrub, and the upland habitat that remains is mostly chaparral and grassland. A direct, north-south connection of core habitat between DDHP and Escondido Creek does not exist through the Project site due to the large area of non-native grassland, which serves as an exposed break [2] Atwood, J. L. and D. R. Bontrager. 2001. California Gnatcatcher (Polioptila californica), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: http://bna.birds.cornell.edu/bna/species/574.	Appendix F of Appendix E to the EIR provides several representative photographs of the CSS found on site, including the CSS where the nesting pair was identified. CAGN territory can vary from very few acres to a large number of acres. As provided in Sections 2.3.1.1 and 2.3.2.5 of the EIR, Appendix E of the EIR, and the draft HLP findings for the Project, the presence of a single pair does not automatically imbue the small holdings of on-site CSS habitat with a higher quality. It simply means that it has enough aspects to support a nest. Please also note that the nest seemed well established, as CAGN were heard from roughly the same locations and in the same quantity over the years Project biologists were on site. The quality of the habitat also was confirmed in conversation between Project biologists, County biologists, and resource agency biologists during 2015 and 2017 site visits. Relative to the discussion of corridors versus areas that might support north-south movement, the comment attempts to categorize the discussion as questionable, and implies that the two are one and the same and that the Project analyses are inappropriately parsing concepts. In fact, these are two different issues. Identified corridors are the result of resource or planning agency identification and potential impacts to them are provided a high level of scrutiny. Despite the fact that no identified corridors are on site based on the draft North County Plan, the Project conservatively analyzed whether there might still be impacts related to general more localized movement or linkage, consistent with County required analysis guidelines. As accurately defined in the EIR, corridors and linkages are linear arrangements of live-in and temporary habitat that provide for an avenue of movement between two important habitat areas. Corridors and linkages connect core CAGN population areas in San Diego County. The Project site and immediate vicinity is not situated along a corridor or linkage that connects two core CAGN population areas. This is addressed extensively in Sections 2.3.1.1, 2.3.2.1, 2.3.2.4, and 2.3.2.5 of the EIR, Appendix E to the EIR, and the draft HLP findings. Similarly, there is no "clever intent" behind use of the phrase "limited to a few scattered known occurrences." Rather, the statement is accurate. After

COMMENTS	RESPONSES
	years of work in the area on both the Harmony Grove Village site mitigation and assessment studies for the Harmony Grove Village South site, only a few, consistent but scattered, occurrences of CAGN are known. In fact, a majority of the lands in the immediate vicinity of the Project site have been surveyed for CAGN and other species as part of the biodiversity studies completed for local preserves. In addition, the use of known occurrences applies to the species records data available from the USFWS and California Natural Diversity Database (CNDDB). Nonetheless, it is acknowledged that not all properties in the area have been surveyed. The language is precise in that it does not imply that only the known birds could possibly exist. However, it is also noted that the general area surrounding the Project site is heavily dominated by dense chaparral, with some areas characterized by steeps slopes and rugged terrain, which limits CAGN use, especially for breeding functions. The language appropriately focuses on the impact area and data known to be sure from the immediately surrounding area, and does not imply findings beyond what can be documented. Citing locations in the area where the species has been confirmed present or absent based on previous surveys is entirely appropriate in understanding CAGN status and distribution in the area. The combination of a reduced number of known CAGN occurrences, reduced amount of suitable CSS habitat, and lack of core CAGN habitat in the local area reduces the value of the habitat on the Project site. The “unknown occurrences that nobody could know about because the necessary surveys have not been completed” are immaterial to this Project, which must focus on impacts to and mitigation for, the Project site.

in the scrub and chaparral. Areas along the eastern boundary of the site could facilitate north-south movement to and from Escondido Creek, although the habitat is patchy and constrained by existing residential uses.

The characterization of the local population as "limited to a few scattered known occurrences" is cleverly worded. What about "unknown occurrences" that nobody could know about because the necessary surveys have not been completed?

O4c-16

The project biologists cannot cite negative results of recent protocol surveys for California Gnatcatchers documenting the species' status and distribution in the expanses of suitable habitat that exist outside of the Harmony Grove Village site. It is, therefore, inappropriate for the DEIR to refer to lack of "known occurrences" of gnatcatchers in the project vicinity as evidence that occupied habitat on the project site is of reduced value to the species.

The five-year regional drought that broke in 2016/2017 undoubtedly depressed the number and distribution of California Gnatcatchers across southern California[3,4]. During my own monitoring of various sites in southern California during the past decade, I observed the localized extirpation of gnatcatchers from many areas of marginally suitable habitat. Those marginal areas showed themselves to be capable of supporting nesting pairs only under favorable climatic conditions. Areas that maintained nesting gnatcatchers for the duration of this extended drought, such as the Harmony Grove Village South site, have thus been demonstrated to possess more than marginal value to the species. Were it to be shown that the California Gnatcatcher population in the local area in spring 2017 does, in fact, consist of only widely scattered pairs, we would have to factor in the temporary population reduction that five straight years of drought will inevitably produce. This drought did not break until *after* the 2016 nesting season, meaning that production of young cannot be expected to increase until the current (spring/summer 2017) nesting season. Thus, biologists cannot expect to observe any rebounding of the local or regional gnatcatcher population until after completion of the current nesting season (assuming a boost in productivity related to the breaking of the drought), and perhaps multiple nesting seasons in non-drought conditions.

O4c-17

Additionally, the suggestion that the site's grasslands represent an "exposed break in the scrub and chaparral" that would inhibit gnatcatcher dispersal is speculative and un-

O4c-18

[3] Erickson, R. A., and Miner, K. L. 1998. Six years of synchronous California Gnatcatcher population fluctuations at two locations in coastal Orange County, California. Western Birds 29:333-339.

[4] Preston, K., P.J. Mock, M. Grishaver, E. Bailey, and D. King. 1998. California Gnatcatcher territorial behavior. Western Birds 29:242-257.

Response to Comment O4c-17

Comments noted. Relative to the contention that the site might support an additional pair of birds following the end of the drought, this is immaterial to assessment of significant impacts. The habitat is already identified as supporting the species, which results in identification of a significant impact, and the resulting requirement for 2:1 mitigation through purchase of off-site "occupied" habitat known to support CAGN.

Response to Comment O4c-18

Regarding inhibition of CAGN dispersal, again, the comment implies that the Project findings disagree with the comment. This is not true. As stated on EIR page 2.3-19, "the prevalence of chaparral and grassland constituents in the scrub…provides habitat for dispersal and migration."

Please refer to Response to Comment O4c-16 regarding the overall quality of habitat relative to CAGN, as well as resource agency confirmation of the assessment during a field visit.

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founded. Juvenile California Gnatcatchers disperse in late summer and fall and move through many types of habitat, including grasslands[5].

My opinion, based upon (1) 26 years of study of California Gnatcatchers across southern California, and (2) my observation of two adult males on the site in May 2017, is that occupied coastal sage scrub on the east side of the project site is consistent with habitat of high quality for the gnatcatcher, and contributes toward the ability of this federally threatened species to maintain a substantial population in the Lake Hodges/Del Dios/Harmony Grove area. The DEIR provides inadequate evidence to support a conclusion that coastal sage scrub on the northeast side of the project site represents anything but high quality habitat for the California Gnatcatcher.

O4c-18

Southwestern Willow Flycatcher. This songbird, listed as endangered by state and federal governments, nests in broad, densely vegetated riparian woodlands, typically close to open water or saturated soil. Page D-4 in the biological technical appendix states that the Southwestern Willow Flycatcher has "very low" potential to occur on the site. "Very little potential habitat to the north of site within Escondido Creek and is unlikely to support this species" [*sic*]. Exhibit 6 on Page 13 of these comments, and Exhibit 9, below, show the riparian woodland of Escondido Creek as viewed upstream and downstream of Country Club Drive.



Exhibit 9. Photo showing dense willows in Escondido Creek on May 18, 2017, as viewed facing east (upstream) from the crossing of Country Club Drive.

O4c-19

Having conducted protocol surveys for the Southwestern Willow Flycatcher since the early 1990s, it is my opinion that the habitat shown in Exhibits 6 and 9 – featuring year-round water flow and dense, tall willows that extend 110-260 feet across the width of

[5] Bailey, E. A. and P. J. Mock. 1998. Dispersal capability of the California Gnatcatcher: a landscape analysis of distribution data. West. Birds no. 29:351-360.

Response to Comment O4c-19

The potential for species to occur is based not only on the whether the species habitat associations are present, but more importantly on whether the site is located on or near an area where the species is known to occur. This is especially true and important for a migratory species like the southwestern willow flycatcher, which has limited locations in San Diego County for breeding, none of which include the Project reach of Escondido Creek. Although marginal habitat for the species occurs in the Project reach, the species is not likely to range through the local area in this part of San Diego County; therefore, the species was determined to have a very low potential to occur. In addition, the species was not observed or otherwise detected during least Bell's vireo surveys or any other surveys completed for the Project. Finally, the species has never been observed or detected during surveys for Harmony Grove Village, which include surveys by Project biologists holding USFWS permits for the species.

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the creek – represents potentially suitable habitat for this species. Please discuss in detail the specific habitat features identified by project biologists that led them to conclude that the Southwestern Willow Flycatcher has "very low" potential to nest in the portion of Escondido Creek that would be affected by project implementation. O4c-19

IMPACT ANALYSES INCONSISTENT WITH CEQA AND ITS GUIDELINES

These comments pertain to Section 7.2 of the biological technical appendix, Analysis of Project Effects.

Project Effects on Grasslands

Page 95 states:

> With respect to local preserve design configuration, the grassland located within PAMA on the site **is not occupied by sensitive species**, is not essential to facilitate wildlife movement in the local area, and although it does function as foraging habitat for raptors, it does not represent the only available foraging habitat in the local area. [emphasis added]

Page 96 states:

> The majority of Project impacts are restricted to non-native grassland that had been previously disturbed and subject to incompatible lands uses for many years. This grassland is identified as PAMA and high value habitat under the Draft North County Plan; however, it **does not support key habitat or target species for the Draft North County Plan, as demonstrated by biological surveys for the Project. The grassland provides open undeveloped land adjacent to the Escondido Creek corridor; however, it does not support critical populations of species or provide an abundance of food, shelter, or other biological resources, as evidenced by the results of the biological surveys.** [emphasis added] O4c-20

The bolded statements in these paragraphs are contradicted by numerous relevant facts:

- Project biologists failed to detect Canchalagua, a common spring-and-summer-flowering wildflower species I documented in the site's grasslands during a brief walk in May 2017 (see Exhibits 1 and 2 on Page 4 of this letter). Failure to detect this conspicuous species provides strong evidence that the floral surveys conducted for this project were inadequate to detect several rare species known from the project vicinity.
- Most of the floral surveys for this project were conducted three years into a serious drought, none of the surveys took place during the critical May/June flowering period, and project biologists deny the presence of clay soils that the Geology/Soils section of the DEIR identifies as occurring on the site. As a result, the project biologists have no credible basis for concluding that two rare, grassland-associated wildflowers, Thread-leaved Brodiaea (*Brodiaea filifolia*) and Orcutt's Brodiaea (*Brodiaea orcuttii*), are absent from the site's grasslands. O4c-21
- The project biologists observed only one very common reptile species on the site, the Western Fence Lizard, providing strong evidence that the wildlife surveys O4c-22

RESPONSES

Response to Comment O4c-20

Refer to Response to Comment O4c-2, 5, 6 and 7 regarding Project surveys, including post-drought rare plant surveys conducted during optimal conditions in May and June 2017, which also confirmed the presence of the common species referenced by the commenter.

Response to Comment O4c-21

Refer to Response to Comment O4c-2, 5, 6 and 7 regarding Project surveys, clay soils, and *Brodiaea*.

Response to Comment O4c-22

The Project biologists observed more than the single reptile species referenced by the commenter. In fact, during the April 2017 site visit with the resource agencies, a California striped racer (*Coluber lateralis lateralis*) was observed alongside a side-blotch lizard (*Uta stansburiana*), both of which are common species. Appendix B of Appendix E to the EIR has been updated, as appropriate, with species noted during the 2017 surveys. Regarding sensitive reptile species' potential to occur, significance of impacts, and mitigation, refer to Response to Comment O4c-4.

were inadequate to detect various sensitive herptile species that Technology Associates (2009) and Dudek (2011) detected elsewhere in the project vicinity. O4c-22

- During a brief site walk in May 2017, I observed one special-status species in the site's grasslands, Blainville's Horned Lizard, that project biologists did not detect anywhere on the site (see Exhibit 5 on Page 11 of this letter). O4c-23
- Failing to mention a large seasonal pond present within 550 feet of the project boundary (see Exhibits 3 and 4 on Page 9 of this letter), and ignoring that both Technology Associates (2009) and Dudek (2011) detected Western Spadefoots in the project vicinity, the DEIR asserts that this grassland-associated toad has "low" potential to occur in the site's grasslands. O4c-24
- Finally, Pages 2.3-13 and 2.3-14 of the DEIR list "20 additional special status animal species considered to have a high potential to occur in the study area" that were not observed during project surveys: coast horned lizard (*Phrynosoma blainvillii*), coast patch-nosed snake (*Salvadora hexalepis virgultea*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), Coronado skink (*Plestiodon skiltonianus interparietalis*), red diamond rattlesnake (*Crotalus ruber*), orange-throated whiptail (*Aspidoscelis hyperythra*), California horned lark (*Eremophila alpestris actis*), Cooper's hawk (*Accipiter cooperi*), ferruginous hawk (*Buteo regalis*), grasshopper sparrow (*Ammodramus savannarum*), loggerhead shrike (*Lanius ludovicianus*), prairie falcon (*Falco mexicanus*), red-shouldered hawk (*Buteo lineatus*), sharp-shinned hawk (*Accipiter striatus*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), Dulzura California pocket mouse (*Chaetodipus californicus femoralis*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), San Diego desert woodrat (*Neotoma lepida intermedia*), and southern mule deer (*Odocoileus hemionus fuliginata*)." Several of these special-status wildlife species are grassland-obligates, and others regularly utilize grasslands. O4c-25

These facts contradict the DEIR's assertion that "the grassland located within PAMA on the site is not occupied by sensitive species" and "does not support critical populations of species or provide an abundance of food, shelter, or other biological resources, as evidenced by the results of the biological surveys." A valid CEQA impact analysis must be based upon objective and credible evaluation of the best available scientific information, and in this case the analysis either contradicts the available information, or represents assertions not supported by adequate survey information. Thus, the DEIR's analysis of the project's potential effects upon grasslands and associated species does not satisfy the requirements of CEQA and its Guidelines. Additional field work and revised analyses are required to remedy this serious flaw in the CEQA documentation. O4c-26

Mitigation for Impacts to Grasslands

Mitigation Measure M-BI-2b identifies that grassland impacts shall be mitigated at a ratio of 0.5 to 1 ratio. This low ratio is based on the DEIR's false assertion that the grass- O4c-27

Response to Comment O4c-23

Refer to Response to Comment O4c-4 regarding this and other non-listed species with potential to occur.

Response to Comment O4c-24

Refer to Response to Comment O4c-4 and 14 regarding this non-listed species.

Response to Comment O4c-25

Refer to Response to Comment O4c-4 regarding impacts and mitigation for non-listed species with potential to occur. The commenter does not specifically identify the several special-status wildlife species alleged as grassland-obligates or that regularly utilize grasslands. The County does not agree with the statement concerning grassland-obligate species. None of the special-status wildlife species mentioned by the commenter are grassland-obligates; that is, none are obligated and restricted to occurring in grassland habitats only. These species occur in varying habitats. As correctly cited by the commenter, the species are considered to have a high potential to occur in the *study area*, not exclusively within the non-native grassland.

Response to Comment O4c-26

Based on the Project surveys, which included 34 surveys and other non-specific site visits, no sensitive species were observed or detected within the non-native grasslands on the site; therefore, it is accurate to state in the EIR that the grassland is not occupied by sensitive species. The commenter reports on the recent, May 2017 discovery of a horned lizard carcass on a dirt road adjacent to non-native grassland on the Project site. The presence of a dead individual on a dirt road adjacent to the non-native grasslands is not evidence that the habitat was occupied by the species. Further, the surveys and site visits confirmed that the non-native grasslands do not support critical populations of species. None of the findings suggest that the sensitive species observed during surveys or that were determined to have a high potential to occur represent critical populations dependent upon the on-site non-native grasslands for their long-term survival. None of the findings suggest that the non-native grasslands are abundant in food and shelter for wildlife species.

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	The commenter further alleges that the analysis of the Project's potential effects on grasslands and associated species does not satisfy the requirements of CEQA and its Guidelines. The County does not agree with this contention. The analysis was prepared in accordance with the County's guidelines and determined acceptable to the County and resource agencies after several review iterations. **Response to Comment O4c-27** Refer to Response to Comment O4c-25 and 26 regarding grasslands. The mitigation ratio of 0.5:1 is consistent with the County's guidelines and determined acceptable to the County and resource agencies.

COMMENTS	RESPONSES

land located within Pre-approved Mitigation Area (PAMA) on the site is not occupied by sensitive species. Given that the site's grasslands are known or expected to provide habitat for numerous special-status species, the required mitigation ratio should be at least 1:1. O4c-27

Project Effects on the California Gnatcatcher

Page 96 states:

> One of the key targets for the Draft North County Plan and preserve assemblage for PAMA is [California] gnatcatcher. The Project site supports Diegan coastal sage scrub of both Low and Intermediate Value within PAMA; however, the site is not vital to support a viable population of gnatcatchers in perpetuity, considering only a single breeding pair was found on site. It should be also be [sic] acknowledged that the Draft MSCP North County Plan California Gnatcatcher Habitat Evaluation Model ranks the site as having no value to the species for nesting (County 2008b).

For reasons discussed on Pages 13-16 of this letter, coastal sage scrub on the northeastern side of the project site should be recognized as being of high value for the California Gnatcatcher. The fact that two gnatcatcher territories were documented in this habitat as of May 2017, after a five-year drought, is evidence contradicting the DEIR's unfounded assertion that "the site is not vital to support a viable population of gnatcatchers in perpetuity." O4c-28

As discussed in the next section, it appears that project implementation, even with proposed mitigation, would result in net loss of several acres of coastal sage scrub habitat. This would represent a residual impact to this federally listed species and its required habitat that should be identified as significant after mitigation.

CUMULATIVE IMPACT ANALYSIS/CONSISTENCY WITH NCCP GUIDELINES AND DRAFT NORTH COUNTY PLAN

Under NCCP guidelines, the concept of mitigating for the cumulative impacts of numerous projects – which may have only small impacts individually but large impacts when considered together – is through large-scale planning that involves avoidance of sensitive resources to the maximum extent practicable, preservation of high-value habitat in configurations likely to maintain habitat values over the long term, targeted restoration, and long-term adaptive management of preserved areas. O4c-29

Page 97 of the biological technical appendix states:

> Section 4.3 of the NCCP Guidelines (CDFW 1993a) states, in part: "Project design must be consistent with the Conservation Guidelines and with any guidelines adopted by the subregion and concurred with by the CDFG and USFWS and must, to the maximum extent practicable, minimize habitat loss." **The project design does not minimize habitat loss to the maximum extent practicable.** However, impacts are allowable according to the Southern California Coastal Sage Scrub NCCP Conservation Guidelines (CDFW 1993b), Southern California Coastal Sage Scrub NCCP Process Guidelines . . . [emphasis added]

Response to Comment O4c-28

Refer to Response to Comment O4c-16 regarding CSS value. The commenter alleges that the observation of two male CAGN during a single, non-USFWS-protocol site visit translates into two CAGN territories on the site. Although there is potentially enough CSS and coastal sage-chaparral on the site to support two CAGN breeding territories, the observation of two CAGN males during a brief non-protocol site visit does not change the significance of the impacts or mitigation required for the Project.

The commenter again misconstrues the impact significance threshold for the species. Even if two CAGN breeding territories had been confirmed on the site, which was not the case, the site would not be vital to support a viable *population* of CAGN in perpetuity. As addressed in the EIR, the site is not located within a CAGN core area, but is located in the vicinity of preserve lands supporting viable populations of CAGN, such as the areas further to the west near the Escondido Creek and Rancho La Costa Preserves, and the areas surrounding Lake Hodges located further to the southeast.

The CSS and low numbers of CAGN on site are not vital to support this or other core populations in the area. As analyzed in Section 2.3.2.1 of the EIR, of the 10.4 acres of coastal sage scrub that would be impacted by the Project, approximately 4.1 acres (39 percent) are considered Low Value habitat. These are made of up of the smaller, fragmented patches in the southern and western portions of the Project impact area where CAGN were not detected during surveys, but which could be used for foraging, migration and dispersal. The remaining 6.3 acres of Intermediate Value coastal sage scrub in the eastern portion of the site was confirmed to be used for breeding by a single pair of CAGN and facilitates dispersal and movement functions for the species. Altogether, the impacted sage scrub on site has a limited carrying capacity and ceiling for breeding CAGN. Impacts to Low and Intermediate Value stands on site are considered significant, but would not reduce the likelihood of survival and recovery of CAGN, and would be reduced to less than significant with the implementation of mitigation measures M-BI-1b, M-BI-4, M-BI-5b, and M-BI-5c.

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  The NCCP Guidelines state, without caveats, that project design "must, to the maximum extent practicable, minimize habitat loss," yet the DEIR acknowledges that the design of the Harmony Grove Village South "does not minimize habitat loss to the maximum extent practicable." This should be the end of the analysis. The plain wording of the quoted passage makes it clear that project proponents and public agencies cannot simply choose to impact coastal sage scrub that supports targeted sensitive resources, such as California Gnatcatchers, in order to maximize the profitability of their development plans, so long as some form of mitigation is provided. Tthe DEIR should identify an alternative project design that does comply with the NCCP Guidelines by avoiding gnatcatcher-occupied coastal sage scrub "to the maximum extent practicable." Page 99 of the biological technical appendix states: > The loss of 10.4 acres of coastal sage scrub on site would be mitigated at a 2:1 ratio in accordance with Section 4.3 of the NCCP Guidelines and offset by preserving additional habitat in the region . . . The project as a whole will therefore result in a net increase of 18.5 acres or 70 percent of coastal sage scrub preservation compared to the 10.9 acres that currently exist on site, portions of which are fragmented and of Low Value. Reading through the proposed mitigation, it appears that only 1.8 acres of temporary impact areas would be restored with coastal sage scrub, which would represent one or more small fragment(s) of restored habitat along the edge of development in place of a much larger area of intact, gnatcatcher-occupied habitat set within natural open space. This is not effective on-site mitigation. The restoration of temporary impact areas should be conducted as mitigation for the temporary impact, and not as mitigation for the permanent loss of 10.4 acres of coastal sage scrub. Mitigation through 2:1 *preservation* of existing coastal sage scrub habitat effectively allows the Project Applicant to destroy habitat occupied by a federally listed species by paying someone else to not do the same. The proposed location of the habitat to be preserved is not specified in the DEIR. The on-the-ground effect of the proposed actions would be the net loss of 8.6 acres of coastal sage scrub, including 6.3 acres of scrub known to be occupied by the federally threatened California Gnatcatcher, and assumed to be occupied by numerous other special-status species. Such an approach, in which a project proponent *chooses not to avoid coastal sage scrub to the maximum extent practicable,* and then mitigates mainly through preserving scrub that already exists, is inconsistent with the NCCP Guidelines that the DEIR is relying upon as the basis for determining that project implementation would not result in any significant impacts to biological resources. In fact, project implementation would result in a net loss of 8.6 acres of coastal sage scrub, and associated sensitive plant and wildlife resources, compared with what currently exists. The rationale for allowing the set-aside of 18.5 acres of existing habitat in exchange for grading of 10.9 acres of habitat is that sites with higher long-term conservation value would be set aside in exchange for allowing the loss of areas said to have lower long-term value. As discussed previously, however, most of the scrub on the project site (6.3 O4c-29	**Response to Comment O4c-29** The County agrees with the first paragraph of the comment regarding the value of large-scale planning, and preservation of large blocks of functional habitat. Similarly, the cited text is accurate. The County disagrees, however, with the assertion that the analysis ends with a finding that the site does not minimize habitat loss to the maximum extent practicable. The commenter is referred to Section 2.3.2.5 of the EIR, Appendix E to the EIR, and the draft HLP findings. As stated, impacts are allowable according to the Southern California Coastal Sage Scrub NCCP Conservation Guidelines (CDFW 1993b), which establish the criteria for determining a site's potential value for conservation. According to the NCCP Logic Flow Chart, the quality of habitat supported on the Project site is defined as being "Low Value" and "Intermediate Value." Please refer to responses O4c-16 and O4c-28. According to the Conservation Guidelines, sites of Low and Intermediate Value can be impacted on a case by case basis with appropriate mitigation. The Project proposes appropriate mitigation for impacts to CAGN and CSS in mitigation measures M-BI-1b, M-BI-4, M-BI-5b, and M-BI-5c. The accuracy of Project Findings on this topic are within the purview of the County, the CEQA lead agency, as well as the wildlife resource agencies. Relative to identification of an alternative project design that additionally avoids CAGN habitat, the EIR does just that in Chapter 4.0, as part of the Biologically Superior Alternative. The impact boundaries shown for that alternative were developed based on agency input during field review, and is the alternative recommended for approval by the USFWS and CDFW in Letter F1. The commenter's assessment of the impacts and mitigation requirements for the Project are incorrect. Please refer to Response to Comment O4c-16 and O4c-28 regarding habitat value of the CSS to be impacted. The CAGN breeding territory would be impacted by the Project's brush management and specifically the outer thinned native zone, retaining some habitat function. The on-the-ground effect of the proposed actions, however, would not be the net loss of 8.6 acres of CSS and it is unclear how the commenter arrived at this number. A total of 10.4 acres would be impacted on site, of which, 1.8

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	would be restored on site, resulting in an on-site loss of 8.6 acres of CSS. However, this is not a net loss of 8.6 acres of CSS as the Project would preserve an additional 18.5 acres of CSS off site, resulting in a net gain of 9.9 acres of preserved CSS. Regardless, a total of 20.8 acres of CSS will ultimately be preserved by the Project. The Applicant has identified several potential off-site mitigation parcels within the Elfin Forest-Harmony Grove Planning Area and has reviewed the potential parcels with the County and Wildlife Agency staff. Additional review is anticipated as part of the planning process. The mitigation measure (M-BI-1b) specified in the EIR provides specific criteria for where this mitigation must occur and would require County and wildlife agency approval to deviate from those criteria. Regarding specific identification of parcels as this time, it is not required and not the Applicant's intent to publish details and specifics in a public review document regarding the potential parcels, including such sensitive information as parcel location address and landowner contact information, for example. The final HLP will identify such parcel(s) and a Resource Management Plan also will be completed, consistent with this comment and as previously planned. If the Project is approved and off-site mitigation is implemented, the impacts to CSS, both permanent and temporary, including impacts to low value unoccupied CSS and coastal sage-chaparral transition habitat, will be compensated at a superior, 2:1 ratio with intermediate and high value habitat occupied by CAGN. As addressed in the EIR, this ratio is superior considering the habitat value, as determined using the NCCP flow chart and guidelines. The commenter is discounting the additional components of the on- and off-site mitigation involving preservation of land, which include recordation of a Biological Open Space (BOS) easement; preparation and implementation of an Resource Management Plan (RMP) to address long-term monitoring, maintenance, management, and reporting directives; and preserve stewardship by a qualified conservation entity, in perpetuity.

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acres) appears to be of high value to the gnatcatcher (although the DEIR characterizes it as being of "intermediate" value). Furthermore, if the land to be set aside is of high value to the gnatcatcher, development of that area should already be avoided "to the maximum extent practicable" in compliance with the federal Endangered Species Act and the 1993 NCCP Guidelines. By choosing to allow the Project Applicant to impact 6.3 acres of gnatcatcher-occupied coastal sage scrub in the northeastern part of the Harmony Grove Village South project site, rather than avoiding this area, the County is effectively ignoring a central tenet of the 1993 NCCP Guidelines, which is that NCCP planning starts by avoiding important habitat areas "to the maximum extent practicable." O4c-29

MINIMIZING EDGE EFFECTS & FUEL MODIFICATION IMPACTS

Page 2.3-32 of the DEIR identifies potentially significant impacts associated with establishing a large residential development area within an existing area of natural habitat:

> Edge effects can result from increased noise, unauthorized trampling of habitat, introduction of pets and pest plants to open space areas, and effects of irrigation and lighting. Project implementation would potentially cause indirect impacts from construction noise, human access, domestic animals, exotic plant species, and lighting.

The most substantial "edge effect" of the project is the initial and ongoing thinning and other manipulations of natural communities, in perpetuity, that would be conducted around the project perimeter as required fuel modification. This ongoing disturbance would create perpetual, ongoing opportunities for invasive weeds (i.e., not plants established as part of landscaping, but various non-native mustards, grasses, and other disturbance-adapted plants) to become established and then spread throughout the nearby natural open space. Fire frequency can be expected to increase in natural open spaces in the project vicinity with the increase in the local human population resulting from this project, and fire is one important way that invasive weeds spread into native plant communities. In this way, groups such as TECC could be adversely affected through potentially increased requirements to manage weedy invasions of the natural lands they own and/or manage. O4c-30

The DEIR's mitigation for reducing long-term edge effects to below a level of significance takes the following forms:

1. Establishing a permanent fence around the project perimeter.
2. Prohibiting known invasive plants, other than Chilean Pepper (*Schinus molle*), in project landscaping.
3. Placing limitations on night lighting.
4. Preparation of a Resource Management Plan (RMP) approved by the County and Wildlife Agencies (USFWS and CDFW).

These actions are inadequate to address the long-term edge effects, including fuel modification and landscaping impacts, that would accompany project implementation. The O4c-31

Response to Comment O4c-30

Potential edge effects have been fully discussed in Subchapter 2.3 under the headings "Core Wildlife Area (Guideline 7)," "Indirect Impacts/Edge Effects (Guideline 8)," Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts to Wildlife Movement and Nursery Sites." Guideline 8 discussion in particular specifically addresses increased human activity, domesticated animal effects, introduction of invasive non-native plant species, and night-lighting. The conclusion was that Project-related long-term impacts to sensitive species from indirect edge effects would be less than significant. The rationale for this conclusion is that the Project BOS will be actively managed in perpetuity by a qualified preserve manager and accordance with an RMP that includes management directives for indirect effects and that must be reviewed and approved by the County and Wildlife Agencies. In addition, "Required installation of fencing and signage around the BOS, dedication of a BOS easement, protection of the BOS by a limited building zone easement, and implementation of the RMP for the Proposed Project, would further minimize potential edge effects over the long-term." All of these considerations, combined with the fact that the BOS is largely up slope of Project development areas, and that irrigation would not drain off-site into native habitats, native plant species are incorporated into the Project landscaping, and thinned brush management zone areas would retain some functionality in interface areas, results in no significant impact being identified. The comment does not provide any justification for stating that the Project actions would be inadequate to address long-term effects, and it would be speculative to guess at the rationale. No additional response is required.

Response to Comment O4c-31

Each of the following recommended actions regarding edge effects is individually addressed in Response to Comment O4c-32 through 35.

following discussions identify additional feasible actions that would contribute toward avoiding and minimizing the project's potentially significant edge effects. O4c-31

Locally Native Exterior Fuel Modification Plantings

The County's Brush Management Guidelines[6] state:

> Zone 2 can be implemented in a variety of ways, the simplest being the selective thinning and pruning of the native plants. Long-term ongoing thinning cost may be reduced by the introduction of low-growing fire retardant shrubs and groundcovers that are visually and horticulturally compatible with the native vegetation. Zone 2 plants can also be established in disturbed areas that have been cleared of native vegetation by replanting appropriate native plant species in combination with appropriate non-native plant materials.

To mitigate the project's significant impacts to native plant communities and numerous associated special-status species, the project's exterior fuel modification zones should employ exclusively native plant species approved for use in fuel modification zones. Extensive plantings of native cacti, for example, would be appropriate in the fuel modification zones. Upon establishment, dense plantings of cacti would not require ongoing thinning to maintain fire safety. This would minimize ongoing disturbance of the exterior slopes, and therefore reduce the potential for exotic weeds to become established on the site and then spread to nearby natural open space areas. Other native plants expressly allowed in fuel modification zones in San Diego County, and that would be appropriate for this site, include the following: O4c-32

- Eriophyllum confertiflorum – Golden Yarrow
- Heteromeles arbutifolia – Toyon
- Peritoma arborea – Bladderpod
- Acmispon glaber – Deerweed
- Mimulus aurantiacus var. puniceus – Red Bush Monkeyflower
- Rhus integrifolia – Lemonade Berry
- Stipa pulchra – Purple Needlegrass

Page 99 of the biological technical appendix states:

> The Project would further utilize native scrub species in the landscape palette to the extent allowed to meet fire and landscape requirements, thereby replacing some additional functionality on site and minimizing the impact.

"The extent allowed to meet fire and landscape requirements" is 100% locally native plants. Therefore, "minimizing the impact" to the extent allowed would require the ex-

[6] https://www.sandiego.gov/sites/default/files/legacy/planning/community/profiles/blackmtnranch/pdf/appendixb.pdf

Response to Comment O4c-32

The County concurs. As stated in Appendix E of the EIR and referenced by the commenter, the Project would utilize native scrub species to the extent allowed. The species referenced by the commenter are noted.

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  clusive use of locally native plants in exterior landscaping, including fuel modification zones. Strict use of appropriate, locally native plants in fuel modification plantings that abut natural communities (a) provides useful habitat for native insects, reptiles, birds, and mammals; (b) reduces the project's impacts to wildlife movement; (c) minimizes the need to conduct ongoing weeding, thinning, and irrigation; and (d) reduces the potential for invasive weeds to become established on exterior slopes that would then spread to nearby preserved natural open space areas. O4c-32 ***Prohibition of Known Invasive Plants in All Landscaping*** The potential adverse effects associated with exotic/non-native vegetation is not limited to plants the Project Applicant initially installs on exterior slopes. Plants that escape from interior graded areas into natural areas (via airborne seeds, or via seeds/fruit ingested by birds or other wildlife) can be just as damaging as plants that spread from exterior slopes. Similarly, landscaping installed by individual homeowners can be just as damaging as that installed as initial project landscaping. In 2005, representatives from the horticulture industry, environmental groups, scientists, and government agencies formed an advisory committee known as California Horticultural Invasives Prevention (Cal-HIP). Cal-HIP has developed a web-based program, PlantRight, "to stop the sale of horticultural invasive plants in ways that are good for business and the environment." As described on their web page (http://www.plantright.org/impacts): > Invasive species are one of the greatest threats to biodiversity worldwide, second only to habitat destruction. And the economic cost is as significant as the ecological cost: in California, more than $82 million goes to fighting invasive plants every year. A much-cited paper by Cornell researchers estimates the economic impacts of invasive species to be $120 billion a year. If divided equally through the 50 states, the cost to each state averages $2.4 billion annually — and given California's size and resources, the actual impact is likely greater. O4c-33 In recognition of this serious land-management issue, the California Invasive Plant Council (Cal-IPC) has published the *Invasive Plant Checklist for California Landscaping*: http://cal-ipc.org/landscaping/pdf/InvasivePlantChecklistforCaliforniaLandscaping.2016June.pdf Escape of invasive exotic species can result in (a) biological harm to natural communities, and (b) financial harm to groups like The Escondido Creek Conservancy (TECC), since controlling outbreaks of invasive exotic plants in natural preserves can be very costly. To minimize the potential for significant adverse impacts to the environment, and significant adverse financial impacts to land-managing entities, project implementation must involve restrictions upon the use of any and all plants on Cal-IPC's *Checklist of Invasive Plants*, which is provided on the following pages.	**Response to Comment O4c-33** The County concurs. Although the focus of invasives control is on the HOA maintained landscape which is located throughout the Project, and often in proximity to biological open space or approaching Escondido Creek where roadscape is proposed, as noted in the Project Design Features on EIR page 1-52, fuel management, vegetation management and maintenance requirements are proposed for individual property owners through CC&Rs. These requirements would also restrict use of invasives.

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Checklist of Invasive Plants

			Regions
Acacia dealbata	silver wattle		
Acacia melanoxylon	blackwood acacia		
Agrostis stolonifera[T]	creeping bentgrass[T]		
Ailanthus altissima	tree-of-heaven	X	
Arctotheca calendula	fertile capeweed	X	
Arctotheca prostrate	South African capeweed		
Arundo donax	giant reed	X	
Asparagus asparagoides	bridal creeper		
Asphodelus fistulosus	onionweed	X	
Atriplex semibaccata	Australian saltbush		
Briza maxima	big quakinggrass		
Carpobrotus chilensis	iceplant		
Carpobrotus edulis	highway iceplant	X	
Centaurea debeauxii	meadow knapweed	X	
Chrysanthemum coronarium	garland chrysanthemum		
Cordyline australis	giant draceaena		
Cortaderia jubata	jubatagrass	X	
Cortaderia selloana	pampasgrass	X	
Cotoneaster franchetii	cotoneaster		
Cotoneaster lacteus	Parney's cotoneaster		
Cotoneaster pannosa	silverleaf cotoneaster		
Cotula coronopifolia	common brassbuttons		
Crataegus monogyna	English hawthorn		
Crocosmia x crocosmiiflora	montbretia		
Cynara cardunculus	artichoke thistle	X	
Cynodon dactylon[T]	Bermuda grass[T]		
Cynoglossum officinale	beggar's-lice		
Cytisus scoparius	Scotch broom	X	
Cytisus striatus	Portuguese broom		
Dactylis glomerata[F]	orchard grass[F]		
Delairea odorata	Cape-ivy	X	
Digitalis purpurea	foxglove		
Dipsacus fullonum	common teasel		
Echium candicans	pride-of-Madeira		
Egeria densa	Brazilian egeria		

X - illegal per CDFA regulation
X - on PlantRight's voluntary list

E – edible
F – forage
T – turfgrass

Region	Sunset Zones
Sierra and Coastal Mountains	1-3
Central Valley	7-9
Desert	10-13
North/Central Coast and Delta	14-17
South Coast	18-24

Prepared by California Invasive Plant Council, www.cal-ipc.org

O4c-33

COMMENTS	RESPONSES

Eichhornia crassipes	water hyacinth	X		◆		◆	◆	
Elaeagnus angustifolia	Russian olive		◆	◆	◆	◆	◆	
Erica lusitanica	Spanish heath					◆		
Erodium cicutarium	filaree		◆	◆	◆	◆	◆	
Eucalyptus camaldulensis	red gum		◆	◆		◆	◆	
Eucalyptus globulus	Tasmanian bluegum					◆	◆	
Euphorbia esula	leafy spurge	X						
Euphorbia oblongata	oblong spurge	X						
Festuca arundinacea[T]	alta fescue[T]		◆	◆	◆	◆	◆	
Ficus carica[E]	edible fig[E]		◆	◆	◆	◆	◆	
Foeniculum vulgare[E]	fennel[E]		◆	◆	◆	◆	◆	
Gazania linearis	gazania					◆	◆	
Genista monspessulana	French broom	X						
Hedera canariensis	Algerian ivy		◆	◆		◆	◆	
Hedera helix	English ivy		◆	◆		◆	◆	
Helichrysum petiolare	licorice plant					◆	◆	
Hirschfeldia incana	Mediterranean mustard		◆	◆	◆	◆	◆	
Holcus lanatus	common velvet grass		◆	◆		◆	◆	
Hypericum canariense	Canary Island St.	X						
Hypericum perforatum	klamathweed	X						
Ilex aquifolium	English holly			◆		◆		
Iris pseudacorus	yellowflag iris	X		◆		◆	◆	
Isatis tinctoria	dyer's woad	X						
Kochia scoparia[F]	kochia[F]		◆	◆	◆	◆	◆	
Leucanthemum vulgare	ox-eye daisy		◆	◆		◆	◆	
Linaria genistifolia ssp. Dalmatica	Dalmatian toadflax	X						
Linaria vulgaris	yellow toadflax		◆			◆		
Lobularia maritime	sweet alyssum		◆	◆	◆	◆	◆	
Lolium multiflorum[F]	Italian ryegrass[F]		◆	◆	◆	◆	◆	
Ludwigia hexapetala	creeping waterprimrose	X						
Ludwigia peploides	creeping waterprimrose		◆	◆		◆	◆	
Lythrum salicaria	purple loosestrife	X						
Marrubium vulgare	horehound		◆	◆	◆	◆	◆	
Mentha pulegium	pennyroyal		◆	◆		◆	◆	
Mesembryanthemum crystallinum	crystalline iceplant					◆	◆	
Myoporum laetum	ngaio tree					◆	◆	
Myosotis latifolia	common forget-me-not		◆			◆		
Myriophyllum aquaticum	parrotfeather		◆	◆	◆	◆	◆	
Nicotiana glauca	tree tobacco		◆	◆	◆	◆	◆	

04c-33

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Region	Sunset Zones
◆ Sierra and Coastal Mountains	1-3
◆ Central Valley	7-9
◆ Desert	10-13
◆ North/Central Coast and Delta	14-17
◆ South Coast	18-24

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COMMENTS	RESPONSES

Olea europaea[E]	European olive[E]		
Onopordum acanthium	Scotch thistle	X	
Pennisetum setaceum	green fountain grass	X	
Phalaris aquatic	hardinggrass		
Phoenix canariensis	Canary Island date palm		
Phytolacca Americana	common pokeweed		
Plantago lanceolata	buckhorn plantain		
Poa pratensis[T]	Kentucky bluegrass[T]		
Polygonum cuspidatum	Japanese knotweed	X	
Prunus cerasifera	cherry plum		
Pyracantha angustifolia, P. crenulata, P.	firethorn		
Ranunculus repens	creeping buttercup		
Retama monosperma	bridal veil broom	X	
Ricinus communis	castor bean		
Robinia pseudoacacia	black locust		
Rubus armeniacus	Himalayan blackberry		
Rumex acetosella	sheep sorrel		
Saccharum ravennae	ravennagrass	X	
Salvia aethiopis	Mediterranean sage	X	
Saponaria officinalis	bouncing-bet		
Schinus molle	Peruvian pepper tree		
Schinus terebinthifolius	Brazilian pepper tree		
Sesbania punicea	scarlet wisteria	X	
Silybum marianum	milk thistle		
Spartium junceum	Spanish broom	X	
Stipa tenuissima	Mexican feathergrass	X	
Tamarix parviflora	smallflower tamarisk	X	
Tamarix aphylla	athel		
Tamarix ramosissima, T. gallica, T. chinensis	saltcedar	X	
Tanacetum vulgare	common tansy		
Triadica sebifera	Chinese tallow tree	X	
Verbascum thapsus	wooly mullein		
Vinca major	bigleaf periwinkle	X	
Washingtonia robusta	Mexican fan palm		
Watsonia meriana	watsonia		
Zantedeschia aethiopica	calla lily		

O4c-33

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Region	Sunset Zones
Sierra and Coastal Mountains	1-3
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Prepared by California Invasive Plant Council, www.cal-ipc.org

COMMENTS	RESPONSES

All home-owner plantings should be controlled by Covenants, Codes, and Restrictions (CC&Rs) and monitored by the Home Owner's Association (HOA). The HOA should have the authority and explicit responsibility to prohibit any and all installation of plants on the most current version of Cal-IPC's *Checklist of Invasive Plants*. To help ensure that these restrictions are understood and complied with, the Project Applicant, or agents and assigns, should prepare landscape design ***requirements*** that describe these restrictions, and the reasons for them. These requirements should be provided to all residents and used during the review and approval process for all landscaping plans. O4c-33

Early Detection-Rapid Response Program in Resource Management Plan

Mitigation Measure M-BI-1a states, in part, that the Project Applicant shall prepare a Resource Management Plan (RMP) to direct the long-term management of the Biological Open Space (BOS) to be preserved as part of the project's mitigation for significant impacts to biological resources.

As discussed previously, the ongoing potential for invasion of BOS by invasive weeds is high. The Orange County chapter of the California Native Plant Society (CNPS) is pioneering an early detection and rapid response program designed to prevent degradation of natural open spaces by new invasive plant species that have started showing up in the region's open spaces in recent years. As described at https://occnps.org/invasives/what-is-edrr.html: O4c-34

> Early Detection and Rapid Response (EDRR) is a management approach that capitalizes on our ability to most effectively eradicate invasive plant populations when they are small. By detecting a new invasive plant before it has a chance to spread or build a large seed bank, managers can respond early enough in the invasion process to fully eradicate the species from a given area. Through EDRR, well-informed surveillance can avoid costly long-term control efforts.

Additional information on this management approach can be found at www.occnps.org/invasives/32-information/337-emergent-invasive-plant-management-program.html.

In order to minimize the potential for project implementation to result in damaging and costly invasions of exotic weeds into nearby preserved natural open spaces, the EIR should specify an early detection-rapid response element within the RMP.

Implementation and Funding of Resource Management Plan

Mitigation Measure M-BI-1a states, in part: O4c-35

> Prior to issuance of a grading permit, the Project Applicant shall preserve 34.8 acres of on-site BOS determined to support sensitive species and habitat functions and values contiguous with the DDHP to the south through the establishment of a conservation easement and the preparation of a Resource Management Plan (RMP) approved by the County and Wildlife Agencies (USFWS and CDFW) to address long-term monitoring, maintenance, management, and reporting directives, in perpetuity, by a qualified entity approved by the County and Wildlife Agencies.

Response to Comment O4c-34

This comment is noted. The County will consider using an early detection-rapid response element within the RMP. It is expected that monitoring visits and inspections for invasives would be conducted monthly, and at least quarterly, which is in-line with the early detection and rapid response approach.

Response to Comment O4c-35

The EIR is not required to specify the entity required to implement the RMP or the mechanism by which the RMPs implementation would be funded. The implementing entity will be qualified and must be approved by the County and Wildlife Agencies. It is expected that the RMP implementation would be funded through a non-wasting endowment, which is the current standard for funding such programs.

Although Mitigation Measures M-BI-5d, M-BI-5f and M-BI-6a confusingly refer to "preparation and implementation" of an RMP, the DEIR does not appear to specify the entity required to implement the RMP, or the mechanism by which the RMP's perpetual implementation would be funded. This point must be clarified.

Simply preparing an RMP and then handing off its implementation and perpetual funding would not contribute meaningfully toward the long-term management of the Biological Open Space proposed as mitigation for the project's significant impacts to biological resources. If the Project Applicant *is* required to fund implementation of the RMP by an approved entity, the EIR must specify the level of funding required to manage the on-site BOS in perpetuity. O4c-35

EVALUATION OF BIOLOGICALLY SUPERIOR PROJECT ALTERNATIVE

Page 4.30 of the DEIR states:

> Based on comments received from CDFW and USFWS, the [biologically superior] alternative was specifically designed to protect a stand of Intermediate Value habitat (sage scrub) in the eastern portion of the site that included one breeding pair of California Gnatcatchers found along the eastern boundary of the site in 2014.

As noted in these comments, it is likely that multiple pairs of California Gnatcatchers are present in the northeastern part of the project site at this time. The DEIR does not explain why it would be infeasible for the "biologically superior alternative" to preserve the entire 6.3 acres of gnatcatcher-occupied scrub, rather than impacting 2.8 acres of that occupied habitat. The DEIR also does not explain why implementation of the biologically superior alternative could not feasibly avoid additional areas of native chaparral vegetation in the southern part of the site that would require extensive grading to develop, and despite the acknowledged "high potential" for more than ***two dozen*** special-status species to occur on the site. For numerous reasons discussed in this letter, the EIR should identify an alternative that more meaningfully avoids impacts to sensitive biological resources. The alternatives analysis fails to meet this standard, and the DEIR does not explain why impacts must necessarily be as extensive as those proposed even under the biologically superior alternative. O4c-36

SUMMARY AND CONCLUSION

As discussed herein, the literature review and baseline biological surveys completed for the Harmony Grove Village South DEIR are inadequate for the purposes of (a) evaluating the potential for numerous rare plant and wildlife species to occur on the project site, and (b) identifying the full range of feasible mitigation measures needed to reduce all potentially significant impacts to below the level of significance. O4c-37

With regard to rare plants, DEIR claims that four CNPS List 1B species, including the federally listed Thread-leaved Brodiaea, have low or no potential to occur on the site, and yet (a) the main floral surveys occurred during a drought period; (b) included no O4c-38

Response to Comment O4c-36

Please refer to Response to Comment O4c-29 regarding the Biologically Superior Alternative, which was developed with input from the Wildlife Agencies. The commenter is missing other key factors driving the footprint of the Biologically Superior Alternative, which are, the facilitation of north-south movement of CAGN and other wildlife species. Although CAGN breeding habitat is an important factor and would be preserved under the Biologically Superior Alternative, additional habitat and topographic high points for CAGN dispersal and migration would be preserved and are stronger drivers for the Biological Superior Alternative. This is addressed in Appendix E to the EIR. The Biologically Superior Alternative would also preserve additional sensitive plant species and result in a larger BOS area. Non-biological factors driving the Biologically Superior Alternative design revolve around road circulation and Village designation density constraints, as explained in Sections S.5.5.1 and 4.6.1 of the EIR. These are all meaningful reasons driving the Biologically Superior Alternative design.

Response to Comment O4c-37

This is a summary conclusion, without specifics. Please refer to the responses above for individual and focused responses.

Response to Comment O4c-38

Please refer to Response to Comment O4c-7 regarding *Brodiaea*, Response to Comment O4c-5 regarding survey windows during May and June in 2017, and Response to Comment O4c-6 regarding clay soils and Canchalagua, respectively.

surveys during the May/June period when these plants are most reliably detected; (c) the supplemental surveys in 2017 also failed to include surveys in May/June; (d) the surveys were inadequate to locate even the common Canchalagua wildflower that is known to occur in the site's grasslands; and (e) project biologists assert that no clay soils required by these plants occur on the site, an opinion contradicted by the Geology/Soils section of the DEIR, which identifies two types of clay soils on the site. O4c-38

In characterizing the Western Spadefoot, a California Species of Special Concern, as having "low" potential to aestivate in the site's grasslands, the project biologists ignored multiple recent records of this species from nearby sites (Technology Associates 2009, Dudek 2011) as well as the presence of a large seasonal pond near the project site's grasslands that appears to be highly suitable for breeding by spadefoots. The EIR should identify a potentially significant impact to the Western Spadefoot and devise mitigation that demonstrates a tangible conservation benefit to the spadefoot population within the Escondido Creek watershed, as close to the site of impact as feasible. O4c-39

The wildlife surveys conducted for the DEIR were so cursory and inadequate that only a single common species of reptile was found. Furthermore, the project biologists failed to identify annual grassland as potentially suitable habitat for Blainville's Horned Lizard and various other sensitive wildlife species known to routinely utilize grasslands. O4c-40

Based on the false assertion that "the grassland located within PAMA on the site is not occupied by sensitive species," the DEIR identifies only a 0.5 to 1 mitigation ratio for the project's impacts to grasslands. In recognition of the large number of plant and wildlife species known or expected to occur within the site's annual grasslands, the required mitigation ratio should be at least 1:1. O4c-41

The DEIR's characterization of 6.3 acres of coastal sage scrub in the northeastern portion of the site as being of "intermediate" value to the federally threatened California Gnatcatcher is not based on a thorough, formal evaluation of the function of that area in relationship to the surrounding areas. I documented two adult male California Gnatcatchers in this area during May 2017, and regard the persistence of gnatcatchers in this area at the end of a five-year drought as strong evidence that the habitat is valuable to the local gnatcatcher population. O4c-42

The project DEIR acknowledges that the design of the Harmony Grove Village South project does not satisfy a basic requirement of the NCCP Guidelines, i.e., that project design "must, to the maximum extent practicable, minimize habitat loss." O4c-43

The DEIR fails to identify an alternative project design that minimizes habitat loss in compliance with the NCCP Guidelines. The County should require the Project Applicant to develop a workable alternative that truly minimizes or avoids the loss of gnatcatcher-occupied coastal sage scrub, and other biologically sensitive communities, in compliance with the NCCP Guidelines. O4c-44

Response to Comment O4c-39
Please refer to Response to Comment O4c-13 regarding western spadefoot. As noted, when the impacts would not result in the loss of an on-site population or impact the local long-term survival of the species, they are adequately mitigated through the implementation of habitat-based mitigation. No additional mitigation is required.

Response to Comment O4c-40
Please refer to Response to Comment O4c-14 regarding coast horned lizard.

Response to Comment O4c-41
Refer to Response to Comment O4c-5 regarding rare plant survey timing. The Project grasslands do not contain sensitive or rare plant species. Please also refer to Response to Comment O4c-20 and 26.

Response to Comment O4c-42
Comments noted. The presence of two adult males on site is not at variance with the Project findings. Please refer to Response to Comment O4c-16 and 17 regarding CAGN findings and 2017 conditions, respectively, and O4c-29 regarding habitat value ratings.

Response to Comment O4c-43
Comment noted. As discussed in Response to Comment O4c-29, this statement is consistent with text in the EIR.

Response to Comment O4c-44
The County respectfully disagrees. The Biologically Superior Alternative addressed in Chapter 4.0 provides the maximum practicable minimization of habitat loss.

COMMENTS	RESPONSES

The DEIR is inadequate in failing to identify the location where off-site mitigation for significant impacts to coastal sage scrub and grasslands would take place. O4c-45

The DEIR does not quantify the area of fuel modification that would affect each plant community on the project site, and does not take all feasible steps to minimize fuel modification impacts, landscaping impacts, and other "edge effects." O4c-46

The lack of sensitivity in the proposed design of the Harmony Grove Village South project belies the site's designation as a Pre-Approved Mitigation Area in the draft North County MSCP. An adequate CEQA document for a project in this biologically valuable natural area would (a) incorporate a complete review of the relevant literature; (b) involve thorough and complete baseline biological surveys; (c) include a viable project alternative that avoids areas of the highest biological sensitivity consistent with NCCP Guidelines; and (d) incorporate mitigation measures designed not only to offset the project's impacts to sensitive resources, but also to minimize the potential for the proposed actions to adversely impact nearby natural open space preserves and the organizations, such as TECC, that are charged with ongoing management of those areas. The flaws in this DEIR, described in these comments, are so extensive that they cannot be adequately addressed without conducting additional literature review and field work. Once those tasks are completed adequately, site-appropriate project design and mitigation planning will be required. At that point, a revised DEIR should be recirculated for another round of public review. O4c-47

I appreciate the opportunity to evaluate the CEQA documentation for this important project. Please call me at 562-477-2181 if you have questions or wish to further discuss any matters; you may send e-mail to robb@hamiltonbiological.com. O4c-48

Sincerely,



Robert A. Hamilton, President
Hamilton Biological, Inc.
http://hamiltonbiological.com

attachment: Curriculum Vitae

Response to Comment O4c-45

The County respectfully disagrees. Please refer to Response to Comment O4c-29.

Response to Comment O4c-46

Please refer to Response to Comment O4c-3 regarding the nature of assessed fuel management impacts and its inclusion within permanent, direct impacts. The fuel modification impacts are necessary elements of the Fire Protection Plan, and cannot be further minimized. The Project appropriately addresses potential landscaping and edge effects, as previously addressed in Response to Comment O4c-30 and O4c-33.

Response to Comment O4c-47

The County respectfully disagrees. Please refer to Response to Comment O4c-2 regarding literature review and adequacy of baseline surveys, and Response to Comment O4c-29 regarding the Biologically Superior Alternative. The Project identifies adequate mitigation in accordance with County requirements as well as Draft MSCP North County Plan ratios for mitigation. No comments on mitigation ratios were received from the USFWS or CDFW, both of which consider habitat and species preservation directly under their purview. The Project design specifically incorporates over 34 acres of biological open space to be permanently preserved. This open space would abut DDHP boundaries along the southern and southeastern portions of the Project. This open space set aside would augment, rather than impact, this preserve. Similarly, residential uses are set back from the Project's northern boundary, and both a wetlands buffer as well as a Limited Building Zone buffer combine to set Project uses back from the TECC Escondido Creek easement. The Project also would minimize runoff flow from horse manure north over the Project site to Escondido Creek as all Project area flows would be trapped and treated prior to release into storm drains. Similarly, this would benefit the creek and the TECC property. Please also refer to Response to Comment O4c-12 regarding benefits of the proposed bridge to Escondido Creek.

COMMENTS	RESPONSES
	The County respectfully disagrees that additional literature review and field work is necessary and that additional Project design or mitigation planning is required beyond the substantial efforts already completed. As a result, no recirculation is required. **Response to Comment O4c-48** This is a closing statement and is not at variance with information in the EIR.

COMMENTS	RESPONSES
Comment Letter O4c **Robert A. Hamilton** *President, Hamilton Biological, Inc.* **Expertise** Endangered Species Surveys General Biological Surveys CEQA Analysis Population Monitoring Vegetation Mapping Construction Monitoring Noise Monitoring Open Space Planning Natural Lands Management **Education** 1988. Bachelor of Science degree in Biological Sciences, University of California, Irvine **Professional Experience** 1994 to Present. Independent Biological Consultant, Hamilton Biological, Inc. 1988 to 1994. Biologist, LSA Associates, Inc. **Permits** Federal Permit No. TE-799557 to survey for the Coastal California Gnatcatcher and Southwestern Willow Flycatcher MOUs with the California Dept. of Fish and Game to survey for Coastal California Gnatcatcher and Southwestern Willow Flycatcher California Scientific Collecting Permit No. SC-001107 Robert A. Hamilton has been providing biological consulting services in southern California since 1988. He spent the formative years of his career at the firm of LSA Associates in Irvine, where he was a staff biologist and project manager. He has worked as an independent and on-call consultant since 1994, incorporating his business as Hamilton Biological, Inc., in 2009. The consultancy specializes in the practical application of environmental policies and regulations to land management and land use decisions in southern California. A recognized authority on the status, distribution, and identification of birds in California, Mr. Hamilton is the lead author of two standard references describing aspects of the state's avifauna: *The Birds of Orange County: Status & Distribution* and *Rare Birds of California*. Mr. Hamilton has also conducted extensive studies in Baja California, and for seven years edited the Baja California Peninsula regional reports for the journal *North American Birds*. He served ten years on the editorial board of *Western Birds* and regularly publishes in peer-reviewed journals. He is a founding member of the Coastal Cactus Wren Working Group and in 2011 updated the Cactus Wren species account for *The Birds of North America Online*. Mr. Hamilton's expertise includes vegetation mapping. From 2007 to 2010 he worked as an on-call biological analyst for the County of Los Angeles Department of Regional Planning. From 2010 to present he has conducted construction monitoring and focused surveys for special-status bird species on the Tehachapi Renewable Transmission Project (TRTP). He is a former member of the Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC). Mr. Hamilton conducts general and focused biological surveys of small and large properties as necessary to obtain various local, state, and federal permits, agreements, and clearances. He also conducts landscape-level surveys needed by land managers to monitor songbird populations. Mr. Hamilton holds the federal and state permits and MOUs listed to the left, and he is recognized by federal and state resource agencies as being highly qualified to survey for the Least Bell's Vireo. He also provides nest-monitoring services in compliance with the federal Migratory Bird Treaty Act and California Fish & Game Code Sections 3503, 3503.5 and 3513. O4c-49	**Response to Comment O4c-49** This attachment is the resume for the author of Comment Letter O4-c. It is not further addressed.

Board Memberships, Advisory Positions, Etc.

Coastal Cactus Wren Working Group (2008–present)

Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC) (2010–2014)

American Birding Association: Baja Calif. Peninsula Regional Editor, North American Birds (2000–2006)

Western Field Ornithologists: Associate Editor of Western Birds (1999–2008)

California Bird Records Committee (1998–2001)

Nature Reserve of Orange County: Technical Advisory Committee (1996–2001)

California Native Plant Society, Orange County Chapter: Conservation Chair (1992–2003)

Professional Affiliations

American Ornithologists' Union

Cooper Ornithological Society

Institute for Bird Populations

California Native Plant Society

Southern California Academy of Sciences

Western Foundation of Vertebrate Zoology

Mr. Hamilton is an expert photographer, and typically provides photo-documentation and/or video documentation as part of his services.

Drawing upon a robust, multi-disciplinary understanding of the natural history and ecology of his home region, Mr. Hamilton works with private and public land owners, as well as governmental agencies and interested third parties, to apply the local, state, and federal land use policies and regulations applicable to each particular situation. Mr. Hamilton has amassed extensive experience in the preparation and critical review of CEQA documents, from relatively simple Negative Declarations to complex supplemental and recirculated Environmental Impact Reports. In addition to his knowledge of CEQA and its Guidelines, Mr. Hamilton understands how each Lead Agency brings its own interpretive variations to the CEQA review process.

O4c-49

Representative Project Experience

From 2008 to present, Mr. Hamilton has served as the main biological consultant for the Banning Ranch Conservancy, a local citizens' group opposed to a large proposed residential and commercial project on the 400-acre Banning Ranch property in Newport Beach. Mr. Hamilton reviewed, analyzed, and responded to numerous biological reports prepared by the project proponent, and testified at multiple public hearings of the California Coastal Commission. In September 2016, the Commission denied the application for a Coastal Development Permit for the project, citing, in part, Mr. Hamilton's analysis of biological issues. In March 2017, the California Supreme Court issued a unanimous opinion (*Banning Ranch Conservancy v. City of Newport Beach*) holding that the EIR prepared by the City of Newport Beach improperly failed to identify areas of the site that might qualify as "environmentally sensitive habitat areas" under the California Coastal Act. In nullifying the certification of the EIR, the Court found that the City "ignored its obligation to integrate CEQA review with the requirements of the Coastal Act."

In 2014/2015, on behalf of Audubon California, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Vision for the Los Cerritos Wetlands, Los Angeles County/Orange County, California*. The goals of this

Insurance

$3,000,000 professional liability policy (Hanover Insurance Group)

$2,000,000 general liability policy (The Hartford)

$1,000,000 auto liability policy (State Farm)

Other Relevant Experience

Field Ornithologist, San Diego Natural History Museum Scientific Collecting Expedition to Central and Southern Baja California, October/November 1997 and November 2003.

Field Ornithologist, Island Conservation and Ecology Group Expedition to the Tres Marías Islands, Nayarit, Mexico, 23 January to 8 February 2002.

Field Ornithologist, Algalita Marine Research Foundation neustonic plastic research voyages in the Pacific Ocean, 15 August to 4 September 1999 and 14 to 28 July 2000.

Field Assistant, Bird Banding Study, Río Ñambí Reserve, Colombia, January to March 1997.

References

Provided upon request.

comprehensive review of ongoing conceptual restoration planning by the Los Cerritos Wetlands Authority were (a) to review the conceptual planning and the restoration work that had been completed to date, and (b) to set forth additional conservation priorities for the more intensive phases of restoration that were being contemplated.

From 2012 to 2014, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Analysis for the Santa Monica Mountains "Coastal Zone" in Los Angeles County*, and worked with Mr. Cooper and the County of Los Angeles to secure a certified Local Coastal Program (LCP) for 52,000 acres of unincorporated County lands in the Santa Monica Mountains coastal zone. The work involved synthesizing large volumes of existing baseline information on the biological resources of the study area, evaluating existing land use policies, and developing new policies and guidelines for future development within this large, ecologically sensitive area. A coalition of environmental organizations headed by the Surfrider Foundation selected this project as the "Best 2014 California Coastal Commission Vote" (http://www.surfrider.org/images/uploads/2014CCC_Vote_Chart_FINAL.pdf).

O4c-49

In 2010, under contract to CAA Planning, served as principal author of the *Conservation & Management Plan for Marina del Rey, Los Angeles County, California*. This comprehensive planning document has two overarching goals: (1) to promote the long-term conservation of all native species that exist in, or that may be expected to return to, Marina del Rey, and (2) to diminish the potential for conflicts between wildlife populations and both existing and planned human uses of Marina del Rey (to the benefit of humans and wildlife alike). After peer-review, the Plan was accepted by the Coastal Commission as an appropriate response to the varied challenges posed by colonial waterbirds and other biologically sensitive resources colonizing urban areas once thought to have little resource conservation value.

COMMENTS	RESPONSES

Curriculum Vitae for Robert A. Hamilton

Contact Information

Robert A. Hamilton
President, Hamilton Biological, Inc.

316 Monrovia Avenue
Long Beach, CA 90803

562-477-2181 (office, mobile)

robb@hamiltonbiological.com
http://hamiltonbiological.com

Third Party Review of CEQA Documents

Under contract to cities, conservation groups, homeowners' associations, and other interested parties, Mr. Hamilton has reviewed EIRs and other project documentation for the following projects:

- Newport Banning Ranch (residential/commercial, City of Newport Beach)
- Davidon/Scott Ranch (residential, City of Petaluma)
- Mission Trails Regional Park Master Plan Update (open space planning, City of San Diego)
- Esperanza Hills (residential, County of Orange)
- Warner Ranch (residential, County of San Diego)
- Dog Beach at the Santa Ana River Mouth (open space planning, County of Orange)
- Gordon Mull subdivision (residential, City of Glendora)
- The Ranch at Laguna Beach (resort, City of Laguna Beach)
- Sunset Ridge Park (city park, City of Newport Beach)
- The Ranch Plan (residential/commercial, County of Orange)
- Southern Orange County Transportation Infrastructure Improvement Project (Foothill South Toll Road, County of Orange)
- Gregory Canyon Landfill Restoration Plan (proposed mitigation, County of San Diego)
- Montebello Hills Specific Plan EIR (residential, City of Montebello; 2009 and 2014 circulations)
- Cabrillo Mobile Home Park Violations (illegal wetland filling, City of Huntington Beach)
- Newport Hyatt Regency (timeshare conversion project, City of Newport Beach)
- Lower San Diego Creek "Emergency Repair Project" (flood control, County of Orange)
- Tonner Hills (residential, City of Brea)
- The Bridges at Santa Fe Units 6 and 7 (residential, County of San Diego)
- Villages of La Costa Master Plan (residential/commercial, City of Carlsbad)
- Whispering Hills (residential, City of San Juan Capistrano)
- Santiago Hills II (residential/commercial, City of Orange)
- Rancho Potrero Leadership Academy (youth detention facility/road, County of Orange)
- Saddle Creek/Saddle Crest (residential, County of Orange)
- Frank G. Bonelli Regional County Park Master Plan (County of Los Angeles)

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COMMENTS	RESPONSES

Selected Presentations

Hamilton, R. A. Six Legs Good. 2012-2017. 90-minute multimedia presentation on the identification and photography of dragonflies, damselflies, butterflies, and other invertebrates, given at Audubon Society chapter meetings, Irvine Ranch Conservancy, etc.

Hamilton, R. A., and Cooper, D. S. 2016. Nesting Bird Policies: We Can Do Better. Twenty-minute multimedia presentation at The Wildlife Society Western Section Annual Meeting, February 23, 2016.

Hamilton, R. A. 2012. Identification of Focal Wildlife Species for Restoration, Coyote Creek Watershed Master Plan. Twenty-minute multimedia presentation given at the Southern California Academy of Sciences annual meeting at Occidental College, Eagle Rock, 4 May. Abstract published in the Bulletin of the Southern California Academy of Sciences No. 111(1):39.

Hamilton, R. A., and Cooper, D. S. 2009-2010. Conservation & Management Plan for Marina del Rey. Twenty-minute multimedia presentation given to different governmental agencies and interest groups.

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Hamilton, R. A. 2008. Cactus Wren Conservation Issues, Nature Reserve of Orange County. One-hour multimedia presentation for Sea & Sage Audubon Society, Irvine, California, 25 November.

Hamilton, R. A., Miller, W. B., Mitrovich, M. J. 2008. Cactus Wren Study, Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Nature Reserve of Orange County's Cactus Wren Symposium, Irvine, California, 30 April 2008.

Hamilton, R. A. and K. Messer. 2006. 1999-2004 Results of Annual California Gnatcatcher and Cactus Wren Monitoring in the Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Partners In Flight meeting: Conservation and Management of Coastal Scrub and Chaparral Birds and Habitats, Starr Ranch Audubon Sanctuary, 21 August 2004; and at the Nature Reserve of Orange County 10th Anniversary Symposium, Irvine, California, 21 November.

Publications

Gómez de Silva, H., Villafaña, M. G. P., Nieto, J. C., Cruzado, J., Cortés, J. C., Hamilton, R. A., Vásquez, S. V., and Nieto, M. A. C. 2017. Review of the avifauna of The Tres Marías Islands, Mexico, including new and noteworthy records. *Western Birds* 47:2–25.

Hamilton, R. A. 2014. Book review: The Sibley Guide to Birds, Second Edition. *Western Birds* 45:154–157.

Cooper, D. S., R. A. Hamilton, and S. D. Lucas. 2012. A population census of the Cactus Wren in coastal Los Angeles County. *Western Birds* 43:151–163.

Hamilton, R. A., J. C. Burger, and S. H. Anon. 2012. Use of artificial nesting structures by Cactus Wrens in Orange County, California. *Western Birds* 43:37–46.

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 Hamilton, R. A., Proudfoot, G. A., Sherry, D. A., and Johnson, S. 2011. Cactus Wren (*Campylorhynchus brunneicapillus*), *in* The Birds of North America Online (A. Poole, ed.). Cornell Lab of Ornithology, Ithaca, NY. Hamilton, R. A. 2008. Cactus Wrens in central & coastal Orange County: How will a worst-case scenario play out under the NCCP? *Western Tanager* 75:2–7. Erickson, R. A., R. A. Hamilton, R. Carmona, G. Ruiz-Campos, and Z. A. Henderson. 2008. Value of perennial archiving of data received through the North American Birds regional reporting system: Examples from the Baja California Peninsula. *North American Birds* 62:2–9. Erickson, R. A., R. A. Hamilton, and S. G. Mlodinow. 2008. Status review of Belding's Yellowthroat *Geothlypis beldingi*, and implications for its conservation. Bird Conservation International 18:219–228. Hamilton, R. A. 2008. Fulvous Whistling-Duck (*Dendrocygna bicolor*). Pp. 68-73 *in* California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California (Shuford, W. D. and T. Gardali, eds.). Studies of Western Birds 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA. California Bird Records Committee (R. A. Hamilton, M. A. Patten, and R. A. Erickson, editors.). 2007. Rare Birds of California. Western Field Ornithologists, Camarillo, CA. Hamilton, R. A., R. A. Erickson, E. Palacios, and R. Carmona. 2001–2007. *North American Birds* quarterly reports for the Baja California Peninsula Region, Fall 2000 through Winter 2006/2007. Hamilton, R. A. and P. A. Gaede. 2005. Pink-sided × Gray-headed Juncos. *Western Birds* 36:150–152. Mlodinow, S. G. and R. A. Hamilton. 2005. Vagrancy of Painted Bunting (*Passerina ciris*) in the United States, Canada, and Bermuda. *North American Birds* 59:172–183. Erickson, R. A., R. A. Hamilton, S. González-Guzmán, G. Ruiz-Campos. 2002. Primeros registros de anidación del Pato Friso (*Anas strepera*) en México. Anales del Instituto de Biología, Universidad Nacional Autónoma de México, Serie Zoología 73(1):67–71. Hamilton, R. A. and J. L. Dunn. 2002. Red-naped and Red-breasted sapsuckers. *Western Birds* 33:128–130. Hamilton, R. A. and S. N. G. Howell. 2002. Gnatcatcher sympatry near San Felipe, Baja California, with notes on other species. *Western Birds* 33:123–124. Hamilton, R. A. 2001. Book review: The Sibley Guide to Birds. *Western Birds* 32:95–96. Hamilton, R. A. and R. A. Erickson. 2001. Noteworthy breeding bird records from the Vizcaíno Desert, Baja California Peninsula. Pp. 102-105 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO. Hamilton, R. A. 2001. Log of bird record documentation from the Baja California Peninsula archived at the San Diego Natural History Museum. Pp. 242–253 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO. Hamilton, R. A. 2001. Records of caged birds in Baja California. Pp. 254–257 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO. O4c-49	

COMMENTS	RESPONSES

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Howell, S. N. G., R. A. Erickson, R. A. Hamilton, and M. A. Patten. 2001. An annotated checklist of the birds of Baja California and Baja California Sur. Pp. 171–203 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.

Ruiz-Campos, G., González-Guzmán, S., Erickson, R. A., and Hamilton, R. A. 2001. Notable bird specimen records from the Baja California Peninsula. Pp. 238–241 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.

Wurster, T. E., R. A. Erickson, R. A. Hamilton, and S. N. G. Howell. 2001. Database of selected observations: an augment to new information on migrant birds in northern and central portions of the Baja California Peninsula. Pp. 204–237 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.

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Hamilton, R. A., J. E. Pike, T. E. Wurster, and K. Radamaker. 2000. First record of an Olive-backed Pipit in Mexico. *Western Birds* 31:117–119.

Hamilton, R. A. and N. J. Schmitt. 2000. Identification of Taiga and Black Merlins. *Western Birds* 31:65–67.

Hamilton, R. A. 1998. Book review: Atlas of Breeding Birds, Orange County, California. *Western Birds* 29:129–130.

Hamilton, R. A. and D. R. Willick. 1996. The Birds of Orange County, California: Status and Distribution. Sea & Sage Press, Sea & Sage Audubon Society, Irvine.

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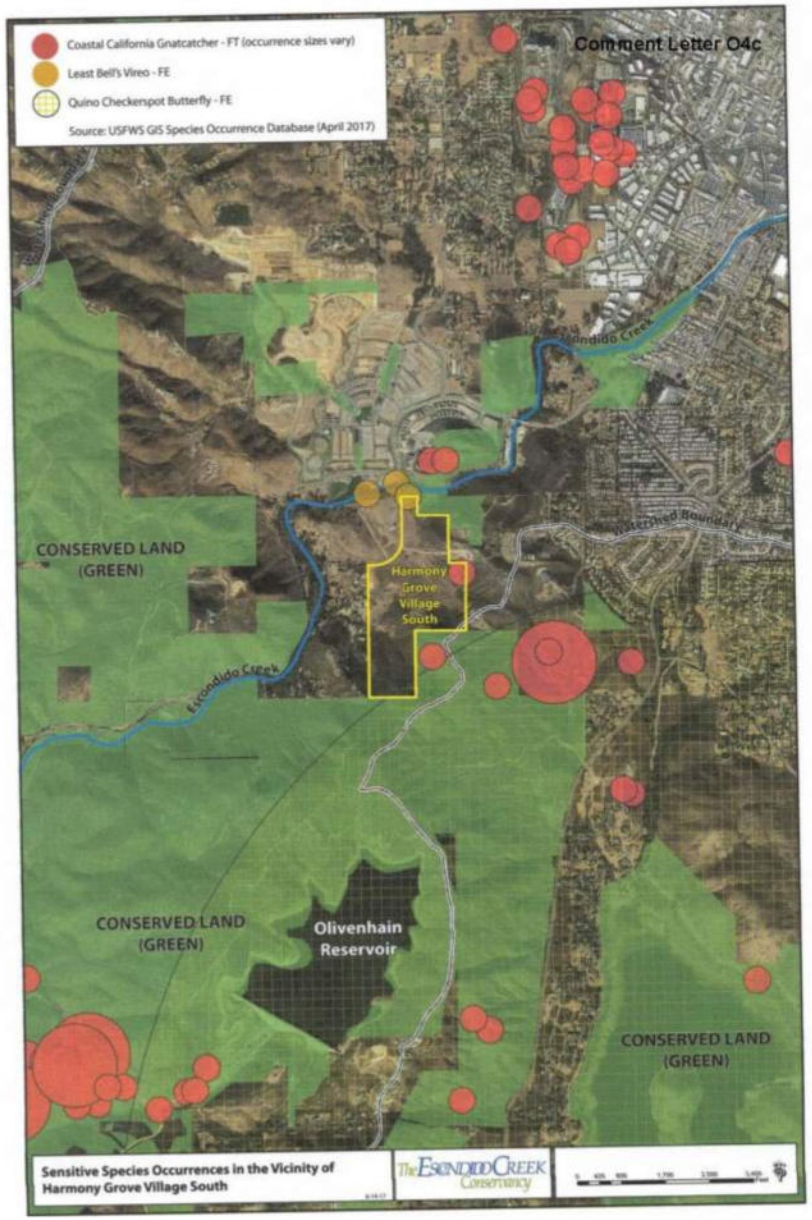
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Erickson, R. A., R. A. Hamilton, S. N. G. Howell, M. A. Patten, and P. Pyle. 1995. First record of Marbled Murrelet and third record of Ancient Murrelet for Mexico. *Western Birds* 26: 39–45.

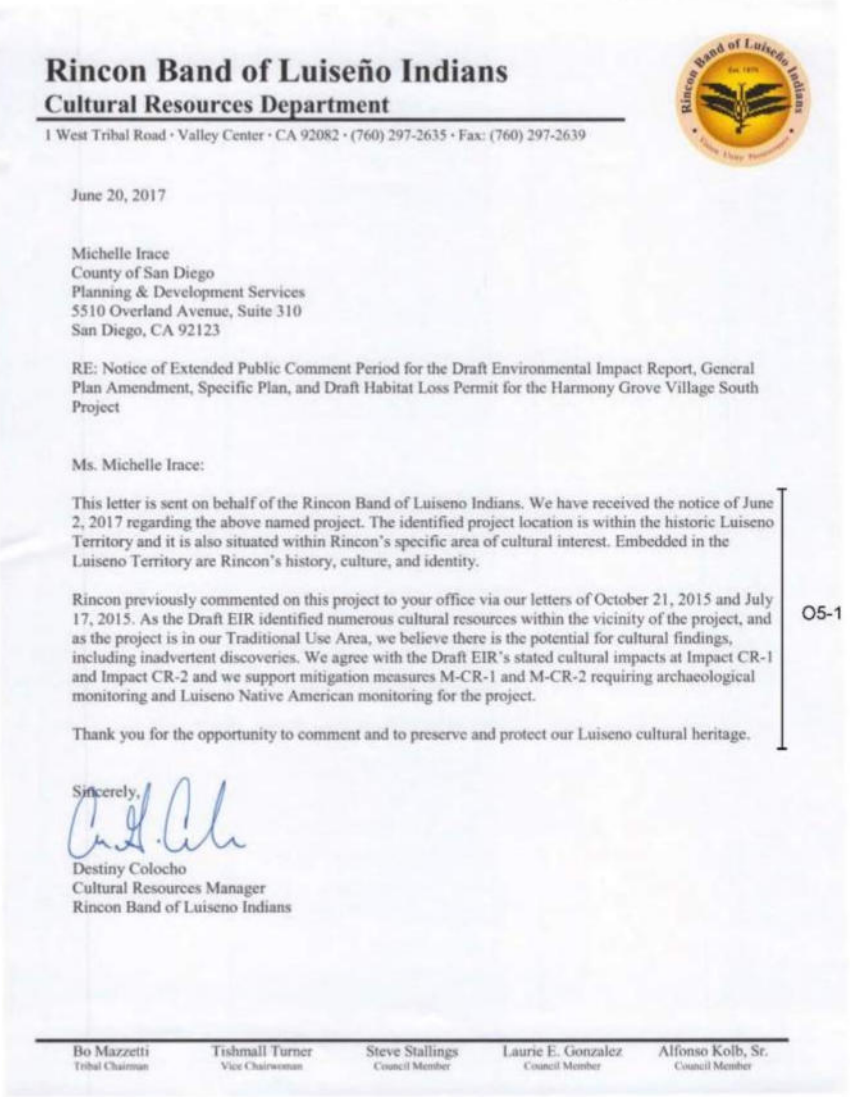
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Erickson, R. A., A. D. Barron, and R. A. Hamilton. 1992. A recent Black Rail record for Baja California. *Euphonia* 1(1): 19–21.

O4c-49

COMMENTS	RESPONSES
	

COMMENTS	RESPONSES
Comment Letter O4c **Metadata** Map Title: Sensitive Species Occurrences in the Vicinity of Harmony Grove Village South Date: June 14, 2017 Created by: The Escondido Creek Conservancy Projection: State Plane NAD83, Zone 11, feet GIS Software: ArcGIS 10.2 GIS Coverages: United States Fish and Wildlife Service Species Occurrence Database (April 2017) SANDAG North County Parcel Database SANDAG Conserved Lands Database SANDAG Stream Database SANDAG Watershed Database Google Earth Pro 2016 Aerial Photograph Narrative: The attached map was created to illustrate the relationship of the proposed Harmony Grove Village South project site in relationship to the Escondido Creek watershed and natural resources documented in the region of the property. Specifically, the map was created by downloading the above referenced GIS coverages into ArcGIS to allow for visual representation. As noted on the map, all conserved lands are represented as green shading and include all lands that are legally converted to: Protect natural habitats, species, and open space; Contribute to the existing and planned regional habitat preserve system; and managed to protect the open space or natural resources into the future. The USFWS species occurrences shown on the map represent the results of all current and historic records of federally threatened (FT) and endangered (FE) species survey results submitted to the federal government by biologist permitted to conduct studies for listed species. The USFWS updates the database bi-annually and posts the GIS onsite for public access (https://www.fws.gov/carlsbad/GIS/CFWOGIS.html).	

COMMENTS	RESPONSES
Comment Letter O5 	**Response to Comment O5-1** The comment acknowledges the receipt, as well as accepting the impacts and mitigation measures under Cultural Resources and Tribal Cultural Resources (Subchapter 2.4), of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to the final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter O6

2017 Board Members
Jacqueline Arnaud-Benjamin, Chair
JP Theberge, Vice Chair
Jan Perry, Secretary
Nancy Goodrich, Treasurer
Eric Anderson
Jon Donner
Angelique Hartner
Scott Sutherland

Elfin Forest
Harmony Grove
Town Council
Keeping it Rural

20223 Elfin Forest Road
Elfin Forest, CA 92029

June 20, 2016

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ashley:

Thank you for the opportunity to comment on the DEIR for this General Plan Amendment. This letter supplements that sent by our law firm, Shute, Mihaly and Weinberger, as well as the spreadsheet submitted as "HGVS DEIR comments.pdf." O6-1

The Elfin Forest Harmony Grove Town Council finds that the DEIR fails to disclose and mitigate for the impacts of breaking the compromise agreement embedded in the General Plan, impacts which may reverberate county-wide as communities learn that their elected officials may not be trusted to uphold carefully crafted plans, should this amendment be approved. The result might be a lack of willingness to compromise on future collaborative efforts, and should be analyzed in the DEIR. O6-2

There are excellent reasons why the General Plan in its wisdom only allowed 25 units originally on these 110 acres, and the most compelling is public safety, something we expect decision makers to prioritize over all other concerns and potential inducements. Granting exemptions to the secondary egress and maximum dead-end road requirements from the Fire Code, at the same time as the DEIR cites the shortfall in funding for the local fire station as a benefit of the project, only raises questions about the integrity of the process.

On a weekend where we saw over 60 people burned alive in their cars as they tried to evacuate from a wildfire in Portugal, in terrain and climatic conditions eerily reminiscent of Harmony Grove, it is with a somber mood and a full appreciation of what is at stake for our residents that we write these comments. O6-3

Response to Comment O6-1

These are introductory comments that identify the commenter. The comments are not at variance with the EIR and do not require a response.

Response to Comment O6-2

Comments noted. As a general policy comment, it is not an EIR-related issue that requires response. It is noted, however, that as stated in the County's General Plan Update (2011) on page 1-15:

> *The General Plan is intended to be a dynamic document and must be periodically updated to respond to changing community needs.*
>
> *Any proposed amendment will be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety and welfare.*

Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue.

Response to Comment O6-3

The comments regarding fires in Portugal are acknowledged. These comments do not address the environmental analysis or adequacy of the EIR and therefore a response is not required.

COMMENTS	RESPONSES

Comment Letter O6

Simply put, the County cannot allow more density to be built at the Wildland Urban Interface, in violation of the GP policies designed to protect public safety, beyond *the number of residents that can be safely evacuated on the existing road infrastructure*. The extensive analysis below demonstrates that this area, given the 2-lane road infrastructure, cannot accommodate another GPA beyond the already approved Harmony Grove Village. As such we request the County conduct a full analysis of the actual evacuation conditions, in a worst case scenario, similar to what we provided in Exhibit A, so that the full impact on public safety is properly disclosed. Anything short of verifying and validating the numbers in Exhibit A is robbing the decision makers and the public of the ability to make informed decisions. O6-4

BROKEN AGREEMENTS

The DEIR fails to acknowledge the historical context of this request for an Amendment to the General Plan. In order for decision-makers and the public to fully understand the impact of the project, it is important to add the context of its genesis, and the revised document needs to truthfully explain the setting for this request to amend the General Plan.

Our community, starting in the early 2000's, worked proactively with County staff to come up with a sustainable, carefully crafted plan for our area that took into account our community's needs, but also balanced it against the need of the County to accommodate growth. In the plan that eventually resulted, after five years of onsite visioning workshops led by County staff and many hours of other community meetings, we agreed to compromise with the County to allow increased density in our area that more than doubled our population while still protecting the rural environment we cherish. The evidence of this good faith, collaborative effort, is found in the County presentation documents that are uploaded to the Dropbox location referenced in the

This compromise was made with the understanding, embedded in the General Plan, that, in exchange for agreeing to more houses within a village boundary, our area would be protected from further density, through a series of down-zones of properties throughout Harmony Grove. O6-5

> ***"In the compromise process, we agreed to downzone our own properties to protect the community for years to come. It would be a massive breach of public trust and a violation of our own property rights to turn around and upzone the property in question."***

Our residents gave up opportunities to subdivide and profit from smaller parcel sizes in order to protect their way of life. In effect we agreed to a development (Harmony Grove Village) to save our valley from further encroachment *while limiting our own profit potential*. This agreement is embodied in our Community Plan, in the General Plan map and is documented, for example, in the Property Specific Requests staff report about this project (Exhibit B – SD7) where county staff writes: *"This Village boundary is the result of several public workshops that developed a compromise position to assign additional density within the Village boundary surrounded by Semi-Rural and Rural Lands."* We were given assurances by County staff and our supervisors that we would not have to take on any more growth. We did our part, accepted a lot of growth, downzoned many of our own properties, foregoing financial gain for preserving community

2

Response to Comment O6-4

The comments regarding current and post-Harmony Grove Village South (HGV South) Project evacuation conditions are noted. Exhibit A evacuation calculations (attached to your letter) have been reviewed. The Project's Fire Protection Plan (FPP) discusses evacuations, the Project's approach to minimizing evacuation impacts, and conducted evacuation traffic analysis under a worst-case condition in several sub-sections of Section 5.2.1.2. Please also see the Global Response to Adequacy of Emergency Evacuation and Access.

Response to Comment O6-5

The comments regarding the General Plan Update process are noted; however, the comments do not address the environmental analysis or the adequacy of the EIR and therefore a response is not required. Relative to Project conformance with current planning policy, please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue.

COMMENTS	RESPONSES

character, and now we ask the decision makers to honor this agreement. This is a matter of public trust.

During my tenure on the Board of Supervisors, the community of Elfin Forest/Harmony Grove worked in good faith with the County to preserve their little community. The community wisely compromised with the County and took its fair share of growth by accepting Harmony Grove Village while down-zoning their own properties and limiting their own profit potential. They did this to protect the community from being overwhelmed by unfettered development and destroying their way of life. It would be unconscionable for the County to renege on this agreement to benefit any developer, much less out of town and out state concerns."

June 2017, Pam Slater-Price, former Supervisor, County of San Diego

O6-5

Given the context, the applicant needs to justify why the County should renege on its compact with our community. What is the specific public interest served by asking for an amendment that rewrites our Community Plan and portions of the General Plan? A generic statement about lack of affordable housing in San Diego is not sufficient to permit full evaluation of the merits of the application. The General Plan has provisions for 72,000 pre-approved housing units that could be built without a GPA. How many HGVS proposed units would be "affordable"? What mechanism would be employed to ensure they stay that way? What has changed on the ground since August 2011 that makes this particular location one where the public benefit of creating more housing units exceeds the public harm of decreasing public safety by placing residents in harm's way? The DEIR is silent on these topics.

This is especially important in light of the fact that according to the San Diego County General Plan, any change requiring a GPA
"should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare."

In fact this request for an exception to numerous GP policies would be extremely detrimental to public safety, in that it renders evacuation in an emergency practically impossible to conduct in a safe manner. Please refer to Rahn Fire Report for details.

O6-6

PUBLIC HEALTH SAFETY AND WELFARE

The DEIR Hazards and Hazardous Materials Cumulative Impact Analysis Finding of Less than Significant for Wildland Fire Hazards is Invalid and Must Be Readdressed Pursuant to a Reasonable Worst-Case Cumulative Evacuation Analysis.

The DEIR Hazards and Hazardous Materials Cumulative Impact Analysis finding that "impacts from wildland fire hazards would be less than significant" (DEIR at 3.1.4-29) is invalid because it is not supported by objective evidence regarding the cumulative time to evacuate all the way to safety all residents and animals from the affected area, which includes Harmony Grove, Eden Valley, Hidden Hills and Elfin Forest, and is unreasonable because an analysis of cumulative

O6-7

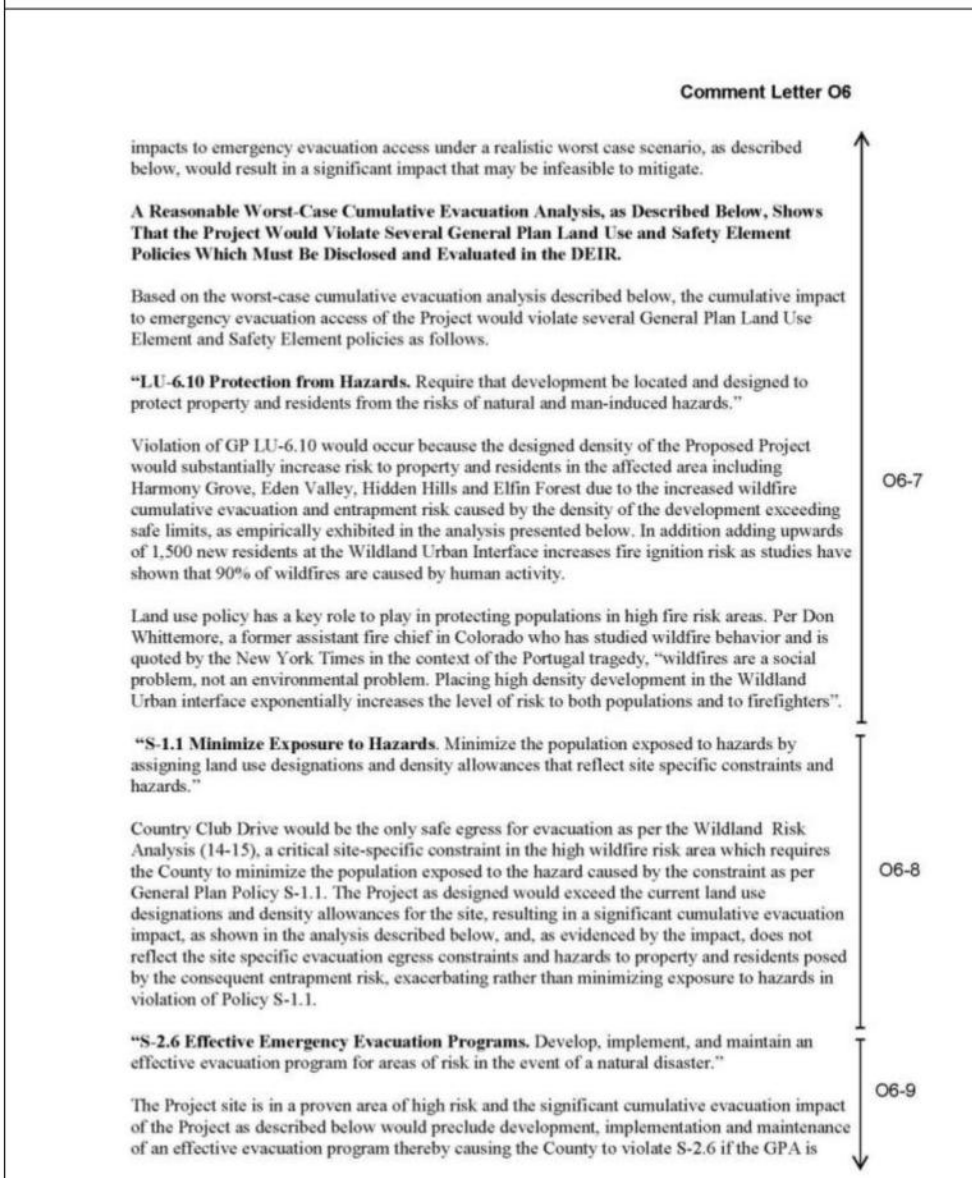
Response to Comment O6-6

Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4 for a full discussion relevant to this issue. The Project is not requesting an exception from the General Plan.

Response to Comment O6-7

The County Fire Authority and Rancho Santa Fe Fire Protection District (RSFFPD) have thoroughly reviewed and provided input to the Project's Fire Protection Plan (FPP) and based on the fire protection designs and measures integrated into the Project, disagree that the Project presents a fire risk or would impede evacuations of existing communities. The inclusion of a quote from a former assistant fire chief from Colorado is noted; however, the comment does not address the adequacy of the EIR. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

The County disagrees with the comment that the Project is inconsistent with Policy LU-6.10. Policy LU-6.10 provides that development be located and designed to protect property and residents from the risks of natural and man-induced hazards. The policy does not per se prohibit development in areas designated as a Very High Fire Hazard Severity Zone, as exemplified by the location of the Harmony Grove Village adjacent to the Project site. As explained in the Safety Element of the General Plan, because most of the unincorporated County is located within very high or extreme fire threat areas, avoiding high threat areas is not possible (General Plan Figure S-1 [Fire Threat]). Therefore, policies focus on minimizing the impact of wildfires through land use planning techniques and other mitigation measures (General Plan, Safety Element, page 7-5). As such, Policy LU-6.10 requires that development be located and designed to protect property and residents protected from risks such as fire. Development on the Project site has been located so as to provide substantial fuel management zones and minimize the risk of structural loss and life safety resulting from wildland fires consistent with Policy LU-6.10.

COMMENTS	RESPONSES
	**Response to Comment O6-8** Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The courts have consistently held that a project need not be a perfect match with each and every policy, but needs only to be consistent overall with the General Plan (Friends of Lagoon Valley v. City of Vacaville [2007] 154 Cal.App.4th 807, 817; see also Sequoyah Hills Homeowners Assn. v. City of Oakland [1993] 23 Cal.App.4th 704, 719, 29 Cal.Rptr.2d 182, where consistency is defined as "compatibility" and not strict adherence to every policy in the general plan). This means that the Project must be viewed in conjunction with the overall General Plan. Policies such as LU-6.10 and 6.11 would mean that development could be located on the Project site so as to minimize the risk of structural loss and life safety resulting from wildland fires and a project will not be developed where hazards cannot be mitigated. As explained in the Safety Element of the General Plan, because most of the unincorporated County is located within very high or extreme fire threat areas, avoiding high threat areas is not possible (General Plan Figure S-1 [Fire Threat]). Therefore, policies focus on minimizing the impact of wildfires through land use planning techniques and other mitigation measures. (General Plan, Safety Element, page 7-5.) **Response to Comment O6-9** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES

granted because the time to effect an area evacuation using the only safe egress route, Country Club Drive, would be impacted to a degree so substantially greater than the time period of safe access under a reasonable worst-case scenario that development of an effective emergency evacuation program would be infeasible.

O6-9

"S-3.5 Access Roads. Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently."

In addition to the failure of the Project to provide an additional secondary access road in violation of policy S-3.5, the significant cumulative evacuation impact of the Project which would cause the time to evacuate the area to substantially exceed the time period of safe access to roads, while allowing for emergency equipment access under a reasonable worst-case scenario, would be a violation of S-3.5 because safe access for civilian evacuation would not be provided enough time to affect the evacuation of the entire area population of humans and animals. Simply widening 1400 feet of road immediately adjacent to the project does not allow the increased evacuation traffic to safely exit to safety on the one, two-lane, already compromised exit route (Country Club Drive North).

O6-10

"S-3.6 Fire Protection Measures. Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire."

The HGVS development is located within a Very High Fire Severity Zone and, despite mitigation measures that may reduce risk of structural and human loss due to wildfire *within* the development, the Project would *increase* rather than reduce the risk of structural and human loss due to wildfire, particularly the risk of human loss due to entrapment, for potential HGVS residents and existing residents of the surrounding affected area in violation of General Plan Policy S-3.6 because the cumulative impact of the Project would cause the time to evacuate the area to substantially exceed the time period of safe access to the one safe egress road, Country Club Drive, per the cited Wildfire Risk Analysis, under a reasonable worst-case scenario.

O6-11

A Reasonable Cumulative Emergency Access Impact Analysis as Follows Must Be Done to Substantiate the DEIR Hazards and Hazardous Materials Cumulative Impact Finding and as a Basis for Evaluation of Project Compliance with General Plan Policies LU-6.10, S-1.1, S-2.6, S-3.5 and S-3.6.

In order to properly analyze the cumulative evacuation impacts and General Plan Land Use and Safety Element Policy compliance of the Proposed Project in the DEIR, the County should employ as a basis for evaluation modeling the following components:

1. an evacuation traffic flow analysis methodology such as that in the FPP;
2. a realistic worst-case wildfire scenario;
3. and reasonable population estimate counts for
   (a) the number of existing "legacy" dwelling units,
   (b) the number of potential dwelling units based on current zoning (build-out scenario), and
   (c) the number of potential total units including GPAs residents for the affected areas.

O6-12

A realistic worst-case wildfire in the Project area would involve concurrent ignition points, (1) as illustrated in the Wildland – Urban Interface Fire Emergency Plan, Harmony Grove-Offshore

Response to Comment O6-10

The Project meets the Fire Code requirements, and thus satisfies General Plan Policy S-3.5 Access Roads, by providing fire protection features that would not otherwise be required and that directly attenuate the potential for traffic congestion during evacuations. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment O6-11

It is acknowledged that the Project is within a Very High Fire Hazard Severity Zone (VHFHSZ) and that fact is referenced in the Project's Fire Protection Plan (FPP; DUDEK 2016). Based on its location in a VHFHSZ, the Project did not ignore the potential fire threat. The Project analyzed and provided ignition resistant construction, access, water availability, fuel modification and construction materials and methods developed specifically to address and mitigate issues of developing within a VHFHSZ. The Project meets and exceeds these requirements. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment O6-12

The comment regarding preparation of a regional worst-case evacuation scenario is noted. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter O6 Forecast Fire Progression map (PDS2015-GPA-15-002-WUIFERP_v3.pdf at 6) and (2) in the Double Peak/San Elijo Hills area cutting off egress access to San Elijo Road/Twin Oaks Valley Road, as could occur by arson and/or in a fire siege as occurred in 2014. In this case, Country Club Drive would be the only safe egress as per the Wildfire Risk Analysis (14-15) for evacuating existing plus zoned potential plus cumulative project total of more than 2,500 homes based on a reasonable estimate of residences as well as human and animal populations in the area derived from immediately available sources (i.e., combined existing and zoned potential residences in Elfin Forest, Harmony Grove, Eden Valley and Hidden Hills, existing and proposed residences in HGV, and proposed residences in the Valiano project and HGVS). Using the FPP methodology which assumes as a reasonable worst-case, each of the residences have three vehicles, and without accounting for additional relevant variables such as animal evacuation and evacuee prep time, there would be over 7,500 vehicles evacuating the area. Given the vehicular capacity of 1,500 on Country Club Drive between Mt Whitney Road and Hill Valley Drive, as per the Highway Capacity Manual 2010, adapted to the conditions of Country Club Drive by MRO Engineers, **it could take as long as four to six hours to evacuate all of the residents**. This would constitute a significant impact that has not been disclosed, analyzed or evaluated in the DEIR. O6-12 A revised DEIR must include this analysis accounting for all automotive and horse trailer vehicle trips required to evacuate the human and animal population of the entire affected area under existing, existing plus zoned potential, and potential by GPA densities -- a), b) and c) scenarios as defined above --, disclosing and analyzing all of the following factors in order to provide the public and decision-makers with enough information to disclose full potential impacts: • Number of "legacy" currently existing homes in Harmony Grove, Eden Valley, Hidden Hills, and Elfin Forest, which may all be evacuating on the single route the WUI Emergency Evacuation Plan deemed to be safe, Country Club Drive; • Potential number of residences in the same communities yet to be built per current zoning, so as to reasonably anticipate worst case scenario at build-out; • Potential number of residences in the proposed GPAs, Valiano and HGVS; • Number of large animals (horses, alpacas, cattle) and others unlikely to fit in a regular vehicle (goats, pigs, chicken and the like) to evacuate in the community of interest; • Available on-site trailers or other means of evacuating such animals; • Estimate of how many incoming trailers would need to be coming into those communities to retrieve those animals beyond the on-site trailering capacity; • Estimate of how many emergency vehicles and apparatus might be using the same road. Further, to provide a basis for evaluation of Project compliance with General Plan policies LU-6.10, S-1.1, S-2.6, S-3.5 and S-3.6, the analysis should account for the maximum time that Country Club Drive would be a safe mass evacuation route under the worst-case cited above, and determine the maximum safe residential density and population level in the affected area based on this evacuation time limit. For example, the map cited above from the DEIR shows fire reaching Country Club Drive north of the Proposed Project in four hours. Certainly, the maximum time window for mass egress would be no more than four hours and may be substantially less considering smoke and branding hazards and the risk of stranding motorists in the path of the fire as we just saw happening in Portugal on June 18th. O6-13 6	**Response to Comment O6-13** As detailed in the Project's FPP (Section 5.2.1.2, *Access and Parking*), it has been demonstrated that the Project's proposed unit count and corresponding population can be safely evacuated from the area within a shorter time frame than four hours and has contingency options available should a wildfire ignite closer to the Project, reducing the time available for evacuation or compromising one or more of the four available evacuation routes. The comments regarding fires in Portugal are acknowledged. These comments do not address the environmental analysis or adequacy of the EIR and therefore an additional response is not required. Relative to evacuation of the larger valley, please see the Global Response to Adequacy of Emergency Evacuation and Access.

Also, the time window should allow for evacuee preparation time. Using three hours for illustrative purposes as a maximum safe evacuation route time limit for mass egress, and 45 minutes evacuee preparation time, the approximate time to evacuate the human plus animal population based on reasonable residence and population estimates is as follows (based on the calculations from tables in Exhibit A):

Existing = About 2 ½ hours, ½ hours less than the safe evacuation time limit

Existing + Zoned Potential = Almost 5 hours, 2 hours more than the safe evacuation time limit

Existing + Zoned Potential + Potential by GPA = About 6 ½ hours, 3½ hours more than the safe evacuation time limit

O6-14

Clearly, whether based on the simpler analysis excluding prep time and animal evacuation data or the more detailed analysis inclusive of those variables, the cumulative impact of HGVS to wildland fire hazards would be significant, the DEIR finding of insignificant impact is invalid, and the Project design density is out of compliance with General Plan policies LU-6.10, S-1.1, S-2.6, S-3.5 and S-3.6.

The above analysis is based on the Fire Protection Plan vehicle volume methodology using a reasonable estimate of existing and potential residences, human and animal populations in the affected communities, and with the estimate of the maximum hourly vehicle capacity of Country Club Drive between Mt. Whitney Road and Hill Valley Drive provided by MRO Engineers based on the Highway Capacity Manual, 2010 adapted to the conditions of Country Club Drive.

In order to provide the basis for a more definitive analysis of the cumulative wildland fire evacuation hazards in the affected area for the general benefit of the community, planners and decision makers as well as to substantiate evaluation of Project impacts and compliance with General Plan policies LU-6.10, S-1.1, S-2.6, S-3.5 and S-3.6, the County should conduct a thorough survey of County records to determine the officially documented number and type of existing residences and zoned potential residences in Harmony Grove, Eden Valley, Hidden Hills and Elfin Forest, the affected communities that would rely on safe evacuation egress on Country Club Drive to Auto Park Way under the worst-case scenario. The County should also conduct a survey of the existing and zoned potential animal population in each of these affected area communities, particularly horses and livestock, which are subject to evacuation and will add to the number of vehicles, i.e. horse trailers, both coming and going, to include in the evacuation time calculation. The animal population survey should include a survey of horses boarded by non-residents and the trucks and horse trailers of the boarders should be added to the number of inbound and outbound vehicles in the calculation. These data points combined with the number of residences, human and animal populations projected for the Harmony Grove Village South and Valiano projects will provide the County with a sound basis for calculation of the estimated cumulative time required for mass evacuation of the entire affected area under a reasonable worst case scenario using only Country Club Drive to safety beyond the Auto Parkway intersection.

O6-15

The DEIR completely fails to disclose any of the data points cited above as the basis for sound decision making.

O6-16

7

Response to Comment O6-14

Please see the Global Response to Adequacy of Emergency Evacuation and Access. Also, it should be noted that HGV South resident preparation time was included within the time estimates provided in the Project's FPP. Exhibit A includes a comprehensive evaluation of build out of all the projects. It is not in conflict with Project analyses overall. The Project 2018 Evacuation Plan states that there are some fire scenarios where evacuation could require four hours or more.

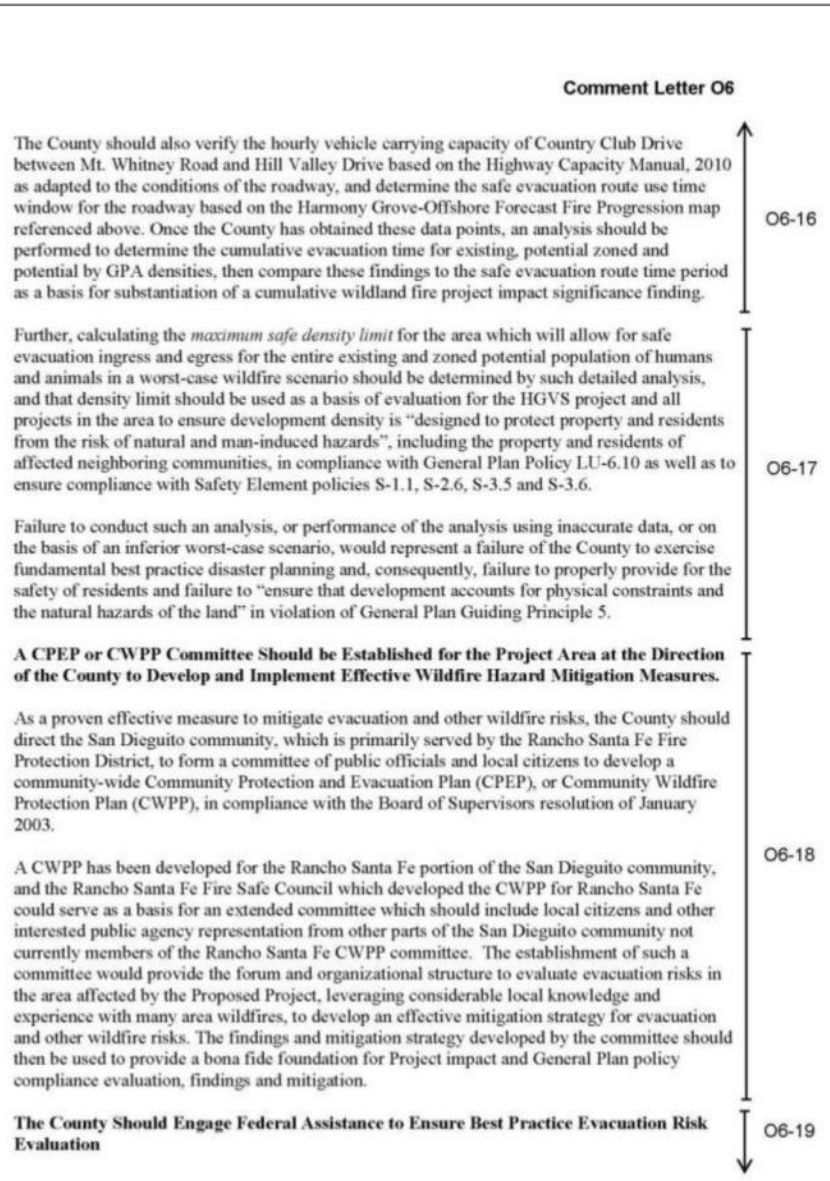
Response to Comment O6-15

The County disagrees that the cumulative impact of HGV South to wildland fire hazards would be significant and that the EIR finding of insignificant is invalid. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. With respect to the requested survey, please see discussion under the heading "Speculative Simulations Regarding Various Evacuation Scenarios are not Required by CEQA" in Chapter 8.0, Section 8.3.4.4, of this FEIR.

Large animal evacuations are an integral component of the Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP 2014). Department of Animal Services and the San Diego Humane Society are both participating agencies that during an emergency. Per the Evacuation Annex of this document:

> *The San Diego County Department of Animal Services (DAS) has plans in place to transport and shelter pets in a disaster under Annex O of the OA EOP, including the Animal Control Mutual Aid Agreement. Animal Control Officers, the San Diego Humane Society, and private animal care shelters will assist in the rescue, transport, and sheltering of small and large animals. In addition, potential volunteer resources and private groups should be identified and tracked in WebEOC. Only non-emergency resources and personnel, such as public and private animal services agencies, will be used to rescue and transport animals during an evacuation effort. In most*

COMMENTS	RESPONSES
	cases, DAS and the OA EOC will coordinate and attempt to collocate animal shelters with people shelters. Short-timeframe wildfires may require an alternative approach and that approach requires animal owners in rural areas to plan for these events and create contingencies when evacuation may not be possible. This applies with or without development of larger communities. A Wildfire Evacuation Plan has been prepared for implementation by the HOA prior to occupation of the site's structures. The Wlidfire Evacuation Plan includes easy-to follow maps and instructions for residents to prepare their own "Ready, Set, Go!" action plans and preparing for pets and animals (FPP, page 37), although there will not be livestock allowed in the Project so there would be no additional animal trailers associated with the Project. **Response to Comment O6-16** The County disagrees with your comment that the EIR provides no basis for sound decision making. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access for discussion of the Project's analysis, conclusions, and evacuation approach and determination of significance.

COMMENTS	RESPONSES
	**Response to Comment O6-17** The comment regarding additional calculations regarding evacuations is noted. However, the Project's EIR and technical reports have been prepared to County and RSFFPD standards and meet the analysis requirements for determining whether significant impacts are associated with development of HGV South. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. With respect to the comment regarding HCM 2010 data, please refer to Response to Comment O3b-9, and addenda in the Final Traffic Impact Analysis. **Response to Comment O6-18** The comment regarding establishment of a community protection and evacuation plan (CPEP) or community wildfire protection plan (CWPP) is noted. While this comment does not address the adequacy of the EIR, the following response is provided. These emergency pre-planning documents are beneficial planning tools that can help assess and prioritize hazard areas for treatment, support applications for grant funding to implement hazard reduction, and provide basic recommended actions for before, during and following emergencies, including wildfires. These documents are typically coordinated by a non-profit organization, particularly, a Fire Safe Council (FSC). There are existing FSCs in Rancho Santa Fe and Escondido, and it would be recommended that Elfin Forest Harmony Grove Town Council contact the San Diego County Fire Safe Council (http://firesafesdcounty.org/fsc-support/start-a-local-fsc/) to inquire about setting up a community protection and evacuation plan (CPEP) or community wildfire protection plan (CWPP). The FSC then would be able to coordinate and reach out to collaborating agencies for preparation of one or both of the emergency planning documents mentioned. CPEPs and CWPPs are not used for Project-level impact and General Plan policy compliance analysis. These documents focus on existing conditions and how to reduce hazardous areas, plan for emergencies, and raise citizen awareness to appropriate responses to the types of hazards that exist in the vicinity of their homes.

COMMENTS	RESPONSES
	Response to Comment O6-19 The comment is noted. Please see Response to Comment O6-18 regarding preparation of CPEPs and CWPPs. Please see the Global Response to Adequacy of Emergency Evacuation and Access.

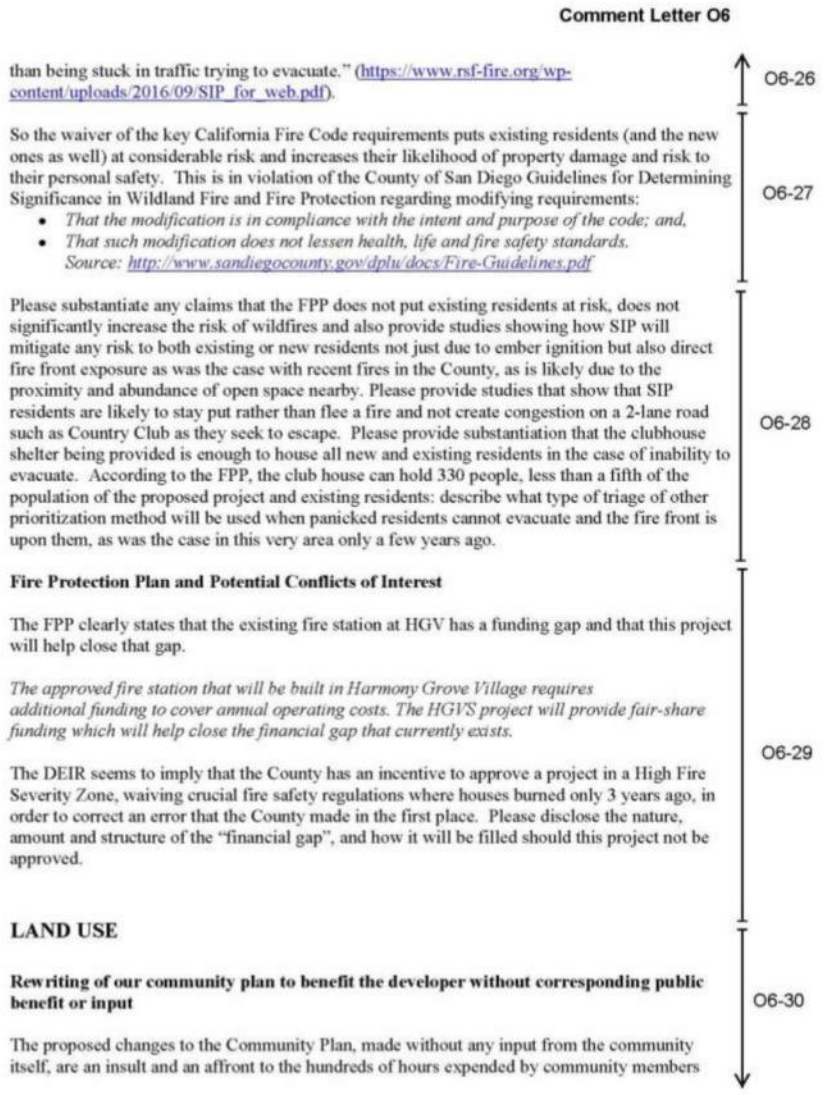
COMMENTS	RESPONSES
	**Response to Comment O6-20** The FPP does not "waive" the applicable dead-end road length code provision but rather was granted a modification, as allowed by the Fire Code. The FPP requires findings (site specific characteristics, provided fire safety features above and beyond the code, and measures directly meeting the intent of the code) to be made in order to receive a modification. The comment regarding secondary access being the only mitigation for dead end road length is incorrect. Please see the Global Responses to Fire Hazards Impact Analysis. The feasibility of secondary access to the north, south, east and west of the Project site was analyzed with both County staff and RSFFPD input. However secondary access routes have proven infeasible based upon this evaluation (FPP Appendix C), which included an evaluation of eight alternatives for secondary access. Option 4, which would require improving a privately owned off-site road that connects with Johnston Road and eventually intersects with Citracado Parkway to the east of the HGV South Project, was determined to be the option with the least physical challenges. The FPP does not state that Johnston Road would be relied upon to evacuate residents during a wildfire emergency. The comment regarding Johnston Road's current condition is noted. The condition of the road was evaluated by SDCFA, RSFFPD, the Project's Fire Consultants, and independent fire pre-planning consultants for its potential to be used as secondary access. The result of that analysis indicated that even if access easements could be obtained, improvements to Johnston Road would result in a useable access way, but that would not strictly conform to the County's roadway standards and a modification/variance would need to be granted. **Response to Comment O6-21** The comment presents conclusions from the Wildfire Risk Analysis (Rohde & Associates 2016) out of context and then utilizes them to suggest that there is only one possible evacuation route available in the Harmony Grove area, Country Club Drive, and that even it is not safe. In fact, the Rohde & Associates Report indicates that there are four potential evacuation routes north of Escondido Creek available for ingress/egress from the Project during evacuations. The conclusion of that report's analysis was (see Page 15):

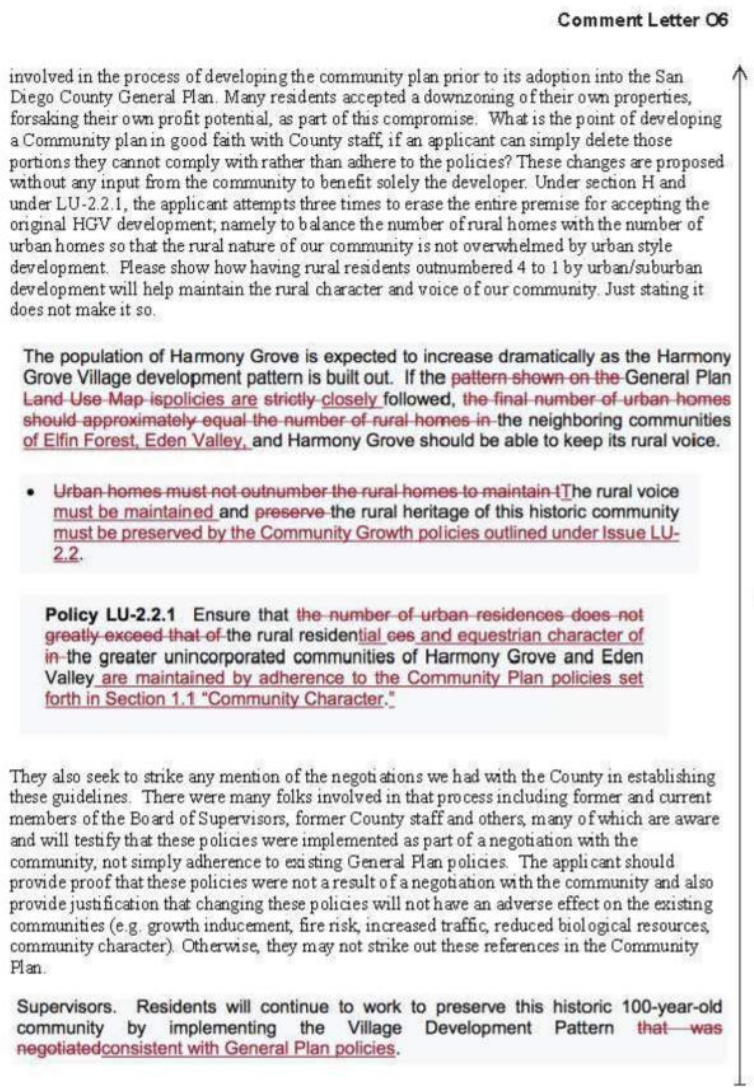
COMMENTS	RESPONSES
	In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 [sic] potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable. Please also see the Global Response to Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter O6 Country Club Drive were blocked as the fire spread from the San Marcos area to the Eden Valley and Harmony Grove communities. O6-21 **Fire concerns - shelter in place not compliant - and at the expense of existing residents** The FPP also states that the proposed project has a "shelter-in-place" (SIP) philosophy so that its residents would be safe during a wildfire event, though not SIP "status". SIP only protects from ember ignition, not the fire front itself. Sited in a wildland urban interface (WUI) with permanent open space surrounding the project on at least two sides, the houses of HGVS are more likely to be overwhelmed by the fire front itself, not just the embers from said fire. In fact, during the Witch Fire, the fire front (not the preceding embers) caused a majority of the damage to structures (source: A case study of communities affected by the Witch and Guejito Fires, US Department of Commerce). SIP compliant construction can withstand some ignition from embers, but a fire front that can radiate heat upwards of 2000 degrees incinerates everything in its path and is simply too hot to be extinguished by shelter-in-place residents with garden hoses. O6-22 Regardless, even if the SIP philosophy may offer some measure of protection to the new residents, it vastly increases the risk encountered by the existing residents and community that has older construction with lower fire protection ratings than the newer buildings. The increased risk is several fold: a) it increases the density of housing in an area of low adjacent housing density and thousands of acres of *permanently preserved open space*, which increases the sources of ignition. ***"In areas with a low adjacent housing density, the likelihood of fires increases rapidly with additional density (i.e., increased ignitions)"*** *Mann ML, et al. (2016) Incorporating Anthropogenic Influences into Fire Probability Models: Effects of Human Activity and Climate Change on Fire Activity in California. PLoS ONE 11(4): e0153589. https://doi.org/10.1371/journal.pone.0153589* O6-23 ***"Scenarios with lower housing density and larger numbers of small, isolated clusters of development, i.e., resulting from leapfrog development, were generally predicted to have the highest predicted fire risk to the largest proportion of structures in the study area.*** *Syphard AD, Bar Massada A, Butsic V, Keeley JE (2013) Land Use Planning and Wildfire: Development Policies Influence Future Probability of Housing Loss. PLoS ONE 8(8): e71708. doi:10.1371/journal.pone.0071708* b) it decreases the ability for existing residents whose homes are not protected by SIP to evacuate due to increased road congestion, and O6-24 c) the lack of secondary access in effect dooms the existing residents to being burned alive in their own homes in the very likely scenario (recently encountered during the Cocos Fire) that the main access on Country Club is obstructed by residents panicking and causing obstruction as they try to evacuate. O6-25 Even our own Fire District states in their own documents, that secondary access in SIP communities is crucial: "It is important to have at least two ways out of your community, including secondary access routes. If all routes are congested, you would be safer in your home O6-26 10	**Response to Comment O6-22** The comment includes statements regarding shelter in place that are inaccurate, specifically that ignition resistant construction addresses embers only. The structures in the community have been designed to ignition resistance levels necessary for the worst-case fire scenario given the site's fuels, terrain, and extreme weather conditions. Please see the Global Responses to Adequacy of Emergency Evacuation and Access. Further, development in the area is converting much of the valley bottom fuels to ignition resistant landscapes. Fire through the valley bottom would be spotty and with an inconsistent fire front. The primary fire front will be on the slopes of valley bordering hills, where native fuels are concentrated. The Project's developed areas are on the valley bottom with developed landscapes and reduced fuels to the north and northwest. The comment's supposition that a fire front will result in 2,000-degree heat on the Project's structures is not supported by fire science or actual fire event after action assessments. Further, to clarify, there is no expectation in the FPP or its fire protection system that residents of HGV South will be involved with fire-fighting. This type of development with an unbroken landscape (as opposed to low density wildland urban intermix projects) has been found to perform well against wildfires (USGS Research 2015; IBHS Mega Fires 2008, both incorporated by reference). Fire behavior has been analyzed, compared to similar fire environments, and accepted by County Fire Authority. While wildfires under extreme wind conditions can be unpredictable, the Project has been designed with a layered system of protections and determined to include the necessary features to perform well during wildfires. **Response to Comment O6-23** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The quotations regarding anthropogenic fire increases in the comment are based on theoretical models that are limited in their ability to predict and include assumptions, some very important, that relegate the study's conclusion

COMMENTS	RESPONSES
	invalid for comparison with HGV South. For example, the referenced study (Mann ML, et al. 2016, incorporated by reference) quote: "In areas with a low adjacent housing density, the likelihood of fires increases rapidly with additional density (i.e., increased ignitions)" neglects to include the second half of that sentence, which reads: "but then decreases beyond some point as characteristics of the built urban environment and increased suppression effort reduce it." The study acknowledges that development of areas (even development that is not as fire hardened as HGV South) will reduce the number of fires, dramatically, following initial development. The study is flawed with regard to comparison with HGV South in that it does not consider the fire ignition mitigating effects of fuel treatments, i.e., fuel modification zones, as stated in the Assumptions and Limitations section: "Additionally, we do not include the effects of fuel treatment, which have been shown to be effective in some ecosystems." This is a significant study limitation that renders the study's conclusions inapplicable to the HGV South Project. The second quote regarding lower housing density and larger numbers of small isolated clusters of development including the highest predicted fire risk to the largest population (Syphard and Keeley 2013, incorporated by reference) is not an appropriate example for the HGV South Project or Harmony Grove. HGV South is a continuous area that is fuel converted and fire hardened. Harmony Grove Village is also a large (larger than HGV South) area that is fuel converted and fire hardened. Existing developed properties along Country Club Drive include a high level of fuel conversion. This has a direct effect on the wildfire spread, intensity, and behavior. The Project will include a robust fire protection system, as detailed in the Project's FPP. This same robust fire protection system provides protections from on-site fire spreading to off-site vegetation. Accidental fires within the landscape or structures in the Project will have limited ability to spread. The landscape throughout the Project and on its perimeter will be highly maintained and much of it irrigated, which further reduces its ignition potential. Structures will be highly ignition resistant on the exterior and the interiors will be protected with automatic sprinkler systems, which have a very high success rate for confining fires or extinguishing them. The HGV South community will

COMMENTS	RESPONSES
	be a fire-adapted community with a strong resident outreach program that raises fire awareness among its residents. **Response to Comment O6-24** The County disagrees with the comment that the Project decreases the ability for existing residents to evacuate due to increased road congestion. Please see the Global Response to Adequacy of Emergency Evacuation and Access. **Response to Comment O6-25** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment O6-26** It is agreed that secondary access is important and that if all access routes are congested, emergency management personnel may decide it could be safer to stay in the home. Please see the Global Response to Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
 **Comment Letter O6** than being stuck in traffic trying to evacuate." (https://www.rsf-fire.org/wp-content/uploads/2016/09/SIP_for_web.pdf). O6-26 So the waiver of the key California Fire Code requirements puts existing residents (and the new ones as well) at considerable risk and increases their likelihood of property damage and risk to their personal safety. This is in violation of the County of San Diego Guidelines for Determining Significance in Wildland Fire and Fire Protection regarding modifying requirements: O6-27 • *That the modification is in compliance with the intent and purpose of the code; and,* • *That such modification does not lessen health, life and fire safety standards.* *Source: http://www.sandiegocounty.gov/dplu/docs/Fire-Guidelines.pdf* Please substantiate any claims that the FPP does not put existing residents at risk, does not significantly increase the risk of wildfires and also provide studies showing how SIP will mitigate any risk to both existing or new residents not just due to ember ignition but also direct fire front exposure as was the case with recent fires in the County, as is likely due to the proximity and abundance of open space nearby. Please provide studies that show that SIP residents are likely to stay put rather than flee a fire and not create congestion on a 2-lane road such as Country Club as they seek to escape. Please provide substantiation that the clubhouse shelter being provided is enough to house all new and existing residents in the case of inability to evacuate. According to the FPP, the club house can hold 330 people, less than a fifth of the population of the proposed project and existing residents: describe what type of triage of other prioritization method will be used when panicked residents cannot evacuate and the fire front is upon them, as was the case in this very area only a few years ago. O6-28 **Fire Protection Plan and Potential Conflicts of Interest** The FPP clearly states that the existing fire station at HGV has a funding gap and that this project will help close that gap. *The approved fire station that will be built in Harmony Grove Village requires additional funding to cover annual operating costs. The HGVS project will provide fair-share funding which will help close the financial gap that currently exists.* O6-29 The DEIR seems to imply that the County has an incentive to approve a project in a High Fire Severity Zone, waiving crucial fire safety regulations where houses burned only 3 years ago, in order to correct an error that the County made in the first place. Please disclose the nature, amount and structure of the "financial gap", and how it will be filled should this project not be approved. **LAND USE** **Rewriting of our community plan to benefit the developer without corresponding public benefit or input** O6-30 The proposed changes to the Community Plan, made without any input from the community itself, are an insult and an affront to the hundreds of hours expended by community members 11	**Response to Comment O6-27** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment O6-28** Please see the Global Response to Adequacy of Emergency Evacuation and Access. Specifically, regarding citizen reaction during wildfires, research indicates orderly movement/direction of people is the result of planning, training, education, and awareness, all of which are promoted to varying degrees within San Diego County. Evacuation has been the standard term used for emergency movement of people and implies imminent or threatening danger. The term in this response, and under the "Ready, Set, Go!" concept that will be employed at HGV South, indicates that if there is a perceived threat to persons and movement out of the area is necessary, it will occur according to a pre-planned and practiced protocol, reducing the potential for panic. Citizen reactions may vary during an evacuation event, although several studies indicate that orderly movement during wildfire and other emergencies is not typically unmanageable. Evacuation and the contingency on-site sheltering can be made even less problematic through diligent public education, which will occur at HGV South, and emergency personnel training and familiarity, which occurs at the County and city levels in San Diego County. The Wildfire Evacuation Plan, discussed in Response to Comment O6-15, will be located at the HOA as well as given to homeowners. In addition, there will be yearly meetings with RSFFPD personnel that homeowners will be encouraged to attend. HGV South residents will be aware of the potential fire threat in the area, and of the preferred approach to evacuate early, well before a fire threatens the community. They will also be aware of their community's ability to provide a contingency option of temporarily sheltering in their homes. Social science research literature indicates that reactions to warnings follow certain behavior patterns that are defined by people's perceptions (Aguirre 1994, Drabek 1991, Fitzpatrick and Mileti 1994, Gordon 2006, Collins 2004, all incorporated by reference) and are not unpredictable.

COMMENTS	RESPONSES
 **Comment Letter O6** involved in the process of developing the community plan prior to its adoption into the San Diego County General Plan. Many residents accepted a downzoning of their own properties, forsaking their own profit potential, as part of this compromise. What is the point of developing a Community plan in good faith with County staff, if an applicant can simply delete those portions they cannot comply with rather than adhere to the policies? These changes are proposed without any input from the community to benefit solely the developer. Under section H and under LU-2.2.1, the applicant attempts three times to erase the entire premise for accepting the original HGV development; namely to balance the number of rural homes with the number of urban homes so that the rural nature of our community is not overwhelmed by urban style development. Please show how having rural residents outnumbered 4 to 1 by urban/suburban development will help maintain the rural character and voice of our community. Just stating it does not make it so. The population of Harmony Grove is expected to increase dramatically as the Harmony Grove Village development pattern is built out. If the ~~pattern shown on the~~ General Plan ~~Land Use Map is~~policies are ~~strictly~~ closely followed, ~~the final number of urban homes should approximately equal the number of rural homes in~~ the neighboring communities of Elfin Forest, Eden Valley, and Harmony Grove should be able to keep its rural voice. • ~~Urban homes must not outnumber the rural homes to maintain t~~The rural voice must be maintained and ~~preserve~~ the rural heritage of this historic community must be preserved by the Community Growth policies outlined under Issue LU-2.2. **Policy LU-2.2.1** Ensure that ~~the number of urban residences does not greatly exceed that of~~ the rural residential ces and equestrian character of ~~in~~ the greater unincorporated communities of Harmony Grove and Eden Valley are maintained by adherence to the Community Plan policies set forth in Section 1.1 "Community Character." O6-30 They also seek to strike any mention of the negotiations we had with the County in establishing these guidelines. There were many folks involved in that process including former and current members of the Board of Supervisors, former County staff and others, many of which are aware and will testify that these policies were implemented as part of a negotiation with the community, not simply adherence to existing General Plan policies. The applicant should provide proof that these policies were not a result of a negotiation with the community and also provide justification that changing these policies will not have an adverse effect on the existing communities (e.g. growth inducement, fire risk, increased traffic, reduced biological resources, community character). Otherwise, they may not strike out these references in the Community Plan. Supervisors. Residents will continue to work to preserve this historic 100-year-old community by implementing the Village Development Pattern ~~that was negotiated~~consistent with General Plan policies. 12	In summary, warnings received from credible sources by people who are aware (or have been made aware) of the potential risk, have the effect of an orderly decision process that typically results in successful evacuation. This success is heightened when evacuations are practiced (Quarentelli and Dynes 1977, Lindell and Perry 2004, incorporated by reference) as is recommended within the Harmony Grove area for both the populations in higher hazard areas and for fire and law enforcement personnel. Further, in all but the rarest circumstances, evacuees will be receiving information, including their direction for residents to stay in their homes, from credible sources during a wildfire evacuation. Further, it would be anticipated that law enforcement and/or fire personnel would be on site to help direct residents, calm them, and provide updates and would be viewed by evacuees as knowledgeable and credible. Education and training regarding fire safety and evacuation events is an element of successful future evacuations. Lastly, the club house is not intended to house all of the HGV South's residents. Each of the buildings on site has the ability to be used for temporary sheltering, if directed to do so. The clubhouse can be used for moving some of the site's population from perimeter areas, if considered necessary. It can also be used as a staging area for fire operations and can be available to existing residents on Country Club Drive if that is considered the best option for their relocation. **Response to Comment O6-29** Contrary to the supposition in the comment, the payment to the HGV Fire Station is not being provided in exchange for an exemption from the Fire Code. Project fire standards are expected to exceed Code requirements. Rather, the payment would support adequate fire services for the Project (and, it is assumed, surrounding neighbors). The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. As indicated through all the responses above, the Project has been analyzed by the County and RSFFPD on the merits of the proposed plan and the measures provided to mitigate the potential fire risk. The Project was not found to make fire more likely, or to result in adverse effects on evacuation. To the contrary, the presence of a fire-resistant development would be likely to shield some uses

COMMENTS	RESPONSES
	currently providing the development/wildland interface, and would also facilitate easier evacuation for all existing residences currently using the two-lane portion of Country Club Drive south of Escondido Creek and the narrow at-grade crossing. **Response to Comment O6-30** Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and to General Plan/Community Plan Amendments CEQA Impact Analysis.

COMMENTS	RESPONSES
Comment Letter O6 **Baseline unit count needs to be reconciled** Please reconcile how the baseline unit count of 220 was derived, since it is substantially different from the staff yield estimate if granted prior to the last entitlement of only 168-180, just prior to the Supervisors' vote on this Property Specific Request. See SD17 on staff report (Exhibit B) prior to supervisors' vote, stating (emphasis added): Nearly one-half of the property is constrained by steep slopes, is nearly entirely constrained by High and Very High Habitat Value, and within the Very High Fire Hazard Severity Zone. The VR2 designation is not supported by the Elfin Forest / Harmony Grove Town Council or the San Dieguito CPG. In addition, the property is outside the Harmony Grove Village boundary proposed in the San Dieguito Community Plan. *This Village boundary is the result of several public workshops that developed a compromise position to assign additional density within the Village boundary surrounded by Semi-Rural and Rural Lands.* The Harmony Grove Town Council and the San Dieguito CPG support the PCC / Staff Recommendation, which proposes a combination of SR2, SR4, and RL20 designation. Under this recommendation, the SR2 designation is applied to the area adjacent to the Harmony Grove Village where there is less steep slope. The RL20 designation is applied in the southern portion where there is the most steep slope and SR4 to the remaining areas. The applicant is requesting a compromise position of Semi-Rural 0.5, which would be the same base density, but would result in fewer units because of the slope restrictions. The following is an estimate of the potential dwelling unit yield under each of the alternatives: Existing General Plan — 20 - 27 units PC / Staff Recommendation — 22 - 26 units Referral Map — 214 units *Property Owner's request (SR0.5) — 168 - 180 units* Please note none of the options in front of the decision-makers included 220 units: please provide paper trail and evidence of how that calculation was derived. Since the supervisors voted in April 2011 on the basis of information showing 20% less units, please provide legal rationale that the public and decision makers were afforded full disclosure and analysis of the full project impact as approved. O6-31 **Lot sizes inconsistent with Equestrian Ranch across the street.** As stated on page two of the staff scoping letter for Harmony Groves Meadows (a previous incarnation of this project on the same site) from 2007 (Exhibit C), small lot sizes are incompatible with the Equestrian Ranch right across the street, as follows (emphasis added): The Harmony Grove Village Specific Plan was recently approved by the Board of Supervisors. This project establishes a land use pattern for the Harmony Grove area with a Village Core surrounded by single-family residential development that decreases in density as distance from the Village Core increases. *In addition, the project site is adjacent to the east of the approved Equestrian Ranch. It does not appear that the design of Harmony Grove Meadows has taken into account these recently approved land uses. In particular, the minimum 4000 square foot lots would not be compatible with the approved Equestrian Ranch.* O6-32 13	**Response to Comment O6-31** The baseline count of 220 was derived from the General Plan Land Use designation for the property (0.5-acre lots) which yields a gross number of 220. The staff yield estimate from the comment is a Property Specific Request presented as part of the process for establishing the General Plan and not applicable to the Project. **Response to Comment O6-32** Please see Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis, for a discussion of land use compatibility.

COMMENTS

Comment Letter O6

Please describe how this project is now compatible with that land use, and/or disclose the impact of and associated mitigation measures for not being compatible. O6-32

A feasible alternative was not considered

Please review the Harmony Commons Alternative, which meets all the Project objectives and is feasible as it amalgamates elements from DEIR alternatives deemed to be feasible. O6-33

In conclusion, the DEIR needs to be recirculated to fully disclose the public safety impacts identified in this letter as well as the other impacts discussed in our previous 2011 letter to the Board of Supervisors regarding the literal gift of 200 units for the asking to the previous applicant. O6-34

Respectfully submitted,



Jacqueline Arsivaud
Board Chair, EFHGTC

Exhibits:

Attached:

Exhibit A -- evacuation modeling
Exhibit B – PSR staff report
Exhibit C – 2007 scoping letter

On Dropbox:
Harmony Commons Alternative
2010 PSR staff report
2007 Harmony Groves Meadows scoping letter
February 21, 2011 EFHGTC letter to Board re PSR SD7
County staff PowerPoint presentations, poster boards and land use maps from Harmony Grove visioning workshops O6-35

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RESPONSES

Response to Comment O6-33

The alternative (presented in Letter O3a) has been reviewed, as requested. Please see Response to Comment O3a-50 for a discussion of the Harmony Commons Alternative.

Response to Comment O6-34

The County acknowledges the conclusion comments, but disagrees that recirculation of the EIR is required based on issues of safety or land use. Please refer to responses to the individual comments above for rationale as to why Project analyses are adequate and appropriate. Comments provided in 2011, prior to initiation of this Project, are not germane to Project analyses.

Response to Comment O6-35

A series of supporting documents are referenced in the comments in this letter. Each was reviewed prior to authoring the responses to comments in Letter O6. The notes below summarize the type of documents and location in the responses where related discussion is provided.

Exhibit A: This exhibit includes an evaluation of build out the area in terms of evacuation during a wildfire. This is exhibit is consistent with the 2018 Evacuation Plan which states that there are some fire scenarios where evacuation could require four hours or more. The Evacuation Plan and Evacuation modeling is addressed in Response to Comment O6-14.

Exhibit B: This exhibit consists of a 2010 Staff Report submitted on the Property Specific Request (PSR) for a different project, Harmony Grove Meadows. Nonetheless, this issue is addressed in Response to Comment O6-31.

Exhibit C: This exhibit consists of the 2007 Scoping Letter submitted for a different project, Harmony Grove Meadows. The exhibit is part of the public record and does not require further response.

Dropbox:

- A complete response to the Harmony Grove Alternative is included in Responses to Comments O6-33 and O3a-50.

COMMENTS	RESPONSES
	• This exhibit consists of a 2010 Staff Report submitted on the Property Specific Request (PSR) for a different project, Harmony Grove Meadows. Nonetheless, this issue is addressed in Response to Comment O6-31. • This exhibit consists of the 2007 Scoping Letter submitted for a different project, Harmony Grove Meadows. The exhibit is part of the public record and does not require further response. • This exhibit consists of the 2011 EFHGTC letter, submitted for a different project, Harmony Grove Meadows, and does not require further response. • This exhibit is the County staff powerpoint on a different project, Harmony Grove Village (HGV), and is not applicable to the proposed project. **Response to Comment O6-36** The County appreciates the resubmittal of Ms. Arsivaud's comments from June 20, 2017. This spreadsheet was not listed in the list of exhibits and drop box attachments to the letter, and the spreadsheet became separated from the letter. The comments are fully responded to below, have been provided to the commenter, and have been included prior to Project consideration by the decision makers. The responses document the finding that no issues were raised that resulted in identification of new significant impacts.

Response to Comment O6-36 – Fire Protection

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
FP-1	Johnston Road Exit	**Availability of Alternative Evacuation Route.** The existing access for 3 to 4 residences crosses the HGVS site (Appendix E). Access for these residences will continue to be provided through the HGVS site after development, but via improved, code conforming roadways. The existing road does not meet the fire code, varying in width, surface, and grade. However, this road is accessible by typical passenger vehicles and does connect with Johnston Road to the east. Therefore, even though the road does not provide code- conforming secondary access, **it would be available in an emergency situation that required moving people to the east and the primary access route (Country Club Drive) was not available**.	FPP	5.2.1.2 p.33	The comment suggests crossing private property in order to provide the applicant's upwards of 1500 residents emergency egress via an unimproved, unpaved path unsuitable for emergency equipment and anything other than a four wheel drive vehicle. The very notion that they are suggesting this extreme case of violation of existing residents' property rights shows several things: a) the applicant is clearly concerned about entrapment (and loss of life) during the very likely scenario that egress via Country Club is not possible due to fire or other blockage b) that they have no real concrete plan to prevent loss of life in this scenario c) they have very little knowledge of the area that they are proposing a makeshift (and likely illegal) secondary egress as it is clearly very difficult terrain surrounded by highly volatile vegetation. This should be stricken from the document as infeasible, and legally questionable since the property owners who own the private roadway have not been contacted and will not be granting an easement through their property. Furthermore, there is no guarantee that the road is passable now nor in the near future.	The County and Applicant take emergency access and egress seriously. The FPP and Project documents have been prepared in conformance with County and state requirements for CEQA evaluation. Emergency routes have been evaluated and conclusions comply with County and state requirements. Please refer to Global Response: Adequacy of Emergency Evacuation and Access for detail. The County and Applicant agree that grants of access by adjacent property owners may not occur. The Project functions without those easements, but if emergency personnel decide that traffic should be routed that way, they have the legal right to do so.
FP-2	Johnston Road access improved	Access for these residences will continue to be provided through the HGVS site after development, but **via improved, code conforming roadways.** The existing road does not meet the fire code, varying in width, surface, and grade.	FPP	5.2.1.2 p.33	The applicant does not have permission to improve the existing easement on private property. Therefore it is cannot be said to be accessible via passenger vehicle.	The access that would be improved and that is addressed in this quote refers to the on-site portion of the roads ("access…will continue to be provided through the project site") -- but this on-site access would be upgraded from unpaved dirt roads to improved paved roads within HGV South Project boundaries.
FP-3	Secondary access contradiction	The second route would require improving a privately owned road that connects with Johnston Road and eventually intersects with Citracado Parkway to the east of the HGVS Project. However, extensive analysis has determined that both of these secondary access routes are infeasible. **Due to extremely steep terrain, environmental and biological habitat issues, and privately held property where easements cannot be obtained, there is not a secondary access road solution** that can meet the strict definition of the code.	FPP	5.2.1.2 p.32	On page 32, the FPP clearly states that there is no secondary access solution. But then on P.33, it states that emergency egress could be provided via the private easement. These are in direct contradiction to each other.	The comment is not understood. Page 33 does not say that emergency egress could be provided via the private easement. Page 33 addresses Project elements that render egress equivalent to secondary access under the Code.
FP-4	HGVS as extension to HGV	HGVS is effectively an extension of the Harmony Grove Village (HGV), which is located immediately contiguous (west and north) of HGVS and is currently under construction	FPP	5.2.1.2 p.32	This is incorrect. HGV is a village centered development with higher density at its village core which feathers out to large lots on the periphery as part of the plan to integrate an urbanized community into a rural area with as little disruption of the rural environment as possible. HGV ends north of Harmony Grove Road. HGVS is not adjacent nor connected in any way to HGV, therefore it is not "an extension of HGV" This statement is also irrelevant to the discussion about secondary access.	HGV South would comprise an extension of the existing HGV if approved. Please refer to Global Response: Project Consistency with General Plan Policy LU 1.4. Please also note that HGV does not end north of Harmony Grove Road. The HGV Planning Area 4 (the future Equestrian Ranch) is directly across Country Club Drive from the Project.
FP-5	HGV as firebreak	HGV includes conversion of a large portion of the valley (project area is 500 acres and 742 homes) to **low flammability, urban landscapes** and forms a fire break for HGVS as well as providing multiple fire safe evacuation routes and potential temporary refuge areas for HGVS residents.	FPP	5.2.1.2 p.32	Please provide substantiation that the houses at HGV have low flammability. Also please substantiate, showing specific studies, which show that urban environments form fire breaks and that they specifically decrease fire risks. Given that 90% of wildfires are started by humans (National Park Service, US Department of Interior), the cumulative increase in human activity of both developments (742 houses in HGV and the 543 in HGVS) would naturally increase the odds of fires starting significantly. That they are allegedly composed of material of low flammability, is inconsequential given that the risk of igniting the surrounding landscape with its high fuel loads is greatly increased. Even if HGV were considered a fire break (with substantiation) there is the issue of a riparian and wildland area in between the two developments which can serve as a channel for fire to travel and in fact, fire traveled through and jumped over the creek during Cocos fire due to the high fuel load of native and nonnative trees which are NOT adapted to fire. This is not to mention that the entire project is surrounded by native and nonnative wildlands on the other sides. Coco's fire burned down 20+ houses immediately adjacent to the proposed site and the fire did not come through the HGV "fire break," but rather from the West. Fires are more likely to come from the 1000s of acres of permanently entitled open space immediately south and east of the development anyways.	Please refer to Global Response: Fire Hazards Impact Analysis, the Project FPP, and the Project EIR (Section 3.1.3, Hazards and Hazardous Materials), each of which addresses the Project elements contributing to the fire-resistive nature of the Project, as well as why Project elements would contribute to breaking fire paths from the south or east. The orientation of the Cocos Fire, and the fact that fire can take hold in areas of native vegetation, are not in conflict with technical data in the FPP or EIR. The 20+ homes lost "immediately adjacent" to the Project is assumed to be a reference to the residences in the Harmony Grove Spiritualist Association, approximately 0.25 mile to the west of the site. This unfortunate burn took place in a community with grandfathered in (historical in nature) land uses, built without current requirements for structures, landscaping, etc. The Project is not equivalent.
FP-6	Shelter in Place definition	HGVS Shelter in Place Philosophy (Not Status). The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible.	FPP	Summary of Findings and Mitigation for this Project , p.34, point 6	The FPP also states that the proposed project has a shelter-in-place "philosophy" (but not official status) so that its residents would be safe during a wildfire event. SIP design features are designed to eliminate ignition sources in the landscaping and hardened construction materials to protect from ignitiion by errant embers. It does not make the houses impervious to the fire front itself. Sited adjacent to a wildland urban interface (WUI) with permanent open space, brush and chaparral surrounding the project an at least 2 sides, the houses of HGVS are more likely to be overwhelmed by the fire front itself, not just the embers from said fire. The close spacing of the units makes this more likely to happen and in fact there is no evidence that SIP will protect houses in high	Please refer to Global Response: Fire Hazards Impact Analysis, the Project FPP and the Project EIR (Section 3.1.3, Hazards and Hazardous Materials) each of which addresses components of the ability for decision makers to direct residents to temporarily shelter on site, within the community. Because the Project includes site-wide fuel modification zones (FMZs), including on the perimeter, and the fire environment adjacent to the Project includes features that typically move fire away from the valley floor (slopes up and away from the project) and large areas of disturbed, converted or light fuels, the potential for a fire front to cause extreme heat on any of the structures is extremely low. Heat from a fire dissipates quickly over

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
					density developments; in fact it was designed for rural and semi-rural density areas. In fact, during the Guejito/Witch Fires, the fire front (not the preceding embers) caused a majority of the damage to structures in a similar community, The Trails, on the edge of Rancho Bernardo, where 74 homes were destroyed. (Source: "A case study of communities affected by the Witch and Guejito Fires", US Department of Commerce). SIP compliant construction can withstand ignition from embers which is an effective measure, but a fire front that can radiate heat upwards of 2000 degrees incinerates everything in its path and simply causes combustion of interior building components as the fire resistant exterior heats up. It is simply too hot to be extinguished by shelter-in-place residents with garden hoses. And siting a high density development on land immediately adjacent to thousands of acres of protected open space, SIP will have a limited effect.	distance, which is why custom FMZs are provided and considered by all reviewing agencies and the acceptance agency, Rancho Santa Fe Fire Protection District (RSFFPD), to provide adequate setback and protection from potential heat generated from off-site fuels.
FP-7	Shelter in place provides for the likelihood that safe evacuation may NOT be possible, but ignores the risk that it places on the existing community.	HGVS Shelter in Place Philosophy (Not Status). The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible.	FPP	Summary of Findings and Mitigation for this Project , p.34, point 6	The FPP states that it is a "last resort" option if "safe evacuation is not possible." If SIP building practices were to offer the sorts of protections against wildfire they are suggesting (which is questionable given that SIP can protect from ember combustion but not fire front damage and was not designed to protect high density housing), they are raising the prospect that most of our residents fear the most: the inability to evacuate due to blocked roads, fire paths, or congestion. Due to lack of secondary egress, the only recourse is to stay put in hardened buildings. THE PROBLEM with this assumption is that it throws the existing residents under the bus and leaves them trapped behind an encroaching fireline in homes that are not shelter-in-place. Please revise the DEIR to reflect the risks existing homeowners are facing due to lack of secondary access and houses that are not hardened to SIP standards. Please include mitigation that that covers a retrofit of all the existing houses in the area with new roofs, new siding, new drywall, sealed eaves, gutters, installation of interior sprinklers, fire safe landscaping and to meet identical SIP "philosophy" standards proposed with the project.	The Project includes all of the fire safety features found in shelter in place communities, but does not claim this official status. However, the site would be available for temporary on-site sheltering similar to any new master planned community in San Diego County. Existing residents who do not evacuate in a timely fashion potentially would be directed to shelter at HGV South or HGV by fire emergency personnel, and as addressed in Global Responses: Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.
FP-8	Shelter in place will not reduce the evacuation traffic volume to make it efficient and safe.	HGVS Shelter in Place Philosophy (Not Status). The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible.	FPP	Summary of Findings and Mitigation for this Project , p.34, point 6	Importantly, listing SIP as a "mitigation" is meant to obfuscate and misleadingly lead the reader to believe that this will compensate for residents' inability to evacuate due to the lack of secondary egress. It is proven that most SIP residents choose to evacuate rather than stay behind, so therefore evacuation traffic will not be reduced ("Fewer than half of the [decidedly well informed and affluent] residents interviewed indicated they would actually stay in their homes during a fire event." according to International Journal of Wildland Fire study: "Adoption and perception of shelter-in-place in California's Rancho Santa Fe Fire Protection District ")	The Project's ability to serve as temporary refuge if fire emergency personnel so require does not relate to lack of secondary access. The Project design features overall, including provision of three lanes on Country Club Drive and improvement of the Escondido Creek Crossing from a narrow two-lane at-grade crossing to a bridge crossing, contribute to features resulting in Project design being equivalent to provision of secondary access under the Code. An equivalent level of safety is being provided through an alternative method, as allowed in the code, as documented in the Project FPP and EIR, and as approved by both County and RSFFPD personnel.
FP-9	Shelter in place standards are much more strict than what is proposed by applicant.	HGVS Shelter in Place Philosophy (Not Status). The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible.	FPP	Summary of Findings and Mitigation for this Project , p.34, point 6	Even our own Fire District states that secondary access in SIP communities is crucial: "It is important to have at least two ways out of your community, including secondary access routes. If all routes are congested, you would be safer in your home than being stuck in traffic trying to evacuate." (https://www.rsf-fire.org/wp-content/uploads/2016/09/SIP_for_web.pdf).	The comment is noted. The RSFFPD has concluded that the proposed modification to the dead end road length standard is allowable oh the HGV South project site based on its unique site features; including the short distance from the Project's entrances to the intersection with Country Club Drive and Harmony Grove Road, at which point, one can travel on several available routes.
FP-10	Significant potential exists for civilian entrapment and SIP will only protect new residents.	Consultant staff and public safety officials reviewing the site agree that the significant potential exists for civilian entrapment within the tract during extreme fire behavior conditions if certain fuels management and structural hardening against wildfire is not incorporated into the planned development.	Rohdes, HGVS Wildfire Risk Analysis study	p.17, point 9	Here the developer's OWN studies show that there is SIGNIFICANT potential for civilian entrapment to occur. The mitigation against this entrapment is fire-hardened structures along the WUI. Please explain how EXISTING rural residents will be protected by the significant potential for civilian entrapment that will inevitably occur? The entire premise of the FPP and the studies is predicated on protecting the new residents but does nothing to protect the existing residents and, actually puts them more at risk of entrapment due to evacuation congestion.	The purpose of the FPP (a project-specific document) is to assess impacts to future Project residents; it is not intended to address regional issues. Regional access and egress are addressed in regional plans. Please see the Global Responses: Fire Impacts Hazard Analysis and Adequacy of Emergency Evacuation and Access regarding roadways, existing and planned growth, etc.
FP-11	Summary: Shelter in Place philosophy is inadequate mitigation for no secondary access, and waiving the dead end road requirement	HGVS Shelter in Place Philosophy (Not Status). The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible.	FPP	Summary of Findings and Mitigation for this Project , p.34, point 6	So the waiver of the key California Fire Code requirements puts existing residents (and the new ones as well) at considerable risk and increases their likelihood of property damage and risk to their personal safety. This is in violation of the County of San Diego Guidelines for Determining Significance in Wildland Fire and Fire Protection regarding modifying requirements: 1) That the modification is in compliance with the intent and purpose of the code; 2), A map showing the proposed location of the mitigation/exception measures and 3) That such modification **does not lessen health, life and fire safety standards**. Source: http://www.sandiegocounty.gov/dplu/docs/Fire-Guidelines.pdf Please substantiate any claims that the FPP does not put existing residents at risk and also provide studies showing how SIP will mitigate any risk to both existing or new residents not just due to ember ignition but also direct fire front exposure as was the case with recent fires in the County, as is likely due to the proximity and abundance of open space nearby. Also, please provide studies that show that SIP residents are likely to stay put rather than flee a fire and not create congestion on a 2 lane road such as Country	The finding that the modification would not "lessen health, life and fire safety standards" was explicitly made by fire officials with jurisdiction.

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
					Club as they seek to escape (the above mentioned report contradicts this claim). Also, please provide substantiation that shows that the clubhouse shelter being provided is enough to house all new and existing residents in the likely case that the one evacuation route is blocked. According to the FPP the club house can hold 330 people, less than a fifth of the population of the proposed project and existing residents.	
FP-12	Underfunded fire station	The HGVS project will provide fair- share funding through assessments, taxes, etc. which will help to close the financial gap that currently exists.	FPP	Section 6, p.51	Please provide proof that there is a financial gap in funding. Additionally, the very reference to this gap in funding in the DEIR creates a significant conflict of interest between needing to help the County financial probems and having that same County be responsible for approving fire protection plans for these projects, especially those requiring controversial variances to critical fire code requirements.	At the time the FPP was prepared, a financial gap appeared to exist. However, when RSFFPD assumed jurisdictional authority of the area, financial arrangements between the RSSFPD and the County resolved the presumed gap. The reference to the potential gap has been deleted from the FEIR (see Section 3.1.8). Regardless, there was not and is not a correlation between funding and decisions as to how a project complies with the Fire Code. The RSFFPD submitted a Facility Availability Form for the Project indicating its ability to serve the Project, with no noted Conditions. Please also note that there is no variance being granted for the Project. Rather, a request for a modification from Section 503.1.3 of the CCR with respect to dead-end road lengths was accepted by the Fire Code Official. The Fire Code Official may grant a modification from such requirements pursuant to CCR Section 96.1.104.8. A modification may be granted when the modification is in compliance with the intent and purpose of the code, and such modification does not lessen health, life, and fire safety requirements. The Fire Code Official granted the Project a modification from the dead- end length requirements of the CCR based on the findings that are described in Section 5.2.1.2 of the Project's FPP (Dudek 2016). Secondary access was also thoroughly evaluated within the Project's FPP (Dudek 2016), the Wildfire Risk Analysis report (Rohde & Associates 2016), and by SDCFA, RSFFPD, and the County. As described in the FPP and FEIR Section 3.1.3, the Project would provide alternative fire protection features that are site specific and are designed specifically to address both the modification from the dead-end road length requirements and the secondary access constraints of the site. The Project is providing emergency access/egress through a code-adequate approach that is equivalent to secondary access (another code-adequate approach). The Project provides 25 measures that result in a system of fire protection and vehicle movement facilitation that has been found to justify the modification finding.
FP-13	Safety zones for legacy residences	Since 60 legacy homes located to the south and west of the proposed development have no Safety Zones in the vicinity of their residences, and Country Club Dr. also provides egress for these residents, it is likely these residents will use the same evacuation routes and Safety Zones identified for use by Harmony Grove Village South, and will view the proposed development site itself as an opportunity for safe refuge.	Rohdes, HGVS Wildfire Risk Analysis study	p.17, point 10	I can assure you that existing residents will not see the proposed development site itself as an opportunity for refuge. Please provide evidence that any residents, much less most residents, will view the proposed development site as an opportunity for safe refuge.	The Project can provide temporary refuge if requested to do so by fire emergency personnel. If individuals directed to shelter there choose not to do so, the Project is not able to force them to do so. The HGV South residents will be aware of their options, including temporary sheltering on site, due to the outreach required by the FPP and Evacuation Plans. These documents include a robust education component, including ongoing outreach for resident awareness which has been shown to result in a public that follows direction (provided by the Project's Evacuation Plan).
FP-14	3 lanes for evacuation	Country Club Drive Designed To Include Three, 12-Foot Travel Lanes. Country Club Drive would be widened from its intersection with Harmony Grove Road to the southernmost HGVS project entrance to three 12 foot wide travel lanes (Appendix E) which would compensate for lack of secondary access by providing additional capacity for evacuation	FPP	Summary of Findings and Mitigation for this Project , p.33, point 2	This is misleading and irrelevant to evacuation capacity. Only a short portion of Country Club Drive (about 1400 feet) is being widened. Once it crosses the bridge, Country Club funnels down to 2 lanes prior to crossing HG Road where it continues as a two lane road, 2.3 miles before it reaches the signal at Auto Club Way. This, according to the applicant's own study (Rohdes), is the ONLY viable evacuation route. It should be noted that this is a LOS F road, if using correct circulation data (see comment 3 under traffic)	The statement regarding Country Club Drive north of the bridge over Escondido Creek is incorrect. The Project would improve this road all the way to the intersection with Harmony Grove Road. North of the intersection, Country Club Drive already is paved to three-lane width north to the vicinity of Mt. Whitney Road (north of HGV), and has right-of-way of varying width north of there, although only two lanes are paved. The Rohde study was commissioned by the County and is not an Applicant-funded report. Country Club Drive is also not the only evacuation route. North of the creek, it is possible to go east or west on Harmony Grove Road, and even after having committed to continuing north on Country Club Drive, there is potential to travel east at Harmony Grove Village Parkway or Kauana Loa Drive.
FP-15	Evacuation: HG Road going East crosses HGV Parkway - need for traffic control	Country Club Drive Designed To Include Three, 12-Foot Travel Lanes. Country Club Drive would be widened from its intersection with Harmony Grove Road to the southernmost HGVS project entrance to three 12 foot wide travel lanes (Appendix E) which would compensate for lack of secondary access by providing additional capacity for evacuation	FPP	Summary of Findings and Mitigation for this Project , p.33, point 2	It should be noted that Harmony Grove Village road heading east crosses Harmony Grove Village Parkway. Thus, that intersection could not be shutdown during an evacuation as traffic controls would have to be in place to keep those two traffic streams from colliding. Thus the time to exit from those routes would be impeded by the traffic control (the traffic control is a stop light, at least until law enforcement is deployed to control the intersection). It should also be studied as to what would occur if an accident occurred at that intersection during the evacuation as this could potentially close that route of escape. This all lends proof that the only true safe and prudent exit would be Country Club Drive. However, CCD would not be able to handle that traffic flow and would likely result in entrapment of those evacuating.	Law enforcement and emergency management personnel manage evacuations. Attempts to model specifics of evacuations are problematic due to the fluid nature of evacuations. Pre-planning for these events occurs and prioritizes situational awareness and control of traffic flow by law enforcement and other emergency response personnel. Pre-planning includes contingencies should certain routes not be available during an evacuation. The hypothetical scenario described in the comment would be responded to in the same manner as any other unforeseen event. Adaptive management techniques would be employed with a prioritization of moving traffic that is considered at highest risk through traffic control measures.
FP-16	Dead end road length	The dead-end road that leads to the most distant structure on HGVS measures approximately 0.8 miles to the intersection of Harmony Grove and Country	FPP	p.22	The applicant is measuring the dead-end road from the HG Road and Country Club intersection to the most distant point in the development. It does NOT take into account the most distant point beyond the development which is slightly more than 1 mile (approximately 5280 feet). Please study this, revise or address accordingly.	The point from which 800 feet pertains is misunderstood by the commenter. The study reflects 800 feet to the closest three-lane roads, which are provided on Project.

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
		Club Drive, the first opportunity to travel in at least two separate directions.				
FP-17	Baseline calculations for evacuation scenarios	Population and structures at risk: structures - 735 homes, for 2,087 residents, or an average of 2.84 per du.	WUI http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-WUIFERP_v3.pd	p.2	There are a number of major issues with the assumptions as presented, starting with the number of structures at 735. Just Harmony Grove Village is approved for 742 homes, plus we have 80 existing homes in Eden Valley, and about 150 in the rest of Harmony Grove. In addition to that, the model should be adding the 453 proposed units of Harmony Grove Village South, at a minimum, since the study is about that project, and 380 units of proposed Valiano (326 plus 54 Secondary Dwelling Units), for a total closer to 1,800 homes. Using the same 2.84 ratio utilized by Rohde and Associates, that would be 5,112 people trying to evacuate. What is the basis for the 735 number?	The model referred to is not a model, per se. The evacuation plan is a Project-specific analysis of evacuation intended to raise the awareness of HGV South residents of the options available to them. It does include a simple calculation that is sourced from the County's Emergency Operations Plan, Evacuation Annex. The formula only evaluates the amount of time estimated to evacuate the Project. There is no requirement by CEQA or any other policy or regulation to analyze or model evacuations on a project, neighborhood, or regional level, and the number of residents assumed was based on County assumptions relative to this particular issue in order to keep this study consistent with other County evaluations.
FP-18	Using Country Club DR as evacuation	Under "primary evacuation plan", the report states "Move North Via Country Club Drive as the primary route"	WUI http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-WUIFERP_v3.pd	P2	Given this is a two-lane road which cannot be widened, nor is currently scheduled to be widened anytime in the future, does the model show that over 5,000 people will be able to evacuate along that stretch? How many horse trailers were assumed? How many incoming trailers to get horses and other livestock?Further, the traffic on Country Club Drive is further compromised at the intersection with Nordahl, which gets backed up even in daily commute situation because of the train tracks crossing which back up the traffic on Nordahl past Country Club Drive. Even if trains are stopped, traffic on Nordahl going towards 78 will create a bottleneck at the intersection with Country Club Drive. Note that Valiano DEIR expects CCD will operate at LOS F without evacuation situation.	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 provides the framework for emergency response throughout the County, including at the Project site. It includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. Neither of these plans provides specifics as to evacuation routes in any given fire as the circumstances of each emergency will vary. The Project would not impair implementation of either the Operational Area Emergency Plan or the Multi-Jurisdictional Hazard Mitigation Plan or interfere with evacuation activities conducted in accordance with these documents. The primary requirements of an evacuation plan are to identify evacuation routes and to prepare residents for an emergency event. It is a key document for Incident Command when an emergency event occurs in the area. The evacuation plan prepared by the Project Applicant is a Project-specific plan intended to raise homeowner awareness. HGV South residents would not be allowed to house horses on site. As such, horse trailers are not included in evacuation projections. As indicated in the County's evacuation annex (Annex F of the Emergency Response Plan) animal owners are responsible for evacuation of their animals. Although emergency personnel will attempt to accommodate non-human evacuation, and historically participate in routing such vehicles to safer staging areas, emergency calculations are focused on human life and safety. Please note that cumulative peak hour LOS assessments do not pertain to emergency conditions, when routine road sharing is over-ridden by emergency personnel directions and lanes may be opened for additional travel under such circumstances. It is not possible, however, to design every roadway to accommodate full width for a free-flowing emergency evacuation scenario. Congestion should be assumed. Agencies coordinate during evacuations and law enforcement personnel control key intersections to move traffic on a priority basis. This method has been successful during numerous large evacuation events over the last 15 years.
FP-19	Identification of fire agency having jurisdiction (FAHJ)	"currently SDCFA"	Public Services section	3.1.9-1	In other sections of DEIR, FAHJ is identified as RSF Fire district - should be consistent throughout all documents	The comment is correct that DEIR Section 3.1.9 retained an earlier statement that the County was the FAHJ at the time it was written. The next sentence, however, noted that the RSFFPD would serve the Project if approved, and referred the reader to Section 3.1.3 of the EIR, which provided additional detail on fire service and discussed RSFFPD as the new FAHJ. No substantive misunderstanding would result. Nonetheless, this statement has been corrected in the FEIR.
FP-20	Document referenced missing	The lot has been transferred to the County and a request for design-build services for the permanent station was issued in March 2017 (Huff 2017: pers comm.)	Public Services section	3.1.9-2	Please provide details and actual document to support assertion	The HGV fire was approved for construction as part of the HGV project. A temporary Harmony Grove Fire Station is currently operational immediately south of Harmony Grove Village Parkway and the permanent station should be operational by March 2019. This information was provided through a personal communication (phone call) with Mr. Huff following coordination with the RSFFPD. An additional reference has been added to Chapter 5 of the EIR.
FP-21	Impact not discussed	The discussion below focuses on the issue of fire department response time only	Public Services section	3.1.9-6	Impact of impairment to evacuation of current residents should be discussed, as well as impact on ability to evacuate for all residents outside the Project, including future residents of HGV.	The requested analysis is not a required CEQA analysis. Evacuations are managed by trained law enforcement and emergency responders with a proven track record in San Diego County of successful evacuations.
FP-22	Potential conflict of interest to	(if not improving them in this area of the County where there is a known gap). The approved fire station that would be built in HGV requires additional funding to	Public Services section	3.1.9-9	Applicant stated to both TECC board and to EFHGTC Board that the County Fire Authority had asked for an increase in units to generate enough dollars to close this gap, the result of poor decisions made by SDCFA in the approval of HGV. Now as FAHJ the	Please refer to the response to Fire Protection item 12 of this matrix.

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	approve Project to fill a "known gap" in County finances	cover annual operating costs. The HGV South Project would provide fair-share funding to help close the financial gap that currently exists.			SDCFA is approving exceptions to the Fire Code for secondary exit and maximum dead end length, which will result in endangering the safety of residents outside the Project. Please discuss and disclose the exact nature of the "gap" referred to, the amount projected on a yearly basis for the next 30 years or if the amortization period for the fire station is longer, for the duration the "gap" will appear in County financial statements. Please show the gap with this project and without, so the public can fully measure the nature of the incentive that may have existed to grant exceptions in order to remedy the financial gap created by the FAHJ by its actions on another project.	

Response to Comment O6-36– Hazards

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
H-1	Project description is not adjacent to HGV	This site (listed as "Harmony Village Grove" in the updated records review) is located on the portion of the HGV project north of Harmony Grove Road, and is approximately 375 feet northwest of the Project site at its closest point.	Hazards	3.1.4-5	This clearly states that the Project is NOT adjacent to HGV, as claimed elsewhere in the DEIR to try to convince readers it can qualify as a village extension.	The Project is contiguous/adjacent to HGV. This text is pinpointing a physical location, which is sited within the existing HGV development footprint. The phrasing indicates that the hazardous materials site is not close enough to developable portions of HGV South to constitute an issue of concern.
H-2	Identification of FAHJ inconsistent throughout document	The Rancho Santa Fe Fire Protection District (RSFFPD) is the Fire Authority Having Jurisdiction (FAHJ).	Hazards	3.1.4-7	Elsewhere in DEIR SDCFA is listed as FAHJ - confusing to reader and possibly misleading. Correct throughout for consistency.	The County originally was the FAHJ. The RSFFPD is the new FAHJ and would serve the Project if approved, as described in this section. The County finds this statement clear. Nonetheless, a reference to the County as FAHJ in FEIR Section 3.1.8 has been updated.
H-3	Missing analysis	Three off-site vegetation communities (coast live oak woodland, Diegan coastal sage scrub, and southern mixed chaparral) were identified as potentially facilitating fire spread **toward Project residences**.	Hazards	3.1.4-8	How about impact on *existing* residences? How will Project affect fire spread outside Project footprint? Will change in topography, installation of fire walls at top of slope adjacent to existing residences, or any other modification to current situation in any way impact hazards for existing residents?	To the extent that the Project would be sited between off-site residences and these habitats, the Project presence would minimize potential fire spread from these habitats to existing residences. No Project elements would increase fire danger to off-site homes.
H-4	Deficient model used	To determine fire risk in developed Project conditions, the FPP developed several scenarios modeling the potential fire behavior of a wildland fire that might occur in the vicinity of the Project.	Hazards	3.1.4-8	Elsewhere in DEIR the Rohde analysis states that the FPP analysis was based on an outdated model. Redo the analysis with the latest and best model and correct the DEIR throughout with updated results.	This comment is not understood. The DEIR made no reference to the Rohde report. Nonetheless, the Project modeling is appropriate, approved by the fire agencies with jurisdiction, and does not require modification.
H-5	Missing analysis of evacuation risk	A typical cause may be related to structure fires in the neighborhoods to the north and east or roadways (tossed cigarette, car fire, or electrical power line arching).	Hazards	3.1.4-9	Discuss how Project would impact evacuation for entire area if structure fire started outside Project. How would existence of project impact ability for residents outside project to evacuate?	Please refer to responses regarding evacuation in the Fire Protection portion of these comments, above.
H-6	Contradictory statements as to characterization of fire behavior	The FPP concluded that given the climatic, vegetative, WUI, and topographic characteristics and fire history of the area, the Project site, once developed, would be subject to occasional off-site wildfires that would be expected to be potentially fast moving and of primarily low- to moderate intensity.	Hazards	3.1.4-9	The WIldfire Risk Analysis document states that fire intensity is expected to be moderate to high, not low to moderate. Reconcile statements and provide basis for restatement.	As stated in the EIR on the page cited in the comment, the difference is that HGV is building out, and the Santa Ana-driven winds come from the north in this area. With the HGV development, fire would not approach from the village area across native fuels.
H-7	More samples needed in ESA Phase II	The Phase II ESA (Appendix K-3) detected arsenic in 18 of the 21 shallow soil samples at concentrations up to 2.6 milligrams per kilogram (mg/kg).	Hazards	3.1.4-17	Phase II findings are based on a number of samples collected that are less than half of what is recommended. Redo the samples for the full recommended scope given there was agriculture onsite and contamination could exist if tests were conducted in a more thorough fashion.	The basis for requesting additional soil samples is not understood. Soil samples were taken from portions of the site previously in agriculture, and levels of contaminates were less than occur in native California soils. As stated in the DEIR and on FEIR page 3.1.3-17: "Cal/EPA generally does not require cleanup of soils to below background levels." No additional testing is required.
H-8	WTWRF location incomplete	The Proposed Project includes a WTWRF that would be located in the northern-most portion of the Proposed Project. The on-site WRF would be located a minimum of 315 feet from the closest on-site planned residence, approximately 930 feet from the closest HGV residence north of Harmony Grove Road, and approximately 1,250 feet from the nearest existing off-site residence to the east. Each of these existing or planned residences is or would be at higher elevations than the WTWRF. Schools are located at even greater distances. The closest identified school is Del Dios Middle School off West 9th Avenue, approximately 1.75 miles as the bird flies. This type of land use could require the handling and storage of hazardous materials for operations.	Hazards	3.1.4-18	Description completely misses mention of proximity to Waters of the US, with the Escondido Creek adjacent to the proposed facility. Please disclose distance to creek and discuss whether the type of land use is still appropriate for "the handling and storage of hazardous materials for operations". Also, please correct this sentence to clarify meaning: "This type of land use could require the handling and storage of hazardous materials for operations." Is this type of land use appropriate, or would it "require" something else?	The Project would include all standard and necessary requirements to contain unanticipated but potential releases. As stated in the paragraph after that cited in the comment: *Prior to building permit approval, the proposed WTWRF would be conditioned to prepare a HMBP [Hazardous Materials Business Plan] and an RMP [Risk Management Plan] to document the type of materials proposed for plant operations, as well as, proposed storage and handling procedures, procedures for transport of materials, an emergency response plan, and an employee training program. The RMP and HMBP would be prepared and submitted for approval by the County DEH HMD [Department of Environmental Health Hazardous Materials Divsions], which is responsible for regulating HMBPs, chemical inventories, hazardous wastes, permitting, and RMPs. The preparation of a [RMP] is a regulatory requirement that would be implemented for any aspect of the Project that would include the use or storage of hazardous materials as described, prior to issuance of a building permit. The MUP for the WRF would also not be issued by the County PDS until the RMP is approved. This would assure safety measures, as discussed in the RMP, are in place. The DEH HMD is also 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. Implementation of the RMP and HMBP would minimize the potential for accidental release of hazardous materials and the associated potential risk to public safety*. These are routine and standard requirements and would address any potential for release at all. The focus on residences and schools is related to the discussion of developed land uses specifically called out in Issue 6 of the

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						EIR section. No revisions are required.
H-9	Determination of significance flawed	A significant impact to public safety or the environment would occur if: 8. The project cannot demonstrate compliance with all applicable fire codes.	Hazards	3.1.4-19	The Project is asking for an exemption to several fire code requirements: maximum dead end length (exceeded by a factor of 5) and secondary exit (Section 503.1.3 requirements). As such it is not compliant, especially in light of the conflict of interest noted elsewhere about financial interest of FAHJ.	The Project is compliant with the Fire Code, as detailed in Global Response: Adequacy of Emergency Evacuation and Access and as additionally discussed in this matrix under the category of Fire Protection. Similarly, there is no conflict of interest. Please see the response addressing item 22 of the Fire Protection comments.
H-10	Fire Code exemption fails to meet intent.	One of the most significant measures is construction of roads **on site** that include an additional travel lane that is within 800 feet of all Project structures.	Hazards	3.1.4-20	This modification in no way impacts the ability of **outside** residents to evacuate if CC Drive gets clogged by traffic or becomes impassable due to fire or bridge failing in an earthquake. Please discuss how the 60 to 75 residences beyond the project will be in any way affected by this measure, and how evacuating Project traffic will impact their ability to evacuate.	Please refer to responses regarding evacuation in the Fire Protection portion of these comments, above. The Project would provide improvements to Country Club Drive benefiting all residents south of the creek, during routine day-to-day travel and during emergency access/egress. The improved road would contain three standard travel lanes and a three-lane bridge rather than a narrow at-grade crossing.
H-11	Impairment potential poorly evaluated	Since secondary access is not feasible given the constraints described above, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors was evaluated. The FPP concludes that the Project meets the intent of the code through a layered and redundant fire protection and evacuation system.	Hazards	3.1.4-21	No modeling of evacuating traffic all the way to safety is included in the DEIR. Analysis stops at intersection with Harmony Grove road, where Rohde report deems only ONE route to be safe (CC Drive North). Please provide modeling of evacuation including all planned projects on CC Drive to calculate the chances residents would be able to get to safety at all, and how long it would take. Please include in the simulation the horse trailers - outgoing and incoming which service the majority of existing residences; model should assume 100% of existing homes have large animals to evacuate, since that is what they are zoned for.	Please refer to responses regarding evacuation in the Fire Protection portion of these comments, above, and in particular the response addressing item 18 of the Fire Protection comments.
H-12	Misleading statement re: scope of proposed enhancement	Central to the latter issue is enhancement of Country Club Drive, currently the only north-south circulation element providing ingress and egress to existing Harmony Grove residents south of Harmony Grove Road, as well as the HGV South and HGV properties.	Hazards	3.1.4-21	Project only discloses enhancements on a very small portion of CC Drive, from Project to intersection with Harmony Grove Road. As stated currently the enhancement would leave HGV residents completely unaffected in their ability to evacuate, as well as HG existing residents largely. Restate to correctly disclose scope of enhancement. In addition, Project should study constructing 3 lanes for the entirety of CC Drive all the way to safety to Nordahl, given that it is in fact "the only north-south circulation element providing ingress and egress", and since Project proposes to further burden it with new residents that option should be studied.	Please refer to the response addressing Fire Protection item 18 regarding Country Club Drive in the Fire Protection portion of these comments, above.
H-13	Disclosure of agreements made missing	The Proposed Project would provide fair-share funding for fire and emergency medical response through participation in a Community Facilities District or other similar financing mechanism, **as agreed between RSFFPD and the Applicant**.	Hazards	3.1.4-22	Disclose the terms of the agreement made for the public to fairly evaluate if a conflict of interest exists.	No conflict of interest results from providing participatory funding in a Community Facilities District. It simply ensures that the Project contributes funds adequate to address its potential impacts.
H-14	Focus inappropriately narrowed to Project residents exclusively	In addition, various Project features would result in a site that is less susceptible to wildfire than surrounding landscapes and that would facilitate firefighter and medical aid response as well as **Project resident** evacuation in a wildfire emergency.	Hazards	3.1.4-22	No discusson of impact on existing residents ability to evacuate of 1,500+ additional people evacuating in an emergency.	Please refer to responses regarding evacuation in the Fire Protection portion of these comments, above.
H-15	Fire Code exemption fails to meet code intent.	The Project is providing code-exceeding measures (as described below) through a layered and redundant fire protection and evacuation system that would result in a highly defensible community, **offer a means of equivalent egress**, and provide contingency planning if evacuation from the site is considered unsafe.	Hazards	3.1.4-22	Building 3 lanes to an intersection which then leads to a 2-lane road already operating at LOS D is NOT an "equivalent egress" to a secondary egress route. Please model evacuation all the way to safety, beyond the first intersection. Please model CCdrive North being impaired or bridge failing in an emergency: where do the residents outside the 330 people capacity of the shelter in place community building go? How about those trapped behind the project whose homes are not built to Shelter in place standards?	Please refer to responses regarding evacuation in the Fire Protection portion of these comments, above. Potential failure of the Project bridge is speculative and does not require analysis.
H-16	Misleading statement re: benefit of bridge in meeting intent of Fire Code	This would represent an improvement over the existing condition for the estimated 75 residential units that currently rely on Country Club Drive as their only ingress/egress. The improvements to the existing Arizona crossing at Escondido Creek would provide year-round access where historically, the roadway can be flooded.	Hazards	3.1.4-22	It is unlikely that a wildfire evacuation would take place when the crossing would otherwise be flooded - delete this statement in the context of meeting fire code as it does not address the topic at end of wildfire evacuation. Further, discuss new hazard created by elevated bridge potentially subject to compromise in case of an earthquake and trapping residents, vs the Arizona crossing currently in place which does not pose any such risk.	Comment noted. The statement regarding safety improvements provided by the bridge during flood events has been deleted from the cited discussion (focused on fire). Potential failure of the new Project bridge (built to current earthquake standards) during earthquake is speculative and does not require analysis.
H-17	Misleading statement re: Shelter in place status of project	The Project would incorporate the same fire protection philosophies and physical attributes as Rancho Santa Fe's shelter in place communities (...) **providing a last resort for potential temporary refuge if early, safe, evacuation is not possible**	Hazards	3.1.4-23	The RSSFFD does NOT consider HGVS as a shelter in place community - see letter from district to EFHGTC dated April 27, 2017. Further, only 330 residents could shelter in the community building. Remove this statement or disclose the ways in which it differs from those communities with that official status.	The Project is not identified as a shelter in place community. Built to the same standards, however, it can operate as a temporary refuge if emergency personnel so direct its use. This is also true of HGV.
H-18	Misleading statement as to improved safety	Existing access for several residences east of the Project crosses the HGV South site (Figure 3.1.4-1). Such access would continue to be provided through the HGV South site after development, but via improved, code conforming on-site roadways, thereby improving the evacuation situation to the west for those off-site residences.	Hazards	3.1.4-23	Add the caveat that these residences woul have to contend with the 2,000 cars from HGVS in front of them in order to evacuate themselves. In fact egress would be severely compromised vs. current conditions for existing residents and DEIR fails to fully discose that impact throughout.	Please see Global Response: Adequacy of Emergency Evacuation and Access, as well as responses regarding evacuation in the Fire Protection portion of these comments, above.

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H-19	Misleading statement as to condition and availability of emergency egress route.	Additionally, a route to the east is accessible by typical passenger vehicles, does connect with Johnston Road to the east, and would be available in an emergency situation where people needed to be moved to the east and the primary access route (Country Club Drive) was not available. (...) These three ingress/egress points **are in addition to the existing evacuation route to the east noted above**, and would enable resident evacuation without compromising emergency respondent access to the community.	Hazards	3.1.4-23	This is completely false and misleading: the "road" described is a trail which is not passable by street vehicles, has several private gates without Opticom and other obstructions like vegetation and boulders, the Project does not have easements on private properties allowing for egress on these private properties even if it were feasible, which it is not under current trail conditions. This statement needs to be deleted or the full impacts of constructing a road disclosed, including impact to Coastal Sage Scrub habitat, acquisition of easements, aesthetics and noise impacts of road construction, archeological or historical resources assessment and disclosure.	The difficulties associated with this route are disclosed in the EIR and FPP, and comprise the reason why it is not proposed as formal secondary access. Based on discussion with existing residents, however, this route has been used by existing residents during emergency events such as flooding of Escondido Creek, when Country Club Drive is closed. As a result, and as noted, it is not proposed as secondary access, and is not expected to accommodate heavy vehicles, but residents could be directed to use cars to exit the area via that route if so directed by emergency management personnel.
H-20	Misleading statement about egress points	The Project would provide three separate access ways off of Country Club Drive (Figure 3.1.4-1).	Hazards	3.1.4-23	The three egress points all lead to the same road, which continues as a 2-lane road without shoulders past the project. Please clarify the condition of the egress route from those points.	The County disagrees that the statement is misleading. It simply notes that three separate Project access points are provided off Country Club Drive. This agrees with the comment that the three points lead to the same road. It is true that the Project does not provide improvements to Country Club Drive south of the southernmost Project entry. Project traffic is not anticipated to travel further south on this dead-end road, and there is no Project nexus. Country Club Drive north of Harmony Grove Road is not two-lane in nature. Please refer to response to Fire Protection item 14 regarding evacuation in the Fire Protection portion of these comments, above.
H-21	Additional exemptions from Code sought	For lots where a full 30-foot setback would not be possible, installation of a 6-foot tall, non-combustible, heat deflecting, wall would be provided as part of Project Design for additional heat and flame deflection.	Hazards	3.1.4-23	Given the scope of the exemptions already contemplated, no further deviation from strict application of code should be entertained. Modify project so there are NO lots that cannot meet standard setbacks given intense fire risk.	This is not necessary. Inclusion of a wall or set back are equivalent measures relative to fire safety.
H-22	Lack of disclosure of introducing new safety risk	During the site plan review process required for this Project, the FAHJ would review setbacks relative to appropriate fire standards and if the appropriate setback is unavailable, the walls would be implemented along one or more of these lots.	Hazards	3.1.4-24	Disclose any increased risk to existing residents finding themselves on other side of these proposed walls: what would be fire and flame behavior as it is deflected? Could embers or flames be more likely to fall back on exiusting residences below at the top of the new proposed slope? How would modifying topography to create these lots impact fire behavior as it relates to existing residences?	The potential application of the six-foot walls would not result in additional increase in hazard to existing residents. The walls simply reflect heat from fire on the adjacent slope. The ”impact” would be similar to the structure situated a short distance from the wall on the pad. Fire behavior would be reduced with the provided fuel modification zones and ignition resistant landscapes. The Project topography changes would be offset by lack of fuels on the slopes, resulting in fire behavior that is reduced from the same slope with no fuel modification. The Project is expected to lower fire dangers approaching from the east as it would provide an irrigated break with structures not easily susceptible to ember-started fires. The Project would not increase fire danger due to Project design. As shown on Project cross-sections in EIR Figure 2.3-10, Project grading is small in size and generally follows existing contours. It would not affect wildfire behavior patterns in and of itself and there would be no increased risk to existing homes from the proposed design.
H-23	Lack of disclosure of impacts of internal ignition sources on project open space	The internal Project development area between residential structures and building clusters (see green portions of Figure 3.1.4-1) would be cleared of vegetation and re-planted with permanently irrigated fire-resistant plants, thereby excluding native fuels within the development area and minimizing the likelihood of ignitions internal to the Project.	Hazards	3.1.4-24	This does not discuss whether Project residents will have access to the onsite biological open space and possibly become an ignition source themselves. Will access to bio o/s be fenced off from new residents? Describe how these new potential ignition sources will be kept off native areas within the project footprint. How will the fencing affect the viability of the habitat meant to be conserved? Will trails exist through any of the bio o/s?	The EIR describes planned improvements to the existing primitive trail extending though the Project to Del Dios Highlands Preserve -- which trail would remain primitive in nature. Located toward the western edge of the Preserve, the trail would not affect viability of preserved habitat. The fencing is provided to protect the habitat, as described in Subchapter 2.3, Biological Resources. Whether the trail is used by Project residents or by other area residents, the fencing along it, and along the development edge, would restrict people and their animals (dogs and horses) from wandering through the open space. This will reduce human activity in the area. Although trail users are not identified as a significant source of ignition in the FPP, keeping them on the trail and out of adjacent open space would be an improvement over the existing condition.
H-24	Clarify limited scope of measure	the Project would eliminate the potential for roadway obstructions.	Hazards	3.1.4-25	Add "within the project". Parking will do nothing to avoid or prevent likely roadway obstruction by evacuating traffic outside project footprint.	Review of the entire paragraph shows that it is clear that the paragraph is addressing on-site parking and roadways. No additions to text are necessary.'
H-25	Proposed additional mitigation for increased evacuation risk due to Project	Based on its location and ember potential, the Project is required to include the latest ignition and ember resistant construction materials and methods for roof assemblies, walls, vents, windows, and appendages, as mandated by San Diego County Consolidated Fire and Building Codes (Chapter 7A and 2014 CCFC). Exterior walls would have a noncombustible covering. Ember resistant vents (BrandGuard, O'Hagin, or similar approved vent of 1/8-inch screening) would be utilized in all structures. Multi-pane glazing would be required with a minimum of one tempered pane, fire-resistance rating of not less than 20 minutes. All habitable structures and garages would be provided interior residential fire	Hazards	3.1.4-26	Since project will be impairing the evacuation of the 75 residences located behind it on a dead-end road, the applicant should be required to provide similar hardening of existing residences so their inhabitants have a better chance of surviving a wildfire in the likely scenario where their only egress is compromised by Project residents. EIR should require as mitigation that applicant install at their cost sprinkler systems, replace windows with multi-pane glazing, and replace existing vents with ember-resistant models as prescribed.	The County disagrees with the contention that the Project would impair evacuation of existing residences. No improvements to existing structures are required.

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		sprinklers per County Consolidated Fire Code requirements.				
H-26	Incorrect and unsupported conclusion	Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death from wildland fires	Hazards	3.1.4-26	Except for those located beyond the project who may be unable to evacuate because of the project. Simulation and full modeling of evacuation scenarios all the way to safety is required in order to be able to reach this conclusion. The existing road infrastructure needs to be able to carry all the residents to safety, and it is the applicant's burden to demonstrate they can.	The County disagrees that existing residents "beyond the project" would be "unable to evacuate because of the project." The DEIR and FEIR Section 3.1.3, as well as the Global Responses Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access in FEIR Chapter 8.0, and the Project FPP, provide detail as to Project design expanded fuel management zones, type and location of Project landscaping, enhanced building design standards, improvements to abutting portions of Country Club Drive that would provide an additional travel lane during emergencies, and provision of a bridge to widen and elevate the Escondido Creek crossing. All of these would not only benefit the Project, but also could improve access and evacuation actions for residents west of the Project off Country Club drive through provision of additional buffer from fires burning to the east, as well as easier evacuation from south of the creek, and (where so directed by emergency fire personnel) perhaps even a place to shelter if they cannot evacuate quickly enough. Also, although evacuation was addressed in the DEIR and FPP, an additional Evacuation Plan (Dudek 2018) has been prepared based on Project analysis and other published data and is part of the final Project files.
H-27	Documents missing require resetting of public review period	The Project would not impair implementation of either the Operational Area Emergency Plan or the Multi-Jurisdictional Hazard Mitigation Plan or interfere with evacuation activities conducted in accordance with these documents.	Hazards	3.1.4-27	Both of these were missing from the online CEQA docs and none were provided in hardcopy - hence 45 day period should start from when documents were posted.	These are documents prepared by regional organizations and beyond the purview of an individual project. The Project complies with CEQA and County requirements relative to hazards review.
H-28	Incorrect and misleading conclusion	With implementation of the corresponding fire protection Project features, including conformance with building and fire codes, **provisions for alternative ingress/egress**, ongoing maintenance of roads, infrastructure, vegetation management and defensible space, however, the Project **would not contribute to a cumulative wildland fire risk**.	Hazards	3.1.4-28	As noted elsewhere, the Project does NOT provide for alternative ingress/egress - please delete that portion of the sentence. There is only one ingress/egress, Country Club Drive. Project could contribute to a wildland fire risk by introducing urban dwellers next to large swaths of open space, including onsite o/s. As noted above, that risk needs to be better disclosed and analyzed by describing how the residents will be separated from the onsite open space.	The text is referring to multiple access points off Country Club Drive. Regarding potential for Project residents to increase fire risk -- HGV South residents, as well as neighbors, would be restricted from entering open space by required Project fencing along native fuel lines and the primitive trail leading the DDHP. This required fencing is discussed in the EIR. The County disagrees that additional analysis is required.
H-29	Inconsistent population estimates	A development like HGV South would typically include a demographic that results in fewer calls, per capita. Using San Diego County fire agencies' calculated 82 annual calls per 1,000 population, the Project's estimated 1,410 residents (calculated based on 3.12 persons per dwelling; SANDAG 2013)	Hazards	3.1.4-28	The population estimate is inconsistent with similar estimates elsewhere in the documentation. See for example the estimate in Section 3.1.3 Greenhouse Gas Emissions, page 20, *Significance of Project Greenhouse Gas Emissions,* paragraph 1. The population estimates cited throughout the documentation also may be inconsistent, resulting in unsupported, erroneous and unreasonable findings, and the entire DEIR including all supporting and reference documentation should be proofed and corrected for consistency in this regard.	Please see the response addressing the GHG comment in this matrix. In summary, however, although different technical data may be used based on agency preference in order to ensure consistency between like technical reports, such variation is incremental in nature, and in any event, was deleted from Revised DEIR GHG section circulated for public review from February 22 to April 9, 2018.

Response to Comments O6-36 – Traffic

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T-1	Harmony Grove Road, Elfin Forest Road and intersection of Elfin Forest Road/San Elijo Road omitted from TIA	The study area was based on the criteria identified in the County of San Diego's Report Format & Content Requirements: Transportation & Traffic, August 24, 2011. According to the County's criteria, "the scope of the full direct and cumulative traffic assessment shall include those [Mobility Element] roads and intersections that will receive 25 peak hour trips (two-way peak hour total)."	Appendix D Traffic Impact Analysis, 3.0 Existing Conditions, 3.1 Study Area	7	The forecast project + cumulative project peak hour volumes transiting Harmony Grove Road west of Country Club Drive, as derived from the HGVS TIA figures 3-2, 7-2 and 8-1, are as follows: westbound = 148 AM / 185 PM; eastbound = 141 AM / 153 PM. These peak hour volumes substantially exceed the 25 peak hour trip criteria specified by the County of San Diego for traffic assessment inclusion. Because the peak hour volumes exceed the 25 peak hour trip threshold, and because the vast majority of the peak hour traffic will impact the entire length of Harmony Grove Road west of Country Club Drive and Wilgen Drive, Elfin Forest Road, and the intersection of Elfin Forest Road / San Elijo Road, these mobility elements have been erroneously omitted from the TIA and DEIR, precluding reasonable analysis of the full extent of the direct and cumulative impacts to the excluded mobility elements which are likely to be significantly impacted by the project and cumulative project traffic volumes. Please note that these roadways as well as the intersection of San Elijo Road / Rancho Santa Fe Road were included in the Harmony Grove Village TIA, and such inclusion is a precedent for inclusion of these important mobility elements in the traffic analysis for the other GPAs in the same Harmony Grove/ Eden Valley area as Harmony Grove Village, HGVS and Valiano, and would similarly impact these mobility elements. Additionally, the impact to other downstream intersections such as San Elijo Road / Melrose Drive and Melrose Drive / Ranch Santa Fe Road should be evaluated and included in the HGVS traffic analysis if these impacts meet County guidelines for inclusion. Furthermore, the omission of these mobility elements from the HGVS TIA precludes consideration of a potentially unmitigatable significant impact to the Elfin Forest Road/San Elijo Road intersection which extremely congested during peak hours under existing conditions and may be reasonably expected to be significantly impacted with the added peak hour volumes caused by the project and cumulative projects. The potential that the City of San Marcos may be entitled to impact fees as a consequence of the impact should be addressed. Other impacts to consider and mitigate would be additional traffic on private roads; noise impacts to residents in close proximity to Harmony Grove and Elfin Forest Roads; increased hazards to recreational users of the roads including hikers, cyclists and equestrians; and, most critically, increased risk to emergency evacuees caused by evacuation traffic volumes dramatically exceeding roadway and intersection capacities which may result in substantial numbers of entrapped evacuees and consequent catastrophic loss of life.	The commenter incorrectly sums the existing, Project, and cumulative trips traveling west of Country Club Drive on Harmony Grove Road. The County's 25 peak hour trip rule is based on the Project-only traffic volumes. Per Figure 7-2 of the Traffic Impact Analysis (TIA), the TIA correctly analyzes the locations within the unincorporated County where the Project adds 25 peak hour trips or more; therefore, no changes to the study area and traffic analysis are needed. The study area for Harmony Grove Village (HGV) was larger in scale due to that project generating almost twice the volume of traffic as compared to the proposed HGV South Project. The County does not identify a study area for an individual development project based on precedent in the area. As noted above, the study area is based on the Project-specific 25 peak hour trip guideline. Thus, no additional analysis of the roadways mentioned in the comment is required.
T-2	Existing traffic count volume collection out of date	Table 3-1 EXISTING TRAFFIC VOLUMES Footnotes: a. Average Daily Traffic Volumes collected February and June of 2014 when schools were in session. Caltrans volumes taken from most recent available data.	Appendix D Traffic Impact Analysis, 3.0 Existing Conditions, 3.3 Existing Traffic Volumes, Table 3-1 Existing Traffic Volumes	13	Based on the County Traffic Guidelines the count data exceeds the 18 month age of the counts. Therefore, the validity of the counts needs to be updated to conform to County requirements.	The comment asserts that the baseline traffic volumes used in the analysis need to be updated to "conform to County requirements." Traffic counts that are more than two years old can be validated if it can be demonstrated that traffic volumes have not significantly changed since prior counts were taken. The County's Traffic Guidelines clearly state that "These are intended to serve as a guideline and are not intended to replace sound traffic engineering judgment." In fact, the standard of practice by the County is to assess the validity of existing or baseline counts. Please note that Existing Conditions analysis assumed full development of the 742-unit HGV project which is currently under construction, with only approximately 50 percent of the planned homes having been built. Please also note that neither of the other transportation reviewing agencies (City of Escondido, Caltrans) had comments about the age of the counts in the EIR traffic study. As demonstrated in Attachment A to the Final TIA, validation counts were conducted on all 14 street segments in the study area analyzed in the TIA to determine if existing counts are higher or lower than the baseline counts used in the TIA, upon which the Project impacts are based. These counts included the six segments in the City of Escondido, and the eight segments in the County of San Diego. The 24-hour ADT counts were conducted on Thursday, October 5, 2017, when local schools were in session. The results showed that as compared to the traffic counts used in the Project analyses, the 2017 counts are lower on 11 of the 14 roadway segments, supporting the contention that the TIA assessment was conservative when it was run, and consistent with the belief that the analysis would appropriately reflect roadway conditions and capacity by the time that Project traffic would be added to area roads. Throughout the study area, the average reduction in traffic between 2017 validation counts and the TIA counts is -23 percent. For the three segments that were observed to have higher traffic in 2017, the maximum increase was 10 percent (on one segment), with the other two segments being higher by 4 percent and 8 percent. A general guideline used by traffic engineers is that traffic volumes on a given

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						roadway can vary day-to-day by as much as 10 percent, which would be within the margin of error, and therefore within expected variation. In the context of a validation comparison, a 10 percent increase on 1 of 14 segments would not indicate that the baseline volumes were obsolete, especially with an overall average reduction throughout the study area of -23 percent. Thus, the baseline volumes remain valid as compared to existing 2017 data, and the corresponding analysis results also remain conservative.
T-3	The cumulative traffic volume for Country Club Drive between Hill Valley Drive and Kauana Loa Dr is substantially understated in the HGVS TIA. The corrected volume exceeds the capacity of the roadway by 15%, yielding a LOS F rating and rendering unreasonable the expectation for installation of a northbound left turn lane at Eden Valley Lane to effectively mitigate the unacceptable service level to less than significant with a consequent probable re-rating of the impact to significant unmitigatable.	TABLE 9-2 NEAR-TERM STREET SEGMENT OPERATIONS: County of San Diego Street Segments: Country Club Drive: 7. Hill Valley Dr to Kauana Loa Dr: Existing Capacity (LOS E): 9700. Existing: ADT 5980, LOS B. Existing + Project: ADT 7105, LOS C, Change n/a. Existing + Project +Cumulative Projects: ADT 9385, LOS E, Change 1125. Impact Type: Cumulative	Appendix D Traffic Impact Analysis, 9.0 Analysis of Near Term Scenarios, 9.3 Existing + Project + Cumulative Projects Conditions, Table 9-2 Near-Term Street Segment Operations	49	The Country Club Drive cumulative traffic volume between Hill Valley Dr and Kauana Loa Dr in the County of San Diego Street Segments displayed in TABLE 9-2 NEAR TERM STREET SEGMENT OPERATIONS is claimed to be 2280 ADT as derived by subtracting the Existing volume from the Existing + Cumulative Projects volume: 8260 - 5980 = 2280. This figure CANNOT be correct because the cumulative project traffic volume on Country Club Drive between Hill Valley Dr to Kauana Loa Dr for the Valiano project alone, as per the Valiano TIA, Valiano DEIR Appendix H, page 52, TABLE 9-2 NEAR TERM STREET SEGMENT OPERATIONS, is 2711, 431 greater ADT than the 2280 claimed in the HGVS TIA. In addition, 1388 more cumulative project ADT can be identified by reconciling the impact of other non-Valiano/non-HGVS cumulative projects identified in the Valiano TIA with the HGVS TIA, which other cumulative projects are identical between the two TIAs except two additional cumulative projects listed in the Valiano TIA. The calculation of the additional 1388 ADT derived from the Valiano TIA is as follows: As per the Valiano TIA, Valiano DEIR Appendix H, page 52, TABLE 9-2 NEAR TERM STREET SEGMENT OPERATIONS, subtracting the Existing volume from the Existing + Cumulative Projects volume: 7983 - 4930 = 3053 cumulative project ADT on Country Club Dr, Hill Valley Dr to Kauana Loa Dr. The 3053 cumulative project ADT reported in the Valiano TIA includes the HGVS project as a cumulative project and the ADT for HGVS need to be deducted to derive a cumulative project ADT figure for cumulative projects other than HGVS or Valiano: 3053 - 1125 = 1928. Also, the Valiano TIA list of cumulative projects includes an erroneous reference to a 216 du Harmony Grove Meadows project which should also be deducted in the amount of 540 ADT, at 10ADT per du and 25% distribution rate consistent with the HGVS trip distribution scheme: 1928 - 540 = 1388. The only other difference in non-HGVS/non-Valiano cumulative projects between the two TIAs is Citracado High School/Del Lago Academy, which is referred to twice in the Valiano TIA, but not at all in the HGVS TIA. Inclusion of the project is of no significance, however, because no ADT distribution on the road segment is reported per the Citracado High School FEIR TIA. Based upon this calculation, the sum of 2711, the Valiano ADT on the roadway segment, and 1388, the reconciled and corrected ADT for other non-Valiano/non-HGVS cumulative projects, 4099 is the correct cumulative project ADT, not 2280 as imbedded in the HGVS TIA. It follows that the grand total ADT for the roadway segment is 5980 Existing + 1125 HGVS project + 4099 cumulative projects = 11204, a figure which exceeds the 9700 ADT capacity of the roadway segment by 15.5%, yielding a service level rating of LOS F. Furthermore, the substantial excedence of the LOS E threshold relative to the deminimus minority of left turning vehicles northbound Country Club Dr to Eden Valley Lane per Valiano TIA Figure 8-2 calls into question and renders unreasonable the mitigatory value of the left turn lane. For these reasons, the finding of significant mitigatable for the cumulative impact of the project to traffic on Country Club Drive between Kauana Loa Dr and Hill Valley Drive, TR-3, and the prescribed mitigation, M-TR-3, are unsupport because the analysis upon which the impact finding and mitigation are based is erroneous, and in fact are contradicted by cited bona fide evidence. Consequently, the traffic study data and analysis, the impact findings and effectiveness of the mitigation should be readdressed based on accurate data given the critcal nature of the road segment for routine daily access to the project area, as well as for emergency egress. Also, because the failure to use accurate cumulative project traffic data may pervade the HGVS TIA and DEIR, the entire HGVS TIA and DEIR impact analysis and findings should be reviewed and corrected as necessary to reflect accurate cumulative project traffic volume data.	The commenter is correct that the Valiano project forecasted 2,711 ADT on the segment of Country Club Drive from Hill Valley Drive to Kauana Loa Drive based on its final unit count of 388 DU with its proposed access point at Eden Valley Lane. At the time of the finalization of the HGV South cumulative scenario, the Valiano project proposed access was located at Hill Valley Drive, not Eden Valley Lane. This change of access to the Vaiano project affected traffic at only one unique location within the study area – the segment of Country Club Drive between Hill Valley Drive and Kauana Loa Drive since Eden Valley Lane intersects this segment. The shift in access to the south from Hill Valley Drive to Eden Valley Lane simply continues Valiano traffic to the segment south of Hill Valley Drive. No other study area locations are affected by this change. With the previous access at Hill Valley Drive, the noted segment of Country Club Drive from Hill Valley Drive to Kauana Loa Drive was forecasted to carry 2,067 Valiano trips. The final cumulative amount of 2,280 trips for HGV South included the 2,067 ADT from Valiano assuming the Hill Valley Drive access. With the southern shift in access to Eden Valley Lane along this segment, an additional 644 ADT (2,711 ADT – 2,067 ADT) would be expected to traverse this segment. With the addition of the 644 ADT to this segment of Country Club, the existing + cumulative projects condition changes from 8,260 ADT (LOS D) as shown in the HGV South EIR and TIA to 8,904 ADT (LOS E). The further addition of 1,125 Project ADT to the existing + cumulative projects + project condition results in a change from 9,385 ADT (LOS E) to 10,029 ADT (LOS F). Although a change in LOS occurs with the change in Valiano's access, the impact identified in the HGV South TIA and EIR remains a cumulative impact, as shown on Table 2.2-6 of the EIR. Because the cumulative impact is already identified as significant, with the additional 644 ADT, there would be no changes to conclusions of significance when evaluated as suggested by the comment. The proposed mitigation would continue to effectively mitigate the impact, as described in the response addressing Traffic item 13, below. The cumulative-only volumes between Valiano and HGV South would not be expected to be exactly the same amount for several reasons. First, the existing counts for Valiano were conducted in 2012. The existing counts for HGV South were conducted in 2014. Both existing scenarios had 100 percent of HGV added in to arrive at the existing baseline volumes. The Valiano existing baseline therefore represented the traffic condition two years prior to the HGV South counts (the Valiano project NOP was issued in 2013). Although the majority of the same cumulative development projects are listed in both reports, several of those projects are large in scale and would be built out in phases over time. As such, many of these projects or phases, had been constructed by the time of the 2014 HGV South counts, two years after the Valiano counts (e.g., San Elijo Hills, San Marcos Creek District Specific Plan, Kaiser Hospital Medical Office, The Quad at CSUSM). This is clearly represented by the fact that the growth in the existing volumes from 2012 to 2014 shows a 40 percent increase in volumes (Year 2012 = 2,610 ADT; Year 2014 = 3,660 ADT). As such, many of the trips generated by these phased cumulative projects (or portions thereof) that have been built were captured in the 2014 HGV South counts as part of the existing HGV South existing conditions baseline. Other reasons for variation in observed volumes as compared to future modeled volumes include the withdrawal of cumulative projects subsequent to identification and evaluation in the EIR TIA, as well as variations in actual observed trip generation as compared to theoretically calculated trip generation (e.g., the assumed 10 trips per dwelling turned out to be too high a projection). Given that these types of changes occur over time with numerous cumulative development projects, it acknowledged that cumulative projections constitute a projection, and variations (especially given passage of time) are expected and normal. It is therefore concluded that the cumulative scenario accurately represents a reasonable projection of the existing plus cumulative conditions at the time of preparation of the Project TIA. With regard to mitigation being unsupported due to the analysis being erroneous, the County disagrees with this comment given the explanation above confirming the accuracy of the existing plus cumulative assumptions. A detailed discussion on the

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						effectiveness of the left-turn lane mitigation on Country Club Drive is provided in the response addressing Traffic item 13, below.
T-4	Sprinter impacts	n/a - omitted	DEIR Subchapter 2.2 Transportation/Traffic	n/a - omitted	Sprinter operations at the Country Club Drive/ Auto Park Way and Nordahl Road intersection presently causes impacts and back-ups in traffic that is not presented in any of the traffic analysis. With anticipated increased Sprinter traffic, flow back-ups and delays will increase. This condition needs to be addressed in the TIA and DEIR, and potential cumulative environmental effects of increased confluence of rail and automotive traffic, which is reasonably likely to exacerbate to an unmitgatable significant impact, needs to be evaluated and included in the environmental impact assessment.	LLG considered how the SPRINTER service affects the intersection due to the current headways, cycle lengths, and intersection operations. The SPRINTER headways through the Auto Park Way/ Nordahl Road/Mission Road intersection are currently 30 minutes on weekdays between 4:06 AM and 9:21 PM. The current headways mean the SPRINTER services affect the intersection operations every 15 minutes or four times every hour (two trains eastbound and two trains westbound per hour). There are 36 signal cycles during a typical hour at the Nordahl Road/Auto Park Way/Mission Road intersection based on the average actuated peak hour cycle length of 100 seconds. Therefore, the SPRINTER only affects the signal operations in 4 of the 36 cycles during a typical hour (four times per hour). This SPRINTER effect frequency represents only 11 percent of the signal cycle during peak hour operations. As such, additional analysis is not warranted.
T-5	Mt Whitney Road and Eden Valley Lane roadways and intersections with Country Club Drive omitted from TIA and DEIR	The study area was based on the criteria identified in the County's Report Format & Content Requirements: Transportation & Traffic (2011c). According to the criteria, "the scope of the full direct and cumulative traffic assessment shall include those roads and intersections that will receive 25 peak hour trips."	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.1 Existing Conditions, 2.2.1.1 Existing Roadway Characteristics	2.2-1	Country Club Dr/Eden Valley Lane and Country Club Dr/MtWhitney Rd intersections qualify for inclusion in the TIA for cumulative project impact based on County guidelines but were omitted. The intersections are the primary entry/egress points for the Valiano project and cumulative project traffic impact to these intersections would be significant. Also omitted are the intersections of Country Club Drive and Trail Ridge Dr, Live Oak Road, Surrey Lane, Milpas Drive and Progress Place.	Per County guidelines, "The study area intersections should include the intersections of Mobility Element roads where project-related traffic adds traffic to the right and/or left turn movement…." Mount Whitney Road, Eden Valley Lane, Trail Ridge Drive, Live Oak Road, Surrey Lane, Milpas Drive and Progress Place are not Mobility Element roads, nor does the Project add traffic to the right and/or left turn movements. Therefore, no new analysis is required.
T-6	Conduit roadways from Country Club Drive to E Mission Rd and SR-78 omitted	The study area was based on the criteria identified in the County's Report Format & Content Requirements: Transportation & Traffic (2011c). According to the criteria, "the scope of the full direct and cumulative traffic assessment shall include those roads and intersections that will receive 25 peak hour trips."	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.1 Existing Conditions, 2.2.1.1 Existing Roadway Characteristics	2.2-1	Corporate Drive which provides a conduit from Country Club Dr between Progress Pl and Meyers Ave or Opper St to Barham Dr, E Mission Rd and SR-78 was omitted along with referenced roadways and related intersections which may be found to be subject to cumulative traffic impacts that would be significant.	It is true that traffic can use any public road on the street system. However, the Project trip distribution is based on a SANDAG Select Zone Assignment (SZA) traffic model that focuses on Mobility Element roadways whose purpose is to carry the majority amount of traffic along the street system. Corporate Drive is not a Mobility Element road, nor is it coded into the SANDAG model, and it would not be expected to carry any substantial amount of trips for day-to-day travel patterns. Per the trip distribution shown in Figure 7-1 of the TIA, based on the HGV SANDAG model, zero trips are expected to use Corporate Drive. Should some amount of undiscernible traffic use this alternative route, it would divert trips to/from Country Club Drive between Hill Valley Drive and Auto Park Way, ultimately reducing the impact along this segment.
T-7	The HGV trip distribution is invalid as a model for the HGVS project because it is outdated and does not capture important real world changes to trip distribution since publication of the HGV FEIR	Project trip distribution was developed based on the distribution used for the adjacent HGV project, including the proposed network improvements currently under construction. The HGV project utilized a SANDAG Select Zone Assignment that distributes trips in the area based on the location of residential and employment opportunities in the surrounding vicinity.	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.2 Analysis of Project Effects and Determination of Significance, 2.2.2.2 Project Trip Distribution and Assignment	2.2-8	The SANDAG SZA trip distribution model used for HGV was based on the SANDAG Series 10 Regional Growth Forecast for the location of residential and employment opportunities and roadways using information available in 2003, over fourteen years ago, and, as such, is outdated precluding the reasonable evaluation of HGVS project and cumulative impacts based on current existing and forecast conditions. One example of a trip distribution factor change since the HGV TIA was completed in 2006 is that the trip distribution model was applied prior to the completion of the Twin Oaks Valley Road extension to San Elijo Road, which extension would have had a material effect on trip distribution. Another example of a significant change to a trip distribution factor that could not have been factored into the HGV TIA is the recent impact of GPS automatic navigation and routing apps such as WAZE. These applications have altered driving habits and enabled users to access routes they were unaware of or unable to navigate in the past and are now able to use to bypass congested freeways and roads such as the 78/15 interchange area and nearby access roads and alternate routes. The HGV trip distribution is invalid as a model for the HGVS project because it is outdated and does not capture important real world changes to trip distribution since publication of the HGV FEIR such as new roads and the influence of Nav Apps as a trip distribution factor. Because of changes like this subsequent to certification of the HGV FEIR, the HGVS TIA should be re-analyzed based on current conditions and the most recent SANDAG forecast models, and incorporate traffic distribution data available through partnership with WAZE https://www.waze.com/ccp to enable impact assessment based on the best accessible current data.	The SANDAG SZA trip distribution model used for both HGV and the proposed HGV SouthProject utilizes the SANDAG Series 10 County of San Diego Adopted General Plan traffic model. The traffic model is a tool to help develop the Project's trip distribution assumptions, along with existing traffic patterns and professional judgement. The HGV Series 10 trip distribution assumptions were previously reviewed and deemed reasonable and it is logical that the HGV South Project would have similar trip distribution assumptions. The Series 10 traffic model is the appropriate model for use in the Project distribution for the following reasons. First, this model was meticulously developed by the County in coordination with SANDAG to input all General Plan Year 2030 land use designations. It also incorporated all planned Mobility Element roadways. The model was a custom SANDAG model run to most accurately plan for future County growth by buildout of the adopted General Plan, such data were not reflected in the other series models. Second, the age of the model is immaterial in this case. The SANDAG model series are updated every three-to-five years for the purposes of updating the SANDAG Regional Plan. The purpose of that document is to plan for funding different roadway improvements planned throughout the region and does not customarily include new development projects. The model is then made available to local agencies who have the discretion to utilize whichever model they deem most appropriate for their jurisdiction. The custom Series 10 General Plan Mobility Element model was the model recommended for use by the County based on the characteristics of the Project and upon the location of other land uses (particularly HGV), to which Project trips would originate or terminate, such as employment, housing, recreation, and shopping. Next, the HGV project utilized the Series 10 General Plan traffic model to create a

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						customized SZA for that project's distribution. The HGV project land uses were coded correctly into the model and a project-specific distribution was developed assuming the adopted General Plan land use designations in the rest of the region, and the Mobility Element network, including those in the immediate vicinity of the Harmony Grove valley. This generated a distribution that was specialized to the HGV project. The HGV project is immediately adjacent to the HGV South Project. The land uses are consistent, and the road network that the vehicle trips will use is the same. They are both located within the southwest corner of Harmony Grove valley and will have the same local and regional origins and destinations. For these reasons listed above, the most accurate way to determine the trip distribution for the proposed HGV South project was to use the HGV custom County General Plan traffic model. In addition, it is stated in the County guidelines that, "For large projects, trips are distributed onto the road network based upon SANDAG's regional forecasting model, by using a select zone assignment." The Project coordinated with County staff to determine the appropriate SANDAG model for use in the trip distribution, and the County General Plan traffic model prepared for HGV was identified for use in the analysis. In any event, as previously mentioned, this model was correctly coded to represent the planned land uses and network conditions in the County at the time of the General Plan adoption. The comment identifies only two factors or changes that would be accounted for if a Series 12 or 13 models were used instead of a Series 10-based model. However as described further below, neither of these factors have any relevance with respect to this Project. Nor does the comment specifically identify/recommend any changes to the Project's assumed trip distribution percentages that would potentially alter any of the traffic impact findings regarding significance. With respect to the Twin Oaks Valley Road connection to San Elijo Road, this roadway is over 11 miles from the project site and would not be expected to have any substantial effect on Project-related travel patterns. While it is noted that GPS applications, such as WAZE, are available to determine a travel route from one location to another, these types of systems can provide a driver with several options depending on factors such as accident data, roadway construction, and other temporary occurrences that may not represent typical day conditions. For these reasons, local agencies direct traffic engineers to use the SANDAG model as it represents the typical route a driver will choose based on proximity to land uses, existing and planned network conditions, mode splits (carpool, transit, etc.) and incorporates anticipated congestion of roadways. As such, temperamental data from GPS applications can change frequently and would not be the most appropriate basis for determining a project's typical day trip distribution.
T-8	TR-3: Country Club Drive from Hill Valley Drive to Kauana Loa Dr (LOS E) should be LOS F	County: TR-3: Country Club Drive from Hill Valley Drive to Kauana Loa Drive (LOS E)	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.3 Cumulative Impact Analysis, 2.2.3.1 Existing Plus Cumulative Plus Project Impacts	2.2-19	This is false. The segment of Country Club Drive from Hill Valley Dr to Kauana Loa Dr would operate at unacceptable LOS F because the correct existing + project + cumulative project ADT is 11,204 not 9,385 as reported in the HGVS TIA, substantially exceeding the LOS E 9,700 ADT threshold as described in Comment 3.	Please refer to the response addressing Traffic item 3 regarding cumulative traffic volumes provided in the existing + project + cumulative projects condition and the significant and mitigable impact to this segment of Country Club Drive.
T-9	The analysis of existing + project + cumulative project impact to signalized intersections is invalid because the cumulative project impact has been substantially underestimated in the HGVS TIA	Therefore, the Proposed Project, along with other cumulative projects, would cause a significant cumulative impact to the following signalized intersections (Impact TR-8, TR-9, and TR-2b)	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.3 Cumulative Impact Analysis, 2.2.3.1 Existing Plus Cumulative Plus Project Impacts, Signalized Intersections	2.2-20	The analysis of existing + project + cumulative project impact to signalized intersections is invalid because the cumulative project impact has been substantially underestimated in the HGVS TIA resulting in findings of significance less than what they would be if the analysis had been based on correct data. The analysis of existing + project + cumulative project impact to signalized intersections should be redone based on corrected data. Also, the trip distribution method used in the analysis is outdated, does not account for current trip distribution factors with material effects on existing distribution, and, therefore, inaccurately represents project and cumulative project impact to signalized intersections. The analysis of existing + project + cumulative project impact to signalized intersections should be redone based on an accurate model of trip distribution using the most recent SANDAG trip distribution model in conjunction with trip distribution statistics available from WAZE and other widely used GPS navigation and routing apps.	Please refer to the response addressing Traffic item 3 with regard to the accuracy of the cumulative traffic volumes provided in the existing + project + cumulative projects condition; and to the response addressing Traffic item 7 with regard to the SANDAG SZA trip distribution.

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T-10	The analysis of impacts to signalized intersections is incomplete because it omits analysis of the impact to intersections along the southwestern travel corridor from the project	Therefore, the Proposed Project, along with other cumulative projects, would cause a significant cumulative impact to the following signalized intersections (Impact TR-8, TR-9, and TR-2b)	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.3 Cumulative Impact Analysis, 2.2.3.1 Existing Plus Cumulative Plus Project Impacts, Signalized Intersections	2.2-20	The analysis of impacts to signalized intersections is incomplete because it omits analysis of the impact to intersections along the southwestern travel corridor from the project via Harmony Grove Road, Elfin Forest Road, San Elijo Road, Melrose Drive and Rancho Santa Fe Road. These roadways and intersections meet the analysis threshold for existing + project + cumulative project impacts and they should be included in the HGVS TIA and Transportation/Traffic section of the DEIR.	Please refer to the response addressing Traffic item 1 with regard to the County's 25 peak hour trip threshold.
T-11	The analysis of existing + project + cumulative project impact to unsignalized intersections is invalid because the cumulative project impact has been substantially underestimated in the HGVS TIA	the Project would cause a significant cumulative impact to the following unsignalized intersection (Impact TR-10):	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.3 Cumulative Impact Analysis, 2.2.3.1 Existing Plus Cumulative Plus Project Impacts, Unsignalized Intersections	2.2-20	The analysis of existing + project + cumulative project impact to unsignalized intersections is invalid because the cumulative project impact has been substantially underestimated in the HGVS TIA resulting in findings of significance less than what they would be if the analysis had been based on correct data. The analysis of existing + project + cumulative project impact to unsignalized intersections should be redone based on corrected data. Also, the trip distribution method used in the analysis is outdated, does not account for current trip distribution factors with material effects on existing distribution, and, therefore, inaccurately represents project and cumulative project impact to unsignalized intersections. The analysis of existing + project + cumulative project impact to unsignalized intersections should be redone based on an accurate model of trip distribution using the most recent SANDAG trip distribution model in conjunction with trip distribution statistics available from WAZE and other widely used GPS navigation and routing apps.	Please refer to the response addressing Traffic item 3 with regard to the accuracy of the cumulative traffic volumes provided in the existing + project + cumulative projects condition; and to the response addressing Traffic item 7 with regard to the SANDAG SZA trip distribution.
T-12	The analysis of impacts to unsignalized intersections is incomplete because it omits analysis of the impact to intersections along the southwestern travel corridor from the project	the Project would cause a significant cumulative impact to the following unsignalized intersection (Impact TR-10):	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.3 Cumulative Impact Analysis, 2.2.3.1 Existing Plus Cumulative Plus Project Impacts, Unsignalized Intersections	2.2-20	The analysis of impacts to unsignalized intersections is incomplete because it omits analysis of the impact to intersections along the southwestern travel corridor from the project via Harmony Grove Road, Elfin Forest Road, San Elijo Road, Melrose Drive and Rancho Santa Fe Road. These roadways and intersections meet the analysis threshold for existing + project + cumulative project impacts and they should be included in the HGVS TIA and Transportation/Traffic section of the DEIR.	Please refer to the response addressing Traffic item 1 with regard to the County's 25 peak hour trip threshold.
T-13	Mitigation effectiveness of M-TR-3 not supported by substantial evidence and unreasonable	M-TR-3 Prior to occupancy of 176 Project units, the Project shall widen Country Club Drive at the Country Club Drive/Eden Valley Lane intersection to provide a dedicated northbound left-turn lane onto Eden Valley Lane. (pg. 2.2-24) Relative to TR-3, the provision of the left-turn lane at the Country Club Drive/Eden Valley Lane intersection would provide a refuge lane for left-turning vehicles. This would improve the flow of northbound through traffic on Country Club Drive between Hill Valley Drive and Kauana Loa Drive, and reduce the potential for vehicular conflict due to the slowing of northbound traffic. Implementation of this mitigation measure would be expected to reduce this cumulative impact to less than significant. (pg 2.2-26-27)	DEIR Subchapter 2.2 Transportation/Traffic, 2.2.6 Mitigation, Roadway Segments, County	2.2-24, 26, 27	The claim that provision of a northbound left turn lane onto Eden Valley Lane from Country Club Drive would effectively mitigate impact TR-3 to less than significant is invalid because the intersection of Country Club Drive/Eden Valley Lane was omitted from the HGVS TIA, and, with no supporting evidence exhibiting the existing and forecast project + cumulative volume of northbound left turning traffic at the interesection, the assertion is unsupported by any evidence. The claim is further invalid because it is unreasonable. The claim that the left turn lane would reduce the impact to less than significant is unreasonable when evaluated considering the traffic flow projected for that intersection in the Valiano DEIR TIA. According to the Valiano TIA, Appendix H to the Valiano DEIR, Figure 8-2, only 9 of 443 existing + project + cumulative project am peak hour travelers northbound on Country Club Drive would turn left at Eden Valley Lane. That's only 2 % of am peak hour traffic, the heaviest traffic of the day, at a rate of one left turn per 6 minutes 40 seconds. Meanwhile, 103 vehicles, one every 35 seconds, are projected to turn left from Eden Valley Lane to Country Club Drive during the peak am hour. In light of this traffic flow pattern forecast in the Valiano DEIR TIA, the only recent analysis available and prepared by the same traffic consulting firm that prepared the HGVS TIA, it is unreasonable to conclude that a northbound left turn lane at the Country Club Drive/Eden Valley Lane intersection would effectively mitigate the impact to traffic flow northbound on Country Club Drive. The analysis of the flow at the intersection exhibited in the Valiano TIA also shows that not only is northbound left turning traffic the least frequent flow occurance by far, but the incidence of left turning traffic from Eden Valley Lane at this hour is more	The comment assumes that because the northbound turning volumes comprise a relatively small percentage of the overall traffic at the Eden Valley Lane/Country Club Drive intersection, that the effect of those left-turning trips would be minimal on the northbound through flow. This assumption is incorrect. Any disruption of flow, especially during peak morning and evening traffic periods due to through traffic, can cause queuing and excessive delay to the free-flow movement of traffic along a thoroughfare route. The recommendation to construct a northbound left-turn lane would sufficiently mitigate operations along Country Club Drive because it would remove left-turning vehicles from the through traffic lane and move them into the turn lane. The County allows for the implementation of "spot improvements" to be used where deficient segment operations occur, particularly on roadways where there are no planned widening improvements, as is the case with Country Club Drive. While not formally incorporated in the published County of San Diego Guidelines for Determining Significance (August 2011), the County's Public Road Standards support and accept the practice of utilizing additional turn lanes, medians, etc. as capacity enhancing measures for roadway segments (intermittent turn lanes or medians) . The removal of turning vehicles from through-traffic lanes has been identified in literature published by the Transportation Research Board (TRB) as one

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					than ten times greater and will more than make up for the reduction of impact provided by provision of a left turn lane for northbound traffic, thereby nulifying the mitigation and causing an even greater, unmitigated impact the consideration of which has been omitted from the HGVS DEIR. The finding of significant mitigatable per M-TR-3 is unsupported, unreasonable and should be reevaluated pursuant to comprehensive analysis of the Country Club Drive/ Eden Valley Lane intersection. Given the volume of left turning vehicles from Eden Valley Lane to Country Club, particularly in the am peak hour time frame, an all way stop or signalization should be considered as a mitigation to regulate flow and reduce the potential for vehicular conflict. Also, widening of the entire length of the unimproved portions of Country Club Drive and signalization of the Mt Whitney intersection should be evaluated as potential mitigations to ensure an acceptable level of service on this critical access road.	of several principals that improve “the safety and operations of an arterial roadway” (TRB Report S2-C05-RW 2014). The statement that the outbound left-turning vehicles from Eden Valley Lane would negate the improvement in flow resulting from the provision of a northbound left-turn lane is unsubstantiated. The outbound left-turns would have to wait for a gap in northbound through traffic until traveling onto Country Club Drive where the northbound through movements would not need to stop to allow for these maneuvers. The improvements shown in the Valiano TIA (PDS2013-SP-13-001) indicate LOS C operations at the Eden Valley Lane/Country Club Drive intersection with the installation of a stop-sign on Eden Valley Lane and the northbound left-turn pocket on Country Club Drive, under the existing plus project plus cumulative project condition, which assumes the additional traffic from HGV South. It is also the case that daily street segment analysis lacks the precision of peak hour analysis, which takes into account more detailed traffic flow patterns, intersection controls, and roadway features. It also represents the highest accumulation of traffic volumes throughout a 24-hour period. As indicated in the Valiano TIA and the HGV South TIA, the peak hour intersection operations along Country Club Drive are forecasted to operate at LOS D or better between Harmony Grove Road and Auto Park Way with implementation of the mitigation measures by both projects (those of which overlap requiring either project to complete). Ultimately, it should be noted that the future construction of Citracado Parkway as a four-lane Major Road alleviates the temporary near-term impacts along Country Club Drive, as shown in Table 10-2 of the HGV South TIA. Level of service C is indicated in the future according to the County General Plan with the inclusion of the General Plan Amendment projects in the area. Given the lower turning movement volumes from private drives along Country Club Drive (including Mount Whitney Road and Eden Valley Lane), stop-sign warrants would not be met to control north/south through moving traffic along Country Club Drive. The County does not utilize stop signs as traffic calming measures since, if unwarranted, they are often ignored and/or can result in rear end collisions. Traffic signal warrants also would not be met given the lower traffic volumes turning to/from these intersections.

Response to Comments O6-36 – Recreation

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
R-1	Mileage of nearby trails.	These large open space reserves contain a total of approximately 1,558 acres (including the Olivenheain dam and reservoir) with an associated 9 miles of trails.	DEIR Chapter 3.1.10 Recreation	3.1.10-1	The website for the DDHP listed the trail mileage as 1.5 miles (http://www.sdparks.org/content/sdparks/en/park-pages/DelDiosHighlands.html) and the website for the EFRR lists the trail mileage as 11 miles (https://elfinforest.olivenhain.com) for a total mileage of 12.5 miles.	Thank you for identifying this typographical error. The cited text has been corrected on page 3.9-1 of the FEIR to be consistent with the comment, and existing text in Subchapter 2.1 on page 2.1.5. That DEIR text noted that the DDHP has a 1.5-mile long firebreak/trail, located at its closest point approximately 0.1 mile south of the Project boundary and 0.3 mile south of proposed development footprint, that extends from Del Dios Highway to intersect with the "Way Up" Trail in the EFRR; and that the EFRR maintains approximately 11 miles of trails transecting 750 acres overlaying portions of the ridgeline separating the Escondido Creek valley and the area surrounding Lake Hodges.
R-2	HGV Equestrian Ranch	. . . following development, the approved and adjacent private HGV Equestrian Ranch would be expected to host equestrian events open to the public that could be attended by future Project residents and would be accessible via Project connecting trails and a pathway.	DEIR Chapter 3.1.10 Recreation	3.1.10-1	The county has approved the development of the HGV Equestrian Ranch but it is unclear when or if this will actually come to fruition. The original developer of HGV was New Urban West. When the economy collapsed in 2008, Standard Pacific took over most of the HGV development except for the Equestrian Ranch and the land approved for a retail center, which stayed under control of New Urban West. Neither of these parcels have seen any movement towards development.	Comment noted. The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.
R-3	Summit Trail	As shown on Figure 1-17, in the immediate vicinity of the Project, the County has identified four proposed trails, three of which are identified as "first priority," as indicated by asterisks below: . . . 3. *Summit Trail (12), extending southerly approximately 0.2 mile from the Lake Hodges Trail into the heart of the Project . . .	DEIR Chapter 3.1.10 Recreation	3.1.10-3	Need clarification on how the county proposed priority trail, Summit Trail, would be placed on the graded 40 ft. embankment shown in figure 1-17. As shown in the HGVS figure 1-17 the natural hillside will be removed, topped off, and an embankment created which appears to be too steep for the trail proposed in the CTMP.	This is a misunderstanding on the part of the commenter. As described in footnote 6 on page 1-20 of the DEIR, the Summit Trail "does not currently exist and is not part of the Project. This potential trail would adversely affect Proposed biological open space and increase edge effects. It was therefore deleted following coordination with Parks and Recreation."

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R-4	Landscape Plantings	11. The plant palette may be modified in the future design phases	DEIR Chapter 3.1.10 Recreation	Figure 1-20b	Explain what this means. Will this change from a mostly native plant pallete with some non-natives used in the less natural areas to plantings of mostly non-natives? What would be the reasons that the listed plants might not be used?	The County would like to clarify that EIR Figure 1-20b, Landscape Plan does include Note 11: "The plant pallet may be modified in the future design phases." However, this change is restricted by Note 6, which requires a "Modified California Native" plant palette that utilizes drought tolerant and native species. Therefore, while the species may change from what is noted in the Conceptual Landscape Plan, native and drought tolerant species are still required.
R-5	Landscape Plan	The primary streetscape tree is the California Pepper.	DEIR Chapter 3.1.10 Recreation	Figure 1-20b	The California Pepper would not be an appropriate tree to plant near the Escondido Creek and the other preserved areas surrounding the project for two reasons: 1) It is considered undesirable in regards to fire (http://www.sandiegocounty.gov/pds/docs/DPLU199.pdf). 2) Not native to San Diego County and is able to naturalize in our environment thereby spreading and invading into protected natural spaces (http://www.cal-ipc.org/ip/management/ipcw/pages/detailreport.cfm@usernumber=72&surveynumber=182.php and http://homeguides.sfgate.com/problems-pepper-tree-plants-69894.html).	The invasive nature of the California Pepper was considered during approval of HGV, and again in evaluation for HGV South. Project design features restrict use of California Pepper within 50 feet of riparian habitat, where moist soil could encourage germination.
R-6	Elusive Table 7	Parks would be funded through mechanisms described in the Project Specific Plan on Table 7.	DEIR Chapter 3.1.10 Recreation	3.1.10-5	Table 7 was not found. It is either missing or it needs the page number listed in the reference to make it easier for the reviewing citizens to find.	The comment is unclear. The County was unable to locate the inconsistency in the Specific Plan.
R-7	Trail Encroachment	Trail 13, also largely located within the Project parcel in open space, is routinely used by the existing local community and would be retained within a 20-foot trail easement. This currently unimproved primitive trail (County trail nomenclature) continues south to meet the east-west trending Del Dios Highlands Trail in the DDHP. It would be improved by the Project from its current 2-to-6 foot width to 4 to 6 feet in width to the DDHP boundary, as necessary; and dedicated to the County.	DEIR Chapter 3.1.10 Recreation	3.1.10-6	The existing primitive trail currently gets used by a limited number of hikers and equestrians, predominantly from the neighborhood. Improving it, adding 453 homes, connecting it to the HGV trails, and dedicating it to the County, will significantly increase the number of users of the trail. How will the developer prevent these users from encroaching on the private and preserved properties which are adjacent to these trails?	As stated in Chapter 1.0, Project Description, on page 1-20: "Trails would be constructed with decomposed granite or similar soft surface material and would comply with appropriate San Diego County Trail Designation and County Design and Construction Guidelines. Fencing would be used as needed." County requirements, fencing and signs regarding biological open space would combine to keep users from encroaching on adjacent uses.
R-8	Increased use of existing parks	With the provision of the new parks and recreational facilities to serve the Project and the public, combined with the additional PLDO payment, the Project would not increase the use of existing neighborhood parks, regional parks or other recreational facilities such that substantial physical deterioration of these facilities would occur or be accelerated.	DEIR Chapter 3.1.10 Recreation	3.1.10-6	Provide evidence of this statement. It would seem to be inherently untrue. The small, developed parks within the project are very different from the natural adjacent parks such as Del Dios Highlands, Elfin Forest Recreational Reserve, and the San Dieguito River Park. The new developed trails will give the new residents of HGV and HGVS access to these parks, significantly increasing the amount of foot, bike, and equestrian traffic on these already busy parks.	By developing on-site parks used by Project residents and members of the public, as well as paying PLDO for other developed active or passive park uses, the Project removes cumulative wear on off-site park facilities by providing additional recreational venues for the public. With additional taxes provided by the residents of this Project, the County would receive additional funds for maintenance obligations. The Project also would add additional open space reserves, which will also require an endowment to ensure that future maintenance would be provided, as well as fencing identified in the EIR to restrict public access into the preserve area. As discussed in the EIR, the County Master Trails Program envisioned the trails through and across this property and their use by County residents.

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R-9	Cumulative affects on existing parks	. . . the cumulative projects would not increase the use of existing neighborhood parks, regional parks or other recreational facilities such that substantial physical deterioration of these facilities would occur or be accelerated.	DEIR Chapter 3.1.10 Recreation	3.1.10-7	Provide evidence of this statement. The local adjacent parks, Del Dios Highlands Preserve, the Elfin Forest Recreational Reserve are much more affected by the increase in visitation and use that would come from increased development to the area than developed recreational parks. Damage to the preserves can't just be "fixed" or "cleaned up." Overuse of these parks can result is decreased flora and fauna which would take years to repair if it ever could be repaired.	Please refer to responses addressing Recreation items 7 and 8. Trails are allowed uses in preserve areas under County guidelines. Both DDHP and the EFRR contain trails for public use, as described in FEIR Section 3.1.9. The Project primitive trail would hook directly into the large existing DDHP firebreak trail.
R-10	Significant Impacts	Based on the analysis provided above, the Proposed Project would have less than significant impacts related to parks and recreation.	DEIR Chapter 3.1.10 Recreation	3.1.10-7	Provide evidence of this statement. No actual reports were shown. Maybe an environmental/biological review should be done to evaluate how this Project along with the HGV development and possibly the cumulative effects of all the local developments that might impact DDHP and EFRR, as well as any preserved areas on the San Dieguito River Park.	Please refer to the response addressing Recreation item 8.

Response to Comments – Alternatives

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A-1	Expanding an existing village	The underlying purpose of the Project is to accommodate a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village . . .	DEIR Chapter 4.0	4-3	This Project is not an expansion of the existing village in HGV as it is proposed. The village concept in HGV has the highest density in the center retail/commercial area with lesser density as residences move away from the center. HGVS property is outside of the village center across Harmony Grove Road and as proposed, actually puts higher density housing of multifamily dwellings adjacent to the multi acre parcels homes that currently exist in Harmony Grove. In other words, the highest density right next to the lowest density in Harmony Grove. This goes against the County's General Plan.	The County finds that the Project would constitute an appropriate expansion of an existing village. Please refer to Global Response: General Plan Consistency with Land Use Policy 1.4 for detail.
A-2	Location near transit centers	Contribute to the establishment of a community that encourages and supports multimodal forms of transportation, including walking and bicycling, by locating near regional employment and transit centers.		4-3	The two transit centers are at Nordahl Road and the Escondido Transit Center. These are not within easy walking distance (2.9 mi to Nordahl Sprinter - approx. 1 hour walking; 3.4 mi to Escondido Transit Center - approx. 1 hour 12 minutes walking). One-half mile has become the accepted distance for gauging a transit station's catchment area in the U.S. It is the de facto standard for planning transit oriented developments in America (Guerra, Erick, Cervero, Robert, and Tischler, Robert. "The Half-Mile Circle: Does it Best Represent Transit Station Catchments? University of California, Berkeley. July 2011. Web. 1 May 2017. http://www.its.berkeley.edu/sites/default/files/publications/UCB/2011/VWP/UCB-ITS-VWP-2011-5.pdf).	The cited 0.5 mile is a development standard used for addressing transit-oriented development (TOD) projects. The HGV South Project is not a TOD priority project. The cited discussion addresses only general proximity to these facilities -- often accessed by nearby residences for transfer from private vehicles to public transportation. The County also disagrees that less than 3 miles distance to the Nordahl Station is beyond achievable pedestrian distance. The proximity to two such stations is unusual for residents of the unincorporated County, where such stations are usually at a far greater distance.
A-3	Compatibility with existing development	Create a mixed-use development that is compatible with existing and planned development in the immediate vicinity of the property.		4-3	The mixed-use development is incompatible with the current adjacent properties which are single family homes on ½ acre and larger parcels on septic with agricultural designation. In addition to the agricultural homes the proposed project is also surrounded by large preserved parcels of coastal sage scrub communities, chaparral communities and riparian areas containing rare plants and animals as well as many examples of plants and animals typical to coastal sage scrub and chaparral. As was stated in the County General Plan, "Rural areas are not appropriate for intensive residential or commercial uses due to significant topographical or environmental constraints, limited access, and the lack of public services." (San Diego County General Plan: A Plan for Growth, Conservation and Sustainability. County of San Diego. August 2011. P. 3-8, Web. 1 May 2017) This would apply to the area of Harmony Grove south of Harmony Grove Road as we only have access to our homes via one entrance on Country Club Drive. We also have limited public services such as no sewer, no cable service, no high speed internet service, land telephone lines are overhead. Public transportation is not within walking distance (greater than ½ mile away). Nearest grocery stores are 3.4 miles and 4.1 miles away.	Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 which includes analysis of land use compatibility with the surrounding area, including the adjacent Harmony Grove Village (HGV). The site is planned for semi-rural rather than rural uses in the General Plan, and allow for new homes to be built on site. Please note that an alternative in Chapter 4.0 of the EIR specifically provides for larger lots. All necessary utilities are located adjacent to the site and can be extended onto the site, already cross the site, or could be independently provided by the Project. The information regarding distance to public transportation and grocery stores is not inconsistent with the EIR.
A-4	Plan incompatible with project objectives	Encourage adaptive grading, whenever feasible, that utilizes grading techniques such as selectively placing development in a manner that visually and physically responds to the site's physical variables (such as steep slopes, views, streams, etc.), preserving significant topographic features and taking advantage of existing site features.		4-4	If this is one of their objectives, then why are they asking for a steep slope waiver? The grading should be minimized so the current topography is maintained. If the property was divided into parcels similarly sized to the current residential parcels of ½ acre and larger, then the homes would be built in keeping with the topography. This is because large scale grading, removing hills, and filling in valleys would be too costly for individual homeowners. The developer should be required to match the current residential density.	The waiver is requested in accordance with the Resource Protection Ordinance (RPO) because rationale is provided to demonstrate that some of the slopes on site are not protected under the ordinance. The Project grading plan does respond to the sites physical variables and maintains steep slopes, views, streams, etc. as well as preserving on-site significant topographic features. Please see discussion in Subchapter 2.1, Aesthetics, of the EIR, including the cross-sections demonstrating variation between existing topography and Project grading shown in Figure 2.1-10, Topographic Cross Sections.
A-5	Completion of Harmony Grove Village	Alternative Location - " . . the property was purchased with the intention of completing the existing HGV village."		4-5	This statement needs further explanation. HGV was approved by the County as a complete entity. It is not owned by the developers of HGVS and was not proposed with HGVS as a part of it. Unless the County is withholding relevant facts from the community, this statement does not make sense.	The statement is intended to disclose the intent of the current owner of the HGV South property. He did purchase the property with the intent to extend and complete the village.
A-6	Reason this was rejected	Steep Slope Avoidance Alternative - The potential to design alternatives with development located further from preserve areas located south of the site and minimizing potential edge effects through clustering of development out of the southern third of the site (while still providing the housing counts necessary to support on-site sewage treatment) led to rejection of the Steep Sloape Avoidance Alternative.		4-5	This section should include some mention of the higher cost of developing the southern portion which could be cost prohibitive due to a water carved canyon. Other portions of the development are being planned adjacent to other preserved lands (the Escondido Creek) so it should be explained why the land should be developed next to some preserved lands and not others. As for the need for a larger density development to support the on-site sewage treatment, this could be avoided by a smaller development utilizing septic systems which is consistent with the rest of the Harmony Grove community and the Elfin-Forest/Harmony Grove Community Plan within the County General Plan.	Although decision makers may take costs into account during deliberations, costs are not considerations in CEQA environmental evaluations. No amendments to EIR text have been made in response to costs issues. The focus on alternative discussion relative to preserve areas southerly of the Project parcels is due to the difference in the alternative design from the Proposed Project in this area. Alternative discussions focus on differences from the Project. In this instance, the primary difference would be the extension of developed uses closer to the boundary with another preserve, which would occur in the south of the Project. Developed uses are still proposed for more northern portions of the site. Relative to fewer homes, Project alternatives were variously designed to address different environmental issues. Lesser density alternatives also were proposed and evaluated. The environmentally preferred alternative in Chapter 4.0 is one of the lesser density alternatives (which proposes up to 119 homes) and was identified as consistent with the General Plan.
A-7	Recreational opportunities	No Project/No Development Alternative - It also would not provide any of the amenities offered to the community at large relative to support of multi-modal transportation options, provision of a variety of passive and active recreational opportunities, or provision		4-8	Provide evidence that these amenities are needed specifically in the Harmony Grove community. The community has not asked or wanted these amenities. There are plenty of planned developments in all portions of San Diego County that offer these types of amenities. The community members live in the rural Harmony Grove area to be away from developer created recreation and to enjoy natural open space and room between neighbors. If this was what was	CEQA does not require evidence that project amenities are needed. CEQA Guidelines Section 15124 addresses project description, and Section 15124(b) specifically addresses objectives. That section states that the objectives should include the underlying purpose of a project and that clearly written objectives will (later) help the lead agency develop a reasonable range of alternatives, and, potentially will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary.

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		of a destination gathering place for the Project and surrounding areas (Objectives 2, 4, and 7, respectively).			desired by people driving out to Harmony Grove, then the new homes in Harmony Grove Village would have had greater demand and the homes would sell faster.	
A-8	Housing and biological conservation	. . provision of housing and support of facilities and services provided by HGV, provision of mixed residential uses to support diversity of resident and lang uses, or creation of a mixed-use development (Objectives 1, 5, and 6, respectively). Permanent set aside of important and managed biological resources that would contribute to the block of preserved habitat located in the DDHP and EFRR, also would not occur, contrary to Objective 3.		4-8	This alternative is one which should be considered by the County. As described in the DEIR this alternative is superior to the Project in the areas of aesthetics, transportation/traffic, biological resources, cultural resources and tribal cultural resources, noise, and air quality. It's possible that due to the lack of infrastructure in this rural area (e.g. sewer, cable, internet, roads, shopping) as well as the severe fire risk and limited egress, this parcel would be better used as mitigation for a larger development in another portion of San Diego County than has or can more easily develop the infrastructure and would not place it's residents in a severe wildfire risk area with only one exit. An example would be the proposed Newland Sierra development still in the development stage. According to the Voice of San Diego (Rivard, Ry. June 9, 2017. Environmentalist Say Conservation Plan Is Being Used to Give One Development a Leg Up) the Department of Fish and Wildlife has been asking Newland Communities, the potential developer, to find more mitigation property to preserve before approving the proposed development due to the presence of nesting California Gnatcatchers. The property proposed for the HGVS development also contains breeding gnatcatchers so could be a reasonable parcel for environmental mitigation for Newland Sierra or another development. This parcel also abuts the DDHP which could allow for freedom of movement of native animal species.	The comment is not understood. If the request is for the No Project Alternative to be considered by the County, it is included in Chapter 4.0 and will be considered by the decision makers. If the proposal is that instead, the Project parcels should be considered as mitigation for other projects' impacts, such consideration is beyond the ability of this Applicant to secure. No offers have been made to purchase the property as mitigation.
A-9	Water quality improvement	. . . improvements to creek water quality resulting from removal of the at-grade crossing and underlying culverts and re-creation of a free-flowing creekbed, also would not be expected to occur.		4-8	Where is the data to substantiate that this would first of all, improve the water quality. Secondly, if we assume without data that the water quality is improved by a new bridge, it would likely be decreased by the amount of solvents, detergents, and trash run off coming off of a developed area due to the increase in asphalt, cement, and increased population.	The improvements are readily understandable -- removing an at-grade crossing that floods or has runoff from rain events directly into the creek that carry fuels and vehicular travel elements, would benefit water quality. The site runoff would be filtered and enter the area storm drains, as described in FEIR Section 3.1.3, Hydrology/Water Quality. Runoff from developed areas would not free-flow into the creek.
A-10	Possible Escondido Creek sewage contamination	General Plan Consistent with Septic Alternative - Another creek-related issue would be potential failure of the planned alternative septic system. Review of the County's Harmony Grove Village South Project Chapter 4.0 Draft Environmental Impact Report Project Alternatives 4-12 Environmental Health website (http://www.sandiegocounty.gov/content/sdc/deh/lwqd/lu_septic_systems.html) indicates that issues with leach fields and failure of other septic system elements are known to result in groundwater contamination. If such failure occurred under this alternative, downstream pollution also could occur in Escondido Creek.		4-13	Provide evidence that the specific septic system being proposed would bemore likely to cause contamination to the creek than the in-site sewage treatment. HGV has already caused sewage contamination to spill into the Escondido Creek (Notice of Violation No. R9-2017-0062, CalAtlantic Homes, Harmony Grove Village Development, Escondido, San Diego County). According to the DEIR, "Due to the small size of HGV South, it is likely that the Project would truck solids to another wastewater treatment plant for dewatering. This would require transport to that facility by an estimated one truck per week." This appears to be a permanent plan. This would seem to be an area of potential spillage, not to mention the potential for lingering odors between trucking the solid out. This should be addressed in the DEIR. How will the development deal with odor of solid storage and the risk of spillage in transporting this waste?	The potential impacts associated with wastewater, including accidental contamination, is included in EIR Section 3.1.4, Hazards and Hazardous Materials, and technical appendix K.2, Hazardous Materials Records Review Update. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.
A-11	Expanding an existing village	. . . it would not achieve the underlying purpose of the Project of accommodating a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village.		4-13	The existing village should not need increased development in Harmony Grove in order to be successful as it is a separate development which was previously approved by the SDCBOS as a self-sustaining village. HGVS is attempting to tag on to the HGV development as if it is an extension of HGV when it is not. The land owners and developer are completely separate. This alternative however is more consistent with the General Plan of the Village concept of having less dense housing as you move farther from the village center. The Project as proposed actually has higher density significantly outside of the village center in HGV and up against rural properties in the surrounding community.	An expansion of an existing or planned village in accordance with General Plan Policy LU.1.4, does not require the same owners for both the existing village nor the expanded portion of the village. The EIR does not state that increased development is needed for the success of HGV. Rather, the additional homes and civic/commercial uses added by HGV South would help create one complete and vibrant community that would enhance and support the economic and social success of HGV and Project by increasing the number and diversity of residential and civic/commercial opportunities.
A-12	Effects on jurisdictional water	General Plan Consistent with Sewer Alternative - . . . although the Proposed Project wuld not directly impact on-site (non-RPO) jurisdictional waters, some brush management impacts south of the Project build footprint are anticipated to occur.		4-18	The difference in jurisdictional water between this alternative and the project are not clear. The impacts due to brush management and build footprint should be detailed here in the proposed Project and specifically compared to this alternative.	The County disagrees that the details of the differences in impacts to jurisdictional waters between the proposed Project and the General Plan Consistent Alternative with Sewer Alternative are unclear. It is clear from the cited text that for this limited element, the alternative is preferred over the Proposed Project. Such difference is not substantial, however. The brush management impacts are shown on Figure 2.3-5 as part of Project impacts, and the location relative to the drainage is depicted.
A-13	Operational effectiveness of HGV	Also as a result of having substantially fewer units when compared to the Project, this alternative is less effective in optimizing the operational effectiveness of public facilities and services of the existing village.		4-20	Explain why HGV needs more development in order to optimize operational effectiveness of facilities and services. Based on the plan developed for HGV and approved by the SDCBOS, HGV should be able to support itself. If it is unable to, this new information should be detailed for the reader to understand this statement.	The General Plan supports creation of vibrant and economically sufficient communities, enhancing the vitality and livability of existing villages (General Plan page 3-31). The comparison simply notes that the option with more residents better supports these goals and is consistent with the goals and intent of the General Plan, which makes it more preferred for this issue.

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
A-14	Public/Commercial facilities	Senior Care Traffic Reduction Alternative - No commercial uses or community gathering locale would be provided because the fewer number of single-family dwelling units in this alternative would not be able to support such uses on site.		4-21	This statement would seem to make a senior community inconsistent with the area as seniors would need closer amenities such as shopping, public transportation, public services (post office, community centers, etc) due to greater difficulty with mobility. How would this alternative mitigate this need.	Consistent for all residents of this portion of Harmony Grove, some commercial opportunities are expected to be available at HGV, and other commercial opportunities (as well as the full range of other public amenities) are close by in the City of Escondido. Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4 and DEIR Response to Comment I37-15.
A-15	California gnatcatcher	Biologically Superior Alternative - . . . this alternative would preserve 3.5 acres of the Intermediate Value sage scrub habitat in this eastern area, and would avoid impacts to a portion of the habitat supporting the gnatcatcher nest location and surrounding foraging and dispersal habitat.		4-31	This is not an insignificant point made in the document. Why couldn't this 3.5 acres of Intermediate Value sage scrub be preserved in the Project. How could the project be changed to preserve it?	The Project is the Project as proposed. The alternative was designed in concert with resource agency staff to address this specific issue. This element will be considered by the decision makers, but does not need to be included in the Proposed Project.
A-16	Biosolids	Off-Site and Combined On-/Off-Site Sewer Option Alternative - Due to the small size of HGV South, it is likely that the Project would truck liquid solids to another wastewater treatment plant for dewatering regardless of sewer option selected. This would require transport to that facility by an estimated one truck per week.		4-35	Provide evidence supporting the estimated number of truck loads. How will the development deal with the odor of solid storage and the risk of spillage in transporting this waste? Currently the HGV development is trucking all of their waste to another facility three times a day and there has already been a sewage spill (Notice of Violation No. R9-2017-0062, CalAtlantic Homes, Harmony Grove Village Development, Escondido, San Diego County) and a lingering odor at the pump station.	The numbers of trucks would be consistent with the largest potential project, the Proposed Project. As stated on page 1-15 of the DEIR: "it is likely that the Project would truck solids to another wastewater treatment plant for dewatering. This would require transport to that facility by an estimated one truck per week. Once biosolids are dewatered, they would be trucked to a landfill for final disposal, estimated to require one truck per month." The potential impacts associated with wastewater, including accidental contamination, are included in EIR Section 3.1.4, Hazards and Hazardous Materials, and technical appendix K.2, Hazardous Materials Records Review Update. Nuisance odor effects are addressed in Subchapter 2.6, Air Quality. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.
A-17	Using HGVWRF	Connection to the HGV WRF - The existing HGV WRF could be used to serve the Proposed Project if actual use rates at the HGV WRF demonstrate that it could accommodate the flows from both the Proposed Project and HGV as it is currently built.		4-35	The development plan adopted by the County for HGV specifically stated that their water treatment facility would only be used for HGV and not be a step towards future development in Harmony Grove. Provide documentation on how the County would make this GPA.	The treatment plant was designed by HGV to be of a size to serve that project. There have, however, been improvements in treatment technique and efficiencies since that project was approved. In order for the Off-Site and Combined On/Off Site Sewer Option Alternative to be feasible, the HGV WRF and the County would have to demonstrate capacity for that facility.
A-18	Sewer Pipe	An 8-inch gravity-flow would be extended from the Project within Country Club Drive to Harmony Grove Road. The lines would cross Escondido Creek via installation into a bridge structure to be built commensurate with the Project		4-36	Provide documentation on emergency plan for a pipe break and possible contamination into the Escondido Creek. This could be a very costly accident. The Hale Avenue Resource Recovery Facility (HARRF) run by the City of Escondido, has in the past had so many discharge violations into the Escondido Creek that they were fined $1.3 million in 2015 (Lau, Angela. "Escondido's wastewater upgrade too slow." The San Diego Union-Tribune. 28 May, 2009. Web. 2 May 2017. http://www.sandiegouniontribune.com/sdut-lmc28waste031235-citys-wastewater-upgrade-too-slow-2009may28-htmlstory.html.	The potential impacts associated with wastewater, including accidental contamination, is included in EIR Section 3.1.3, and technical Appendix K.2. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.
A-19	Wet weather storage	Alternatively, other scenarios could be explored in the future, as appropriate, such as expanding the existing wet weather storage on HGV, or it could be on another site.		4-36	How can HGVS commit the HGV development to provide wet weather storage for their development? What other sites are referred to in this statement? Only one possibility is listed, Rincon MWD. What other sites are being considered? How would HGVS access these outside sites? Would they have to run more pipe?	The alternative analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the proposed project; therefore, it is not necessary to provide the details requested in the comment.
A-20	Wet weather storage	It is likely that reassessment of the reservoir would allow for additional storage as only a portion of the available volume available in the reconditioned quarry will be utilized by that project.		4-36	Who would pay for this reassessment? The developer? The HOA? The County?	The alternative analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the proposed project; therefore, it is not necessary to provide the details requested in the comment. As noted, if "other alternatives are explored in the future" they would be subject to CEQA review as well. The source for the information was EIR technical Appendix Q, Sewer Master Plan. See Chapter 4 of that document.
A-21	Pumping sewage across Escondido Creek	Combined On-/Off-site Wastewater Treatment - A pump station would be included within the on-site facilities, and off-site utilities would include the gravity feed lines to the existing pump station on Harmony Grove Road, as well as a sewage solids line and potential fiber optics line extending from the Project north along Country Club Drive into the HGV WRF.		4-37	Provide emergency plan for containing contamination for possible pipe breakage and sewage spill into or near Escondido Creek.	The potential impacts associated with wastewater, including accidental contamination, is included in EIR Section 3.1.3, and technical Appendix K.2. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
A-22	Operational Studies	Additional operational studies, as well as design plans and specifications, would be required for all of the facilities described above. These studies and plans are not expected to affect the environmental analyses below.		4-37	Provide evidence that the operational studies, design plans and specifications would not affect the environmental analyses. Why wouldn't design changes have changes to the environmental analysis?	Operational studies potentially resulting in design plan changes or specifications would not be expected to affect existing environmental analyses because the analyses were conservative, based on the largest footprint and use factors that would be expected to result in environmental effects. The quote cited immediately preceded text explaining this: The Proposed Project analyzed the largest potential facility, with the associated largest footprint. As such, it represents a worst-case footprint and potential alternative elements adequate to complete environmental analyses on site, and otherwise would place lines into already disturbed paved street (also affected by placement of Proposed Project utilities). Refinement of the alternative scenarios would not worsen environmental impacts associated with these lesser design scenarios. Future design changes would be expected to affect such items as the specific design of equipment internal to the Project WTWRF, pipeline couplings, etc. as specific products are confirmed. Changes that rise to the level of new analyses are not anticipated, but if they did occur, would require a conformity analysis consistent with County requirements, and if new impacts were identified, would require CEQA review. Moreover, please note that the alternative analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the proposed project; therefore, it is not necessary to provide the details requested in the comment.
A-23	Sewer Alternative impacts	A number of these impacts may vary slightly from those identified for the Proposed Project; however, these variations would be relatively minor and would not alter overall Project impact levels or associated need for mitigation or implementation of specified Project Design Features.		4-42	Provide evidence for the statement that variations in impacts would be minor and would not need mitigation. Specify what the impacts could be.	Please see the response addressing Alternatives item 22.

Response to Comments – Infrastructure

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
I-1	Funding for the Country Club Bridge		Specific Plan	?	Who is going to pay for it? The Specific Plan talks about it being funding at a later date.	The Project will pay for the bridge. Fair share payments from others may be sought in the future. This has been clarified in the Specific Plan.
I-2	Disclosure of school fees agreement	The ordinance requires execution of a binding agreement between an applicant and the affected school district prior to those legislative approvals. Such an agreement can consist of a statement by the affected district that fees routinely assessed at the building permit stage are sufficient to mitigate impacts, and that no agreement is necessary.	Public Services section	3.1.9-4	What is it in this case? was an agreement signed with EUHS given the impact Project will have on schools? Was EUSD properly notified and did they choose to forgo option "to levy statutory developer fees at a higher rate for residential development than previously allowed"? Where is the copy of the agreement?	As stated on page 3.1.8-6 of the FEIR and on the Project Facility Availability Forms for schools in Appendix O of the EIR, fees would be paid during the building permit issuance process and would constitute full and complete mitigation of schools impacts. The school districts have indicated in their signed forms in Appendix O that fees would be collected at that time. No additional documentation is necessary.

Response to Comments – GHG

#	ISSUE	DEIR QUOTE(S)	DOC	PAGE	COMMENT	RESPONSE TO COMMENT
GHG-1	Inconsistent population estimates	Based on SANDAG forecast data for the Project's census tract (census tract 203.07), on average, 2.63 residents are expected to reside in each dwelling unit and 18 jobs are anticipated to be generated per developed employment acre, for a total service population of 1,193 persons (SANDAG 2016).	DEIR Subchapter 3.1.3 Greenhouse Gas Emissions	3.1.3-20	The population estimate is inconsistent with similar estimates elsewhere in the documentation. See for example the estimate in Section 3.1.4 Hazards and Hazardous Materials, page 28, paragraph 3. The population estimates cited throughout the documentation also may be inconsistent, resulting in unsupported, erroneous and unreasonable findings, and the entire DEIR including all supporting and reference documentation should be proofed and corrected for consistency in this regard.	The opportunity for clarification on this issue is appreciated. Use of SANDAG forecast data for the Project's census tract in the DEIR was provided for GHG analyses as it allowed for consistency on this topic among projects throughout the region. Variation between this and other projections (based similarly on technical agency standards for specific technical issues) did not affect Project findings. Regardless, the cited text was deleted in the Revised DEIR circulated relative to GHG from February 22 to April 9, 2018. There is no inconsistency in the FEIR related to those numbers.

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P.O. Box 475 Descanso, CA 91916
www.sofar.org sofar@nethere.com

P.O. Box 779 Descanso, CA 91916
www.cnff.org info@cnff.org

www.transitsandiego.org

June 19, 2017

Via Electronic Mail

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith,

Save Our Forest and Ranchlands ("SOFAR") and the Cleveland National Forest Foundation ("CNFF"), two organizations dedicated to progressive land use planning and the protection of vital natural resources, are submitting comments on the Draft Environmental Impact Report (DEIR) for the Harmony Grove Village South Project. We offer the following comments regarding the Project, its inconsistency with the County's General Plan, and the Draft Environmental Impact Report's ("DEIR") failure to accurately analyze these inconsistencies. O7-1

General plans represent a legally enforceable "constitution" that governs land development. They also represent a community's vision for its future. The current County General Plan took over a decade to finalize at the cost of $18 million dollars. Although much rural land was zoned with large lot zoning to preserve rural values of farming, watershed and wilderness, it was in fact a compromise with the forces of sprawl development. This compromise resulted in the direct conversion of 55,963 acres of O7-2

1

Response to Comment O7-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis and adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment O7-2

Comments noted. As a general policy comment, it is not an EIR-related issue that requires response. It is noted, however, that as stated in the County's General Plan Update (2011) on pg. 1-15:

> *The General Plan is intended to be a dynamic document and must be periodically updated to respond to changing community needs.*
>
> *Any proposed amendment will be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety and welfare.*

Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4.

The Project does not result in a conversion of agricultural lands. There are no existing on-site agricultural uses to conserve, as indicated in Figure 2.3-1, *Vegetation and Sensitive Resources*, and in Chapter 4.0, *Alternatives*, in the description of the Section 4.2.1, *No Project, No Development Alternative Description and Setting*, which references the "native and non-native habitat throughout the site." Potential direct and indirect agricultural impacts are addressed in Section 3.2.1, *Agriculture*.

The comment lists several general environmental issues and perceived deficiencies but does not provide any specifics as to how or why these items are deficient. Therefore, no specific response is possible. Each of the items noted, however, is subject to substantial discussion in the EIR. The Project's relationship to the General Plan and Community Plan is addressed in detail in the FEIR Chapter 1.0, *Project Description, Location and Environmental Setting*, and Section 3.1.5, *Land Use and Planning*, which also includes detail

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

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cities of San Diego), and the cities would still have 170,000 additional units available for development beyond 2030.[3]

As such, the claim that this project adds an additional 453 housing units in unincorporated San Diego County to fulfill a projected housing shortage is mendacious. Furthermore, the infill study reveals that any project proposed within the San Diego County's unincorporated region through the year 2030 (and likely beyond) is not necessary, because a project applicant could find an appropriate offsite alternative within the County's incorporated cities. O7-3

Since the County itself has established in the DEIR that the "General Plan Consistent with Septic Alternative would result in reduced impacts to transportation/traffic, noise and air quality when compared to the Proposed Project.," (current zoning) and since, the County cannot justify the main need for this project which is increased housing then we must conclude that the entire EIR process is misleading in its analyses and conclusions. O7-4

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* (1998) 62 Cal.App.4th 1332, 1336.

General plans establish long-term goals and policies to guide future land use decisions, thus acting as a "constitution" for future development. *Lesher Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. To promote coordinated land use policies and practices, state law requires local governments not just to formulate theoretical land use plans, but also to conform their development and land use projects and approvals with those duly certified plans. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570. It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Napa Citizens*, 91 Cal.App.4th at 379. O7-5

[3] https://d3n8a8pro7vhmx.cloudfront.net/transitsandiego/pages/14/attachments/original/1416421703/Infill_Study.pdf?1416421703

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Response to Comment O7-4

The County concurs with the commenter's statement regarding the "General Plan Consistent with Septic Alternative." The EIR does conclude that it would reduce impacts to transportation/traffic, noise, and air quality when compared to the Proposed Project; however, the Project does not have to justify the need for the Project or increased housing.

Response to Comment O7-5

Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the Project fundamentally conflicts with policies of the General Plan and Community Plan.

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Comment Letter O7 Here, the Project fundamentally conflicts with numerous policies of the County General Plan and the Harmony Grove Community Plan. These inconsistencies violate State Planning and Zoning law and render any Project approval unlawful. The Harmony Grove Community plan asserts the importance of the rural area. "The Harmony Grove community, working with County staff, designed a Village Development Pattern Model as represented in the General Plan Land Use Map. There still exist many large undeveloped parcels of land within Harmony Grove outside the footprint of the approved Village. Development of these parcels with an urban, clustered or suburban design would threaten the continued existence of the rural residential and equestrian character of Harmony Grove… The Village development pattern as shown in the General Plan Land Use Map must be strictly adhered to as the formal development model for the area."[4] The increased density and up zoning of this project proposal directly contradicts the letter and spirit of the Harmony Grove Community Plan. O7-5 From the start, the impacts of this Project will be enormous. In light of the project's considerable distance from job centers and dependence on automobile travel for commuting purposes, the project along with surrounding projects results in significant traffic impacts: increased daily trips, annual vehicle miles traveled ("VMT"), carbon emissions, and air pollution. Furthermore, an increase in VMT also means that the climate change impacts of this project will also be significant especially when measured against the goals of the upcoming Climate Action Plan. In addition, the upcoming state directive recently backed up by the Supreme Court to analyze transportation impacts not by Level of Service, but by VMT analysis will collide with this sprawl proposal. These kinds of potentially significant and likely unavoidable impacts demonstrate that the project is anything but sustainable, and instead represents business as usual in San Diego County: increased auto centric sprawl development. In addition the cost of sprawl services increases taxpayer burdens. According to the County of San Diego, additional public service costs (roads, sewer, water, schools, parks, etc.) associated with rural residential development require an estimated $1.42 in expenses to the public for every dollar such projects generate in tax revenues, and that such costs are 74% greater for low-density semi-rural development. O7-6 Approval of the project would compound the regional congestion problem with its massive roadway improvements which have been proven to induce trip demand thus creating even more traffic in the region. "Transportation experts now agree that increasing roadway capacity increases VMT and greenhouse gas emissions. The increased VMT is called "induced travel." Researchers study induced travel using a term from the economics field called "elasticity". The elasticity is the ratio between the change in demand and the change in supply or price. For example, if gasoline price increased by 100% and gasoline consumption dropped by 10% (in the short run), the elasticity of O7-7 [4] http://www.sandiegocounty.gov/pds/docs/CP/ELFIN_FOR_HARM_GROVE_CP.pdf 4	**Response to Comment O7-6** Both the direct impacts of the Project, as well as the cumulative conditions and Project contributions to them, are addressed within the EIR sections for traffic, air quality, and greenhouse gas emissions (Subchapters 2.2, and 2.6, and 2.7, respectively). Following public review of the EIR, additional confirmatory review was undertaken for GHG, and the discussion was recirculated in February to April, 2018. As discussed in the EIR, significant cumulative impacts were not identified for air quality, and appropriate mitigation has been identified for significant impacts to greenhouse gases and transportation/traffic. With mitigation, impacts remain less than significant, as disclosed in the DEIR. The County respectfully disagrees that the Project is a considerable distance from job centers. The Project is sited between the cities of Escondido and San Marcos. It is therefore located within the north coast developed area, and in proximity to all jobs accessed from Interstate 15 (I-15), State Route 78 and Interstate 5. Specific to the immediate area, it is within 1 mile of an industrial/commercial, employment, and services locus (the Escondido Research and Technology Center) and close to "big box" uses and other job/commercial opportunities located at Valley Parkway and I-15 and along Auto Park Way. It also is in proximity to two transit centers: Nordahl Road and the Escondido Transit Center. Specific to vehicle miles traveled (VMT), please note that as described in Subchapter 2.7, *Greenhouse Gas Emissions*, of the EIR, the San Diego Association of Governments' (SANDAG's) regional assumed average trip length is 7.9 miles. The Project was modeled by the Project traffic engineers (Linscott, Law & Greenspan) as being slightly lower, at 7.88 miles for an average trip length, and therefore is consistent with the SANDAG regional assumed average trip length. Please see Appendix C of the Project *Greenhouse Gas Analyses Report* (Appendix J to the EIR) for details. The current CEQA requirements use Level of Service (LOS) to determine transportation-related impacts from a project. The adoption of Senate Bill (SB) 743 into CEQA is still in the draft stage and therefore the County of San Diego has yet to adopt a methodology for evaluating significant impacts using Vehicle Miles Traveled (VMT). The technical report and the EIR appropriately

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	use adopted thresholds, but as noted above, the Project is expected to fall slightly under the established VMT total mileage. Costs per se are not CEQA issues, and do not need to be addressed in an EIR. Please note, however, that in terms of related environmental effects, the Project either is adjacent to those facilities and/or would develop any needed facilities, as part of Project Design/Conditions. These issues are addressed, together with any Project Design Features or required mitigation, in FEIR Subchapter 2.2, *Transportation/Traffic*, and Sections 3.1.9, *Recreation*, and 3.1.10, *Utilities and Service Systems*, respectively, in the EIR. Similarly, routine developer impact fees would defray costs associated with any needs relative to schools (see Section 3.1.8, *Public Services*, in the EIR). Service Availability Forms have been provided, as appropriate, in Appendix O of the EIR for water, sewer, and schools. **Response to Comment O7-7** The County of San Diego Mobility Element has classified roadways within the study area to be built to certain specifications to meet the goals of the adopted General Plan Land Use plan. The roadway infrastructure improvements proposed by the Project are consistent with the adopted Mobility Element. This is also true for City of Escondido roadways where mitigation is proposed consistent with the City's General Plan Mobility Element. The draft SB 743 VMT guidelines are interpreted to confirm that enhancements to the circulation system consistent with a lead agency's adopted plan (including land use) would not result in significance project impacts.

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gasoline consumption to price would be 10%/100% = 0.10."[5] Therefore roadway improvements in the Harmony Grove area would actually stimulate even more sprawl development and further undermine the General Plan and the CAP. This is exactly what is happening with the new proposal of Harmony Grove South on the heels of the original Harmony Grove development. O7-7

Furthermore, the project site is located on currently undeveloped rural and agricultural lands, and development at this site would therefore result in a direct impact to Agricultural Resources. In 2007 the American Farmland Trust listed San Diego as number eight on a list of California counties with the most farmland conversion, and was found to have the second most total acres of land urbanized between 1990 and 2004.[6] Similarly, a recent analysis of current threats to wildlife conservation in the United States noted that San Diego ranks number nine on a nationwide list of counties with the largest amount of open space projected to be developed through 2025 under existing sprawl patterns.[7] These trends demonstrate that urbanization of agricultural and open space lands, such as that proposed by the project, are incredibly destructive and thus the project undermines our General Plan Goals as stated in the title, "A PLAN FOR GROWTH, CONSERVATION, AND SUSTAINABILITY."[8] The Harmony Grove South project will result in "an irreversible loss of existing biological resources on approximately 77 acres of on-site habitat, including sensitive vegetation communities, special status wildlife species, and jurisdictional wetlands. These impacts are considered permanent and the losses are considered irreversible."[9] The slew of GPA's that undermine the General Plan show that the San Diego region must make a greater effort to reverse sprawl development, as we cannot afford to continuously lose precious agricultural and open space areas. The County must put a halt to General Plan Amendments that serve no useful public purpose. O7-8

San Diego's sprawl development history has been unbelievably destructive, jeopardizing our environment, our communities, and even our economy for the sake of development and profit of special interests. The CNFF infill study demonstrates that for practical reasons sprawl is no longer necessary, and market trends show that compact urban infill development in existing cities is becoming increasingly attractive and preferred over single family homes in distant communities. As a matter of fact the Housing Element of the County General Plan encourages transit oriented development in the heart of the city. It is a fundamental truth that the region will need more housing units in the future, however it is no longer true that we must destroy our environment to fulfill O7-9

[5] https://www.dropbox.com/s/dmetfri3ve9a5i6/N%20Marshall%20Quantifying%2050-10%20final%204-15-15.pdf?dl=0
[6] http://162.242.222.244/programs/states/ca/Feature%20Stories/PavingParadise.asp
[7] http://www.nwf.org/Wildlife/Wildlife-Conservation/Threats-to-Wildlife/~/media/PDFs/Wildlife/EndangeredbySprawl.ashx
[8] http://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/GP/Cover_Intro_Vision.pdf
[9] http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/hgvs/Harmony%20Grove%20Village%20South%20Public%20Review/PDS2015-GPA-15-002-EIR-Ch2.7.pdf

5

Response to Comment O7-8

This comment is concerned with issues regarding agricultural resources, which have been addressed in EIR Section 3.2.1, *Agricultural Resources*, where impacts were determined to be less than significant due to lack of on-site water, generally poor identified soil quality, and lack of recent history of agricultural production. Additionally, biological resources are addressed in Subchapter 2.3, *Biological Resources*, where impacts to wildlife and habitat were identified and the proposed mitigation measures would reduce all impacts to biological resources to less than significant levels (EIR pg. 2.3-63). Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the project would be considered sprawl.

Response to Comment O7-9

Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 for reasons the County disagrees that the Project would be considered sprawl.

COMMENTS	RESPONSES
Comment Letter O7 this need. The Harmony Grove Village South Project represents a past of destructive sprawl development that cannot continue if San Diego County is going to be truly sustainable and meet the needs of the present without compromising the ability of future generations to meet their own needs. O7-9 Harmony Grove South is indeed a developer fantasy that will undermine the ability of future generations to meet the challenge of sustainability. In this regard Harmony Grove South is reminiscent of a similar unsustainable proposal called Lilac Hills Ranch. Like this project, Lilac Hills Ranch promoted a similar rationale for meeting the housing need on agricultural land. County voters rejected this falsehood and soundly defeated Measure B. County officials should follow the people and also reject this DEIR as inadequate and call for a recirculated DEIR with a reasonable range of alternatives including a new project location within appropriately zoned lands in the urban core. O7-10 Sincerely, Duncan McFetridge Duncan Mc Fetridge Director, CNFF President, SOFAR 6	**Response to Comment O7-10** Please see Response to Comment O7-9. The comparison to Lilac Hills Ranch is noted; however, the County disagrees the same circumstances apply to both projects. HGV South would extend and support an existing village; please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Lilac Hills Ranch is not adjacent to an existing village—it would be a wholly new village. That Project's parcels contain active farm lands and is currently zoned for agriculture. Lilac Hills Ranch proposes over 1,700 homes, as well as three commercial areas and a school. It is also not located in immediate proximity to existing commercial, medical, and other amenities provided by Escondido and San Marcos. The comparison does not apply to the analysis in the EIR; therefore, no further response is required.

COMMENTS	RESPONSES

Comment Letter O8

From: Cultural Pauma
To: Irace, Michelle
Cc: pdixon@palomar.edu; Jeremy Zagarella; bennaecalac@aol.com
Subject: Harmony Grove Village South
Date: Thursday, May 25, 2017 11:06:39 AM

Ms. Irace,

The Pauma Band of Luiseno Indians has received the County's May12 notice for the Harmony Grove Village South Project. We concur with the Environmental Impact Report on having monitors on site for all ground disturbing activities. Please contact us if any inadvertent discoveries are made. We also request that w be included in all cultural resource discussions. If there are any questions please contact us. O8-1 O8-2

Thank you,

Mr. Chris Devers
Cultural Liaison
Pauma Band of Luiseno Indians

Response to Comment O8-1

The comment acknowledges the receipt of the EIR and acceptance of the terms to include monitors for all ground-disturbing activities.

Response to Comment O8-2

The County will continue to distribute and circulate to the Pauma Band of Luiseño Indians public notices of all Project documents, as well as all public hearing and scheduled approvals concerning the Project. In addition, any revised or new archaeological reports will be distributed to the Tribe. The comment will be included as part of the administrative record and made available to the decision makers prior to the final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter O9

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081
760-724-8505 • FAX 760-724-2172
www.slrmissionindians.org

June 21, 2017

Ashley Smith
Project Manager
Department of Planning & Development Services
County of San Diego
5510 Overland, Ste. 310
San Diego, CA 92123

VIA ELECTRONIC MAIL
Ashley.Smith2@sdcounty.ca.gov

RE: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE HARMONY GROVE VILLAGE SOUTH PROJECT (PDS2015-GPA-15-002)

Dear Ms. Smith:

We, the San Luis Rey Band of Mission Indians ("Tribe"), have received and reviewed the County of San Diego's ("County's") Draft Environmental Impact Report ("DEIR") and all of its supporting documentation as it pertains specifically to the protection and preservation of Luiseño tribal cultural resources that may be located within the parameters of the Harmony Grove Village South Project's ("Project's") property boundaries and areas of impact. After our review of the DEIR, the Tribe is satisfied and concurs with the proposed Tribal Cultural Resource Mitigation Measures (CULT#1-2 and CULT#GR-1-4) contained within the DEIR's Conditions of Approval.

O9-1

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the County of San Diego with our comments on the Harmony Grove Village South Project. As always, we look forward to working with the County to guarantee that the requirements of the CEQA are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño tribal cultural resources and sacred places.

Sincerely,

Merri Lopez-Keifer
Chief Legal Counsel

cc: Melvin Vernon, SLR Tribal Captain
Carmen Mojado, SLR Secretary of Government Relations

Response to Comment O9-1

The comment acknowledges the receipt of the EIR as well as accepting the impacts and mitigation measures under Cultural Resources and Tribal Cultural Resources (FEIR Subchapter 2.4). The comment will be included as part of the administrative record and made available to the decision makers prior to the final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter O10 June 5, 2017 The Harmony Grove Village South Draft EIR Comment Letter This comment letter is in response to a draft Environmental Impact Report that the County of San Diego is circulating for public review. Comments on this draft documents will be sent to the PDS address as instructed. We at *County Friends of a Better Bow* are a new group, comprised of six members, committed to a new and evolving field of environmental study (GHG analysis). Therefore, comments are solely focused on Section 3.1.3 (Greenhouse Gas Emissions). O10-1 The Draft EIR analysis concludes that the project would need to achieve an efficiency metric of 4.6 MT CO2e/SP/year for the year 2021 to be consistent with the 2030 emissions reduction goal of SB 32. We find this not to be a defensible CEQA approach and it is not substantiated with adequate evidence. The Courts have recent opined that environmental documents must link a specific project's achievement to a local plan or a Scoping Plan's statewide average reduction below a Business As Usual forecast to conclude that the project's reduction would meet the strategy. The Project would emit 4.4 MT CO2e/SP/year in 2021, which is lower than the 4.9 MT CO2e/SP/year efficiency metric considered consistent with the AB 32's 2020 reduction target, and is also lower than the 4.6 MT CO2e/SP/year efficiency metric that is considered on a reduction trajectory at buildout for meeting SB 32 and EO S-3-05's reduction targets. However, it also concludes that the Project site was not identified for development in SANDAG's San Diego Forward 2020 and 2035 forecasted development pattern maps. As you know the SCS consistency is a helpful approach for considering the car and light duty truck emissions sector of projects because it addresses a large proportion of GHG emissions identified in the regional SCS strategy. If a project is not included in a SCS, then it makes it so that the project would conflict with regional efforts to implement SB 32's target of reducing statewide GHG emissions. O10-2	**Response to Comment O10-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments. **Response to Comment O10-2** The commenter states that the Project should not have used the "County Efficiency Metric" of 4.6 to determine whether or not the Project would have a significant effect on the environment. The commenter is correct in that the April 2017 Final Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) did originally evaluate the potential environmental impacts associated with the proposed Project's emissions of greenhouse gases (GHG) using the 2016 Guidance Document and its County Efficiency Metric. During the public review period of the Project's DEIR, the *Superior Court in Sierra Club v. County of San Diego*, Case No. 2012-0101054/*Golden Door Properties LLC v. County of San Diego*, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County. As a result, a Supplemental analysis (Supplement) was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. In addition, the Project Applicant has committed to reducing the Project's emissions to net zero, made enforceable through the Project Specific Plan D Designator Project Design Features (PDFs) identified in Table 1-2 and Chapter 7.0, and Mitigation Measures M-GHG-1 and M-GHG-2, described in Subchapter 2.7 and Chapter 7.0 of this EIR. Through the purchase of carbon credits for construction and operationally related GHG emissions, the Project would result in no net increase to the existing GHG emission. The Project would therefore not make a substantial contribution to a cumulatively considerable GHG impact. The Project's commitment to achieve net zero GHG emissions also ensures that the Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. In

COMMENTS	RESPONSES
	summary, with the Project's additional commitment to purchase and retire off-site carbon offset credits to reduce the Project's GHG emissions to net zero, the Project would not result in a significant impact to global climate change. Please refer to the revised Subchapter 2.7, *Greenhouse Gas Emissions*, in the FEIR. Relative to the discussion of San Diego Association of Governments' (SANDAG's) San Diego Forward, the DEIR does not say that the Project site was not identified for development. The relevant text states: *Although the Proposed Project would increase the density of residential land uses on the Project site, it would also include a number of PDFs [Project Design Features] to reduce GHG emissions that support the goals of San Diego Forward. For example, the Project includes a photovoltaic solar system, an electric vehicle charging station, low flow water fixtures, and drought tolerant landscaping.* The commenter incorrectly states that if a project is not included in a Sustainable Communities Strategy (SCS), the project would be in conflict with regional efforts to implement Senate Bill (SB) 32's target of reducing statewide GHG emissions. The exclusion of the Project site from the 2020 and 2035 forecasted land use development patterns contained in the 2050 Regional Transportation Plan (RTP)/SCS is not dispositive of the Project's consistency with SB 375, particularly as the Government Code 65080(k) explicitly provides that sustainable communities strategies do not control or regulate the use of land. Rather, as provided in the DEIR, it is appropriate and reasonable to consider the Project's consistency with policies set forth in SB 375 and the 2050 RTP/SCS, as well as the Project's relationship to the reduction targets identified by the California Air Resources Board (CARB). As described above, through the purchase of carbon credits, the Project's construction and operationally related GHG emissions would result in no net increase to the existing GHG emissions. Therefore, the Project would not have

COMMENTS	RESPONSES
	a substantial contribution to a cumulatively considerable GHG impact. The Project's commitment to achieve net zero GHG emissions is consistent with the AB 32's 2020 reduction target, and on track for meeting the SB 32 and EO S-3-05 reduction targets. The Project would include site design elements (i.e., PDFs) and mitigation measures as noted above to support the policy objectives of the RTP and SB 375. The Project would implement land use and design measures that would create an environment that promotes alternative mode choice (e.g., pedestrian/bicycle networks and proximity to bus routes). The design of the Project is based on a compact neighborhood design, where pedestrian and bicycle path provide access to the community facilities such as parks and a clubhouse as well as the proposed bike lane and pathway. The Project will encourage daily physical activity associated with walking and bicycling, by providing public riding and hiking trails as well as creating a public place for the community to gather and have access to cultural activities at the proposed park and Center House, which will include many health and physical training activities. The Project will include pathway/sidewalks throughout the site. Given the preservation of approximately 70 percent of the Project site as non-structurally developed open space, the proposed trail system will allow the future residents to enjoy a preserve while engaging in physical activity and recreational benefits. As a design feature, the developer will provide to all homeowners an informative brochure to educate homeowners regarding water conservation measures, recycling, location of the electric vehicle charging stations and conduits, location of outdoor electric outlets to promote using electrical lawn and garden equipment, and location of nearby resources such as dining and entertainment venues, small commercial centers, and civic uses to reduce vehicle miles traveled (VMT). Relative to the stated concerns over VMT and attainment of GHG goals, please note that as described in Subchapter 2.7 of the EIR, SANDAG's regional assumed average trip length is 7.9 miles. The Project was modeled by the Project traffic engineers (Linscott, Law & Greenspan) as being slightly lower, at 7.88 miles for an average trip length, and therefore consistent. Please see Appendix C of the Project Greenhouse Gas Analyses Report (Appendix J to the EIR) for details.

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Comment Letter O10 Only projects that can demonstrate consistency with an adopted SCS can benefit from efficiency metric analysis or for coverage for post-2020 GHG emissions. At the plan-level, the net increase in GHG emissions would be substantial in the context of the region's goals because the anticipated emissions were not accounted in the business as usual inventory and reduction goal setting. GHG emissions associated with VMT attributable to the Plan area negatively influence VMT and GHG goals as they relate to the RTP/SCS efforts, even if they "meet" an efficiency metric. O10-2 The region's GHG targets are based on *real* numbers from cities and the county. These numbers are used by SANDAG to forecast emissions post-2020, which are fundamentally important in emission forecast modeling. Another argument could be made that cumulatively the project creates a similar problem with state efforts. Does this project really help the state achieve the SB 32 target? The Scoping Plan is based on a specific assumption. The physical environment is now *changing* what was used to create those assumptions. O10-3 **More evidence needs to substantiate the Draft EIR's conclusions. The Draft EIR must provide more analysis, be revised and recirculated.** We, at the Friends of the Climate Action Campaign, recommend more evidence to allow other people to generally reach similar conclusions. This correspondence is raising reasonable doubt that the project is helping the region advance its SCS. The draft EIR already acknowledges that it is inconsistent. O10-4 A fair argument can also be made that there is a net increase in total mobile-source GHG emissions associated with all vehicles in the Plan area, which interferes with state reduction efforts in both 2020 and post-2020, compared to 2005 levels. O10-5 Hannah County Friends of a Better Bow Copy: Climate Action Campaign, 4452 Park Blvd. Suite 209, San Diego CA 92116	**Response to Comment O10-3** The commenter asserts that since the Project was not included in the SCS, the Project cannot help the state achieve the SB 32 target. However, as described in EIR Subchapter 2.7, the Project would not increase net GHG emissions above existing levels, and therefore it would not conflict with any adopted and applicable local or state plans, policies, or regulations to reduce GHG emissions in 2020, 2030, and/or 2050, all of which utilize non-zero targets. In January 2017, CARB released "The 2017 Climate Change Scoping Plan Update" (Second Update) for public review and comment, and subsequently adopted it in December 2017 (CARB 2017). This update proposes CARB's strategy for achieving the state's 2030 GHG target as established in SB 32. When discussing project-level GHG emissions reduction actions and thresholds, the Second Update states "achieving no net increase in GHG emissions is the correct overall objective, but it may not be appropriate or feasible for every development project." Please see Response to Comment O10-2 regarding SB 32 conclusions. GHG analysis is inherently cumulative; global climate change is a cumulative issue by definition. **Response to Comment O10-4** The County respectfully disagrees, and finds that the comments provided do not provide evidence to support a conclusion that the Project interferes with attainment of regional goals. The GHG analysis has been updated to reflect the Sierra Club case that no longer allows use of the State Efficiency Metric. Therefore, the EIR GHG analysis has been revised and was recirculated in February to April 2018. **Response to Comment O10-5** The fair argument standard is not the standard applied to adequacy of a CEQA EIR. That standard is substantial evidence. These comments do not provide substantial evidence. Please refer to Response to Comment O10-2 (regarding attainment of GHG reduction efforts) and Response to Comment O10-4 (regarding need to revise analysis).

COMMENTS	RESPONSES

Comment Letter I1

From: Andy Laderman [mailto:aladerman@cox.net]
Sent: Monday, June 19, 2017 10:34 AM
To: Smith, Ashley
Cc: Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; melanie.marshall@sduniontribune.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

T hank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I have lived in Eden Valley for over 30 years and am a proud resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest. Over these 30 years I have seen numerous developments proposed for the remaining open spaces in our community. Nearly all of these projects proposed developments that would impact the area's community character and rural environment with no measurable benefit to the community and its residents. Indeed, without exception they all had significant environmental impacts that could not be mitigated. However this proposal, in common with the Valiano proposal, represents a level of impact I have never seen before - a clear and significant risk to the lives and safety of existing residents. I1-1

The united rural communities of Eden Valley, Harmony Grove and Elfin Forest are in a designated Very High Risk Fire Area. Wildfires are a common occurrence in our community and at least once a decade we experience a major fire that destroys property, threatens or takes lives and requires mass evacuations of the area. In the 1990s we had the Harmony Grove Fire; in the 2000s the Witch Creek Fire; and most recently the Cocos fire in 2014. Mandatory evacuations were enforced in all 3 instances, generally with very little notice.

The evacuations in past fires have been chaotic at times, stretching the limits of the capacity of our rural roads to handle the safe and timely evacuation of area residents as well as livestock. Country Club Drive from Kuana Loa to Auto Parkway has been at times the only evacuation route open as other roads in the area were closed by active fires. I can personally vouch for the volume of traffic, including many horse trailers that use this route to evacuate since my home is on this stretch of road. Evacuation congestion occurred even though this stretch of road has a Level of Service of A. I1-2

Traffic studies have shown that if HGVS is approved along with Valiano and the build out of Harmony Grove Village, this stretch of Country Club Drive will have a Level of Service of F on a normal day. How is it possible to evacuate thousands more residents onto a 2 lane stretch of road that would already be at a Level of Service of F? The answer is that it can't be done. The existing road infrastructure is not appropriate for this density level, neither for traffic conditions nor in case of evacuation. I1-3

Part of the HGVS solution is to adopt a "shelter in place" strategy for the construction of the development. This has 2 fatal flaws. Firstly, residents do not always follow this strategy. Our natural instinct is to get away from wildfires. The Crosby Estates in Rancho Santa Fe was built with a "shelter in place" strategy. However, during the 2007 Witch Creek Fire only a small percentage of the residents decided to actually shelter in place. The vast majority evacuated. Secondly, even if the residents of HGVS decide to shelter in place that does not help me or my neighbors evacuate onto a road that will already be at a level of service of F. The consequences of allowing this development to take place could be devastating when the next major wildfire occurs. Any elected representative or County official that approves this development must realize that they are putting the lives of County residents in danger and will have to live with that on their conscience when the inevitable occurs. I1-4

Response to Comment I1-1

The County acknowledges the introductory comments pertaining to the commenter's background and residence within the area. The County does not agree that the Harmony Grove Village South (HGV South) Project, combined with the Valiano Project, would result in a significant risk to the lives and safety of existing residents. No significant and unavoidable impacts were identified within the EIR related to thresholds that would correlate with human safety. Both projects have undergone environmental review pursuant to CEQA on a project-specific basis, and both projects include the other as part of the cumulative condition. Based on assessment of their relative design features, as well as their required mitigation measures, no significant health and safety risks were identified within their respective DEIRs. Ultimately, the County's Board of Supervisors will determine, based on the environmental analysis and other factors, if the projects will be approved. Please see responses below to specific comments.

Response to Comment I1-2

The EIR states that the Project is within a Very High Fire Hazard Severity Zone (VHFHSZ) in EIR Section 3.1.3, *Hazards and Hazardous Materials*, Subsection 3.1.3.1, and additionally referenced in the Project's Fire Protection Plan (FPP) (DUDEK 2016). Based on its location in a VHFHSZ, the Project is required to provide for a level of planning, ignition-resistant construction materials, access, water availability, fuel modification, and construction methods that have been developed specifically to address and mitigate issues of developing within a VHFHSZ. The Project meets and exceeds these requirements by implementing fire and building codes and exceeding specific codes to provide additional fire protection based on the site, the development plan, and related constraints.

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

Response to Comment I1-3

Please see Table 2.2.6 of the EIR. There is only one segment of Country Club Drive with cumulative traffic loading. Also, lanes may be reassigned to carry

COMMENTS	RESPONSES
	vehicles moving in a certain direction. Please also see Global Responses to Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES

Comment Letter I1

The Wildfire Emergency Plan included with the DEIR states that Country Club Drive is the only safe evacuation route, because Harmony Grove Road East and West could be compromised by wildfire. Yet the DEIR does not calculate how long it will take not only the development traffic, but existing residents to get to safety all the way to Auto Parkway. This information needs to be provided, and a simulation of evacuation needs to be modeled, to fully disclose the real risk to the current residents, since, as I stated earlier, I do not believe the evacuation can be carried out in a timely manner. I1-5

Given that the Fire Protection Plan (appendix L) acknowledges that the project is proposed in a Very High Risk Fire Area and states *"Fire history indicates wildfire has occurred on and in the vicinity of the project several times"* I was shocked that fire officials have granted an exception to the Fire Code to waive the secondary access requirement. There are good reasons for the Fire Code requiring a secondary egress, especially in this Very High Fire Risk area. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area. The entire population at risk in case of wildfire includes all of Eden Valley, Harmony Grove, Elfin Forest, Harmony Grove Village and the City of Escondido community of Hidden Hills. I1-6

The developer claims the project will help fund a financial shortfall for the HGV Fire Station. I would hate to think that this has influenced any fire official to grant the exemption. In granting this exception any fire official should also realize that they are putting the lives of County residents in danger and will also have to live with that on their conscience when the inevitable occurs. I1-7

If you are in any doubt as to what can happen when a rural road becomes clogged with evacuating residents trying to escape a wildfire you need only turn to the recent tragedy in Portugal in which over 60 people died. Local police reported that at least 30 motorists died, trapped in their cars on the N-236 road which was clogged with evacuating residents from the rural community of Pedrógão Grande who were trying to reach the IC8 motorway to escape the fires. In addition, officials said they had found 17 bodies near the road, possibly those of people who had tried to escape on foot once they realized there was no way to continue driving. It is within the power of the Board of Supervisors to reject this disastrous proposal and stop a similar tragedy happening in the united rural communities of Eden Valley, Harmony Grove and Elfin Forest. I1-8

Outside of the fire safety and evacuation dangers posed by this project, the environment will be impacted in many other ways including aesthetics, noise, traffic, greenhouse gases, etc. From a very personal perspective, my backyard and pool are within 50 feet of the traffic on Country Club Drive. Once Country Club Drive deteriorates to a Level of Service of F as would occur if this project and Valiano are approved, my backyard would become unusable. The ambient noise would exceed 65 decibels on a regular basis would is considered by the County of San Diego too high for outdoor recreational usage. The exhaust from all this traffic would reach an unhealthy level in my backyard. Mitigation for this impact on me and my neighbors needs to be a requirement if this ill-conceived and potentially deadly project is ever approved. I1-9

Respectfully submitted,

Andrew Laderman

2710 Surrey Lane, Escondido, CA 92029

Response to Comment I1-4

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

Response to Comment I1-5

Precise specifics and simulation regarding timing of evacuation during fire events are wholly speculative and beyond the requirements of an EIR as they are wholly determined by the fire event, the direction the fire is moving, and directions issued by emergency fire personnel at the time. The Wildfire Risk Analysis prepared for the Project area by Rohde & Associates considered emergency evacuations and the perception that only one route was proposed for access/egress to the Project. The conclusion of that report's analysis was:

> *In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 [sic] potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable.*

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

Response to Comment I1-6

As the comment states, the Project is located within a "Very High Risk Fire Area," referred to in the EIR as VHFHSZ; however, the FPP explains that the Proposed Project complies with all applicable fire code regulations, including but not limited to the California Fire Code, the Consolidated County Fire Code (CCR), County Fire Code, with one modification (allowed under the CCR to address conditions of a site), which was approved by the Fire Code Official. A request for a modification from Section 503.1.3 of the CCR with respect to dead-end road lengths was approved by the Fire Code Official because of the topographical, geological, and environmental conditions of the site make compliance with this standard infeasible. The FPP provides a detailed discussion of the dead-end road length requirements and how the Project meets the intent of the code through a layered and redundant fire protection and evacuation system.

COMMENTS	RESPONSES
	Please also see Global Responses to Fire Hazards Impact Analysis. **Response to Comment I1-7** Contrary to the supposition in the comment, the payment to the Harmony Grove Village (HGV) Fire Station is not being provided in exchange for an exemption from the Fire Code. As stated in Global Responses to Fire Hazards Impact Analysis, fire standards are expected to exceed Code requirements. Rather, the payment would support adequate fire services for the Project and the other communities in the new Fire Station's response area. The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. **Response to Comment I1-8** The comment requests review of a recent fire and evacuation in Portugal but provides no comparison details. A comparison between Portugal and HGV South would not be valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the FPP or EIR was revised to include this information. **Response to Comment I1-9** Please see the above responses relative to fire safety and evacuation. The EIR details potential Project effects and impacts for each of the technical issues generally raised by the commenter. Aesthetics are addressed in EIR Subchapter 2.1, *Aesthetics*; noise is addressed in Subchapter 2.5, *Noise*; traffic is addressed in Subchapter 2.2, *Transportation/Traffic*; and greenhouse gas emissions are evaluated in Subchapter 2.7, *Greenhouse Gas Emissions*. Each of these topics are also cross-referenced within applicable portions of the Section 3.1.5, *Land*

COMMENTS	RESPONSES
	Use and Planning discussions. Project Design Features relevant to each of these topics are presented in Table 1-2, *Project Design Features*, and both project features and mitigation measures, as applicable, are provided in Chapter 7.0, *List of Mitigation Measures and Design Features*. Each section appropriately addresses these topics.

COMMENTS	RESPONSES

Comment Letter I2

From: Linda Schubert [mailto:kg91483@gmail.com]
Sent: Saturday, June 17, 2017 9:26 PM
To: Smith, Ashley
Cc: Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; efhgtc@gmail.com; marsenault@realcapitalsolutions.com
Subject: Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association in 1896. We are moving into Harmony Grove Village in Harmony Grove/Eden Valley/Elfin Forest and bought here because of the rural, equestrian environment, and close knit community. I2-1

I'm very concerned about this proposal to change the General Plan which many of us spent countless hours negotiating in good faith for several important reasons:

COMMUNITY CHARACTER: This project is completely out of place with the character and nature of our community. It offers condos and multi-story dwellings in an area surround by preserved open space, rare habitat, horse ranches, estate residences and semi-rural residential environments. Surely our decision makers can't envision that a remote development of condos directly adjacent to thousands of acres of protected open space and farmland is consistent with the policies of the General Plan? This project will destroy the character and nature of the last of the few special places in San Diego County that all citizens can enjoy. I2-2

DECREASED SAFETY AND INCREASED FIRE RISK
In the DEIR, the Fire Protection Plan waives a key requirement intended to protect the safety of both existing and new residents. The most egregious of these is a waiver of the 800 foot minimum dead end road requirement (503.1.3). The only mitigation acceptable for exceeding this requirement is providing secondary access (503.1.2). The FPP waives both these requirements and fails to demonstrate appropriate mitigation to avoid putting lives in danger. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area. The entire population at risk in case of wildfire includes all of Eden Valley, Harmony Grove, Elfin Forest but also Cielo residents who may be unable to access Harmony Grove Road from Via Ambiente in case of sudden mass evacuation like those we have experienced in the past. The EIR needs to evaluate and disclose impacts to the entire region, not just the 1400 feet of improved road contemplated in the EIR. I2-3

Response to Comment I2-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I2-2
The proposed project would expand the Harmony Grove Village (HGV) village in a manner that is consistent with the community character of HGV and the surrounding areas. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I2-3
When the strict application of the requirements set forth in Section 503.1.3 is impracticable, the Fire Code Official may grant a modification from such requirements. A modification may be granted pursuant to Fire Code Section 96.1.104.8. (MODIFICATIONS) when the modification is in compliance with the intent and purpose of the code and such modification does not lessen health, life, and fire safety requirements. The Project is requesting a modification from Section 503.1.3 of the Consolidated County Fire Code ("Fire Code") with respect to dead-end road lengths because the topographical, geological, and environmental condition of the site make compliance with this standard infeasible. The FPP that describes the modification has been accepted by the Rancho Santa Fe Fire Protection District (RSFFPD), the Fire Authority Having Jurisdiction.

With respect to secondary access, the ability of the Project to provide a secondary access route was considered infeasible, as described in the FPP. (Secondary access is the typical mitigation for exceeding the dead end road length, but is not required as stated in the comment.) Since secondary access was determined as not being feasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the code through the implementation

COMMENTS	RESPONSES
Comment Letter I2 The existing road infrastructure is not appropriate for this density level, neither for traffic conditions nor in case of evacuation. The Project is only proposing to improve 1400 feet of Country Club Drive to the intersection with Harmony Grove Road; yet the project impact will result in unmitigated traffic and safety impacts on many more roads including Country Club Drive north of Harmony Grove Road, Kuana Loa, and Elfin Forest Road including all the way to San Elijo where evacuating traffic was stuck for almost 2 hours in the last emergency evacuation. The project risks compromising the evacuation of the entire communities of Harmony Grove, Eden Valley, Elfin Forest, Cielo and even San Elijo Hills by clogging evacuation routes. The DEIR needs to evaluate and disclose impacts on the entire regional road infrastructure. The Wildfire Emergency Plan included with the DEIR states that Country Club Drive is the only safe evacuation route, because Harmony Grove Road East and West could be compromised by wildfire. Yet the DEIR does not calculate how long it will take not only the project traffic, but existing residents to get to safety all the way to Auto Parkway. This information needs to be provided, and a simulation of evacuation needs to be modeled, to fully disclose the real risk to the current residents. According to numerous studies including the latest from the National Park Service and the Department of Interior, human activity causes 90% of the fires. I2-3 Introducing upwards of 453 houses and as many as 1500 new people, in an area previously zoned for 25 under the General Plan greatly increases the overall fire risk to the surrounding residents. This is indisputable. The project has a supposedly Shelter-in-Place "philosophy," (but not official status as stated in the DEIR, as this would have stricter requirements) but what about the rest of us who will be trapped on dead end roads with no secondary egress behind 1,500 additional cars? Will the developer make our homes shelter-in-place too? Many of our homes were built before 1980. And more than 20 houses burned only 3 years ago in the same exact area they are proposing 453 homes. The EIR should evaluate proper mitigation measures such as providing the same structure hardening mitigation measures as inside the project to all the existing structures their project will endanger; this could include installing fire sprinklers, replacing roofs, installing double glazed windows, cement board siding and appropriate roof vents, for example, to all those homes trapped behind the project entrance. The applicant should bear the cost of these hardening mitigation measures since they will be causing entrapment of current residents. The granting of an exception to the Fire Code to waive secondary access requirement worries me the most. There are good reasons for the Fire Code requiring a secondary egress, especially in this Very High Fire Risk area. It is also extremely disturbing to read in the DEIR that the developer is claiming the project will help fund a financial shortfall for the HGV Fire Station, especially in conjunction with asking the County to grant exceptions to the Fire Code. This smacks of conflict of interest.	of a list of specifically developed measures and features as described in the FPP. The commenter is correct in that secondary access route is a typical mitigation for exceeding the dead-end road length. However, it is not a requirement per se for development projects. The Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the code requirements. One of the most significant measures is construction of roads on site that include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation and would occur throughout the Project, and would include Country Club Road from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. This enhanced road capability would be supplemented by a complete system of fire protection that includes a redundant layering of measures designed to keep roadways open and passable, and reduce the possibility that wildfire threatens the Project. The primary Project access for Harmony Grove Village South (HGV South) would be via a widened Country Club Drive that provides three travel lanes. This includes a three-lane-wide bridge constructed over Escondido Creek that also includes separated horse and pedestrian pathways. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The commenter asserts that the EIR fails to account for cumulative emergency traffic from the residents of Harmony Grove Village (HGV) with respect to County Club Drive being used for evacuation. In some fire emergencies, likely excluding shorter-notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely use Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South were evacuating simultaneously, emergency managers (Office of Emergency Services, law enforcement, fire personnel, and others) would determine how to

COMMENTS	RESPONSES
	maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including legacy residents that do not have the same level of protection.

COMMENTS	RESPONSES

Comment Letter I2

BROKEN PROMISES: our community worked cooperatively and in good faith with County staff during the GP update process to maintain our community's rural character, as demonstrated by the compromise on Harmony Grove Village, based on the agreement that this more than doubling of our density would be our fair share of population growth; the rest of our community was downzoned to reflect that agreement. Now, only 5 years after the General Plan was approved, developers are seeking to set aside this negotiation and plop another 453 houses into our community after we had already agreed to 742 in HGV. There are numerous references to this negotiation and compromise throughout county planning documents, video from BOS meetings and there are many folks, including former County staff, current and former board of supervisors that would attest to it. Furthermore, this agreement is encoded and spelled out in the Community Plan (and thus the SD General Plan), though the developer seeks to erase these very references in their proposed amendment to our community plan (without our input, naturally). Approval of this project would constitute a breach of public trust, and discourage communities throughout the county from ever trusting our County officials. I2-4

NO JUSTIFICATION FOR A GPA: The requirement for considering a General Plan Amendment is "any change requiring a GPA "should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare." This project would definitely be detrimental to public health and safety in that it will result in entrapment of current residents in case of evacuation; further, it brings no "public interest" that we can discern since there apparently is low public appetite and demand for the dense housing across the street in Harmony Grove Village. If that development is way behind its sales projections, as it is, what is the public interest in granting an amendment to a carefully constructed General plan to allow yet more density? I2-5

TRAFFIC: In addition to plopping condos in the middle of protected open space and equestrian properties, this project will generate 4500 average daily trips exiting Country Club Drive from the south onto Harmony Grove Road and Country Club Drive going north. These are two lane roads that are already operating at congestion levels which will get worse as HGV is built out. I2-6

IN SUMMARY: This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire, the analysis of which is woefully inadequate. The County should also preemptively refuse to take any monies for the HGV fire station from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I2-7

It is important to note that we are not knee-jerk NIMBYs. We have gone through this exercise already and have compromised by accepting our fair share of growth in HGV. Please don't make us regret having made that compromise. I2-8

Signed,

Concerned Resident:

Linda Schubert, 2847 Fishers Place, Escondido, CA 92029

Response to Comment I2-4

The County acknowledges these comments; however, they do not raise an issue concerning the substantive environmental analysis within the EIR. Please also see the Global Responses to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I2-5

The EIR did not identify significant impacts related to public health, safety, and welfare. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, regarding fire safety and evacuation issues. Comments related to "public interest" concerning the Proposed Project and the sales of the existing Harmony Grove Village development do not raise environmental issues and thus no further response is warranted.

Response to Comment I2-6

The southernmost portion of the Project site is bordered by Del Dios Highlands Preserve, to the east and west are equestrian (and non-equestrian) residential uses, the Harmony Grove Spiritualist Society is also located to the west, and the HGV residential development site is located to the north. None of the Project site is currently within "dedicated open space easements." Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4.

Country Club Drive and Harmony Grove Road currently operate at an acceptable level of service (LOS) under County guidelines, LOS D. As concluded in Subchapter 2.2, *Traffic/Transportation*, of EIR, the Project would not result in significant, unmitigated impacts to Country Club Drive or Harmony Grove Road. As part of the Project design and mitigation, Country Club Drive fronting on the Project and up to Harmony Grove Road would be expanded to three lanes, more consistent with the portion of Country Club Drive north of Harmony Grove Road and with the portion of Harmony Grove Road trending west. Please refer to Subchapter 2.2, *Transportation and Traffic*, Section 2.2.7, *Conclusion*, of the EIR which presents the rationales for the conclusions of impact levels resulting after implementation of the Project and the proposed mitigation measures.

COMMENTS	RESPONSES
	Response to Comment I2-7 Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. As concluded in that response, the analysis of health and safety in case of wildfire have been adequately addressed, and recirculation is not required. The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. The payment would support adequate fire services for the Project. This may also provide associated benefits to Project neighbors. **Response to Comment I2-8** The County acknowledges the comment, and notes it expresses opposition for the project, but does not address the environmental analysis or the adequacy of the EIR.

COMMENTS	RESPONSES

Comment Letter I3

June 18, 2017

Planning & Development Services
5510 Overland Avenue, Ste. 310,
San Diego, CA 92123

RE: HARMONY GROVE VILLAGE SOUTH, LOG NO. PDS2015-ER-15-08-006; SCH NO. 2015081071. PROJECT NUMBERS: PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5560, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX

To Whom It May Concern:

I appreciate the opportunity to review and provide comment on the Draft Environmental Impact Report ("DEIR") for the proposed Harmony Grove Village South Project ("Project"). The DEIR fails to address or inadequately addresses numerous environmental impacts which will result from the Project. The DEIR is inadequate in the following respects: I3-1

- The Project proposes changes to the natural grading of the Harmony Grove area. The DEIR fails to address how the proposed changes in grading will affect the amount of shade and shadow cast upon nearby parcels or how an increase in shade or shadow will affect (1) local plant and animal life; and (2) the ability of existing residents to make full use of their own parcels, including shade- and sunlight-sensitive uses, such as the use of solar panels. The DEIR should address changes in shade and shadow over the entire year, as the angle of the sun changes throughout the year. I3-2

- The Project as proposed will reduce the amount of vegetation, including native trees and shrubs in the area. Vegetation serves to reduce the amount of greenhouse gases in the atmosphere by sequestering greenhouse gases such as carbon. In the section of the DEIR on greenhouse gas emissions, the DEIR does not address the impact that the destruction of vegetation will have on the amount of greenhouse gases emitted into the atmosphere as a result of the Project. The DEIR also does not propose any measure to mitigate this effect. I3-3

- The destruction of vegetation as a result of the Project will also reduce the amount of evapotranspiration occurring in the area. The DEIR does not address how this will change the temperate in the area. The DEIR does not propose any measures to mitigate this effect. I3-4

- The Project will involve the laying of significant amounts of asphalt and concrete in the area to serve the Project. Asphalt and concrete absorb sunlight and transmit heat to a far greater degree than the vegetation and soil which the asphalt and concrete is replacing. The DEIR does not address how the added concrete and asphalt will change the temperature in the area by transmitting additional heat. The DEIR also does not propose any measures to mitigate this effect. I3-5

Response to Comment I3-1

The introductory comments are noted. Please refer to information below in response to specific comments.

Response to Comment I3-2

The Project will entail grading. On-site vegetation in the Project development footprint would be removed. Impacts to that vegetation, and associated wildlife, have been fully addressed in the Project EIR (see Subchapter 2.3, *Biological Resources*). Relative to shade and shadow, as described in EIR Chapter 1.0, *Project Description,* and Subchapter 2.1, *Aesthetics* (in particular), however, grading has been designed to follow the general rise and fall of the underlying existing terrain (please refer to EIR Figure 2.1-10). As noted in the comment, the angle of the sun changes over the year and conditions on any given day at any specific hour currently vary, and will continue to do so under future conditions.

Solar panels are generally located on western and southern exposures. These sides/exposures face "away" from the Project, which is located to the east. The closest off-site uses are along Cordrey Drive next to the western Project boundary. In this area, uses west of Project lots 124, 125, 128, and 129 would be at higher elevations than Project lots. Adjacent to Project lots 132, 133, 137, and 140, there are three existing off-site homes with lots that abut parts of the Project site proposed for development. The existing elevations in the area range from approximately 620 feet above mean sea level (AMSL) to approximately 675 AMSL in the area from the Project boundary to the most western future row of homes. Post-development, the elevations of the western-most pads down to the western Project boundary would range from approximately 620 AMSL to approximately 690 AMSL. The overall consistency of terrain elevation combined with the small number of homes that directly abut developable portions of the Project and the focus of solar gain on surfaces facing away from the Project result in this issue being less than significant. This is not an issue required to be addressed in the EIR, but incorporation of this comment and response in the FEIR results in its inclusion.

Response to Comment I3-3

Sequestration was one of the items reviewed during public review and third-party peer review of the greenhouse gas (GHG) study. Consistent with this comment, information has been added to the Final EIR in Section 2.7, *Greenhouse Gas Emissions.* As stated in that text, by removing existing vegetation, the Project would result in a one-time carbon exchange. This was calculated to be a one-time loss of 729 metric tons of carbon dioxide equivalent (MT CO_2e). Also, as stated in the FEIR, the loss of sequestered carbon estimate is conservative as the Proposed Project would also plant new landscape trees (approximately 2,050), which would sequester additional carbon through each growth cycle, resulting in increasing amounts of sequestered carbon each year for the life of the tree. As shown in the Sequestration Memorandum in the Greenhouse Gas Emissions Report, Appendix J to the FEIR, the projected amount of MT CO_2e sequestered under the Project would be approximately double the amount of sequestration without the Project (1447.86 MT CO_2e). Furthermore, as required in Subchapter 2.3, *Biological Resources*, of the EIR, impacts to existing on-site sensitive habitats would be fully mitigated through on-site or off-site preservation and/or purchase of credits as an approved mitigation bank, thus providing long-term conservation value. To provide a conservative analysis, although the *loss* of vegetation was included as an impact, the *reduction* of carbon emissions attributable to the Proposed Project through landscaping and the additional off-site vegetated lands was not factored into the analyzed emissions totals. Impacts remain less than significant based on Project design and no mitigation measures are required. Similarly, no modifications to the EIR are required, although this comment and response in the FEIR results in its inclusion.

Response to Comment I3-4

Evapostranspiration is basically the process of water leaving plant leaves (as well as from the soil and other surfaces and evaporating into the atmosphere). This is a localized variable, and once it disperses to approximately a couple hundred feet from the source (such as in large vegetative massing) it loses noticeable effect. Notable amounts of evapotranspiration can be expected near plants with broad, dark leaves. Scrub habitats are generally not considered to release a lot of water into the atmosphere. They are drought-adapted, do not have a large surface area on their leaves, and have low evapotranspiration rates. Regardless, please refer to Response to Comment I3-3 regarding the robust

COMMENTS	RESPONSES
	planting scheme associated with the Project, which would increase evapotranspiration rates on the Project. This would be expected to additionally increase due to irrigated landscaping, as the soil would also release water vapor into the atmosphere. No significant impacts would occur, and no mitigation is required. Similarly, no modifications to the EIR are required, although this comment and response in the FEIR results in its inclusion. **Response to Comment I3-5** Concrete is not expected to substantially contribute to heat sink. Concrete has a high albedo; it reflects heat rather than absorbing it. The Project will have some blacktop, primarily associated with Project roads. These areas are separated by other Project uses, however, including structures with cool roofs (designed to not absorb heat) and a robust landscaping plan. No significant impacts are anticipated, and no mitigation is required. Similarly, no modifications to the EIR are required, although this comment and response in the FEIR results in its inclusion.

COMMENTS	RESPONSES
Comment Letter I3 • The Project proposes to significantly increase the population of the Harmony Grove area. The DEIR does not address the extent to which the additional population will lead to an increase in crime in the area. I3-6 • The DEIR admits that, because the Project is residential, it will likely lead to the introduction of domestic predators (e.g. dogs and cats) to the surrounding habitat. The DEIR fails to address the impact of the proposed introduction of additional domestic predators to wildlife in the area. The DEIR merely states that the area is "already subject to some level of disturbance and predation by domestic animals." This statement is not sufficient. Even if some predation by domestic animals currently occurs, the introduction of additional domestic predators will undoubtedly change the level of predation that occurs. The DEIR must address the extent to which the Project will impact the amount of predation by domestic animals in the area. I3-7 • The DEIR includes a section on Public Services, which discusses possible impacts to fire protection and police protection in the area. The DEIR fails to address the impact that the Project will have on the provision of emergency medical services via ambulance. The Project proposes to significantly increase the population to be served by the Rancho Santa Fe Fire Protection District, but does not propose any increase in the number of ambulances serving the area. Table 3.1.9-2 clearly shows that there is no intention to staff the New Harmony Grove Station with an ambulance. The DEIR should address how this increased strain on the ambulance services in the area will impact the safety of residents. I3-8 • The DEIR proposes an increase in the amount of water passed through what the DEIR refers to as "Existing Drainage System 300." The DEIR fails to fully explain the current state of this "existing drainage system." Existing Drainage System 300 is a dry creek bed which crosses multiple private parcels as well as Cordrey Drive. To pass Cordrey Drive, any water sent along this dry creek bed will need to pass through a small culvert. The DEIR fails to address whether the culvert is sufficient to handle the flow of water proposed to be introduced to the dry creek bed. The culvert itself was built prior to 1980 and was not installed with the idea that it might be used to serve a dense residential development like the one proposed by the Project. If the culvert fails, it will likely result in flooding across Cordrey Drive and flooding to the adjacent private residential properties. Residents located south of the culvert will be trapped by any flooding that occurs. The DEIR should address whether the culvert and the dry creek bed are capable of supporting the amount of additional drainage that will result from the Project. Additionally, the DEIR should consider what will happen if the dry creek bed and culvert are not sufficient and propose mitigating measures. The DEIR also does not discuss whether any of the private property owners whose land will be used for this additional drainage will be in any way compensated for the use of their land or if the use of private land by the Project is even a viable option. I3-9	**Response to Comment I3-6** The County acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. An increase in population does not necessarily translate to an increase in crime, and the commenter does not provide any evidence as such. One of the essential premises of CEQA is that it analyzes a physical impact on the environment. The commenter's interpretation of crime due to an increase in population is not considered a physical impact on the environment under CEQA; therefore, no further response is required. **Response to Comment I3-7** The EIR acknowledges the introduction of domestic predators (e.g., dogs and cats) has the potential to harm native wildlife species; however, the EIR text from which the comment cites also discusses features included as part of the Project to reduce disturbance and predation to wildlife as a result of the increase of domestic predators. As stated in Subchapter 2.3, *Biological Resources*: *The Proposed Project is residential in nature, so domestic predators (e.g., dogs and cats) may be introduced to the surrounding habitat. Although such introductions have potential to harm native wildlife species, the site is adjacent to existing rural residential development and is already subject to some level of disturbance and predation by domestic animals. In addition, the aforementioned permanent fencing that would be installed around Project BOS would preclude access by domestic predators (EIR pg. 2.3-33).* **Response to Comment I3-8** As stated in FEIR Section 3.1.8, *Public Services*, emergency ambulance service for County Service Area 107 is outsourced to a private vendor (EIR pg. 3.1.8-2). A routine part of development fees would be a contribution to the Rancho Santa Fe Fire Protection District (RSFFPD), which would allocate use of those funds as they see fit: it could be used to support HGV fire station services. **Response to Comment I3-9** The Project *Drainage Report*, *SWQMP*, and *Hydromodification Management Plan* have been prepared in conformance with the County of San Diego

COMMENTS	RESPONSES
	requirements for water quality and quantity control. BMPs (capture and reuse, modular wetlands, detention of increased flows, and hydromodification management control) are proposed for the Project, which will attenuate/address the effects of development in accordance with County regulations. As a result of employing detention and hydromodification management control, the Project does not propose an increase in flows to System 300.

COMMENTS	RESPONSES
Comment Letter I3 • The DEIR fails to adequately address the increase danger of fire created by the Project. The Project proposes to add hundreds of additional residents to a "Very High Fire Hazard Severity Zone" which has experienced numerous wildfires recently and over a very short period of time, while relying on only a single ingress/egress. The DEIR provides no information on how all these additional residents and domestic animals will be housed in the event of an evacuation or what the expense to the county of doing so will be. Evacuations are extremely frequent in the area, even in those years where local residences aren't destroyed by fire (as several were during the 2014 Cocos Fire). I3-10 • In the event of a serious fire incident, even with the "mitigating measures" that are proposed as part of the Project, some number of residents of Harmony Grove will die. It is disingenuous of the DEIR to claim that such a large number of people can be evacuated quickly enough with only a single ingress/egress. Given this reality, the DEIR should address what effects a significant loss of life will have on the area. If large numbers of residents are killed in their homes or while attempting to evacuate, it may impact the amount of money available to rebuild the area after a fire. It will certainly put a strain on county resources both in investigating the deaths and providing services to the survivors. There may also be significant legal liability to the county, which will affect the money available to provide services countywide. The DEIR should provide accurate information concerning the risk of death to residents and the effect those deaths will have upon the area. The county may elect to accept the risk that residents will die as a result of the Project. However, they must do so while in receipt of all of the relevant information, which the DEIR currently does not provide. I3-11 Sincerely, /s/ Jessica F. Dummer Jessica F. Dummer 2966 Cordrey Dr., Escondido, CA 92029	**Response to Comment I3-10** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I3-11** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, which address Project conformance to Fire Codes and standards. Potential projected specific effects resulting from future fires are speculative at this time and, as such, are not CEQA topics requiring discussion.

COMMENTS	RESPONSES

Comment Letter I4

From: Bill Porter [mailto:billporter8964@att.net]
Sent: Saturday, June 17, 2017 3:33 PM
To: Smith, Ashley; Aghassi, Sarah
Cc: Horn, Bill; dianne.jacob@sdcounty.ca.gov; Ron-Roberts
Subject: Harmony Grove Village South Draft Environmental Impact report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003;PDS2015-MUP-15-008;PDS2015-ER-15-08-006

Dear Ms. Smith,

The Porter family appreciates the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. The Porter's have been residents of Eden Valley for over thirty years. We have experienced a very peaceful environment living in Eden Valley. I4-1

The below quotes are from Friends of Eden Valley 6/15/15

"General Plan Update: In the 2000s, the County staff and many members of our community collaborated on the General Plan Update and it was decided that our community should take our share of density to accommodate the growth that San Diego County would need over the next 20 years. A Community Development Model was implemented where our share of this density would form part of a denser village and then the density would feather outwards away from the village limit line, in order to protect the rural nature and the values of our community. The community agreed with this compromise." I4-2

The communities of Eden Valley/Harmony Grove/Elfin Forest accepted the development of Harmony Grove Village with approximately 742 homes being built or occupied which was the collaboration of our community to accommodate growth.

The County is now reviewing two EIRs, Valiano and the Harmony Grove Village South projects. The Porter family has been against these two projects and have expressed our thoughts on the Valiano project to the County in our e-mail dated 5/15/15 and now with our concerns with Harmony Grove Village South Draft EIR.

What really concerns us is these developers are not really concerned with the following issues:

Transportation Safety

Our ingress and egress from Milpas Drive onto Country Club Drive today has become more difficult due to the increase in traffic from and to the Harmony Grove Village development which is not fully sold out and we can't imagine if both Valiano and Harmony Grove Village South Projects are approved with a total of 700 homes plus Harmony Grove Villages 742 homes it will be total grid lock for us to enter or leave Milpas Drive onto a two lane Country Club Drive! I4-3

Response to Comment I4-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I4-2

The County acknowledges the comments. The comments do not address the environmental analysis or adequacy of the EIR and no response is required.

Response to Comment I4-3

No changes to the existing access configuration allowing for full-turn movements to/from Milpas Road onto Country Club Drive are proposed by the Project. Based on a review of the Valiano EIR, that project analysis of vehicles entering/exiting Valiano access roads of Eden Valley Lane and Mount Whitney Road with the additional cumulative traffic that included the proposed Harmony Grove Village South (HGV South) traffic volumes, forecast acceptable Level of Service (LOS) C or better conditions. The Country Club Drive/Milpas Drive intersection would similarly operate at an acceptable LOS with proposed project and cumulative project traffic. No revisions to the FEIR are warranted as a result of this response.

COMMENTS	RESPONSES
Comment Letter I4 Fire Safety We have experienced four major fires in the thirty years we have lived in Eden Valley. We were ordered to evacuate twice. The 2014 fire caused extremely hectic driving conditions on Country Club Drive during this period when Eden Valley and the surrounding area was required to evacuate with only a northbound exit and we can't imagine what it will be like when Harmony Grove Village's 742 residents are asked to evacuate. I4-4 It is unimaginable what road conditions would be like if Valiano and Harmony Grove Village South Projects are recommended by the County Planning Department and approved by the Board of Supervisors. We have serious reservations if Cal Fire has enough assets available at this time to support the Harmony Grove Village on site during this up coming fire season. I4-5 We highly concur with the various inputs that have been submitted to the county, for example, San Dieguito Planning Group document to Mark Slovick dated 6/5/17. I4-6 The Porter family is against the Harmony Grove Village South project as well as the Valiano project for the major reasons as stated above. We close with the County Supervisors statement, which was made when they approved the Harmony Grove Village, there would be no further development north of Mt. Whitney Road and we hope they will reject Harmony Grove Village South for all the reasons that have been stated by the community groups and the residences of Eden Valley/Harmony Grove/Elfin Forest.. I4-7 William A & Merlyn Porter 2964 Milpas Drive Escondido, CA 92029	**Response to Comment I4-4** Please see the Global Responses to Fire Hazard Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I4-5** As discussed in Section 3.1.8, *Public Services*, Subsection 3.1.8.1 of the FEIR, the Project will be served by the Rancho Santa Fe Fire Protection District (RSFFPD). The Project site is located within a State Responsibility Area (SRA). As also discussed in the EIR, generally in San Diego County each agency is responsible for structural fire protection and the California Department of Forestry and Fire Protection (CAL FIRE) typically provides wildland fire protection within their area of responsibility. In the Project area, fire agencies cooperate on a statewide master mutual aid agreement for wildland fires. No revisions to the FEIR are warranted as a result of this response. **Response to Comment I4-6** The County acknowledges the comment. The comments do not address the environmental analysis or adequacy of the EIR and no response is required. **Response to Comment I4-7** The County acknowledges the opposition to the Project. This comment does not raise specific issues regarding substantive environmental analysis within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I5

From: Hathaway, Karin [mailto:khathaway@tyco.com]
Sent: Friday, June 16, 2017 11:09 AM
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; krisin.gaspar@sdcounty.ca.gov; efhgtc@gmail.com; marsenault@realcapitalsolutions.com
Subject: : Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association in 1896. I've lived in Elfin Forest for 3 + years and moved here because of the rural, equestrian environment, large lots, and close knit community with no street lights or sidewalks ☺ I5-1

I'm very concerned about this proposal to change the General Plan which many of us spent countless hours negotiating in good faith for several important reasons:

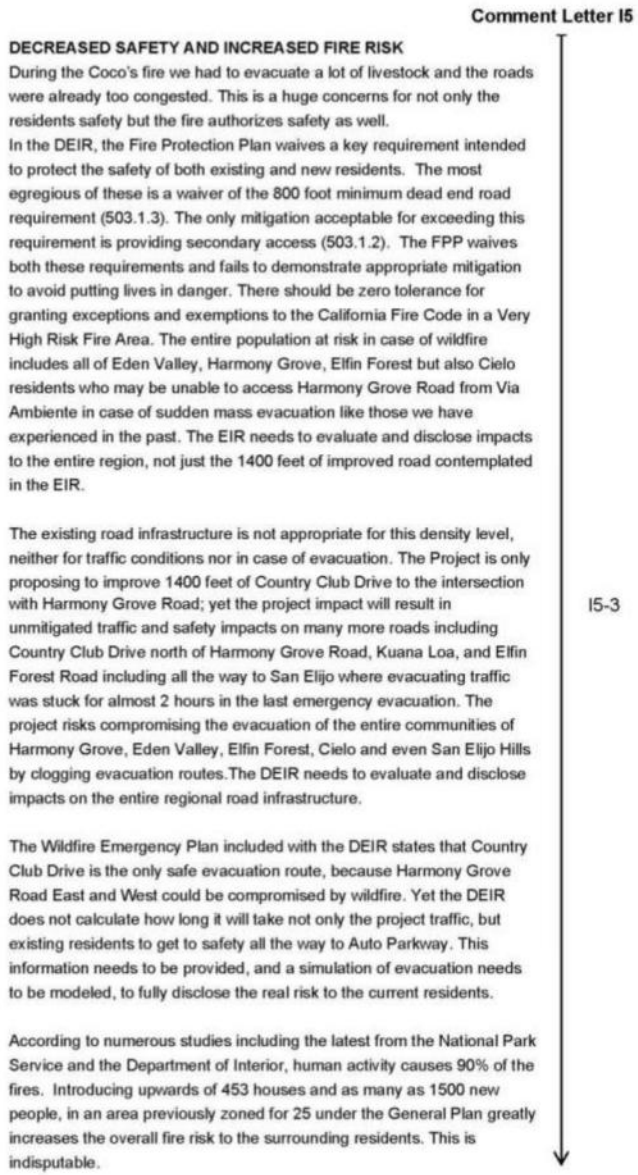
COMMUNITY CHARACTER: This project is completely out of place with the character and nature of our community. It offers condos and multi-story dwellings in an area surround by preserved open space, rare habitat, horse ranches, estate residences and semi-rural residential environments. Surely our decision makers can't envision that a remote development of condos directly adjacent to thousands of acres of protected open space and farmland is consistent with the policies of the General Plan? This project will destroy the character and nature of the last of the few special places in San Diego County that all citizens can enjoy. I5-2

Response to Comment I5-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I5-2

The Proposed Project would expand Harmony Grove Village (HGV) in a manner that is consistent with the community character of HGV and the surrounding areas. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

COMMENTS	RESPONSES
	**Response to Comment I5-3** When the strict application of the requirements set forth in Section 503.1.3 is impracticable, the Fire Code Official may grant a modification from such requirements. A modification may be granted pursuant to Fire Code Section 96.1.104.8. (MODIFICATIONS) when the modification is in compliance with the intent and purpose of the code and such modification does not lessen health, life, and fire safety requirements. The Project is requesting a modification from Section 503.1.3 of the Consolidated County Fire Code ("Fire Code") with respect to dead-end road lengths because the topographical, geological, and environmental condition of the site make compliance with this standard infeasible. The Fire Protection Plan (FPP) that describes the modification has been accepted by the Rancho Santa Fe Fire Protection District (RSFFPD), the Fire Authority Having Jurisdiction. With respect to secondary access, the ability of the Project to provide a secondary access route was considered infeasible, as described in the FPP. (Secondary access is the typical mitigation for exceeding the dead end road length, but is not required as stated in the comment.) Since secondary access was determined as not being feasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions, or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the code through the implementation of a list of specifically developed measures and features as described in the FPP. The commenter is correct in that secondary access route is a typical mitigation for exceeding the dead-end road length. However, it is not a requirement per se for development projects. The Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the code requirements. One of the most significant measures is construction of roads on-site that include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation and would occur throughout the Project, and would include Country Club Road from the southernmost Project entrance

COMMENTS	RESPONSES
Comment Letter I5 The project has a supposedly Shelter-in-Place "philosophy," (but not official status as stated in the DEIR, as this would have stricter requirements) but what about the rest of us who will be trapped on dead end roads with no secondary egress behind 1,500 additional cars? Will the developer make our homes shelter-in-place too? Many of our homes were built before 1980. And more than 20 houses burned only 3 years ago in the same exact area they are proposing 45 3 homes. The EIR should evaluate proper mitigation measures such as providing the same structure hardening mitigation measures as inside the project to all the existing structures their project will endanger; this could include installing fire sprinklers, replacing roofs, installing double glazed windows, cement board siding and appropriate roof vents, for example, to all those homes trapped behind the project entrance. The applicant should bear the cost of these hardening mitigation measures since they will be causing entrapment of current residents. I5-3 The granting of an exception to the Fire Code to waive secondary access requirement worries me the most. There are good reasons for the Fire Code requiring a secondary egress, especially in this Very High Fire Risk area. It is also extremely disturbing to read in the DEIR that the developer is claiming the project will help fund a financial shortfall for the HGV Fire Station, especially in conjunction with asking the County to grant exceptions to the Fire Code. This smacks of conflict of interest. **BROKEN PROMISES:** our community worked cooperatively and in good faith with County staff during the GP update process to maintain our community's rural character, as demonstrated by the compromise on Harmony Grove Village, based on the agreement that this more than doubling of our density would be our fair share of population growth; the rest of our community was downzoned to reflect that agreement. Now, only 5 years after the General Plan was approved, developers are seeking to set aside this negotiation and plop another 453 houses into our community after we had already agreed to 742 in HGV. There are numerous references to this negotiation and compromise throughout county planning documents, video from BOS meetings and there are many folks, including former County staff, current and former board of supervisors that would attest to it. Furthermore, this agreement is encoded and spelled out in the Community Plan (and thus the SD General Plan), though the developer seeks to erase these very references in their proposed amendment to our community plan (without our input, naturally). Approval of this project would constitute a breach of public trust, and discourage communities throughout the county from ever trusting our County officials. I5-4	northward to Harmony Grove Road, including the bridge over Escondido Creek. This enhanced road capability would be supplemented by a complete system of fire protection that includes a redundant layering of measures designed to keep roadways open and passable, and to reduce the possibility that wildfire threatens the Project. The primary Project access for Harmony Grove Village South (HGV South) would be via a widened Country Club Drive that provides three travel lanes. This includes a three-lane-wide bridge constructed over Escondido Creek that also includes separated horse and pedestrian pathways. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The commenter asserts that the EIR fails to account for cumulative emergency traffic from the residents of HGV with respect to County Club Drive being used for evacuation. In some fire emergencies, likely excluding shorter notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely use Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South were evacuating simultaneously, emergency managers (Office of Emergency Services, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including legacy residents that do not have the same level of protection. **Response to Comment I5-4** The County acknowledges these comments; however, they do not raise an issue concerning the substantive environmental analysis within the EIR. Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4.

COMMENTS	RESPONSES
Comment Letter I5 **NO JUSTIFICATION FOR A GPA:** The requirement for considering a General Plan Amendment is "any change requiring a GPA "should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare." This project would definitely be detrimental to public health and safety in that it will result in entrapment of current residents in case of evacuation; further, it brings no "public interest" that we can discern since there apparently is low public appetite and demand for the dense housing across the street in Harmony Grove Village. If that development is way behind its sales projections, as it is, what is the public interest in granting an amendment to a carefully constructed General plan to allow yet more density? I5-5 **TRAFFIC:** In addition to plopping condos in the middle of protected open space and equestrian properties, this project will generate 4500 average daily trips exiting Country Club Drive from the south onto Harmony Grove Road and Country Club Drive going north. These are two lane roads that are already operating at congestion levels which will get worse as HGV is built out. I5-6 **IN SUMMARY:** This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire, the analysis of which is woefully inadequate. The County should also preemptively refuse to take any monies for the HGV fire station from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I5-7 It is important to note that we are not knee-jerk NIMBYs. We have gone through this exercise already and have compromised by accepting our fair share of growth in HGV. Please don't make us regret having made that compromise. I5-8 Signed, concerned resident Karin Hathaway 20031 Elfin Forest Lane Elfin Forest, CA 92029	**Response to Comment I5-5** The EIR did not identify significant impacts related to public health, safety, and welfare. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, regarding fire safety and evacuation issues. Comments related to "public interest" concerning the Proposed Project and the sales of the existing HGV development do not raise environmental issues and therefore no further response is warranted. **Response to Comment I5-6** The southernmost portion of the Project site is bordered by Del Dios Highlands Preserve, to the east and west are equestrian (and non-equestrian) residential uses, the Harmony Grove Spiritualist Society is also located to the west, and the HGV residential development site is located to the north. None of the Project site is currently within "protected open space." Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Country Club Drive and Harmony Grove Road currently operate at an acceptable level of service (LOS) under County guidelines, LOS D. As concluded in Subchapter 2.2, *Traffic/Transportation*, of EIR, the Project would not result in significant, unmitigated impacts to Country Club Drive or Harmony Grove Road. As part of the Project design and mitigation, Country Club Drive fronting on the Project and up to Harmony Grove Road would be expanded to three lanes, more consistent with the portion of Country Club Drive north of Harmony Grove Road and with the portion of Harmony Grove Road trending west. Please refer to Subchapter 2.2, *Transportation and Traffic*, Section 2.2.7, *Conclusion*, of the EIR, which presents the rationales for the conclusions of impact levels resulting after implementation of the Project and the proposed mitigation measures. **Response to Comment I5-7** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. As concluded in that response, the issues of health and safety in case of wildfire have been adequately addressed and recirculation is not required. The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. The payment would support adequate

COMMENTS	RESPONSES
	fire services for the Project. This may also provide associated benefits to Project neighbors. **Response to Comment I5-8** The County acknowledges the comment. and it will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. This comment does not address the environmental analysis or the adequacy of the EIR, and no additional response is required.

COMMENTS	RESPONSES
Comment Letter I6 -----Original Message----- From: Alan Lasnover [mailto:momzer1@att.net] Sent: Monday, June 19, 2017 9:43 PM To: Smith, Ashley Cc: Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; Elfin Forest Harmony Grove Town Council (EFHGTC); marsenault@realcapitalsolutions.com Subject: HARMONY GROVE VILLAGE SOUTH Dear Ms. Smith: The San Diego County once again has a major decision to make: Whether to abide by the current recommendation of various existing plans maintaining a rural environment in the area under consideration, or to support the efforts of developers who, living in another state in this particular instance, have a financial investment at risk and don't seem to understand the opinion of existing residents whose lives are seriously impacted by their investment. I moved to Elfin forest sixteen years ago and continue to enjoy the peace and quiet provided by a rural area with septic tanks, minimal traffic signals, no night lights and two-lane winding roads. I6-1 It is the latter issue which most concerns me about this proposed development. The current road structure will clearly not support this or any other proposal which seeks to increase the population of the area. Unless the developer or County of San Diego wishes to harbor the expense of widening Haermony Gtove and Elfin Forest Roads, the increase in traffic on these roads, especially in case of fire, will pose a risk of death to humans and animals now living in the area. I6-2 Harmony Grove Village, an unwise development previously approved by the County of San Diego, has, after many years, failed to remove unsightly fencing and provide structural repairs on Harmony Grove required by the County. I6-3 I have scanned the EIR of this developer and understand that there are many errors and omissions in this report. As a retired physician, I fail to have the expertise to further evaluate the EIR. I truly hope that your Land Use Committee will consider the intent of current residents of the area in question, and the effect of additional houses on traffic, already a problem. I6-4 Alan Lasnover, MD 19951 Elfin Forest Lane Elfin Forest, CA 92029	**Response to Comment I6-1** The County acknowledges the comment and opposition to the Project. This comment does not raise specific issues regarding the environmental analysis or adequacy of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. **Response to Comment I6-2** While this comment does not raise specific issues regarding the content of the EIR, the EIR expressly discusses both significant impacts and mitigation measures related to transportation and traffic. Please see the discussion detailed in the *Traffic Impact Analysis* (Appendix D) and Subchapter 2.2, *Transportation and Traffic*, of the EIR. Additionally, the project's *Fire Protection Plan*, Appendix L of the EIR, includes multiple mitigation measures intended to increase safety within the project area, including widening of Country Club Drive to provide three travel lanes. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I6-3** The comment raises concerns regarding Harmony Grove Village (HGV), rather than the Proposed Project. This comment does not raise specific issues regarding the content of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. **Response to Comment I6-4** The County acknowledges the opposition to the Project. This comment does not raise specific issues regarding substantive environmental analysis within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I7 **From:** Molenaar, Amy [mailto:Amy.Molenaar@ironmountain.com] **Sent:** Monday, June 19, 2017 6:19 PM **To:** Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; marsenault@realcapitalsolutions.com; efhgtc@gmail.com **Subject:** Molenaar DEIR Comments RE: Harmony Grove Village South Draft EIR (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006) Dear Ms. Smith: Thank you for the opportunity to provide comments on the Harmony Grove South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of Harmony Grove – the portion of Harmony Grove that is surrounded by open space and that was rezoned in 2011 to one home per 20 acres. Although many people do not like it when their property and surrounding areas are rezoned and downzoned, I realized this designation was in the best interest of my community, public safety and the ecosystem. I realized that to allow for more density and development in this ecologically-diverse, high-risk fire area is a very, very bad idea. And, I understood why the County put a well-thought-out plan in place to protect our resources and the community. After all, in our valley we have narrow, two-laned roads; we are highly, and sometimes solely, dependent upon ground water for beneficial uses; we are surrounded by coastal sage and large riparian areas of protected open space; we border a creek – my house being just 500 feet from it – that empties into a suffering San Elijo Lagoon … and eventually to the Pacific Ocean. Today, and considering the aforementioned, I am trying to understand how the County could justify an upzone for Harmony Grove Village South – considering it is *less than* one mile from my home and shares all of the same characteristics of my land with the exception that, unfortunately, the people in HGVS will not be solely dependent on groundwater and therefore may not care about what chemicals and detergents and pesticides they dump in their yards or down one of the natural "existing drainage systems." The DEIR notes that the project site is not located within the areal extent of any known, mapped regional groundwater basins -- but there are many people solely dependent on groundwater in this valley and I am concerned that this cumulative development (on top of HG Village, which was enough) and the continuing plans for more development and more GPAs will certainly have an effect on the groundwater that our crops and homes depend upon. I would like to see further studies on water quality, because what I read in the DEIR is short-sighted and seems to speak of pre-development, and not post-development, conditions. I7-1 I7-2	**Response to Comment I7-1** The comments regarding the General Plan/Community Plan update process that was completed in 2011 and existing conditions of the Harmony Grove Village (HGV) area are noted. Please see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis. **Response to Comment I7-2** Regarding potential impacts to water quality, including groundwater water quality, please see FEIR Section 3.1.4, *Hydrology/Water Quality*. Regional ordinances control water quality and require conformance to standards. The Project will be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Program during the final engineering phase of the Project that focuses on the construction period. The topography of the site and the proximity to Escondido Creek are evaluated throughout the EIR. The level of information provided in the EIR is appropriate and sufficient to understand the kinds of issues that would arise during construction of the Project, and also the routine nature of these issues, including control of runoff (both volumes and quality) and erosion control. Project requirements include the Construction Site Monitoring Plan (CSMP), a Risk Assessment to determine the Project's Risk Level (1, 2, or 3), and appropriate Risk Level Requirements as outlined in the Construction General Permit and the SWPPP. The SWPPP and CSMP would be prepared by a qualified SWPPP preparer, with this plan to be located on-site at all times during construction. The types of erosion and sediment controls applicable to the Project are enumerated as requirements for containment of construction debris distance from storm drain inlets/water courses and disposal so as not to allow runoff into surrounding waters. Prior to and after storm events, BMP function and efficiency would be checked by construction contractor and implementation monitors.

COMMENTS	RESPONSES
	Sampling/analysis, monitoring/reporting and post-construction management programs would be implemented per NPDES and/or County requirements, along with additional BMPs as necessary to ensure adequate erosion and sediment control. All of these, as well as numerous other relevant BMPs, are detailed in EIR Table 1-2 and Chapter 7. Their discussion and required implementation not only demonstrate an understanding of potential adverse impacts without their use, but also ensure that proper actions would be taken to render impacts less than significant. Cumulative issues are addressed within the section, and again, are subject to ordinance. Specific to groundwater, as stated in the EIR: *Domestic water supplies for the Proposed Project would be obtained from the Rincon MWD, with no groundwater use proposed for domestic or other purposes. As previously noted, implementation of the Proposed Project would result in the addition of approximately 38 acres of impervious surfaces in the form of pavement and structures. As a result, approximately 73 acres (or approximately 66 percent) of the site would remain pervious, including areas such as open space, landscaping, and unlined drainage facilities (refer to Figures 1-6a and 1-13). Based on these conditions, as well as the fact that virtually all areas proposed for development currently encompass Hydrologic Group C or D soils (with low or very low water transmission rates; PDC 2017b), infiltration of surface flows and related recharge capacity within the Project site are anticipated to exhibit only a relatively minor reduction compared to existing conditions.* *Project construction may also require localized extraction/disposal of shallow groundwater to accommodate activities such as grading and excavation. Because shallow groundwater is limited to the northernmost portion of the site, however (as described above in Section 3.1.4.1), construction-related dewatering*

COMMENTS	RESPONSES
	is anticipated to be minor in extent and short-term in duration (refer also to the related discussion of potential groundwater extraction and associated water quality requirements below in this section under Guideline Nos. 8 through 11). *Based on the above considerations, Project-related impacts associated with drawdown of local groundwater aquifers or reductions in local groundwater well yields would be less than significant (EIR pg. 3.1.4-19).* Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I7 I am also concerned that the County is comfortable waiving the 800 foot minimum dead end road and secondary access requirements. This basically means that all traffic will all flow through a single egress – which puts lives in danger … as most people want to get away from wildfires. This single route to flee will lead to highly congested roads. I have read through the DEIR, and there does not appear to be any realistic mitigation measures for the traffic impacts and, with the County seemingly eager to waive safety issues, it seems the only solution is to *mandate* that any new residents added by way of developer-influenced GPAs either shelter in place or obtain the insurance and skills needed to fight fires from their rooftops – this would be difficult to "sell" but it would at least be some form of planning, and would reduce traffic on the roads for those of us who moved in before all of this new density and upzoning was considered. I have a difficult time believing that anyone truly wants to "shelter in place," so it is extremely important to ensure community safety in an area that has seen multiple fires and a "neighborhood" that burned down in 2014. As a start, a comprehensive review of evacuation timelines via simulation needs to be undertaken – and if HGVS is allowed to move forward as planned, and health and welfare measures will be waived, then all of the residents in this valley will certainly need to be trained in fire-fighting measures …as some of us just not make it out without these skills (would the County or developer be open to subsidizing this training?) I7-2 Very concerning to me is this: Harmony Grove Village South and all of its surface water will eventually flow into the Escondido Creek -- which is already having degradation issues from upstream development and flooding that is ripping the willows and coyote brush (the stabilizers) from the banks as well as toppling the oaks and sycamores. Additional hardscape will channel more water downstream. I do not see any considerations in the DEIR regarding the effect of the project's hardscaping/concrete installment on water volumes -- although I do see that all the water from the project area will be filtered into the creek through "existing drainage systems." Currently the space is open and is not developed, and thus the water soaks into the earth … but what about post-development? Also, all of the chemicals that accompany a "neighborhood" (bug spray, weed killers, soap, oils, detergents) will eventually be sent down the creek to San Elijo Lagoon -- which is a highly compromised body of water. Much of the data presented in the DEIR regarding water quality seems to focus on *pre-development* status with no attention paid to the cumulative effects of all future planned development and the use of the land post development. I would like to better understand what the scenario looks like post development, under the circumstances of regular and expected "land use" in a high density housing community. I7-3 I am also very concerned about the "sewer/package plant," I do not see any information regarding it and the risk for pollution – including odiferous air pollution and groundwater and creek pollution. It is not clear as to whether or not this component of the project will be placed in the Flood Zone adjacent to Escondido Creek. I am disturbed by the fact that so many "sewage systems/package plants, etc." can exist in a 1-mile radius … all within a few hundred feet of a creek that is already compromised and has seen pollution from HAARF overflows. And, the visual aspect of these sewage systems and the stench is really offensive. Harmony Grove Village, which currently pumps their sewage by truck a few times a day, smells … like shit. What happens when another one is added a few miles up the road (cumulative effect) and if the water in the creek is polluted, how do we determine who is doing the polluting: Is it HAARF, is it HGV, is it HGVS or is it … Valiano? I would like to see more information in the DEIR regarding this. This just seems really wrong and I would expect there to be some CEQA guidelines around "package plant" densities in a one mile radius (?) I7-4	**Response to Comment I7-3** Implementation of the Project would require conformance with a number of regulatory requirements. Based on conformance with these requirements, including design measures described in Chapter 7, *List of Mitigation Measures and Project Design Features*, of the EIR, all identified Project-level hydrology and water quality impacts would be avoided or reduced to less than significant. As discussed in Section 3.1.4, *Hydrology/Water Quality*, Subsection 3.1.4.3 of the FEIR, the cumulative hydrology/water quality impacts would be less than significant. *A CEQA Preliminary Hydrology/Drainage Study*, Appendix M1, *Hydromodification Screening Analysis*, Appendix M2, *Preliminary Hydromodification Management Study*, Appendix M3, *Hydraulic (Floodplain) Analysis for HGV South*, Appendix M4, and *Priority Development Project Storm Water Quality Management Plan (PDP SWQMP)*, Appendix N, of the EIR, have been prepared in conformance with the County of San Diego requirements. **Response to Comment I7-4** The sewage/package plant would be a water reclamation plant to treat the wastewater to a level acceptable for reuse in the Project and the surrounding area. All wastewater treated at this plant would be reused. This would reduce the Project's need for imported water. The water reclamation plant will be required to obtain permits to ensure that it is protective of groundwater, Escondido Creek, and the atmosphere. The water reclamation plant will not be within the flood zone and regulations require it to be located outside of the 100-year flood plain. When the Project is placed in a wastewater agency, the agency will make the final decision on construction of a new treatment plant or expansion of an existing plant. The Project is being evaluated for an independent wastewater treatment plant to ensure the Project can meet its wastewater treatment needs independently from existing facilities.

COMMENTS	RESPONSES

Comment Letter I7

Lastly, multi-family, high-density housing does not align to the character of our neighborhood and will destroy not only the promise of our valley and its peaceful, quiet and rural feeling, but it will also have negative, destructive, effects on our parks and open spaces. I have seen how the increase in population from San Elijo Hills and Harmony Grove Village has affected Elfin Forest Preserve. Although most people respect this resource, it is the increase in vistors that is causing issue – I have seen spraypaint "tagging" on the rocks, significant off-trail use, parking lot overflow – there used to be maybe 20 cars on the weekend and now there are hundreds; sometimes parked up and down Harmony Grove Road. Harmony Grove Village South is adjacent to the Del Dios Highlands Preserve, which today is a quiet park and one that is not overburdened with visitors. If HGVS is developed this park will also be overcrowded, which leads to a decline in flora and fauna. HGVS does not belong in our valley – it would be better suited for an area where there is better infrastructure (roads, sewer, etc.) and less sensitive species. I7-5

This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire and water quality -- the analysis of which is woefully inadequate. The County should also preemptively refuse to take any monies for the HGV fire station from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I would also appreciate some more comprehensive information regarding post-development effects on water quality. I7-6 I7-7

Thank you,

Amy Molenaar
9115 Harmony Grove Road
Escondido, CA 92029

Response to Comment I7-5

The County acknowledges the comment and opposition to the Project. As discussed in FEIR Section 3.1.9, *Recreation*, both direct and cumulative impacts to recreation facilities would be less than significant. Otherwise, the comment does not raise any specific issues regarding the environmental analysis or adequacy of the EIR.

Response to Comment I7-6

The County disagrees that recirculation of the EIR is required. Please refer to Response to Comment I7-2, above, regarding these issues.

Response to Comment I7-7

The County acknowledges the comment; however, the comment does not raise specific issues regarding the environmental analysis or adequacy of the EIR. Please refer to Response to Comment I7-2, above, regarding water quality.

COMMENTS	RESPONSES
Comment Letter I8 **From:** ma [mailto:pysuccess19@aol.com] **Sent:** Monday, June 19, 2017 9:37 PM **To:** Smith, Ashley **Subject:** Harmony Grove Village South We are all opposed to the HGVS project in its present conception of high density. Should be parcels of minimum 5 acres. I8-1 Victor and Maria Gonzalez	**Response to Comment I8-1** The County acknowledges the comment and opposition to the Project. This comment does not raise specific issues regarding environmental analysis or adequacy of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I9

From: Bonnie Baumgartner [mailto:bonniedblb@gmail.com]
Sent: Tuesday, June 20, 2017 5:59 AM
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; Elfin Forest Harmony Grove Town Council; marsenault@realcapitalsolutions.com
Subject: Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

T hank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. I've lived in **Elfin Forest for 11 years. WE moved here because of the large lots, ability to have horses and animals, and the close knit community.** I9-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I9-2 I9-3

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I9-4

Response to Comment I9-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I9-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I9-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I9-4
The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

COMMENTS	RESPONSES
Comment Letter I9 COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I9-5 Please do not approve this project. Our lives depend on it and our way of life too. I9-6 Signed, concerned resident **Bonita Baumgartner** **20049 Elfin Forest Lane** **Elfin Forest, CA 92029-6005**	**Response to Comment I9-5** It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see EIR Subchapter 2.1, *Aesthetics*, and the Global Response to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7. The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7: > *…the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant.* Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus

COMMENTS	RESPONSES
	Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment. Elfin Forest Lane was not identified as carrying Project traffic as it is almost 3 miles westerly of the Project (as the bird flies) and, per County guidelines, would not carry the amount of project trips warranting LOS analysis. **Response to Comment I9-6** The County acknowledges the opposition to the Project. This comment does not raise specific issues regarding substantive environmental analysis within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I10

From: Mary Kubota [mailto:marykwiebel@gmail.com]
Sent: Tuesday, June 20, 2017 8:39 AM
To: Smith, Ashley
Subject: Eden Valley

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

T hank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural
communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. I've lived in Eden Valley for 8 years and Escondido for 40 years. I moved to this part of San Diego/Escondido due to its rural nature. It reminds me of the Escondido I grew up in and hope to continue to raise my family in this environment. I10-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I10-2 I10-3

Response to Comment I10-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I10-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I10-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES

Comment Letter I10

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I10-4

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I10-5

Please do not approve this project. Our lives depend on it and our way of life too. I10-6

Signed,

Mary Kubota Wiebel
concerned resident

Response to Comment I10-4

The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

Response to Comment I10-5

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see EIR Subchapter 2.1, *Aesthetics*, and the Global Responses to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7.

The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7:

> *...the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and*

COMMENTS	RESPONSES
	Harmony Grove Road/Enterprise Street in Escondido. The County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant. Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment. **Response to Comment I10-6** The County acknowledges the opposition to the Project. This comment does not raise specific issues regarding substantive environmental analysis within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I11 Ms. Smith, I greatly appreciate the opportunity to provide comments on the Harmony Grove Village South proposal. I have been a resident in Eden Valley for 14 years and unfortunately I have had to spend a good amount of time reviewing EIRs and developer's proposals for the open land in this valley. All of them have placed a higher value on their bottom line than on what they bring to our existing community and most provide nothing to mitigate the impact on the lives of those who already live here. They all attempt to get every variance possible and build as little infrastructure as possible despite its overall impact on the health and safety of current residents. It is my hope that the county places I higher value on the health and safety of the current and future residents in this valley than those who have written the proposal for Harmony Grove Village South. I11-1 Harmony Grove Village South does not appear to be taking any actions to deal with the traffic impacts to the surrounding communities. In addition, there appears to be no concern that Country Club drive will be downgraded to a Level of Service F. This is essentially a non-functioning roadway due to volume of traffic. Their own fire study points out that Country Club Drive is the only viable escape route and yet they are not concerned about how residents will evacuate on a roadway that cannot handle its daily traffic, let alone emergency vehicles, horse trailers, and evacuees taking multiple vehicles and as many belongs as they can. I11-2 I have a somewhat unique perspective when it comes to fires in this area as I am a former volunteer fire fighter for Elfin Forest Harmony Grove Fire Department, now part of Rancho Santa Fe Fire. As pointed out in the DEIR, the Harmony Grove Village South proposal is in the wildland urban interface. The project site as well as surrounding areas have had major fires where both property and life have been lost as recently as May 2014 when 11 fires broke out in areas surrounding the proposed project. Yet, the proposal ignores the fire dangers that exist and will continue to exist after build out. This projects is particularly egregious as it completely neglects how residents in their project will evacuate. It seems the applicant is placing profit over health and safety of those who may purchase a home from them and over those who currently live in the communities surrounding their proposal. I11-3 The applicant's proposal utilizes a single exit point. Every firefighter knows that you always plan two points of exit when fighting a fire to ensure your safety, it is part of your training and is drilled constantly. So why would a community be allowed to build in an extreme fire prone area that only has one exit? This scenario is a known problem when evacuating population and	**Response to Comment I11-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments. **Response to Comment I11-2** The Project is located within the County's jurisdiction. The Project study area was selected based on the County of San Diego Traffic Report Format guidelines which indicate that local roads that receive 25 directional peak hour Project trips should be analyzed. This resulted in review of potential impacts in surrounding communities. Additionally, the study area was reviewed several times by the lead agency, the County of San Diego, as well as reviewed for locations outside of County jurisdictional boundaries, i.e., within the jurisdictions of the City of Escondido (a nearby community) and Caltrans. Both of those agencies reviewed the Project during public review. With respect to the statement regarding LOS F on Country Club Drive, it is noted that review of EIR Table 2.2-6 shows that in most instances the existing roadway segment level of service (LOS A, B, C, etc.) remains the same when Project traffic is added, with specifics where LOS F would occur along County Club Drive addressed below. This would only occur when existing plus project plus cumulative traffic is added together. County Club Drive is abutted by a variety of developed uses and the roadway edge is variously plain dirt, or contains some shrubbery or trees, which varies widely by lot and type of abutting use. For purposes of information, within the City of Escondido, impacts were identified along a Country Club Drive segment (Impacts TR-1a and 1b), as well as at the intersections of Auto Park Way/Country Club Drive and Valley Parkway/Citracado (Impacts TR-8 and TR-9, respectively). For the Country Club Drive/Auto Park Way area, possible traffic mitigation was identified consisting of restriping and a signal change (M-TR-8); which, if approved by the City of Escondido, would lower impacts to less than significant levels and would allow the segment to operate more efficiently compared to pre-Project conditions. This would all occur within existing road bed and signal. For the

COMMENTS	RESPONSES
	Valley Parkway/Citracado Parkway intersection (M-TR-9), a fair-share contribution would be a possible traffic mitigation for the impact. Specific to the small segment of Country Club Drive in the City's jurisdiction, adding the Project to existing conditions resulted in LOS dropping from C to D. The LOS F identified in the comment is for that same segment and does not occur only as the result of the Project. When existing, Project and cumulative projects traffic is all added together, LOS E drops to LOS F. As detailed in Subchapter 2.2 of the EIR, potential mitigation was identified along Country Club Drive for less than 850 feet. Although design and final effects assessment would need to occur in concert with the City, it is noted that the great majority of this area is identified as "developed" for biological resources purposes. Approximately 440 linear feet on the north side (where a small slope is located between the road and the fenced parking areas associated with uses along Opper Street and Myers Avenue) also contain small retained areas of disturbed habitat, non-native grassland, and Diegan coastal sage scrub. There could be a potential effect on habitat associated with installation of improvements within those 440 linear feet; including a small amount of non-native grassland, and Diegan coastal sage scrub. Mitigation requirement approach and ratios are specified in Subchapter 2.3 of the EIR for both of these habitats (M-BI-1a and M-BI-2b, respectively) and are subject to the satisfaction of the wildlife resource agencies, as stated and the City. However, it is noted that the City of Escondido is a lead agency under CEQA for impacts within their jurisdiction, and it is Escondido, and not the County, that has responsibility for approval/assurance of implementation of those improvements. As such, the County cannot guarantee ultimate implementation or timing of City of Escondido-approved mitigation. Therefore, the mitigation measures identified above are not feasible. Thus, impacts within Escondido are identified as remaining significant and unavoidable. Within County jurisdiction, and also specific to the stated concern regarding Country Club Drive, it is noted that the Project identified impacts at the intersection of Country Club Drive and Harmony Grove Road (Impacts 2a and

COMMENTS	RESPONSES
	2b). Mitigation was identified associated with the southern approach to the intersection, as well as payment into the County Transportation Impact Fee (TIF) Program (M-TR-2a and 2b, respectively). The Proposed Project also would add to cumulative impacts to one segment of County Club Drive in the County: from Hill Valley Drive to Kauana Loa Drive (Impact TR-3), where existing plus Project plus other cumulative traffic would result in LOS E dropping to LOS F. This is not a TIF-eligible facility. As such, mitigation (M-TR-3) is proposed on Country Club Drive to improve cumulative traffic flow by providing a dedicated lane for left-turning vehicles at Eden Valley Road. As stated in the EIR in Section 2.2.6, and in the *Traffic Impact Analysis* (TIA), this would provide a refuge lane for left-turning vehicles, thus improving the flow of northbound traffic and reducing the potential for vehicular conflict due to the slowing of northbound traffic. The intersection is disturbed and contains only non-native vegetation. No biological impacts would occur. For both jurisdictions, roadway areas were reviewed against cultural resources record search data (negative) and were surveyed for cultural resources in conjunction with Native American monitors (also negative results). Nonetheless, as required for all off-site improvements associated with the Project (M-CR-1 and 2), monitoring also would occur during ground disturbance. Potential for paleontological resources also was reviewed. The areas appear to be wholly lacking in potential resources, or to have low (minimal) potential for resources where undisturbed deposits are present. In these areas, immediately adjacent to graded and paved roadbed, the potential for impacts is considered less than significant. Pursuant to CEQA Guidelines Section 15126.4, potential impacts are less than significant. The comment also refers to the Wildland Fire Risk Analysis Report (Rohde & Associates 2016) and its conclusion that Country Club Drive is the only viable escape route. However, the report is presented out of context. In fact, the Rohde & Associates Report indicates that there are four potential evacuation routes available for ingress/egress north of Escondido Creek during evacuations. Please also see the Global Response to Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
	Response to Comment I11-3 It is acknowledged that the Project is within a Very High Fire Hazard Severity Zone (VHFHSZ) and that fact is referenced in the Project's Fire Protection Plan (FPP; DUDEK 2016). Based on its location in a VHFHSZ, the Project is required to analyze and provide for a level of planning, ignition resistant construction, access, water availability, fuel modification, and construction materials and methods that have been developed specifically to address and mitigate issues of developing within a VHFHSZ. The Project meets and exceeds these requirements. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. Additionally, the fire scenario presented in the comment raises no new information that was not evaluated by the Project and presented within the fire technical reports. The worst-case conditions, based on realized weather and fuel conditions, were modeled, historical wildfires were compared, and design features were integrated into the Project based on that analysis. No revisions to the FEIR are warranted as a result of this response.

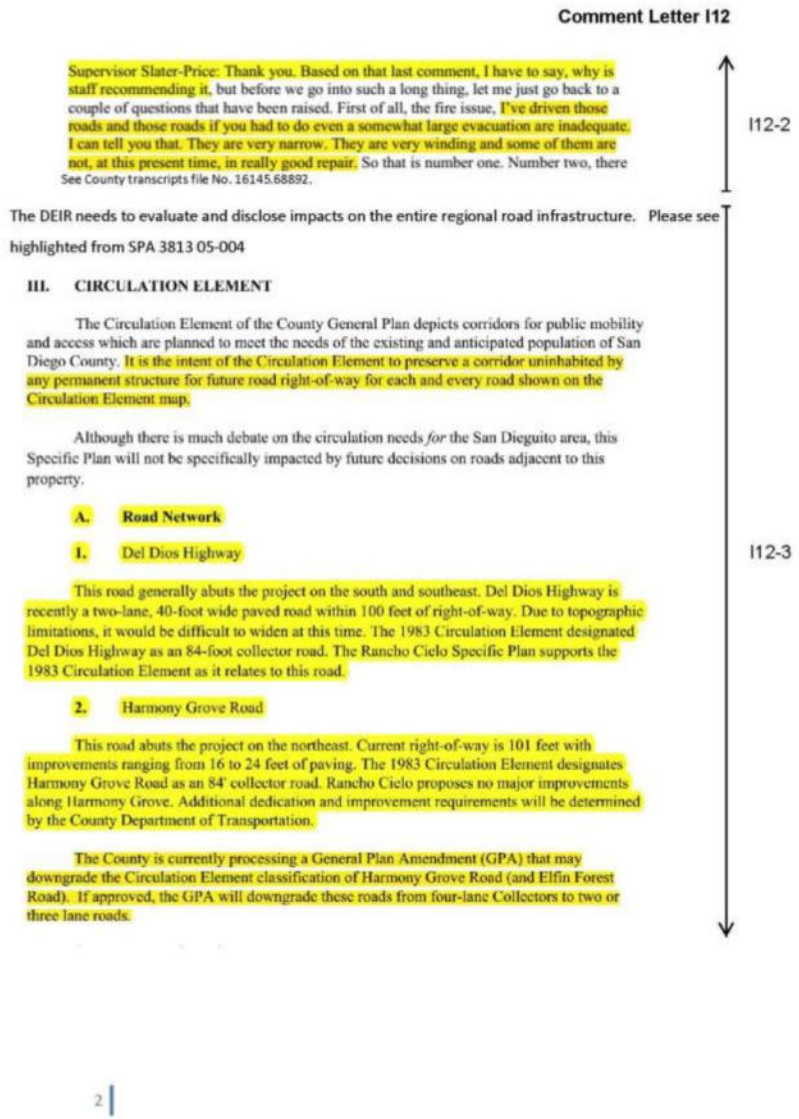
COMMENTS	RESPONSES
Comment Letter I11 has been proven to be deadly for those attempting to escape a natural disaster such a wildfire. But it is worse than what appears on paper. This single exit route is not merely a direct roadway to safety. This projects exit point is over a bridge that crosses the Escondido Creek. This creek runs east to west and has a heavy fuel load. As expressed in the DEIRs Wildfire Emergency Plan, the greatest danger comes from easterly winds (Santa-Anna winds). So any fire that starts east of this single exit point will be driven by easterly winds straight down the river bed which, just east of the Country Club bridge, also runs through a steep canyon. Such a fire is going to have an incredibly rapid rate of spread and it would likely overtake the Country Club bridge within minutes. This would block the single exit point from Harmony Grove Village South from being used as an evacuation route – even if residents could cross, it would likely have various fire apparatus on it or at the end of it as they work the fire. This will narrow the escape route or if kept open will hinder the fire fighting efforts. The topography of the area just east of the proposed Country Club bridge essentially sets up a scenario to create a natural blow torch. The bridge crossing could have a 200-foot clearance on either side (100 feet more per side than is required) and that would not stop such a windblown fire in the given topography. I also found no discussions about who would be responsible for maintaining a defensible space around the proposed bridge. During several wildfires I fought, it was not uncommon to have spot fires a quarter of a mile away or further in fairly open terrain. Just recently motorists on Interstate 15 lost vehicles when a wildfire crossed the eight lane freeway. We also witnessed this behavior during both the Cedar Fire in 2003 and the Witch Creek Fire in 2007 when flames jumped Interstate 15 near Rancho Bernardo and then burned up to the back side of Harmony Grove. So why then would one place more than 453 homes with 900 plus residents into what has the potential to be a death trap? It would seem that the profit gained by the applicant could never cover the loss of even a single life lost due to this major design flaw. I11-3 This brings me to the plans for sheltering in place. The one thing that is not considered in the whole shelter in place planning is human nature. Most humans will attempt to escape when faced with a wall of flames that can have flame lengths in excess of 50 to 75 feet, with temperatures exceeding 1,000 degrees, spewing embers down on them like glowing rain drops, and sending out thick smoke as it rapidly moves towards them – the flight portion of the fight or flight human instinct is incredibly strong in such conditions. When a fire starts or burns toward a shelter in place community, many will stay as they have been told that it is safe to remain in their homes. In fact, they may not even get early evacuation notices; this according to the Rancho Santa Fe Fire chief at a recent community meeting. The concept of shelter in place, as we were told during the meeting, would be to have those residents stay in place to avoid adding to the traffic burden given the evacuation routes Level of Service rating. But, when the flames actually approach their properties they will question their safety, and for good reason – they would not be 100% safe. Unfortunately, these residents will try to evacuate after it is too late for them to safely do so. The general public does not understand fire behavior nor do most grasp the speed at which it can move. At this point they are panic stricken and desperate and will require further fire resources to evacuate safely. Sadly, it is this scenario where many have lost their lives and we have a very recent example of this from the fires in Portugal where more than 60 lost their lives attempting to evacuate. I have also personally witnessed this while working on the Witch Creek Fire. I worked mop up on a community that was a "shelter in place community" in Ramona. As we I11-4	**Response to Comment I11-4** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The comments regarding fires in Portugal and Ramona are acknowledged. These comments do not address the environmental analysis or adequacy of the EIR and therefore a response is not required.

COMMENTS	RESPONSES
Comment Letter I11 drove into the community we found trucks and cars abandoned in the middle of the road that had burned. There were several trucks hooked up to various trailers (travel trailers, car carriers, and ATV carries) where the trailers had caught fire as people were trying to get out. One couple watched from inside their pool as their house burned and one life was lost. I will never forget the neighbors screaming at us, demanding to know why we did not save them or their homes. But the reason they lost their homes was not because fire crews did not attempt to save them, it was because they were built in an area where fire activity was extreme – just as the fire activity is known to be in the applicants proposed project area. I11-4 From the DEIR, "The 453 residences noted above do not equate to 453 structures. A substantial number of the residences would be in structures built to accommodate multiple dwellings." This poses another serious potential for loss of life and property. Building condominium and multi-dwelling in a single structure in the wildland urban interface will equate to a larger loss of property and potentially life in a wildfire or in the least will require more resources to ensure the structure is protected during a wildfire event. Should one portion of such a structure catch fire, the fire will likely spread quickly as there are no spaces between the structures to allow fire fighters to cool the surrounding structures and there are not many wildland firefighters equipped to enter a burning structure – they are running structure protection (protecting structures from the outside). If a structure catches fire, most resources would be put towards protecting the structures that are not burning from the head of the fire of the structure that is burning. Sure the applicant will be build these homes to withstand fire, will include sprinkler systems (which are designed to put out fires inside the structure if they have adequate water pressure to do so which is a wildfire scenario many don't), and be built with fire retardant materials. But, I have yet to see a structure faced with a direct fire front not burn without significant fire fighter resources present. The code is not designed to ensure structures do not burn, it is designed to ensure occupants have adequate time to escape should the structure catch fire. However, in this scenario that will serve little to no purpose if there is not a means to exit the area. I11-5 Fire issues aside, this proposal will destroy the existing surrounding rural communities with its traffic, road noise, added pollution trapped in the valley, and aesthetics that do not resemble the surrounding area. It is a poorly planned project that has one goal – make money for the applicant at any cost to the surrounding communities and the lives of those who may live there. It is my sincerest hope that the county carefully evaluates the dangers this proposal creates and the unique communities that could be lost. I11-6 Sincerely, Bill Osborn 2952 Milpas Drive, Escondido, CA 92029	**Response to Comment I11-5** Fire and building codes specifically for homes and communities built in very high fire hazard areas (Chapter 7A of the California Building Code, as amended by the County of San Diego) have been developed to provide a high level of ignition resistance and are cognizant that fire-fighting resources may not be available at every structure. The structures in the Project have been designed to ignition resistance levels necessary for the worst-case fire scenario given the site's fuels, terrain, and weather conditions. The perimeter fuel modification zones (FMZ) and site-wide landscaping restrictions, along with ongoing inspections and maintenance, separate flammable vegetation from the structures by at least 100 feet and/or reduce the fuel loads so that less heat is generated. Based on the inclusion of FMZs of at least 100 feet, and up to 150 feet, none of the site's structures would be exposed to direct flame impingement. The structure setbacks and the multi-family dwellings that concentrate living units within a smaller footprint, result in less interface with wildlands and fewer resource needs for protection during a wildfire. Further, the multiple-unit structures require an enhanced fire sprinkler system which is a structure protection system. Fire behavior has been analyzed, compared to similar fire environments, and accepted by County Fire Authority. The Project has been designed with a layered system of protections and determined to include the necessary features to perform well during wildfires. **Response to Comment I11-6** This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR; however, the County acknowledges the comment and opposition to the Proposed Project. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I12 Dear Ms. Smith: I OPPOSE the proposed changes to the General Plan Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM- 5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.) for the following reasons: • **COMMUNITY CHARACTER:** This project is not consistent with the character and nature of the Harmony Grove community. The project plops down a "mass of condos and multi-story dwellings" in an area surround by preserved open space, rare habitat, horse ranches, estate residences and semi-rural residential environments. In the recent past, our the Board of Supervisors have not approve spot development of condos that change the character of communities like Harmony Grove . Supervisor Jacob: Thank you Mr. Chairman. I would have to agree with the concerns that Supervisor Horn has expressed. It just seems to me that this is definitely out of character with the surrounding area and if these visuals represent what is planned, I have a couple See County transcripts file No. 16145.68892 Supervisor Jacob: Mr. Chairman. That is all of the questions I have. I concur with Supervisor Horn. This is definitely – it is clear to me this is out of character for the area. If I had to vote up or down on it, I would have to vote against this project today. If there See County transcripts file No. 16145.68892 This project will destroy the character and nature of the last of the few special places in San Diego County that all citizens can enjoy. • **DECREASED SAFETY AND INCREASED FIRE RISK :** In the DEIR, the Fire Protection Plan waives a key requirement intended to protect the safety of both existing and new residents. The most egregious of these is a waiver of the 800 foot minimum dead end road requirement (503.1.3). The only mitigation acceptable for exceeding this requirement is providing secondary access (503.1.2). The FPP waives both requirements and fails to demonstrate appropriate mitigation to avoid putting lives in danger. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area. The entire population at risk in case of wildfire includes all of Eden Valley, Harmony Grove, Elfin Forest, Cielo and Mt. Israel residents who may be unable to access Harmony Grove Road from Via Ambiente in case of sudden mass evacuation like those we have experienced in the past. The EIR needs to evaluate and disclose impacts to the entire region, not just the 1400 feet of improved road contemplated in the EIR. A quote from Supervisor Slater-Price: 1	**Response to Comment I12-1** Please see the Global Response to Project Consistency with General Plan Policy LU-1.4 which includes analysis of land use compatibility and community character pursuant to the requirement of the General Plan. Specific to the quotes, they pertain to an amendment to the Specific Plan for Rancho Cielo in the community of Rancho Santa Fe, and were excerpted from a September 26, 2012, Board of Supervisors meeting transcript. The comments are noted, but the bases for those conclusions do not apply to the Harmony Grove Village South (HGV South) Project. The context of the comments makes it clear that opponents to that amendment were focused on reliance on earlier EIR documents (1981 and 1984) completed prior to the 2011 General Plan update, proposed ridgeline development, the lack of Resource Protection Ordinance review, removal of commercial and associated uses (including possible park uses) from an approved locale and placing them on a more distant part of the overall development, and other issues such as the inclusion of steep retaining walls along curving roads without a specified sidewalk or path nearby to provide pedestrian separation from the road. Relative to community character, Supervisor comments were heavily focused on the fact that the prior project had been approved under older standards and that ridgeline development was not preferred within the County in accordance with current standards. Each of those issues differentiates that project from the Proposed Project. HGV South has its own current EIR and is not relying on an EIR prepared decades ago, analysis has been completed in accordance with the current General Plan, no amendments to an existing approved Specific Plan are proposed, no ridgeline development is proposed, and no high retaining walls are proposed along curving roads. Some of the specific items identified as problematic in the public comments (lack of a Resource Protection Study review, lack of design criteria in the Specific Plan, and lack of private and public view impacts analysis) are not relevant to the Proposed Project, which includes each of those elements.

I12-1

I12-2

COMMENTS	RESPONSES
	As such, the comments are noted but do not pertain to the Proposed Project. It is also noted for informational purposes that the Rancho Cielo amendment was not denied, but was returned to staff for additional review. That review, which was completed in 2013, resulted in a re-hearing of the amendment in August 2013, at which the amendment was approved. **Response to Comment I12-2** As noted in Response to Comment I12-1, the Supervisor was discussing roads in Rancho Santa Fe pertinent to a different project. Her comments do not relate to the current analysis. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I12-3** Comment noted. Subchapter 2.2, *Transportation and Traffic*, of the EIR, analyzes impacts on road infrastructure using thresholds established by the County. A majority of the comment's text is copied from the Rancho Cielo Specific Area Plan. It predates consideration of the Project and is either not relevant to the Project due to the distance of the Rancho Cielo area from HGV South–affected road segments or does not deviate from the information presented in the EIR. No response is required.

COMMENTS	RESPONSES

Comment Letter I12

D. Circulation

The external circulation system bordering Rancho Cielo is public. There are two major points at which the Rancho Cielo Development will access these roads. Del Dios Highway, which borders the property on the south and east, is the main thoroughfare which serves the property via Calle Ambiente. Elfin Forest/Harmony Grove Roads will serve as secondary access from the north. A third access, Mt. Israel Road will be used for emergencies only, with the exception of adjacent property owners other than Rancho Cielo Development Company that may have existing legal access as of December 18, 1996, including access to any gates which will be constructed across said easement. I12-3

NO JUSTIFICATION FOR AMENDING THE CURRENT GP: The requirement for considering a General Plan Amendment is "any change requiring a GPA "should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare." This project would definitely be detrimental to public health and safety in that it will result in entrapment of current residents in case of evacuation; further, it brings no "public interest" that we can discern since there apparently is low public appetite and demand for the dense housing across the street in Harmony Grove Village. If that development is way behind its sales projections, as it is, what is the public interest in granting an amendment to a carefully constructed General plan to allow yet more density? I12-4

IN SUMMARY: This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire, the analysis of which is starkly inadequate. The County should refuse to take any monies for the HGV fire station from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I12-5

Most Eden Valley, Harmony Grove, Elfin Forest, Cielo and Mt. Israel residents are not opposed to reasonable, fully disclosed and safe growth, however the infrastructures in these communities are already at their maximum safety threshold, and in some cases beyond a safe limit as residence in these area have experience firsthand during past wildfires.

Regards



David Radel

18394 Via Ambiente

Rancho Santa Fe CA 92067

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Response to Comment I12-4

Please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and Project Consistency with General Plan Policy LU-1.4. Please also see the Global Response to Fire Adequacy of Evacuation and Access.

Response to Comment I12-5

These are conclusion comments. They do not raise specific issues regarding the content of the DEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I13

LOUNSBERY FERGUSON
ALTONA & PEAK LLP

960 Canterbury Place, Suite 300
Escondido, California 92025-3870
Telephone (760) 743-1201
Facsimile (760) 743-9926
www.LFAP.com

ESCONDIDO AND SAN DIEGO

JOHN W. WITT, RETIRED

Phone: (760) 743-1201
Email: DWF@LFAP.com

June 20, 2017

Via Email and Mail

Michelle Irace
5510 Overland Ave. Ste 310
San Diego CA 92123

RE: HARMONY GROVE VILLAGE SOUTH, LOG NO. PDS2015-ER-15-08-006; SCH NO. 2015081071, PROJECT NUMBERS: PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5560, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX

Dear Ms. Irace:

This firm represents Jeff Johnston, a resident of the Harmony Grove community. The purpose of this letter is to comment on the Draft EIR (DEIR) for the Harmony Grove Village South Project. Specifically, we will address concerns regarding the evacuation capability of the project during a fire and the impacts the project will have on the traffic in the City of Escondido. I13-1

Secondary Access and Evacuation Capabilities

The County Fire Code requires that all development projects provide two points of access, one primary and a secondary for emergencies. The Project is seeking a variance which would allow for only one access along Country Club Drive. Accordingly, the DEIR analyzes only one secondary access point (a private road which joins with Johnston Rd) and concludes that access through that route is infeasible. I13-2

Although it may be correct that the identified private road is not feasible as a secondary access, the DEIR fails to analyze other roads which are identified in the supporting documents as feasible secondary access. Because there is no evidence whether the variance will be granted, and because this is a critical public safety issue, the DEIR should have thoroughly analyzed all potential secondary access routes in the event that the variance is not granted.

Response to Comment I13-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I13-2

The commenter incorrectly asserts that the Project is seeking a variance which would allow for only one access point. When the strict application of the requirements set forth in Section 503.1.3, is impracticable, the Fire Code Official may grant a modification from such requirements. A modification may be granted pursuant to Fire Code Section 96.1.104.8 (Modifications) when the modification is in compliance with the intent and purpose of the code and such modification does not lessen health, life, and fire safety requirements. The Project is not requesting "variance," but rather, the Project is requesting a modification from Section 503.1.3 of the Consolidated County Fire Code (Fire Code) with respect to dead-end road lengths, because the topographical, geological, and environmental condition of the site, make compliance with this standard infeasible. The Fire Protection Plan (FPP) that describes the modification has been accepted by the Rancho Santa Fe Fire Protection District (RSFFPD), the Fire Authority Having Jurisdiction (FAHJ).

With respect to secondary access, the ability of the Project to provide a secondary access route was considered infeasible, as described in the Fire Protection Plan (FPP). (Secondary access is the typical mitigation for exceeding the dead-end road length, but is not required, as stated in the comment.) Instead the Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the code requirements.

The commenter incorrectly states that the EIR only analyzes one secondary access point and fails to analyze other roads. This statement is incorrect in that eight options for secondary access to the north, south, east, and west of the Project site were analyzed with both County staff and RSFFPD input, as described in Appendix C of the FPP (Appendix L of the EIR). See also Response to Comment I13-3 below.

COMMENTS	RESPONSES
	Although secondary access routes were proven infeasible based upon this evaluation, Option 4 (Johnson Road) was determined to be the most feasible of the options. The result of this analysis indicated that if access easements could be obtained, improvements to Johnston Road (Option 4) would result in a useable access way, but that it would not strictly conform to the Fire Code, as a secondary access and a modification/variance to the County's roadway standards would need to be granted (FPP Appendix C). Secondary access that conforms to the Fire Code is not feasible (FEIR Section 3.1.3) because full improvements to road width, grade, and turning radii cannot be made to accommodate emergency vehicles. In any event, Johnson Road was identified as an existing road that could provide access in an emergency if emergency personnel so directed, but could not be relied upon as a way to provide secondary access. Since secondary access was determined to be infeasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the code through the implementation of a list of specifically developed measures and features, as described in the FPP. This is all addressed in greater detail in Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The comment confuses the Wildfire Risk Analysis (Rohde & Associates 2016) discussion of the multiple available evacuation routes (Page 15) with the Fire Protection Plan's (Dudek 2016) conclusion that no secondary access is feasible (page 31). The Wildfire Risk Analysis Report (Rohde & Associates 2016) analyzed site access and egress using existing and proposed roads. There are four potential evacuation routes that were identified that could carry traffic north of Escondido Creek out of the community that would be available under some circumstances, and two that offer good escape alternatives. (This recommendation considers the proposed road and bridge improvements on

COMMENTS	RESPONSES
	Country Club Dr. as proposed by the Applicant). As explained in the Wildfire Risk Analysis Report: *Concern had been expressed that only one route was proposed for access/egress to the proposed development site rather than the code required construction of two, and that a variance would be requested/required for the project to move forward. In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable.* Both documents are accurate and not conflicting. The Wildfire Risk Analysis Report supports the FPP's conclusion that there would be sufficient emergency access out of the project site and the Project's alternative approach for secondary access was appropriate. In other words, even though it is not feasible for the Project to provide Fire Code-conforming secondary access from the Project site, the Project was designed with three points of ingress/egress from the Project site onto Country Club Drive that would provide additional capacity to expedite emergency access out of or into the site. The Wildfire Risk Analysis Report likewise concluded that the Project would have 4 potential routes of egress during evacuation, two with strong viability, and that the 800-foot single access road was acceptable. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I13 Michelle Irace June 20, 2017 Page 2 of 4 LOUNSBERY FERGUSON ALTONA & PEAK LLP The analysis of secondary access routes is deficient in many regards. First, the Wildfire Risk Analysis (WRA) and the Project Fire Protection Plan (FPP) reach conflicting conclusions. According to the WRA, which is provided as a Reference Document on the County Planning Website for the DEIR, there are four possible evacuation and access routes, two of which are viable. The WRA specifically states "Consultant staff and public safety staff who reviewed the site agreed that 4 routes of escape, two with strong viability and two that may be dangerous, exist for evacuation from the proposed project site." (WRA pg 15). It states that both Country Club Drive and Harmony Grove Village Parkway could be used in the event of fire. On the other hand, the FPP states that no secondary access is feasible for the Project (FPP pg 31). I13-2 While the Exhibit C to the FPP references eight different alternative secondary access routes, the body of the FPP only analyzes one privately-owned road and concludes that this option is infeasible. The determination of infeasibility is based solely on the Project's assumed inability to obtain legal access rights from the private property owners and the County's preference to avoid eminent domain. There is no evidence present on any efforts to obtain the necessary easements nor their projected cost. Further, there is no reference to any official policy, written or otherwise, precluding the County from obtaining the easements. Similarly, the analysis in Exhibit C gives only vague visual depictions of the other potential routes and provides only brief, conclusory descriptions of the features which make the routes infeasible. No real analysis is presented which adequately describes the routes or their feasibility in a meaningful manner. In fact, the Exhibit states that it does not rank the feasibility of the projects because each has its own individual characteristics. (Exhibit C pg 1). This explanation demonstrates the need for, rather than the preclusion of, a meaningful analysis of the routes. The DEIR is thus insufficient as there is no analysis of these alternative routes' impacts on the environment. The analysis merely points out different characteristics and then concludes, without analysis or evidence, the routes to be infeasible. The analysis assumes that the project will be granted its variance and that there is no need to examine the impacts of these alternative routes if the variance is not granted. I13-3 Based on the unsupported conclusions in the FPP, the Project is seeking a variance to allow only one viable access route. The FPP states that the Project meets the intent of the Fire Code, in part, by widening Country Club Drive, providing extra parking spaces to avoid cars parked on the street, removing all speed bumps, and providing additional fuel modification. The DEIR then analyzes the access issues as if the variance will be granted. It is not guaranteed, however, that the Project will be granted its variance. Generally, a variance applicant must demonstrate that the regulations, if strictly applied, would cause unnecessary hardship because of some special circumstances of the particular property, in contrast to other similarly situated properties. I13-4	**Response to Comment I13-3** Eight alternatives for secondary access to the north, south, east, and west of the Project site were analyzed with both County staff and RSFFPD input, as described in Appendix C of the FPP (Appendix L of the DEIR). Each of the options was found to be infeasible due to the presence of at least two of the five factors in the evaluation criteria listed in Appendix C, which included presence of: steep topography, wildland fuels, environmental issues, roadway distance to acceptable connections, and private ownership/easements. As described in Appendix C, many of the routes include a combination of steep terrain and notable biological habitat issues, including those associated with building a road with a creek crossing. Also, the configuration of the emergency secondary access routes would necessitate a modification to the County's roadway standards and would require the County to obtain legal access rights from private property owners through eminent domain. Option 4 was considered the least infeasible of the alternatives with the fewest physical challenges, because of its location on an existing road that is used by residents living east of the Project, and that also connects in a remote location to a public roadway (Johnston Road). The impacts to the environment that would result from the implementation of this alternative were analyzed in greater detail in Section 3.1.3 of the FEIR. The comment conflates the modification request from Section 503.1.3 of the Consolidated County Fire Code ("Fire Code") with respect to dead-end road lengths with the Project's inability to provide a secondary access route which is a typical mitigation measure for exceeding the dead-end road length, but is not required by the Fire Code. In any event, secondary access was determined not to be feasible given the constraints described above, and therefore the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions, or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the code through the implementation of a list of specifically developed measures and features as described in the FPP.

COMMENTS	RESPONSES
	Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I13-4** The commenter incorrectly asserts that the modification to the fire code is a "variance," which is a mechanism commonly used when seeking a deviation from a zoning ordinance standard, not from the Fire Code, and then asserts that a "variance" finding must be made. As explained in the Response to Comment I13-2, when the strict application of the requirements set forth in Fire Code Section 503.1.3 is impracticable, the Fire Code Official may grant a modification from such requirements pursuant to Section 96.1.104.8. (MODIFICATIONS). A modification may be granted when the modification is in compliance with the intent and purpose of the code and such modification does not lessen health, life, and fire safety requirements. The "Findings and Mitigation Conclusion" described in the FPP, described in detail the basis for the decision that was made by the Fire Code Official as follows: (1) an alternative approach for secondary access has been developed that meets the intent of the code through the implementation of a list of specifically developed measures and features, and (2) the modification from Fire Code Section 503.1.3 was granted in that the intent and purpose of the Fire Code will be met by the Project and such modification does not lessen health, life, and fire safety requirements. Section 3.1.3 of the FEIR describes the Project as providing a layered and redundant fire protection and evacuation system that provide a system of fire safety above and beyond the code requirements. More particularly, the Project has developed an alternative approach that meets the intent of the code through the implementation of a list of specifically developed measures and features (detailed in Section 5.2.1.2 of the FPP). These measures and features supported a finding by the RSFFPD that the intent of the code has been met and does not lessen health, life, and fire safety requirements (RSFFPD FPP acceptance letter prepared by Chief Tony Michel – August 2016).

COMMENTS	RESPONSES

Comment Letter I13

The DEIR fails to adequately explain why the project cannot provide any secondary access route. Despite the WRA stating that Harmony Grove Parkway is a viable secondary access, the FPP makes no mention of Harmony Grove Parkway nor any of the other seven routes, except the private road beyond the brief, conclusory descriptions buried in the exhibits. Further there is no explanation of why this property is special compared to other County properties or what the criteria are for finding "hardship". Because the variance is not guaranteed, the DEIR should have analyzed the potential impacts of the Project without the variance. Without the analysis and studied rejection of all possible secondary access routes, the DEIR fails to accurately analyze the projects potential impacts. I13-5

The DEIR also fails to show that, if the variance is granted, the single access point will be sufficient to provide a safe evacuation route in case of fire. According to the WRA, Country Club Drive is recommended as the primary route of evacuation for the project. Country Club Drive would be widened to three lanes, allowing two for evacuation and one for access for fire and emergency vehicles. The DEIR states that, given the size of the development and the number of existing homes, the demand will be 2,068 cars per hour. However, the DEIR fails to account for cumulative emergency traffic from the residents of Harmony Grove Village, the project slightly north of the proposed Project. That project will include 742 homes which could potentially use the evacuation routes as well. I13-6

The DEIR also fails to properly account for the nature of the evacuations, especially given that this is a rural community. During an evacuation, all residents will be leaving at approximately the same time, meaning the road will be filled with the vehicles of all 517+ dwellings at once. Further, the DIER fails to analyze the possibility that a fire could block Country Club Lane, thereby blocking the sole exit from the project, regardless of the number of lanes. Finally, the DEIR fails to account for the fact that the Harmony Grove community consists of farmers and families with livestock and horses. As a result, the roads will not only have cars, but trailers and animal carriers. Further, as many current residents have pointed out, homes with farm animals may be taking multiple trips to transport their livestock. The residents may be unable to save their animals or will become trapped themselves trying to evacuate. I13-7

Impacts on County and Escondido Traffic

According to the DEIR the Project would include 453 homes which would add approximately 4,500 average daily trips, with 360 in the peak A.M. hours and 450 in the peak P.M. hours. According to the DEIR, 70% of the trips would be distributed to Harmony Grove Rd and 22% would be distributed to Country Club Dr. (Subchapter 2.2 pg 2.2-7/8). The predicted impact of the Project is that Country Club Dr. from Auto Parkway to Hill Valley Dr. and the Country Club Dr./Harmony Grove Rd intersection, will operate at unacceptable levels. (Subchapter 2.2 pg 2.2-10/12). However, when considered cumulatively with the Harmony Grove Village project, six roadways and four intersections in the County/City will be effected. (Subchapter 2.2 pg 2.2-19) I13-8

Response to Comment I13-5

The comment confuses the Wildfire Risk Analysis (Rohde & Associates 2016) discussion of the multiple available evacuation routes (Page 15) with the Fire Project Plan's (DUDEK 2016) conclusion that no secondary access is feasible (page 31). Both documents are accurate and not conflicting. Although the FPP does not analyze the available evacuation routes in detail, instead mentioning that an emergency preparedness plan would be created for the Project at a later date, the FPP does confirm that there are multiple available evacuation routes on pages 32 and 34. Please refer to Responses to Comment I13-2 and I13-4 for discussion of alternative secondary access route analysis and subsequent findings of infeasibility. Because the comment bases its argument that the EIR failed to accurately analyze potential project impacts on a flawed understanding of available evacuation routes vs. secondary access, the comment requires no further action.

Response to Comment I13-6

The commenter asserts that the EIR fails to show that a single access point will be sufficient to provide a safe evacuation route in case of fire. Section 3.1.3, *Hazards and Hazardous Materials* of the FEIR, provides an analysis with respect to access to the Project and the Project's inability to provide a secondary access route. Although a secondary access route is a typical mitigation for exceeding the dead-end road length, it is not requirement *per se* for development projects. The Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the code requirements. One of the most significant measures is construction of roads on site that include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation and would occur throughout the Project, would include Country Club Road from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. This enhanced road capability would be supplemented by a complete system of fire protection that includes a redundant layering of measures designed to keep roadways open and passable, and reduce the possibility that wildfire threatens the Project.

COMMENTS	RESPONSES
	The primary Project access for Harmony Grove Village South (HGV South) would be via a widened Country Club Drive that provides three travel lanes. This includes a three-lane-wide bridge constructed over Escondido Creek that also includes separated horse and pedestrian pathways. Various alternatives for secondary access to the north, south, east, and west of the Project site were also considered. The Project's FPP and WRA reports explains that this proposed approach of the Project meets the intent and purpose of secondary access and this approach was incorporated into the FPP, which was accepted by SDCFA and RSFFPD, signifying their concurrence with respect to the safety of this approach. If secondary access were feasible for this Project, it would result in a road that traversed through wildland fuels and steep terrain. The alternatives evaluated for secondary access were determined to include challenges and generally unsafe conditions during a late evacuation. See Response to Comment I13-3 above. The commenter asserts that the EIR fails to account for cumulative emergency traffic from the residents of HGV with respect to County Club Drive being used for evacuation. In some fire emergencies, likely excluding shorter notice events, Harmony Grove Road would be available for evacuation. Harmony Grove Village (HGV) residents would likely utilize Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South were evacuating simultaneously, emergency managers (OES, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic surge or road blockage occurred, the decision makers would have a

COMMENTS	RESPONSES
	contingency to temporarily refuge residents within HGV and/or HGV South, including legacy residents that do not have the same level of protection. **Response to Comment I13-7** Evacuation within Harmony Grove would occur in a similar manner to many other San Diego County planning areas. In the event of a wildland fire in the area, evacuation and contingency plans are an early part of a wildfire's tactical planning process by an Incident Command team. A contingency plan is one of the immediate priorities for development by Incident Command when a wildfire event occurs in a wildland-urban interface area. Community evacuation plans, like the plan that will be prepared for HGV South, will be integrated into the contingency planning process to assist and coordinate evacuation planning for all residents requiring evacuation. For the residents of HGV South and the surrounding area, it should also be pointed out that the primary requirements of an evacuation plan are to identify evacuation routes and to prepare residents for an emergency event. It is a key document for Incident Command when an emergency event occurs in the area. For preparedness of the residents, the "Ready! Set! Go!" evacuation approach will be utilized. This program is supported by most fire agencies and focuses on education, awareness, and preparedness for those living in the wildland-urban interface areas. The Plan will also require that the HGV South HOA and RSFFPD distribute "Ready! Set! Go!" information, encourage homeowners to prepare their own individual evacuation plans, and stress familiarization with maps showing the evacuation routes, temporary evacuation points, and pre-identified safety zones. The Project's FPP specifically addresses the possibility if Country Club Drive were not available during a fire evacuation. The Project, due to its inclusion of code-exceeding fire protection features, enables residents and neighbors with the ability to temporarily refuge on site (FPP pages 38 and 39) within their defensible homes or at the community building. County OES and emergency responding agencies would have the ability, in the event a wildfire occurs in the immediate Project vicinity with little to no time to evacuate, to determine if temporary safe refuge of residents would be appropriate or warranted. Such

COMMENTS	RESPONSES
	a determination would be made by responding fire and law enforcement personnel. Because the FPP (Page 37) commits the Project to preparing a community protection and evacuation plan that includes fire and law enforcement participation, there is a commitment for the plan to be prepared to the approval of these agencies, resulting in a plan that is seamless with existing regional evacuation plans. **Response to Comment I13-8** The County respectfully disagrees that the buildout analysis is incorrect. The comment conflates the Project's buildout analysis with its direct and cumulative traffic analysis. In determining the direct and cumulative impacts of the Project, Citracado Parkway Extension was not assumed to have been built nor included in its analysis. The EIR states: *The Citracado Parkway Extension project was not included in the near-term conditions per information provided by City of Escondido staff. The extension project is delayed due to funding issues. In October 2015, the City of Escondido's attempt to receive funding through the Transportation Investment Generating Economic Recovery (TIGER) grant program, distributed by the U.S. Department of Transportation, was denied. Therefore, due to a lack of funding and an unknown timeframe for completion, this connection was not included in the near-term analysis (page 2-2.19).* The direct and cumulative impacts within Escondido were identified as remaining significant and unavoidable pending City of Escondido action. However, a buildout analysis is conducted to determine whether the proposed land use changes would require any changes to the Mobility Element roadway classifications. This type of analysis is completed for projects requesting a General Plan amendment. Per County Guidelines, the buildout analysis compares the adopted General Plan to the proposed Project.

COMMENTS	RESPONSES
	In order to forecast traffic volumes for the buildout condition (with adopted General Plan land uses), the SANDAG Series 12 Year 2050 County Calibrated and the adopted Escondido General Plan SANDAG Series 11 North County Year 2030 traffic models were reviewed. These traffic models include General Plan roadway conditions and land uses from each jurisdiction. In addition, all cumulative projects listed in Section 8.1 of the TIA report were assumed to be at full buildout by this timeframe. The DEIR explained that the LOS for the cumulative scenario is worse than the buildout scenario due to major, planned roadway improvements being finished by the buildout scenario but not by the cumulative scenario, such as the Citracado Parkway extension.

COMMENTS	RESPONSES
Comment Letter I13 Michelle Irace June 20, 2017 Page 4 of 4 LOUNSBERY FERGUSON ALTONA & PEAK LLP The DEIR states that the impacts will be mitigated through a widening of Country Club Dr. to account for a center left turn lane southwest of Auto Park Way and a dedicated left turn lane onto Eden Valley Ln. The Project will also pay into the County's TIF program and restripe the Auto Parkway/Country Club Dr. intersection. The Project will also widen Country Club Drive to Harmony Grove Road to provide a left turn lane. The DEIR also states that the Project will mitigate its impacts by paying its fair share toward the Citracado Parkway Extension. Because the City of Escondido is a lead agency under CEQA for impacts within their jurisdiction; it is Escondido, and not the County, that has responsibility for approval/assurance of implementation of those improvements. As a result, the County cannot guarantee ultimate implementation or timing of City of Escondido-approved mitigation. Therefore, some mitigation measures are not currently feasible and the Project will have a significant unmitigable impact on the City of Escondido and possibly the County's traffic. (Subchapter 2.2 pg 2.2-26) I13-8 This unmitigable significant impact is underestimated because, the DEIR's build-out analysis is incorrect because it assumes that the extension of Citracado Parkway will alleviate the impacts on Harmony Grove Road. According to the DEIR, the Citracado Extension Project "was assumed to be completed in the buildout condition." (Exhibit D pg 53). However, the City has no plan to construct the Citracado Parkway Extension Project at this time, and does not have a financing plan to fund this improvement in the future. There is no currently adopted schedule for the construction of the extension nor any published schedule. Therefore, the DEIR analysis of the impacts of the project in the build-out stage is incorrect and misleading. In summary, the DEIR is insufficient because it does not adequately analyze the Project's impacts on fire safety and traffic. The DEIR assumes that the Project's access variance will be granted, that Escondido will approve the required traffic mitigations, and that Escondido will fund the completion of the Citracado Extension prior to build-out of the project. Without an adequate analysis of the Project's impacts if the access variance is not granted, and without an analysis of the Project's impacts if Escondido does not approve and fund the required traffic improvements; the DEIR fails to accurately analyze and disclose the Project's impacts on the environment and community. I13-9 Sincerely, DAVID W. FERGUSON	**Response to Comment I13-9** The County disagrees that the EIR is insufficient. Please refer to Responses to Comment I13-2 through I13-8 for discussion of how the EIR and its technical reports adequately analyzed the Project's impacts on fire safety and evacuation as well as traffic.

COMMENTS	RESPONSES

Comment Letter I14

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. I've lived in Harmony Grove – Canteridge Community for over a year now and moved here because of the rural country feel large lots, and close knit community not to mention the safety for my family. I14-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I14-2 I14-3

Response to Comment I14-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I14-2

Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I14-3

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

COMMENTS	RESPONSES

Comment Letter I14

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I14-4

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I am concerned with crime as well and the more housing that goes up the more chance we fall victims to crime. I14-5

Please do not approve this project. Our lives depend on it and our way of life too. I14-6

Signed,

concerned resident

Erin Gottlieb

2681 Overlook Point Dr.

Escondido, CA 92029

Response to Comment I14-4

The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

Response to Comment I14-5

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7.

The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7:

> *...the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The*

COMMENTS	RESPONSES
	County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant. Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment. **Response to Comment I14-6** The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. No additional response is required.

COMMENTS	RESPONSES

Comment Letter I15

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association where, until the most recent fires, the oldest church in San Diego stood. I've lived in Harmony Grove for 6 years and have hiked/mountainbiked/ridden horseback/etc here for over 25years. My wife and I moved here because of the rural nature and spread-out design of housing and open space in the area. I15-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little area I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I15-2 I15-3

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire I15-4

Response to Comment I15-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I15-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I15-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I15-4
The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid because the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

COMMENTS	RESPONSES

Comment Letter I15

once a decade that have cost property damage and even fatalities. I15-4

WATER QUALITY: There is a proposal in this development to 'potentially' build a plane for HGVS. This seems fairly transparent as they mention many times that they would like to tie into the HGV project plant which, when approved years ago, was agreed that no future developments could tie into it. During the last rains the HGV plant failed so tragically that there was raw-sewage and toilet paper flowing in great volume down Harmony Grove Road. The current plant in the City of Escondido was leaking so much raw sewage for decades that it made San Elijo Lagoon in Encinitas the #2 polluter of CA coastline for MANY years. #2! That means our ocean water quality was worse than the harbor in LA or Long Beach because of a failing plant in Escondido! Now another plant is proposed for a ~450 home development and it's effluents treated or not would enter the creek near the already mis-functioning and poorly managed HGV plant? Not acceptable in any way. I15-5

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I15-6

Please do not approve this project. Our lives depend on it and our way of life too. I15-7

Eric Neubauer
Automotive Technology
Wood Technology
Engineering

Torrey Pines High School
eric.neubauer@sduhsd.net

MiraCosta College
eneubauer@miracosta.edu

www.ericneubauer.com

Response to Comment I15-5

The Project's water reclamation facility is described in Chapter 1.0, *Project Description*, of the EIR. The water reclamation facility is subject to Waste Discharge Requirement (WDR) permits by the Regional Water Quality Control Board (RWQCB) similar to the WDR requirements for the existing Harmony Grove Village water reclamation plant. Water reclamation facilities are subject to monitoring and reporting program requirements which are intended to ensure the reliability of the operation and maintenance of these facilities and to protect the water quality of receiving waters. It is noted that certain significant storm events may occasionally exceed the capacity of water treatment facilities resulting in occasional overflows of effluent into receiving waters. These occasions are extremely rare, particularly in San Diego County. Project-related water quality was evaluated in FEIR Section 3.1.4, *Hydrology/Water Quality*, and all issues were identified as less than significant based on technical data provided in EIR technical appendices M-1, *the CEQA Preliminary Hydrology/Drainage Study*, M-4, *the Hydraulic (Floodplain) Analyses for HGV South*, and N, *the Priority Development Project Storm Water Quality Management Plan*.

Response to Comment I15-6

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I15-7

The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. No additional response is required.

COMMENTS	RESPONSES

Comment Letter I16

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association in 1896. I've lived in Harmony Grove for 4 years and moved here because of the rural community, open space, equestrian environment, large lots, and close knit community. I16-1

I'm very concerned about this proposal to change the General Plan which many of us spent countless hours negotiating in good faith for several important reasons:

COMMUNITY CHARACTER: This project is completely out of place with the character and nature of our community. It offers condos and multi-story dwellings in an area surround by preserved open space, rare habitat, horse ranches, estate residences and semi-rural residential environments. Surely our decision makers can't envision that a remote development of condos directly adjacent to thousands of acres of protected open space and farmland is consistent with the policies of the General Plan? This project will destroy the character and nature of the last of the few special places in San Diego County that all citizens can enjoy. I16-2

DECREASED SAFETY AND INCREASED FIRE RISK [PICK AND CHOOSE AND ADD YOUR OWN PERSONAL EXPERIENCE WITH EVACUATIONS, TRAFFIC AND OTHER IMPACTS]:

In the DEIR, the Fire Protection Plan waives a key requirement intended to protect the safety of both existing and new residents. The most egregious of these is a waiver of the 800 foot minimum dead end road requirement (503.1.3). The only mitigation acceptable for exceeding this requirement is providing secondary access (503.1.2). The FPP waives both these requirements and fails to demonstrate appropriate mitigation to avoid putting lives in danger. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area. The entire population at risk in case of wildfire includes all of Eden Valley, Harmony Grove, Elfin Forest but also Cielo residents who may be unable to access Harmony Grove Road from Via Ambiente in case of sudden mass evacuation like those we have experienced in the past. The EIR needs to evaluate and disclose impacts to the entire region, not just the 1400 feet of improved road contemplated in the EIR. I16-3

The existing road infrastructure is not appropriate for this density level, neither for traffic conditions

Response to Comment I16-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I16-2

The Proposed Project would expand the Harmony Grove Village (HGV) village in a manner that is consistent with the community character of HGV and the surrounding areas. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I16-3

When the strict application of the requirements set forth in Section 503.1.3, is impracticable, the Fire Code Official may grant a modification from such requirements. A modification may be granted pursuant to Fire Code Section 96.1.104.8. (MODIFICATIONS) when the modification is in compliance with the intent and purpose of the Fire Code and such modification does not lessen health, life, and fire safety requirements. The Project is requesting a modification from Section 503.1.3 of the Consolidated County Fire Code (Fire Code) with respect to dead-end road lengths, because the topographical, geological, and environmental condition of the site, make compliance with this standard infeasible. The Fire Protection Plan (FPP) that describes the modification has been accepted by the Rancho Santa Fe Fire Protection District (RSFFPD), the Fire Authority Having Jurisdiction (FAHJ).

With respect to secondary access, the ability of the Project to provide a secondary access route was considered infeasible, as described in the FPP. (Secondary access is the typical mitigation for exceeding the dead-end road length, but is not required as stated in the comment.) Since secondary access was determined as not being feasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the Fire Code through the implementation of a list of specifically developed measures and features as described in the FPP.

COMMENTS	RESPONSES
	The commenter is correct in that secondary access route is a typical mitigation for exceeding the dead-end road length. However, it is not a requirement per se for development projects. The Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the Fire Code requirements. One of the most significant measures is construction of roads on site that include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation and would occur throughout the Project, and would include Country Club Road from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. This enhanced road capability would be supplemented by a complete system of fire protection that includes a redundant layering of measures designed to keep roadways open and passable, and reduce the possibility that wildfire threatens the Project. The primary Project access for Harmony Grove Village South (HGV South) would be via a widened Country Club Drive that provides three travel lanes. This includes a three-lane-wide bridge constructed over Escondido Creek that also includes separated horse and pedestrian pathways. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The commenter asserts that the EIR fails to account for cumulative emergency traffic from the residents of HGV with respect to County Club Drive being used for evacuation. In some fire emergencies, likely excluding shorter notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely utilize Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South were evacuating simultaneously, emergency managers (Office of Emergency Services, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic

COMMENTS	RESPONSES
	surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including legacy residents that do not have the same level of protection.

Comment Letter I16

nor in case of evacuation. The Project is only proposing to improve 1400 feet of Country Club Drive to the intersection with Harmony Grove Road; yet the project impact will result in unmitigated traffic and safety impacts on many more roads including Country Club Drive north of Harmony Grove Road, Kuana Loa, and Elfin Forest Road including all the way to San Elijo where evacuating traffic was stuck for almost 2 hours in the last emergency evacuation. The project risks compromising the evacuation of the entire communities of Harmony Grove, Eden Valley, Elfin Forest, Cielo and even San Elijo Hills by clogging evacuation routes.The DEIR needs to evaluate and disclose impacts on the entire regional road infrastructure.

The Wildfire Emergency Plan included with the DEIR states that Country Club Drive is the only safe evacuation route, because Harmony Grove Road East and West could be compromised by wildfire. Yet the DEIR does not calculate how long it will take not only the project traffic, but existing residents to get to safety all the way to Auto Parkway. This information needs to be provided, and a simulation of evacuation needs to be modeled, to fully disclose the real risk to the current residents.

According to numerous studies including the latest from the National Park Service and the Department of Interior, human activity causes 90% of the fires. Introducing upwards of 453 houses and as many as 1500 new people, in an area previously zoned for 25 under the General Plan greatly increases the overall fire risk to the surrounding residents. This is indisputable.

I16-3

The project has a supposedly Shelter-in-Place "philosophy," (but not official status as stated in the DEIR, as this would have stricter requirements) but what about the rest of us who will be trapped on dead end roads with no secondary egress behind 1,500additional cars? Will the developer make our homes shelter-in-place too? Many of our homes were built before 1980. mine is from 1950. And more than 20 houses burned only 3 years ago in the same exact area they are proposing 453 homes. The EIR should evaluate proper mitigation measures such as providing the same structure hardening mitigation measures as inside the project to all the existing structures their project will endanger; this could include installing fire sprinklers, replacing roofs, installing double glazed windows, cement board siding and appropriate roof vents, for example, to all those homes trapped behind the project entrance. The applicant should bear the cost of these hardening mitigation measures since they will be causing entrapment of current residents.

The granting of an exception to the Fire Code to waive secondary access requirement worries me the most. There are good reasons for the Fire Code requiring a secondary egress, especially in this Very High Fire Risk area.

It is also extremely disturbing to read in the DEIR that the developer is claiming the project will help fund a financial shortfall for the HGV Fire Station, especially in conjunction with asking the County to grant exceptions to the Fire Code. This smacks of conflict of interest.

I16-4

BROKEN PROMISES: our community worked cooperatively and in good faith with County staff during the GP update process to maintain our community's rural character, as demonstrated by the compromise on Harmony Grove Village, based on the agreement that this more than doubling of our density would be our fair share of population growth; the rest of our community was downzoned to reflect that agreement. Now, only 5 years after the General Plan was approved, developers are seeking to set aside this negotiation and plop another 453 houses into our community after we had already agreed to 742 in HGV. There are numerous references to this negotiation and compromise throughout county planning documents, video from BOS meetings and there are many folks, including former County staff, current and former board of supervisors that would attest to it.

Response to Comment I16-4

The County acknowledges these comments; however, they do not raise an issue concerning the substantive environmental analysis within the EIR. Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Comment Letter I16

Furthermore, this agreement is encoded and spelled out in the Community Plan (and thus the SD General Plan), though the developer seeks to erase these very referencesin their proposed amendment to our community plan (without our input, naturally). Approval of this project would constitute a breach of public trust, and discourage communities throughout the county from ever trusting our County officials. I16-4

NO JUSTIFICATION FOR A GPA: The requirement for considering a General Plan Amendment is "any change requiring a GPA "should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare." This project would definitely be detrimental to public health and safety in that it will result in entrapment of current residents in case of evacuation; further, it brings no "public interest" that we can discern since there apparently is low publicappetite and demand for the dense housing across the street in Harmony Grove Village. If that development is way behind its sales projections, as it is, what is the public interest in granting an amendment to a carefully constructed General plan to allow yet more density? I16-5

TRAFFIC: In addition to plopping condos in the middle of protected open space and equestrian properties, this project will generate 4500 average daily trips exiting Country Club Drive from the south onto Harmony Grove Road and Country Club Drive going north. These are two lane roads that are already operating at congestion levels which will get worse as HGV is built out. I16-6

IN SUMMARY: This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire, the analysis of which is woefully inadequate. The County should also preemptively refuse to take any monies for the HGV firestation from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I16-7

It is important to note that we are not knee-jerk NIMBYs. We have gone through this exercise already and have compromised by accepting our fair share of growth in HGV. Please don't make us regret having made that compromise. I16-8

Sincerely,

Angelique Hartman

2848 country club dr

Harmony Grove, CA

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Response to Comment I16-5

The EIR did not identify significant impacts related to public health, safety, and welfare. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, regarding fire safety and evacuation issues. Comments related to "public interest" concerning the Proposed Project and the sales of the existing HGV development do not raise environmental issues and therefore no further response is warranted.

Response to Comment I16-6

The southernmost portion of the Project site is bordered by Del Dios Highlands Preserve, to the east and west are equestrian (and non-equestrian) residential uses, the Harmony Grove Spiritualist Society is also located to the west, and the HGV residential development site is located to the north. None of the Project site is currently within "protected open space." Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Country Club Drive and Harmony Grove Road currently operate at an acceptable level of service (LOS) under County guidelines, LOS D. As concluded in Subchapter 2.2, *Traffic/Transportation*, of EIR, the Project would not result in significant, unmitigated impacts to Country Club Drive or Harmony Grove Road. As part of the Project design and mitigation, Country Club Drive would be expanded to three lanes, more consistent with the portion of Country Club Drive north of Harmony Grove Road and with the portion of Harmony Grove Road trending west. Please refer to Subchapter 2.2, *Traffic/Transportation*, Section 2.2.7, *Conclusion*, of the EIR which presents the rationales for the conclusions of impact levels resulting after implementation of the Project and the proposed mitigation measures.

Response to Comment I16-7

Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The analysis of health and safety in case of wildfire has been adequately addressed and recirculation is not required. The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. The payment would support adequate fire services for the Project (and, it is assumed, surrounding neighbors).

	Response to Comment I16-8 The County acknowledges the comment, and it will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. This comment does not address the environmental analysis or the adequacy of the EIR, and no additional response is required.

COMMENTS	RESPONSES

Comment Letter I17

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

To Whom It May Concern,

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I've lived in the community of Harmony Grove since 2001 in a home less than a half-mile from the Harmony Grove Spiritualist Association that was destroyed in the 2014 Cocos Fire. I'm deeply troubled that the County's draft Environmental Impact Report negligently list the risk of wildfire, as detailed in Hazards and Hazardous Materials (Section 3.1.4), as an effect found not significant as part of the EIR process. I17-1

The hazard of wildfire should be considered a very significant effect of the proposed project since the Fire Protection Plan (FPP) prepared by Dudek (2016) requires being granted an exception to the 2017 San Diego County Consolidated Fire Code in an area deemed "Very High Fire Hazard Severity Zone".

HGVS would require a waiver of the 800 foot maximum dead end road requirement (503.1.3). The only mitigation acceptable for exceeding this requirement is providing secondary access (503.1.2). The Fire Protection Plan (FPP) misleadingly states that, "The dead-end road that leads to the most distant structure on HGVS measures approximately 0.8 miles to the intersection of Harmony Grove and Country Club Drive, the first opportunity to travel in at least two separate directions." This disregards all of the existing residents that live as far as 1.05 miles (or 7 times what the fire code states is safe with the rezoning being requested by the developer) from that same intersection. I17-2

The FPP fails to demonstrate appropriate mitigation to avoid putting existing residents in danger of burning to death in their cars, trapped behind a line of cars from HGV and HGVS, as well as possibly the existing residents of Elfin Forest and Eden Valley depending on the direction of a fast moving wildfire. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area, but particularly not when the Wildfire Risk Assesment (Rhode & Associates, 2016) included in the DEIR so inadequately addresses how the lack of secondary egress is being mitigated. As states by Rhodes & Associates: I17-3

Response to Comment I17-1

Introductory comments noted. The Harmony Grove Village South (HGV South) Project is not identified as resulting in a clear and significant risk to the lives and safety of existing residents. The Project has undergone thorough review on a project-specific basis. Based on assessment of the relative design features, as well as the required mitigation measures, no significant health and safety risks were identified. Please see responses below to specific comments.

It is acknowledged that the Project is within a Very High Fire Hazard Severity Zone (VHFHSZ) and that fact is referenced in the Project's Fire Protection Plan (FPP) (DUDEK 2016). Based on its location in a VHFHSZ, the Project is required to provide for a level of planning, ignition-resistant construction, access, water availability, fuel modification, and construction materials and methods that have been developed specifically to allow safe development within these areas. The Project meets and exceeds these requirements.

The Project requested a modification to the dead-end road length requirement and provided alternative fire safety features that meet the intent and purpose of the 2017 San Diego County Consolidated Fire Code (Code). This is consistent with the Code, and does not constitute an "exception" to the Code. Please see Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I17-2

The comment seems to indicate misreading of the cited text. It is correct that "the most distant structure on HGVS [sic, HGV South in the EIR] measures approximately 0.8 mile…" The dead-end road lengths analysis applies only to the Project. Off-site existing uses are not addressed under the code. Please see Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I17-3

Please see Response to Comment I17-1 and Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I17 Concern had been expressed that only one route was proposed for access/egress to the proposed development site rather than the code required construction of two, and that a variance would be requested/required for the project to move forward. In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800 foot single access road was acceptable. I17-3 This is an unacceptable lack of explanation to address the concerns of existing residents as to why the Fire Code should be ignored. The EIR needs to evaluate and disclose impacts to the entire region, not just the 1400 feet of improved road contemplated in the DEIR. The existing road infrastructure is not appropriate for evacuation with an increase in population from HGVS. The Project is only proposing to improve 1400 feet of Country Club Drive to the intersection with Harmony Grove Road; yet the project impact will result in unmitigated traffic and safety impacts on many more roads including Country Club Drive north of Harmony Grove Road, Kuana Loa, and Elfin Forest Road including all the way to San Elijo where evacuating traffic was stuck for almost 2 hours in the last emergency evacuation. The project risks compromising the evacuation of the entire communities of Harmony Grove, Eden Valley, Elfin Forest, Cielo and even San Elijo Hills by clogging evacuation routes. The DEIR needs to evaluate and disclose impacts on the entire regional road infrastructure. I17-4 The developer and the County must know that the FPP for the proposed development does not adequately mitigate the wildfire risk with the minor road improvements to a short span of road, otherwise they would not put forth a Shelter-in-Place "philosophy," (but not official status as stated in the DEIR, as this would have stricter requirements). I17-5 It's easy to propose a shelter in place concept when you're not the one whose loved ones are being put in danger. Signed, Erin Dummer 2966 Cordrey Drive Escondido CA 92029	**Response to Comment I17-4** These comments are noted regarding the Cocos Fire and preference for zero tolerance on granting exceptions and exemptions. The Project is consistent with the Fire Code. Please see Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I17-5** The County respectfully disagrees with the stated comments. The Project is not a shelter-in-place development. Please see Global Responses to Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I18 **From:** JP Theberge **To:** Smith, Ashley; Aghassi, Sarah; Horn, Bill; Bon-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; marsenault@realcapitalsolutions.com **Subject:** RCS Partners" HGV South Threatens to Destroy a Historic Rural Community - DEIR Comment **Date:** Tuesday, June 20, 2017 3:59:29 PM REFERENCE: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-08-006.) Hello Ashley and fellow County planners: We know you guys have a tough task ahead of you. We appreciate all your hard work. By now, you should have received comments from a variety of folks in our community. Our Town Council letter will be forthcoming which I was involved in writing. I echo everything that the Town Council, San Dieguito Planning Group and most of the resident comments have already said. This community is a special place and is the oldest community in North County. The proposed project threatens to destroy our way of life, hasten the destruction of biological and recreational resources and halt the progress we have made in preserving thousands of acres of open space–one of the last communities like it in Southern California. It is a shame that this community, who ironically already accepted one development in order to protect us from future projects. I will simply say that we, as a community, chose to downzone our own properties, forsaking future profit potential AND then agreed to the building of one development (HGV) in order to compromise with the County who assured us that this would maintain our rural character and our rural voice. Under no objective measure is this project in keeping with what the general plan, the community plan and our own compact with the decision makers to take our fair share of growth. We are not NIMBYs. We downzoned ourselves and supported a large development project in our midst with HGV. It would be wrong and indefensible to place 453 multistory, condos in our rural valley, especially after all the hard work that went into the compromise in our community plan. This would be a huge breach of public trust. Please re-analyze this document taking into account how this will affect our valley and they fact that we've already given at the office, so to speak. Thanks and talk soon. -JP Theberge Vice-Chair, EFHG Town Council Logo JP Theberge · President · Director of Insights Cultural Edge Consulting, Inc. · San Diego, CA O 760.476.0050 · M 619.884.2694 Website · Facebook · Twitter · LinkedIn *For frequently updated articles and tweets relevant to the multicultural and Hispanic space, follow us on Twitter.* I18-1	**Response to Comment I18-1** The County acknowledges the comment and opposition to the Project. Please see Global Response to Project Consistency with General Plan Policy LU-1.4.

COMMENTS	RESPONSES

Comment Letter I19

From: Neubauer, Julie
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; Elfin Forest Harmony Grove Town Council; marsenault@realcapitalsolutions.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)
Date: Tuesday, June 20, 2017 9:41:09 PM

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association where, until the most recent fires, the oldest church in San Diego stood. I've lived in Harmony Grove for 6 years and have hiked/mountainbiked/ridden horseback/etc here for over 25years. My wife and I moved here because of the rural nature and spread-out design of housing and open space in the area. I19-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little area I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And I19-2 I19-3

Response to Comment I19-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I19-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I19-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I19 studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I19-3 Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I19-4 WATER QUALITY: There is a proposal in this development to 'potentially' build a plane for HGVS. This seems fairly transparent as they mention many times that they would like to tie into the HGV project plant which, when approved years ago, was agreed that no future developments could tie into it. During the last rains the HGV plant failed so tragically that there was raw-sewage and toilet paper flowing in great volume down Harmony Grove Road. The current plant in the City of Escondido was leaking so much raw sewage for decades that it made San Elijo Lagoon in Encinitas the #2 polluter of CA coastline for MANY years. #2! That means our ocean water quality was worse than the harbor in LA or Long Beach because of a failing plant in Escondido! Now another plant is proposed for a ~450 home development and it's effluents treated or not would enter the creek near the already mis-functioning and poorly managed HGV plant? Not acceptable in any way. I19-5 COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I19-6 Please do not approve this project. Our lives depend on it and our way of life too. I19-7 Julie Neubauer Torrey Pines High School World History **Torrey Pines High School** julie.neubauer@sduhsd.net	**Response to Comment I19-4** The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information. **Response to Comment I19-5** The Project's water reclamation facility would be state-of-the-art, as described in Chapter 1.0, *Project Description*, of the EIR. The water reclamation facility is subject to Waste Discharge Requirement (WDR) permits by the Regional Water Quality Control Board (RWQCB) similar to the WDR requirements for the existing Harmony Grove Village water reclamation plant. Water reclamation facilities are subject to monitoring and reporting program requirements, which are intended to ensure the reliability of the operation and maintenance of these facilities and to protect the water quality of receiving waters. It is noted that certain significant storm events may occasionally exceed the capacity of water treatment facilities resulting in occasional overflows of effluent into receiving waters. These occasions are extremely rare, particularly in San Diego County. Project-related water quality was evaluated in FEIR Section 3.1.4, *Hydrology/Water Quality*, and all issues were identified as less than significant based on technical data provided in EIR technical appendices M-1, *the CEQA Preliminary Hydrology/Drainage Study*, M-4, *the Hydraulic (Floodplain) Analyses for HGV South*, and N, *the Priority Development Project Storm Water Quality Management Plan*.

Response to Comment I19-6

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7.

The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7:

> *…the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant.*

Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment.

Elfin Forest Lane was not identified as carrying Project traffic as it is almost 3 miles westerly of the Project (as the bird flies) and, per County guidelines, would not carry the amount of project trips warranting LOS analysis.

COMMENTS	RESPONSES
	Response to Comment I19-7 The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I20

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

June 20, 2017

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15- 002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms.
Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the development known as Citracado Estates since 1988. I moved here for the larger lot sizes that allow for space between neighbors and the absence of a HOA. I20-1

I have witnessed fire visible from my lot or Country Club Rd three times in 29 years. The last incident was the Coco's fire which suddenly shifted towards my house with a change in the wind direction. We were prepared and evacuated immediately. I am thankful the Fire Department was already on scene to protect the exit roads and property

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks everyone's safety in this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. I20-2

They claim Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. Even if the new buildings are designed for Shelter in Place, people make changes, upgrades, modifications to the properties over time. I believe that the recent fire at Grenfell Towers in London, England will be shown to be a sad example of a modification that destroyed the original design for fire safety. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I20-3

Additionally, please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I20-4

Please do not approve this project. Our lives depend on it. I20-5

Signed,

Justine Hennessy

2442 Live Oak Rd

Escondido, CA 92029

Response to Comment I20-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I20-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I20-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I20-4
The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan or EIR was revised to include this information.

Response to Comment I20-5
The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I21

From: Steve Walsh 1
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; efhgtc@gmail.com; marsenault@realcapitalsolutions.com
Subject: Harmony Grove Village South Draft Environmental Impact Report
Date: Tuesday, June 20, 2017 4:35:01 PM

Dear San Diego County Government Officials & Real Capital Solutions et al:

I am Steve Walsh, of 3052 Hill Valley Dr. in the Eden Valley area, having lived here for the last 19 years. I want to add one more piece of information the vast amount of material already submitted by many of my neighbors in this rural area, virtually all of whom are opposed to further development outside the scope of the presently existing density overlay for our area. I21-1

Three years ago during the Cocos fire when I evacuated from my house after the wind changed direction and sent the fire through the avocado grove straight toward our houses on the far west end of Hill Valley Dr., it took me more than 20 minutes to travel less than 1/4 mile from the beginning of the pavement to the intersection of Hill Valley Dr. & Country Club Dr. This was before any homes in the currently under construction Harmony Grove Village was occupied. What the evacuation situation will be like after HGV is fully built out I have no idea. I21-2

For God's Sake Don't Add Still Another High Density Development To These Rural Country Roads! It's Not Safe!

Just imagine how you would react to these new high-density development proposals if you lived in this area, and act accordingly. I21-3

Respectfully submitted,
Steve Walsh
3052 Hill Valley Drive
Escondido, CA 92029

Response to Comment I21-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I21-2

The comment is noted, but the concern stated is about Harmony Grove Village, which is not the Proposed Project. Regarding the Project, please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation Access.

Response to Comment I21-3

The County acknowledges the comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I22

June 20, 2017

Ms Ashley Smith
Land Use & Environmental Planner
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms Smith,

Thank you for the opportunity to provide comments on Harmony Grove Village South proposal put forth by the Kovach Group and RCS Partners.

I'm a resident of a rural community east of the proposed project site, and sole owner of parcel 235-032-64-00 @ 2395 Johnston Road, Escondido, CA 92029. I22-1

I would like to bring your attention to a couple critical and serious short comings of the project.

Fire Protection Plan
Access and Roads – Availability of Alternate Evacuation Route, pg 38 of DEIR
The term 'road' is a misrepresentation of the fact that it is actually a dirt trail. In its current state, it is very hazardous to drive on it. Due to recent rain, there are several ruts from the soil being washed away. In addition, several sections of the dirt trail have disappeared due to overgrown brush. One side of the dirt trail has a steep upslope while the other side has a steep downslope. The driver of any vehicle will not be able to discern the edge of the trail due to overgrown brush – which will most likely cause the vehicle to go over the edge and roll down the steep slope. I22-2

I regularly run/hike on the easement trail. The vegetation on both sides of the trail is prime wild fire fuel, and could very easily trap people evacuating in their vehicles. This would result in a similar situation as the recent fire in Portugal where fleeing residents were trapped and burned in their vehicles.

This trail intersects my private driveway, and if the trail is clogged with vehicles during evacuation then my family and I will be trapped in our home and would not be able to evacuate. So, the statement that 'this road would be available for use to connect to I22-3

Response to Comment I22-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I22-2
Your comment regarding Johnston Road's current condition is noted. The condition of the road was evaluated by the County, Rancho Santa Fe Fire Protection District (RSFFPD), the Project's Fire Consultants, and independent fire pre-planning consultants for its potential to be used as secondary access. The result of that analysis indicated that even if access easements could be obtained, improvements to Johnston Road would result in a useable access way that would not strictly conform to the Fire Code, and a modification to the County's roadway standards would need to be granted.

Response to Comment I22-3
Please refer to Response to Comment I22-2 for discussion on Johnston Road. The comments regarding the inability to evacuate are speculative with no basis for the conclusions provided in the comment. In addition, these comments do not address the environmental analysis or adequacy of the EIR and therefore a response is not required.

COMMENTS	RESPONSES

Comment Letter I22

Johnston Road in an emergency situation should Country Club Drive not be available' – puts my family and myself at tremendous risk of being trapped and not able to evacuate. I22-3

The connector road to Johnston Road is narrow and not able to handle two-way traffic. If the evacuating vehicles clog up the connector, then the fire truck would not be able to access my house. I22-4

In addition, there are several residents already living on Johnston Road and its secondary roads. The DEIR does not show any analysis of impact on Johnston Road due to the proposed project – in an emergency situation.

I have included 5 pictures showing the easement trail in its current condition. I22-5

Appendix C. Alternative Secondary Access Analysis
Page 83 Alternative 4.
[1] 'Alternative 4 traverses an existing easement road'. The easement as recorded is for specific parcels only.
[2] '……..leads to a roadway that has an IOD'. Please provide the document which states that the roadway has an IOD.
[3] '….road is currently passable by vehicle'. As mentioned above and shown in the pictures, it is very hazardous to drive on the easement trail, and more so during an emergency evacuation situation.
[4] Page 84 states that private property owners have been contacted about easement rights. However, I have not been approached regarding this issue. I22-6

Thank you for taking the time to address my concerns.

Sincerely,
Kulbinder Bains
2395 Johnston Road,
Escondido, CA 92029

Response to Comment I22-4

Please refer to Response to Comment I22-2 for discussion on Johnston Road. The Project does not propose using Johnston Road for wildfire emergency evacuation, although emergency personnel will direct travel as required during emergency events.

Response to Comment I22-5

The inclusion of five photos along Johnston Road is noted.

Response to Comment I22-6

The following responses are provided pertaining to Appendix C of the Project's Fire Protection Plan (FPP):

1) This comment is not in variance with the EIR as the information provided in the FPP indicates the road is an easement road. The comment further clarifies the type of easement.
2) The existence of three Irrevocable Offer of Dedication (IOD) instruments on this roadway was determined by Project engineers as part of a records survey. The documents addressing these IODs have been entered into the record as document numbers 0606673, 138329, and 0013412 and are incorporated herein by reference.
3) Please refer to Response to Comment I22-2 for information about Johnston Road.
4) It is acknowledged that the commenter was not contacted. It is reiterated that only some property owners along Johnston Road were informally contacted about easement rights. Based on resident opposition and statement made to the Project Applicant regarding the possibility of gaining access easements, it was determined that property owners would not be willing to grant easement rights.

COMMENTS	RESPONSES
Comment Letter I22  Picture 1 : Looking West. Private Drive and Easement Trail to connector to Johnston Road  Picture 2 : Looking East, where Easement trail joins Private Drive	

COMMENTS	RESPONSES
Comment Letter I22  Picture 3: Looking North. Trail disappears in brush.  Picture 4: Looking North. Row of sand bags to prevent soil erosion. Trail disappears in brush. Trail is about 14' wide at location of the stake.	

COMMENTS	RESPONSES
Comment Letter I22  Picture 5: Looking North and East. Sharp right hand turn. Very difficult to determine left edge of the trail.	

COMMENTS	RESPONSES

Comment Letter I23

From: Marilyn Kozlow
To: MJK Biz
Cc: Smith, Ashley; Ashassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; elfnstr@gmail.com; marsenault@realcapitalsolutions.com
Subject: Against Harmony Grove Village South Development
Date: Tuesday, June 20, 2017 11:23:54 AM

Concerning Proposed Harmony Grove Village South

June 20, 2017

Dear Sir or Madam:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association.

I've lived in Harmony Grove for four years and moved here because I am a resident of Harmony Grove Spiritualist Association. I was one of two out of 30 residents whose house survived the 2014 Cocos Fire. We are surrounded by the Escondido Creek on the west, by hills on the south end, by the new Harmony Grove Village on the north end, and the proposed development area on the east. I am committed to the protection of the Harmony Grove rural character, which is defined in part by maintaining the natural, surrounding landscape. I23-1

Harmony Grove Spiritualist Association is part of a network of natural land that supports mountain lions, coyotes, bobcats, deer, and dozens of bird species, including nesting blue birds, great blue herons, acorn woodpeckers, American robins, mallard ducks, and many more.

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I23-2

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analyze the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to I23-3 I23-4

Response to Comment I23-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I23-2

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I23-3

Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I23-4

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

COMMENTS	RESPONSES
Comment Letter I23 the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I23-4 Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I23-5 Please do not approve this project. Our lives depend on it and our way of life too. I23-6 Signed, Marilyn Johnson-Kozlow, Concerned Resident	**Response to Comment I23-5** The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information. **Response to Comment I23-6** The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. No additional response is required.

COMMENTS	RESPONSES

Comment Letter I24

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association in 1896. I've lived in Elfin Forest for 34 years and moved here because I wanted to live in a quiet rural area on a large piece of land. I24-1

I'm very concerned about this proposal to change the General Plan which many of us spent countless hours negotiating in good faith for several important reasons:

COMMUNITY CHARACTER: This project is completely out of place with the character and nature of our community. It offers condos and multi-story dwellings in an area surround by preserved open space, rare habitat, horse ranches, estate residences and semi-rural residential environments. Surely our decision makers can't envision that a remote development of condos directly adjacent to thousands of acres of protected open space and farmland is consistent with the policies of the General Plan? This project will destroy the character and nature of the last of the few special places in San Diego County that all citizens can enjoy. **For all the hours that our planning group and others invested into setting up a general plan for our area, I feel it is a slap in the face to ignore this plan. Do you ever wonder why your constituents are distrusting you and our government? You never seem to keep your promises. I do not have a problem with development in our area, but there is no reason they cannot follow the plan we have in place.** I24-2

DECREASED SAFETY AND INCREASED FIRE RISK In the DEIR, the Fire Protection Plan waives a key requirement intended to protect the safety of both existing and new residents. The most egregious of these is a waiver of the 800 foot minimum dead end road requirement (503.1.3). The only mitigation acceptable for exceeding this requirement is providing secondary access (503.1.2). The FPP waives both these requirements and fails to demonstrate appropriate mitigation to avoid putting lives in danger. There should be zero tolerance for granting exceptions and exemptions to the California Fire Code in a Very High Risk Fire Area. The entire population at risk in case of wildfire includes all of Eden Valley, Harmony Grove, Elfin Forest but also Cielo residents who may be unable to access Harmony Grove Road from Via Ambiente in case of sudden mass evacuation like those we have experienced in the past. The EIR needs to evaluate and disclose impacts to the entire region, not just the 1400 feet of improved road contemplated in the EIR. I24-3

Response to Comment I24-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I24-2

The Proposed Project would expand the Harmony Grove Village (HGV) village in a manner that is consistent with the community character of HGV and the surrounding areas. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I24-3

When the strict application of the requirements set forth in Section 503.1.3 is impracticable, the Fire Code Official may grant a modification from such requirements. A modification may be granted pursuant to Fire Code Section 96.1.104.8. (MODIFICATIONS) when the modification is in compliance with the intent and purpose of the code and such modification does not lessen health, life, and fire safety requirements. The Project is requesting a modification from Section 503.1.3 of the Consolidated County Fire Code (Code) with respect to dead-end road lengths because the topographical, geological, and environmental condition of the site, make compliance with this standard infeasible. The Fire Protection Plan (FPP) that describes the modification has been accepted by the Rancho Santa Fe Fire Protection District (RSFFPD), the Fire Authority Having Jurisdiction.

With respect to secondary access, the ability of the Project to provide a secondary access route was considered infeasible, as described in the FPP. (Secondary access is the typical mitigation for exceeding the dead end road length, but is not required as stated in the comment.) Since secondary access was determined as not being feasible, the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions, or other factors was evaluated. The Project developed an alternative approach for secondary access that meets the intent of the Code through the implementation of a list of specifically developed measures and features as described in the FPP.

COMMENTS	RESPONSES
Comment Letter I24 The existing road infrastructure is not appropriate for this density level, neither for traffic conditions nor in case of evacuation. The Project is only proposing to improve 1400 feet of Country Club Drive to the intersection with Harmony Grove Road; yet the project impact will result in unmitigated traffic and safety impacts on many more roads including Country Club Drive north of Harmony Grove Road, Kuana Loa, and Elfin Forest Road including all the way to San Elijo where evacuating traffic was stuck for almost 2 hours in the last emergency evacuation. The project risks compromising the evacuation of the entire communities of Harmony Grove, Eden Valley, Elfin Forest, Cielo and even San Elijo Hills by clogging evacuation routes.The DEIR needs to evaluate and disclose impacts on the entire regional road infrastructure. **In the 34 years that I have lived here I have evacuated due to fire threats at least 5 times. The traffic has increased substantially since I have been here and the evacuations are, in my opinion, unsafe due to the amount of residents in the surrounding communities. The traffic plan for all of the projects out there: Harmony Grove Village, Valiano and now Harmony Grove South, (and let us not forget the next project that will be south of Harmony Grove South), will add an enormous amount of traffic to our roads. As a former member of the San Dieguito Planning Group, I understand that each dwelling unit is assessed with 10 daily traffic trips, for traffic considerations. If all of the developments are completed, we could experience 18,000 ADTs (1800 combined units for all 4 developments), NOT including any businesses that are built there (50 ADTs per business). For light collector roads, given the current amount of traffic on these roads at this time, and adding this cumulative amount of traffic, the LOS of these roads, as they are currently built out, should be LOS F at peak times. Anything lower than LOS A is destroying our community character. With the bicycles riding along this road as well, on winding and blind curved roads, you are asking for lawsuits for the deaths that will result from a lack of appropriate width of roads. My husband witnessed a head on along Harmony Grove Rd a few years ago. A woman passed along a blind curve and crashed head on to someone coming the opposite way. This development, along with the others will only make this traffic problem worse....and the county will be liable because many of us have disclosed the problems we will have with this increased density. In addition, none of these developers seem to acknowledge that a substantial increase in traffic will occur from these developments down Elfin Forest and Harmony Grove Rds. Traffic always will go on the roads that have less traffic to get to their destination.** I24-3 The Wildfire Emergency Plan included with the DEIR states that Country Club Drive is the only safe evacuation route, because Harmony Grove Road East and West could be compromised by wildfire. Yet the DEIR does not calculate how long it will take not only the project traffic, but existing residents to get to safety all the way to Auto Parkway. This information needs to be provided, and a simulation of evacuation needs to be modeled, to fully disclose the real risk to the current residents. According to numerous studies including the latest from the National Park Service and the Department of Interior, human activity causes 90% of the fires. Introducing upwards of 453 houses and as many as 1500 new people, in an area previously zoned for 25 under the General Plan greatly increases the overall fire risk to the surrounding residents. This is indisputable. The project has a supposedly Shelter-in-Place "philosophy," (but not official status as stated in the DEIR, as this would have stricter requirements) but what about the rest of us who will be trapped on dead end roads with no secondary egress behind 1,500 additional cars? Will the developer make our homes shelter-in-place too? Many of our homes were built before 1980. And more than 20 houses burned only 3 years ago in the same exact area they are proposing 453 homes. The EIR should evaluate proper mitigation measures such as	The commenter is correct in that secondary access route is a typical mitigation for exceeding the dead-end road length. However, it is not a requirement per se for development projects. The Project proposes meeting the intent of the Fire Code through a combination of measures that provide a system of fire safety above and beyond the code requirements. One of the most significant measures is construction of roads on-site that include an additional travel lane that is within 800 feet of all Project structures. The additional travel lane provides additional capacity for evacuation and would occur throughout the Project, and would include Country Club Road from the southernmost Project entrance northward to Harmony Grove Road, including the bridge over Escondido Creek. This enhanced road capability would be supplemented by a complete system of fire protection that includes a redundant layering of measures designed to keep roadways open and passable, and reduce the possibility that wildfire threatens the Project. The primary Project access for Harmony Grove Village South (HGV South) would be via a widened Country Club Drive that provides three travel lanes. This includes a three-lane-wide bridge constructed over Escondido Creek that also includes separated horse and pedestrian pathways. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The commenter asserts that the EIR fails to account for cumulative emergency traffic from the residents of HGV with respect to County Club Drive being used for evacuation. In some fire emergencies, likely excluding shorter-notice events, Harmony Grove Road would be available for evacuation. HGV residents would likely use Country Club Drive to the north/northeast into Escondido. During a wildfire evacuation, law enforcement and fire responders would evaluate conditions and fire spread and that information would inform continued evacuations. Law enforcement understands the importance of maintaining clear intersections to support evacuating residents. In an evacuation where HGV and HGV South were evacuating simultaneously, emergency managers (Office of Emergency Services, law enforcement, fire personnel, and others) would determine how to maintain traffic flow out of the area into Escondido, or, depending on conditions, to areas away from the wildfire or other threat. This may include directing traffic along Harmony Grove Road toward Rancho Santa Fe and the coastal communities. If a traffic

COMMENTS	RESPONSES
	surge or road blockage occurred, the decision makers would have a contingency to temporarily refuge residents within HGV and/or HGV South, including legacy residents that do not have the same level of protection. Regarding average daily traffic and levels of service, please refer to Subchapter 2.2, *Transportation/Traffic*, of the EIR. The County requires new proposed projects to assess traffic impacts in their setting to accurately depict potential impacts. In this case, the modeling was conservative as it included projected HGV traffic as already built, and placed Project traffic on top of that in order

COMMENTS	RESPONSES
Comment Letter I24 providing the same structure hardening mitigation measures as inside the project to all the existing structures their project will endanger; this could include installing fire sprinklers, replacing roofs, installing double glazed windows, cement board siding and appropriate roof vents, for example, to all those homes trapped behind the project entrance. The applicant should bear the cost of these hardening mitigation measures since they will be causing entrapment of current residents. I24-3 The granting of an exception to the Fire Code to waive secondary access requirement worries me the most. There are good reasons for the Fire Code requiring a secondary egress, especially in this Very High Fire Risk area. It is also extremely disturbing to read in the DEIR that the developer is claiming the project will help fund a financial shortfall for the HGV Fire Station, especially in conjunction with asking the County to grant exceptions to the Fire Code. **BROKEN PROMISES:** our community worked cooperatively and in good faith with County staff during the GP update process to maintain our community's rural character, as demonstrated by the compromise on Harmony Grove Village, based on the agreement that this more than doubling of our density would be our fair share of population growth; the rest of our community was downzoned to reflect that agreement. Now, only 5 years after the General Plan was approved, developers are seeking to set aside this negotiation and plop another 453 houses into our community after we had already agreed to 742 in HGV. There are numerous references to this negotiation and compromise throughout county planning documents, video from BOS meetings and there are many folks, including former County staff, current and former board of supervisors that would attest to it. Furthermore, this agreement is encoded and spelled out in the Community Plan (and thus the SD General Plan), though the developer seeks to erase these very references in their proposed amendment to our community plan (without our input, naturally). Approval of this project would constitute a breach of public trust, and discourage communities throughout the county from ever trusting our County officials. I24-4 **NO JUSTIFICATION FOR A GPA:** The requirement for considering a General Plan Amendment is "any change requiring a GPA "should be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare." This project would definitely be detrimental to public health and safety in that it will result in entrapment of current residents in case of evacuation; further, it brings no "public interest" that we can discern since there apparently is low public appetite and demand for the dense housing across the street in Harmony Grove Village. If that development is way behind its sales projections, as it is, what is the public interest in granting an amendment to a carefully constructed General plan to allow yet more density? I24-5 **TRAFFIC:** In addition to plopping condos in the middle of protected open space and equestrian properties, this project will generate 4500 average daily trips exiting Country Club Drive from the south onto Harmony Grove Road and Country Club Drive going north. These are two lane roads that are already operating at congestion levels which will get worse as HGV is built out. I24-6 **IN SUMMARY:** This DEIR needs to be recirculated to fully disclose the true impacts to health and safety in case of wildfire, the analysis of which is woefully inadequate. The County should also preemptively refuse to take any monies for the HGV fire station from developers unless they conform to the General Plan, to prevent even the appearance of quid pro quo in the granting of exemptions to the Fire Code in a Very High Fire risk Area. I24-7 It is important to note that we are not knee-jerk NIMBYs. We have gone through this exercise already and have compromised by accepting our fair share of growth in I24-8	to isolate and identify Project contributions. **Response to Comment I24-4** The County acknowledges these comments; however, they do not raise an issue concerning the substantive environmental analysis within the EIR. Please also see the Global Response to Project Consistency with General Plan Policy LU-1.4. **Response to Comment I24-5** The EIR did not identify significant impacts related to public health, safety and welfare. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, regarding fire safety and evacuation issues. Comments related to "public interest" concerning the Proposed Project and the sales of the existing Harmony Grove Village development do not raise environmental issues and therefore no further response is warranted. **Response to Comment I24-6** The southernmost portion of the Project site is bordered by Del Dios Highlands Preserve, to the east and west are equestrian (and non-equestrian) residential uses, the Harmony Grove Spiritualist Society is also located to the west, and the Harmony Grove Village residential development site is located to the north. None of the Project site is currently within "protected open space." Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Country Club Drive and Harmony Grove Road currently operate at an acceptable level of service (LOS) under County guidelines, LOS D. As concluded in Subchapter 2.2 of the EIR, the Project would not result in significant, unmitigated impacts to Country Club Drive or Harmony Grove Road. As part of the Project design and mitigation, Country Club Drive would be expanded to three lanes, more consistent with the portion of Country Club Drive north of Harmony Grove Road and with the portion of Harmony Grove Road trending west.

COMMENTS	RESPONSES
Comment Letter I24 HGV. Please don't make us regret having made that compromise. I24-8 Signed, Mary Cross Elfin Forest Resident 7150 Circa de Media Elfin Forest, Ca 92029 P.S. I vote in every election and make sure I let all my friends and neighbors know where I stand on everything!!!!!	Please refer to Subchapter 2.2, *Transportation/Traffic*, Section 2.2.7, *Conclusion*, of the EIR which presents the rationales for the conclusions of impact levels resulting after implementation of the Project and the proposed mitigation measures. **Response to Comment I24-7** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. As concluded in that response, the analysis of health and safety in case of wildfire have been adequately addressed, and recirculation is not required. The contribution to the HGV Fire Station is a routine part of development fees, similar to those paid to support police services and schools. The payment would support adequate fire services for the Project (and, it is assumed, surrounding neighbors). **Response to Comment I24-8** These are conclusion comments. They do not raise specific issues regarding the content of the DEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I25

From: Matt Kennedy
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; elfgtc@gmail.com; marsenault@realcapitalsolutions.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)
Date: Tuesday, June 20, 2017 7:01:59 AM

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. We moved into Harmony Grove Village recently not because it's just a new housing community but because we love the nature we're surrounded by, the community's relative affordability, and that we were told of the agreement the County had with HGV about dense housing in the center giving way to more sprawling lots on the perimeter, eliminating the risk of leapfrog developments turning this patch of heaven into suburbia-in-the-hills. I25-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We know all about the Coco's Fire and how evacuation was very compromised even without any new developments. It was a mess leaving the valley without Harmony Grove Village here. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I25-2 I25-3

Response to Comment I25-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I25-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I25-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES

Comment Letter I25

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I25-4

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I25-5

Please do not approve this project. Our lives depend on it and our way of life too. I25-6

Signed,

Matt and Erin Kennedy
2797 Overlook Point Drive
Escondido, Ca 92029

Matthew Kennedy
CSR No 13822, Kennedy Court Reporters

A 920 W. 17th Street, Santa Ana, Ca 92706
P 800.231.2682 **F** 714.835.0641
W http://www.kennedycourtreporters.com

Response to Comment I25-4

The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the FPP or EIR was revised to include this information.

Response to Comment I25-5

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7.

The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7:

> *...the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The*

COMMENTS	RESPONSES
	County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant. Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment. Elfin Forest Lane was not identified as carrying Project traffic as it is almost 3 miles westerly of the Project (as the bird flies) and, per County guidelines, would not carry the amount of Project trips warranting LOS analysis. **Response to Comment I25-6** The County acknowledges the opposition to the Project. This comment does not raise specific issues regarding substantive environmental analysis within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter I26

June 19, 2017

Ms. Ashley Smith
Planning & Development Services
County of San Diego
5510 Overland Ave. Suite 310
San Diego, CA 92123

RE: HARMONY GROVE VILLAGE SOUTH

Log No. PDS2015-ER-15-08-006

SCH No. 2015081071

Project Numbers: PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5560, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX.

Dear Ms. Smith, ,

Thank you for the opportunity to comment on the Harmony Grove Village South proposal. I am writing in opposition to the County of San Diego General Plan amendment being requested by the Kovach Group and the RCS Harmony Partners, LLC, as I believe the proposal's greatly increased density would intensify the dangers for residents living in and evacuating from the high risk fire areas of Elfin Forest, Harmony Grove, and Eden Valley. I am a resident of Elfin Forest. I26-1

I worked in Public Safety for over thirty years in the San Diego Police Department, including two years as the Commanding Officer of the Traffic and Special Events Division and nine years as Assistant Chief. We routinely developed egress plans for major events and incidents, and I understand the level of traffic control needed to move large volumes of traffic through areas quickly. To evacuate an area with limited exits in times of crisis when people are stressed and frightened, there have to be sufficient safety personnel stationed at key posts early enough in the incident to ensure that traffic keeps moving and to eliminate driver indecision. I26-2

Response to Comment I26-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I26-2

The comments regarding public safety service and knowledge of evacuations are noted and are not in variance with the EIR's analysis.

COMMENTS	RESPONSES
Comment Letter I26 The Elfin Forest/Harmony Grove Town Council, of which I am a member, received numerous complaints from our residents regarding the difficulties they encountered during the Coco's Fire evacuation in 2014, along with their fears of potentially being trapped in the path of fire in the future. I subsequently met with the Captain and Lieutenant of the San Marcos Sheriff's Station regarding the concerns. They were open to suggestions and agreed that any such future evacuation needed to be much better, and even agreed to come out to the community and address their concerns, which they did. I know from my own law enforcement experience, however, that the San Marcos Sheriff's Station does not have sufficient staffing in a quick moving fire emergency to do incident management, make evacuation notifications and welfare checks, and staff sufficient traffic posts quickly enough to keep the people being evacuated moving until they are far enough out of the area to allow the continuing movement of the rest of the evacuees behind them. This was the primary problem with the westbound evacuation through the San Elijo Hills community during the Coco's Fire. I26-3 In the 2014 Cocos Fire, residents were required to evacuate from the Elfin Forest, Harmony Grove and Eden Valley areas. Elfin Forest Road is the only exit to the west of these communities, and Harmony Grove Road and Country Club Drive were the only exits to the east. The Wildland Urban Interface plan continues to designate that Elfin Forest residents are to evacuate to the west, through the San Marcos community of San Elijo Hills, on San Elijo Road. During the Coco's Fire, however, **this plan failed**. The population of San Elijo Hills, which has now grown to approximately 43,000, was also forced to evacuate westbound on San Elijo Road, as they had no other exit. Elfin Forest residents, many with large horse trailers, were unable to turn west onto San Elijo Road due to the gridlock from San Elijo Hills, causing traffic to backup on Elfin Forest Road into Elfin Forest and stop. Even during non crisis times, Elfin Forest and Harmony Groves' only egress to the west routinely and severely backs up twice a day when school is in session, due to the San Elijo Middle School being located directly on Elfin Forest Road south of San Elijo Road, with the student drop off/ pickup and pedestrian traffic blocking northbound traffic, resulting in usual delays of five to ten signal cycles to drive the two blocks past the school. There is no alternative route. In a crisis situation with parents attempting to retrieve their children from school, it is anticipated that this blockage would be amplified. I26-4 Harmony Grove Road, Country Club Drive, and Harmony Grove Village Parkway are the only current exits to the east and northeast for the Elfin Forest, Harmony Grove, and Eden Valley communities. Other than an approximately two block stretch of Harmony Grove Road between Country Club Drive and Wilgen Road, each is only a two lane road with one lane in each direction. When westbound Elfin Forest Road to San Elijo Road locked down during the Coco's fire, residents being evacuated were	**Response to Comment I26-3** The comments regarding San Marcos Sheriff's Station staffing and evacuations from the San Elijo Hills community during the Cocos fire are noted and are not in variance with the EIR's analysis. **Response to Comment I26-4** The comments are noted, and are not in variance with the EIR's analysis.

COMMENTS	RESPONSES
Comment Letter I26 forced to turn and head east into heavily treed areas of Harmony Grove Road which later burned. Harmony Grove Road also became gridlocked. Harmony Grove and Eden Valley residents have given vivid descriptions of watching homes catch fire from embers and burn in front of them as they were unable to get out on blocked roads, without any Fire or Law Enforcement personnel or equipment in sight. The limited number of available personnel from all responding agencies were deployed elsewhere. It is always most difficult to get sufficient numbers of safety personnel redirected and in place during the first critical hour or so of a major incident, but that is when the highest danger exists of lives being lost. It is especially true in the case of fast moving fires, such as the Coco's Fire that burned through Harmony Grove in 2014 and the Harmony Grove Fire in 1996. I26-4 Significantly increasing the residential density on Country Club Drive south of Harmony Grove Rd, **where there is not a second exit to cross the creek if the Country Club bridge across the Escondido Creek becomes blocked**, will especially endanger the lives of the rural residents who already live south of Harmony Grove Rd, some of whom have lived there for decades. High volume traffic from the proposed development will block their only exit during an evacuation. Waiving the secondary access requirement, as is proposed, is unconscionable in such a known and designated high risk fire area. I26-5 According to the Wildland Urban Interface Risk Assessment RSF28W, "Harmony Grove is located in an upper canyon bowl within an historic fire corridor with a history of loss of life and extensive structure loss." It further states that the area has, "serious entrapment threats along Escondido Creek, in the Spiritualist Camp, and upper Cordrey Rd. & Crestwind Dr. Areas." Allowing the proposed project to increase the already existing entrapment danger to these areas south of the Escondido Creek without requiring an additional exit road and bridge to allow for sufficient evacuation capacity is both foolish and dangerous. I26-6 The developers proposing this project knew or should have known the County's General Plan, the Community Plan, the zoning and the fire hazards in this area before they purchased this property. They undoubtedly purchased it at a lower price than they would have had it been zoned for the density they are seeking,and they speculated that they could get it up zoned, in spite of the plan not being consistent with the rural character of Harmony Grove, in order to increase their profits. While there may be a housing shortage in parts of the County with more amenities and infrastructure, there is no shortage of new housing in this area. New homes in the adjacent Harmony Grove Village have been very slow to sell. There is also no transit within approximately three miles, and the assigned elementary school I26-7	**Response to Comment I26-5** The County disagrees that the Project presents a fire risk or would impede evacuations of existing communities. The County has not "waived" a requirement, but is reviewing a Project that conforms to the applicable fire codes. Please see the Global Responses to Fire Hazard Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I26-6** In accordance with the County Fire Code, the Project has an ability to provide the Fire Code Official with findings to allow a modification that results in equivalent fire protection. Also, please note that the Wildland Urban Interface Risk Assessment (Rhode & Associates 2016) further describes emergency evacuations and the perception that only one route was proposed for access/egress to the Project. The conclusion of that report's analysis was: *In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 [sic] potential routes of egress during evacuation, two with strong viability. All participants expressed comfort that the proposed variance for the 800-foot single access road was acceptable.* **Response to Comment I26-7** The comments are noted. These comments do not address the environmental analysis or adequacy of the EIR, and therefore do not require a response.

COMMENTS	RESPONSES
Comment Letter I26 is approximately five miles away in another community. The district does not generally provide busing. Local government staff, including Public Safety personnel, routinely review such proposals as this General Plan Amendment request and sometimes may not raise or press issues, including safety issues, as they don't want to be seen as stumbling blocks to perceived progress by not signing off on projects they believe elected officials want. Existing residents safety, however, should not be jeopardized by unsuitable development due to political expeditiousness or potential future revenue for local government. I26-7 This weeks news described fires in a rural area northeast of Lisbon, Portugal, where 63 people died, most of whom were trapped in or at their cars trying to evacuate a wooded area. Please don't allow that to happen in Elfin Forest, Harmony Grove or Eden Valley. Our communities and the County of San Diego put years of time and millions of dollars worth of thought and effort into the current General Plan and, for the safety of all, it must remain intact. I26-8 Sincerely, Nancy Goodrich Elfin Forest, CA 92029 760 473 5893	**Response to Comment I26-8** The comments regarding fires in Portugal are acknowledged, but the conditions there vary from those of the Project. These comments do not address the environmental analysis or adequacy of the EIR, and therefore additional response is not required.

COMMENTS	RESPONSES

Comment Letter I27

June 19, 2017

Patricia Borchmann
Volunteer/Member – The Escondido Creek Conservancy (TECC);
Volunteer/Member – Escondido Chamber of Citizens (ECOC)
1141 Carrotwood Glen
Escondido, CA 92026

Ashley Smith, Project Contact: Ashley.Smith2@sdcounty.ca.gov

Michelle Irace, Environmental Coordinator: Michelle.Irace@sdcounty.ca.gov

RE: Public Comment on Draft EIR for Harmony Grove South - General Plan Amendment/Specific Plan – PDS 2015-GPA-15-002, and Habitat Loss Permit

Please accept my personal comments as a Volunteer, and Member of two (2) local organizations: The Escondido Creek Conservancy (TECC), and Escondido Chamber of Citizens (ECOC). I am also a resident in Escondido, and I place high value upon sensitive habitat connectivity and wildlife corridor functions as irreplaceable assets which deserve protection. I27-1

A primary observation is that unlike Harmony Grove Village, Harmony Grove Village South is proposed to be built on highly functioning wildlife habitat that will be forever destroyed. Additionally, the proposed HGV South project will also cause an extremely compound negative impact by causing permanent fragmentation and degradation of two (2) contiguous protected large Open Space Preserve properties which currently contain highly functioning habitat that is extensively utilized and relied upon by wildlife using existing transportation corridor for animals. I27-2

Harmony Grove Village South – Relationship to County SD Multiple Species Conservation Plan (MSCP), and Two Contiguous TECC owned Open Space Recreational Preserve Properties

Harmony Grove Village South is one of many pending pipeline projects in San Diego County proposing General Plan Amendment (GPA) for high density residential development far beyond adopted General Plan and Community Plan limits and design standards. Because proposed HVG South project is located well outside the defined urban limit, this proposal is an unacceptable encroachment within a targeted conservation plan area that was foreseen as future preservation as mitigation area in a regional system , and a pre-approved mitigation area (PAMA). Completion of the Multi Species Conservation Plan (MSCP) is underway after more than a decade of conservation planning, and the MSCP applies to this property. USFWS comments on Notice of Preparation (NOP) for Draft EIR indicated MSCP criteria would require 72% of this HVG South property to be preserved for perpetual Open Space, however the project design and footprint only preserve 32% of habitat, which is less than half that requirement. Therefore, HGV South project will not only cause permanent loss of highly functioning habitat, the excessive new development will encroach on and cause extremely detrimental compound impact on the two (2) large I27-3

Response to Comment I27-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I27-2

This is a summary introductory comment that introduces Response to Comment I27-3. The response is provided to that more detailed comment, below.

Response to Comment I27-3

Each project proposing a General Plan Amendment (GPA) will receive its own review under CEQA. This response addresses only the Harmony Grove Village South (HGV South) Project.

The Multiple Species Conservation Plan (MSCP) Draft North County Plan is a draft document in progress.

The County's Habitat Evaluation Model for the MSCP Draft North County Plan is a regional model that should not, and is not intended to, be used to interpret site-specific (i.e., parcel level) biological resources value. Further, the model is based on GIS data generally mapped at a regional scale of 1:24,000 (i.e., 1 inch on the map is equivalent to 24,000 inches on the ground) and also affords greater weight to certain resources that are targeted for conservation in the planning area (e.g., federally endangered Stephens' kangaroo rat [SKR] [*Dipodomys stephensi*]) and/or expressed by the large-scale data (e.g., grasslands). The model also does not necessarily take into account current species' range information. For example, the Model may identify grassland areas as having high value due to their potential association with SKR. SKR is not expected to occur on the Project site due to range restrictions, however, and therefore, the on-site grasslands, do not deserve the heavier weight afforded to them in the model. This is one example of why the Habitat Evaluation Model should not be used to determine the site-specific value of habitat. Similarly, the Project site is identified as having no value or "None" in the County's California Gnatcatcher Habitat Evaluation Model Results for the MSCP Draft North County Plan, which is contradictory to the site-specific biological

COMMENTS	RESPONSES
	resources studies completed for the Proposed Project. Habitat value is addressed extensively in the EIR based on site-specific studies, not only with respect to the habitat that occurs on the Project site itself, but also that which occurs in the local area surrounding the site. The assessment of the habitats within the Project site and habitat connectivity is discussed in Subchapter 2.3, *Biological Resources*, of the EIR and in the *Biological Technical Report*, Appendix E. Multiple site visits were conducted from 2014 through July 2017, and detailed vegetation mapping and sensitive species surveys were completed by technical specialists with the appropriate permits. Part of the evaluation has included the functions supported by the habitat. The site has also been visited by representatives of the wildlife/resource agencies, who concurred with the on-site mapping. Please refer to their letter (F1), which indicates substantial concurrence with Project findings (mapping and function classifications). Relative to the discussion regarding on-site preservation recommendations based on the U.S. Fish and Wildlife Service (USFWS) Notice of Preparation letter, following the agency site visit, and an on-the-ground assessment, the letter provided in response to the EIR following review of the full Project analyses acknowledged that although individual sites are the starting point during review of projects with the draft pre-approved mitigation area (PAMA), the: *…75 percent conservation target is an average across PAMA, where some areas will be conserved at higher levels and others at lower levels…. We then factor in other variables including the importance of the project area to identified biological core and linkage areas within the preserve and the presence of critical biological resources.* Having seen the site and looked at the resources, the recommendations in the current joint USFWS and California Department of Fish and Wildlife (CDFW) letter focus on specifics related to off-site mitigation areas rather than proposing retention of existing site conditions.

COMMENTS	RESPONSES
	Relative to the comment regarding permanent loss of highly functioning habitat, please refer to the above discussion. Regarding effects on adjacent open space, the County respectfully disagrees. Potential edge effects have been fully discussed in EIR Subchapter 2.3, *Biological Resources*, under the headings "Core Wildlife Area (Guideline 7)," "Indirect Impacts/Edge Effects (Guideline 8)," Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts to Wildlife Movement and Nursery Sites." In particular, Guideline 8 discussion specifically addresses increased human activity, domesticated animal effects, introduction of invasive non-native plant species, and night-lighting. The EIR concludes that Project-related long-term impacts to sensitive species from indirect edge effects would be less than significant. In addition, consistent with the requirements of Mitigation Measure M-BI-1a: *Required installation of fencing and signage around the BOS [biological open space], dedication of a BOS easement, protection of the BOS by a limited building zone easement, and implementation of the RMP for the Proposed Project, would further minimize potential edge effects over the long-term (EIR pg. 2.3-33).* Specifically regarding the area north of the Project, the Project would place residential uses southerly of the northern Project boundary, away from Escondido Creek. There is a substantial buffer between sensitive habitat and Project residential use areas. Specific to Escondido Creek, there are opportunities for enhancing and restoring the current conditions, including areas within lands managed by TECC, which are currently in a degraded state and suffer from both back-up (rather than constant free-flow conditions) where the creek crosses under the at-grade crossing in culverts, and scour, where the momentum of water flowing through the culverts gushes out and hits the creek bed at high velocity. The bridge crossing of the creek would provide for wildlife movement along the creek a route under the County Club Drive crossing (as opposed to over the road) and would prevent associated pollutants on the roadway from washing directly into the creek. During implementation

COMMENTS	RESPONSES
	of the bridge, invasive non-native plants would be removed, the creek bed would be regraded to more natural and free-flow conditions, and revegetation with appropriate native species would occur. These actions would be expected to benefit the sensitive (and other) native species in the area. Project implementation would result in over 34 acres of native habitat being conserved as permanent managed biological open space. This land is currently unpreserved and designated for development in the General Plan. Contrary to the comment, the addition of another block of valuable habitat connecting with the existing Del Dios Highlands Preserve would provide for a larger, contiguous block of preserved habitat in the local area. Focused discussion, including the lack of a corridor across the property in the 2009 MSCP Draft North County Plan, is provided under the headings "Habitat Connectivity and Wildlife Corridors," "Escondido Creek," and "Del Dios Highlands Preserve/Elfin Forest Recreational Reserve," on EIR pages 2.3-16 through 2.3-21. Potential impacts are also detailed in discussion of six separate guidelines (Guidelines 19 through 24) the County uses to thoroughly evaluate connectivity issues. These Guidelines focus on access, interference with connectivity, artificial corridors, indirect effects, lack of adequate width, and lack of visual continuity. Discussion is detailed on EIR pages 2.3-38 through 2.3-43. The EIR concludes for each guideline that impacts would be less than significant. Comments in the second paragraph are noted. Please refer to responses for Letters O4a through O4c on behalf of the Escondido Creek Conservancy, and O3a through O3c on behalf of the Elfin Forest – Harmony Grove Town Council, respectively, for responses to their letters.

COMMENTS	RESPONSES
Comment Letter I27 highly functioning contiguous parcels immediately adjacent to Harmony Grove Village South which form the adjacent open spaces owned and managed by TECC, County Park & Recreation, and the Elfin Forest Recreational Preserve, located south of proposed project. HGV South project will further and forever diminish this property's existing high habitat value by the fragmentation, and removal of this 111 acres from any viable potential preserve expansion in this regional preserve system, and will disrupt the connectivity of this vital wildlife corridor. It is important to note that even the scaled back HGV South project design still fails conformance with Multiple Species Conservation Plan (MSCP) design and urban boundary limits. TECC, The Elfin Forest/Harmony Grove Town Council, and several local residents are investing tens of thousands of dollars in legal fees to hold the County to its original commitments made during the General Plan update process. I fully support the advocacy by this defined coalition to fully protect adjacent Preserve properties, and join effort seeking to preserve the highly functioning habitat located on HGV South property from the incremental encroachment of high density development, habitat fragmentation, because the 111 acres is land which could form an integral component of a permanent viable regional ecosystem. I27-3 **Wildfire Risk Analysis – Harmony Grove Village South – Notice of Preparation Comments** The Draft EIR Appendices prepared for this HGV South project include: "Wildland – Urban Interface Fire Emergency Plan", and "Wildfire Risk Analysis", which both clearly indicate Harmony Grove Village South project is located in fire prone area identified as extreme fire risk. It wasn't that long ago, when this area suffered devastating fires during 2003, 2007, and 2015 in north San Diego County backcountry repeatedly. Each time, these extreme fire events caused multi-million dollar destruction, regional property damage, loss of homes, farm and ranch structures, injuries, death, endless physical pain, extreme emotional suffering, and almost incalculable real estate losses, and detrimental economic impacts. During emergency evacuations in this region during 2007, traffic congestion was so extreme that residents in San Elijo Hills (San Marcos) were directed to "Shelter in Place", because emergency evacuation of such large number of residents, and the large number of horse trailers staged to rescue animals in fire prone areas were indeed hazardous because the excessive number of vehicles, and horse trailers trying to evacuate caused traffic to come to a standstill for hours. Narrow Roadways were blocked by vehicles in both directions, so the absence of a separate lane for emergency vehicles for emergency response placed countless residents, ranch and farm owners in extreme jeopardy I27-4 Another observation is how the analysis prepared in this Draft EIR grossly understates the foreseeable liability how proposed HGV South project will add excessive additional vehicle trips from 453 new luxury homes proposed in this area where residents and emergency responders are already confronted with unacceptable hazards and risks. Evidence is understated in Draft EIR analysis how the inadequate transportation network and narrow roadways already exist in the area that often operates at failed service levels, where secondary emergency access is not available, where emergency evacuation will not be possible and where emergency response capability is already degraded. Therefore, many expect proposed HGV South project will cause further degradation of traffic capacity on local, and regional transportation roadways, which can be expected to make conditions that are already unsafe, even far more hazardous. It would be an extreme public liability jeopardizing emergency response capacity in north San Diego county, and threatening emergency responders by exposure to foreseeable life threatening conditions and unmitigated danger. I27-5	**Response to Comment I27-4** Comments regarding evacuation conditions during the 2007 wildfires are noted and are not in variance with the EIR's analysis. The EIR states that the Project is within a Very High Fire Hazard Severity Zone (VHFHSZ) and that fact is referenced in the Project's FPP (DUDEK 2016). Based on its location in a VHFHSZ, the Project is required to provide for a level of planning, ignition-resistant construction materials, access, water availability, fuel modification, and construction methods that have been developed specifically to address and mitigate issues of developing within a VHFHSZ. The Project meets and exceeds these requirements by implementing fire and building codes and exceeding specific codes to provide additional fire protection based on the site, the development plan, and related constraints. Please also see the Global Responses to Fire Hazard Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I27-5** Please refer to Response to Comment I27-4. Regarding average daily traffic and levels of service, please refer to Subchapter 2.2, *Transportation/Traffic*, of the EIR. The County requires new proposed projects to assess traffic impacts in their setting to accurately depict potential impacts. In this case, the modeling was conservative as it included projected Harmony Grove Village traffic as already built, and placed Project traffic on top of that in order to isolate and identify Project contributions.

COMMENTS	RESPONSES
Comment Letter I27 During 2015-16, Escondido Chamber of Citizens (ECOC) declared formal opposition on another large residential project proposed GPA for extreme density increase, in another remote fire prone area in north San Diego County (Lilac Hills Ranch). Escondido Chamber of Citizens (ECOC) prepared formal opposition comments on Lilac Hills Ranch project (GPA, SPA) which were based largely on excessive extent of adverse project impacts which were not sufficiently mitigated. Evidence was generated that demonstrated, that Lilac Hills would cause excessive traffic congestion on surface streets and freeway interchange, and I-15 that would reduce or degrade service level. Additionally the demand for public infrastructure and public services were not offset by Lilac Hills Ranch project design, or offsite road improvements, or availability of public transit to/from employment centers, schools or offset by public infrastructure or offsite improvements proposed by developer. I27-6 **Land Use – Choices by San Diego Voters (Countywide) in 2016 Election – Rejection of Ballot Measure B** Another obvious criticism applicable to the Draft EIR prepared for HGV South is how the obsolete analysis entirely overlooks the overwhelming choice San Diego Voters made on Ballot Measure B during 2016 Election, which defeated Lilac Hills Ranch. Action by SD Voters that defeated Ballot Measure B in 2016 brought to the forefront the many technical reasons voters County wide rejected General Plan Amendment (GPA) for extreme density increase. Voters also specifically rejected the Specific Plan location and design because even the revised Lilac Hills plan proposed was an urban sprawl pattern, and because SD voters had already reached a consensus they did not want to see major departures from San Diego's General Plan. Additionally, the Ballot Measure B formed a community-driven consensus among Voters (that applied Countywide), reflecting voter that choices to consistently place extreme value in the Community Plans that were so carefully developed by town councils, community planning groups in community driven process, more than a Planned Development for New Village.areas, distant from public infrastructure, that is proposed and supported by special interests, and investors who do not live here.. So Voters in 2016 Election in San Diego sent signal loud and clear how rural character, community identity, visual assets, agricultural uses, and large parcels that provide high value habitat and open space are so clearly valued. San Diego voters reinforced reasons why these assets are to be protected, and preserved through planning processes which require community driven support for conformance findings with Community Plans. Many of those same public stakeholders are expected to apply the same values, logic and desire to uphold the SD General Plan,(just recently updated in 2015), when this GPA for Harmony Grove Village South is considered by Planning Commission and Board of Supervisors. I27-7 In the Draft EIR for HGV South, there is already evidence contained in comments from public agencies during 2015 when the Notice of Preparation was circulated which indicates the addition of 453 additional homes proposed with HGV South will cause significant unmitigable impacts, for which many do not expect a "Statement of Overriding Considerations" could possibly be justified by mandatory findings. Additionally, many expect it is entirely inappropriate to jeopardize emergency responders during foreseeable emergency events in this fire prone area, or make foreseeable risks even far more hazardous by HGV South project impact of adding 453 additional luxury homes.	**Response to Comment I27-6** The comments regarding Lilac Hills Ranch are noted, but do not pertain to the HGV South Project environmental analysis and no response is required. **Response to Comment I27-7** See Response to Comment I27-6. The Proposed Project is also distinguishable from "new village areas" as it is adjacent to an existing village; please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Environmental impacts associated with HGV South are detailed in the thorough EIR prepared for the Project, based on analyses prepared by technical specialists approved by the County for technical review. The only impacts identified as unmitigated are identified in Subchapters 2.1, *Aesthetics*, and 2.2, *Transportation/Traffic*, and 2.6, *Air Quality*; with full explanations of why those impacts would occur and when they would be mitigated. The aesthetics impact would resolve due to passage of time based on temporary construction impacts. The traffic and air quality impacts are related to actions by other CEQA agencies that are beyond the purview of the County and would be solved by implementation of mitigation measures within the city of Escondido following City approval of proposed mitigation measures for traffic and by use of updated planning data provided by the County to SANDAG and the San Diego Air Pollution Control District). Please see Sections 2.1.6, 2.2.7, and 2.6.6 of the EIR, respectively. The County does not agree that the Project would jeopardize emergency responders or make foreseeable risks more hazardous. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

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Comment Letter I27 During recent public hearing (February 2017) in Escondido (at California Centre for the Arts CCAE) the California Public Utilities Commission (CPUC) hosted two (2) public hearings to obtain public comments on proposed SDG&E Rate Increase, to recover costs of wildfire during 2003 and 2007. At those public hearings, CPUC received overwhelming public response during long hours of public testimony during afternoon and evening meetings from San Diego residents who attended in person to inform regulators from California Public Utilities Commission of the many technical reasons why SD residents so strongly opposed the SDG&E proposed ratehike. CPUC state regulators also received overwhelming number of written opposition comments that were sent online. During the CPUC public comment period in early 2017 on SDG&E proposed rate increase, Escondido Chamber of Citizens (ECOC) submitted written comments indicating: "The above ground poles SDG&E proposed will not safely offset increased fire hazards in back county. It has been established (by Calfire) that 2007 fires were caused by SDG&E's malfunctioning equipment, and maintenance neglect. Why is undergrounding utility poles absent from consideration? " The information regarding strong public opposition during public hearings on SDG&E rate increase in early 2017 that San Diego residents sent to California Public Utilities Commission (CPUC) may not be directly relevant to this proposed Draft EIR prepared for Harmony Grove Village South, however it is indirectly relevant. I feel it is vitally important in this Draft EIR to develop a context supporting existence of overwhelming regional concern over fire hazards in fire prone areas in north San Diego County, which were' formed the hard way' from experience, instead of theoretical modeling, or computer simulation for risk assessment. Allow me to emphasize this is why the evidence-based history here led to zero-tolerance for error, and perpetual vigilance by north San Diego County residents, and Escondido Chamber of Citizens (ECOC) to actively participate by preparing comments during early environmental review stages on new projects. I27-8 **Public Stakeholders and Escondido Chamber of Citizens Want Projects that Do Not Propose GPA's.** In the future, whenever County processes more GPA projects currently in the pipeline, which are inconsistent with General Plan density limits, or where foreseeable concerns and significant impacts are observed, where project impacts appear underestimated, inaccurately assessed for significance, or when project are not sufficiently offset by mitigation measures, it is foreseeable that public stakeholders will also recommend denial. After County spent years of community outreach, to define and develop reasonable density limits, specific development standards, defined the urban boundary, and spent over 18 million on a General Plan updated in 2015, many public stakeholders think it would be fiscally irresponsible for County of San Diego to discard community driven values, or Community Planning Group recommendations which should be applied to control Land Use in San Diego, especially in north SD County where many unique rural communities with distinct identity features exist, and are cherished by those living there, and visitors who use leisure time for ecotourism, and visit rural areas to escape urban congestion and excessive traffic. I27-9 Thank you in advance for thoughtful consideration. Patricia Borchmann copy: Ann Van Leer, The Escondido Creek Conservancy (TECC) Christine Nava, President, Escondido Chamber of Citizens (ECOC)	**Response to Comment I27-8** These comments are noted; however, they largely do not address the environmental analyses in the EIR, and therefore do not require a response. The hazards evaluation relating to fire was completed by technical specialists knowledgeable of wildfire hazards, and in close coordination with the emergency service providers. Their approach, including the technical modeling critical to understanding wildfire movement, is informed by similar events throughout the County, including events in the Project area, such as the Cocos Fire. Please see the Global Responses to Fire Hazard Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I27-9** Comments noted. Please see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis.

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Comment Letter I28

From: Patrick Molenaar
To: Irace, Michelle
Cc: Patrick Molenaar
Subject: Harmony Grove Village South
Date: Tuesday, June 20, 2017 4:00:40 PM

Dear Michelle,

I am a long time resident of Harmony Grove.Over 30 years. I have lived here since 1987. We value dark skies, quiet nights, quiet roadways, abundant animal life and neighbors

that take an active part to protect our way of life. I moved out here to get away from people.

We lived with the putrid smell of the chicken farms as a price to never have our way of life intruded upon. We put up with septic tanks and little services from the county or city.

No cell services, no cable, high electric cost because there is no natural gas and bad phone lines. We had to call AT&T after every rain to get service restored. We put up with a

bridge that always floods. We have had many promises to fix it for the last 30 years. ALL promises to rebuild it

by the city and county have been cancelled or pushed out. The funds used other places.

When Escondido city and SD county moved to allow development, we citizens took our time and significant efforts to create a community plan and work with the city, county

and developers to take a share of growth. We didn't sit back and become NIMBYS. We crafted a smart plan designed to allow some controlled growth and preserve our way of

life as much as possible. That plan has been altered, spit on and obliterated. Each developer trying to get more out of our plan than the last.

It has worked. Slowly over time getting amendments to it such as density. Agencies like Ricon del Diablo water working to become a sewer contractor in order to maximise

profits and be a beneficiary of growth.It side steps our planned growth. Every group trying to pervert and extend out our general plan.

I28-1

When I read the EIR, I noticed my family and address do not appear until the 2000s. However, we are one of the important residents under threat. My address is 2897 Cordrey

Dr.

I was born and raised in San Diego. This was truly America's finest city growing up. We had a southern cal city without the awfulness of Los Angeles. We were a proud city that

fought to stay a large city with a small town feel. Those days have changed thanks to city and county officials becoming builder friendly. Money seems to have become more

important than preserving quality of life. Political careers overriding what is best for the people. See meloroos in Eastlake and elsewhere. The services long paid for.

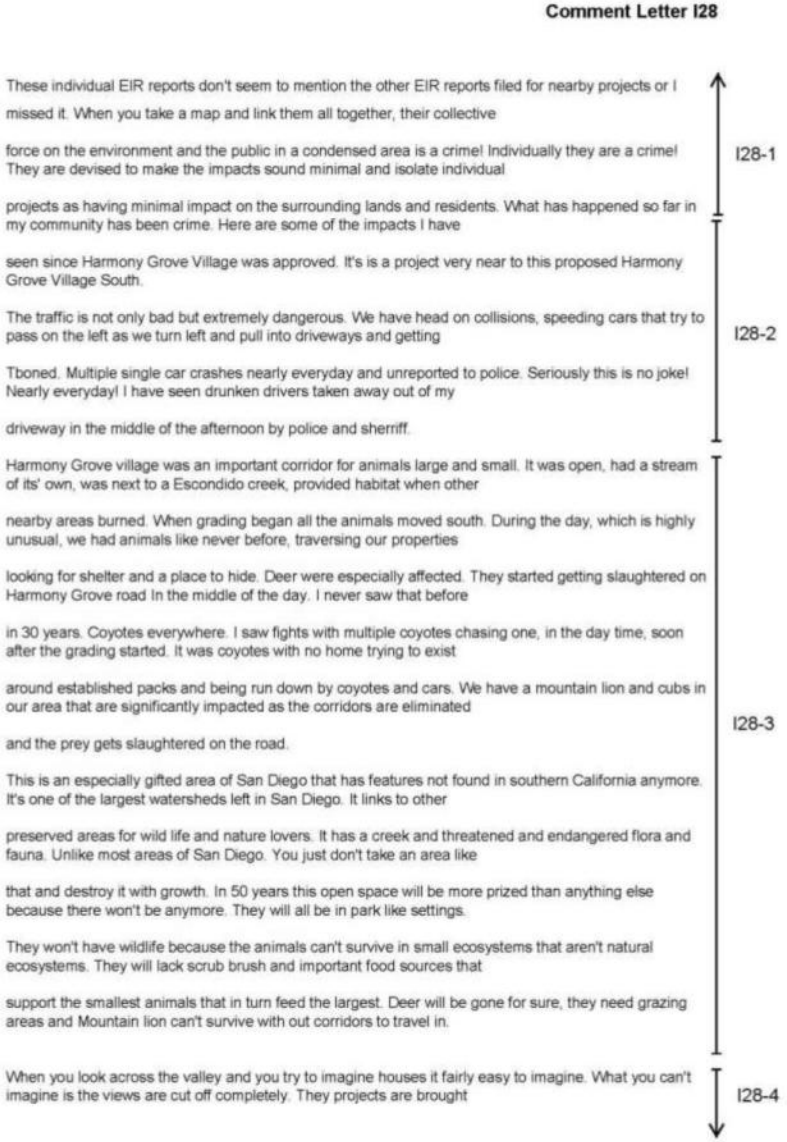
I can only pray that you once knew how incredible San Diego was and can fight to preserve what we have left.

Response to Comment I28-1

The County acknowledges the comment and opposition to the Project. While this comment does not raise specific issues regarding the content of the EIR, please see the Global Responses to General Plan/Community Plan Amendments CEQA Impact Analysis and to Project Consistency with General Plan Policy LU-1.4.

Consistent with concerns noted at the end of this comment, the California Environmental Quality Act (CEQA) requires evaluation of the effects of other projects in the area when combined with those of a proposed project. This review is termed the "cumulative impact analysis," and is required during County review. The cumulative projects are introduced in Chapter 1.0, Subchapter 1.7 of the EIR. As the text states:

> *The State CEQA Guidelines (Section 15355) state that a cumulative impact is "the change in the environment which results from the incremental impact of the Project when added to other closely related past, present and reasonably foreseeable probable future projects." Sections 15065 and 15130 of the State CEQA Guidelines require that an EIR address cumulative impacts of a project when the project's incremental effects would be cumulatively considerable; i.e., the incremental effects of the project would be "considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects." Table 1-3, Cumulative Projects in the Vicinity of the Proposed Project, provides a list of cumulative projects within 5 miles of the Project site. Figure 1-23, Cumulative Projects, shows the general location of the projects listed in Table 1-3.*
>
> *A total of 65 projects in the vicinity of the Proposed Project, as well as the Proposed Project, were considered for the analysis of cumulative impacts. The list consists of projects that are pending or recently approved within the County and other adjacent jurisdictions.*

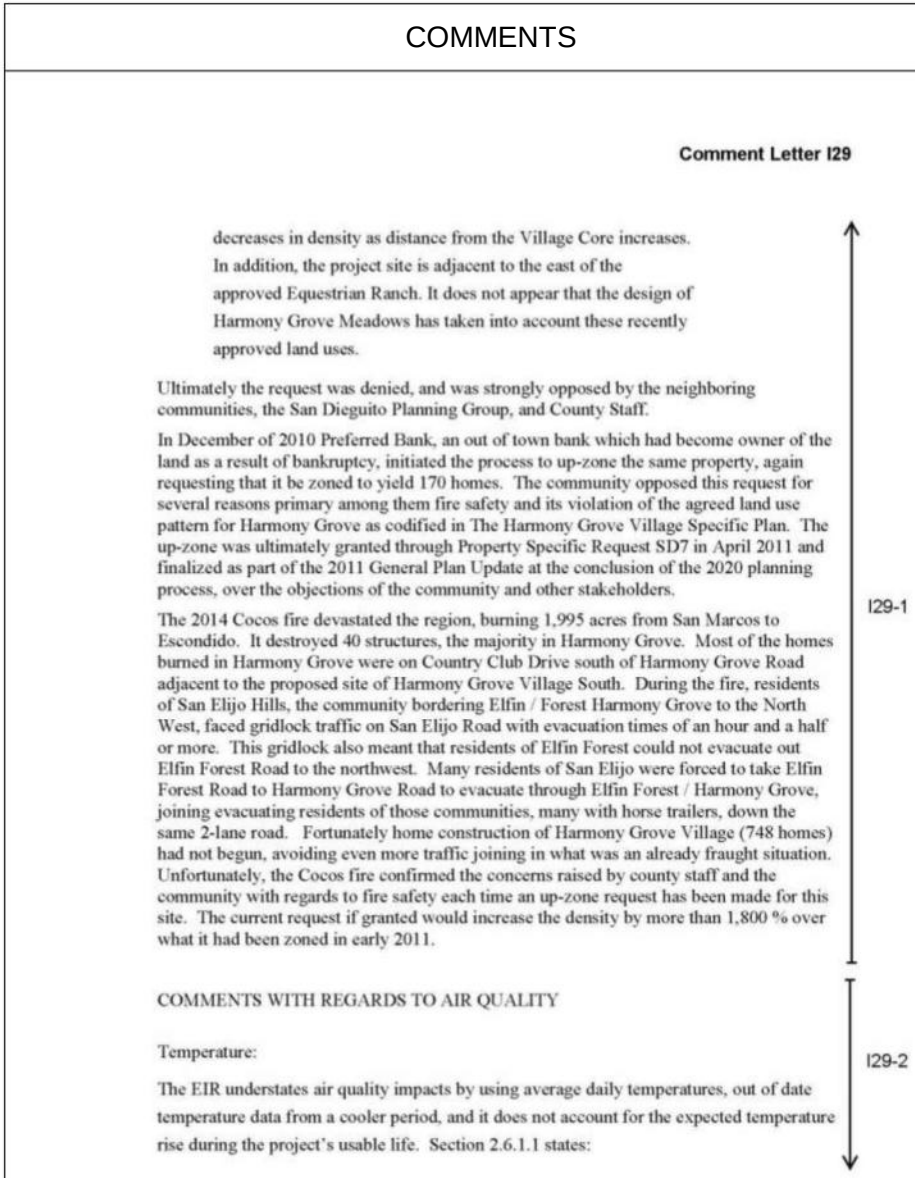
COMMENTS	RESPONSES
	The combined environmental effect of these projects, as relevant, is addressed specific to topic areas in EIR Chapters 2.0 and 3.0. **Response to Comment I28-2** The EIR analyzes potential Project-related traffic impacts and sets forth mitigation measures for significant impacts. This analysis is detailed in the *Traffic Impact Analysis* (Appendix D) and Subchapter 2.2, *Transportation /Traffic*, of the EIR. **Response to Comment I28-3** The EIR analyzes potential Project-related biological resource impacts and sets forth mitigation measures for significant impacts. This discussion is detailed in the *Biological Technical Report* (Appendix E) and Subchapter 2.3, *Biological Resources*, of the EIR. **Response to Comment I28-4** The EIR analyzes potential Project-related aesthetic impacts and sets forth mitigation measures for significant impacts This discussion is detailed in the *Visual Impact Analysis* (Appendix B) and Subchapter 2.1, *Aesthetics*, of the EIR.

COMMENTS	RESPONSES
Comment Letter I28 50 and 100 feet above road grade. All you see is retaining walls and elevated pads way above the road. You can't even see the houses because of the tall mountains of grade they are put on. It's horrifying. The darkness and peace of night is gone. It breaks my heart when I see a deer with a broken leg being chased unmercifully down the stree tbecause there are 8 and10 ft fences on either side and nowhere to escape for several miles, by uncaring new residents that moved here for the house and could care less about the wild life. They want to poison the coyotes because they just threw their cat out in a traditional coyote hunting ground and are mad it disappeared. I28-4 I also have a house a 9115 Harmony Grove Rd. The impacts of hardscape and rerouting of rain run off form upstream development has caused my house to flood more than ever before. I have lived here ten years and I have never had this much problem with so little rain. It used to take much more rain and sustained rain to get the flooding I get in a little storm now. The reason has to be Harmony Grove Village. I28-5 The EIR does not effectively note the impact down stream. When a 1/2 inch of rain comes, I can no longer get in my house due to upstream engineering. Also the developer should never have been allowed to place a sewer plant near the existing homes while shielding the new homes from it's presence. We residents get the unsightly building and all the smell while the new homes it supports get nothing. It too is 100 feet above the road. It's a crime. We get no benefit of services but get all the side effects. The plant failed and sent untreated sewage down stream and ruined our wells with ecoli. This period of discussion needs to be opened up and new EIR impacts need to be dealt with. I28-6 The EIR doesn't mention my well or my neighbors wells or the pollution affecting them. They are real and so is the pollution of our water. Please find our concerns a top priority and make someone do real time work and not these EIRs that do little to find real problems and impact on existing residents. I28-7 Regards Paty Molenaar	**Response to Comment I28-5** The FEIR discusses Hydrology and Water Quality in Section 3.1.4, *Hydrology /Water Quality*, of the EIR, as well as the Technical Appendices M-1 through M-4, *CEQA Preliminary Hydrology/Drainage Study, Hydromodification Screening Analysis, Preliminary Hydromodification Management Study, Hydraulic (Floodplain) Analysis for HGV South,* and the *Priority Development Project Storm Water Quality Management Plan* (Appendix N). **Response to Comment I28-6** The Project's water reclamation facility would be state-of-art, as described in Chapter 1.0, *Project Description*, of the EIR. The water reclamation facility is subject to Waste Discharge Requirement (WDR) permits by the Regional Water Quality Control Board (RWQCB) similar to the WDR requirements for existing Harmony Grove Village (HGV) water reclamation plant. Water reclamation facilities are subject to monitoring and reporting program requirements which are intended to ensure the reliability of the operation and maintenance of these facilities and to protect the water quality of receiving waters. It is noted that certain significant storm events may occasionally exceed the capacity of water treatment facilities, resulting in occasional overflows of effluent into receiving waters. These occasions are extremely rare, particularly in San Diego County. Project-related water quality was evaluated in FEIR Section 3.1.4, *Hydrology/Water Quality*, and all issues were identified as less than significant based on technical data provided in EIR technical appendices M-1, *the CEQA Preliminary Hydrology/ Drainage Study;* M-4, *the Hydraulic (Floodplain) Analyses for HGV South;* and N, the *Priority Development Project Storm Water Quality Management Plan*. **Response to Comment I28-7** While the comment does not raise any specific issue regarding content in the EIR, it is noted that the EIR discusses both groundwater availability and water quality in Section 3.1.4, *Hydrology/Water Quality*. Regarding the potential for drawdown (impacts on groundwater availability), as stated in the FEIR: *Domestic water supplies for the Proposed Project would be obtained from the Rincon MWD, with no groundwater use proposed for domestic or other purposes. As previously*

COMMENTS	RESPONSES
	noted, implementation of the Proposed Project would result in the addition of approximately 38 acres of impervious surfaces in the form of pavement and structures. As a result, approximately 73 acres (or approximately 66 percent) of the site would remain pervious, including areas such as open space, landscaping, and unlined drainage facilities (refer to Figures 1-6a and 1-13). Based on these conditions, as well as the fact that virtually all areas proposed for development currently encompass Hydrologic Group C or D soils (with low or very low water transmission rates; PDC 2017b), infiltration of surface flows and related recharge capacity within the Project site are anticipated to exhibit a only a relatively minor reduction compared to existing conditions. *Project construction may also require localized extraction/disposal of shallow groundwater to accommodate activities such as grading and excavation. Because shallow groundwater is limited to the northernmost portion of the site, however (as described above in Section 3.1.4.1), construction-related dewatering is anticipated to be minor in extent and short-term in duration (refer also to the related discussion of potential groundwater extraction and associated water quality requirements below in this section under Guideline Nos. 8 through 11).* *Based on the above considerations, Project-related impacts associated with drawdown of local groundwater aquifers or reductions in local groundwater well yields would be less than significant (EIR pg. 3.1.4-19).* Relative to water quality, the section's introduction says: *Potential Project-related water quality impacts are associated with both short-term construction activities and long-term operation and maintenance. Project-related activities that could potentially result in direct effects to groundwater quality are limited to the percolation of*

COMMENTS	RESPONSES
	Project-related surface runoff and associated pollutants (e.g., in pervious portions of the proposed storm drain system) (EIR pg. 3.1.4-21). The EIR reviews both types of effects between pages 19 and 26 of the section, with discussions including (but not limited to) construction controls, disposal of shallow groundwater during construction, long-term maintenance and operations, site design and source control best management practices, etc. The conclusion in the FEIR Section 3.1.4.5 states: *Based on the discussions provided above, potential Project-specific and cumulative hydrology and water quality impacts associated with implementation of the Proposed Project would be effectively avoided or reduced below identified significance guidelines through implementation of recommendations provided in the Project Drainage Study, HMS [Hydromodification Study], Hydraulic (Floodplain) Analyses and SWQMP [Storm Water Quality Management Plan], as well as conformance with established regulatory requirements (EIR pg. 3.1.4-29).* This information indicates that potential Project effects on area wells would be less than significant as a matter of site design and mandatory regulation and ordinance compliance.

COMMENTS	RESPONSES
Comment Letter I29 June 20, 2017 Ms. Ashley Smith Land Use & Environmental Planner Planning & Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123 RE: Harmony Grove Village South; PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006. Dear Ms. Smith: My comments focus principally on the sections of the documents dealing with air quality and green house gases. I will leave my neighbors to comment on the other sections of the document. I am a resident of Elfin Forest / Harmony Grove and have lived in the community for more than 20 years. But before commenting on the specifics of the DEIR, I would like to provide a brief history of the property in question. The County Board of Supervisors, with the support of Elfin Forest/Harmony Grove, adopted The Harmony Grove Village Specific Plan in February 2007. The plan was developed as part of the ongoing 2020 planning process. Elfin Forest / Harmony Grove community accepted the up-zone of Harmony Grove Village project to accommodate the county's need to grow, described by the county as the community's "fair share" of that growth. In exchange, the county established a land use pattern for the Harmony Grove area with a village core with single-family residential homes that decrease in density the further the location from the core. This was codified in the Specific Plan. At the time this agreement was struck, the property being proposed for the Harmony Grove Village South project area was zoned for between 20 and 27 homes per the Department of Planning and Land Use (DPLU). The 20 to 27 units was entirely consistent with the agreed upon land use pattern and one the community believed was not subject to further change. I29-1 In March of 2007, in response to SunCal Companies' Extended Initial Study/Information (GP\GPA 05-004) requesting up-zoning of the same parcels to approximately 170 units, DPLU found it to be inadequate for several reasons including the project's lack of secondary access in the event of fire and consistency with the General Plan stating: The Harmony Grove Village Specific Plan was recently approved by the Board of Supervisors. This project establishes a land use pattern for the Harmony Grove area with a Village Core surrounded by single-family residential development that	**Response to Comment I29-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

COMMENTS	RESPONSES
	**Response to Comment I29-2** The information provided in Subchapter 2.6, *Air Quality*, Section 2.6.1.1 is intended to provide context for the existing meteorological setting. To clarify, the temperatures given are annual average minimum and maximum values. Regarding the statement that data are based on information through 1979, the data used actually incorporate records up to 2010. Regarding daytime temperatures, please note that this information is not the basis of the model, which is based on climate zones (Climate Zone 13, appropriate for Escondido). CEQA requires that Project analyses address effects resulting from the Project against a baseline focused on existing conditions. Projecting future conditions, and providing analysis against that future condition, does not meet the legal requirements of CEQA. Regardless, the temperatures do not affect the quantity of emissions generated by the Project which would still fall below the significance thresholds as identified in Tables 2.6-6 through 2.6-8.

COMMENTS	RESPONSES
Comment Letter I29 The annual average temperature in the Project area is approximately 55 degrees Fahrenheit during the winter and approximately 74 degrees F during the summer. Total precipitation in the Project area averages approximately 16.2 inches annually. Precipitation occurs mostly during the winter and relatively infrequently during the summer (Western Regional Climate Center 2012). Per the DEIR, the source of pollution is predominately from vehicle sources and the majority of the vehicle traffic, both during construction and operationally, will be during daylight hours. Daytime temperatures, not the average daily temperatures, should be used in any calculations to determine the impacts of pollution from the proposed project. Construction is typically limited to daylight hours and most residential traffic; parcel delivery, service calls, school traffic and most commutes, will be during daytime hours. Summer daytime temperatures in Escondido typically are in the 80's and 90's with days of 100 degrees F or more are not uncommon. The DEIR acknowledges the impacts of temperature on air pollution in appendix J, which it states in section 1.2.1 (bolding added for emphasis): Although global climate change is anticipated to affect all areas of the globe, there are numerous implications of direct importance to California. **Statewide average temperatures are anticipated to increase by between 3 and 10.5°F by 2100.** Some climate models indicate that this warming may be greater in the summer than in the winter. This could result in widespread adverse impacts to ecosystem health, agricultural production, water use and supply, and energy demand. Increased temperatures could reduce the Sierra Nevada snowpack and put additional strain on the state's water supply. **In addition, increased temperatures would be conducive to the formation of air pollutants, resulting in poor air quality.** Furthermore, the Western Regional Climate Center data for Escondido is based on records from the period, 12/01/1893 to 03/31/1979, which is clearly noted with the data. Temperatures have increased considerably since 1979; in fact, San Diego has set new records for the last several years in a row. Already this May, Escondido experienced temperatures more associated with August than what is expected during spring. By using temperatures that do not comport with the current reality or representative of when the pollutants are introduced into the environment, the analysis understates the impacts of air pollution due to the proposed project. I29-2	

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Additionally, in spite of the acknowledgement in appendix J that the temperatures in California are expected to rise between 3 and 10.5°F by 2100, the analysis does nothing to address the impacts of this temperature rise, even though this timeframe is well within the usable life of the project. By failing to do so, it does not address the full negative impacts of the projects air pollutants on the surrounding communities. At a minimum, one would expect a best-case scenario and worst case one based on the 3 and 10.5°F range. This would inform what mitigation is needed and the best forms of mitigation to address the impacts of air pollution generated by the project throughout its life. I29-2

Mitigation plans:

Even with these shortcomings in the analysis, the DEIR still finds that the project would result in a significant and unavoidable impacts to the region's air quality. Even so, the developer does not propose a mitigation plan to ameliorate any of those impacts. Instead, they claim that the impacts will be reduced when the RAQs are updated as stated in appendix H sec. 4.1.4:

> The Proposed Project would not conform with the RAQS and SIP and would result in a significant and unavoidable impacts. These significant impacts will be reduced to less than significant when the RAQs are updated.

I29-3

Yet they offer no rationale why the 2011 General Plan Update and SANDAGs growth projections, which the RAQS are based, need updating. The 2011 General Plan Update took years to develop and 10s of millions of dollars to develop and is still considered an accurate reflection of San Diego County's housing needs. Similarly SANDAGs projections remain accurate. Individual pocket zoning request are not sufficient reason to update these plans. In affect the developer is asking the county to undercut the very laws it has a duty to enforce. This is not a mitigation plan but a scheme to transfer the cost of the increased air pollution of the proposed development to the taxpayers of San Diego County.

COMMENTS WITH REGARDS TO GREENHOUSE GASES

Amortized construction emissions over 20 years:

The DEIR's analysis of construction related emissions represent those impacts in a misleading manner that has nothing to do with how carbon dioxide actually behaves in the environment. The DEIR states in the executive summary of appendix J: I29-4

> The Project-related construction activities are estimated to generate approximately 3,682 metric tons (MT) of carbon dioxide equivalent (CO2e). Construction emissions are amortized over 20 years, such that the proposed construction activities would contribute an average of

Response to Comment I29-3

The County concurs with the statement that the EIR and the Appendix H technical report find a temporary significant impact relative to consistency with the Regional Air Quality Strategy (RAQS), but does not agree that this constitutes a significant impact to the region's air quality. The conclusion in the EIR on page 2.6-7 (emphasis added), is that:

> ***…the Project would not result in a significant air quality impact with regards to construction- and operational-related emissions of ozone precursors or criteria air pollutants. Therefore it is unlikely that the additional units from the Project would interfere with the SDAPCD's goals for improving air quality in the SDAB.*** *Regardless, because the Project is proposing an increase in housing units beyond what was included for the site in the RAQS, consistent with the County guidelines,* ***impacts associated with conformance to regional air quality plans would be potentially significant. (Impact AQ-1a)***

The analysis makes it clear that Project implementation is not expected to delay the ability of the region to attain California air quality goals. In fact, the impact is not related to air quality exceedances, but to plan conformance. The actual air quality effects are detailed in EIR Subchapter 2.6, *Air Quality*, Section 2.6.2.2, *Conformance to Federal and State Ambient Air Quality Standards*, which expressly addresses existing and projected air quality violations, and measures impacts against the County thresholds. No existing or future Project-related exceedance was identified.

This is relevant to the mitigation proposed for the RAQS planning document impact. Because the impact is not related to the environmental effects of the Project, but is rather a "paper" inconsistency, the impact requires a "paper" mitigation measure. This would be accomplished through ensuring that the appropriate RAQS update incorporates the proposed change to the General Plan assumptions (see Mitigation Measure M-AQ-1a). The update would bring both plans into conformance. Again, no mitigation relative to actual emissions is required.

COMMENTS	RESPONSES
	Response to Comment I29-4 All references to amortization are now removed from Subchapter 2.7; and the topic is no longer relevant. Please note that with the current Project net-zero commitment (and in accordance with Mitigation Measures M-GHG-1 and M-GHG-2 addressed in the subchapter), the Applicant will make one purchase to offset the full amount of construction-related GHG emissions before construction occurs (e.g., at final map or grading permits), followed by purchase of credits to offset of the full amount of operation-related GHG emissions prior to Project occupation. As a point of information, however, the amortization of the construction GHG emissions as addressed in the DEIR was consistent with prior County guidance. The use of 20 years is actually somewhat conservative because some agencies amortize over a 30-year period (e.g., the City of San Diego prior to adopting their 2016 Climate Action Plan, and the South Coast Air Quality Management District). Please also note that with the current Project commitment to attain net neutrality (net zero) for carbon emissions and consistent with mitigation specified in the Final EIR, the Applicant will make one purchase to offset the full amount of construction-related GHG emissions before construction occurs (e.g., at final map or first grading permit), followed by purchase of credits to offset the full amount of operation-related GHG emissions prior to Project occupation. The County's Climate Action Plan has been reviewed and addressed as appropriate in Project greenhouse gas discussions. Please note that subsequent to public review of the Project DEIR, confirmatory review was undertaken of the Project's GHG analysis. This is addressed in Subchapter 2.7, *Greenhouse Gas Emissions*, of the FEIR. Please see the conservative commitment by the Applicant to attain net zero GHG emissions through credit purchase identified for both construction and operational phases through mitigation measures M-GHG-1 and M-GHG-2. The Greenhouse Gas Emissions EIR section and supporting information were recirculated from February to April 2018 for public review.

COMMENTS	RESPONSES

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184 MT per year of CO2e emissions. The Project-related operational and amortized construction GHG emissions are estimated to generate approximately 5,272 MT CO2e per year. [illegible]

Carbon Dioxide does not take a period of years transform into something harmful; the impacts of CO2 begin from the time they are released into the environment. Amortizing construction air pollutants this way misleads the public as to the true cost of those pollutants and it does so in detrimental ways. It encourages the use of low cost high carbon emitting equipment and construction techniques. It promotes extensive grading as opposed to the incorporation of a site's natural features into project design, this hides the true environmental cost of these tradeoffs from the public by not presenting a true baseline to compare against alternatives as required by CEQA. The courts have consistently rejected practices that mislead the public as to the reality of the impacts and subvert full consideration of actual environmental impacts in the preparation of EIRs. Additionally, this approach is not permissible, as it has not been incorporated into San Diego's Carbon Action Plan (CAP).

Greenhouse gas analysis, efficiency metric:

The DEIR's analysis of greenhouse gases is riddled with errors of logic and omission that renders its conclusion useless. While the overall approach may, when fully developed, prove workable, the analysis as executed uses data that is not consistent with the geographic location of the proposed development. The analysis method has not been incorporated into the county's Carbon Acton Plan, which precludes its use. I29-4

The developer proposes using efficiency metric to determine if the impact of the development is significant. In appendix J section 4.0 they state:

> The analysis contained herein relies upon an efficiency metric not based on the future County CAP and not based upon guidelines adopted by a public hearing process.

The efficiency metric proposed has the following formula:

Efficiency Metric = Metric Tons CO2e (based 1990 levels)/ Service Population (based on 2020 projections) /year

Where service population equals population + jobs.

The DEIR calculates the efficiency metric for the project using data for unincorporated San Diego County, including 2 different greenhouse gas inventories and one using statewide data. Not all sources of greenhouse gases were included in the analysis, but those they considered relevant to land use sectors as described in appendix D in a chart titled 'California Greenhouse Gas Inventory for 1990 — by Sector and Activity'. The efficiency

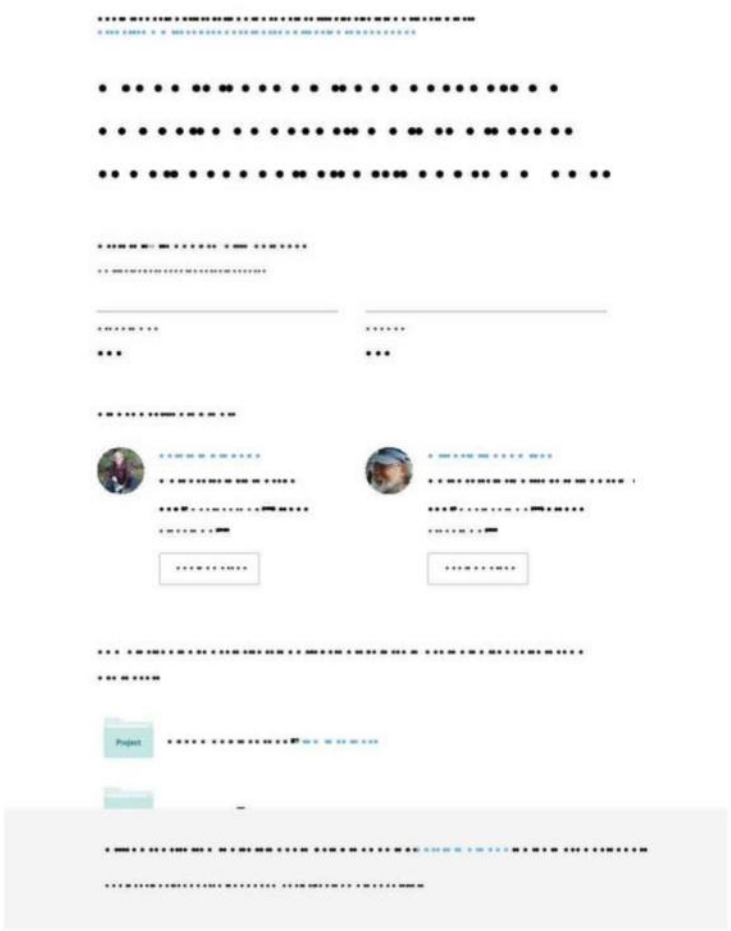
COMMENTS	RESPONSES
Comment Letter I29 metric calculations based on San Diego County data include only carbon dioxide sources, population and jobs from unincorporated San Diego County. While it is true the project is located in unincorporated San Diego County, it is a small inholding of county land, known as the San Dieguito planning area, which is surrounded by the counties major urban centers. The San Dieguito planning area is described in the County General Plan as: > The San Dieguito Community Plan Area (CPA) is a low-density estate residential area surrounded by the rapidly urbanizing areas of North San Diego County. To the west lie the coastal cities of Encinitas, Solana Beach, and Del Mar; to the north are Carlsbad and San Marcos; to the east Escondido; and on the south, the City of San Diego. Below is a map showing the location and relative size of the San Dieguito planning area relative to the rest of unincorporated San Diego County. **Unincorporated San Diego County**  I29-4	

COMMENTS	RESPONSES
Comment Letter I29 As the map shows, the proposed project is located within San Diego County's costal urban core, a fact further emphasized by the project's own description in the summary section of the DEIR, which states: > The Proposed Project site vicinity is bordered by more intensive urban development in the cities of San Marcos and Escondido to the north and east, respectively. Palomar Medical Center is located approximately 2 miles to the north and Stone Brewery is located approximately 1.5 miles to the north as a crow flies. Both are part of the Escondido Research and Technology Center (ERTC), an industrial/commercial, employment and services locus located within 1 mile north-northeast of the Project. The ERTC is accessed by Harmony Grove Road, as are large big box uses, located at Valley Parkway and I-15 and along Auto Park Way. Two transit centers – "Nordahl Road" and "Escondido Transit Center" – are also located nearby. I29-4 The Escondido Research and Technology Center, as the name suggests, is located with in the city of Escondido, the "Nordahl Road" transit center is in the city of San Marcos, the "Escondido Transit Center" is in the city of Escondido as are the "big box uses". In fact, if a resident of the proposed project were to drive 7.88 mile, which is the average trip length for the project as described in appendix J section 5.3.1, they could not reach unincorporated East County San Diego nor could they reach unincorporated Camp Pendleton and the jobs located there. The vast majority of residents of the proposed project will work in the surrounding urban coastal core of San Diego as the DEIR summary suggests. The majority of student age children will attend schools in Escondido. Thus, it makes no sense to use the unincorporated county as the basis for the Greenhouse gas analysis. The analysis treats the development from a Greenhouse gas perspective as if it is being built on the shores of Lake Henshaw or the middle of the Anza Borrego desert, which is completely disconnected from the project's geographic reality. And thus, the efficiency metric calculations, regardless of which unincorporated greenhouse gas inventory is used, are meaningless. CEQA Guideline 15064.7(c)A requires a threshold of significance must be based on substantial evidence. I29-5 Applying the same logic used in the DEIR to calculate the efficiency metric with data that reflects the proposed development's location within San Diego County's coastal urban core, yields the following: the numbers are conservatively based on the data set that yielded the most favorable result for the project in their analysis (2011 GP Update EIR, University of San Diego's Energy Policy Initiatives Center (EPIC) GHG inventory for San Diego County and the EDD long term job forecast). This yields a 1990 CO_2e inventory for	**Response to Comment I29-5** As opposed to the GHG emissions inventory, which is based on land uses within the unincorporated County, the trip distance used for residences of the Project is based on the geographical proximity of employment centers, amenities, etc. that the residents would use. The suggested efficiency metric in the comment (which is based on San Diego County's coastal urban core) is not an appropriate approach for a project located in the unincorporated County.

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Comment Letter I29 San Diego County's coastal urban core of 18,588,537 MT CO_2e and a 2020 service population of 4,581,984 that produces an efficiency metric of 4.06. Applying the 5.2 % reduction as the DEIR does to account for project completion in 2021, yields a 3.85 MT CO_2e/SP/year. Which is well below project emissions per service population value of 4.4 as presented in the DEIR. Thus by the DEIRs own proposed methodology the project has significant greenhouse gas impacts. I29-5 As the discussion above shows, the DEIRs proposed methodology for analyzing greenhouse gas significance is not fully developed, reasoned nor documented. And a documented process has not been made available to the public for review and comment as required by the 2011 General Plan Update. As such it is impermissible to be used in greenhouse gas analysis as made clear in SIERRA CLUB VS. COUNTY OF SAN DIEGO (CASE NO.: 37-2012-00101054-CU-TT-CTL), which states: > The County failed to comply with the CEQA-required procedures in adopting the 2016 Guidance Document. It did not adopt the 2016 Guidance Document by "ordinance, resolution, rule, or regulation." It did undertake a public review process. Also, the County's rules (ignored by the County) require that the 2016 Guidance Document be subject to public review. I29-6 The final efficiency metric calculation in the DEIR uses statewide CO2e, population and jobs projections. But again this is impermissible as made clear in SIERRA CLUB VS. COUNTY OF SANDIEGO (CASE NO.: 37-2012-00101054-CU-TT-CTL), which states: > Is the 2016 Guidance Document Supported by Substantial Evidence? > No. A threshold of significance must be based on substantial evidence. See CEQA Guideline 15064.7(c). The 2016 Guidance Document fails to bridge the analytical gap with substantial evidence, and thus is not supported by substantial evidence. > The 2016 Guidance Document relies on statewide service population and statewide GHG inventory to derive a "per person" limit of GHG emissions. AR 10981. It provides no data specific to San Diego County. It makes no effort to explain why the calculation of the "County Efficiency Metric" based only on statewide data is appropriate for San Diego County. I29-7	**Response to Comment I29-6** Please refer to Response to Comment I29-4. **Response to Comment I29-7** Please refer to Response to Comment I29-4.

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Comment Letter I29 Greenhouse gas analysis over the life of the project: SB 32 requires that greenhouse gases be 40 percent below 1990 levels by 2030, yet the analysis in the DEIR does not include any information beyond full build out. The project useful life extends well beyond 2030 therefore such an analysis at a minimum would inform what design features, mitigation strategies are required to ensure the project meets all applicable regulations throughout its life. For example, such analysis might determine that the proposed solar system for the project should be sized to accommodate the charging of one electric vehicle per unit. It might inform the need to have the infrastructure in place such that at least one parking space per unit could easily be adapted to accommodate electric vehicle charging. Clearly a single charging station as proposed would not accommodate even a handful of residences with electric vehicles. Electric vehicles are a major component of California's plans to meet its greenhouse gas reductions targets. I29-8 Calculation of project emissions: The project emission calculation fails to include the carbon sequestration value of the chaparral that will be removed during construction, and thus understates the total carbon impact of the project. The carbon capture value of chaparral is described in a paper published in the journal Geoderma May 1998 titled; Organic Carbon Sequestration Under Chaparral and Pine After Four Decades of Soil development. The article is included as an attachment. By not factoring the carbon capture loss in the project emissions calculations the DEIR understates the impacts of the greenhouse gases and their significant relative to the applicable laws. I29-9 CONCLUSIONS The project as described in the DEIR does not comply with the applicable air quality and greenhouse gas laws and thus the project may not be approved in its current form. The review period was too short to review in any detail the traffic impact study within appendix J and other major sections of the report. But the number of errors in logic and omission found in those sections I did review are so fundamental as to call into question the veracity of the entire report, which raises serious doubts about the project. I29-10 Thank you, Richard Murphy	**Response to Comment I29-8** The EIR addresses consistency with the goals of SB 32 in Subchapter 2.7, *Greenhouse Gas Emissions*, Section 2.7.2. Also, the County respectfully disagrees with the second point of the comment. Although the analysis has been deleted from the FEIR, there was a qualitative analysis that included post-2020 targets for horizon years 2030 and 2050 in the DEIR under the heading "Horizon Year (2030 and 2050 Analysis)." The analysis is germane to the comment, remains accurate as to conclusion, and concluded that: *…the Project would neither conflict nor interfere with the state's implementation of SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030, or EO S-3-05's target of reducing statewide GHG emission to 80 percent below 1990 levels by 2050. This is because it would not interfere with the state's implementation of GHG emission reduction measures described in CARB's First Update to the Scoping Plan; including the state providing for 12,000 MW of renewable distributed generation by 2020, CARB's draft 2017 Climate Change Scoping Plan Update, the California Building Commission mandating net zero energy homes in the building code after 2020, existing building retrofits under AB 758, and Cap-and-Trade Regulation. CARB identified these programs to reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80 percent below 1990 levels by 2050.* Please refer to Response to Comment I29-4 regarding carbon net neutrality (i.e., purchase of off-sets). **Response to Comment I29-9** Consistent with this comment, the final Greenhouse Gas Emissions Analysis does include sequestration analysis. A one-time loss of sequestered carbon, as well as the benefits of the Project landscaping plan (which were conservatively

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	not incorporated into the impact numbers), are addressed in the FEIR and the errata to the Appendix J. **Response to Comment I29-10** The County acknowledges these comments. Conformance of the Project with applicable air quality and greenhouse gas legislation is addressed in the EIR and responses to this letter. Please refer to those discussions. The EIR was available for review for a period exceeding the minimum time period required under CEQA law, and was extended in response to requests for time extension. It is also noted that the Greenhouse Gas Emissions section and supporting information were recirculated from February to April, 2018, as described above. The County disagrees that there are fundamental errors in logic and omission, but rather finds that the Project documents are fully sufficient and accurate to support informed review by the public and decision makers. Absent additional specific comments for which a response can be provided, this general statement does not require a further response.

COMMENTS	RESPONSES
Attachment to Comment Letter I29 Comment I29-11 ResearchGate 	**Response to Comment I29-11** This attachment onsequestration research, is addressed in Response to Comment I29-9, above.

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Comment I29-11

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GEODERMA

Organic carbon sequestration under chaparral and pine after four decades of soil development

S.A. Quideau [a,*], R.C. Graham [a,1], O.A. Chadwick [b,2], H.B. Wood [c]

[a] *Department of Soil and Environmental Sciences, University of California, Riverside, CA 92521, USA*

[b] *Department of Geography, University of California, Santa Barbara, CA 93106, USA*

[c] *USDA-Forest Service, Pacific Southwest Research Station, 4955 Canyon Crest Drive, Riverside, CA 92507, USA*

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Abstract

Soils are the largest carbon reservoir of terrestrial ecosystems, and play a central role in the global carbon cycle. The large lysimeter installation at the San Dimas Experimental Forest in southern California allowed quantification of carbon storage in a biosequence of soils under chamise (*Adenostoma fasciculatum* Hook. and Arn.), hoaryleaf ceanothus (*Ceanothus crassifolius* Torr.), scrub oak (*Quercus dumosa* Nutt.), and Coulter pine (*Pinus coulteri* B. Don). After four decades of soil development, carbon sequestration in the lysimeters ranged from 4552 to 17,561 g m^{-2}. Carbon accretion in the mineral soils (0–1 m) under chaparral represented a larger percentage of total above-ground biomass (23–27%) as compared to the pine (13%). Also, contribution of the A horizon to whole soil (0–1 m) OC sequestration was higher under chaparral than under pine. Carbon accretion in the surface horizons was related to earthworm activity, which was intense under scrub oak, but absent under pine. Soils sampled in 1987 and corresponding archived fill materials were fractionated according to density and mineral particle size fractions, and analyzed for OC and N by dry combustion. Carbon and nitrogen concentrations in all mineral soil fractions can be ranked from highest to lowest by plant species: ceanothus > chamise > scrub oak > Coulter pine. Under chaparral, a greater proportion of total soil carbon was recovered in the sand fraction as compared to the pine. The C/N ratio of this sand-sized organic matter was higher under chaparral than under pine. This is indicative of fresh plant residues that may not contribute to the long-term carbon storage in soils. © 1998 Elsevier Science B.V.

Keywords: Mediterranean ecosystems; C/N ratio; density and size fractionation

* Corresponding author. Fax: +1-909-7873993; E-mail: quideau@citrus.ucr.edu
[1] Fax: +1-909-7873993; E-mail: graham@citrus.ucr.edu
[2] Fax: +1-805-8933146; E-mail: oac@geog.ucsb.edu

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Comment I29-11

1. Introduction

Soil organic matter (SOM) is a key attribute of soil quality in that it mediates many of the processes controlling the capacity of a soil to perform successfully with respect to specific conservation and management objectives (Doran and Parkin, 1994). Furthermore, soils are a substantial carbon reservoir and are estimated to store 1400×10^{15} g C on a global scale; this is approximately twice the amount stored in either the living biomass or the atmosphere (Schlesinger, 1977; Post et al., 1990). A central difficulty in quantification of the global C cycle is SOM heterogeneity, which has been conceptualized in mathematical modeling as a series of pools with different turnover rates, ranging from seasonal to millennial (e.g., Parton et al., 1987; Trumbore, 1993). Identification of analytical organic fractions corresponding to the dynamic pools of these models is a prerequisite to better understanding the role of SOM in overall soil quality and the global carbon cycle.

A wide variety of extraction methods has been employed to recover organic substances from soils, including the use of alkaline hydrolysis, followed by acidification, to separate the classical humic and fulvic acid fractions (Stevenson, 1994). However, there appears to be limited significance of these fractions to the turnover rates of different SOM pools. Physical fractionation of soil according to mineral particle sizes has proven to be the most promising separation method proposed so far (Christensen, 1992). Results from incubation studies and radiocarbon dating have demonstrated differences in turnover rate of SOM associated with different size fractions, with turnover rate typically decreasing with decreasing particle size (Anderson and Paul, 1984; Christensen, 1987). The physical fractionation approach has been successfully applied in studies of SOM decrease after cultivation of prairie soils in Canada and the US midwest (Anderson et al., 1981; Tiessen and Stewart, 1983; Zhang et al., 1988). Effects of cropping on SOM decrease following deforestation have also been documented (Cerri et al., 1985; Skjemstad et al., 1990). Cultivation typically induces a massive loss of the light, sand-associated organic matter, with a smaller loss in the fine silt and coarse clay fractions. In contrast to the net release of carbon to the atmosphere resulting from the expansion of agricultural lands, forests may represent an important sink for anthropogenically produced carbon (Post et al., 1990; Grace et al., 1995). However, SOM accretion in different particle size fractions during the early stages of soil development following afforestation are poorly documented.

The lysimeter installation at the San Dimas Experimental Forest (SDEF) in southern California presented the opportunity to study changes in organic carbon (OC) storage in imposed soil–vegetation systems four decades after planting. These large lysimeters were filled with homogeneous soil material of low OC content (0.2%), and have been under virtual monocultures of native woody species since 1946. Past research at the San Dimas lysimeter installation has

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addressed the influence of chaparral and Coulter pine (*Pinus coulteri* B. Don) vegetation on soil morphological development (Graham and Wood, 1991), aggregate stability (Graham et al., 1995), soil OC, N, and exchangeable cations (Ulery et al., 1995), mineralogy (Tice et al., 1996), and base cation weathering (Quideau et al., 1996). Our objectives in this study were to assess (1) changes in C and N storage in the total soil–vegetation systems, and (2) changes in soil OC and N storage in particle size fractions as a function of vegetation type.

2. Methods and materials

2.1. Study area

The SDEF is located in the San Gabriel Mountains, 56 km northeast of Los Angeles. The lysimeter installation is centered in the SDEF at an elevation of 830 m, in an area known as Tanbark Flat (Mooney and Parsons, 1973). Native vegetation of the SDEF is mainly composed of mixed chaparral, which includes chamise (*Adenostoma fasciculatum* Hook. and Arn.), ceanothus (*Ceanothus* spp.), manzanita (*Arctostaphylos* spp.), scrub oak (*Quercus dumosa* Nutt.), and birch-leaf mountain mahogany (*Cercocarpus betuloides* Nutt.). The climate is typically mediterranean with warm, dry summers, and mild, wet winters. The mean annual temperature is 14.3°C, with August and January means of 22.2 and 8.0°C, respectively. The mean annual precipitation is 678 mm (Dunn et al., 1988).

History of the lysimeter installation has been described in detail elsewhere (Colman and Hamilton, 1947; Graham and Wood, 1991; Graham et al., 1995; Ulery et al., 1995; Tice et al., 1996), and is highlighted here. The large (5.3 by 5.3 m horizontally and 2.1 m deep) unconfined lysimeters were filled in 1937 with a brown (7.5YR 5/4 dry) fine sandy loam derived on site from the weathering of diorite. To insure homogeneity, the soil material was sieved (< 19 mm diameter) and thoroughly mixed prior to filling. In addition, each successive 7.5-cm-thick fill layer was chopped with a flat-bladed spade to reduce boundary effects with the underlying layer. Analysis at the time showed an extreme range in soil density through the lysimeters of less than 2% (Colman and Hamilton, 1947).

Following a 3-yr settling period, a 5% slope to the south was imposed on the surface of the lysimeters. Monocultures of chamise, ceanothus (*Ceanothus crassifolius* Torr.), scrub oak, and Coulter pine were established in 1946, either with seeds or 1-year-old seedlings. A single planting of each species was done on a 17 by 24 m area including an unconfined lysimeter and surrounding buffer strips to eliminate edge effects (Colman and Hamilton, 1947). By 1955, all lysimeters supported pure stands and had complete litter covers (Patric, 1961). In July 1960, the chamise and ceanothus stands were burned to the ground by a

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wild fire, leaving only charred stems and a 1-cm-thick ash layer (Zinke, 1977). The oak and pine stands were less affected, with only spotty burning of the litter under the oak. By 1972, vegetation on all lysimeters was again vigorous and in virtually pure stands as originally planted (Patric, 1974, unpubl. data). Except for scattered grass in the pine lysimeter, these conditions have prevailed to the present without further disturbance (Milone, 1994).

2.2. Field and laboratory methods

Above-ground biomass at each lysimeter was determined in summer 1993 as reported by Milone (1994). Because the lysimeters occupy small areas (28 m^2) and are irreplaceable resources, destructive sampling of vegetation was restricted to the buffer strips surrounding the lysimeters. Allometric equations relating stem diameter to total and foliage biomass were developed for each vegetation type (Milone, 1994). Stem diameters were then measured for all plants within each lysimeter, and estimated biomass values were extrapolated to a hectare basis. Litter biomass was estimated from cores of known volume (227 cm^2) taken in triplicate at each lysimeter. Wood, foliage, and litter samples were dried to constant weight at 70°C, ground in a Wiley mill, and analyzed for total OC and N by dry combustion using a Carlo Erba analyzer. Above-ground biomass at planting was assumed negligible relative to that of the 47-year-old vegetation, and accumulation in above-ground biomass was equated to OC and N contents as measured in 1993.

Composite soil samples of each 7.5 cm incremental layer were taken in 1937 upon filling of the lysimeters, and archived in glass jars. In 1987, three pedons in each vegetation plot were described and sampled by morphological horizon (Graham and Wood, 1991). In each lysimeter, one pedon was sampled to a depth of 1 m, the other two were sampled to 35 cm. The soils under chamise, ceanothus, and shrub oak were classified as coarse-loamy, mixed, mesic Typic Xerorthents, while the soil under pine was a coarse-loamy, mixed, mesic Typic Haploxeralf. The 1987 soil samples and samples archived in 1937 from corresponding fill layers were sieved to remove coarse fragments (> 2 mm), and analyzed for total OC and N by dry combustion (i.e; total of 92 samples). Changes in total OC and N storage within each lysimeter soil to a depth of 1 m have been calculated by Ulery et al. (1995), by taking into account soil concentrations and volumetric changes with time.

In this study, we fractionated the following sets of soil samples: (1) the A horizons from the three pedons under each vegetation type; (2) the 80–100 cm depth intervals from the 1-m-deep pedons, and (3) the archived samples corresponding to the 1987 A horizons. Soil samples (20 g) were ultrasonically dispersed in water with a Fisher Scientific P5-50 sonicator. Preliminary work established that a 1:10 soil-to-water ratio and a sonification time of 15 min at full power efficiently dispersed the soil samples. The sand fraction (> 50 μm)

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was separated by wet sieving (Anderson et al., 1981). The remaining suspension was fractionated using a combination of sedimentation and centrifugation techniques (Genrich and Bremner, 1974) into: coarse silt (20–50 μm), medium silt (5–20 μm), fine silt (2–5 μm), and clay (< 2 μm). The sand, coarse silt, and medium silt fractions were dried to constant weight at 70°C. The fine silt and clay fractions were flocculated with 1 M KCl, dialyzed against water until free of salt, and freeze dried. Weight of the five size fractions was recorded. Recovery of the original 20 g was excellent, with an average recovery of 97.7%. All fractions were analyzed for total OC and N by dry combustion (i.e., total of 100 samples).

3. Results

3.1. Storage within the plant–soil systems

Soils (0–1 m) under the four vegetation species have accumulated from 900 to 3800 g m^{-2} of carbon since planting in 1946 (Table 1). Depending on the plant species, these values represent an increase in soil OC storage of 30 to 120% relative to the original fill material, and reflect the high sequestration potential in soils during their initial stage of development. They are five to ten times greater than those measured in older (4–240 ka) grassland soils from northern California (Chadwick et al., 1994).

Total N accretion in the lysimeters ranged from 95 to 231 g m^{-2}, and was highest for the oak (Table 1). Assuming no significant loss from the plant–soil

Table 1
Changes in OC and N storage (g m^{-2}) at the four lysimeters since planting in 1946

	Above-ground biomass[a]		Litter[b]	Soil[c]	Total[d]
	wood	foliage		(0–1 m)	
OC					
Pine	13,729	1250	518	2030	17,527
Oak	12,009	1302	490	3760	17,561
Ceanothus	4808	602	408	1398	7216
Chamise	2750	578	322	902	4552
N					
Pine	27	22	14	44	107
Oak	75	33	11	112	231
Ceanothus	53	13	8	119	193
Chamise	13	13	10	59	95

[a] As sampled in 1993 (from Milone, 1994).
[b] As sampled in 1994.
[c] As sampled in 1987 (from Ulery et al., 1995).
[d] Includes wood, foliage, litter, and soil (0–1 m).

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system, N accumulation for the oak lysimeter corresponds to a mean annual atmospheric deposition rate of 4.7 g m^{-2} yr^{-1} (i.e., as estimated since the construction of the lysimeter installation in 1937), and illustrates the high level of N pollutants in the Los Angeles air basin. While annual wet N deposition at the Tanbark Flats monitoring station, located 200 m south of the lysimeter installation, was 0.4 g m^{-2} yr^{-1} (Young et al., 1988), dry deposition loads may be several-fold greater; based on branch washing techniques, dry N deposition to the canopy of *C. crassifolius* growing within the San Dimas Experimental Forest was estimated at 2.0 to 3.5 g m^{-2} yr^{-1} (Bytnerowicz and Fenn, 1996).

In addition to differences in total accumulation and storage, the four plant species exhibited differences in OC and N distribution within the plant–soil systems (Table 1). In particular, the soil under ceanothus, a notable N_2 fixer, accumulated more N than the soil under oak. Assuming that the difference in N accumulation between oak and ceanothus reflects symbiotic fixation, this would correspond to a mean fixation rate of 1.4 g m^{-2} yr^{-1}. This is higher than the 0.03 g m^{-2} yr^{-1} reported by Kummerow et al. (1978) for *C. greggii* in San Diego County, but comparable to the 1.3 g m^{-2} yr^{-1} measured for *C. cuneatus* in northern California by Delwiche et al. (1965). Also, chaparral and pine systems markedly differed in OC partitioning between above-ground biomass and mineral soil (Fig. 1). For chaparral, OC accretion in the mineral soil (0–1 m) equated 23 to 27% of OC accumulation above-ground (including vegetation and litter), as compared to 13% for pine.

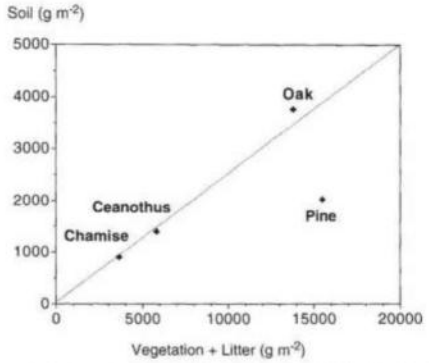


Fig. 1. Accumulation of organic carbon (OC) in the mineral soils (0–1 m) as a function of OC sequestration above-ground (litter + foliage + wood biomass).

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Table 2
Thickness, total OC concentrations, and changes in OC storage in the 1987-sampled A and C horizons under the four vegetation types. OC concentrations in the A horizons are the mean values for three pedons and standard errors are indicated in parentheses

	Thickness (cm)		OC concentration (wt%)		Change in OC storage ($g\ m^{-2}$)	
	A horizon	C Horizon (80–100 cm)	A horizon	C horizon (80–100 cm)	A horizon	C horizon (80–100 cm)
Pine	1	20	1.59 (0.31)	0.23	190	30
Oak	7	20	3.25 (0.08)	0.18	2890	−90
Ceanothus	2	20	6.58 (1.23)	0.16	1370	−160
Chamise	1	20	4.42 (0.35)	0.17	580	−70

Carbon concentration in the A horizons was higher under chamise and ceanothus than under pine (Table 2). Additionally, when the thickness of the A horizon was taken into account, OC accumulation under oak ($g\ m^{-2}$) was markedly greater than under pine. As reported by Graham and Wood (1991), the 1987 soils lacked any apparent morphological development below the 20- to 25-cm depth, and designated C horizons were sampled in 15- to 20-cm intervals. Under the three chaparral species, OC concentration in the final 20 cm increment (80–100 cm depth) was lower than the 0.2 wt% OC present in the original fill material, indicating a loss by decomposition or leaching since filling of the lysimeters (Table 2). In contrast, there was an increase in OC concentration at the 80–100 cm depth under the pine stand. These results further illustrate the difference between chaparral and pine vegetation. While the majority of OC accumulated near the soil surface under chaparral (Fig. 2), 90% of the OC accumulation under pine occurred below the 1 cm deep A horizon (Tables 1 and 2).

3.2. Distribution with particle size

Carbon concentrations in particle size fractions of the original fill material showed marked differences, ranging from 0.06 to 0.96% OC (Fig. 3a and Fig. 4). Concentrations increased with decreasing particle size, and reached a maximum in the clay fraction. The distribution of OC among size separates, calculated by taking into account particle size distribution (58% sand, 12% coarse silt, 12% medium silt, 7% fine silt, 11% clay), basically followed the same trend as OC concentration; OC content (as percent of <2 mm soil content) increased with decreasing particle size (Fig. 3b). One exception was in the coarse silt, which contained significantly less OC than sand. This was due to the small coarse silt content in the soil, only 20% of the sand content.

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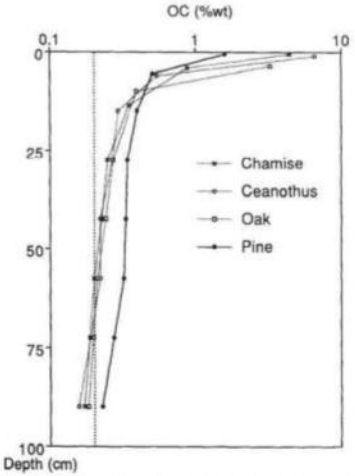


Fig. 2. Organic carbon (OC) concentration (%) as a function of depth under the four vegetation types. The dashed line indicates OC concentration (0.2%) in original fill material. Note log scale for OC concentration.

Carbon concentrations in the 1987-sampled A horizons were 4 to 90 times greater than those of the fill material, depending on the particle size fraction (Fig. 3a). In contrast to the original fill material, carbon enrichment increased with increasing particle size, which led to a shift in OC distribution from the fill material. In 1987, the sand fractions contained 32 to 54% of total OC (Fig. 3b). This OC pool includes undecomposed and only slightly decomposed plant residues (Christensen, 1992), and reflects the dominant influence of litter-derived materials in the sampled A horizons. In contrast to these surface horizons, OC concentrations in the size fractions at the 80 to 100 cm depth exhibited up to a 40% loss in OC as compared to the original fill material (Fig. 4). The sand and coarse silt fractions under pine were an exception and displayed a small enrichment in OC.

In all size separates from the A horizons, OC concentrations decreased in the following order: ceanothus > chamise > oak > pine, indicating that there was no interaction between vegetation and particle size (Fig. 3a). In contrast, an

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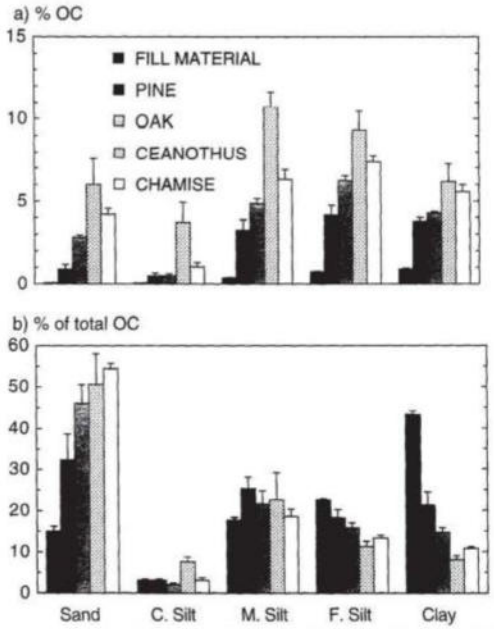


Fig. 3. The organic carbon (OC) in particle size fractions of the original fill material and of the A horizons under the four vegetation types expressed as (a) concentration (%) and (b) distribution (as % of total OC). Error bars indicate one standard error from the mean ($n = 3–4$).

interaction was apparent between vegetation and particle size for carbon distribution (Fig. 3b). In particular, the sand fraction contained more OC under the three chaparral species than under pine, while the opposite was true for the silt and clay fractions.

The C/N ratio in the original fill material decreased with decreasing particle size, from a high of 14.1 in the sand to 8.9 in the clay (Fig. 5). This supports the concept of lower mineralization rate for OC with decreasing particle size (Christensen, 1987). The deep (80–100 cm) samples collected in 1987 under the

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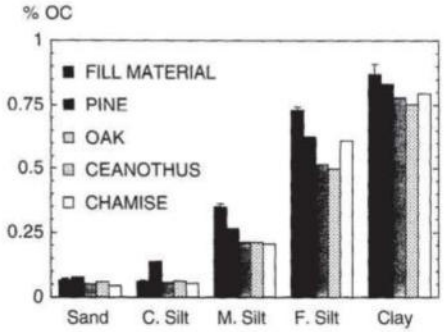


Fig. 4. The organic carbon (OC) concentration (%) in particle size fractions of the C horizons (80–100 cm) under the four vegetation types. Organic C concentrations in the original fill material are given as a reference (error bars indicate one standard error from the mean, $n = 4$).

three chaparral species had C/N ratios close to, but in general slightly higher than that of the fill material in all particle size fractions. This was particularly true for the sand and coarse silt fractions under pine vegetation (Fig. 5). These data suggest that higher OC input through root turnover was responsible for the greater SOM sequestration at depth under pine than under chaparral. In the

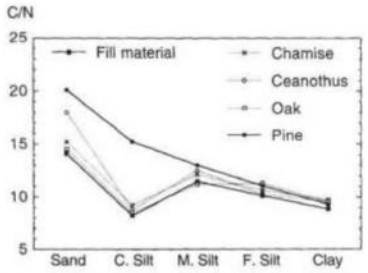


Fig. 5. C/N ratios in particle size fractions of the original fill material and of the C horizons (80–100 cm) under the four vegetation types.

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Table 3
C/N ratios in foliage, litter, and A horizons at the pine, oak, ceanothus, and chamise lysimeters. Standard errors are indicated in parentheses ($n = 3$)

	Foliage[a]	Litter[b]	A horizon[c]			
			sand	silt	clay	total
Pine	57	(Oi1) 72.5 (6.6) (Oi2) 46.6 (1.4) (Oe) 30.3 (1.6)	21.4 (1.3)	16.4 (0.9)	11.1 (0.7)	16.1 (1.4)
Oak	39	44.6 (3.9)	36.0 (5.9)	16.8 (0.7)	10.1 (0.2)	19.5 (1.2)
Ceanothus	46	46.9 (2.7)	27.3 (5.5)	17.7 (0.5)	10.8 (1.3)	20.3 (2.3)
Chamise	44	32.9 (1.4)	36.9 (4.9)	19.7 (1.4)	12.4 (1.9)	24.3 (2.8)

[a] As sampled in 1993 (from Milone, 1994).
[b] As sampled in 1994.
[c] As sampled in 1987.

1987-sampled A horizons, C/N ratios under all plant species were higher than in the fill material, again portraying the input of fresh plant residues (Table 3).

The C/N ratios of foliage, litter, and OC in the A horizons differed among plant species (Table 3). For pine, the C/N ratio decreased from the Oi1 to the Oi2 and Oe layers, and exhibited a further decrease in the SOM of the A horizon associated with the sand fraction. These data reflect the progressive increase in the degree of decomposition of pine needles until their incorporation into the mineral soil. In contrast, SOM associated with the sand fractions under chaparral vegetation showed a smaller decrease in C/N as compared to the foliage and litter pools. Furthermore, the C/N ratio of the sand fraction under the three chaparral species was higher than under pine, indicating a lower degree of decomposition for the plant material at its point of incorporation into the mineral soil. No consistent differences among vegetation types were apparent in the silt and clay fractions.

4. Discussion

Proportionally greater OC accretion in the mineral soil under chaparral (i.e., as percentage of OC accumulation in biomass) may be due to a proportionally greater litterfall and a more rapid litter decomposition than under the pine. In particular, litterfall for the oak lysimeter was estimated to be 3 to 4 times greater than that for the pine (Quideau et al., 1996). The percentage of above-ground biomass that becomes annual litterfall in chaparral ecosystems ranges from 6 to 14%, and is higher than the 3 to 5% range reported for coniferous forests (Gray and Schlesinger, 1981). Litterfall is also a function of the relative allocation of biomass to foliage; at the lysimeter installation, foliage made up 10 to 17% of total above-ground biomass for the three chaparral species as compared to 8% for the pine. Additionally, for the chamise and ceanothus lysimeters, the 1960

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fire may have contributed to the increase in soil OC. Fire is an integral part of chaparral ecosystems, and typically short-circuits intrasystem cycles by returning to the soil as ashfall elements and compounds of organic matter tied up in vegetation and undecomposed litter (Gray and Schlesinger, 1981).

Decomposition rates have been related to a variety of litter properties, including C/N ratio and lignin content (Schlesinger and Hasey, 1981; Horner et al., 1988). In the San Dimas vegetation systems, earthworm activity also appears to be a central determinant in litter decomposition and OC accumulation (g m^{-2}) in the A horizons. Graham and Wood (1991) reported varying degrees of earthworm activity according to chaparral species. In 1987, the soil under oak had the thickest A horizon (7 cm), comprising 95% worm casts. A similar earthworm-worked horizon was 2 cm thick under ceanothus (Table 2). Worm casts only composed 50% of the 1-cm-thick A horizon under chamise, and were absent under pine. Carbon accumulation in the A horizons increased with the increasing earthworm activity, reflected by horizon thickness and abundance of casts (Table 2).

The earthworms identified within the lysimeter installation were primarily *Aporrectodea caliginosa*, *Aporrectodea trapezoides*, and juvenile Lumbricidae (Wood and James, 1993). These species are endogeic; they live within the soil profile in temporary burrows and feed primarily on soil and associated organic matter (Bouché, 1977; Hendrix, 1995), but surface organic matter, such as leaf litter and small twigs, may also serve as a food source (Ferrière, 1980; Lee, 1985). In our study, the role of earthworms in mixing surface litter and mineral soil was evidenced by the greater proportion of total OC recovered in the sand fraction of the A horizons under chaparral vegetation as compared to pine (Fig. 3b). The wide C/N ratio of this sand-sized organic matter suggested little alteration of the litter material with incorporation into the mineral soil.

Organic matter associated with the sand fraction in soils either undergoes rapid oxidation to CO_2, or is redistributed to finer size fractions where it becomes increasingly resistant to decomposition and contributes to the long-term OC sequestration in soils (Christensen, 1987; Stevenson, 1994). However, proportionally less carbon was contained in the clay fraction of the A horizons under chaparral than under pine. These data could be due to slower mineralization processes under chaparral. Soil organic matter mineralization is slower in intra-aggregate regions than in inter-aggregate spaces, a phenomenon which has been related to the physical protection of organic matter contained within soil aggregates (Gupta and Germida, 1988; Cambardella and Elliott, 1994). Martin (1991) similarly reported much lower C mineralization from earthworm casts (3% yr^{-1}) than from non-aggregated control soils (11% yr^{-1}). Within the lysimeter installation, aggregate stability was 15% greater under scrub oak than under pine as a result of earthworm activity (Graham et al., 1995). Thus, greater aggregate stability could result in lower C mineralization rates and comparatively lower OC content of the clay fraction as compared to the soil under pine.

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An alternative hypothesis to explain the lower OC enrichment factor in the clay fraction under chaparral vegetation is a higher loss of the clay-sized organic matter through respiration processes. Based on $\delta^{13}C$ measurements, Martin et al. (1992) demonstrated that *Millsonia anomala*, a tropical geophagous earthworm, assimilated SOM associated with the finer fraction (< 20 μm). Data from our study suggest that these results may also apply to Mediterranean-type ecosystems in North America, and that earthworms at the lysimeter installation may be feeding on two distinct pools of organic materials: (1) relatively fresh plant residues contained in the litter layer; and (2) SOM associated with the clay fraction. At the lysimeter installation, the A horizons under oak and ceanothus, which were composed of earthworm casts, contained significantly ($p = 0.01$) more clay than the underlying horizons and the archived parent materials, indicating that earthworms preferentially ingested finer soil fractions (Graham and Wood, 1991).

Past research at the lysimeter installation emphasized the role of biocycling as a mechanism resulting in greater amounts of exchangeable cations under chaparral, particularly scrub oak, than under pine vegetation (Ulery et al., 1995). Biocycling was also implicated in the enhanced K fixation by A horizon vermiculite (Tice et al., 1996), and the lower release of base cations by weathering under chaparral as compared to the soil under pine (Quideau et al., 1996). This study corroborates past work in that it demonstrates a proportionally greater flux of biomass OC to the mineral soil under chaparral. However, the increase of total SOM under chaparral principally arose from the incorporation of coarse (> 50 μm), only partially decomposed organic materials, into the mineral soil. These materials contribute to OC sequestration in soils on a short-term basis, on the order of decades or less (Parton et al., 1987; Trumbore, 1993). As global climate change increases world temperatures by 0.02 to 0.05°C yr^{-1} over the next decades (Houghton et al., 1990), this fast-cycling SOM reservoir is predicted to decrease, causing a net transfer of carbon from the soil pools to the atmosphere (Trumbore et al., 1996). This scenario signifies that at the lysimeter installation, the soils under chaparral would release more CO_2 than the soil under pine. This is particularly probable since a greater proportion of total SOM is concentrated at depth under pine, and would be buffered from rapid temperature changes.

Acknowledgements

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COMMENTS	RESPONSES
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COMMENTS	RESPONSES

Comment Letter I30

REINA REEVES

2753 OVERLOOK POINT DR., ESCONDIDO CA 92029

6/20/2017

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ms. Smith:

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. I've lived Harmony Grove Village, Canteridge Development for 6 months and moved here because it felt much like living in the country. We were also told by the developer that there was a restriction on further development in the immediate area. I30-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two-lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analyze the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. Please explain how our personal safety will not be many times worse if this project goes through. I30-2 I30-3

Response to Comment I30-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I30-2

Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I30-3

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

COMMENTS	RESPONSES

Comment Letter I30

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I30-4

COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I30-5

Please do not approve this project. Our lives depend on it and our way of life too. I30-6

Signed,

concerned resident REINA REEVES

Thank you for your consideration

Reina Reeves
Harmony Grove Village Resident

June 20, 2017 Page 2

Response to Comment I30-4

The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

Response to Comment I30-5

It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7.

The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7:

> *...the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The*

COMMENTS	RESPONSES
	County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant. Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment. **Response to Comment I30-6** The County acknowledges this comment and its opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I31 **From:** Laura Rader-Potashnick [mailto:lauracrader@yahoo.com] **Sent:** Tuesday, June 06, 2017 8:17 PM **To:** Smith, Ashley; Irace, Michelle **Subject:** Harmony Grove Village South Proposal Opinion - NO. Harmony Grove Village South development? Absolutely Not. No. Forget about it. You should be ashamed of yourself for even considering it. I31-1 *Sincerely,* *Laura C Rader* *2752 Crownpoint Pl* *Escondido, CA. 92027*	**Response to Comment I31-1** The County acknowledges the comment and its opposition to the Project. This comment does not raise specific issues regarding the environmental analysis and adequacy of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I32 **From:** Brenda Koenig [mailto:bkoenig321@gmail.com] **Sent:** Tuesday, June 06, 2017 9:41 PM **To:** Smith, Ashley **Subject:** Harmony Grove Village South Dear Ms. Smith, I am a lifelong Escondido resident who does not live in the Harmony Grove area, but hikes with friends and family in the Elfin Forrest and Del Dios Highlands preserve areas. I am urging you to block development of proposed Harmony Grove Village South. This rezoning and development will strongly degrade the quality of the adjacent preserve in this uniquely beautiful area. Please consider the inappropriateness of this development in this location. I32-1 Sincerely, Brenda Koenig 2262 Montemar Ave Escondido, CA 92027 760-703-0009	**Response to Comment I32-1** The County acknowledges the comment and its opposition to the Project. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. Specific to the potential for the Project to strongly degrade the quality of adjacent preserve, the Project is located downslope from Del Dios Highlands Preserve, and an approximately 35-acre protected open space set aside between residential uses and the preserve is part of the Project. Please also see Subchapter 2.3, *Biological Resources*, of the EIR overall and specifically the discussion of "Indirect Impacts/Edge Effects (Guideline 8)," including (among other issues) discussion of Project fencing, lighting, and implementation of a Project Resource Management Plan. The conclusion is that impacts would be less than significant.

COMMENTS	RESPONSES

Comment Letter I33

From: Jean Walton
To: Irace, Michelle
Subject: Draft Environmental Impact Report
Date: Friday, April 21, 2017 10:44:26 AM

Dear Ms Irace,

I live on Harmony Grove Rd in Escondido. The impact of this new tract of houses will greatly increase the traffic on the roads around my property. I33-1

When the Harmony Grove Village was built traffic here doubled. With the addition of this new project I can only expect the traffic will again increase. I33-1

Additionally, with traffic comes, trash, noise and possible accidents since people tend to sped on this section of road. I33-2

This area is supposed to be rural and these people keep encroaching on the area. The fact that I live in the "country" was the main reason I moved her 20 years ago. I want to keep it that way. I33-3

Jean Walton
2382 Harmony Grove Rd
Escondido, CA 92029

Response to Comment I33-1

The County acknowledges the comment and opposition to the Project. The EIR expressly discusses both significant impacts and mitigation measures related to transportation and traffic, this discussion is detailed in the *Traffic Impact Analysis* (Appendix D) and Subchapter 2.2, *Transportation/Traffic*, of the EIR. This comment does not raise specific issues regarding the content of the EIR.

Response to Comment I33-2

While this comment does not raise specific issues regarding the content of the EIR, it is noted that the EIR expressly discusses both significant impacts and mitigation measures related to noise; this discussion is detailed in the *Acoustical Analysis Report* (Appendix H) and Subchapter 2.5, *Noise*, of the EIR. The potential for Project-related road hazards is addressed in Subchapter 2.2, and was found to be less than significant. CEQA analyses do not presume infractions of the law.

Response to Comment I33-3

The County acknowledges the comment and opposition to the Project. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. This comment does not raise specific issues regarding the content of the EIR.

COMMENTS	RESPONSES

Comment Letter I34

From: Natasha Kay
To: Irace, Michelle
Subject: Fwd: Harmony Grove Village South Project EIR, LOG NO. PDS2015-ER-15-08-006, SCH NO. 2015081071
Date: Friday, April 21, 2017 3:11:45 PM

To: Ashley.Smith2@sdcounty.ca.gov, Michelle.Irace@sdcounty.ca.go

PROJECT NUMBERS: PDS2015-GPA-15-002, PDS2015-GPA-15-002, PDS2015-SP-15-002PDS2015-REZ-15-003, PDS2015-TM-5560, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX.

Planning and Development Services,

I am writing today on behalf of myself, and my family, about the proposed EIR related to the Harmony Grove Village South project. We moved here in 2009 from Carlsbad, due to the rural atmosphere. We moved here for the quiet, dark night skies, privacy and to be in and around nature.

I am about a half mile around the corner from the Harmony Grove Village and I cannot express how much that project has negatively affected our lives and experience here. It has created noise, lights, way more traffic and completely changed Harmony Grove for the worst, in more ways than I can mention here.

The reason for my letter today is to express my grave concern about the proposed Harmony Grove Village South project here in Harmony Grove. I have read through the EIR. Adding another 453 dwellings to this small valley would severely impact the aesthetics, air quality, traffic, light pollution and noise. Not to mention the true environmental impact to the flora and fauna of the area. There are animals (and plants) here that are highly sensitive that would be further negatively affected by this project. Everything in the report would have a very significant impact on this community. Vector control, historical land uses, wildfire hazards and water have been mentioned and all of these cause us deep concern. I34-1

After the Coco's fire, a few years ago, we all saw firsthand what this area is like in a natural disaster. It was very difficult for people to get out using Harmony Grove Road or Elfin Forest Road. The size and topography of this southern end of the valley simply cannot accommodate anymore high density developments. The roads are not adequate to be able to safely protect our homes or our lives, as it is. Harmony Grove Village South will only compound the problems during the next wildfire/disaster. I34-2

For us (my family here at 9237 Harmony Grove Road) the Harmony Grove Village South project will double the negative effects we are already suffering with from the HGV project. The traffic is already going to more than double and we fear that if this project is approved we may lose our homes due to having to widen the road. We are right on Harmony Grove Road and see this as a reality. We already have almost non-stop traffic day and night which again is only going to be worse once HGV fills up all those homes. With HGV South the traffic will increase even more. The issue of wildlife and open space is one of our largest concerns. All of the animals will be losing even more space/habitat and some may die off altogether. When we moved here we frequently had deer and coyotes and now it is rare, HGV South will make this even worse. The dark sky policy is another issue that has been ruined by HGV, and again HGV South will worsen this. Water quality in wells and in the Escondido creek are another concern. Just recently a sewage spill from HGV caused our wells to be contaminated, again HGV South will only make things worse. I34-3 I34-4

Response to Comment I34-1

The County acknowledges the comment and opposition to the Project. The Project does propose a General Plan Amendment (GPA) that would result in an increase in density in the area. This comment does not raise specific issues regarding the content of the EIR, but it is noted that these issues are discussed in Subchapters 2.1, *Aesthetics*; 2.6, *Air Quality*; 2.2, *Transportation/Traffic*; and 2.5, *Noise*; respectively. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

Response to Comment I34-2

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

Response to Comment I34-3

Relative to traffic, existing roadway capacity was analyzed in detail in the Project *Traffic Impact Analysis* completed by Linscott, Law & Greenspan (2017), and summarized in Subchapter 2.2, *Transportation/Traffic*, of the EIR. As stated in the conclusion of this chapter:

> *In conclusion, all direct and cumulative impacts within County of San Diego jurisdiction would be mitigated to below a level of significance through implementation of the specified mitigation measures.*
>
> *The Proposed Project would add direct and cumulative traffic to the segment of Country Club Drive from Auto Park Way to Hill Valley Drive in the City of Escondido, resulting in direct and cumulative impacts (TR-1a and 1b). Project effects would be mitigated through the widening of Country Club Drive to provide a paved width of 36 feet consisting of two travel lanes and a 10-foot striped center turn lane starting 220 feet southwest of Auto Park Way for a length of approximately 830 feet. Improvements would include connecting the existing sidewalk along the northern side of this roadway section with a 5-foot sidewalk complete with a 6-inch curb and gutter and providing a 4-foot decomposed granite pathway along the*

COMMENTS	RESPONSES
	south side of this segment with a 6-inch asphalt berm. With the additional 12 feet added to the paved width, the roadway capacity of this Local Collector would increase to 15,000 ADT. *The Proposed Project would result in cumulative impacts to two City of Escondido signalized intersections: Auto Park Way/Country Club Drive (TR-8) and Valley Parkway/Citracado Parkway (TR-9). For Auto Park Way/Country Club Drive, the impact would be mitigated through restriping the eastbound approach at this intersection to provide one left-turn lane, one shared left-turn/through lane, and one right-turn lane with a signal timing modification to change the east/west approach to "split" phasing. Implementation of the noted improvements to the noted segment of Country Club Drive would also mitigate the cumulative impact at this intersection in the City of Escondido to less than significant. The described improvements would return the forecasted LOS operations at this intersection to better than pre-Project conditions. For Valley Parkway/Citracado Parkway, payment of a fair share toward the proposed future intersection improvements would support implementation of an additional through lane in the southbound direction, and, once implemented, would mitigate this cumulative impact to below a level of significance.* *Implementation of these roadway and intersection improvements in the City of Escondido would adequately mitigate the identified impacts. Therefore, once implemented, the Proposed Project's contribution to direct and cumulative impacts in Escondido would be reduced to a less than significant level based on the implementation of the noted improvements.* *Because the City of Escondido is a lead agency under CEQA for impacts within their jurisdiction, however, it is Escondido, and not the County, that has responsibility for approval/assurance of implementation of those*

COMMENTS	RESPONSES
	improvements. As such, the County cannot guarantee ultimate implementation or timing of City of Escondido-approved mitigation in this County EIR. Thus, although appropriate mitigation has been identified to lower all Project related impacts within the City to less than significant levels under CEQA once implemented, impacts within Escondido are identified as remaining significant and unavoidable pending City action (EIR pp. 2.2-28 to 2.2-29). Additionally, the widening of Harmony Grove Road would not result in the loss of private property, as indicated by the commenter. **Response to Comment I34-4** This comment is concerned with issues regarding wildlife, which have been addressed in Subchapter 2.3, *Biological Resources*, where impacts to wildlife were identified and the proposed mitigation measures would reduce all impacts to biological resources to less than significant levels (EIR pg. 2.3-63). For informational purposes, it is noted that the Harmony Grove Village (HGV) EIR stated that short-term lighting (dark skies) impacts were anticipated to be significant, but would lessen with ultimate landscaping maturity, as described in the Project's EIR in Subchapter 2.4. The landscaping is not yet mature (trees need to exceed lighting standard heights). Additionally, regarding "dark skies," the HGV South EIR analyzes this issue in Subchapter 2.1, *Aesthetics*, Section 2.1.2.9, *Conformance with Light Pollution Code*, which states: *Considering the above analysis relative to Project lighting type, location, hours of operation and potential for spill onto adjacent properties, the Project would be in compliance with the LPC. No impact related to conformance with the LPC would occur (EIR pg. 2.1-66).* Similar to HGV, HGV South also assesses increased night-lighting as part of significant temporary effects (part of Impact AE-2), which ultimately would be addressed through Project design and landscaping. While the comment does not raise specific issues regarding the content of the FEIR, it is noted that the EIR discusses both surface water and groundwater

COMMENTS	RESPONSES
	quality in Section 3.1.4, *Hydrology/Water Quality*. Relative to water quality, overall introduction text says: *Potential Project-related water quality impacts are associated with both short-term construction activities and long-term operation and maintenance. Project-related activities that could potentially result in direct effects to groundwater quality are limited to the percolation of Project-related surface runoff and associated pollutants (e.g., in pervious portions of the proposed storm drain system) (EIR pg. 3.1.4-21).* The FEIR reviews potential Project-related water quality effects between pages 21 and 26 of the section, with discussions including (but not limited to) construction-period erosion and sedimentation, hazardous materials, and disposal of shallow groundwater during construction, as well as long-term maintenance and operations, site design and source control best management practices, etc. The overall conclusion in Section 3.1.4.5 states: *Based on the discussions provided above, potential Project-specific and cumulative hydrology and water quality impacts associated with implementation of the Proposed Project would be effectively avoided or reduced below identified significance guidelines through implementation of recommendations provided in the Project Drainage Study, HMS [Hydromodification Study], Hydraulic (Floodplain) Analyses and SWQMP [Storm Water Quality Management Plan], as well as conformance with established regulatory requirements (EIR pg. 3.1.4-29).* This information indicates that potential Project effects on surface waters such as Escondido Creek, as well as the noted area wells, would be less than significant as a matter of site design and mandatory regulation and ordinance compliance.

COMMENTS	RESPONSES
Comment Letter I34 In conclusion I would just like to express my sadness and anger about the idea of another development here in Harmony Grove when we haven't even seen the effects of Harmony Grove Village. Another project like Harmony Grove Village South will only exacerbate all of the issues we are now coming to terms with and trying to live with. I hope that you will realize that this project does not belong here and will only destroy our community further. I34-5 Thank you for your consideration, Natasha Kay-Hazou (and family)	**Response to Comment I34-5** The County acknowledges the comment and opposition to the Project. This comment does not raise specific issues regarding the content of the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

PCOMMENTS	RESPONSES
Comment Letter I35 **From:** Andria Sanchez **To:** Smith, Ashley **Subject:** Harmony Grove Village South **Date:** Tuesday, June 20, 2017 1:53:11 PM This new possible development is absurd! I welcome growth, but there darn sure better be growth with infrastructure as well!! We don't want families to die trying to evacuate from a fire! I know everybody is aware this is in a major fire zone! How can there be no new roads being planned as well? Is this a sick joke from a wealthy billionaire development meat head? With the rains there has been new growth and new potential for greenery catching fire again! I will not have my kids and friends and families go down in flames!!!!!! I35-1	**Response to Comment I35-1** The County acknowledges the comment and opposition to the Project. Section 3.1.3, *Hazards and Hazardous Materials*, of the FEIR and the Project's *Fire Protection Plan*, Appendix L of the EIR discuss Project design features, including widening of Country Club Drive to provide three travel lanes, exceeding the County and Rancho Santa Fe Fire Protection District (RSFFPD) Fuel Modification Zone requirements, and contribution through developer fees to RSFFPD. At their discretion, RSFFPD uses developer fees to support infrastructure such as the new permanent fire station to cover the Project area. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. While this comment does not raise specific issues regarding the content of the EIR, the County acknowledges the comment and opposition to the Project. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. No further response is required.

COMMENTS	RESPONSES

Comment Letter I36

From: Kendra Nuth
To: Smith, Ashley; Aghassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; elfintc@gmail.com; marsenault@realcapitalsolutions.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)
Date: Tuesday, June 20, 2017 11:19:43 AM

Ms. Ashley Smith,

Thank you for the opportunity to provide comments on the Harmony Grove Village South proposal being put forth by the Kovach Group and RCS Partners. I am a resident of the united rural communities of Eden Valley, Harmony Grove and Elfin Forest in unincorporated San Diego County, one of the last contiguous stretch of rural land and open space in the County within 15 minutes of the coast and with thousands of acres of open space. We are one of the oldest rural communities in the County, going back to the late 1800s with the establishment of the Harmony Grove Spiritualist Association. I've lived in **Harmony Grove** for 1 year and moved here because of the rural environment and beautiful rolling hills. I love the country setting. I36-1

FIRE EVACUATION ISSUES: I'm very concerned about this project because it risks my safety and destroys the community character of this wonderful little valley I live in. The fire evacuation issue is of utmost concern and the fact the Fire Protection Plan waives the crucial secondary access requirement is a very big deal for us. According to the DEIR, the project will help fund a shortfall that the County created when it approved the first development, HGV. We lived through Coco's Fire and evacuation was very compromised even without any new developments. We had many horse trailers clogging the roads, fire trucks, blocked traffic on both ends of our valley and it took a long time to evacuate. Harmony Grove Village had not been built yet. With HGV fully built out AND your misleadingly named HGV South, there will be another 1200 dwellings in the area which could bring 2400 more vehicles (all trying to get out). But what will NOT change are the roads in and out of our community and the proposed project. A two lane road is the only way in and out of this valley. And the County, in its infinite wisdom, has granted a variance to the secondary exit requirement. Even the DEIR's own fire studies show that Country Club is the ONLY safe way out during a fire. 1400 feet of road they propose improving prior to crossing the Escondido Creek is worthless when it comes to evacuation because what good is a wide road if it is only wider for 1400 feet. It bottlenecks right back to 2 lanes for the remainder of the several miles that it takes to get out of the fire trap we live in. Please re-analzye the fire risk, and require, at the very least, a secondary exit like all communities in Very High Fire Severity Zones. I36-2 And please don't tell me that their un-official Shelter in Place "philosophy" will lessen traffic or reduce the fire risk. It will protect the existing residents, but we will be even more at risk. And studies show most people evacuate in the shelter-in-place communities anyways. Even though their houses might not all burn, our older houses will. Except now, we won't be able to get out due to the additional vehicular traffic. I36-3 Please explain how our personal safety will not be many times worse if this project goes through.

Please look at the tragedy this last weekend in Portugal where more than 60 people died trying to evacuate a wild fire. This is what can very well happen if the project goes through. You can read about it at this link (https://www.nytimes.com/2017/06/18/world/europe/portugal-pedrogao-grande-forest-fires.html) and the pictures tell the story. We hope this story does not get told in Harmony Grove where we have a serious fire once a decade that have cost property damage and even fatalities. I36-4

Response to Comment I36-1
The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I36-2
Although community character is mentioned, this comment focuses on fire evacuation. For that reason, the remainder of this response focuses on fire evacuation and secondary access. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I36-3
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I36-4
The comment requests review of a recent fire and evacuation in Portugal. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on-site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the Fire Protection Plan (FPP) or EIR was revised to include this information.

COMMENTS	RESPONSES
Comment Letter I36 COMMUNITY CHARACTER: I think it is important to note that placing 453 multi-family units and condos in a rural community, abutting 1000s of acres of recreational and conservation open space is completely out of character. No matter what farm-related names you want to give these condos (granary?) placing a city block's worth of density into an historic, unique rural community that is the last of its kind anywhere in Southern California goes against everything the General Plan of San Diego, our community plan and really, common decency calls for. The traffic alone generated by this project will destroy our way of life since we all live on a narrow two lane country road. 4500 average daily trips takes it from Level A to Level F according to the DEIR. This and the many other impacts will forever change the nature of this community. I36-5 Please do not approve this project. Our lives depend on it and our way of life too. I36-6 Signed , Kendra Nuth 3017 Starry Night Dr Escondido, CA 92029	**Response to Comment I36-5** It is acknowledged that the Project exceeds the number of lots (approximately 220) allowed for the site under the 2011 General Plan land use designations. Even with this increased density, the Project is considered consistent with community character. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4. Specific to traffic, and the effect of Project traffic on existing levels of service (LOS), the comment regarding the Project reducing levels of service along roadways from LOS A to LOS F is incorrect. Please see EIR Tables 2.2-6 and 2.2-7. The Country Club Drive and Harmony Grove Road intersection would be improved as part of Project design (see the Project Vesting Tentative Map) to operate at LOS B. Even when all non-Project cumulative traffic is added in, identified impacts remain few. It is acknowledged that one existing LOS F segment (Harmony Grove Road between Kauana Loa Drive and Enterprise Street) would remain at LOS F. The County has a Traffic Impact Fee (TIF) Program to address cumulative impacts. As described in EIR Section 2.2.7: *...the segment is bound by two intersections, Harmony Grove Road/Kauana Loa Drive in the County and Harmony Grove Road/Enterprise Street in Escondido. The County intersection is located within the portion of Harmony Grove Road that is classified as a TIF-eligible facility. Therefore, the Project's TIF payment mitigates the shared intersection, which would improve operations on adjacent legs, both TIF and Non-TIF eligible. As such, cumulative improvements from TR-10 would apply to this impact, and implementation of mitigation measure TR-10 would be expected to reduce this cumulative impact to less than significant.* Of all the other analyzed County intersections and roadways, the only remaining LOS F impact would be a related impact at the intersection of Harmony Grove Road and Kauana Loa Drive (where Existing plus Project plus Cumulative traffic would reduce LOS from D to F). As described above, the intersection would be improved to acceptable LOS via the TIF payment.

COMMENTS	RESPONSES
	Response to Comment I36-6 The County acknowledges this comment and opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project. No additional response is required.

COMMENTS	RESPONSES

Comment Letter I37

June 19, 2017

Ms. Ashley Smith
Land Use & Environmental Planner
5510 Overland Avenue, Suite 310
San Diego, CA 92123

REFERENCE: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002; PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-08-006.)

Dear Ms. Smith,

Thank you for the opportunity to comment on the above referenced DEIR for the proposed Harmony Grove Village South. I am attaching a table (HGVS DEIR Notes) of detailed comments referencing pages and topics of concern regarding the DEIR, which I am sure will be clarified in the next Environmental Impact Report. In addition to the attached remarks, I would like to make some more general comments related to the Project as a whole. I37-1

First and most importantly, this project is being proposed for a parcel of land with only one road in or out, Country Club Drive. In addition, the road dead ends 1.3 miles from Harmony Grove Road. Approving a high density, 453 homes 1-4 stories high, development in a rural area which has been designated a Very High Fire Hazard Severity Zone (VHFHSZ)," by Cal Fire would seem to be an accident waiting to happen. In the 15 years since we built our house in Harmony Grove, we have had to evacuate three times. We have been very fortunate to have not lost our property, however, in the Coco's Fire we had a number of neighbors who weren't so lucky. As devastating as it would be to lose all of your possessions, that pales in comparison to a loss of life. Yesterday as I had been thinking of how to impress upon the County the fear we in the community have, to being trapped and unable to escape a fire because of a traffic jam. The traffic jam will be produced if Harmony Grove Village South is built as proposed. Then I heard of the tragedy in Portugal of 62 lives lost, most in their cars, when they were overcome by flames. We don't have to go far to see how that could happen. During the Coco's Fire hundreds of people were stuck in a traffic jam in the community of San Elijo trying to evacuate (Figueroa, Teri. "Coco's fire traffic jams to be reviewed." The San Diego Union Tribune. January 19, 2017. Web June 19, 2017. www.sandiegouniontribune.com/sdut-san-elijo-traffic-review-cocos-fire-san-marcos-2014jun07-story.html). Fortunately, the fire did not make it into San Elijo or this could have been a tragedy equal to the one in Portugal. Placing 453 homes in an area with one access road and a dead-end street over a mile long violates fire safety codes by the National Fire Protection Association (NFPA 1141 Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas. National Fire Protection Association. 2016. Pg. 1141-9) and San Diego County (County of San Diego 2017 Consolidated Fire Code, 6th Edition. April 14, 2017. Pg. 22). The Project proposes to mitigate these issues by I37-2

Response to Comment I37-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

Response to Comment I37-2

Comments regarding the Project's access are noted and not in variance with the EIR analysis. A comparison between Portugal and Harmony Grove Village South is not valid as the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversight, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES
Comment Letter I37 widening the road to three lanes and building the homes using a "shelter in place philosophy." Having an extra lane (Country Club currently has one lane in and one lane out) does not effectively mitigate only having one road available for all residents to exit in a fast moving fire. Because of the history of fires in this area, my husband and I built our home to be fire resistant. We have stucco walls, tile roof, dual paned, vinyl clad windows, closed eaves, indoor sprinkler system, and we surrounded the house with cement patios. That does not mean that I feel that I would want to shelter in place. No home is fire proof and I am not willing to risk my life to see if my home will withstand the fire. It is our hope that the County will not risk the lives of our community members on untried theories of how to mitigate the single access and dead end road to appease a developer who won't even be living in the County or the homes he builds. I37-2 Secondly, Harmony Grove Village South has too many conflicts with the County General Plan, as well as the Elfin Forest/Harmony Grove Community Plan, to be developed as proposed. The County spent years and dollars developing a plan for smart growth in San Diego County that would put denser development near services, utilities, jobs, and transportation and less dense development in rural areas like Harmony Grove. As was stated in the County General Plan, "Rural areas are not appropriate for intensive residential or commercial uses due to significant topographical or environmental constraints, limited access, and the lack of public services." (San Diego County General Plan: A Plan for Growth, Conservation and Sustainability. County of San Diego. August 2011. P. 3-8, Web. 1 May 2017). Harmony Grove is a rural/agricultural area with horses and other livestock, single family dwellings with acreage, and limited services. We are on septic, use propane, and access our property over a single road with an Arizona bridge which periodically floods keeping us from either getting into our properties, or out of our properties. We have a variety of native plants around us and value the small town rural atmosphere as can be seen by the community support of the Elfin Forest/Harmony Grove Town Council and The Escondido Creek Conservancy. The community worked with the County in the past when asked to accept some growth. In numerous community meetings with the County and the developer, the community had some input in the planning of Harmony Grove Village. With this planning, there were constraints put on Harmony Grove Village so it could not be used as a way to force more development on the community so as to ruin the rural character of the valley. Now the proposed project and its developers are attempting to force an inappropriately placed development on our community. At worst the Project should be kept to the requirements of the County General Plan, although even that may be larger than should safely be built given the limited road access. I37-3 Third, the DEIR minimizes the significance of a number of factors in developing the Project site, such as steep slopes, water drainage, and protected biological resources. The applicant is asking for a waiver of three of the steep slopes on the parcel by claiming they are not a significant part of the view shed. The pictures that were provided in the DEIR did not include views from the west and the views from the south were from much farther away than the view hikers would have when they hike through the area. In addition to hikers, the parcel itself attracts local Escondido residents who come out to enjoy the views and the quiet of the valley. On the Project site we get people who come out for photography, videography, painting, dog I37-4	**Response to Comment I37-3** Comments noted. The Project proposes an Amendment to the County's General Plan. The comments do not specifically address the adequacy of the EIR for which specific responses can be provided and therefore a response is not required. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis. **Response to Comment I37-4** Comments noted. Please see information regarding water drainage and protected biological resources in Response to Comment I37-5 and I37-6, below. Relative to the steep slope waiver, the issue is not whether slopes, even apparently steep slopes, are visible. To be protected under the Resource Protection Ordinance Section 86.604(e)(2)(cc)(3), slopes must have a slope gradient of 25 percent or greater, a minimum rise of at least 50 vertical feet, be connected to other areas of steep slope and visually distinguishable from non-steep slope areas. This issue is analyzed in detail in the Subchapter 2.1, *Aesthetics*, of the DEIR, as well as in the Project *Visual Impact Assessment* (Appendix B to the EIR) and the *Resource Protection Ordinance Steep Slope Waiver* (Appendix C to the EIR). In regard to the photos included in the comment letter, it appears that the heavily vegetated slopes in the back of the pictures behind the mail boxes are not proposed for development or modification, although some of the intervening flatter area would be subject to development. The EIR photographs were taken from some distance in order to present the smaller areas in their larger context. Each of the areas identified for a waiver request is both separated from other areas of steep slope rise and visually indistinguishable from adjacent areas that are slopes but are not categorized as steep slopes. Upon recommendation of approval of this encroachment by the Director of Planning and Development Services, and based upon the rationale provided in the cited documents, these encroachments qualify for the exception, and no significant impact is identified in the DEIR. The ultimate decision to approve the exception request will be part of the discretionary action of the Board of Supervisors.

COMMENTS	RESPONSES
Comment Letter I37 walking, skateboarding, off-roading, picnicking, dog training, and just relaxing. All of these people see the steep slopes and would find their removal to be noticeable. Please see below for additional photos of the slopes deemed "insignificant" as seen from the south and the west.   I37-4 The DEIR also did not adequately explain how the runoff for the southern portion of the development would be mitigated to prevent any damage done to the seasonal creek which I37-5	Please also note that the Project property is privately owned and is not open to the public. Individuals who enter the Project site, for "photography, videography, painting, dog walking, skateboarding, off-roading, picnicking, dog training, and just relaxing," as noted in the comment, without permission of the property owner are trespassing. **Response to Comment I37-5** The Project *Hydrology/Drainage Study*, *Storm Water Quality Management Plan* (SWQMP) and *Hydromodification Management Plan* have been prepared in conformance with the County of San Diego Watershed Protection Ordinance (WPO), Hydrology Manual, Hydraulic Design Manual, and the Municipal Separate Storm Sewer System (MS4) permit requirements in order to mitigate impacts to water quality and hydromodification. Best Management Practices (BMPs) proposed for the Project include modular wetland systems, which are Technology Assessment Protocol–Ecology (TAPE) certified to address water quality impacts, and cisterns or vaults to collect excess storm water runoff for harvest and reuse purposes. These systems are designed with orifice outlets which limit the outflow to pre-Project levels, thereby mitigating hydromodification impacts and increased flows. Additionally, the SWQMP analyzes Critical Coarse Sediment Yield Areas (CCSYAs), which are avoided, protected, and bypassed from the Project development in order to maintain the essential coarse sands that replenish downstream watercourses and beaches.

COMMENTS	RESPONSES
Comment Letter I37 runs across the property, and down across the existing properties on Cordrey Drive and Cordrey Lane. The Project says they will use "vaults" to slow down and temporarily store excess surface run off before releasing the water back into the areas in which it had previously drained prior to the development. One of those areas runs across our property and is a riparian area containing a seasonal creek (see pictures below for winter and summer views).  The DEIR does not make it clear how draining the storm water through this "vault" then onto our property would be accomplished without causing either too much water, not enough water, too much silt, or not enough silt. Does the "vault" monitor when and how much water and gravel to drain to maintain this season creek as it is. This is an important part of the value of our property. Will we be compensated for any loss of value if the Project drainage system is miscalculated and our riparian area is destroyed. What about the neighbors west of us whose homes abut this creek? If the miscalculation causes flooding into their homes, will the developer compensate them? Will the county compensate us for approving the change of watershed? As for the biological resources which are minimized in the DEIR, prior County documents labeled Property Specific Request (see attached document) reported that this parcel "is nearly entirely constrained by High and Very High Habitat Value, and within the Very High Fire Hazard Severity Zone." Nothing has changed on the property since that time other than developers trying to discount the biological resources that continue to exist on the property. It appears that there is some disagreement about what currently exists, and in what quantities, between the environmental groups protecting the watershed and what the biological study says in the DEIR. Before this valuable resource is lost to development, a more time intensive biological study should be made.	

I37-5

COMMENTS	RESPONSES

Comment Letter I37

Finally, the County may want to consider some other potential ways of utilizing or developing the property which are more appropriate to the General Plan and the Community Plan. Given the risk of wildfire and entrapment, due to only one road out of the property, maybe this land would be better used as mitigation for a larger development in a more appropriate setting near services, transportation and with better access. An example would be the proposed Newland Sierra development still in the planning stage. According to the Voice of San Diego (Rivard, Ry. June 9, 2017. Environmentalist Say Conservation Plan Is Being Used to Give One Development a Leg Up) the Department of Fish and Wildlife has been asking Newland Communities, the potential developer, to find more mitigation property to preserve before approving the proposed development due to the presence of nesting California Gnatcatchers. The property proposed for the HGVS development also contains breeding gnatcatchers, so it could be a reasonable parcel for environmental mitigation for Newland Sierra or another development. This parcel also abuts the Del Dios Highland Preserve (DDHP)nwhich could allow for freedom of movement of native animal species. It already has a trail that has been used to access the DDHP and the Elfin Forest Recreational Reserve by the community and other hikers who find out about it. Another appropriate use for this property would be 25 estate homes of 2 or more acres on septic. This is what the property was set for when we originally decided to build a house out here. We looked up the zoning before we built to make sure the zoning was appropriate to what we were building so we would not lose our investment once the adjoining property was developed. Twenty-five homes would put less people in danger of being trapped. It still would be risky added to the already 50 or so homes here, but less than the proposed Project. I37-6 I37-7

Thank you in advanced for considering our ideas and addressing the attached concerns regarding the DEIR.

Sincerely,

Debbie O'Neill
Jonathan Dummer

Attachments:
1. HGVS DEIR Notes
2. Property Specific Request

cc: Ashley.Smith2@sdcounty.ca.gov
sarah.aghassi@sdcounty.ca.gov
bill.horn@sdcounty.ca.gov
ron-roberts@sdcounty.ca.gov
dianne.jacob@sdcounty.ca.gov
greg.cox@sdcounty.ca.gov
kristin.gaspar@sdcounty.ca.gov
efhgtc@gmail.com
marsenault@realcapitalsolutions.com

Response to Comment I37-6

Comments noted. These comments do not address the adequacy of the EIR and therefore do not require a response. It is noted, however, that the presence of California gnatcatchers, as well as adjacency of the Del Dios Highlands Preserve and wildlife movement, are fully analyzed in Subchapter 2.3, *Biological Resources*. Please note that the Project site is privately owned, and community members and hikers who enter without permission of the property owner are trespassing.

Response to Comment I37-7

The County acknowledges the comment and its general opposition to the Project as designed. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. Because these comments do not address the adequacy of the EIR, they do not require a response. Nonetheless, please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

O'Neill/Dummer HGVS DEIR Notes **Comment Letter I37** Letter dated 6-19-17

Page	Notes	
S-1	"Two transit centers – "Nordahl Road" and "Escondido Transit Center" – are also located nearby." Not within easy walking distance (2.9 mi to Nordahl Sprinter approx. 1 hour walking; 3.4 mi to Escondido Transit Center approx. 1 hour 12 minutes walking). One-half mile has become the accepted distance for gauging a transit station's catchment area in the U.S. It is the de facto standard for planning TODs (transit oriented developments) in America. (Guerra, Erick, Cervero, Robert, and Tischler, Robert. "The Half-Mile Circle: Does it Best Represent Transit Station Catchments?" University of California, Berkeley. July 2011. Web. 1 May 2017. http://www.its.berkeley.edu/sites/default/files/publications/UCB/2011/VWP/UCB-ITS-VWP-2011-5.pdf)	I37-8
S-5	"HGV South would offer building massing compatible with the overall valley character." The building massing is incompatible with our Community Plan and with the rural character of the valley. HGV was approved by the County and was accepted by the community as our part of county growth, but is not in keeping with our Community Plan. The HGV development is not desired by the San Diego County population as evidenced by slow sales.	I37-9
S-8	"Rural areas are not appropriate for intensive residential or commercial uses due to significant topographical or environmental constraints, limited access, and the lack of public services." (San Diego County General Plan: A Plan for Growth, Conservation and Sustainability. County of San Diego. August 2011. Web. 1 May 2017) http://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/GP/Cover_Intro_Vision.pdf. This would apply to the area of Harmony Grove south of Harmony Grove Road as we only have access to our homes via one entrance on Country Club Drive. We also have limited public services such as no sewer, no cable service, no high speed internet service, land telephone lines are overhead. Public transportation is not within walking distance (greater than ½ mile away). Nearest grocery stores are 3.4 miles and 4.1 miles away.	I37-10 I37-11
S-10	Possible alternatives to the proposed project. General Plan Consistent with Sewer Alternative. "The low density single-family pattern represented in the alternative has limited ability to support the economic and social success of the existing village . ." The existing village should not need increased development in Harmony Grove in order to be successful as it is a separate development which was previously approved by the SDCBOS as a self-sustaining village. HGVS is attempting to tag on to the HGV development as if it is an extension of HGV when it is not. The land owners and developer are completely separate. This alternative however is more consistent with the General Plan of the Village concept of having less dense housing as you move farther from the village center.	I37-12
S-11	Possible alternatives to the proposed project. No Project/No Development Alternative. "It also would not provide any of the amenities offered to the community at large relative to support of multi-modal transportation options,	I37-13

1

Response to Comment I37-8

The location of the transit centers in relation to the Project are noted. The County concurs with the information citing 0.5-mile as the accepted distance to and from transit centers for Transit Oriented Development; however, this is not a requirement for the Proposed Project. This information does not vary from the EIR; no further response is required.

Response to Comment I37-9

The County acknowledges the comment and opposition to the Project. HGV comprises a specific portion of the Community Plan. The comment does not raise any specific issues regarding the environmental analysis or adequacy of the EIR. Regardless, please see the discussion of Project massing in Subchapter 2.1, *Aesthetics* under the heading "Massing and Scale". Please also see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and General Plan/Community Plan Amendments CEQA Impact Analysis.

Response to Comment I37-10

Please note that the Project site is generally identified for semi-rural uses. Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 which includes analysis of land use compatibility and the provision of public services.

Response to Comment I37-11

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 which includes analysis of land use compatibility and the provision of public services.

Response to Comment I37-12

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4. The commenter's preference for the General Plan Consistent Alternative is noted.

COMMENTS	RESPONSES

Comment Letter I37

O'Neill/Dummer HGVS DEIR Notes Letter dated 6-19-17

Page	Notes	
	provision of a variety of passive and active recreational opportunities, or provision of a destination gathering place for the Project and surrounding areas." The community has not asked or wanted these amenities. There are plenty of planned developments in all portions of San Diego County that offer these types of amenities. The community members live in the rural Harmony Grove area to be away from developer created recreation and to enjoy natural open space and room between the neighbors.	I37-13
S-11	No Project/No Development Alternative – ". . improvements to creek water quality resulting from removal of the at-grade crossing and underlying culverts and re-creation of a free-flowing creekbed, also would not be expected to occur." Where is the data to substantiate that this would first of all, improve the water quality. Secondly, if we assume without data that the water quality is improved by a new bridge, it would likely be decreased by the amount of solvents, detergents, and trash run off coming off of a developed area due to the increase in asphalt, cement, and increased population.	I37-14
S-12	Possible alternatives to the proposed project. General Plan Consistent with Septic Alternative. ". . it would not achieve the underlying purpose of the Project of accommodating a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village." First, this version would support a portion of the population growth and housing needs by providing single family houses. Second, this development should not be needed to support the success of the HGV village as that is a separate, already approved project that should be successful on its own as it was proposed. Third, as can be seen by the slow sales of HGV, high density housing out in Harmony Grove is not in high demand in San Diego County. People willing to drive out to Harmony Grove want a larger parcel of land that they can have animals on and maybe grow some food.	I37-15
S-13	General Plan Consistent with Septic Alternative. "The alternative appears to better Physically respond to the site's physical variables through use of less grading, but would encroach into visible areas that would be retained as open space by the Proposed Project as a site feature." Although this alternative plan would encroach into areas that would be retained as open space in the proposed plan, likely the viewshed would be more consistent with the Community Plan as the homes would likely be single to two story buildings as is typical for single family homes instead of having four story buildings as are included in the proposed plan.	I37-16
S-14	Possible alternatives to the proposed project. Senior Care Traffic Reduction Alternative. "When compared to the Proposed Project, the alternative offers a substantially fewer number of units and a singular product type, which limits the ability to fully support the economic and social success of the existing village and this alternative." Why does the county need another development in the area to support HGV given that they approved HGV as a single planned development supposedly without using it to encourage suburban sprawl.	I37-17

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Response to Comment I37-13

The County acknowledges the comment and opposition to the Project. The comment does not raise any specific issues regarding the environmental analysis or adequacy of the EIR.

Response to Comment I37-14

The data to substantiate the proposed water quality improvements to the creek are located FEIR Section 3.1.4, *Hydrology and Water Quality*, and Technical Appendices M-1 through M-4. The water quality analysis for the proposed Project included analyzing the potential effects noted in the comment and reached a conclusion of less than significant. The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.

Response to Comment I37-15

The County acknowledges the opposition to the Project and the commenter's preference for the General Plan Consistent with Septic Alternative. Relative to point 2, it is beneficial for communities to be inter-related. HGV South would support HGV services and amenities to a greater extent than the alternative.

Regarding point 3, the San Diego Association of Governments (SANDAG) Regional Housing Needs Assessment shows that although the County has planned for the necessary number of housing units over the assessment period, the County is behind in the number of approvals one would expect per year if housing availability is averaged over the planning period. Without approval of a substantial number of residential units over the next few years, the County will have a housing shortage. The County has responsibility for providing a percentage of projected required housing. As noted in a recent study,[1] the County has only issued building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process. The lack of housing supply can be considered to contribute to scarcity and high housing prices that put a strain on the general welfare of County residents. Guiding Principle 1 of the County General Plan (Chapter 2, pages 2-6 and 2-7) calls for the County to accommodate a reasonable share of regional growth. Accordingly, given the current widespread regional housing scarcity, the County finds increasing housing supply to be within the general welfare of County residents.

COMMENTS	RESPONSES
	In addition, there is no commitment to solely place any specific number of the 22,412 projected units on any precise property within the County; however, this particular location, on an already disturbed site in proximity to employment centers and shopping opportunities in the cities of Escondido and San Marcos, and in proximity to SR-78, I-15, and the Nordahl Transit Station, is consistent with General Plan policies to site growth adjacent to existing amenities and not extend built environments into pristine areas of the County. [1] http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf (incorporated herein by this reference; the report is available for public review at the aforementioned website). **Response to Comment I37-16** The County acknowledges the commenter's preference for the General Plan Consistent with Septic Alternative over the proposed Project. The comment does not raise any specific issues regarding the environmental analysis or adequacy of the EIR and is not inconsistent with the EIR analysis on this point. **Response to Comment I37-17** The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.

COMMENTS	RESPONSES

O'Neill/Dummer HGVS DEIR Notes

Comment Letter I37
Letter dated 6-19-17

Page	Notes	
S-15	Possible alternatives to the proposed project. Biologically Superior Alternative. "The alternative does not extend the development footprint as far to the east as the Proposed Project, and would preserve a larger portion of Diegan coastal sage scrub than would be preserved by the Proposed Project." "This alternative would reduce steep slope impacts from those of the Proposed Project due to the footprint eliminating some northeastern portions of the Project, and generally being north of most on-site RPO steep slope areas." This would seem to also be more in keeping with the County General Plan and the Community Plan.	I37-18
S-16	Biologically Superior Alternative. "This alternative may contribute to optimizing the operational effectiveness of public facilities and services of the existing village through increasing the number of residents . ." Why would HGV be approved if it didn't already optimize the operational effectiveness of its facilities and services. The facilities and services should be sized for the development. HGVS would seem to be an additional burden on facilities and services that were built the serve HGV.	I37-19
S-17	Connection to the HGV WRF. HGV WRF was approved by the County under the agreement that it would only be used to treat wastewater for HGV. In addition, pumping untreated sewage water in pipes across Escondido Creek is an accident waiting to happen. HGV itself has already had a sewage spill (noticed on 2/27/17 and reported to the San Diego Water Board on 3/1/17) which leaked into the Escondido Creek despite not having pipes which cross the creek. Cal-Atlantic received a Notice of Violation #R9-2017-0062 on 5/3/17).	I37-20
S-18	Combined On-/Off-site Wastewater Treatment. "A pump station would be included within the on-site facilities, and off-site utilities would include the gravity feed lines to the existing pump station on Harmony Grove Road, as well as a sewage solids line and potential fiber optics line extending from the Project north along Country Club Drive into the HGV WRF." This alternative also involves moving sewage materials "solids" across the Escondido Creek potentially making either the HOA, Developer, or the County liable for any violations of leaking into the Escondido Creek. The Hale Avenue Resource Recovery Facility (HARRF) run by the City of Escondido, has in the past had so many discharge violations into the Escondido Creek that they were fined $1.3 million dollars in 2015 (Lau, Angela. "Escondido's wastewater upgrade too slow." The San Diego Union-Tribune. 28 May, 2009. Web. 2 May 2017. (http://www.sandiegouniontribune.com/sdut-1mc28waste031235-citys-wastewater-upgrade-too-slow-2009may28-htmlstory.html)	I37-21
S-21	"No mitigation is available to reduce the short-term visual impacts during and immediately following construction. While temporary in nature and ultimately addressed through Project design and landscaping over the long-term, short-term adverse visual impacts to the Project site's visual character associated with Project construction would be significant and unmitigable." This only discussed the short-term construction damage to the aesthetics of the project area. It should discuss the long-term effects of the project to the viewshed. The character of the project area is	I37-22

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Response to Comment I37-18

The County acknowledges the commenter's preference for the Biologically Superior Alternative over the Proposed Project. The comment does not raise any specific issues regarding the environmental analysis or adequacy of the EIR.

Response to Comment I37-19

The County disagrees that the Proposed Project would be an additional burden on surrounding public facilities and services. HGV South would be required to provide the infrastructure and facilities needed to provide services to the Project either directly or through the payment of fees (Policy LU-12.1). A phasing plan has been provided as a part of the Project's Specific Plan to ensure that such facilities would be available at the appropriate time (Policy LU-12.2). Service providers would be required to provide "will- serve" letters indicating that they can provide service to HGV South prior to the recordation of final maps and the issuance of any building permits for the Project. (Community Facility Availability Forms have been received from service providers indicating that service will be available to HGV South [County Policy I-84].)

Response to Comment I37-20

The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.

Response to Comment I37-21

The comment is not in variance with the information presented in the EIR and the potential effects of on-site and off-site improvements related to hydrology and water quality are discussed in FEIR Section 3.1.4, *Hydrology/Water Quality*. The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.

Response to Comment I37-22

EIR Subchapter 2.1, *Aesthetics*, discusses both the short-term and long-term effects visual effects of the Proposed Project. As stated in the subchapter:

> *The long-term visual effect of the Project from both KVs selected for detailed analysis would be related to the change from an undeveloped parcel to a village extension. Although the built nature of the Project would vary from the existing*

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	condition, it is expected to demonstrate a character that is consistent with the village overall, as well as the development pattern visible in the County, City of Escondido and distant City of San Marcos. *Although the visual character of the site would change from existing conditions, Project development would be generally consistent with the relative scale of development planned in the area, as well as general distance from the structures, intervening uses and landscaping. The Project would not result in new dominant visual elements within the larger viewshed. The Proposed Project would be visually compatible with existing and planned surrounding uses, as well as the surrounding topographic features. For instance, the harmony court and farmhouse structures, encircling a common driveway and courtyard, mimic the compound formations on HGV. As noted above, the granaries' height and architectural projections would reference the steep and pointed peaks around the valley. Character compatibility, therefore, would result from the diversity of elements that would be visually consistent throughout the Project site based on conformance with the Project Specific Plan, as well as neighboring development (particularly nearby residential portions of the abutting HGV project). The scale and contrast between the proposed development and the surrounding area would not be dominant in views toward the Project site as the greatest number of viewers would either be looking toward the Project from the north (from a setting in the heart of HGV), or from the south, from which vantage point the Project would be seen as the southernmost part of a consistent HGV development pattern. Additionally, retention of the highest on-site existing topographic forms in the southern portion of the Project, retention of sight lines to surrounding mountains and ridgelines, and revegetation with native and/or locally compatible plants would lessen the visual dominance and scale of the proposed development features from all cardinal directions.* *Taking all these factors into consideration, although implementation of the Project would represent a change from*

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	the past, the combination of all Project elements, in conjunction with its setting at the HGV crossroads, would result in less than significant effects on the area's visual character or quality following Project buildout and vegetation maturity (EIR pp. 2.1-46 to 2.1-47).

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	gentle rolling hills with groupings of native plants. The Project would forever change this to an artificial hardscape and non-native landscape.	I37-22
1-4	"The HGV South development would complement and support the HGV Village Core by diversifying the mix of housing opportunities and providing limited commercial/civic uses that are compatible with the existing and planned elements of HGV." Harmony Grove Village is a separate planned development. It was proposed and planned with input from the surrounding community. HGVS is a development that is attempting to impose itself on our community regardless of the desires of the surrounding community. The developers have made no attempt to meet with community members or to learn anything about the history of the community in order to develop a property that is in keeping with the rural character of Harmony Grove. Rather than attempting to be compatible with HGV, which is not truly contiguous with the proposed development as it is across Harmony Grove Road and the Escondido Creek from the proposed HGVS, it should be attempting to be compatible with the rural housing and agriculture surrounding it.	I37-23
1-5	"A Project analysis was performed to identify the most appropriate location to direct site development based on the natural resources and physical features of the area (refer to Figure 1-5). The ridgeline surrounding Harmony Grove was mapped and the flatter and more gently rolling hillside lands within the valley were identified as most suitable for accommodating an extension of HGV." Who asked for this analysis? The County? Why was an analysis done? The area does not appear to need another development given how slowly the homes are selling in HGV. Was an analysis done of all of Harmony Grove to see the most appropriate place for development or just the property the applicant owned?	I37-24
1-5	"Lots would be graded to reflect the natural topography, as feasible." This statement is false. There is such high density housing in this project that our property which is adjacent to the southwest side of the property would go from a view of a gently sloping valley with hillsides in the distance, to a view of a man-made embankment with a retaining wall looking nothing like the natural environment.	I37-25
1-6	"In addition to maximizing open space, the Project is designed to minimize the visual impact of built structures. The 453 residences noted above do not equate to 453 structures. A substantial number of the residences would be in structures built to accommodate multiple dwellings. Many HGV South lots have been designed to accommodate one to four single- or multi-family (i.e., single-family attached) buildings on the same plot of land; so that ultimately, there are only approximately 50 pads required to accommodate the residential and Center House structures." It is hard to see how putting the high density housing of 453 structures, some being 4 stories tall, on 50 pads minimizes the visual impact of the structures. There is not a building in Harmony Grove that is 4 stories tall and nothing in the surrounding area with the high density of this proposed development.	I37-26

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Response to Comment I37-23

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 which includes analysis of land use compatibility with the surrounding area, including the adjacent Harmony Grove Village (HGV).

Response to Comment I37-24

The commenter cites text from the EIR, Chapter 1.0, *Project Description*. The analysis the commenter is referring to were general site surveys which in turn influenced the proposed Project design, the effects of which are analyzed throughout the EIR. Please also see Response to Comment I37-15.

Response to Comment I37-25

If your home is located at 2966 Cordrey Drive or south of there, it appears to be located next to planned biological open space, and south of Project grading. If located to the north, it would be one of the few homes identified in the EIR with direct views onto the site. Regardless, the analysis addresses the site as a whole. As stated on page 1-5 of the EIR, "Sharp or abrupt grade transitions that do not appear natural would be avoided, general rise and fall in existing slopes would be followed, and the overall grading would conform to existing elevations at north, east and west edges of the Project." Please also see Response to Comment I37-22.

Response to Comment I37-26

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and Response to Comment I37-22.

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1-13	"For purposes of system redundancy, the Project also would hook into an existing 8-inch water line near the western terminus of Country Club Drive (near the Harmony Grove Spiritualist Center)." This would be the water line that the current residents use to bring water to their properties. How would this affect our water pressure? Why does the development need to tap into the existing waterline if they are bringing in their own 12-inch water line?	I37-27
1-15	"Due to the small size of HGV South, it is likely that the Project would truck solids to another wastewater treatment plant for dewatering. This would require transport to that facility by an estimated one truck per week." How will the development deal with the odor of solid storage and the risk of spillage in transporting this waste? Currently the HGV development is trucking all of their waste to another facility three times a day and there has been a sewage spill (Notice of Violation No. R9-2017-0062, CalAtlantic Homes, Harmony Grove Village Development, Escondido, San Diego County) and a lingering odor at the pump station.	I37-28
3.1.10-1	"These large open space reserves contain a total of approximately 1,558 acres (indluding the Olivenheain dam and reservoir) with an associated 9 miles of trails." The website for the DDHP listed the trail mileage as 1.5 miles (http://www.sdparks.org/content/sdparks/en/park-pages/DelDiosHighlands.html) and the website for the EFRR lists the trail mileage as 11 miles (https://elfinforest.olivenhain.com) for a total mileage of 12.5 miles.	I37-29
3.1.10-1	". . . following development, the approved and adjacent private HGV Equestrian Ranch would be expected to host equestrian events open to the public that could be attended by future Project residents and would be accessible via Project connecting trails and a pathway." The county has approved the development of the HGV Equestrian Ranch but it is unclear when or if this will actually come to fruition. The original developer of HGV was New Urban West. When the economy collapsed in 2008, Standard Pacific took over most of the HGV development except for the Equestrian Ranch and the land approved for a retail center, which stayed under control of New Urban West. Neither of these parcels have seen any movement towards development.	I37-30
3.1.10-3	"As shown on Figure 1-17, in the immediate vicinity of the Project, the County has identified four proposed trails, three of which are identified as "first priority," as indicated by asterisks below: . . ." "3. *Summit Trail (12), extending southerly approximately 0.2 mile from the Lake Hodges Trail into the heart of the Project . . ." Need clarification on how the county proposed priority trail, Summit Trail, would be placed on the graded 40 ft. embankment shown in figure 1-17. As shown in the HGVS figure 1-17 the natural hillside will be removed, topped off, and an embankment created which appears to be too steep for the trail proposed in the CTMP.	I37-31
Figure 1-20b	"11. The plant pallet may be modified in the future design phases." Explain what this means. Will this change from a mostly native plant pallet with some non-natives	I37-32

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Response to Comment I37-27

As noted FEIR Section *3.1.10.2, Utilities and Service Systems*, Rincon MWD has provided the Project with a Project Facility Availability–Water form stating that at this time the Project is eligible to receive water for fire and normal domestic use from Rincon MWD. While not a CEQA issue, the provision of water service by Rincon MWD would ensure the quality of service (e.g., adequate water pressure) remains consistent with implementation of the proposed Project. Redundancy has been built into the system as a result of service provider (Rincon MWD) requirements.

Response to Comment I37-28

The potential impacts associated with transportation of wastewater off site is included in EIR Subchapter 2.6, *Air Quality*, and Section 3.1.3, *Hazards and Hazardous Materials*, and technical appendices H, *Air Quality Analysis Report*, and K.2, *Hazardous Materials Records Review Update*.

Response to Comment I37-29

Thank you for identifying this typographical error. The cited text has been corrected on page 3.9-1 of the FEIR to be consistent with the comment, and existing text in Subchapter 2.1 on page 2.1.5. That DEIR text noted that the DDHP has a 1.5-mile long firebreak/trail, located at its closest point approximately 0.1 mile south of the Project boundary and 0.3 mile south of proposed development footprint, that extends from Del Dios Highway to intersect with the "Way Up" Trail in the EFRR; and that the EFRR maintains approximately 11 miles of trails transecting 750 acres overlaying portions of the ridgeline separating the Escondido Creek valley and the area surrounding Lake Hodges.

Response to Comment I37-30

Comment noted. The comment does not raise any specific issues related to the adequacy of the EIR. Therefore, no further response is required.

Response to Comment I37-31

This is a misunderstanding on the part of the commenter. As described in footnote 6 on page 1-20 of the DEIR, the Summit Trail "does not currently exist and is not part of the Project. This potential trail would adversely affect Proposed biological

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	open space and increase edge effects. It was therefore deleted following coordination with County Department of Parks and Recreation." **Response to Comment I37-32** The County would like to clarify that EIR *Figure 1-20b, Landscape Plan* does include Note 11: "The plant pallet may be modified in the future design phases." However, this change is restricted by Note 6, which requires a "Modified California Native" plant palette that utilizes drought-tolerant and native species. Therefore, while the species may change from what is noted in the Conceptual Landscape Plan, native and drought-tolerant species are still required.

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	used in the less natural areas to plantings of mostly non-natives? What would be the reasons that the listed plants might not be used?	I37-32
Figure 1-20b	"The primary streetscape tree is the California Pepper." The California Pepper would not be an appropriate tree to plant near the Escondido Creek and the other preserved areas surrounding the project for two reasons: 1. It is considered undesirable in regards to fire. http://www.sandiegocounty.gov/pds/docs/DPLU199.pdf 2. Not native to San Diego County and is able to naturalize in our environment thereby spreading and invading into protected natural spaces. http://www.cal-ipc.org/ip/management/ipcw/pages/detailreport.cfm@usernumber=72&surveynumber=182.php; http://homeguides.sfgate.com/problems-pepper-tree-plants-69894.html.	I37-33
3.1.10-5	"Parks would be funded through mechanisms described in the Project Specific Plan on Table 7." Table appeared to be missing. Need to add Table 7 near where it is referenced in the document.	I37-34
3.1.10-6	"Trail 13, also largely located within the Project parcel in open space, is routinely used by the existing local community and would be retained within a 20-foot trail easement. This currently unimproved primitive trail (County trail nomenclature) continues south to meet the east-west trending Del Dios Highlands Trail in the DDHP. It would be improved by the Project from its current 2-to-6 foot width to 4 to 6 feet in width to the DDHP boundary, as necessary; and dedicated to the County." The existing primitive trail currently gets used by a limited number of hikers and equestrians, predominantly from the neighborhood. Improving it, adding 453 homes, connecting it to the HGV trails, and dedicating it to the County, will significantly increase the number of users of the trail. How will the developer prevent these users from encroaching on the private and preserved properties which are adjacent to these trails?	I37-35
3.1.10-6	"With the provision of the new parks and recreational facilities to serve the Project and the public, combined with the additional PLDO payment, the Project would not increase the use of existing neighborhood parks, regional parks or other recreational facilities such that substantial physical deterioration of these facilities would occur or be accelerated." Provide evidence of this statement. It would seem to be inherently untrue. The small, developed parks within the project are very different from the natural adjacent parks such as Del Dios Highlands, Elfin Forest Recreational Reserve, and the San Dieguito River Park. The new developed trails will give the new residents of HGV and HGVS access to these parks, significantly increasing the amount of foot, bike, and equestrian traffic on these already busy parks. Preserves are much more affected by the increase in visitation and use that would come from increased development to the area than developed recreational parks. Damage to the preserves can't just be "fixed" or "cleaned up." Overuse of these parks can result in decreased flora and fauna which would take years to repair if it ever could be repaired.	I37-36

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Response to Comment I37-33

The Project's landscape plan was reviewed and approved by County Fire. The Project design features restrict use of California Pepper within 50 feet of riparian habitat, where moist soil could encourage germination.

Response to Comment I37-34

The comment is unclear. The County was unable to locate the inconsistency in the Specific Plan.

Response to Comment I37-35

As stated in Chapter 1.0, *Project Description*, on page 1-19:

> *Trails would be constructed with decomposed granite or similar soft surface material and would comply with appropriate San Diego County Trail Designation and County Design and Construction Guidelines. Fencing would be used as needed.*

The County requirements, fencing, and signs regarding biological open space would combine to keep users from encroaching on adjacent uses.

Response to Comment I37-36

By developing on-site parks used by Project residents and members of the public, as well as paying PLDO for other developed active or passive park uses, the Project removes cumulative wear on off-site park facilities by providing additional recreational venues for the public. With additional taxes provided by the residents of this Project, the County would receive additional funds for maintenance obligations. The Project also would add additional open space reserves, which will also require an endowment to ensure that future maintenance would be provided, as well as fencing identified in the EIR to restrict public access into the preserve area. As discussed in the EIR, the County Master Trails Program envisioned the trails through and across this property and their use by County residents.

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3.1.10-7	"Based on the analysis provided above, the Proposed Project would have less than significant impacts related to parks and recreation." Provide evidence of this statement. No actual reports were shown. Maybe an environmental/biological review should be done to evaluate how this Project along with the HGV development would affect the preserves. Possibly the cumulative effects of all the local developments that might impact DDHP and EFRR, as well as any preserved areas on the San Dieguito River Park should also be studied.	I37-37
3.1.5-1	"Average annual precipitation in the project site vicinity (City of Escondido, 92025) is approximately 15.1 inches . . " The project is outside of the city of Escondido in the 92029 zip code.	I37-38
4-3	"The underlying purpose of the Project is to accommodate a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village . . ." This Project is not an expansion of the existing village in HGV as it is proposed. The village concept in HGV has the highest density in the center retail/commercial area with lesser density as residences move away from the center. HGVS property is outside of the village center across Harmony Grove Road and as proposed, actually puts higher density housing of multifamily dwellings adjacent to the multi acre parcel homes that currently exist in Harmony Grove. In other words, the highest density right next to the lowest density in Harmony Grove. This goes against the County's General Plan.	I37-39
4-3	"Contribute to the establishment of a community that encourages and supports multimodal forms of transportation, including walking and bicycling, by locating near regional employment and transit centers." Provide evidence of how this development brings employment and transit closer to the community. The two transit centers are at Nordahl Road and the Escondido Transit Center. These are not within easy walking distance (2.9 mi to Nordahl Sprinter approx.. 1 hour walking; 3.4 mi to Escondido Transit Center approx.. 1 hour 12 minutes walking). One-half mile has become the accepted distance for gauging a transit station's catchment area in the U.S. It is the de facto standard for planning TODs (transit oriented developments) in America. (Guerra, Erick, Cervero, Robert, and Tischler, Robert. "The Half-Mile Circle: Does it Best Represent Transit Station Catchments?" University of California, Berkeley. July 2011. Web. 1 May 2017. http://www.its.berkeley.edu/sites/default/files/publications/UCB/2011/VWP/UCB-ITS-VWP-2011-5.pdf) Where are the local jobs? Most of the homebuyers will need to leave the community for employment.	I37-40
4-3	"Create a mixed-use development that is compatible with existing and planned development in the immediate vicinity of the property . . ." Provide further explanation of how this development is compatible as this seems false. The mixed-use development is incompatible with the current adjacent properties which are single family homes on ½ acre and larger parcels on septic with agricultural	I37-41

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Response to Comment I37-37

Please see Response to Comment I37-36.

Response to Comment I37-38

The County disagrees that the using the average rainfall in Escondido is improper as it is adjacent to the Project site. The comment provides no other suitable data for replacement.

Response to Comment I37-39

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4.

Response to Comment I37-40

The Project would expand an existing village to bring more residential uses to be located near regional employment and transit centers. HGV South is proposing to expand the HGV village to become part of the same compact, walkable community that will be connected by an integrated network of multi-use trails and pathways to the Village Center and the periphery of the HGV Specific Plan area.

The location of the transit centers in relation to the Project are noted. The County concurs with the information citing 0.5 mile as the accepted distance to and from transit centers for Transit Oriented Development projects; however, this is not a requirement for the Proposed Project.

Response to Comment I37-41

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4.

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	designation. In addition to the agricultural homes the proposed project is also surrounded by large preserved parcels of coastal sage scrub communities, chaparral communities and riparian areas containing rare plants and animals as well as many examples of plants and animals typical to coastal sage scrub and chaparral. As was stated in the County General Plan, "Rural areas are not appropriate for intensive residential or commercial uses due to significant topographical or environmental constraints, limited access, and the lack of public services." (San Diego County General Plan: A Plan for Growth, Conservation and Sustainability. County of San Diego. August 2011. P. 3-8, Web. 1 May 2017) This would apply to the area of Harmony Grove south of Harmony Grove Road as we only have access to our homes via one entrance on Country Club Drive. We also have limited public services such as no sewer, no cable service, no high speed internet service, land telephone lines are overhead. Public transportation is not within walking distance (greater than ½ mile away). Nearest grocery stores are 3.4 miles and 4.1 miles away.	I37-41
4-4	"Encourage adaptive grading, whenever feasible, that utilizes grading techniques such as selectively placing development in a manner that visually and physically responds to the site's physical variables (such as steep slopes, views, streams, etc.), preserving significant topographic features and taking advantage of existing site features." Provide evidence for how this goal is met. If this is one of their objectives, then why are they asking for a steep slope waiver? The grading should be minimized so the current topography is maintained. If the property was divided into parcels similarly sized to the current residential parcels of ¼ acre and larger, then the homes would be built in keeping with the topography. This is because large scale grading, removing hills, and filling in valleys would be too costly for individual homeowners. The developer should be required to match the current residential density.	I37-42
4-5	Steep Slope Avoidance Alternative "The potential to design alternatives with development located further from preserve areas located south of the site, and minimizing potential edge effects through clustering of development out of the southern third of the site (while still providing the housing counts necessary to support on-site sewage treatment) led to rejection of the Steep Slope Avoidance Alternative." This section should include some mention of the cost of developing the southern portion could be cost prohibitive due to water dug canyon. Other portions of the development are being planned adjacent to other preserved lands (the Escondido Creek). As for the need for a larger density development to support the on-site sewage treatment, this could be avoided by a smaller development utilizing septic systems which is consistent with the rest of the Harmony Grove community.	I37-43
4-8	No Project/No DevelopmentAlternative 'It also would not provide any of the amenities offered to the community at large relative to support of multi-modal transportation options, provision of a variety of passive and active recreational opportunities, or provision of a destination gathering	I37-44

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Response to Comment I37-42

The County respectfully disagrees with this comment. The Project is compatible with existing conditions and constraints as required in the LU-1.4 analysis (and cited in the comment). The topic is specifically addressed in the FEIR on pages 3.1.5-24 and 25 under the heading "Compatibility with Existing Conditions and Constraints." Specifically noted are the retention of slopes exceeding 50 percent in permanent open space set-aside, avoidance of the 100-year floodplain, the consistency of the Project with the RPO, and improvements to degraded Escondido Creek and wildlife safety as a result of Project implementation. The amount of cut and fill in a topographically variable area does not render the Project incompatible. Similarly, the Project is consistent with the RPO through processes outlined in the ordinance—including ordinance exemptions for streets and utilities, a waiver of steep slope encroachment where those encroachments are found visually insignificant in compliance with the RPO, and strict compliance of no more than 10 percent encroachment into protected steep slope areas by individual lots, again in conformance with the RPO. These encroachments ultimately will be before the Board of Supervisors, but preliminary findings by the Director of PDS is that each of these encroachments conforms to the ordinance. They are extremely common elements of development in topographically variable areas, and also far more restricted than has been required of individually developed lots in the area (which are not subject to the RPO and therefore not restricted by it in terms of steep slope encroachment). Please also see Response to Comment I37-25 regarding grade transitions and Figure 2.1-10 of the EIR, which depicts existing and Project grades and illustrates their correlation and tie in points. Finally, and relative to visual perception of final grading effect, please also note, as stated on page 1-24 of the EIR, that: "Post-grading, only 32 acres, or 29 percent of the site, would contain lots and streets. The remainder of the Project would be in Biological Open Space, parks or landscaped/revegetated swaths between pads."

Response to Comment I37-43

Costs are not germane to environmental analysis required under CEQA unless secondary effects of that cost result in environmental impact. As a result, the potential increase in costs to the Applicant is not addressed. The purpose of the alternative analysis in CEQA is to compare the impacts of an alternative to the those of the proposed Project. Therefore, the County disagrees that the proposed

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	Project should be modified to incorporate components of an alternative. Please note, however, that consistent with the comment, a General Plan Consistent with Septic Alternative was evaluated (see Chapter 4.0, *Alternatives*, Subchapter 4.3. **Response to Comment I37-44** CEQA does not require evidence that project amenities are needed. CEQA Guidelines Section 15124 addresses project description, and Section 15124(b) specifically addresses objectives. That section states that the objectives should include the underlying purpose of a project and that clearly written objectives will (later) help the lead agency develop a reasonable range of alternatives, and, potentially will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary.

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	place for the Project and surrounding areas (Objectives 2, 4 and 7, respectively)." Provide evidence that these amenities are needed. The community (Harmony Grove, Elfin Forest, Eden Valley) has not asked or wanted these amenities. There are plenty of planned developments in all portions of San Diego County that offer these types of amenities. The community members live in the rural Harmony Grove area to be away from developer created recreation and to enjoy natural open space and room between the neighbors.	I37-44
4-8	"Permanent set aside of important and managed biological resources that would contribute to the block of preserved habitat located in the DDHP and EFRR, also would not occur, contrary to Objective 3." This alternative is one which should be considered by the County. As described in the DEIR this alternative is superior to the Project in the areas of aesthetics, transportation/traffic, biological resources, cultural resources and tribal cultural resources, noise, and air quality. It's possible that due to the lack of infrastructure in this rural area (e.g. sewer, cable, internet, roads, shopping) as well as the severe fire risk and limited egress, this parcel would be better used as mitigation for a larger development in another portion of San Diego County than has or can more easily develop the infrastructure and would not place it's residents in a severe wildfire risk area with only one exit. An example would be the proposed Newland Sierra development still in the development stage. According to the Voice of San Diego (Rivard, Ry. June 9, 2017. Environmentalist Say Conservation Plan Is Being Used to Give One Delelopment a Leg Up) the Department of Fish and Wildlife has been asking Newland Communities, the potential developer, to find more mitigation property to preserve before approving the proposed development due to the presence of nesting California Gnatcatchers. The property proposed for the HGVS development also contains breeding gnatcatchers so could be a reasonable parcel for environmental mitigation for Newland Sierra or another development. This parcel also abuts the DDHP which could allow for freedom of movement of native animal species.	I37-45
4-8	". . . improvements to creek water quality resulting from removal of the at-grade crossing and underlying culverts and re-creation of a free-flowing creekbed, also would not be expected to occur." Where is the data to substantiate that this would first of all, improve the water quality. Secondly, if we assume without data that the water quality is improved by a new bridge, it would likely be decreased by the amount of solvents, detergents, and trash run off coming off of a developed area due to the increase in asphalt, cement, and increased population.	I37-46
4-12	General Plan Consistent with Septic Alternative "Another creek-related issue would be potential failure of the planned alternative septic system. Review of the County's Harmony Grove Village South Project Chapter 4.0 Draft Environmental Impact Report Project Alternatives 4-12 Environmental Health website (http://www.sandiegocounty.gov/content/sdc/deh/lwqd/lu_septic_systems.html) indicates that issues with leach fields and failure of other septic system elements are known to result in groundwater contamination. If such failure	I37-47

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Response to Comment I37-45

The No Project Alternative is available for consideration by the decision makers, as it is included in the EIR. Transforming the project site wholly into permanently preserved open space is not considered viable. First, it is wholly speculative due to the lack of an identified potential buyer. Second, the amount of disturbed area on site does not translate into preserve habitat and would require long-term and expensive rehabilitation/revegetation. It is noted that the property has not been purchased by either of the abutting open space managers. Please also see the Global Responses to Project Consistency with General Plan Policy LU 1.4 and Response to Comment I37-15 regarding need for housing in the County.

Response to Comment I37-46

Please see Response to Comment I37-14.

Response to Comment I37-47

The potential impacts associated with wastewater, including accidental contamination, are included in FEIR Section 3.1.3, *Hazards and Hazardous Materials*, and technical appendix K.2, *Hazardous Materials Records Review Update*. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.

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	occurred under this alternative, downstream pollution also could occur in Escondido Creek." Provide evidence that the specific septic system being proposed would be more likely to cause contamination to the creek than the in-site sewage treatment. HGV has already caused sewage contamination to spill into the Escondido Creek (Notice of Violation No. R9-2017-0062, CalAtlantic Homes, Harmony Grove Village Development, Escondido, San Diego County). According to the DEIR, "Due to the small size of HGV South, it is likely that the Project would truck solids to another wastewater treatment plant for dewatering. This would require transport to that facility by an estimated one truck per week." This appears to be a permanent plan. This would seem to be an area of potential spillage, not to mention the potential for lingering odors between trucking the solids out. This should be addressed in the DEIR. How will the development deal with the odor of solid storage and the risk of spillage in transporting this waste?	I37-47
4-13	". . . it would not achieve the underlying purpose of the Project of accommodating a portion of the projected population growth and housing needs in San Diego County by expanding an existing village that will further enhance and support the success of that village." Provide evidence for why the development is needed for HGV to be successful. The existing village should not need increased development in Harmony Grove in order to be successful as it is a separate development which was previously approved by the SDCBOS as a self-sustaining village. HGVS is attempting to tag on to the HGV development as if it is an extension of HGV when it is not. The land owners and developer are completely separate. This alternative however is more consistent with the General Plan of the Village concept of having less dense housing as you move farther from the village center. The Project as proposed actually has higher density significantly outside of the village center in HGV and up against rural properties in the surrounding community.	I37-48
4-18	General Plan Consistent with Sewer Alternative ". . . although the Proposed Project would not directly impact on-site (non-RPO) jurisdictional waters, some brush management impacts south of the Project build footprint are anticipated to occur." The difference in jurisdictional water between this alternative and the project are not clear. The impacts due to brush management and build footprint should be detailed here in the proposed Project and specifically compared to this alternative." The difference in jurisdictional water between this alternative and the project are not clear. The impacts due to brush management and build footprint should be detailed here in the proposed Project and specifically compared to this alternative.	I37-49
4-20	"Also as a result of having substantially fewer units when compared to the Project, this alternative is less effective in optimizing the operational effectiveness of public facilities and services of the existing village." Explain why HGV needs more development in order to optimize operational effectiveness of facilities and services. Based on the plan developed for HGV and approved by the SDCBOS, HGV should be	I37-50

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Response to Comment I37-48

Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and Response to Comment I37-15.

Response to Comment I37-49

The County disagrees that the details of the differences in impacts to jurisdictional waters between the proposed Project and the General Plan Consistent Alternative with Sewer Alternative are unclear. The EIR states:

> *The General Plan Consistent with Septic Alternative would be consistent with the existing General Plan land use designation of Semi-Rural. As shown on Figure 4-1, General Plan Consistent with Septic Alternative, this alternative includes 49 single-family residential homes on 1-acre or greater lots. Larger lot sizes are needed in order to meet the County's septic system requirements with respect to the Project's unique geologic/soils characteristics. The residential lots would have approximately 5,000-square foot pads that would be sited throughout the property in a dispersed, rather than consolidated, pattern that is based upon the soils characteristics found on the site. This alternative assumes an advanced on-site wastewater treatment septic system, requiring approximately 3,500 sf per lot.*
>
> *The manufactured slope located along Country Club Drive south of the WTWRF would not be built, and grading quantities overall are expected to total approximately 660,000 cubic yards (22 percent less than the Proposed Project grading of 850,000 cy). This alternative would initially grade approximately 56 acres (50 percent of the site), and develop on approximately 56 acres (or 50 percent of the site). Approximately 55 acres (also approximately 50 percent of the site) would be placed into open space set-aside containing some steep slopes and biological resources associated with each lot. This open space would not be placed into a preserve managed by an independent land manager, but would be restricted in use on each individual lot.*
>
> *This alternative would not include any commercial, parks, or other recreational uses, including a community gathering*

COMMENTS	RESPONSES
	locale, given the small number of residential units on site. While there are fewer homes under this alternative, larger lots spread over the entire site would still require an extensive road system and utility lines (e.g., potable water). *The purpose of this alternative would be to provide consistency with the existing general plan land use designation and to reduce traffic and air quality impacts (EIR pg. 4-9).* Furthermore, *Off-site impacts to Escondido Creek jurisdictional wetlands would be similar to the Proposed Project because a bridge would be installed over Escondido Creek. Construction-period effects also would occur due to potential for on-site blasting in non-rippable areas during grading and potential for pile-driving requirements at the Escondido Creek bridge. Another creek-related issue would be potential failure of the planned alternative septic system. Review of the County's Environmental Health website (http://www.sandiegocounty.gov/content/sdc/deh/lwqd/lu_septic_ systems.html) indicates that issues with leach fields and failure of other septic system elements are known to result in groundwater contamination. If such failure occurred under this alternative, downstream pollution also could occur in Escondido Creek (EIR pg. 4-11 to 4-12).* **Response to Comment I37-50** Please see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and Response to Comment I37-15.

COMMENTS	RESPONSES

Comment Letter I37
Letter dated 6-19-17

O'Neill/Dummer HGVS DEIR Notes

Page	Notes	
	able to support itself. If it is unable to, this new information should be detailed for the reader to understand this statement.	I37-50
4-21	Senior Care Traffic Reduction Alternative "No commercial uses or community gathering locale would be provided because the fewer number of single-family dwelling units in this alternative would not be able to support such uses on site." This statement would seem to make a senior community inconsistent with the area as seniors would need closer amenities such as shopping, public transportation, public services (post office, community centers, etc) due to greater difficulty with mobility. How would this alternative mitigate this need? Would mitigations make this alternative more viable?	I37-51
4-31	Biologically Superior Alternative ". . . this alternative would preserve 3.5 acres of the Intermediate Value sage scrub habitat in this eastern area, and would avoid impacts to a portion of the habitat supporting the gnatcatcher nest location and surrounding foraging and dispersal habitat." This is not an insignificant point made in the document. Why couldn't this 3.5 acres of Intermediate Value sage scrub be preserved in the Project? How could the project be changed to preserve it?	I37-52
4-35	Off-Site and Combined On-/Off-Site Sewer Option Alternative "Due to the small size of HGV South, it is likely that the Project would truck liquids solids to another wastewater treatment plant for dewatering regardless of sewer option selected. This would require transport to that facility by an estimated one truck per week." Provide evidence supporting the estimated number of truck loads. How will the development deal with the odor of solid storage and the risk of spillage in transporting this waste? Currently the HGV development is trucking all of their waste to another facility three times a day and there has already been a sewage spill (Notice of Violation No. R9-2017-0062, CalAtlantic Homes, Harmony Grove Village Development, Escondido, San Diego County) and a lingering odor at the pump station. Wouldn't this affect air quality in the community? How is that going to be mitigated?	I37-53
4-35	Connection to the HGV WRF "The existing HGV WRF could be used to serve the Proposed Project if actual use rates at the HGV WRF demonstrate that it could accommodate the flows from both the Proposed Project and HGV as it is currently built." The development plan adopted by the County for HGV specifically stated that their water treatment facility would only be used for HGV and not be a step towards future development in Harmony Grove. Provide documentation on how the County would make this GPA.	I37-54

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Response to Comment I37-51

Consistent for all residents of this portion of Harmony Grove, some commercial opportunities are expected to be available at HGV, and other commercial opportunities (as well as the full range of other public amenities) are close by in the City of Escondido. Please also see the Global Responses to Project Consistency with General Plan Policy LU-1.4 and Response to Comment I37-15.

Response to Comment I37-52

The Proposed Project is the Applicant's preferred build option. The purpose of the alternative analysis in CEQA is to compare the benefits and impacts of an alternative to the those of the Proposed Project. The County disagrees that the proposed Project should be modified to incorporate components of an alternative.

Response to Comment I37-53

The numbers of trucks would be consistent with the largest potential project, the Proposed Project. As stated on page 1-15 of the DEIR:

> *it is likely that the Project would truck solids to another wastewater treatment plant for dewatering. This would require transport to that facility by an estimated one truck per week. Once biosolids are dewatered, they would be trucked to a landfill for final disposal, estimated to require one truck per month.*

The potential impacts associated with wastewater, including accidental contamination, are included in FEIR Section 3.1.3, *Hazards and Hazardous Materials*, and technical appendix K.2, *Hazardous Materials Records Review Update*. Nuisance odor effects are addressed in Subchapter 2.6, *Air Quality*. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.

Response to Comment I37-54

The treatment plant was designed by HGV to be of a size to serve that project. There have, however, been improvements in treatment technique and efficiencies since that project was approved. In order for the Off-Site and Combined On/Off-Site Sewer Option Alternative to be feasible, the HGV WRF and the County would have to demonstrate capacity for that facility.

COMMENTS	RESPONSES

COMMENTS	RESPONSES

Comment Letter I37

O'Neill/Dummer HGVS DEIR Notes Letter dated 6-19-17

Page	Notes	
4-36	"An 8-inch gravity-flow would be extended from the Project within Country Club Drive to Harmony Grove Road. The lines would cross Escondido Creek via installation into a bridge structure to be built commensurate with the Project." Provide documentation on an emergency plan for a pipe break and possible contamination into the Escondido Creek. This could be a very costly accident. The Hale Avenue Resource Recovery Facility (HARRF) run by the City of Escondido, has in the past had so many discharge violations into the Escondido Creek that they were fined $1.3 million dollars in 2015 (Lau, Angela. "Escondido's wastewater upgrade too slow." The San Diego Union-Tribune. 28 May, 2009. Web. 2 May 2017. (http://www.sandiegouniontribune.com/sdut-1mc28waste031235-citys-wastewater-upgrade-too-slow-2009may28-htmlstory.html)	I37-55
4-36	"Alternatively, other scenarios could be explored in the future, as appropriate, such as expanding the existing wet weather storage on HGV, or it could be on another site." How can HGVS commit the HGV development to provide wet weather storage for their development? What other sites are referred to in this statement? Only one possibility is listed, Rincon MWD. What other sites are being considered? How would HGVS access these outside sites? Would they have to run more pipe?	I37-56
4-36	"It is likely that reassessment of the reservoir would allow for additional storage as only a portion of the available volume available in the reconditioned quarry will be utilized by that project." Provide evidence for this statement. Where did this opinion come from? CalAtlantic? The County? Who would pay for this reassessment? The developer? The HOA? The County?	I37-57
4-37	Combined On-/Off-site Wastewater Treatment "A pump station would be included within the on-site facilities, and off-site utilities would include the gravity feed lines to the existing pump station on Harmony Grove Road, as well as a sewage solids line and potential fiber optics line extending from the Project north along Country Club Drive into the HGV WRF." Provide emergency plan for containing contamination for possible pipe breakage and sewage spill into or near Escondido Creek.	I37-58
4-37	"Additional operational studies, as well as design plans and specifications, would be required for all of the facilities described above. These studies and plans are not expected to affect the environmental analyses below." Provide evidence that the operational studies, design plans and specifications would not affect the environmental analyses. Why wouldn't design changes have changes to the environmental analysis?	I37-59
4-42	"A number of these impacts may vary slightly from those identified for the Proposed Project; however, these variations would be relatively minor and would not alter overall Project impact levels or associated need for mitigation or implementation of specified Project Design Features." Provide evidence for the statement that variations in impacts would be minor and would not need mitigation. Specify what the impacts could be.	I37-60

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Response to Comment I37-55

The potential impacts associated with wastewater, including accidental contamination, are included in FEIR Section 3.1.3 and technical appendix K.2. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.

Response to Comment I37-56

The alternative analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the Proposed Project; therefore, it is not necessary to provide the details requested in the comment.

Response to Comment I37-57

The alternative analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the Proposed Project; therefore, it is not necessary to provide the details requested in the comment. As noted, if "other alternatives are explored in the future" they would be subject to CEQA review as well. The source for the information was EIR technical appendix Q, *Sewer Master Plan*. See Chapter 4 of that document.

Response to Comment I37-58

The potential impacts associated with wastewater, including accidental contamination, are included in FEIR Section 3.1.3 and technical appendix K.2. The same requirements would apply to an alternative which proposed similar wastewater facilities and infrastructure.

Response to Comment I37-59

Operational studies potentially resulting in design plan changes or specifications would not be expected to affect existing environmental analyses because the analyses were conservative, based on the largest footprint and use factors that would be expected to result in environmental effects. The quote cited immediately preceded text explaining this:

> *The Proposed Project analyzed the largest potential facility, with the associated largest footprint. As such, it represents a worst-case footprint and potential alternative elements adequate to complete environmental analyses on site, and*

COMMENTS	RESPONSES
	otherwise would place lines into already disturbed paved street (also affected by placement of Proposed Project utilities). Refinement of the alternative scenarios would not worsen environmental impacts associated with these lesser design scenarios. Future design changes would be expected to affect such items as the specific design of equipment internal to the Project WTWRF, pipeline couplings, etc. as specific products are confirmed. Changes that rise to the level of new analyses are not anticipated, but if they did occur, would require a conformity analysis consistent with County requirements, and if new impacts were identified, would require CEQA review. Moreover, please note that the analysis quoted in the comment is provided for comparative purposes only. CEQA does not require the same level of detail provided for the Proposed Project; therefore, it is not necessary to provide the details requested in the comment. **Response to Comment I37-60** Please see Response to Comment I37-59. As discussed in the paragraphs above and below the cited text, the overall CEQA impact levels (significant and unmitigable, significant and mitigable, or less than significant) would not change based on sewage treatment scenario because it is only one (relatively small) element of a larger development that drives the impact assessment. For example, use of an off-site option could result in incrementally fewer non-native grassland impacts, but such impacts would still occur, would still be identified as significant, and would still require mitigation for the Project overall.

COMMENTS	RESPONSES

PROPERTY SPECIFIC REQUEST Comment Letter I37

SD7 [2004 Referral #58 Trapp & #59 Gray]

Property Specific Request: Change Land Use Designation from SR2/SR4/RL20 to SR0.5	
Requested by: Randy Coopersmith, Ted Shaw	
Community Recommendation	SR2/SR4 RL20
Opposition Expected[1]	Yes
Spot Designation/Zone	No
EIR Recirculation Needed	No
Change to GPU Objectives Needed	No
Level of Change	Minor

Note:
1– Based on staff's experience

Property Description

Property Owner:
T. H. Harmony Grove LLC

Size:
112 acres
4 parcels

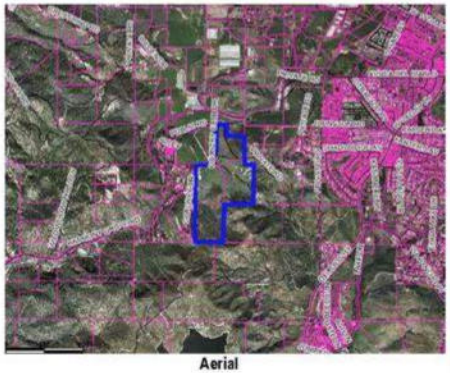
Location/Description:
Located Southeast of Country Club Drive and the Harmony Grove Village Specific Plan; Inside County Water Authority boundary

Prevalence of Constraints (See following page):
● – high; ◒ – partially; ○ - none

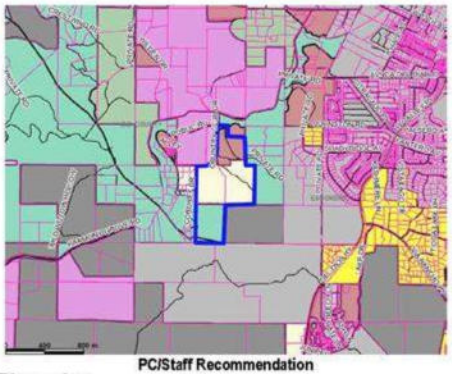
- ◒ Steep slope (greater than 25%)
- ○ Floodplain
- ○ Wetlands
- ● Habitat Value
- ◒ Agricultural Lands
- ● Fire Hazard Severity Zones

Land Use

General Plan	
Scenario	**Designation**
Existing General Plan	1 du/4, 8, 20 ac
PC / Staff Recommendation	SR2/SR4/RL20
Referral	VR2/SR2
Hybrid	SR2/RL20
Draft Land Use	SR2/SR4/RL20
Environmentally Superior	
Zoning	
Existing — A70, 4-acre minimum lot size	
Proposed — A70, 2 & 4-acre minimum lot size	



Aerial



PC/Staff Recommendation

Discussion

This property was originally a 2004 Residential Referrals 58: Trapp and 59: Gray to increase the density of the existing General Plan from Multiple Rural Lands and Impact Sensitive (1 du / 4, 8, 20 ac) to Village Residential 2 (VR2). In 2004 the Board of Supervisors directed staff to apply a VR2 designation to the property. Additionally there was a Plan Amendment Authorization (PAA) for the Harmony Grove Meadows and a project that began processing with DPLU in May 2005. The project was not supported by the Elfin Forest / Harmony Grove Town Council or the San Dieguito Community Planning Group (CPG). In November 2009 the project was withdrawn by the applicant and the property entered into foreclosure and is currently bank-owned.

Continued on next page.

SAN DIEGUITO [ELFIN FOREST - HARMONY GROVE]

I37-61

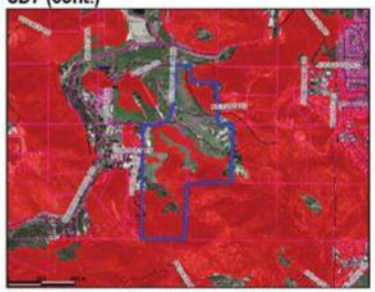
Response to Comment I37-61

The baseline count of 220 was derived from the General Plan Land Use designation for the property (0.5-acre lots) which yields a gross number of 220. The staff yield estimate from the comment is a Property Specific Request presented as part of the process for establishing the General Plan and not applicable to the Project.

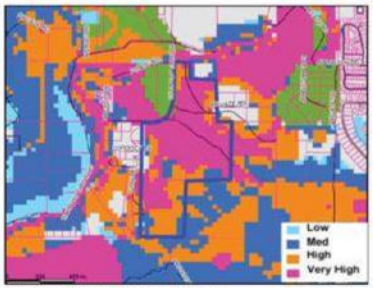
COMMENTS	RESPONSES

PROPERTY SPECIFIC REQUEST Comment Letter I37

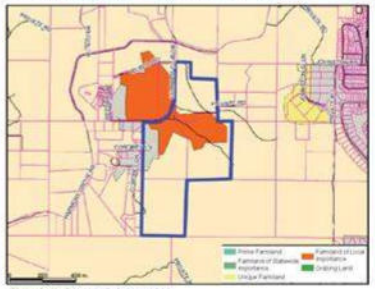
SD7 (cont.)



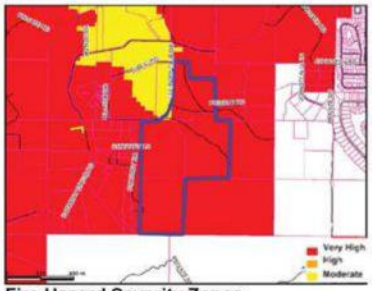
Steep Slope (Greater than 25%)



Habitat Evaluation Model



Agricultural Lands



Fire Hazard Severity Zones

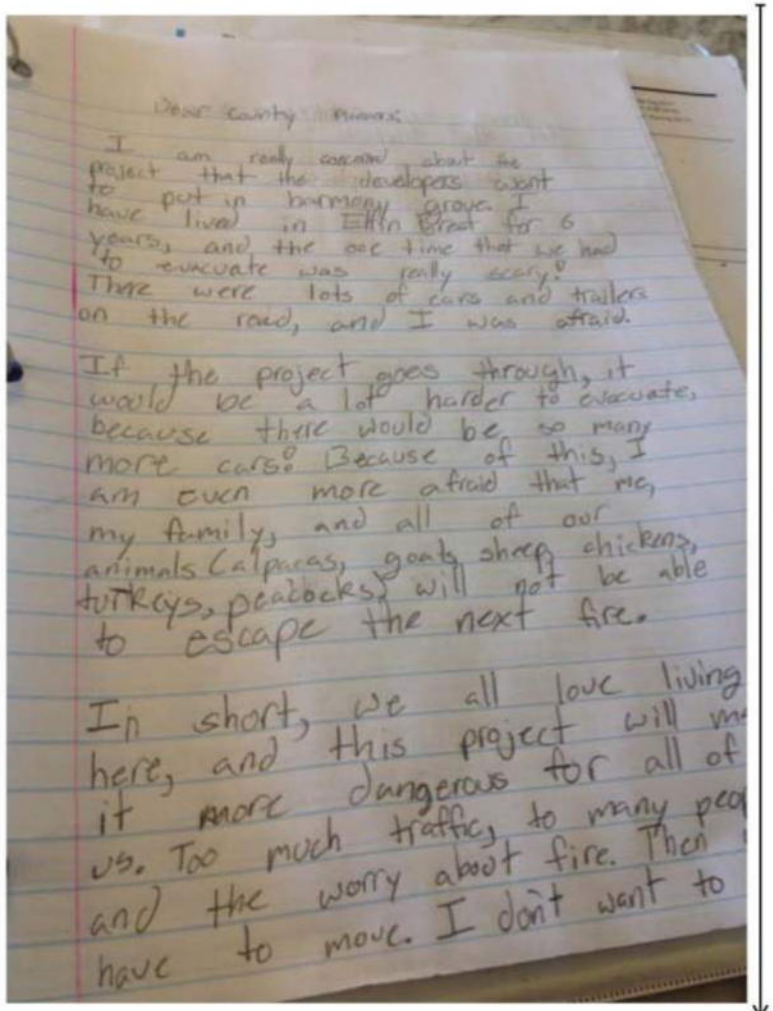
I37-61

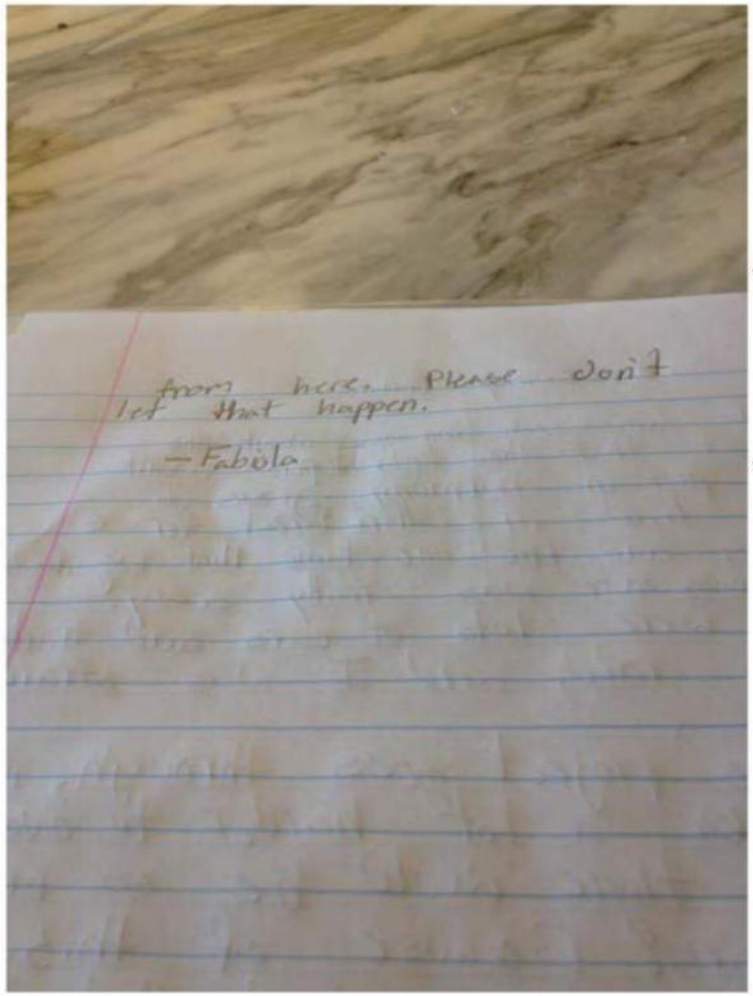
Discussion (cont.)

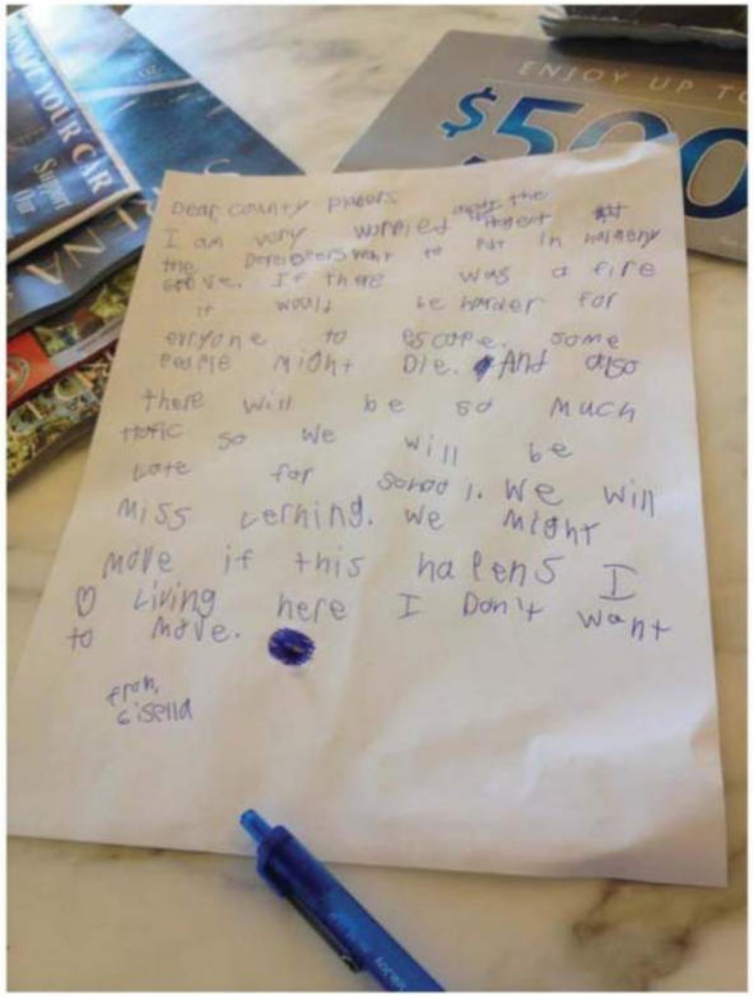
Nearly one-half of the property is constrained by steep slopes, is nearly entirely constrained by High and Very High Habitat Value, and within the Very High Fire Hazard Severity Zone. The VR2 designation is not supported by the Elfin Forest / Harmony Grove Town Council or the San Dieguito CPG. In addition, the property is outside the Harmony Grove Village boundary proposed in the San Dieguito Community Plan. This Village boundary is the result of several public workshops that developed a compromise position to assign additional density within the Village boundary surrounded by Semi-Rural and Rural Lands. The Harmony Grove Town Council and the San Dieguito CPG support the PCC / Staff Recommendation, which proposes a combination of SR2, SR4, and RL20 designation. Under this recommendation, the SR2 designation is applied to the area adjacent to the Harmony Grove Village where there is less steep slope. The RL20 designation is applied in the southern portion where there is the most steep slope and SR4 to the remaining areas. The applicant is requesting a compromise position of Semi-Rural 0.5, which would be the same base density, but would result in fewer units because of the slope restrictions. The following is an estimate of the potential dwelling unit yield under each of the alternatives:

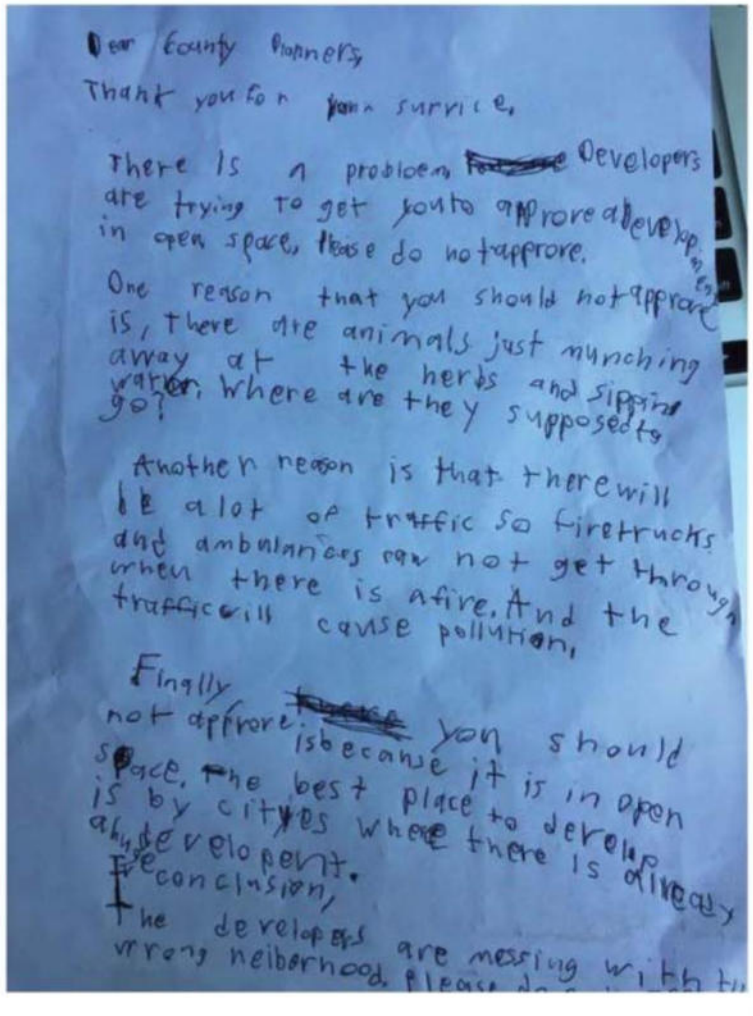
- Existing General Plan — 20 - 27 units
- PC / Staff Recommendation — 22 - 26 units
- Referral Map — 214 units
- Property Owner's request (SR0.5) — 168 - 180 units

SAN DIEGUITO [ELFIN FOREST - HARMONY GROVE]

COMMENTS	RESPONSES
Comment Letter I38  Dear County Planning, I am really concerned about the project that the developers want to put in Harmony Grove. I have lived in Elfin Forest for 6 years, and the one time that we had to evacuate was really scary. There were lots of cars and trailers on the road, and I was afraid. If the project goes through, it would be a lot harder to evacuate, because there would be so many more cars. Because of this, I am even more afraid that me, my family, and all of our animals (alpacas, goats, sheep, chickens, turkeys, peacocks) will not be able to escape the next fire. In short, we all love living here, and this project will m it more dangerous for all of us. Too much traffic, to many peo and the worry about fire. Then have to move. I don't want to I38-1	**Response to Comment I38-1** The County acknowledges the comment and opposition to the Project. While this comment does not raise specific issues regarding the environmental analysis or adequacy of the EIR, please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. Regarding potential impacts to wildlife, please see Subchapter 2.3, *Biological Resources*. These comments will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter I38  I38-1	

COMMENTS	RESPONSES
Comment Letter I38  I38-1	

COMMENTS	RESPONSES
Comment Letter I38  I38-1	

Dear County Planners

Thank you for your service.

There is a problem ~~[illegible]~~ Developers are trying to get you to approve a development in open space, Please do not approve.

One reason that you should not approve is, there are animals just munching away at the herbs and sipping water, where are they supposed to go?

Another reason is that there will be a lot of traffic so firetrucks and ambulances can not get through when there is a fire. And the traffic will cause pollution.

Finally ~~[illegible]~~ you should not approve is because it is in open space. The best place to develop is by cities where there is already a development.

In conclusion,

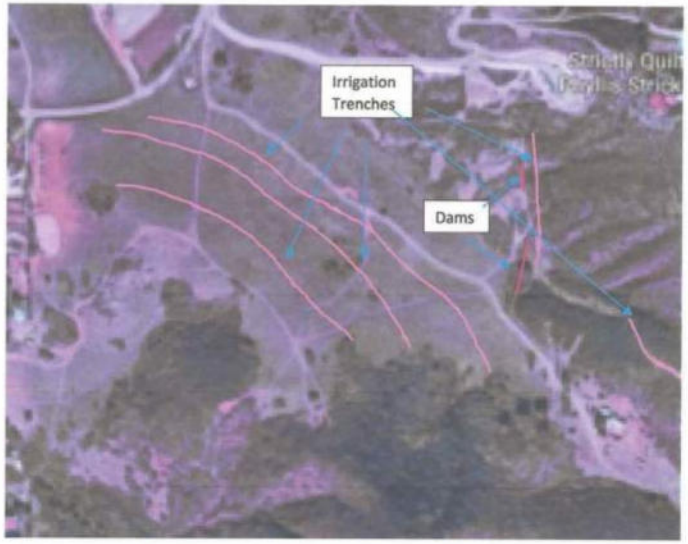
The developers are messing with the [illegible] neiborhood. Please [illegible]

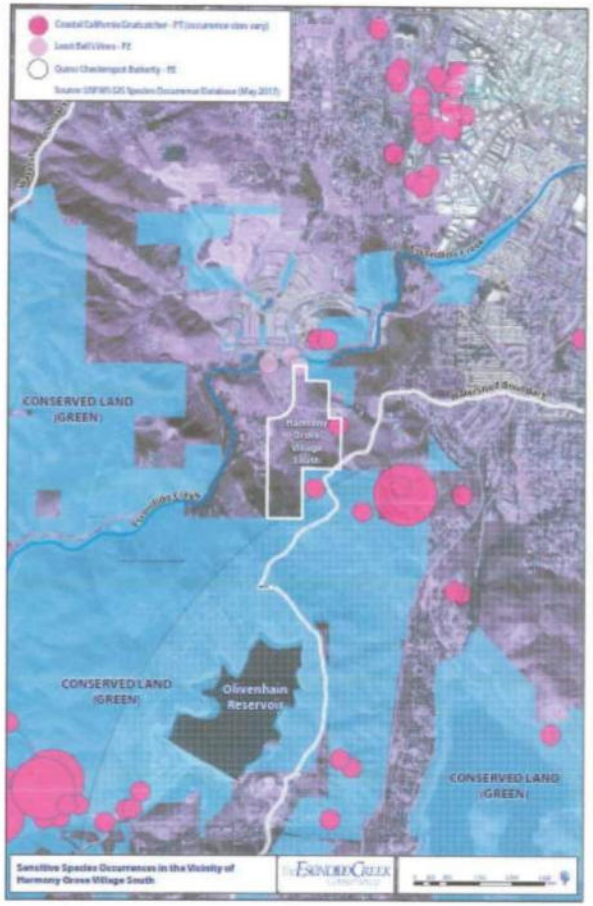
COMMENTS	RESPONSES
Comment Letter I39a June 20, 2017 Michelle Irace Planning & Development Services County of San Diego 5510 Overland Avenue, Suite 310 San Diego, CA. 92123 Re: Harmony Grove Village South (HGVS) Draft Environmental Impact Report PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006 Dear County of San Diego, **Background:** The following is the general description of the project from chapter 1.0: **"1.1 Project Objectives** **The purpose of the Harmony Grove Village South Project (hereafter referred to as "Proposed Project," "Project," or "HGV South") is to expand the contiguous Harmony Grove Village (HGV) to include a residential component that provides a mix of residential opportunities, and community center/limited commercial opportunities that complement existing elements of HGV and contribute to the overall functioning of the village as a whole. Integral considerations are to provide a pedestrian-oriented sustainable community that complements the natural environment, protects the community character, and integrates the residential, recreational, and public uses of both HGV and HGV South in order to create a complete and vibrant village through the development of the fourth quadrant of HGV at the Harmony Grove Road and Country Club Drive intersection. The overall objectives of the Project are to:** **1. Efficiently develop property in close proximity to an existing village to create one complete and vibrant community that would enhance and support the economic and social success of the village and Project by increasing the number and diversity of residential opportunities.** **2. Contribute to the establishment of a community that encourages and supports multimodal forms of transportation, including walking and bicycling, by locating near regional employment and transit centers.** **3. Preserve and enhance sensitive biological resources, habitats, and landforms in dedicated open space easements.** I39a-1 1	**Response to Comment I39a-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.

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

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

COMMENTS	RESPONSES
Comment Letter I39a  Figure 2 (Google Map Satellite 2017) Circled Areas Indicate Recovered Native Species There is evidence of water collection/retention efforts by past agricultural operations with the presence of earthen dams and numerous irrigation ditches and water collection trenches on and just off of the site. There is a large Coast Live Oak on top of the largest earthen dam in the southeast corner of the property, giving some credence as to the age of the construction of this dam and the associated water collection features (Figure 3). I39a-3 4	

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

COMMENTS	RESPONSES
Comment Letter I39a  Figure 4 I39a-3 6	

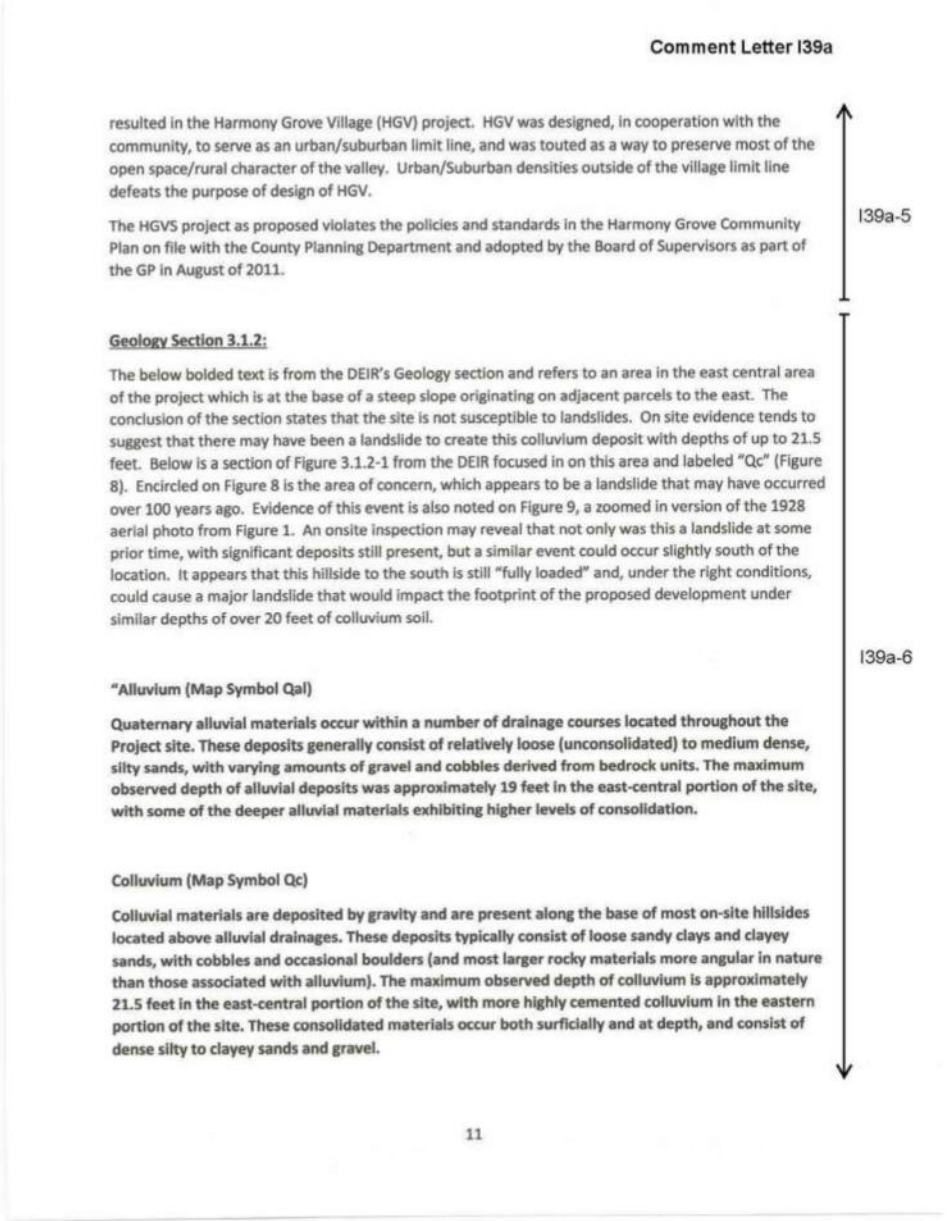
COMMENTS	RESPONSES
Comment Letter I39a There are 17 properties that border this project site (See figure 5 below). The average size of those parcels is 24.6 acres. 10 of those parcels are developed residential lots which range in size from .5 acres to 30 acres. The average size is 5 acres. There are 5 open space preserved parcels and 2 undeveloped parcels that border the project that range from 10 acres to 168.6 acres with the average size of 52.6 acres. This works out to be 12% of the acreage adjacent to the project is occupied residential and 88% is open space or undeveloped. 80% of this acreage is dedicated open space preserve (Del Dios Highlands County Park and TECC owned OS). I39a-4 Figure 5 7	**Response to Comment I39a-4** Comments noted. The lot size data do not address the environmental analyses in the EIR, which address Project-related impacts relative to existing conditions. No additional response is required.

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

COMMENTS	RESPONSES
Comment Letter I39a  I39a-5 Figure 7 (Option 2) 9	**Response to Comment I39a-5** The commenter's account of the circumstances surrounding the planning for the adjacent Harmony Grove Village (HGV) project are noted. Relative to the cited "unmitigated impacts" to existing properties, no specifics are provided and no specific response can be given, but please refer in particular to Chapters 2 and 3 of the EIR, which contain analyses regarding potential Project effects on neighboring properties as applicable (for aesthetics, noise, air quality, etc.). Regarding the Project's objectives, the Project allows for pedestrian and bicycle use as well as being within 3 miles of the Nordahl Transit Center. For clarification, the document does not say that the Project is independent of vehicular travel. The Project would, however, allow for access to HGV amenities and open space areas to the south by foot and/or bike. The Project is close enough to a transit center such that bike commuters could access it. For motorists, the proximity of the transit center would allow a short drive prior to accessing public transportation. The County acknowledges the comment and opposition to the Project. The Project does propose a General Plan/Community Plan Amendment (GPA) that would result in an increase in density in the area. Please see the Global Response to Project Consistency with General Plan Policy LU-1.4.

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

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



Comment Letter I39a

resulted in the Harmony Grove Village (HGV) project. HGV was designed, in cooperation with the community, to serve as an urban/suburban limit line, and was touted as a way to preserve most of the open space/rural character of the valley. Urban/Suburban densities outside of the village limit line defeats the purpose of design of HGV.

The HGVS project as proposed violates the policies and standards in the Harmony Grove Community Plan on file with the County Planning Department and adopted by the Board of Supervisors as part of the GP in August of 2011.

I39a-5

Geology Section 3.1.2:

The below bolded text is from the DEIR's Geology section and refers to an area in the east central area of the project which is at the base of a steep slope originating on adjacent parcels to the east. The conclusion of the section states that the site is not susceptible to landslides. On site evidence tends to suggest that there may have been a landslide to create this colluvium deposit with depths of up to 21.5 feet. Below is a section of Figure 3.1.2-1 from the DEIR focused in on this area and labeled "Qc" (Figure 8). Encircled on Figure 8 is the area of concern, which appears to be a landslide that may have occurred over 100 years ago. Evidence of this event is also noted on Figure 9, a zoomed in version of the 1928 aerial photo from Figure 1. An onsite inspection may reveal that not only was this a landslide at some prior time, with significant deposits still present, but a similar event could occur slightly south of the location. It appears that this hillside to the south is still "fully loaded" and, under the right conditions, could cause a major landslide that would impact the footprint of the proposed development under similar depths of over 20 feet of colluvium soil.

I39a-6

"Alluvium (Map Symbol Qal)

Quaternary alluvial materials occur within a number of drainage courses located throughout the Project site. These deposits generally consist of relatively loose (unconsolidated) to medium dense, silty sands, with varying amounts of gravel and cobbles derived from bedrock units. The maximum observed depth of alluvial deposits was approximately 19 feet in the east-central portion of the site, with some of the deeper alluvial materials exhibiting higher levels of consolidation.

Colluvium (Map Symbol Qc)

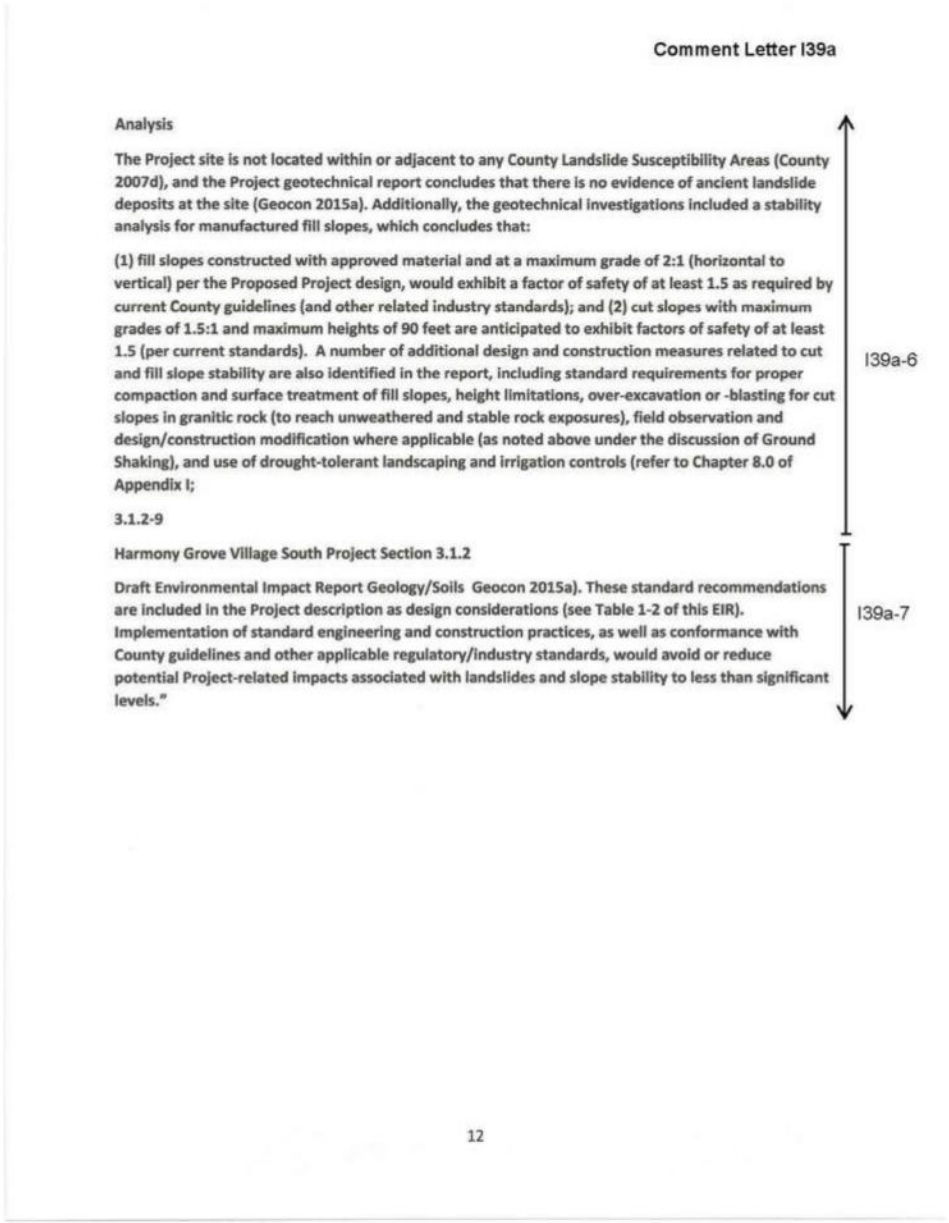
Colluvial materials are deposited by gravity and are present along the base of most on-site hillsides located above alluvial drainages. These deposits typically consist of loose sandy clays and clayey sands, with cobbles and occasional boulders (and most larger rocky materials more angular in nature than those associated with alluvium). The maximum observed depth of colluvium is approximately 21.5 feet in the east-central portion of the site, with more highly cemented colluvium in the eastern portion of the site. These consolidated materials occur both surficially and at depth, and consist of dense silty to clayey sands and gravel.

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Response to Comment I39a-6

Based on geotechnical review of the area, the colluvial/debris flow deposit identified appears very old (likely Pleistocene) due to its significant thickness and dense to very dense, well consolidated nature. In this regard, a significant period of time would have been required to accumulate this deposit, which is in excess of 20 feet thick, and for the natural consolidation process to result in its dense and erosion-resistant nature, as encountered during the project's technical investigation (see Boring Nos. 4 and 5 from 2015 geotechnical report). A review of aerial photographs indicates the colluvial/debris flow deposit and surrounding area has been relatively unchanged for almost 90 years with the exception of relatively shallow surface erosion features that can be observed to increase over time.

With respect to the slope area south of this deposit that is described as "fully loaded," the potential for a landslide originating from this area and impacting the proposed development is considered low since the conditions discussed above that resulted in the existing colluvial/debris flow are not present. Further, a review of aerial photography of the surrounding and adjacent terrain area suggest that the mapped colluvial apron/debris flow is an isolated feature compared to similar-shaped natural slope areas. Since the natural slope above the eastern Project margin does exhibit several pronounced drainage channels, proper control of surface runoff from a civil engineering perspective is recommended (brow ditches, storm runoff collector devices, etc.) to reduce the effects that erosion may have on the proposed development.



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Analysis

The Project site is not located within or adjacent to any County Landslide Susceptibility Areas (County 2007d), and the Project geotechnical report concludes that there is no evidence of ancient landslide deposits at the site (Geocon 2015a). Additionally, the geotechnical investigations included a stability analysis for manufactured fill slopes, which concludes that:

(1) fill slopes constructed with approved material and at a maximum grade of 2:1 (horizontal to vertical) per the Proposed Project design, would exhibit a factor of safety of at least 1.5 as required by current County guidelines (and other related industry standards); and (2) cut slopes with maximum grades of 1.5:1 and maximum heights of 90 feet are anticipated to exhibit factors of safety of at least 1.5 (per current standards). A number of additional design and construction measures related to cut and fill slope stability are also identified in the report, including standard requirements for proper compaction and surface treatment of fill slopes, height limitations, over-excavation or -blasting for cut slopes in granitic rock (to reach unweathered and stable rock exposures), field observation and design/construction modification where applicable (as noted above under the discussion of Ground Shaking), and use of drought-tolerant landscaping and irrigation controls (refer to Chapter 8.0 of Appendix I;

I39a-6

3.1.2-9

Harmony Grove Village South Project Section 3.1.2

Draft Environmental Impact Report Geology/Soils Geocon 2015a). These standard recommendations are included in the Project description as design considerations (see Table 1-2 of this EIR). Implementation of standard engineering and construction practices, as well as conformance with County guidelines and other applicable regulatory/industry standards, would avoid or reduce potential Project-related impacts associated with landslides and slope stability to less than significant levels."

I39a-7

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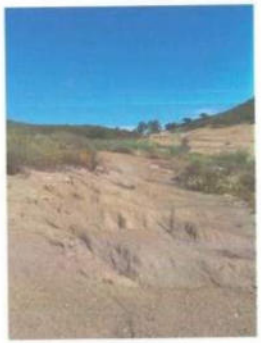
Response to Comment I39a-7

The cited EIR text is accurate. As shown in the figures attached, the area is largely within the development footprint of the Project. As stated in Table 1-2, *Project Design Features*, under the heading "Geologic Hazards -- Construction," and in Chapter 7, *List of Mitigation Measures and Project Design Features*, the following elements are incorporated into Project design and would be Conditions of the Project.

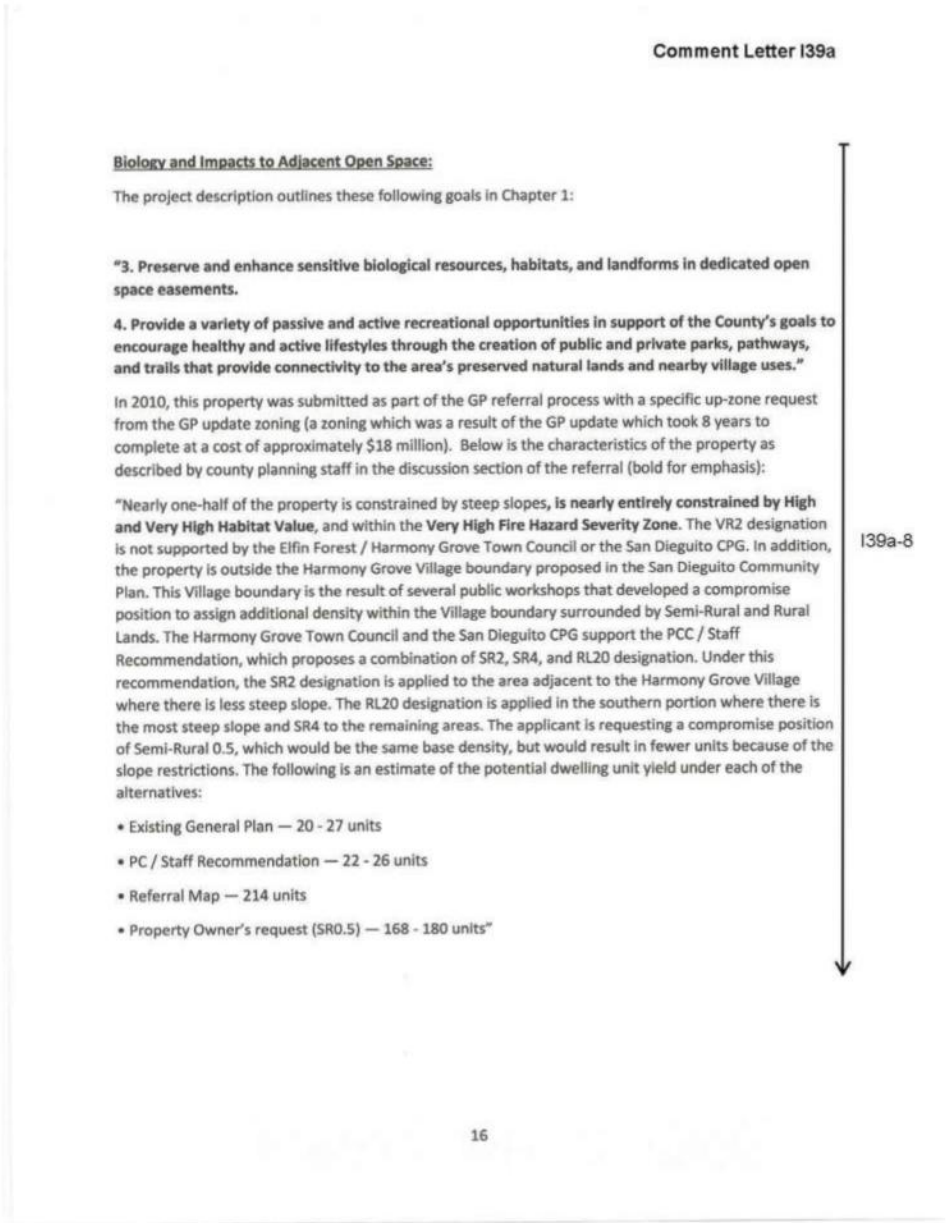
> *Acceptable factors of safety for manufactured slopes will be achieved through standard measures and the Project geotechnical investigations; including efforts such as: (1) constructing fill slopes with approved material (engineered fill) and surface treatments, using drought-tolerant landscaping and irrigation controls, and limiting grades to a maximum of 2:1 (horizontal to vertical); and (2) designing/constructing cut slopes with maximum grades of 1.5:1 and maximum heights of 90 feet, and oveexcavation or blasting of cut slopes in granitic rock to reach unweathered and stable rock exposures. This process will include verification through standard plan review and site-specific geotechnical observation and testing during Project excavation, grading, and construction activities.*

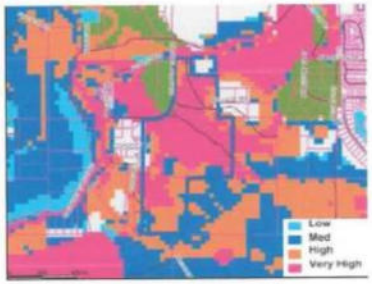
These standard requirements for site-specific review, and slope design and construction, as well as retention features such as potential retaining walls, as indicated on Figure 2.1.7a, *Preliminary Retaining Wall Placement*, for this general area, would ensure impacts would be less than significant.

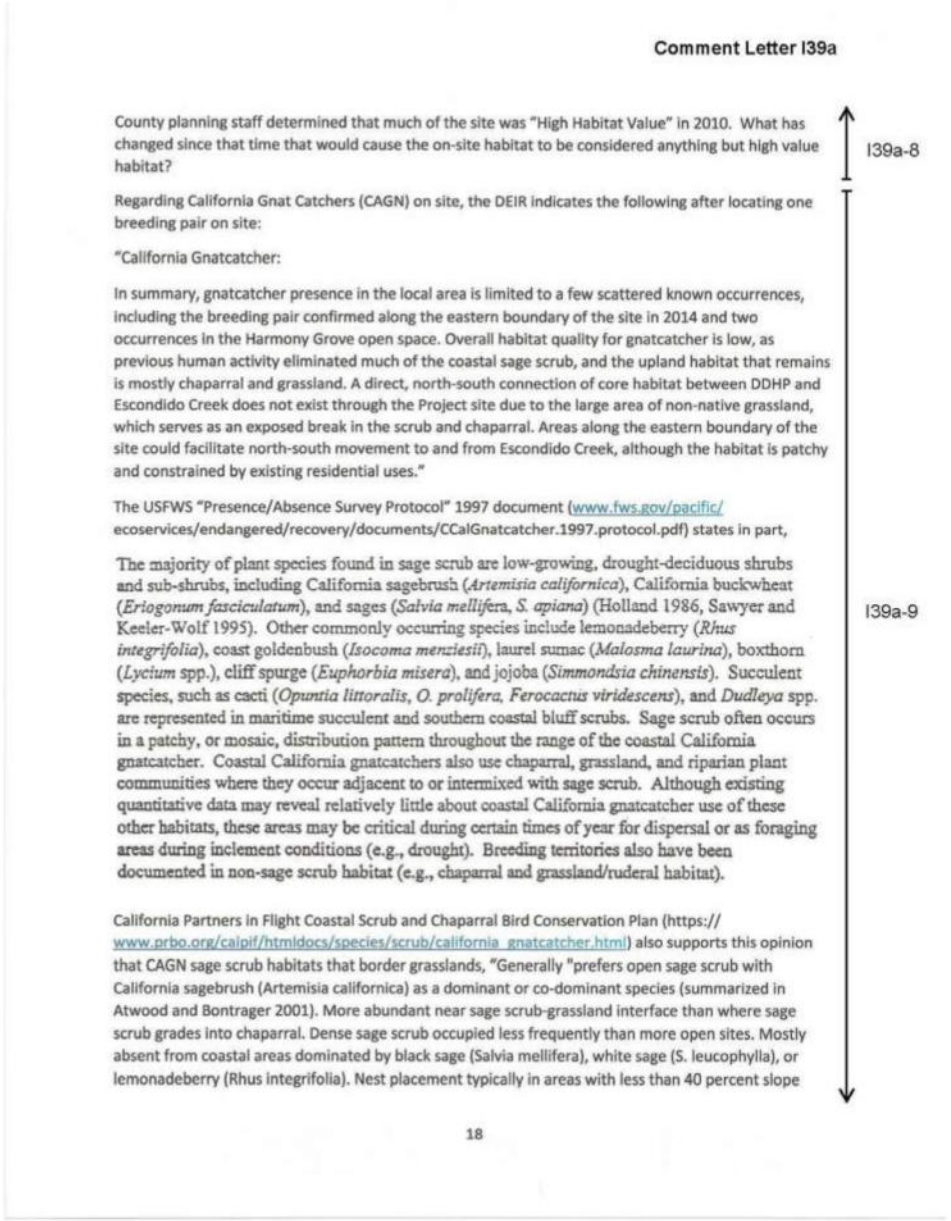
COMMENTS	RESPONSES
Comment Letter I39a  Figure 8 (Snapshot of Figure 3.1.2-1) I39a-7 13	

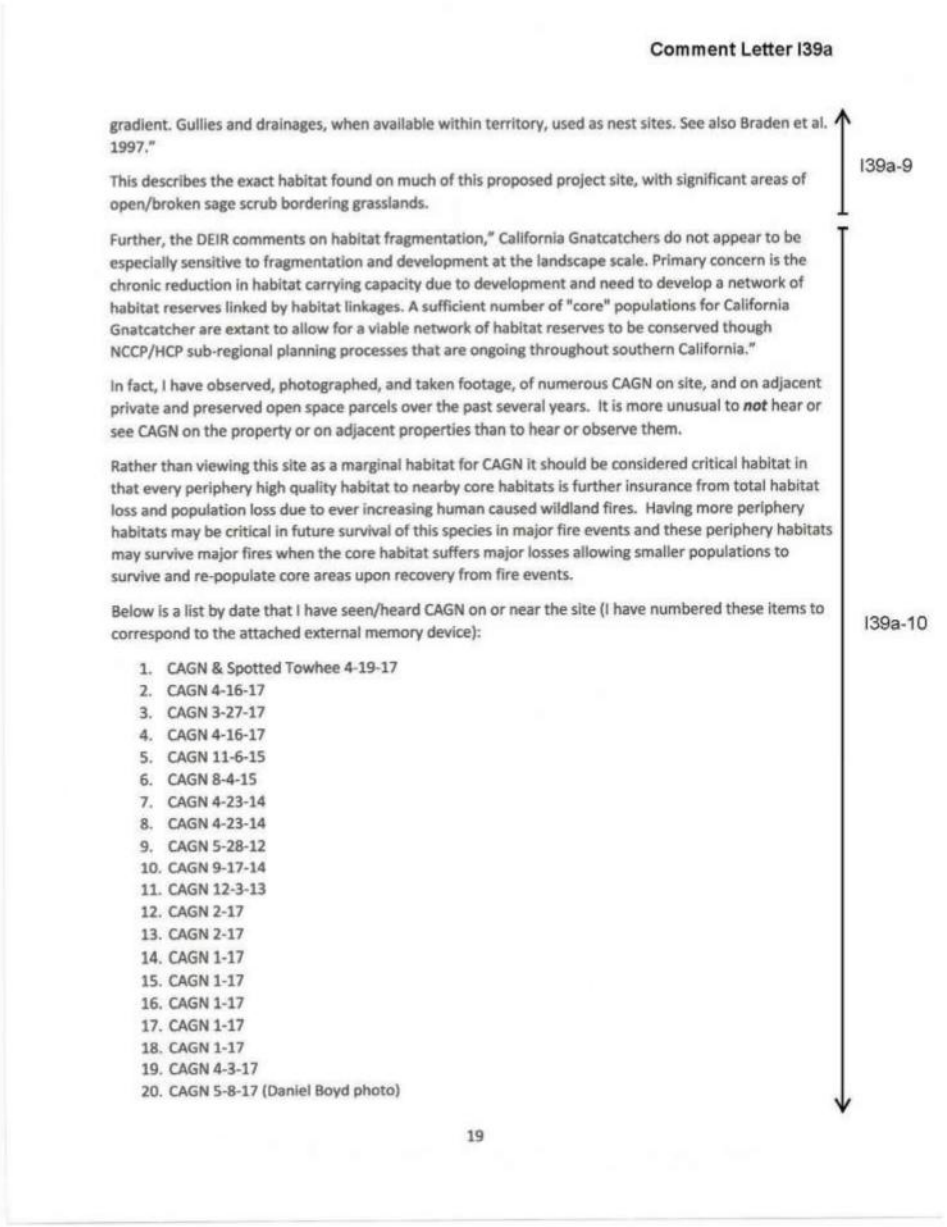
COMMENTS	RESPONSES
Comment Letter I39a  Figure 9-note the area above the circled colluvium deposit is shows a notched out area of the hillside above which seems to indicate loss of material from that hillside. Below are two photos of the same area taken from ground level:  Colluvium deposit several feet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

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

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

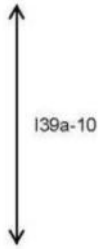
COMMENTS	RESPONSES
Comment Letter I39a  Steep Slope (Greater than 25%-from Property Specific Request SD-7  Habitat Evaluation Model-Property Specific Request SD-7  Fire Hazard Severity Zones-Property Specific Request SD-7 I39a-8 17	Regardless, the current assessment of the site habitats is based on ongoing, multiple site visits from 2014 through July 2017, and detailed vegetation mapping and sensitive species surveys by technical specialists with the appropriate permits. The site has also been visited by representatives of the wildlife/resource agencies, who concurred with the on-site mapping. Please refer to their letter (F1), which indicates substantial concurrence with Project draft Habitat Loss Permit (HLP) findings.

COMMENTS	RESPONSES
	**Response to Comment I39a-9** The EIR citation is correct and the other cited text is not in conflict with data presented in the EIR. One nesting pair of California gnatcatchers (CAGN) was identified during protocol surveys conducted by a qualified biologist permitted by the U.S. Fish and Wildlife Service (USFWS). The overall quality, function, and value of the Diegan coastal sage scrub (CSS) on the Project site is described in detail within the FEIR (refer to Section 2.3.1.1, under the heading "Habitats," to page 2.3-20) and draft HLP findings. Where CAGN was confirmed to be breeding during protocol surveys, as determined by the presence of an active nest and breeding territory, the intact CSS that is contiguous with or in close proximity to the nest location is addressed as being of relatively higher quality, function, and value. Where CAGN was confirmed not to be breeding and where the CSS is not intact and fragmented into smaller stands, the habitat is addressed as being of relatively lower quality, function, and value. As disclosed in the EIR, the CSS and other habitat within the Project site was confirmed to be occupied by CAGN or was determined to have the potential to facilitate CAGN foraging and dispersal functions. Regardless, if the Project is approved and off-site mitigation is implemented, the impacts to CSS, both permanent and temporary, including impacts to unoccupied CSS and coastal sage-chaparral transition habitat, will be mitigated at a 2:1 ratio with habitat occupied by CAGN.

COMMENTS	RESPONSES
	**Response to Comment I39a-10** The presence of CAGN on the Project site, as well as in the general area, is clearly discussed in the FEIR (refer to Section 2.3.1.1, *Existing Setting*, under the heading "Biological Surveys" and "Special Status Animal Species" as well as in Section 2.3.2.1, *Special Status Species*, with very focused discussion under the heading "Coastal California Gnatcatcher" under Guideline 1 and less focused discussion under additional relevant headings). The location of this sensitive species and use of the habitat (e.g., breeding versus non-breeding) are factors for determining mitigation requirements. Critical habitat is designated by the USFWS. The USFWS has designated a number of areas in San Diego County as critical habitat for CAGN. The Project site is not within an area designed as critical habitat by USFWS. The other species referenced by the commenter are either not sensitive (i.e., not afforded special status or protection) or were analyzed and determined to have some potential to occur. Weed's mariposa lily (*Calochortus weedii*), Turkish rugging (*Chorizanthe staticoides*), gopher snake (*Pituophis catenifer*), and Southern Pacific rattlesnake (*Crotalus oreganus helleri*) are not sensitive species. As discussed in the EIR, great blue heron (*Ardea herodias*) was determined to be present on the Project site. Red-diamond rattlesnake (*Crotalus ruber*) and Coastal horned lizard (*Phrynosoma blainvillii*) were determined to have a high potential to occur, and coastal rosy boa (*Charina trivirgata*) was determined to have a moderate potential to occur. These sensitive species are not listed as federally or state-threatened or endangered species; they are designated as state species of special concern and/or County Group 1 or County Group 2 species. Mitigation for potential impacts to these and other species with similar designations is provided through habitat-based compensatory mitigation in accordance with County requirements. Please note that the Project site is private property and (excluding access easements to off-site homes) is not open to the public. Entering the property, without the permission of the property owner, for reasons other than residential access, is considered trespass.

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

COMMENTS	RESPONSES
Comment Letter I39a Figure 10  In addition I have photographed and videoed other species on site which are listed below and marked on Figure 11. 21 I39a-10	

COMMENTS	RESPONSES
Comment Letter I39a  1. Red Diamond Rattler (Orange) 2. Gopher Snake (Yellow) 3. Southern Pacific Rattler (Blue) 4. Rosy Boa (Green) 5. Heron (Black) 6. Horned Lizard (Blue Circle-JD, KB) 7. Weeds Mariposa Lily  I39a-10 22	

COMMENTS	RESPONSES
Comment Letter I39a  Figure 11 Site Plan HARMONY GROVE VILLAGE SOUTH HELIX 23 I39a-10	

COMMENTS	RESPONSES
Comment Letter I39a  9-16-14 Gopher Snake  5-28-14 So Pac Rattler  6-14 Rosy Boa  6-4-17 So Pac Rattler  2015 Horned Lizard (JD)  4-14-15 Red Diamond Rattler  7-16 Red Diamond Rattler  6-12-17 Rosy Boa  6-6-17 Mariposa Lily I39a-10 Overall mitigation ratios seem low considering the high habitat values given to the property by USFWS and county staff during the 2010 GP process. Should mitigation ratios be increased considering the habitat value likely being much higher than reflected in this DEIR? I39a-11 24	**Response to Comment I39a-11** The proposed mitigation ratios are consistent with those required by the County. The proposed mitigation ratio of 2:1 for CSS and coastal sage-chaparral transition, in particular, is higher than the minimum allowed ratio of 1:1.

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

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

experienced a dramatic increase in human activities, which results in significant staffing and management challenges to TECC. TECC recently calculated that it needs to raise an additional $5 million in management endowment funds to properly manage and protect its open space preserves in the EFHG area and greater Escondido Creek watershed. TECC is working toward Land Trust Alliance (LTA) certification as part of its long term plan to manage these lands in perpetuity (https://www.landtrustalliance.org/topics/land-trust-standards-and-practices). TECC, like any other organization involved in community planning and land use, relies on the consistency of the various planning agencies which border its lands in order to assist in long term planning of land management and calculating the associated costs of doing so to the proper industry standards (LTA). The proposed HGVS project, in so dramatically departing from the long term community planning process, will cause significant management issues, financial costs, and staffing increases, to manage the impacts of siting a densely urban project adjacent to lands owned and managed by TECC. The plan to establish a trail directly from the project onto DDHCP will not only lead to direct impacts to SDCPR but to the adjacent EFRR and TECC's Los Cielos Preserve beyond the EFRR, all of which can be accessed by connecting trails. TECC also owns and manages lands that border the northern border of the proposed HGVS site along Escondido Creek, some of the most sensitive riparian areas in the entire community. TECC has no plans to open these lands to recreation due to their sensitivity and relatively small size. I39a-14

For all of the so-called sustainable features of the proposed HGVS project, it still represents an egregious sprawl project that is being plopped in the middle of preserved lands with some of the rarest and most sensitive habitat in the United States. This type of development comes with significant edge effects that go far beyond the edge of the project and include increased invasive management issues, both plant and domestic animals, increased fire frequency, since the vast majority of Southern California wildland fires are human caused, and resultant chaparral type conversion to weedy invasive plant communities due to increased fire frequency (http://inewsource.org/2016/09/28/san-diego-forest-loss/), (http://www.californiachaparral.com/threatstochaparral.html), (http://max2.ese.u-psud.fr/epc/conservation/PDFs/HIPE/Andren1994.pdf), (https://www.western fieldornithologists.org/archive/V39/39(2)%20p0082-p0093.pdf). I39a-15

What will be the financial, management, and staffing impacts to TECC, SDCPR, and EFRR if HGVS, with its urban densities, is sited adjacent to highly sensitive habitat preserves? How will these agencies and NGO's be compensated for the unforeseen impacts of development that so dramatically departs from the County's GP? Will a trail connection directly from HGVS onto DDHCP so drastically reduce the functionality of the habitat that the alternative of the trail being deleted from the plan be considered? What measures should be included on the project site to protect the TECC lands that border the project next to Escondido Creek? What financial contributions should the applicants make to the adjacent preserved lands' endowment funds to mitigate for increased long-term management costs? Will this project be the tipping point that NGO's like TECC begin to consider seasonal or permanent closure to human recreation on lands that are considered rare and sensitive with listed/threatened species on those lands? I39a-16

Response to Comment I39a-15

Initial comment noted. Potential edge effects are discussed in Subchapter 2.3 under the headings "Core Wildlife Area (Guideline 7)," "Indirect Impacts/Edge Effects (Guideline 8)," Wildlife Access (Guideline 19)," "Local and Regional Wildlife Corridors and Linkages (Guideline 20)," and "Cumulative Impacts to Wildlife Movement and Nursery Sites." Guideline 8 discussion in particular specifically addresses increased human activity, domesticated animal effects, introduction of invasive non-native plant species, and night-lighting. The EIR concludes that Project-related long-term impacts to sensitive species from indirect edge effects would be less than significant. In addition, required installation of fencing and signage around the BOS, dedication of a BOS easement, protection of the BOS by a limited building zone easement, and implementation of the Resource Management Plan for the BOS, would further minimize potential edge effects over the long-term.

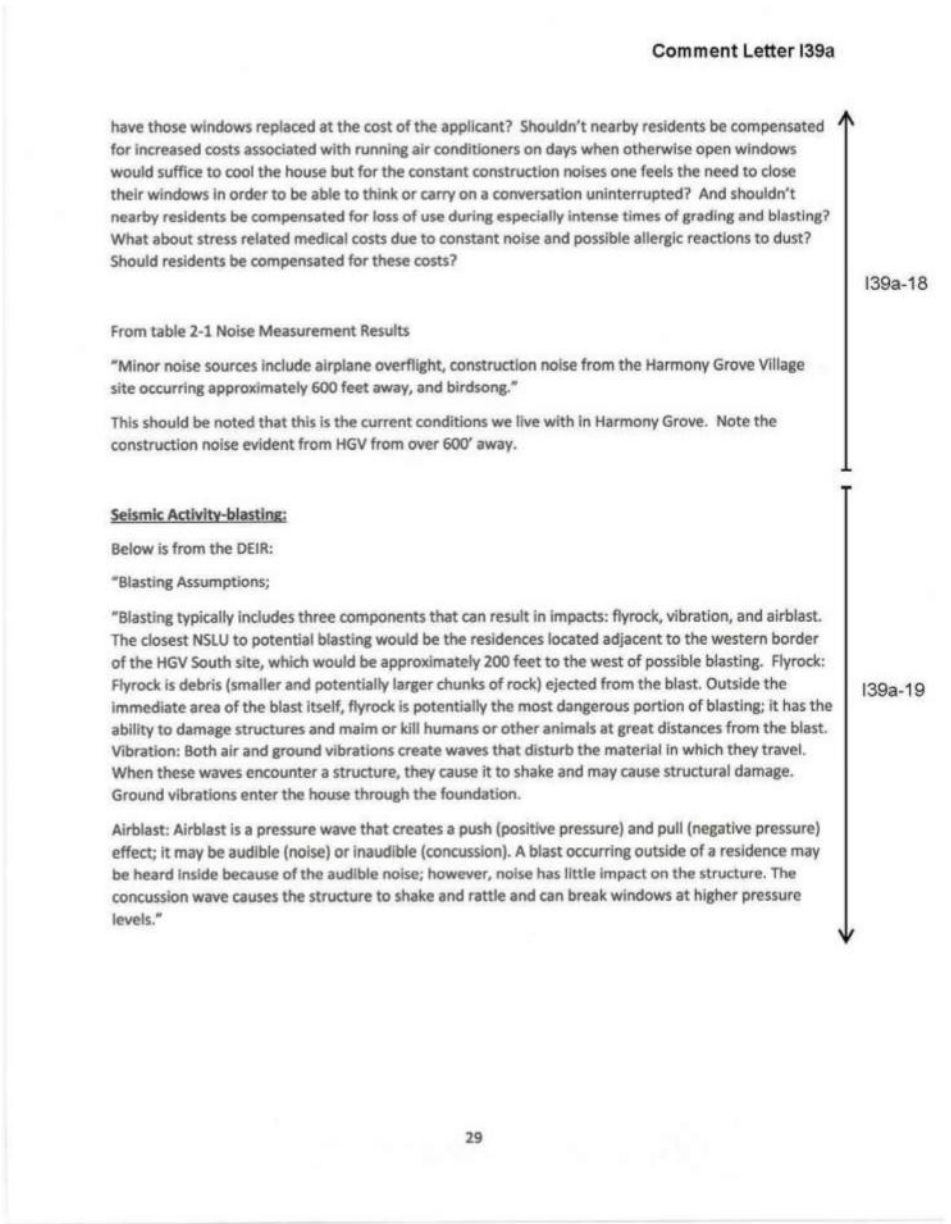
Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

Response to Comment I39a-16

Financial concerns without certain ties to environmental effects and uncertain (speculative) future actions do not require analysis under CEQA. The EIR addresses potential impacts to adjacent TECC preserve lands in Section 2.3.2.2, *Riparian Habitat and Sensitive Riparian Communities*, of the EIR. Where Project development areas are adjacent to preserve lands associated with on-site BOS, along the primitive trail to the DDHP border, and along the northern Project boundary adjacent to TECC property, fencing would be installed. The Project also has placed residential uses southerly of the northern Project boundary, away from Escondido Creek. There is a substantial buffer between sensitive habitat and Project residential use areas. Specific to the creek, the lands managed by TECC could see improvement based on improvements planned for the portion of the creek crossed by Country Club Drive, which is currently in a degraded state, suffering both from back up (rather than constant free-flow conditions) where the creek crosses under the at-grade crossing in culverts, and scour where the momentum of water flowing through the culverts gushes out and hits the

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

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



Comment Letter I39a

have those windows replaced at the cost of the applicant? Shouldn't nearby residents be compensated for increased costs associated with running air conditioners on days when otherwise open windows would suffice to cool the house but for the constant construction noises one feels the need to close their windows in order to be able to think or carry on a conversation uninterrupted? And shouldn't nearby residents be compensated for loss of use during especially intense times of grading and blasting? What about stress related medical costs due to constant noise and possible allergic reactions to dust? Should residents be compensated for these costs?

I39a-18

From table 2-1 Noise Measurement Results

"Minor noise sources include airplane overflight, construction noise from the Harmony Grove Village site occurring approximately 600 feet away, and birdsong."

This should be noted that this is the current conditions we live with in Harmony Grove. Note the construction noise evident from HGV from over 600' away.

Seismic Activity-blasting:

Below is from the DEIR:

"Blasting Assumptions;

"Blasting typically includes three components that can result in impacts: flyrock, vibration, and airblast. The closest NSLU to potential blasting would be the residences located adjacent to the western border of the HGV South site, which would be approximately 200 feet to the west of possible blasting. Flyrock: Flyrock is debris (smaller and potentially larger chunks of rock) ejected from the blast. Outside the immediate area of the blast itself, flyrock is potentially the most dangerous portion of blasting; it has the ability to damage structures and maim or kill humans or other animals at great distances from the blast. Vibration: Both air and ground vibrations create waves that disturb the material in which they travel. When these waves encounter a structure, they cause it to shake and may cause structural damage. Ground vibrations enter the house through the foundation.

I39a-19

Airblast: Airblast is a pressure wave that creates a push (positive pressure) and pull (negative pressure) effect; it may be audible (noise) or inaudible (concussion). A blast occurring outside of a residence may be heard inside because of the audible noise; however, noise has little impact on the structure. The concussion wave causes the structure to shake and rattle and can break windows at higher pressure levels."

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Response to Comment I39a-19

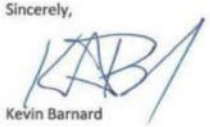
The citations from the EIR are correct. Specific to the definition of airblast, the EIR states that: "…an analysis of airblast is not provided in this report because airblast is regulated by the limits from the Code of Federal Regulations, which are provided in Appendix G to the EIR. The Project would be required to conform to these standards." Regarding vibration, the EIR states:

> *The minimum distance from any blast for this site should be 200 feet for the control of ground borne vibration impacts to the closest residences. The basic planning for blasting charge weight limits at distances greater than 200 feet from an off-site structure does not provide final project-specific analysis for allowable blasting charges, nor is it intended to limit the blasting company to this as a minimum distance or maximum or minimum charge weights…. Because Project-specific details regarding blasting operations are not available at this time,* ***impacts to off-site residences and other land uses are conservatively assessed as significant. (Impact N-6)***

This is followed by Mitigation Measure M-N-6, which would reduce the potential for significant impacts to less than significant. No foundation checks are necessary.

> *Blasting Measures: The following measures would be implemented to reduce impacts from blasting:*
> - *The number of blasts would be limited to three blasting events per week.*
> - *The Project would also include a blasting management plan due to the blasting that is likely to occur on site. All blast planning must be done by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, in compliance with the County Consolidated Fire Code Section 96.1.5601.2 (County 2014a), and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner must conduct all notifications, inspections, monitoring, and major or minor blasting requirements planning with seismograph reports, as necessary.*

COMMENTS	RESPONSES

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

COMMENTS	RESPONSES
Comment Letter I39a Supporting Documents Attached via Memory Device: 1. Bay Area Bobcats _ Felidae Conservation Fund 2. C.2_17a_ELFIN_FOR.HARM_GROVE_08_03_11 Community Plan 3. CCalGnatcatcher.1997.protocol 4. DFG_Bobcat_InfoSheet 5. Effects of Habitat Fragmentation 6. Fanita Ranch Halsey Comment Final 7. Habitat Fragmentation and Scrub-Specialist Birds 8. Humans Are The Leading Cause Of Wildfires In The U.S 9. katherine-haynes Trends in Aus Bushfire Fatalities 10. Kestrel Hunting Patterns in Varied Vegetation 11. LandTrustStandardsandPractices 12. Loss of chaparral Institute 13. Mann Gulch Fire – Wikipedia 14. May-2014-San-Diego-County-Wildfires 15. Norman Maclean, Young Men and Fire, excerpt 16. Portugal fire victims burned in cars as they fled; 62 killed _ Fox17 17. wild news 2006 (Golden Eagles of San Diego) 18. wild news 2013 (Golden Eagle Threat Alert) 19. Wildland Firefighter Liability Insurance – FEDS Protection 20. wildlife news Growing Grasslands 21. K2012_Syphard_Housing_loss 22. NIST.TN.1796 23. Penman_fuels_weather_and_WUI_2014 24. Cars set ablaze as wildfire jumps California freeway - CNN I39a-20 31	**Response to Comment I39a-20** A series of supporting documents are referenced in the comments in this letter. Each was reviewed prior to authoring the responses to comments in Letter 139a. The notes below summarize the type of documents and location in the responses where related discussion is provided. 1. This is a general resource document focused on the Bay Area and Central Coast. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 2. The EFHGTC Community Plan (attached in its entirety) is a County planning public document. Plan policies relevant to the Project are addressed in FEIR Section 3.1.5, *Land Use and Planning*. The Planning process is addressed in Response to Comment I39a-5. Please also see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis. 3. The 1997 Protocol for California gnatcatcher(CAGN) survey is a public document. The use of permitted biologists during protocol surveys is addressed in Response to Comment I39a-9. 4. The DFG Bobcat Info Sheet provides general information on bobcat lifespan and territory use patterns. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 5. This Andren/Oikos document, a Denmark-published resource on habitat fragmentation, is cited in Letter I39a. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9. 6. This attachment consists of a 2009 letter submitted on the Fanita Ranch EIR in the City of Santee. Neither the letter, nor the author appear to be cited in Letter I39a. It is possible to refer to FEIR Section 3.1.3, *Hazards and Hazardous Materials*, the Project Fire Protection Plan (FPP), and the Global Response to Fire Hazards Impact Analysis. The letter was submitted on another project in a different jurisdiction. It is not further addressed. 7. The Sartain and Alberts document is not expressly cited in Letter I39a. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9. 8. This article regarding human-started fires is cited and responded to Response to Comment I39a-15.

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

COMMENTS	RESPONSES
	18. This document addresses threats to golden eagles in San Diego County. Response to Comment I39a-12 specifically addresses golden eagles relative to the Project site. 19. This attachment addresses potential liability of emergency personnel decisions and direction provided during emergency event. It is not directly applicable to environmental analysis required under CEQA and County guidelines and is not further addressed. 20. This article addresses the Ramona Grasslands, including their history and raptor monitoring. Response to Comment I39a-12 addresses foraging habitat for raptors and specifically addresses golden eagles relative to the Project site. 21. This 2012 article addresses southern California housing loss relative to location near wildland fuels. Wildfire, wildland fuels, and Project design elements to address those issues are discussed in FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 22. This 2013 article addresses the Witch and Guejito Fires and structure ignitions. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 23. This 2014 article on San Diego County wildland fires, and fuel management. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 24. This attachment contains 2015 news reports of fire crossing I-15 and engulfing cars on the freeway. Please see FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. In addition to the documents noted above, files containing videos and still photographs of wildlife and plants were provided by the commenter. Each of these was reviewed during responses to comments to this letter, particularly Response to Comment I39a-10 for species and I39a-17 for dust from blasting activities. The files reviewed were categorized as:

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	• CAGN and Spotted Tohees (two videos) • CAGN (15 videos) • Blasting Clouds (two videos) • Rosy boa (one video) • Rosy boa (five photos) • Gopher snake (one photo) • Horned Lizard (two photos) • Ruber (eight photos) • Helleri (two photos) • Western Red Diamond (one video) • Western Red diamond (two photos) • Turkish rugging (one photo) Mariposa (one photo)

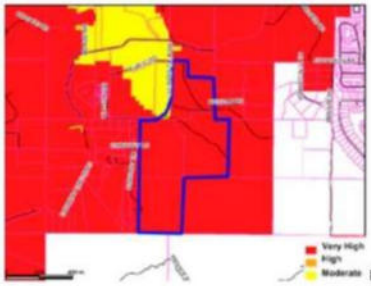
COMMENTS	RESPONSES
Comment Letter No. I39a Notes on maps: 2020 Village Street Parcels-detailed layout of option 2a which included HGVS. Area 16-Harmony Grove-City of Escondido zoning for HGEV sphere of influence. Has not changed to this day with exception of parcels changed in last GP update on the western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

COMMENTS	RESPONSES
Comment Letter I39b June 20, 2017 Michelle Irace Planning & Development Services County of San Diego 5510 Overland Avenue, Suite 310 San Diego, CA. 92123 Re: Harmony Grove Village South (HGVS) Draft Environmental Impact Report PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006 Dear County of San Diego, **Fire Protection Plan:** In the Executive Summary of this document the concluding paragraph reads: The HGVS property lies within an area statutorily designated State Responsibility Area (SRA) "Very High Fire Hazard Severity Zone (VHFHSZ)," by CAL FIRE and recognized by the County of San Diego and RSFFPD. The site's vegetation is primarily non-native, disturbed grasses in the development area with Southern mixed chaparral on the steep slopes at the southern end of the property. Off-site, adjacent areas include chaparral to the south and disturbed/developed areas to the east, west and north. The area, like all of San Diego County, is subject to seasonal weather conditions that can heighten the likelihood of fire ignition and spread; however, considering the site's location, would be expected to result in spotty, potentially fast moving and primarily low- to moderate-intensity wildfire. I39b-1 The conclusion that the site conditions, "would be expected to result in spotty, potentially fast moving and primarily low-to moderate-intensity wildfire." 1	**Response to Comment I39b-1** The quotation from the Project's Fire Protection Plan's (FPP's) Executive Summary is noted, as is the conclusion from the FPP that site conditions would result in a spotty, potentially fast-moving, and primarily low- to moderate-intensity wildfire. The comment indicates that the fire behavior discussion in the FPP is at odds with the location of the Project within a very high fire hazard severity area (VHFHSZ). Fire hazard severity areas are based on potential for wildfire to occur given fuels, terrain, weather, and other factors. The FPP provides a thorough fire behavior analysis, reviewed and accepted by the Rancho Santa Fe Fire Protection District (RSFFPD) and the County of San Diego, and confirmed by the fire behavior modeling efforts of a third-party consultant (Rohde & Associates 2016). The conclusions relate to how wildfires burn across a landscape that includes heavy brush in some areas; disturbed, paved, and developed areas in others; and flashy fuels interspersed. Wildfire in these conditions is spotty, may have multiple fire fronts and spot fires, and burns more aggressively in heavier fuels and on steep slopes than on flat land with lighter, flashy fuels. The conclusions in the FPP are not conflicting with its location within a VHFHSZ. Conversely, the fire behavior conclusions in the FPP describe how wildfire burns in this particular type of VHFHSZ. Based on the Project's location in a VHFHSZ, it is required to provide for a level of planning, ignition resistant construction, access, water availability, fuel modification, and construction materials and methods that have been developed specifically to allow safe development within these areas. The Project meets and exceeds these requirements. The comment includes a quote from page 15 of the FPP regarding typical wildfire characteristics. It also includes a quote from page 27 of the FPP regarding worst-case wildfire conditions as modeled and as experienced during historic, vicinity wildfires. The summary of the 2014 (Cocos) wildfire behavior is acknowledged and is not in variance from the FPP's/DEIR's analysis. The photographs of the Cocos Fire are noted and will be included in the FEIR. The account of the Cocos fire burning several structures is acknowledged as is the fact that other wildfires (unprecedented 14 fires) were occurring simultaneously in San Diego County. However, there was not an

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	acknowledged lack of fire-fighting resources as 1,300 personnel, 164 fire engines, 27 hand crews, 11 dozers, and 15 aircraft were assigned to the Cocos Fire, still allowing similar, proportional resources for the other fire events (County of San Diego OES May 2014 San Diego County Wildfires After Action Report, June 2016; incorporated by reference). These comments are not in variance with the FPP's/DEIR's analysis or conclusions. The Coco's fire ran out of fuels near the Escondido Industrial Park west of Citracado Parkway. Development of new, ignition-resistant buildings and maintained, fire-resistive landscapes starved the fire of fuels and it was controlled. On the other fire front that approached the Harmony Grove Viliage South (HGV South) Project site, firefighters were able to hold the fire at Country Club Drive near Harmony Grove Road due to a weather shift and lack of continuous fuels (Battalion Chief Christopher, Laguna Beach Fire Department, personal communication October 2016; incorporated by reference) Unfortunately, most homes lost in wildfires, including the Cocos Fire, can be attributed to: (1) older construction that does not include ignition-resistant materials and methods that are required of new structures in the wildland urban interface and VHFHSZs, and (2) lack of maintained fuel modification zones (CAL FIRE 2007 – Wildland-Urban Interface Building Codes). Photographs provided in the comment regarding the Cocos Fire entering south Harmony Grove are noted. The comment mentions a spot fire contributing to the fire spread rates, which is consistent with the Project's FPP fire behavior analysis.

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Project outline in blue

Fire Hazard Severity Zones-Property Specific Request SD-7 GP Update 2010

I39b-1

While the historic fire activities may be considered "spotty, potentially fast moving and primarily low-to moderate-intensity wildfire', over the past several decades, they have been sufficiently intense to destroy thousands of acres of habitat, hundreds of homes, and have caused at least one fatality in nearby Elfin Forest. It seems to be an odd conclusion to reach regarding fire intensity when the lead sentence in the paragraph recognizes the area to be rated as a "Very High Fire Hazard Severity Zone".

Page 15 of the document states that;

Based on fire history, wildfire risk for the project site is associated primarily with wind-driven fires originating near Lake Hodges (such as along Del Dios Highway) and burning or spotting onto the site from the south. Although a fire approaching from the west during more typical on-shore weather patterns is possible, it would typically occur with higher humidity and fuel moisture levels and lower average wind speed, resulting in a more manageable fire.

Additionally on page 27;

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Based on the results of fire behavior modeling, a typical fire in the Project vicinity will be a sage scrub-chaparral fueled fire that moves quickly, burning with moderate to high intensity. The fire is anticipated to be a wind-driven fire from the east or north during the fall. Flame lengths in the fuels could reach 84 feet with spread rates reaching approximately 17 mph during an extreme weather event at the worst-case condition area modeled. Note that this result does not indicate that a wildfire in the area would produce an average of 84 feet flame lengths. Rather, the worst case weather conditions could produce flame lengths of 84 feet at the worst-case modeling location. A typical cause may be related to structure fires in the neighborhoods to the north and east or roadways (tossed cigarette, car fire, or electrical powerline arching).

The most recent fire in 2014 (Cocos) originated to the northwest in the Coronado Hills, and swirled around in several directions over two days, advancing into southern Harmony Grove from the northwest, destroying over 20 homes within ¼ mile of the HGVS project site.

The following photos were taken by me beginning 5/14/14 when the Cocos Fire was started at a residence on the western slope of the Coronado Hills by an act of arson by a teenager angry at her parents. The sequence of photos documents the progress of the fire as nightfall approaches. While this fire could be classified as moderate intensity, as mentioned in the executive summary, it destroyed several homes in the Coronado Hills throughout 5/14/15. I39b-1



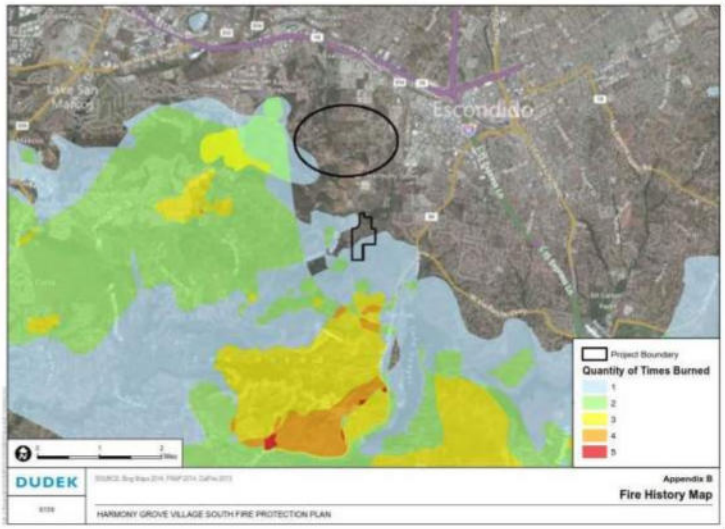


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COMMENTS	RESPONSES
Comment Letter I39b     I39b-1 The below photograph was taken by me at about 8:10 AM on the morning of 5/15/14, the second day of the Cocos Fire. The conditions appeared to be fairly benign and it appeared the fire agencies had the advantage. The night before this photo was taken the fire had destroyed several homes in the Coronado Hills. Several other wildland fires were burning simultaneously throughout San Diego County and fire and law enforcement resources were spread extremely thin. 4	

COMMENTS	RESPONSES
Comment Letter I39b  0810 5/15/14 Cocos Fire-Coronado Hills Within a few hours the fire had exploded and was advancing on two fronts, the one moving southeast in to southern Harmony Grove, and north and east, in to Eden Valley. Both fire fronts destroyed homes. The eastern front finally stopped at the western border of the Escondido Industrial Park just south of Palomar Hospital west of Citracado Parkway. The Harmony Grove front crossed Harmony Grove Road coming downhill off of southern end of the Coronado Hills, and destroyed over 20 homes near the southwestern end of Country Club Drive. This fire front stopped when it reached the border of the proposed HGVS site when it hit Country Club Drive and did not jump the street in to the HGVS site. The two following photos are of the Cocos Fire as it entered south Harmony Grove. Note the spot fire in the grasslands on the hillside across from the HGVS site (photo on left). This was an ember fire about 900' in front of the main fire line, which was a primary contributor to the speed at which this fire was advancing. I39b-1 5	

COMMENTS	RESPONSES
Comment Letter I39b  5/15/14 Cocos Fire HGVS site in foreground  5/15/14 Cocos Fire HGVS site in foreground I39b-1 As a result of this multi-front fire, both Harmony Grove Road and Country Club Drive were cut-off as escape routes at various times during this incident. This left Harmony Grove Road travelling east to Escondido as the remaining escape route, probably the most hazardous route given its narrow two-lane, winding construction, through the steep canyon to the east of the intersection of Harmony Grove Road and Country Club Drive. This canyon, about a mile in length, has steep, dense chaparral covered slopes on both sides of the road. If this stretch of Harmony Grove Road were grid-locked during a fire of the Cocos Fire's intensity and the fire spread into this canyon, the likelihood of loss of life would be very high. I39b-2 In the Analysis of Project Effects there is a "Fire History Map" (Appendix B) which appears to omit portions of the area which was burned in 2014 by the Cocos Fire. Specifically, north of Harmony Grove Village, in the community of Eden Valley, the Cocos Fire burned much further north and east. The fire burned east along Mt. Whitney Road and crossed Country Club Drive (the route identified in this document as the safest route of escape in most instances). The fire was of sufficient intensity that it burned several houses along Mt. Whitney Road, crossed County Club Drive, continued east primarily in the SDG&E power line easement, crossed Koana Loa Drive, and stopped at the western edge of the industrial park in Escondido. I39b-3 See map on following page. Area circled in black is the approximate area in which the Cocos Fire burned but is not depicted on this map in the FPP. 6	**Response to Comment I39b-2** The comments regarding potential evacuation routes being unavailable at times during the Cocos fire are noted. Please see the Global Response to Adequacy of Emergency Evacuation and Access. **Response to Comment I39b-3** The comment regarding the Cocos Fire perimeter as represented on the FPP Fire History Map (Appendix B) is noted. The Fire History Map was prepared with fire perimeter data available from CAL FIRE's Fire Resource and Assessment Program (2016) at: http://frap.fire.ca.gov/data/frapgisdata-subset and is incorporated herein by this reference). It is unclear why the CAL FIRE data differs from the commenter's, which aligns with the San Diego County GIS Cocos Fire perimeter (June 2016). The fire effects may have crossed Country Club drive and homes lost were likely from embers that flew ahead of the fire and entered attics or burned unmaintained vegetation or combustible near homes. The difference in fire perimeters is noted and has been updated to reflect the County's official fire perimeter in the FPP's appendix. The change in fire perimeter does not impact the FPP's/EIR's and Wildfire Risk Analysis Report (Rohde & Associates 2016) analysis that Country Club Drive is the primary evacuation route.

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Comment Letter I39b  I39b-3 On page 19 of the FPP, under "Determination of Project Effects", the question is posed; ***Would the project 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?*** The next paragraph states, "...it has been determined that wildfires may occur in the wildland areas to the west, east, south, and southwest of the project site, but would not be significantly increased in frequency, duration, or size with the construction of the project." I39b-4 The mere presence of more than a thousand human residents introduces that many more ignition sources since over 80% of wildland fires are human-caused (http://www.npr.org/sections/thetwo-way/2017/02/27/517100594/whats-the-leading-cause-of-wildfires-in-the-u-s-humans). The FPP justifies this conclusion by stating, "The project would introduce potential ignition sources, but would also include conversion of ignitable fuels to lower flammability landscape and include better access 7	**Response to Comment I39b-4** The Project will include a robust fire protection system, as detailed in the comment and further in the Project's FPP. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. This same robust fire protection system provides protections from on-site fire spreading to off-site vegetation. Accidental fires within the landscape or structures in the Project will have limited ability to spread. The landscape throughout the Project and on its perimeter will be highly maintained and much of it irrigated, which further reduces its ignition potential. Structures will be highly ignition-resistant on the exterior, and the interiors will be protected with automatic sprinkler systems, which have a very high success rate for confining fires or extinguishing them. The HGV South community will be a fire-adapted community with a strong resident outreach program that raises fire awareness among its residents. The conversion of fuels in this area provides a benefit to some legacy residents as it creates a buffer that will act as a fuel break, slowing fire spread and changing fire behavior. The HGV South Project's location is advantageous because it is not built on slopes or at the top of ridges, where fires typically burn more aggressively up the shrub covered slopes. Because the FPP/EIR analysis concludes that the potential increase in ignition sources with the Project is offset by the fire protection features and outreach and there are no statistics or real-life examples that these types of developments cause additional fires, as indicated by the acceptance of the Project's FPP by the fire authorities in charge, there is no nexus for providing mitigation to nearby existing residences.

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Comment Letter I39b throughout the site...(Page 19)". While some onsite fuels might be converted to lower flammability, the project would still be surrounded, in most cases within 100', with highly flammable chaparral and sage scrub landscapes. What could possibly go wrong? The same paragraph goes on to state, "Fires from off site would not have continuous fuels across this site and would therefore be expected to burn around and/or over the site via spotting." This, like much of the language in the FPP, disregards existing residences that are sited on the periphery of the project, and were not, in most cases, built to modern fire code standards, and therefore would suffer the effect of increased human ignition sources introduced by this project, yet the DEIR offers no mitigation to the existing residences in the community other than the erroneous claim that some minor road improvement will allow residents to evacuate and a 5,000 square foot evacuation/shelter in place center with a capacity for far fewer than the total number of residents in the valley if HGVS were built (and no consideration for domestic animals and livestock). The next paragraph states; The Project would comply with applicable fire and building codes and would include a layered fire protection system designed to current codes and inclusive of site-specific measures that will result in a Project that is less susceptible to wildfire than surrounding landscapes and that would facilitate firefighter and medical aid response as well as project resident evacuation in a wildfire emergency. Given the anticipated maximum fuel loading for the natural areas off site, resulting fire behavior modeling results, which closely mimic reported Fire behavior from the most recent fire in the area, the 2014 Cocos Fire, combined with the required ignition resistance construction the risk of wildfire damage to the project site's structures and its residents is considered low. I39b-4 If the project is introducing significantly more ignition sources to the community, shouldn't it also mitigate the effects of increased fire frequency for those existing adjacent residences? Shouldn't the "layered fire protection system" be extended to these existing residences as well? Should the existing residences in Harmony Grove be brought up to current fire resistance construction standards as mitigation for the increased ignition sources? **Fire Access/Evacuation/Secondary Access:** The roadway improvements for a project that increases density and units by approximately 800% in this constrained valley, in a "very high fire hazard zone", includes widening Country Club Drive to three lanes from its current two lane width within the area of the project and just north to Harmony Grove Road, and the construction of a three lane bridge where Country Club Drive currently crosses Escondido Creek to replace the current two lane Arizona type crossing. I39b-5 On page 34 the report claims that these road improvements will lower the total evacuation time for the project (no mention if existing residences are included) to approximately 30 minutes. It's not clear if the term "evacuation" means all vehicle will have reached the intersection of Harmony Grove Road and 8	**Response to Comment I39b-5** Introductory comments regarding the Country Club Drive improvements, including the provisions for a proportionately wide bridge over Escondido Creek, are noted and are not in variance with the Project's FPP/EIR analysis. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

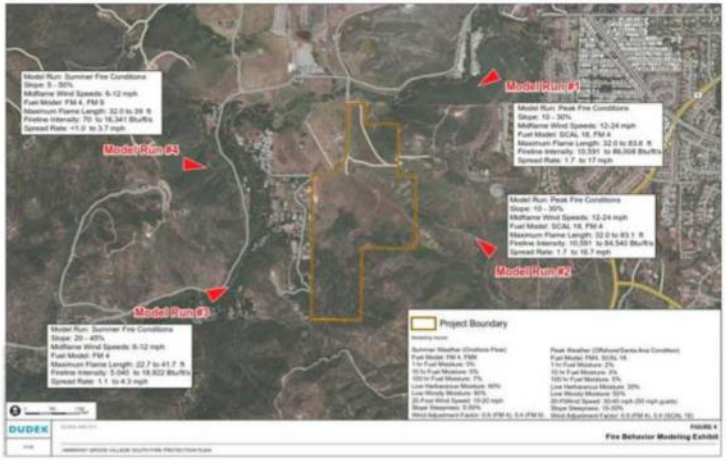
COMMENTS	RESPONSES

Comment Letter I39b

Country Club Drive in that 30 minute window, or if that means these vehicles will be able to evacuate Harmony Grove into the city of Escondido or San Marcos, as in past incidents major portions of the entire community were inundated with fire and simply moving from one area of the community to another was not sufficient evacuation. Further, law enforcement personnel assigned to traffic control in past major incidents have directed residents completely out of the valley into Escondido or San Marcos and have not allowed them to simply re-locate within the community.

During the Cocos fire traffic grid lock leaving Harmony Grove into Escondido and San Marcos was approximately an hour at one point, putting people in possibly the most hazardous situation, trapped in their cars on a narrow chaparral lined road (Harmony Grove Road east of Country Club Drive).

The fire modeling scenarios noted in the FPP (Figure 4-below), indicates fire speeds of up to 17 mph coming down the Escondido Creek canyon from the area of the western border of the City of Escondido. This is a likely ignition point since there is a homeless encampment in the creek within the Escondido city limits just east of the County line. This is about 1.2 miles from the intersection of Harmony Grove Road and Country Club Drive and a flame speed of 17 mph is covering just under 25' per second. 1.2 miles is 6336' and at 25' per second the fire line would be expected to reach the single way in and out of HGVS from the city limits of Escondido is approximately 4 minutes. This is far less time than the best case scenario of a 30 minute evacuation time of the project and in a situation like this, the community is now in a shelter in place situation.



I39b-5

The plan does not clearly state to where this 30 minute evacuation time gets the residents from HGVS, and the surrounding existing residents. Is it merely to the intersection of Harmony Grove Road and Country Club Drive, or is it completely out of Harmony Grove into Escondido or San Marcos? If it is the

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former, considering past evacuation orders and practices, shouldn't the FPP consider "evacuation" to mean completely out of Harmony Grove into either Escondido or San Marcos? While parts of the under-construction Harmony Grove Village just north of the proposed HGVS might be considered a shelter in place location, especially on the improved and widened portion of Country Club Drive between Harmony Grove Road and Harmony Grove Village Drive and the "4th of July Park in the center of the project, these areas in total not have the capacity to become a parking lot for hundreds of sheltering cars, truck, horse trailers, etc. Other locations in Harmony Grove Village are also noted as potential shelter in place locations. Will LE and fire personnel actually allow and direct residents to shelter in place in these locations? What is the actual capacity of these locations? Will they be overwhelmed in a mass evacuation of the valley?

Further, the FPP does not seem to take into account the presence of numerous large animals on the semi-rural and rural properties surrounding these suburban and urban projects. The conditions on the roadways during these incidents with horse trailer and rescue organizations operating in the community are significantly impacted and this does not appear to be accounted for in the FPP.

On page 37 and continuing on page 38, under Community Evacuation Planning Coordination with Office of Emergency Services, it states; I39b-5

The project will work with evacuation coordinators at the San Diego County OES and San Diego Sheriff's offices. A key to any evacuation of a large number of people is controlling the intersections downstream of the evacuating population. To that end, evacuation routes available to the HGVS project will be identified and prioritized and key intersections mapped and shared with OES and the Sheriff's office. Integration of this information into pre-planned evacuation scenarios will assist these agencies in mobilizing the necessary number of officers to control these key intersections for movement of HGVS residents during an emergency situation.

As mentioned in the beginning of this comment letter, I have 30 years of law enforcement experience (LE) with both San Diego Sheriff's Department and San Diego Police Department. In those 30 years I have been involved in major wildland fire scenes and assisted with evacuation and traffic control. Having at least minimal understanding of the typical staffing levels of local LE agencies in and around Harmony Grove (Sheriff's Department, Escondido PD, Highway Patrol) and the number of intersections that would require traffic control in order to have any hope of an efficient evacuation that would not leave resident trapped in their vehicles in hazardous conditions, the reality is that there will not be sufficient LE personnel available to man all of the intersections required to affect a safe evacuation of Harmony Grove upon buildout of Harmony Grove Village and HGVS. And that is assuming that no other major fire events are happening simultaneously, as often is the case during a Santa Ana weather event. I39b-6

Note the traffic and evacuation issues that were experienced by local residents during the 2014 Cocos as documented by local media sources (http://www.sandiegouniontribune.com/sdut-san-elijo-traffic-review-cocos-fire-san-marcos-2014jun07-story.html). I39b-7

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Response to Comment I39b-6

The comment quotes pages 37 and 38 regarding the need to control intersections during wildfire emergency evacuations, requiring no response as it does not raise variances with the EIR. The commenter's personal experience regarding traffic control and law enforcement staffing limitations is added to the record. Please refer to Responses to Comments I39b-1 through I39b-5 for additional information regarding evacuations.

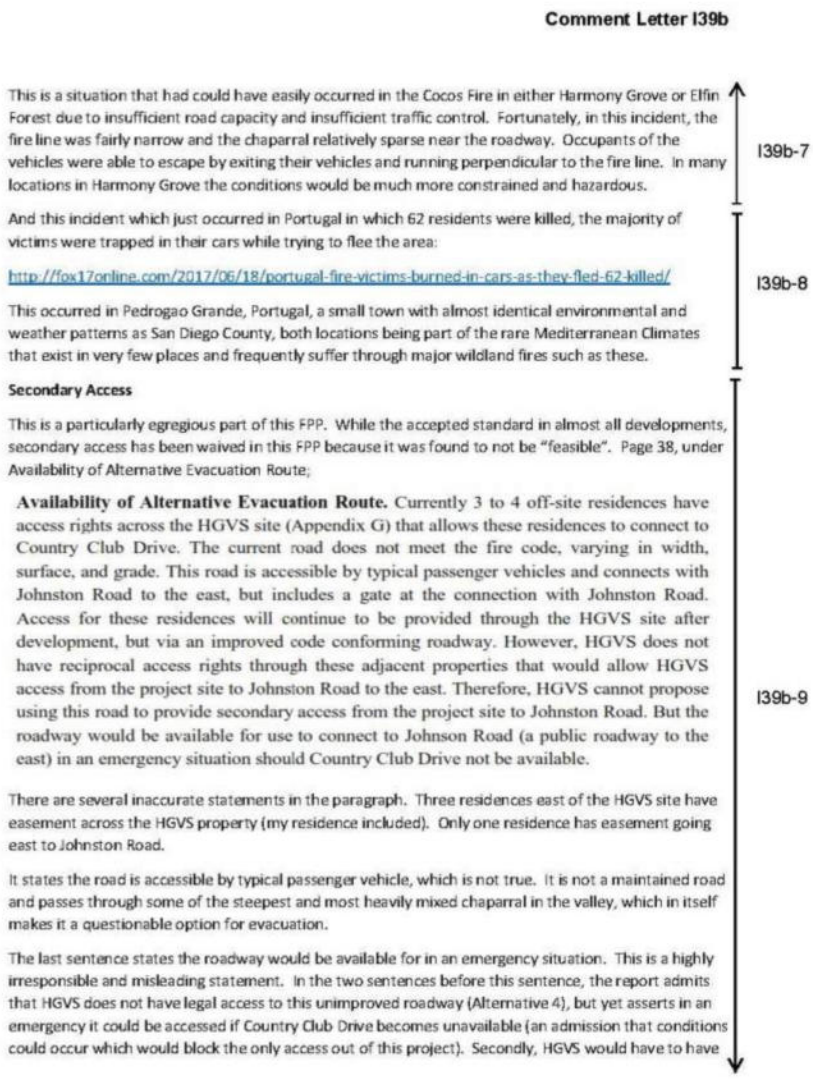
Response to Comment I39b-7

The commenter's Cocos Fire evacuation information and photographs, and maps are noted and are not at variance with the Project's EIR. Photographs and comparison of the 2015 Cajon Pass wildland fire are also noted. The Cajon Pass wildfire that encroached upon and crossed the I-15 is one example of a roadway that crosses unmaintained fuels with no nearby fuel modification zones or buffers from urban development. There are many roads similar to this in San Diego County. Wherever roads occur that traverse areas of unmaintained fuels, there is a potential risk to vehicles and their passengers. That very risk is a driving force behind present-day fire protection planning in San Diego County. It is not feasible to construct roadways near populated areas that can handle the number of people over a short timeframe that may need to use them during a region-wide, mass evacuation. Even the multi-lane freeways, like I-5, I-8, and I-15 in San Diego County become congested for hours each morning and evening, and following accidents. Mass evacuations, due to any type of emergency, cannot be based on short time frames because the roadways cannot accommodate the number of people that would use them. This concept applies to the Harmony Grove area and was considered in the Project's FPP analysis and confirmed by the RSFFPD, the County, and Rohde & Associates. If an emergency does not allow enough time to safely evacuate the Project's residents, then a contingency plan will be available. This contingency plan is not available to all communities that are not built and maintained to highly ignition-resistant levels.

COMMENTS	RESPONSES
Comment Letter I39b  Traffic backs up along San Elijo Road at its intersection with Elfin Forest Road during the Cocos fire on May 14. (/ Photo courtesy Randy Houghton) SDUT I39b-7 And this article from KPBS (http://www.kpbs.org/news/2015/may/13/harmony-grove-residents-worry-about-evacuation-rou/) with this accompanying map:  11	However, this concept is becoming an important evacuation component in new communities in Southern California and offers a safety net for the possibility that evacuation of all residents is not possible. Please refer to Responses to Comments I39b-1 through I39b-5 for detailed response to wildfire evacuation planning for HGV South.

COMMENTS	RESPONSES
Comment Letter I39b It is quite likely that in order to evacuate Harmony Grove in an effective and timely manner, at least 10-12 intersections would have to be staffed by LE personnel in the cities of Escondido and San Marcos. Again, this is just for Harmony Grove and does not assume any other incident or the added complication of San Elijo Hills and Elfin Forest requiring evacuation simultaneously to the west, as was the case in the Cocos fire in 2014. The best chance of a safe evacuation would be to make the call to evacuate when weather conditions create high fire danger, for example, humidity under 20% and wind speeds of over 20 mph. Once the fires start all fire and LE resources become spread too thin too quick for any plan as outlined in this FPP to actually work. The best case scenario as put forth in this FPP is a very highly unlikely scenario which then forces the community into a shelter in place situation. The risk of residents being trapped in their vehicles is a very real, as demonstrated in a recent incident in 2015 on the Cajon Pass of I-15 in which a wildland fire crossed I-15 and burned over 20 vehicles stopped in grid locked traffic. The following photos are from an incident on 5/17/15 (http://www.cnn.com/2015/07/17/us/california-freeway-fire/index.html).    12	

I39b-7

COMMENTS	RESPONSES
	**Response to Comment I39b-8** The comment compares a potential evacuation of the Project and surrounding area with that of an evacuation in Portugal but provides no comparison details. A comparison between Portugal and HGV South is not valid because the factors and conditions related to each location are different or unknown. For example, the wildfire in Portugal had different roadway conditions, evacuation process, emergency management oversite, wildland fuels, number of persons and vehicles, distance to safe areas, and options for temporarily refuging on site. The Portugal wildfire was burning in eucalyptus and pine forest, which would produce a much more aggressive fire than the coastal sage scrub and grasslands around the Project site and larger Harmony Grove Valley. Many other fire protection features built into the Project and measures routinely enacted by emergency personnel in San Diego County are not available and were not employed in the Portugal fire. Therefore, neither the FPP nor EIR was revised to additionally include this information. **Response to Comment I39b-9** The comment includes a quote from page 38 of the Project's FPP regarding an easement road that connects with Johnston Road to the east. Supposed inaccuracies introduced by the comment are not supported with the information provided. The FPP states that three to four residences have access rights across the HGV South site. The "correction" indicates that three residences have easement across the HGV South property, thus no discrepancy is introduced. The FPP does not indicate that all of the existing properties have easement rights to Johnston Road while the "correction" indicates that only one residence has easement going east to Johnston Road. Again, no discrepancy is documented. The comment regarding Johnston Road's current condition is noted. The condition of the road was evaluated by the RSFFPD, the County, the Project's Fire Consultants, and independent fire pre-planning consultants for its potential to be used as secondary access. The result of that analysis indicated that even if access easements could be obtained, improvements to Johnston Road would result in a useable access way, but that would not strictly conform to the Fire Code and a modification/variance would need to be granted.

COMMENTS	RESPONSES
Comment Letter I39b legal access or easement in order access the road to maintain it to any standard for use in an emergency, which they do not. Further, in section 5 (Analysis of Project Effects-FPP) on page 32, first paragraph, last sentence: However, ultimately, all of the alternatives are infeasible due to the inability to obtain legal access rights from private property owners and the County's preference to avoid enacting eminent domain. In fact I have had at least one formal meeting with the project applicants and several contacts on the property site itself with the applicants. At no time did they, or any representative of this project, ever broach the subject of gaining legal easement across my property in order to create a secondary access route for the project, in spite of the issue of secondary access being brought up in the formal meeting (my residence is listed on Alternative 4). Further, none of my neighbors along the route of Alternative 4 have ever been contacted by the applicant or their representatives regarding an easement in order to gain a secondary access for this project. The statement that the route is infeasible due to the inability to obtain legal access rights is not accurate because no effort has been made by the applicant to discuss this issue with any of the property owners along the route of Alternative 4. Therefore this reasoning should not be included in the DIER for not providing a secondary access for this project. I39b-9 Under what authority would fire department or LE direct residents on to single lane unimproved road that would send them into a heavily vegetated hillside that is not maintained and does conform to any accepted road standards? This language should be completely removed from the DEIR and the only representation that should remain is there is only one highly vulnerable evacuation route available out of this project. **Shelter In Place:** While the language in this plan seems to state on some ways this project is a "Shelter in Place" project, it is clear it is not. On page 39 of the Analysis of Project Effects: **HGVS Shelter in Place Philosophy (Not Status).** The project will incorporate the same fire protection philosophies as Rancho Santa Fe's shelter in place communities, but will not seek shelter in place status. HGVS, like most new communities in San Diego County, will offer the last resort option of temporarily seeking refuge on site if early, safe evacuation is not possible I39b-10 14	Based on resident opposition and statement made to the Project applicant regarding the possibility of gaining access easements, it was determined that property owners would not be willing to grant easement rights for any of the alternatives for secondary access presented in the plan. Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I39b-10** Please also see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access.

COMMENTS	RESPONSES

Comment Letter I39b

HGVS Community Building: Temporary Refuge/Staging Area. A community building/club house will be provided that is roughly 5,000 square feet in size (Appendix G). Although not planned as an evacuation center, the building would be available for temporary refuge in the event that wildfire prevented an early evacuation from the site for a portion of the residents or fire agencies needed a staging location. A 5,000 square foot building could temporarily refuge up to 330 people for a short duration. The building would be provided:

- Several large-panel television monitors discreetly located so those that are interested may track newscasts during an emergency event
- Large computer monitors and capable computers for tracking fire incident status

The project will incorporate shelter in place philosophies but will not seek shelter in place status? What does this mean? This language is misleading and should be removed. Either the project meets the shelter in place standards or is does not. One of the requirements for shelter in place developments by RSF FD's own published standards is a secondary access and provides a map of evacuation routes for a shelter in place community in the FD's district:

https://www.rsf-fire.org/wp-content/uploads/2016/09/SIP_for_web.pdf

"What if I want to leave but the way into my community is blocked by fire?

It is important to
have at least two ways out of your community, including secondary access routes. (See Evacuation Map on pages 4 and 5.)
If all routes are congested, you would be safer in your home than being stuck in traffic

trying to evacuate."

I39b-10

Then the language (FPP) goes on to talk about a 5,000 square foot building that could shelter up to 330 people for a short duration, but it is "not planned as an evacuation center...". This is confusing to me as a former LE professional. It is vague and confusing as to when and how this building would be utilized. Is it shelter in place? If it holds only 330 people but there are a total of 1,000 residents in the project and surrounding community, how do authorities decide who would be allowed to shelter in this building? Or should we somehow leave those decisions up to panicked residents to decide who has priority in whatever way they deem appropriate in an extremely stressful situation of a wildland fire descending on the community? Will domestic animals be allowed to shelter in the building? Large animals as well as small?

Ultimately the project is creating a shelter in place situation for the entire community south of Escondido Creek which is especially hazardous to existing residents whose houses are not built to shelter in place standards. Should the project be required to construct concrete shelter in place fire bunkers on all existing residences since evacuation could easily not be an option in an event of a wildfire

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COMMENTS	RESPONSES
Comment Letter I39b combined with the lack of enough shelter in place space on the project site to accommodate the residents and their animals in the event of a wildland fire and blocked escape routes? I39b-10 In these attached articles there is discussion about "qualified immunity" from liability for fire officials who were considered immune from liability even when using inadequate or inferior performance standards. But it also poses the question, is the individual company officer or incident commander equipped for the challenge he may face defending his actions in court following an incident with a particularly high dollar loss, severe firefighter or civilian injury, or catastrophic loss of life? While this discussion relates to decisions at fire incidents, could this project be the test case in which approval of an FPP that deviated so far from industry norms and even department standards and policies that a resultant death or injury of a resident becomes a liability to the fire and county official(s) who approved a deeply flawed FPP? It may well be since it seems to create a hybrid of pseudo shelter in place standards with insufficient evacuation routes/plans. I39b-11 http://www.fireengineering.com/articles/print/volume-157/issue-8/departments/fire-service-court/liability-and-the-incident-commander.html http://www.fedsprotection.com/newsstory/93 Is there an example anywhere else in San Diego County of a similarly constrained project that is situated at the end of chaparral lined valley, rated as a high fire hazard zone, with only one vulnerable ingress/egress point? I39b-12  A safe and functioning FPP needs to be clear and simple because in emergencies conditions residents and public safety officials become stressed and fall back on the basic instinct to run from fire. There is probably no clearer example of this than the book, "Young Men and Fire" written by Norman Mclean of, "A River Runs Through It", fame. "Young Men and Fire" is Mclean's chronicle of an actual incident in I39b-13 16	**Response to Comment I39b-11** Links to provided information on qualified immunity are noted and entered into the record. The Project provides the requisite reasoning that modifications are necessary and provides a system of fire protection along with site-specific terrain, fuel, roadway, and risk characteristics that enable the fire official(s) to make a finding that the proposed modification is compliant with the intent and purpose of the Fire Code. Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I39b-12** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I39b-13** Fire Protection Plans are planning tools used to summarize the type of fire risk at a given project site and to detail how a proposed project will conform to the applicable Fire and Building Codes (and where it cannot) and how it will provide alternative forms of protection. An evacuation plan should be clear and simple and the Project is committed (FPP page 37) to prepare an "All Risk Emergency Preparedness Plan" which will be easy to read, map-based, and routinely the focus of community outreach. The comment provides examples of firefighters in Montana caught in a wildfire where some tragically lost their lives. This example is not an appropriate comparison for the HGV South Project and is out of context. The Project, as described in Responses to Comments I39b-2 through I39b-11, discuss HGV South's preferred option of early evacuation and the contingency option to temporarily refuge residents in the comforts of their protected residence. Further, early evacuations would be conducted in vehicles through developed or partially developed (i.e., buffered) travel routes well before a wildfire encroached. This is contrasted with firefighters, miles from urban areas, on foot, with portable fire shelters, as presented in the comment. These are vastly different scenarios that are not fairly comparable.

COMMENTS	RESPONSES
Comment Letter I39b which most of a crew of US Forest Service smoke jumpers were killed in the Mann Gulch Fire in Montana in 1949. In this excerpt, the moment when the crew is about to overtaken by a raging wildland fire is graphically described in a fashion that give the reader some idea what it is like to witness and wildland fire in full fury. All of the crew members, with the exception of one, attempted to outrun the fire with devastating results (13 of the crew members were killed). The foreman of the crew, Wagner Dodge, in the middle of attempting to outrun the fire up a 76% slope, attempted to stop his crew and take shelter by lighting a backfire and sheltering in the burned area. It is described in this passage: "It shouldn't be hard to imagine just what most of the crew must have thought when they first looked across the open hill-side and saw their boss seemingly playing with a matchbook in dry grass. Although the Mann Gulch fire occurred early in the history of the Smokejumpers, it is still their special tragedy, the one in which their crew suffered almost a total loss and the only one in which their loss came from the fire itself. It is also the only fire any member of the Forest Service had ever seen or heard of in which the foreman got out ahead of his crew only to light a fire in advance of the fire he and his crew were trying to escape. In case I hadn't understood him the first time, Sallee repeated, "We thought he must have gone nuts." A few minutes later his fire became more spectacular still, when Sallee, having reached the top of the ridge, looked back and saw the foreman enter his own fire and lie down in its hot ashes to let the main fire pass over him." A full excerpt can be read here: http://www.press.uchicago.edu/Misc/Chicago/500616.html I39b-13 And more information can be read here: https://en.wikipedia.org/wiki/Mann_Gulch_Fire This story of one crew member, in the middle of a dramatic and deadly incident, keeping his wits and thinking his way out of a situation that claimed the lives of 13 of his fellow firefighters is an example of the small percentage of people of any given population, even those that are trained in firefighting, that can think and react in counterintuitive ways in the face of mortal danger and not give in to the more common instinct to simply run. And simply running from a fast moving wildland fire is often a fatal mistake. Yet people will run, in spite of the best laid plans of planners, engineers, and public safety officials, and this behavior is what planners, engineers, and public safety officials should prepare for and create plans that allow for people to run (evacuate) to readily identifiable safety. And readily identifiable safety is a place in which most people are no longer witness to the overpowering fury of a wildland fire consuming everything that is flammable in its path. In Dr. Kat Haynes presentation, "Trends in Australian bushfire fatalities over the past 100 years", of the deaths of those that were evacuating, 5% were evacuating to shelter (on foot/in car), 35% were evacuating from shelter (on foot/in car), 70% were evacuation the general area (on foot/in car), and 17	Further, the comment compares statistics from Australian bushfires with that of San Diego County, again with no context. The statistics provided may very well be applicable in Australia, but it must be noted that fuels, terrain, weather, roadways, fire-fighting resources, and residential construction materials and methods are different, in some cases vastly different, and are not appropriate comparisons.

COMMENTS	RESPONSES
Comment Letter I39b 12% were found in an indefensible refuge (http://www.bushfirecrc.com/sites/default /files/managed/resource/katherine-haynes.pdf) I39b-13 In reviewing the After Action Report for the May 2014 San Diego County Wildfires (http://www.ready sandiego.org/aar/may-2014-san-diego-county-wildfires/May-2014-San-Diego-County-Wildfires.pdf) In spite of media reports to the contrary (as referenced above) I could find no mention or discussion of any issues with evacuations or traffic control problems at any of the fire scenes. Yet clearly, the act of leaving a place of shelter or potential shelter, and evacuating, can be the most hazardous action to take in a wildland fire by the statistics reflected in Dr. Haynes study. While this 109 page report reviews a multitude of issues and, "lessons learned", it says nothing of the traffic issues and vulnerability that people felt in the communities of Harmony Grove and Elfin Forest during the Cocos Fire. Why was this important issue not discussed in the After Action Plan and why is it not discussed in this FPP? Is it an admission by omission by public safety and planning officials that our region has been grossly over-built in high risk fire zones without the proper road infrastructure, building standards, and safety zones/shelter in place locations? Is HGVS yet another one of these projects that just adds to the problems and hazards of wildland/urban fire interface? I39b-14 In the After Action Report there is reference to the importance of residents evacuating when an evacuation order is given, as if by inference if they heed the warnings of public safety officials in a timely fashion, these traffic issues and evacuations problems would be solved. By merely reviewing the chronology of the Cocos Fire in the report, it appears the residents of San Elijo Hills and Elfin Forest heeded the evacuation warning in a very timely fashion, which lead to the local roadways being overwhelmed and residents being placed in the most hazardous of conditions, stuck on a roadway in a vehicle with an approaching wildland fire. This FPP does not properly address the nature of the community conditions, lack of infrastructure, its constrained valley with very limited ingress/egress, surrounded by heavily vegetated preserved open space, a location in which this type of development, for the type of people who will typically live there. It does not offer a clear and concise evacuation plan because the infrastructure does not exist to facilitate any such plan. It does not take into account what available research indicates about human behavior when confronted with an intense wildland fire and will ultimately create an unsafe environment for the residents of HGVS and the surrounding residents. I39b-15 Sincerely, Kevin Barnard 2708 Country Club Drive Escondido, CA. 92029 858-688-1700 ksbarnard@earthlink.net 18	**Response to Comment I39b-14** Please see the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access. **Response to Comment I39b-15** The HGV South FPP utilizes a San Diego County standard for Fire Protection Plan preparation and follows CEQA for determining significance for wildland fire and fire protection. Based on that evaluation, the HGV South Project is not identified as resulting in a clear and significant risk to the lives and safety of existing residents. The Project has undergone thorough review and based on assessment of its relative design features, as well as its design features and required mitigation measures, no significant health and safety risks were identified. The County disagrees that the Project presents a fire risk or would impede evacuations of existing communities. The Project's FPP meets the requirements for Determining Significance for Wildland Fire and Fire Protection (2010), which includes providing a layered approach to fire safety that is customized for a project site and the analyzed fire hazard presented. The Project would provide additional buffer for the existing community to the west/southwest. This type of dense development with an unbroken landscape (as opposed to low-density wildland urban intermix projects) has been found to perform well against wildfires (USGS Research 2015, IBHS Mega Fires 2008; both incorporated by reference). Fire behavior has been analyzed, compared to similar fire environments, and accepted by the RSFFPD and the County and confirmed by an independent third-party (fire planning consultant Rohde & Associates) in 2016. While wildfires under extreme wind conditions can be unpredictable, the Project has been designed with a layered system of protections and determined to include the necessary features to perform well during wildfires. With regard to the Project providing a clear and concise evacuation plan, the FPP (page 37) commits the HGV South Project to prepare a Wildland Fire Evacuation Plan for the community and its residents. The FPP is a planning document used to analyze the risk based on site specific features and define how a project will provide fire safety. It is not intended to be an evacuation

COMMENTS	RESPONSES
	plan for residents or for responding fire and law enforcement personnel. The Project-specific Wildland Fire Evacuation Plan would be prepared to County standards, using the consistent planning tools, language, and maps so that it is user friendly to residents and can be integrated to county- and city-level emergency planning efforts. This evacuation plan would include easy-to-follow maps and instructions for residents to prepare their own "Ready, Set, Go!" action plans and would be prepared prior to occupation of the site's structures.

COMMENTS	RESPONSES
Comment Letter I39b Supporting Documents Attached via Memory Device: 1. Bay Area Bobcats _ Felidae Conservation Fund 2. C.2_17a_ELFIN_FOR.HARM_GROVE_08_03_11 Community Plan 3. CCalGnatcatcher.1997.protocol 4. DFG_Bobcat_InfoSheet 5. Effects of Habitat Fragmentation 6. Fanita Ranch Halsey Comment Final 7. Habitat Fragmentation and Scrub-Specialist Birds 8. Humans Are The Leading Cause Of Wildfires In The U.S 9. katherine-haynes Trends in Aus Bushfire Fatalities 10. Kestrel Hunting Patterns in Varied Vegetation 11. LandTrustStandardsandPractices 12. Loss of chaparral Institute 13. Mann Gulch Fire – Wikipedia 14. May-2014-San-Diego-County-Wildfires 15. Norman Maclean, Young Men and Fire, excerpt 16. Portugal fire victims burned in cars as they fled; 62 killed _ Fox17 17. wild news 2006 (Golden Eagles of San Diego) 18. wild news 2013 (Golden Eagle Threat Alert) 19. Wildland Firefighter Liability Insurance – FEDS Protection 20. wildlife news Growing Grasslands 21. K2012_Syphard_Housing_loss 22. NIST.TN.1796 23. Penman_fuels_weather_and_WUI_2014 24. Cars set ablaze as wildfire jumps California freeway – CNN 25. Cocos fire traffic jams to be reviewed - The San Diego Union-Tribune 26. Harmony Grove Residents Worry About Fire Evacuation Routes _ KPBS 27. RSF FPD Shelter in Place 19 I39b-16	**Response to Comment I39b-16** A series of supporting documents are referenced in the comments in this letter. The majority of them relate to wildlife and plant species that are not raised in Letter I39b, but were cited in Letter I39a. Please see the Responses to Comments and discussion of supporting documents for Letter I39a for items 1 through 5, 7, 10 through 12, 17, 18 and 20. Fire-related attachments are discussed below. The notes below summarize the type of documents and location in the responses where related discussion is provided. 1. This is a general resource document focused on the Bay Area and Central Coast. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 2. The EFHGTC Community Plan (attached in its entirety) is a County planning public document. Plan policies relevant to the Project are addressed in FEIR Section 3.1.5, *Land Use and Planning*. The Planning process is addressed in Response to Comment I39a-5. Please also see the Global Response to General Plan/Community Plan Amendments CEQA Impact Analysis. 3. The 1997 Protocol for California gnatcatcher (CAGN) survey is a public document. The use of permitted biologists during protocol surveys is addressed in Response to Comment I39a-9. 4. The DFG Bobcat Info Sheet provides general information on bobcat lifespan and territory use patterns. Information on bobcats relevant to the Project is provided in Response to Comment I39a-13. 5. This Andren/Oikos document, a Denmark-published resource on habitat fragmentation, is cited in Letter I39a. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9. 6. This attachment consists of a 2009 letter submitted on the Fanita Ranch EIR in the City of Santee. Neither the letter, nor the author appear to be cited in Letter I39b. It is possible to refer to FEIR Section 3.1.3, *Hazards and Hazardous Materials*, the Project Fire Protection Plan (FPP), and the Global Response to Fire Hazards Impact Analysis. The letter was submitted on another project in a different jurisdiction. It is not further addressed. 7. Fragmentation of CAGN habitat is noted, and responded to in Response to Comment I39a-9.

COMMENTS	RESPONSES
	8. This article regarding human-started fires is cited and responded to Response to Comment I39b-4. 9. The Katherine-Haynes article addresses Australian Bush-fires. This article does not address the Project. Please see Response to Comment I39b-13. 10. This article addresses research in Boone County, Missouri. Response to Comment I39a-12 addresses foraging habitat for raptors (a category that includes kestrels). 11. This attachment references efforts by the adjacent Escondido Creek Conservancy. It is addressed in Response to Comment I39a-14. 12. This attachment is relevant to the discussion of sensitive chaparral habitat, the open space set-aside and fire issues addressed in Response to Comment I39a-15. 13. This Wikipedia article addresses a fire event in Montana in 1949 and the lessons learned by the United States Forest Service. Please see Response to Comment I39b-13, as well as FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 14. This attachment consists of the May 2014 San Diego County Wildfires After Action Report." Please see Response to Comment I39b-1, as well as FEIR Section 3.1.3, the Project FPP, and the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access, for information focused on the Project. 15. This attachment is an excerpt discussion of the 1949 Montana Mann Gulch Fire book authored by Norman MacClean. Please see Response to Comment I39b-13, as well as FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 16. This attachment is news summary regarding a Portugal wildfire that resulted in loss of life as people attempted to flee through forested areas. Please see Response to Comment I39b-8, as well as FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 17. This document addresses historical and recent sightings of (and related information addressing) golden eagles in San Diego County.

COMMENTS	RESPONSES
	Response to Comment I39a-12 addresses foraging habitat for raptors and specifically addresses golden eagles relative to the Project site. 18. This document addresses threats to golden eagles in San Diego County. Response to Comment I39a-12 specifically addresses golden eagles relative to the Project site. 19. This attachment addresses potential liability of emergency personnel decisions and direction provided during emergency event. Please refer to Response to Comment I39b-11. It is not directly applicable to environmental analysis required under CEQA and County guidelines and is not further addressed. 20. This article addresses the Ramona Grasslands, including their history and raptor monitoring. Response to Comment I39a-12 addresses foraging habitat for raptors and specifically addresses golden eagles relative to the Project site. 21. This 2012 article addresses southern California housing loss relative to location near wildland fuels. Wildfire, wildland fuels, and Project design elements to address those issues are discussed in FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 22. This 2013 article addresses the Witch and Guejito Fires and structure ignitions. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 23. This 2014 article is on San Diego County wildland fires, and fuel management. Please refer to FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. Please also see Response to Comment I39b-1. 24. This attachment contains 2015 news reports of fire crossing I-15 and engulfing cars on the freeway Please see Response to Comment 139b-7, as well as FEIR Section 3.1.3, the Project FPP, and the Global Response to Fire Hazards Impact Analysis for information specifically relevant to the Project. 25. This news article discussed traffic jams during the Cocos Fire. Please refer to Response to Comment I39b-7.

COMMENTS	RESPONSES
	26. This news program discussed Project area resident opinions regarding evacuation. Please refer to Response to Comment I39b-7. 27. This attachment consists of information from the RSFFPD. Please refer to Response to Comment I39b-10.

COMMENTS	RESPONSES

Comment Letter RS1

Lisa Maier

From: Lee, Jenna@CALFIRE <Jenna.Lee@fire.ca.gov>
Sent: Thursday, March 8, 2018 8:32 AM
To: Smith, Ashley
Cc: Just, Eric@CALFIRE; Schreiner, Greg
Subject: CAL FIRE EIR Comments - Harmony Grove Village South
Attachments: Harmony Grove Village South EIR Comments.pdf

Ms. Smith,

On behalf of CAL FIRE San Diego Unit Chief Tony Mecham, please see the attached EIR response for Harmony Grove Village South.

Respectfully,

Jenna Lee
Executive Assistant
CAL FIRE / San Diego County Fire
Office 619-590-3100 Cell 619-599-5447

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COMMENTS	RESPONSES

Comment Letter RS1

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY — Edmund G. Brown Jr., Governor

DEPARTMENT OF FORESTRY AND FIRE PROTECTION
San Diego Unit
2249 Jamacha Road
El Cajon, CA 92019
(619) 590-3100
Website: www.fire.ca.gov

March 7, 2018

Ashley Smith, Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Via email to: Ashley.Smith2@sdcounty.ca.gov

RE: COMMENTS FOR THE RECIRCULATION OF THE DRAFT EIR FOR THE HARMONY GROVE VILLAGE SOUTH PROJECT - PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX, LOG NO. PDS2015-ER-15-08-006; SCH NO. 2015081071

PROJECT REVIEW INPUT
AS REQUIRED BY THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
AND
FIRE SAFE REGULATION

Authority Cited

The above-referenced environmental document was submitted to CAL FIRE for review under the California Environmental Quality Act (CEQA) because the proposed project resides wholly, or in part, within State Responsibility Area (SRA), as defined in the Public Resources Code (PRC) § 4126-4127; and the California Code of Regulations (CCR) Title 14, Division 1.5, Article 1, § 1220-1220. 5. In addition to Defensible Space, CAL FIRE has responsibility for enforcement of basic fire safety regulations on all proposed construction and development within SRA as defined under PRC § 4290 (Ref: PRC § 4290-4291 and CCR Title 14 Natural Resources Division, 1.5 Department of Forestry, Chapter 7 – Fire Protection, Subchapter 2 - SRA Fire Safe Regulations). These regulations, known as "SRA Fire Safe Regulations," constitute the basic wildland fire protection standards for all proposed construction and development within SRA.

General

CAL FIRE is not the lead agency in planning and development and project permitting. Each County's Board of Supervisors retains lead agency status and usually delegates this function to their planning departments. CAL FIRE cannot provide individual project map reviews and redesign orders as done by County Planning Department staff professionals. Under state law, only the county planning departments may provide professional planning services and charge fees for this function. CAL FIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

California Government code section (GC) § 66474.02 within the Subdivision Map Act states, in part, that before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in SRA or a very high fire hazard severity zone, as defined in Section 51177, a legislative body of a city/county shall, with certain exceptions, make the following specific findings:

1. A finding supported by substantial evidence in the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to PRC § 4290 and 4291.

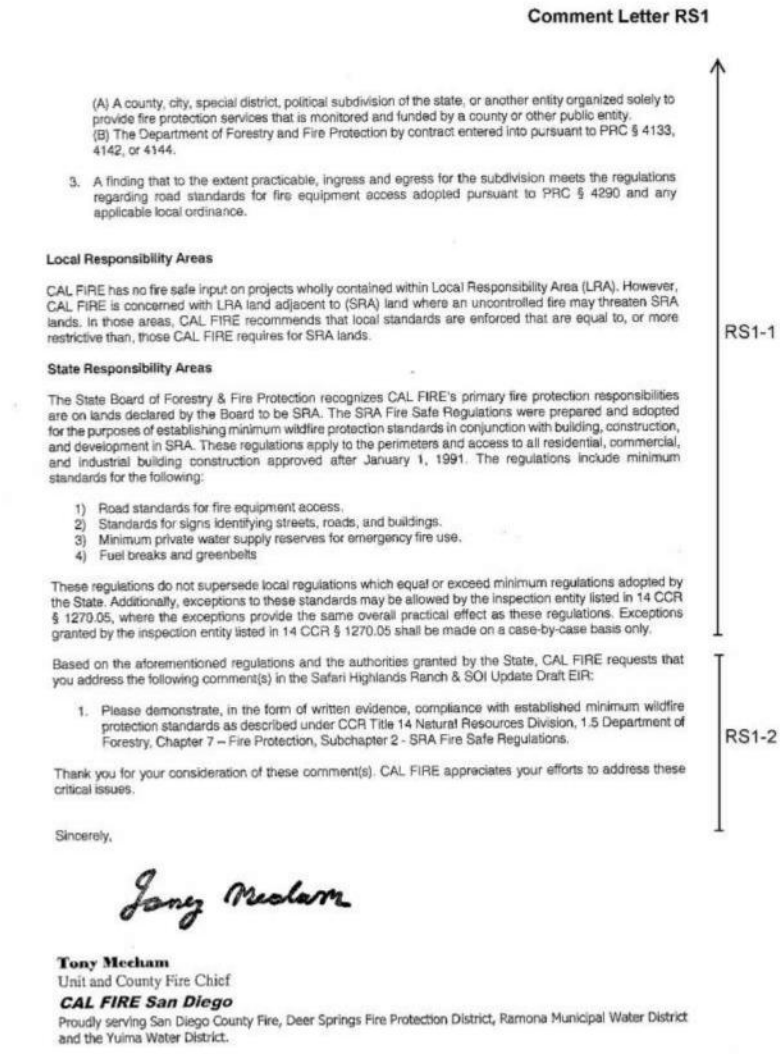
2. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."

RS1-1

Response to Comment RS1-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. The County concurs with the description of CAL FIRE authority and responsibility areas.



Comment Letter RS1

(A) A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.
(B) The Department of Forestry and Fire Protection by contract entered into pursuant to PRC § 4133, 4142, or 4144.

3. A finding that to the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to PRC § 4290 and any applicable local ordinance.

Local Responsibility Areas

CAL FIRE has no fire safe input on projects wholly contained within Local Responsibility Area (LRA). However, CAL FIRE is concerned with LRA land adjacent to (SRA) land where an uncontrolled fire may threaten SRA lands. In those areas, CAL FIRE recommends that local standards are enforced that are equal to, or more restrictive than, those CAL FIRE requires for SRA lands.

State Responsibility Areas

The State Board of Forestry & Fire Protection recognizes CAL FIRE's primary fire protection responsibilities are on lands declared by the Board to be SRA. The SRA Fire Safe Regulations were prepared and adopted for the purposes of establishing minimum wildfire protection standards in conjunction with building, construction, and development in SRA. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction approved after January 1, 1991. The regulations include minimum standards for the following:

1) Road standards for fire equipment access.
2) Standards for signs identifying streets, roads, and buildings.
3) Minimum private water supply reserves for emergency fire use.
4) Fuel breaks and greenbelts

These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the State. Additionally, exceptions to these standards may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same overall practical effect as these regulations. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only.

RS1-1

Based on the aforementioned regulations and the authorities granted by the State, CAL FIRE requests that you address the following comment(s) in the Safari Highlands Ranch & SOI Update Draft EIR:

1. Please demonstrate, in the form of written evidence, compliance with established minimum wildfire protection standards as described under CCR Title 14 Natural Resources Division, 1.5 Department of Forestry, Chapter 7 – Fire Protection, Subchapter 2 - SRA Fire Safe Regulations.

RS1-2

Thank you for your consideration of these comment(s). CAL FIRE appreciates your efforts to address these critical issues.

Sincerely,

Tony Mecham
Unit and County Fire Chief
CAL FIRE San Diego
Proudly serving San Diego County Fire, Deer Springs Fire Protection District, Ramona Municipal Water District and the Yuima Water District.

Response to Comment RS1-2

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018.

It is also unclear if this comment was intended for the Proposed Project (the subject states "Safari Highlands"). Assuming that it is, as requested in this comment, the Project is consistent with the protection standards described under California Code of Regulations Title 14 Natural Resources Division, 1.5 Department of Forestry, Chapter 7 – Fire Protection, Subchapter 2 – SRA Fire Safe Regulations. The Project Fire Protection Plan (FPP) states that:

> *This FPP is consistent with the County Consolidated Fire Code (2014 CCFC and 2014 CFC Ordinance #10337) and with the California Code of Regulations, Title 14, Fire Safe Regulations. Since the project is within SRA, Title 14 is applicable, and allows provisions for providing same practical effect for any non-conforming project features.*

Those provisions are detailed within the FPP and summarized in the Project EIR in Table 1-2, *Project Design Features*, and Section 3.1.3, *Hazards and Hazardous Materials*, as well as in Chapter 7.0, *List of Mitigation Measures and Project Design Features*. This topic is also addressed in the Final EIR (FEIR) in the Global Responses in Sections 8.3.3, *Fire Hazards Impact Analysis*, and 8.3.4, *Adequacy of Emergency Evacuation and Access*.

COMMENTS	RESPONSES

Comment Letter RS2

STATE OF CALIFORNIA--CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 11
DIVISION OF PLANNING AND LOCAL ASSISTANCE
4050 TAYLOR ST, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-3137
FAX (619) 688-4299
TTY 711
www.dot.ca.gov

Making Conservation A California Way of Life.

March 23, 2018

11-SD-15
PM R30.09
Harmony Grove Village South
Recirculated DEIR

Ms. Ashley Smith
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Dear Ms. Smith:

Caltrans has reviewed the Traffic Impact Study (TIS) as part of the Recirculated Draft Environmental Impact Report (DEIR), dated April 2017, for the Harmony Grove Village South Project, near Interstate 15 (I-15) and State Route 78 (SR-78). The TIS is incomplete and has not adequately addressed our previous comment letter dated May 31, 2017, please see the attached letter.

Caltrans would like to emphasize the Synchro data files should analyze the intersections as a network and not as individual intersections. For example, intersections 1, 2, 3, and 4 grouped together would appropriately study traffic at the Nordahl Road/SR-78 ramps. Likewise, intersections 7, 8, 9, 10, 13, and 14 would also appropriately address traffic at the West Valley Parkway/I-15 and West 9th Avenue/I-15 ramps. RS2-1

If you have any questions, please contact Trent Clark at (619) 688-3140 or by email at trent.clark@dot.ca.gov.

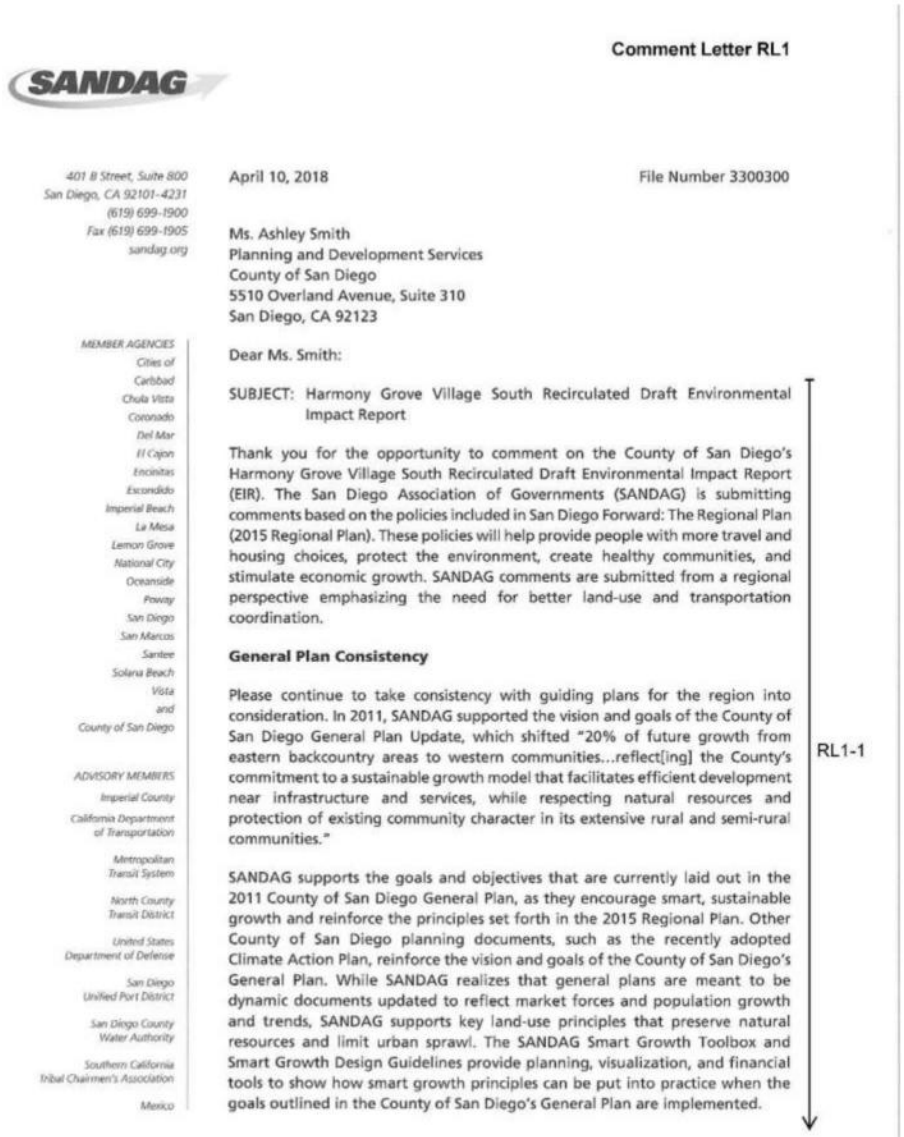
Sincerely,

DAMON DAVIS, Acting Chief
Development Review Branch

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."

Response to Comment RS2-1

Comments noted. Please see response below. This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, a similar comment was submitted on the DEIR, and the response is applicable to this comment. It is addressed in the FEIR, DEIR Response to Comment Letter S1, specifically in Response to Comment S1-2.

COMMENTS	RESPONSES
	**Response to Comment RL1-1** The County concurs with the description of SANDAG's 2015 Regional Plan and the policies contained within the Regional Plan. The County also agrees that the shift of 20 percent "of future growth in the County from eastern backcounty areas to western communities" reflects "the County's commitment to a sustainable growth model," that the General Plan goals and objectives "reinforce the principles set forth in the 2015 Regional Plan," that the General Plan is a dynamic document that will be "updated to reflect market forces and population trends," and acknowledges that "SANDAG supports key land-use principles that preserve natural resources an limit urban sprawl." Consistent with these introductory comments, the County continues to work to reinforce the goals and principles of the General Plan, requiring detailed consistency analyses with General Plan Element goals and policies as part of each project proposed for General Plan Amendment. For the current Project, the Draft EIR (DEIR) addressed General Plan and the Regional Plan (San Diego Forward) in Section 3.1.6, *Land Use* (Section 3.1.5 of the Final EIR [FEIR]). Elements of the Regional Plan also were discussed in DEIR Section 3.1.3, *Greenhouse Gas Emissions* (now FEIR Subchapter 2.7). The SANDAG Smart Growth Toolbox and Design Guidelines were considered in the development of Harmony Grove Village South (HGV South.) Although these guidelines are geared towards areas with higher densities and intensities, several concepts are applicable to HGV South. The following discussion identifies how these smart growth concepts have been implemented into the Project design. **Site Design:** The Design Guidelines emphasizes how decisions are made regarding where buildings are located on a site, how they relate to the surrounding area, and how pedestrians, bicyclists, and vehicles are accommodated. Compatibility with adjacent development, establishing safe pedestrian and bicycle access, links to transit, and incorporating sustainable design practices into the landscape plan are important considerations. The Proposed Project is adjacent to the existing Harmony Grove Village (HGV) Specific Plan area. HGV consists of a Village Center north of Harmony Grove Road surrounded by a variety of single-family residential and recreational uses.

COMMENTS	RESPONSES
	HGV also plans for an Equestrian Center south of Harmony Grove Road across from the HGV South Project site, which is intended to accommodate horses for boarding and training as well as horse shows. Associated retail sales and temporary commercial operations, including food and beverage sales, are also approved land uses for the site as well as up to four residential units (including one care taker's unit). This area is intended to be an important gathering place within the community. HGV South has been designed to be compatible with HGV and contribute to the vision for the community by allowing for a variety of residential types not currently offered within HGV including multi-family homes. HGV South also strengthens connections between the HGV Village Center, County public parks, and HGV Equestrian Ranch through the establishment of a bridge over Escondido Creek, multi-use trails and pathways, and additional opportunities for social gathering through the provision of a commercial/civic zone near the center core of HGV South (located within a half-mile of the HGV Village Center). A "Center House" is planned for the commercial/civic area which would include civic uses such as a clubhouse, limited overnight accommodations, or a recreational center as well as a commercial component, such as limited food and beverage services. Exterior recreational facilities at the Center House may include a pool, spa, event lawn, family barbeque areas, and gazebo. In addition, an existing on-site remnant fireplace may be rebuilt and located in this area as a way to honor the heritage of the site. The landscape design provides a cohesive theme that ties HGV South to HGV. The utilization of consistent street trees and similar planting materials will provide a continuous link between HGV and HGV South, strengthening the concept that the two projects constitute one unified village. Active forms of transportation are also encouraged by enhancing the visual character of the area and providing amenities within the landscape that contribute to a pleasant and comfortable walk or bike ride. The Project landscape plan incorporates sustainable design features. It conserves water by employing a "Modified California Native" plant palette that reflects the natural setting and incorporates drought tolerant and native species,

COMMENTS	RESPONSES
	utilizes reclaimed water, and implements a water efficient irrigation system. It also reduces the threat of wildfire by incorporating adequate fuel modification zones and utilizing plant materials that reflect an inherent resistance to fire. Existing drainage patterns are generally maintained and a remnant drainage that was largely eliminated from the site due to previous agricultural operations may be recreated. This feature could provide a habitat for birds and other species in the area, enhance aesthetic value, create recreational opportunities, and carry some stormwater. Paving and hardscape areas will be minimized to the extent possible to allow the landscape to retain more of its natural hydrological function. HGV South is located within bicycling distance (approximately 3 miles) from the closest transit stations (Nordahl Road Sprinter Station and the Escondido Transit Center). In addition, the Project will be reserving for dedication an area within the commercial/civic zone for a transit stop for bus service when a local transit line is extended to service the HGV/HGV South area. Not only is the Project site adjacent to HGV, but it is also located very close to several major employers, such as Palomar College, Cal State San Marcos, and Palomar Medical Center. California State University San Marcos is located less than 3 miles to the northwest, Palomar Medical Center is located approximately 2 miles to the north and the Escondido Energy and Technology Center (ERTC), an industrial/commercial, employment and services center, is located within 1 mile north-northeast of HGV South. Other nearby land uses include numerous shopping and service areas within the Cities of Escondido and San Marcos. **Building Design:** The Smart Growth Design Guidelines emphasize the need for high quality development that contains architectural features that reflect the local vernacular and are appropriate to the local climate. The overall architectural design concept for HGV South is to be consistent with, and complement HGV, yet establish an identity that is unique to the Project. Whereas the architectural theme for HGV is based on the Western Farmhouse/Cottage architecture tradition, the theme for HGV South is based on the Western Farm Village architecture tradition. This theme includes Western

COMMENTS	RESPONSES
	Farmhouse/Cottage as well as other farm building references such as the Granary, Barn, and Mill. Utilizing a slightly broader architectural vernacular provides a more organic feel to the community. It allows Harmony Grove to retain its semi-rural and rural character, yet adds interest by permitting other building types that contribute to the sense that the community has evolved over time. Larger buildings, such as those that reflect granaries or mills, also allow for a wider range of housing types. Multi-family housing units would be framed within these farm-like structures. The HGV South Specific Plan includes architectural design guidelines to ensure high quality development. Architectural elements will be used to reduce the apparent size, bulk, and scale of proposed buildings and create an interesting and aesthetically pleasing environment. Techniques such as utilizing vertical and horizontal elements to break up building facades, incorporating variations in the roofline, reducing the presence of garage doors from the street scene by locating them on alleys, in cluster courtyards, etc., and staggering setbacks will be employed. Private spaces such as shaded porches and courtyards are encouraged. Exterior colors will complement architectural details and be respectful to the surrounding topography. The majority of structures should be monochromatic, but the use of contrasting colors used as accents in areas such as trim, shutters, and architectural elements can provide visual interest. The Specific Plan encourages sustainable building design and includes policies that encourage techniques such as reducing heating and cooling needs by capitalizing on passive solar energy, utilizing locally sourced, renewable, recycled, non-toxic, and/or reusable building materials, relying on renewable energy generation systems, and establishing ongoing sustainable operations and maintenance activities. In addition, 100 percent of the Project's electrical/energy needs will be satisfied through renewable solar power. **Multimodal Streets:** The Smart Growth Design Guidelines emphasize the need for streets that meet the needs of everyone, not just vehicular traffic. The primary point of access to HGV South is via Country Club Drive. The west side of Country Club Drive is planned by the HGV Specific Plan and the

COMMENTS	RESPONSES
	County's Community Trails Master Plan to include a 10 foot north-south multi-use trail. The trail is planned to cross over Escondido Creek, continue along the length of the HGV Equestrian Ranch property, and cross over Country Club Drive at the southern entrance to HGV South to connect to the subregional and regional trail system. This trail is intended to accommodate equestrian, bicycle, and pedestrian users. A 5-to-6-foot pathway planned by HGV South is accommodated along the east side of Country Club Drive. This pathway would provide connections to the commercial/civic uses, a planned equestrian hitching post, the Lake Hodges Trail, and a public trailhead staging area for the Elfin Forest Trail. Additional rural trail connections are provided between the Lake Hodges Trail and the primitive Elfin Forest Trail. To further encourage multi-modal forms of transportation, Country Club Drive would be designed to include additional landscaping, street trees, and interpretive signage. Marked crosswalks connecting the east and west sides of Country Club Drive would be located from each of the HGV South entries to the future multi-use trail on the west side of the road to accommodate pedestrians/equestrians crossing the road. It is anticipated that the roadways serving HGV South may be painted with sharrows to indicate that bicyclists share the roadway with vehicles. In addition, bicyclists can utilize the multi-use trails. The private roads that wind throughout HGV South are also designed with four-foot wide pedestrian walkways. **Transit Stations:** The Smart Growth Design Guidelines encourage the availability of transportation options that provide convenient alternatives to the personal automobile. There currently is no bus service to Harmony Grove Village. However, the Project will reserve for dedication an area within the commercial/civic zone for a transit stop for bus service when a local transit line is extended to service the area. **Civic Buildings:** Civic buildings, such as recreation centers, function as the "heart" of a neighborhood and create enjoyable gathering places.

COMMENTS	RESPONSES
	As previously discussed, HGV South includes a commercial/civic zone. A "Center House" which would include both civic and commercial uses would be located in this area. An approximately 0.8 net acre private park would also be located within the commercial/civic zone. The park may contain a historic wood burning fireplace that may be restored to working order. It may also be developed with a pool/spa area, barbeque/picnic area, a play field, restrooms, gazebo, and/or other similar park uses. Community gardens are also proposed. These areas are intended to be important gathering places in the community. **Parks and Civic Space:** Public open spaces contribute to the attractiveness, health, and environmental quality of a neighborhood. HGV South is located just north of the Del Dios Highlands County Preserve. The Project accommodates multi-use regional and subregional trails that connect to this open space area. The Project has been designed to preserve the largest block possible of contiguous open space adjacent to the preserve. A County park, currently under construction, is contiguous (i.e., located just across the street and within 300 feet) of HGV South. The 2.8-acre site provides an additional community gathering place that is focused on equestrian exercise activities. An additional 2.9-acre Community Park area, currently under construction by HGV, is located west of the equestrian facilities and includes recreation and parking. Within HGV South, approximately 4 acres of public and private parks are planned to be developed including recreational community gardens, a dog park, play fields, basketball court, horse shoe pit, barbeque areas, picnic tables, children's play area, and/or informal play areas. The parks within HGV South and HGV will be connected by a series of trails as well as a fitness circuit consisting of various exercise stations. Public parks will be dedicated to the County of San Diego while private parks will be operated and maintained by a homeowner's association. **Parking:** A well designed place must accommodate parking while also creating a pedestrian-oriented environment.

COMMENTS	RESPONSES
	Homes within HGV South are designed to minimize the presence of garages along the streetscape by locating them on alleys, in cluster courtyards, and partially underground spaces. Street parking would be provided for visitors. Bicycle parking may be provided at the Center House. In addition, designated parking would be provided at the Center House for shared vehicles and clean air vehicles.

COMMENTS	RESPONSES
Comment Letter RL1 In evaluating the environmental impacts of the Harmony Grove Village South Project, please consider whether the project is consistent with the land-use and transportation goals of the County of San Diego General Plan, the Climate Action Plan, and the 2015 Regional Plan. RL1-1 **SANDAG Regional Growth Forecast** The current SANDAG Regional Growth Forecast (Series 13) does not assume the Harmony Grove Village South Project. SANDAG is in the process of updating the Regional Growth Forecast (Series 14). The Preliminary Series 14 Regional Growth Forecast does not assume the Harmony Grove Village South Project. It is anticipated that the Series 14 Regional Growth Forecast will be accepted for planning purposes this summer and finalized in October 2019. RL1-2 **Transportation Demand Management** iCommute, the SANDAG Transportation Demand Management (TDM) Program, can assist with promotion of regional TDM programs and services. Such programs and services include the SANDAG Vanpool Program, the Guaranteed Ride Home service, support for carpooling, and bike encouragement programs. The iCommute Employer Services Program works with employers to develop and implement customized commuter benefit programs for their employees to encourage the use of transportation alternatives to driving alone. More information on these programs can be found at iCommuteSD.com. RL1-3 **Active Transportation** SANDAG has the following suggestions and/or clarifications to the active transportation elements of the proposed Harmony Grove Village South Project and Draft EIR: • Please indicate where pedestrian crossings will be painted. These crossings are important to indicate where people should cross the street and to indicate that drivers should slow down. • Please consider widening the sidewalk from 4 feet to 5 feet. While 4 feet meets the minimum standards for sidewalk width, it does not comfortably allow for two people to walk side by side. Additionally, adding space between the sidewalk and the street, particularly if that space is landscaped, can help to improve comfort for walking. RL1-4 • The Harmony Grove Village South Project currently proposes that the trail entrance be located on the west side of Country Club Drive, which would require pedestrians to cross the street to enter Harmony Grove Village South. This presents a safety concern, as drivers may not know to expect people walking, biking, or riding horses across the street. Please consider including warning devices, such as Rapid Rectangular Flashing Beacons, along with appropriate striping and signage at entrances into Harmony Grove Village South. • The Harmony Grove Village South Project calls for shared-lane markings, or sharrows, along internal roadways. SANDAG encourages providing bike lanes or buffered bike lanes on the internal loop road to increase comfort and encourage ridership. 2	**Response to Comment RL1-2** It is acknowledged that the Proposed Project is not included within the Regional Growth Forecast, as it proposes an amendment to the adopted General Plan that provides the land use assumptions used by SANDAG. The County will continue to provide updates to SANDAG relevant to their regional growth forecasts. Should the Proposed Project (Harmony Grove Village South; HGV South) be approved, staff will provide that information for incorporation into Series 14 as soon as possible. **Response to Comment RL1-3** This comment relates to SANDAG and general Transportation Demand Management (TDM) programs. TDM programs often include transportation planning elements such as: use of priority techniques for high occupancy vehicles (HOVs), parking regulation, efforts to shift when travel occurs, promotion of telecommuting, transit service improvements, use of pricing techniques on HOV lanes on freeways, etc. These are most frequently applicable to state road planning agencies, metropolitan planning agencies able to charge for parking, or to employers providing job opportunities that would support a substantial number of workers travelling to/from a specific locale at specified hours. The Project does not propose, or plan, elements related to being a large-scale employer. The Project would encourage carpooling. As described in Subchapter 2.7 Project design features (PDFs), "The HOA will provide informational materials on SANDAG's rideshare programs like icommute," The Project also supports bike riding and pedestrian activities between HGV South and HGV through connections to the HGV multi-purpose trail on Country Club Drive and on-site wide streets with low use rates, sharrows, and pedestrian pathways. Finally, the Project would be "transit ready." A turn out for a future bus stop would be incorporated into the Center House use area. This latter commitment has been incorporated into Project PDFs and is included in the Final EIR on Table 1-2, *Project Design Features*, in Subchapter 2.7, and in Chapter 7.0, *List of Mitigation Measures and Project Design Features*. No additional response is necessary.

Response to Comment RL1-4

SANDAG proposes several project design items. These are individually addressed below.

- Relative to the pedestrian crossings and the need to show where individuals would cross and indicate where drivers should slow, the pedestrian crossing are shown on the Project Vesting Tentative Map. Sheet 3 shows the crosswalk at the Harmony Grove Road intersection with Country Club Drive, and Sheet 4 shows the proposed crossings on Country Club Drive at each Project entry driveway.
- The comment asks for consideration of widening sidewalks from 4- to 5-feet in width, and to add space between the sidewalk and street. As shown on Figure EIR 1-14a, the Project proposes a 4- to 5-foot-wide landscaped parkway between Country Club Drive and a 5- to 6-foot-wide pathway. Within the Project, EIR Figure 1-16d shows a 5-foot-wide trail and 18 feet of parking between travel lanes and the trail for three- and two-lane private drives, and Figure 16b shows a 4.5-foot trail. EIR Figures 1-16c and 1-16e depict 4- to 6-feet wide trails adjacent to 4- to 6-feet-wide landscaped parkway. During final design, potential widening of the path into the parkway will be reviewed for these latter two road types with trails. Figures 1-16f shows a 5-foot trail (widened from 4-feet in width in the DEIR). Only one small street at the northeastern extent of the Project, accessing a maximum of 10 homes, showed no trail in the DEIR, or trail of only 4 feet in width. Figure 16-g shows that that pedestrian trail has now been extended to the section of road previously without a trail.
- This comment states that the Project proposes location of a multi-purpose trail on the west side of Country Club Drive. This is not correct. The trail location on the west side of Country Club Drive is not proposed by the Project but was evaluated and approved prior to the Project as part of the HGV EIR certified in 2007 and as indicated on the plot plan for MUP 04-014 associated with that project's Equestrian Ranch. An easement was dedicated on the adjacent HGV property's final map. Please also note that pedestrians have the option to cross to the east side of Country Club Drive at the signalized intersection with Harmony Grove Road, and travel down the east side of Country Club Drive. Regarding safety, please refer to bullet two of this response

COMMENTS	RESPONSES
	regarding the striping of crossings. Also, pedestrian movement between HGV South and the trail may legally occur at the intersection of Country Club Drive and the Project's southernmost entrance via pedestrian crossings as shown on Sheet 4 of the TM, as noted above. The Project is in fact considering the installation of warning devices such as Rapid Rectangular Flashing Beacons along with appropriate striping and signage to provide drivers with additional awareness of potential for people walking, biking or riding horses across the street. These measures will be coordinated with and developed to the satisfaction of County DPW, as appropriate and necessary. • The preference for bike lanes over sharrows is noted. These are low volume roads that are designed with wide widths, and have undergone detailed review by County Department of Public Works staff. With regard to Country Club Drive in particular, the multi-purpose trail along HGV ultimately will accommodate bike riders if they prefer to be off road. No change to Project plans is required.

COMMENTS	RESPONSES
Comment Letter RL1 **Other Considerations** SANDAG has a number of additional resources that can be used for additional information or clarification on smart growth, TDM, and active transportation. The following resources can be found at sandag.org: • Riding to 2050, the San Diego Regional Bike Plan • Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region • Integrating Transportation Demand Management into the Planning and Development Process – A Reference for Cities • Trip Generation for Smart Growth • Parking Strategies for Smart Growth • Designing for Smart Growth, Creating Great Places in the San Diego Region RL1-5 When available, please send any additional environmental documents related to this project to: Intergovernmental Review c/o SANDAG 401 B Street, Suite 800 San Diego, CA 92101 RL1-6 SANDAG appreciates the opportunity to comment on the County of San Diego's Harmony Grove Village South Recirculated Draft EIR. If you have any questions, please contact me at (619) 699-1943 or seth.litchney@sandag.org. Sincerely, SETH LITCHNEY Senior Regional Planner SLI/KHE/kwa 3	**Response to Comment RL1-5** This comment provides a list of SANDAG resources available to applicants and design teams during initial project planning. The resources are acknowledged; they were reviewed as appropriate during Project design. **Response to Comment RL1-6** This conclusion comment provides contact information. It is noted and appreciated by the County.

COMMENTS	RESPONSES

Comment Letter RO1

California Native Plant Society

San Diego Chapter of the California Native Plant Society
P O Box 121390
San Diego CA 92112-1390
conservation@cnpssd.org | www.cnpssd.org

April 9, 2018

Ashley Smith
Planning and Development Services
5510 Overland Avenue, Suite 310,
San Diego, CA 92123
By email to; Ashley.Smith2@sdcounty.ca.gov

RE: Harmony Grove Village South, PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX, LOG NO. PDS2015-ER-15-08-006; SCH NO. 2015081071.

Dear Ms. Smith,

Thank you for the opportunity to comment on the draft of the Harmony Grove Village South ("Project") recirculated draft environmental impact report ("REIR"). CNPS promotes sound plant science as the backbone of effective natural areas protection. We work closely with decision-makers, scientists, and local planners to advocate for well informed and environmentally friendly policies, regulations, and land management practices. Our focus is on California's native plants, the vegetation they form, and climate change as it affects both. RO1-1

In these comments on the REIR, we focus on both the greenhouse gas analysis and on climate change. Unfortunately, there are 11 issues in the REIR that need to be clarified as part of the process. Questions are highlighted below, not for emphasis, but to aid in finding them for a suitable response.

The first, bureaucratic question, is what happened to section 2.7 ("Significant Irreversible Environmental Changes Resultant from Project Implementation") of the original draft environmental impact report ("DEIR")? While it was not a long section, it is an important one. Is it now section 2.8? **If it needed to be rewritten, why was it not recirculated with the REIR? Does this mean that the REIR needs to be recirculated again to be complete?** RO1-2

The second issue is that, while the County approved the Climate Action Plan ("CAP") on February 14, 2018, it is already the subject of a lawsuit by a coalition of environmental groups. **Can the REIR be updated to include not only the last-minute provisions inserted in the CAP by Planning and Development Services, the County Planning Commission, and the County Supervisors, but also the fact that the plan is under litigation? How will this affect the revised analysis?** Furthermore, the CAP is under court supervision. **Can any relevant rulings or feedback from the judge be included in this REIR? If the judge's actions on the CAP happen to affect the Project, can the REIR be revised to account for this?** These questions are impositions, but given the uncertainty surrounding how the County will regulate greenhouse gas emissions, and that the Project may face procedural issues, legal issues, or a costly redesign, in complying with whatever comes out in the next few months, it seems prudent to front-load the issues and deal with them in the design phase, rather than deal with them during the approval process or later. RO1-3

Third, the section on how the development will meet its greenhouse gas reduction goals is unfortunately confusing. It appears, for instance, that the Project will meet its energy generating goals by providing "roof anchors and pre-wiring to allow for the installation of photovoltaic (PV) systems" (new RO1-4

Response to Comment RO1-1

These are introductory comments. The County acknowledges the description of the California Native Plant Society (CNPS) and the focus of the comments.

Response to Comment RO1-2

Subchapter 2.7 of the DEIR has been renumbered as Subchapter 2.8 of the FEIR. There were no substantive changes to the subchapter (it was not rewritten), and as such, no recirculation of that subchapter was required.

Response to Comment RO1-3

The comment asks if the RDEIR can be updated to include the "last-minute provisions inserted into the CAP." The County disagrees that there were "last-minute provisions" of the Climate Action Plan (CAP). The Board of Supervisors (BOS) approved the CAP on February 14, 2018. Although some GHG reduction measures for private development were ultimately decided to not be included within the CAP, the CAP EIR was circulated for public review in compliance with CEQA and extensive public outreach was conducted. All of the reduction measures that were contemplated by the BOS were available for public review and at all related hearings. With respect to the question of whether the RDEIR should be updated to include the provisions of the CAP, please see the Global Responses to Climate Action Plan (CAP and GHG Carbon Offsets). As discussed in detail therein, the Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on the CAP. CEQA provides that the determination of whether or not a project has a significant effect on the environment is based on the thresholds described in the environmental document. These thresholds of significance can be adopted by the local agency or can be based upon those standards set forth in Appendix G of the CEQA Guidelines (14 California Code of Regulations Section 15064).

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	However, the Project is consistent with and does not conflict with the CAP. The Project would achieve no net increase in GHG emissions over existing baseline conditions (which are assumed to be zero) with the implementation of the recommended design features and mitigation measures. Additionally, the Project incorporates more emission-reducing features than those listed within the CAP, relying on the California Air Resources Board's (CARB's) Scoping Plan (e.g., offset of 100 percent of Project on-site electrical use through solar, an electric-vehicle-charging station at the Center House and plumbing for such use in the Project's residential garages, a commitment to a future bus stop on-site, and homeowners association (HOA)-owned on-site electric vehicles (EVs) for use on-site and to Harmony Grove Village). Although the Project did not rely on the CAP, for clarity, it is noted that the Project has completed a Project GHG Consistency List. The Project is therefore consistent with and would not conflict with the County's CAP because the Project would implement all feasible and applicable CAP measures (see Appendix J to the FEIR). Finally, Mitigation Measures M-GHG-1 and M-GHG-2 require the Project to purchase and retire carbon offsets in a quantity sufficient to reduce, to net zero, in accord with Mitigation Measure GHG-1 from the County's Supplemental EIR (SCH No. 2016101055) for its CAP. The comment also asks how pending litigation of the 2018 CAP will affect the Project. It does not affect the Project. The issue is whether the Project—not the CAP—complies with state law. As described above, the Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on a threshold of significance adopted by the County or the CAP. As shown in Appendix J and FEIR Subchapter 2.7, *Greenhouse Gas Emissions*, the Project complies with CARB's Scoping Plan requirements, and also would additionally purchase offsets approved in CEQA to achieve net neutrality.

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Comment Letter RO1

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2.7-20), while elsewhere it talks about the installation of PV systems. **This is confusing: are PV systems going to be installed by the Project, or not? If the expectation is that homeowners will each spend ~$20,000 additionally to install solar power, how can brackets matter?** As a homeowner with solar panels, I know that the number of brackets depends on the number of panels installed, and the number of panels depends on a complex decision involving the productivity of each panel, the amount of power the homeowner needs, the unshaded area on the roof that points south or west, and what the homeowner can afford. And the cost of solar panels, which changes over time. **Given this chaos, aren't the installation of a (random, set?) number of brackets overly limiting? Shouldn't a system sufficient to power the home be installed when the house is built? How many buildings will get PV systems, how many will not, and how much power is the process anticipated to provide?** RO1-4

Fourth, what about community buildings and apartments? Will they have PV systems installed? If so, who will control them? Having lived in a townhome where the roof was controlled by the HOA, I can testify that getting approval to install PV systems can be a complex sociopolitical challenge, before the technical hurdles are even considered. **Can HOA rules be created where appropriate to ease the installation of PV panels on roofs of common areas and where more than one residence shares a common roof that are controlled by the HOA?** RO1-5

Fifth, solar energy is a wonderful source, but it is not useful at night. Furthermore, home batteries on the market have fairly low storage levels (the Tesla Powerwall holds 13.5 kWh at 5kW continuous load (which means that my 30 kWh/day PV system would overload a single battery). In reading the REIR, I did not see any mention of how the PV energy from the Project will be stored. **Will there be any electrical storage on site? If not, what are the greenhouse gas emissions of the electrical systems that will power the Project at night?** This is important, in that homeowners use power disproportionately at night. While their homes might provide a desirable surplus of energy to the grid during the day (assuming PV systems are actually installed and not notional), people living on the property will use natural gas at night, thus generating greenhouse gases. **Has any provision been made for electrical storage? For example, in homes, is there space in the garage to install a house battery near the main breaker panel? What about the apartments? How will PV generation and energy storage be handled in them?** RO1-6

Sixth, what does "the Project will plumb for EV charging station for every residential unit?" I have an electric vehicle, and plumbing for the charger was not the issue. Rather, the issue is that the 250 volt plug needed to power an EV charging station requires proper grounding, a permit, and inspector approval, so that it does not become a fire hazard. **Furthermore, what constitutes a residential unit? Are apartments included? Can this measure be clarified to specify what is being installed?** A hole in the wall might be plumbing, but it cost us $700 to have the wiring and ground installed and inspected. This is a non-trivial issue for homeowners. RO1-7

Seventh, it is essential that the street trees planted during or after the Project build phases should not overshadow the solar panels, per Public Resources Code Division 15, Chapter 12. Solar Shade Control [25980-25986], passed in 1974. Since the street tree palette includes large oaks (*Quercus* spp.) and sycamores (*Platanus* spp.), it appears likely that if they obtain enough water to grow to full size (50-60 feet), solar panel shading will be a serious future issue. **How can the landscaping design be changed to insure that there are both street trees and functioning solar panels?** RO1-8

Eighth, turning to traffic, I found two numbers unclear. One is that the Project will generate 4,500 average daily trips, and that each trip will on average be 7.88 miles. According to the REIR, this equals 11.08 million miles traveled per year. By my calculations:

4,500 trips/day × 7.88 miles/trip × 365 days/year = 12.94 million miles traveled/year.

Is the 11.08 million miles traveled/year correct? How was it derived? If it is not correct, what are the consequences of changing it? The other question was how 11.08 million miles per year was converted into 4,072 MT CO2e/year. **What is the conversion factor?** Presumably I overlooked it. RO1-9

Ninth, can all electric cars predicted to occur on the Project be recharged daily on the Project? I own a Chevy Bolt, which gets about 4 miles per kWh, and this number seems to be fairly constant across the available EVs on the market. This means that if the Project can generate an extra 8,865 kWh per day RO1-10

Response to Comment RO1-4

The County disagrees that the RDEIR is confusing with respect to the Project Design Features (PDFs) and mitigation measures required by the Project to achieve net neutrality. Subsection 2.7.2.2 of the GHG Analysis lists all of the PDFs that are incorporated into the Project and are conditions of Project approval. All of the PDFs are also shown in Table 1-2 and Chapter 7 of this EIR. Subsection 2.7.5 provides that in addition to the PDFs identified above, in order for the Project to achieve carbon neutrality (i.e., no net GHG emissions through offset to zero); the Applicant has committed to mitigation measures M-GHG-1 and M-GHG-2.

The commenter also questions the use of photovoltaic (PV) systems for the Project and the installation of roof anchors and pre-wiring. As stated on page 2.7-23 of the RDEIR: "The Project will install rooftop solar PV panels (a photovoltaic solar system) all on residential units and the Center House in order to supply 100 percent of the Project's electricity needs through renewable energy." This has been amended in the FEIR to clarify that it actually addresses all energy needs, including natural gas, and not just electricity. The reference to the roof anchors and pre-wiring provide the ability to install PV panels beyond those installed as part of Project implementation and is not inconsistent with the requirement of installing PV systems. It could happen, for example, at the Project wastewater treatment and water reclamation facility (WTWRF). There is, therefore, nothing limiting about this program. The Project has specifically committed to installing rooftop solar PV panels (a photovoltaic solar system) adequate to supply 100 percent of the Project's energy needs. Both single- and multi-family typical designs for this Project were analyzed by ConSol (see EIR Appendix J). The results of the ConSol Report indicate that 100 percent of the average energy use for each building type's on-site needs will be met through proper design. The analysis was conservative, as it included assumed conditions in which panels could not be placed on south-facing directions. It is also noted that future technological advances could occur that could support lower levels of consumption, or make panels more efficient.

Response to Comment RO1-5

As indicated in Response to Comment RO1-4 of this letter, multi-family formats also would have solar panels installed during construction. The ConSol Report

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	provided in Appendix J reviewed typical structures and projections of their average energy use. Taken together, it is understood that one home/resident may use more than another, and conversely, another home/resident may use less. As with other components of multi-family buildings, the HOA will maintain these facilities. **Response to Comment RO1-6** The Project does not propose on-site electrical storage. Rather, and similar to other solar generation on individual homes within the County that feed into the San Diego Gas & Electric electrical grid, the energy would be generated during the day, and fed back into the homes during nighttime use. **Response to Comment RO1-7** In this instance, the term "plumb" for the in-home EV-charging station is used to refer to providing the structural and electrical elements that would support installation of a charger. This amenity also would be provided during construction and wiring/grounding would not be implemented by the homeowner. Relative to which residential units would be covered, the Project would provide this in the garage for each unit, regardless of whether it is a single- or multi-family residence. **Response to Comment RO1-8** Much of the Project landscaping is associated with park areas or slopes. In these areas, home roofs would either not be shielded (parks) or the trees, which would obscure much of the structures from off-site uses, would generally not rise high above the residential units. Tree locations also must conform to the Project Fire Protection Plan, which requires their location at specified distances from structures, and therefore minimizes overhang. Regardless, the solar arrays would operate throughout the day, allowing for times of day when no shade would be cast at any specific location. **Response to Comment RO1-9** Vehicle emissions were derived using the California Emissions Estimator Model (CalEEMod). As noted, the Project was analyzed to generate approximately 4,500 average daily trips (ADT), with an average trip length of 7.88 miles/trip. This is actually a conservative (greater impact) analysis. The

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	traffic study was initially prepared prior to the total number of residential units and the type of residential units (single-family and multi-family) were being finalized. The Project is proposing 193 single-family units projected to generate 10 trips (each equating to 1,930 ADT), and 260 multi-family units projected to generate 8 trips each (equating to 2,080 ADT). Thus, the actual total ADT would be 4,010, and not approximately 4,500. Documentation of this is provided in the Project Final Transportation Impact Analysis (TIA), EIR Appendix D in a memorandum entitled "HGVS -- Trip Generation Comparison." This is a reduction in traffic volume of 490 ADT or roughly 10.9 percent from the analyzed Project. The associated mobile source GHG emissions, therefore, also are overstated by approximately 458 metric tons of carbon dioxide equivalent (MT CO_2e) from what was originally modeled under the 4,500 ADT scenario and from the more conservative numbers provided in the 2018 recirculated RDEIR. Regardless, using the approximately 4,500 ADT, the unadjusted total miles traveled would be 35,460 per day, and 12,942,900 per year. CalEEMod accounts for a default amount of the total trips to identify primary, as well as diverted trips (11 percent) and pass-by trips (3 percent) and includes a corresponding reduction in trip length for a proportion of those trips, which is industry standard, reducing overall annual vehicle miles traveled (VMT) to approximately 11.5 million miles. Regarding the resultant emissions, vehicle emissions are then calculated by multiplying the VMT to the emission factor for running emissions (using CARB's EMFAC model). The emission rate for numerous vehicle types is than multiplied by the annual miles and converted to MT CO_2e within CalEEMod, to determine the GHG emissions. The total annual emissions from CalEEMod were calculated to be 4,309 MT CO_2e. These emissions were then adjusted (reduced by 2.38 percent) to account for Pavely II regulations to 4,207 MT CO_2e. Please note that the RDEIR based its analysis on approximately 450 homes (at 4,500 ADT) instead of the total number of miles traveled by residents of 453 homes (at 4,530 ADT). Multiplying these trips by 365 days and the 6.977 miles

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	per trip (the CalEEMod adjusted trip length) adds 76,398 annual increase in VMT, or a 0.67 percent increase. This would be within the margin of error of the model and would only marginally change the stated 11.5 million miles per year of projected Project vehicular trips (due to rounding the number does not change). Similarly, adding the three additional homes to the Project emissions for vehicular activity would add a total of 28 tons per year of mobile emissions, and raise the total number of tons offset to 5,250 MT CO_2e. This is approximately half of 1 percent (0.54 percent) of the total tons identified in Subchapter 2.7 for mitigation credit purchase. The difference is considered negligible given that the Project would install 2,045 trees. These trees are projected to sequester 719 MT CO_2e over existing conditions (1,448 MT CO_2e from new trees minus a loss of 729 MT CO_2e from vegetation removal) HELIX Sequestration Memo, 2017. No credit for the increased sequestration of GHG emissions was accounted for in the modeling or reductions for the Project. In addition, the Project did not take reduction credit for offsetting natural gas emissions by on-site solar use. In summary, it can be seen that the Project analyses were conservative in nature and the Project modeling provides a conservative (greater impact) assessment of GHG emissions. This is because the analysis: • Assumed 450 single-family homes rather than a mix of single-family and multi-family (with lower overall trip generation rates of 4.010 trips as opposed to approximately 4,500) • Did not take credit for offset of Project natural gas emissions by on-site solar • Did not take credit for the sequestration benefits provided by the planting of more trees than would be necessary to offset the loss of existing vegetation It can therefore be seen that the Project analysis was truly was conservative and the addition of the three homes (to total 453 rather than “approximately 450” would have had a negligible result, as specified in the Project TIA.

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(4,500 trips/day × 7.88 miles/trip), it could power its vehicular traffic. For comparison, my high end solar panels generate ~1 kWh/day per 10 ft^2 of panel. **Is it possible for the Project to power its own EV fleet? Could that much energy be stored realistically by batteries in the Project footprint? Are there impacts for designing to this goal? If this electricity cannot be generated on site, where would that electricity come from, and how would generating it affect the Project's annual greenhouse gas emissions in the future?** RO1-10

Tenth, returning to the CAP and its litigation, to my understanding, one issue under litigation is what types of carbon offsets are appropriate, as the County and Sierra Club disagree on this issue, except that both agree that onsite reduction is the best alternative. Since this litigation may end up disrupting the Project, **are there additional on-site reductions that can be undertaken to decrease the 4,411 MT CO2e the Project plans to offset? If so, what are they?** RO1-11

Eleventh, from my reading of protocols from the Climate Action Reserve (one of the registries approved by CARB), their project plans run on the scale of 100 years, not 30 years as presumed by M-GHG-2 (p. 2.7-32). Thirty years is actually below the 40 year average cropping cycle on a northern California tree farm, so it seems inadequate. **Why was 30 years used, and not 100 years? Does this comply with guidance from approved registries?** This is a non-trivial issue, as the critical period for removing greenhouse gases from the air is not just now, it is 2100 AD. While most projections end there, climate change will continue for centuries past that, and may even accelerate into the 22nd and 23rd centuries. Keeping carbon out of the air for a century is vitally necessary. **Will off-setting carbon emissions for 100 years rather than 30 materially affect the mitigation for Project greenhouse gas emissions?** RO1-12

Thank you for taking these comments. Please keep CNPSSD informed of all developments with this project and associated documents and meetings, at conservation@cnpssd.org and franklandis03@yahoo.com. RO1-13

Sincerely,

Frank Landis, PhD
Conservation Chair
California Native Plant Society, San Diego Chapter

Response to Comment RO1-10

Please see Response to Comment RO1-7 of this letter. An EV charger would be provided at the Center House parking area. If residents use an EV and use their EV charger connected to the pre-plumbed circuitry, any necessary additional electrical consumption could be provided by the utility provider. Although it is unknown exactly how many homeowners may have EVs, the focus is on overall Project GHG emissions. The Project solar systems have not been upsized to offset residential EV charging, but specific to the comment the energy needed to charge that vehicle would be offset approximately five times in the reduction in mobile emissions due to not driving a car with a combustion engine. Similar to other conservative approaches to Project analyses, no reductions were taken in modeling relative to EV recharge stations.

Response to Comment RO1-11

Please see the Global Responses to Carbon Offsets. Carbon offsets are specifically allowed under CEQA and also are approved in California state law. The Project incorporates all on-site reductions that can be reasonably and feasibly included as part of Project design as specified in Subchapter 2.7, Table 1-2, *Project Design Feature*s, and Chapter 7, *List of Mitigation Measures and Design Features*, of the FEIR.

Response to Comment RO1-12

Please see the Global Responses to Carbon Offsets regarding purchase of credits for a 30-year project life.

Response to Comment RO1-13

These conclusion comments are noted. You are on the list for future notices regarding Project hearings and public actions.

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Comment Letter RO2

DELANO & DELANO

April 9, 2018

VIA E-MAIL

Ashley Smith
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Re: Harmony Grove Village South Project and DEIR: PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006

Dear County of San Diego:

This letter is submitted on behalf of The Escondido Creek Conservancy ("TECC") regarding the proposed Harmony Grove Village South project ("Project") and the Revised Draft Environmental Impact Report ("RDEIR"). RO2-1

TECC and other parties submitted comments months ago, critiquing numerous aspects of the Project and environmental analysis. To date, the County has not responded to those comments and concerns, and the issues identified in those comments remain.

The "Recirculation Readers Guide" warns readers to "limit their comments to the revised chapters or portions of the recirculated EIR only." It states that the only items "recirculated for review and comment" relate to greenhouse gas emissions – specifically, "Updated Table S-2," "Revised Subchapter 2.7," and a "Global Climate Change Supplemental Letter." RO2-2

The previously-circulated DEIR failed to adequately analyze greenhouse gas emission impacts, and the RDEIR continues to fail to comply with CEQA's mandates. RO2-3

The RDEIR identifies several "Project Design Features." But several of these measures are unclear or uncertain, and the analysis continues to rely upon faulty assumptions. RO2-4

- The RDEIR says "Tier III or higher construction equipment will be used, with the exception of [several types of equipment] or … where Tier III or higher is not available." RDEIR at 2.7-22 (emphases added).
- The RDEIR limits several measures to instances where their implementation is "practicable and feasible." *Id.* There is no discussion of what standards establish practicability and feasibility. RO2-5

EVERETT L. DELANO III
Admitted in California and Colorado
M. DARE DELANO
Admitted in California and New York
104 W. Grand Avenue, Suite C
Escondido, CA 92025
(760) 741-1200 :: Office
(760) 741-1212 :: Fax
www.DELANOANDDELANO.com

Response to Comment RO2-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). Specific to comments submitted during public review of the DEIR, in compliance with CEQA, the responses to comments are part of the FEIR that will be made available prior to consideration of the Project by the Planning Commission. Please see the responses to DEIR Letter O4a, included in this FEIR in Chapter 8 for responses to your prior letter.

Response to Comment RO2-2

This comment states that the County "warned" readers to request to restrict comments on the RDEIR to the topics covered in the RDEIR. The request by the County is in full compliance with Section 15088.5(f)(2) of the CEQA Guidelines, which states that: "When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR." No additional response is necessary.

Response to Comment RO2-3

The comment provides a general statement without specifics as to why the Project is not in compliance. As a result, this response is also general. As described in the Reader's Guide to Recirculation, the Superior Court ruled that the 2016 Guidance Document and its "County Efficiency Metric" may not be used to provide the basis for CEQA review of greenhouse gas (GHG) impacts for development proposals within the unincorporated County lands. The RDEIR Subchapter 2.7, *Greenhouse Gas Emissions*, provides an updated threshold, regulatory updates, and a revised impact analysis with mitigation measures. Through the purchase of carbon credits as identified in Project mitigation measures, construction- and operation-related GHG emissions would be reduced to net zero and would therefore result in a less than significant contribution to cumulative GHG impacts. No changes to the FEIR are warranted as a result of this comment.

Response to Comment RO2-4

This comment generally states that the project design features (PDFs) are "faulty" as an introductory comment. The County disagrees that the measures

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	fail to comply with CEQA. Each of the items identified for discussion are addressed in Responses to Comments RO2-5 through RO2-7 below. **Response to Comment RO2-5** These dot points question exclusion of equipment types that are unavailable or to instances where measures are "practicable and feasible." It is acknowledged that there is a redundancy in the standard; therefore, the words "practicable and" have been deleted and have been updated in the FEIR. Please note that Tier III-standard construction equipment is required unless the equipment manufacturers do not make Tier III versions (e.g., air compressors, as stated), or Tier III equipment is unavailable at the time of construction. In order to be conservative, no reduction was taken for use of Tier III equipment in the GHG modeling conducted as part of the Project analysis. Regardless, as a condition of approval, the County will ensure the construction contractor uses this equipment unless it is determined to be infeasible. Specific to use of construction equipment/fleets that exceed existing emissions standards as feasible, the measures in question are potentially more restrictive (if there is something better than Tier III), but it is not possible to be specific at this time. These are very conservative County requirements as they look forward to future fleet function/equipment that is currently unknown, but would be pursued based on availability in the future. Other County projects have been so conditioned to ensure that best standards will be met as feasible should there be an improvement in available equipment. Nonetheless, it is again noted that measures that cannot be guaranteed are not used to reduce emissions in Project analyses. Although they cannot factor as a mitigation measure, statements requiring use of better equipment if available have been implemented on other County projects as a PDF, and there will be a condition of approval requiring such action by the Applicant. The County ensures that items assumed as part of design are clearly spelled out and included as conditions. They are included within Chapter 7, *List of Mitigation Measures and Project Design Features*, and become conditions of approval prior to recordation of Final Map.

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 Comment Letter RO2 • The RDEIR relies upon measures adopted by the State in order to meet its goals. But as the California Supreme Court has noted, such reliance is insufficient to ensure compliance – "That a project is designed to meet high building efficiency and conservation standards, for example, does not establish that its greenhouse gas emissions from transportation activities lack significant impacts." *Center for Biological Diversity v. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204, 229. This issue is particularly stark here, since the Project, by its very nature, places suburban uses, with their attendant greenhouse gas emissions, in an area designated for rural uses. RO2-6 • The EIR claims average vehicle trip lengths from the Project would be 7.88 miles. DEIR at 3.1.3-19. But there is inadequate justification for this short length, particularly in light of the site's distance from employment opportunities for the many residents who will reside there. RO2-7 Despite these issues, the RDEIR notes impacts would remain significant. RDEIR at 2.7-25. To mitigate impacts, the RDEIR relies upon "the purchase of additional off-site carbon credits." RDEIR at 2.7-31. But as a recent lawsuit filed by the Sierra Club, Center for Biological Diversity, Cleveland National Forest Foundation, Climate Action Campaign, Endangered Habitats League, Environmental Center of San Diego, and Preserve Wild Santee notes, such reliance is misplaced and inappropriate. A copy of the writ petition is enclosed and hereby incorporated by reference. • The RDEIR fails to ensure that "off-site carbon credits" will be real, enforceable mitigation. CEQA Guidelines § 15126.4. RO2-8 • The RDEIR fails to ensure that "off-site carbon credits" will reduce emissions in the Project vicinity, or even in the State or country. Indeed, Mitigation Measure CC-1.2 from the County's 2011 General Plan Update requires "a 17% reduction in emissions from County operations from 2006 by 2020 and a 9% reduction in community emissions between 2006 and 2020." • The RDEIR fails to consider alternatives and/or mitigation that would ensure impacts are less than significant. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134. It also fails to consider alternatives and/or mitigation that avoid greenhouse gas emission impacts within the vicinity of the Project. RO2-9 For the foregoing reasons, and for the reasons discussed in its prior comments, TECC urges you to reject the Project and EIR as drafted. Thank you for your consideration of these concerns. RO2-10 Sincerely, Everett DeLano Enclosure RO2-11	**Response to Comment RO2-6** This comment generally states that a project that is designed to meet high building efficiency and conservation standards does not establish that its GHG emissions from transportation activities lack significant impacts. Please see Chapter 2.7 of the FEIR. It is acknowledged that a substantial portion of the GHG emissions associated with the Project are due to emissions from transportation. Vehicular emissions were incorporated into Project modeling, and vehicular emissions were noted as comprising a large part of Project GHG emissions. Consistent with County requirements, all feasible measures have been incorporated into the Project. Reductions in on-site GHG generation are incorporated into the Project through building design (e.g., solar panels to generate electricity, provision of electrical car and equipment outlets for residences, lack of wood-burning fire places, electrical car recharge station at the Center House, planned use of recycled water, reductions in turf use, etc.). Relative to the RDEIR, the significance conclusion was not that impacts would be less than significant, but that they would be significant and mitigable. Mitigation is proposed on top of these reductions that would reach carbon neutrality for the Project through offset credit purchase (please see the Global Responses to Carbon Offsets). A GHG Consistency List and the California Air Resources Board's Scoping Plan document the incorporation of all feasible measures for the Project. The GHG Consistency List has been incorporated into the Final GHG Emissions Report and the Scoping Plan List of Mitigation Measures is Attachment D to the GHG Emissions Report. (The GHG Consistency List is hereby incorporated by this reference and is available for review as a part of the Information for the Reader in the technical report.) All of the PDFs and mitigation measures are included in Chapter 7 of the FEIR. These have resulted in a robust on-site reduction program that is built into the Project—100 percent of the projected Project energy use would be offset through on-site solar panels, and the energy use in general was initially reduced through the measures (as well as others specified in FEIR Subchapter 2.7).

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	Please see the Global Responses to Carbon Offsets. Relative to the Project placing suburban uses in an area designated for rural uses, please see the Global Responses to Regional Plan Conformity. Both of these are located earlier in this chapter of this FEIR. **Response to Comment RO2-7** The comment generally states that the EIR does not provide substantial evidence for the trip length utilized, but does not provide any evidence or reasoning as to why. Nevertheless, substantial evidence for the average trip length associated with the Project is provided in Appendix C to Appendix J of the EIR. In that appendix, the methodology used to identify Project average trip length (working with the San Diego Association of Governments to utilize their forecast model) is detailed, along with the modeling results. The results of model run are based on Project access locations, characteristics of the roadway system, and the location of residential, commercial and employment opportunities in the surrounding area. **Response to Comment RO2-8** Please see the Global Responses to Carbon Offsets and Climate Action Plan in this FEIR relative to the enforceability and efficacy of off-site carbon credits and the Project's relationship to the CAP. The litigation filed against the CAP has no bearing on this Project, as described further in the Global Responses cited. **Response to Comment RO2-9** This comment claims that the RDEIR fails to consider alternatives and/or mitigation that would ensure impacts are less than significant. The recirculated RDEIR focused on substantive changes to the GHG emissions analysis, including description of on-site measures relative to energy use, and identification of GHG mitigation measures. One of the items that was recirculated as part of the RDEIR was Table S-2, *HGV South Full-Build Alternatives Comparison of Impacts*, which summarizes the alternatives impacts, including mitigation of GHGs. Specific to the larger point of the EIR addressing alternatives and mitigation, the comment provides a confusing legal citation for review. That case included

COMMENTS	RESPONSES
	a change to a program (delisting of the Mojave ground squirrel) and was largely concerned over whether the delisting process was consistent with the California Endangered Species Act process for such actions, the type of CEQA document that would accompany it, and whether it required an EIR to address alternatives and mitigation discussions. Here, the Project has already committed to the most detailed CEQA document, an EIR. The Project complies with CEQA Guidelines Section 15126.4 and Public Resources Code Section 21002 on these points. Substantial reductions in on-site GHG generation are incorporated into the Project through building design (e.g., solar panels to generate electricity, provision of electrical car and equipment outlets for residences, lack of wood-burning fire places, electrical car recharge station at the Center House, planned use of recycled water, reductions in turf use). Relative to the RDEIR, the significance conclusion was not that impacts would be less than significant, but that they would be significant and mitigable to less than significant. Mitigation is proposed on top of design reductions that would reach carbon neutrality for the Project through offset credit purchase (please see the Global Responses to Carbon Offsets). Finally, the Project also identifies lesser intensity development alternatives that would emit fewer operational GHG emissions. The Project appropriately identifies and commits to design and mitigation measures and identifies alternatives that "substantially lessen the significant effects," and in fact do so to less than significant levels under CEQA. Relative to location of alternatives and/or mitigation, please note that the alternatives would be on-site. Relative to the location for mitigation of GHGs, please see the Global Responses to Carbon Offsets. **Response to Comment RO2-10** These are conclusory comments. They do not raise specific issues regarding the content of the RDEIR, but your opposition is noted and will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
	Response to Comment RO2-11 The letter enclosure consists of the March 20, 2018, Petition for Writ of Mandate filed by Sierra Club et al. against the County of San Diego CAP. Please see the Global Response to Climate Action Plan in Chapter 8 of this FEIR.

COMMENTS	RESPONSES

Comment Letter RO3

2018 Board Members
Jacqueline Arsivaud-Benjamin, Chair
Jill Verberg, Vice Chair
Joe Derry, Secretary
Sheri Powers, Treasurer
Eric Anderson
Joe Dunner
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Angelique Gutzman
Scott Sutherland

Elfin Forest Harmony Grove Town Council
Keeping it Rural

22223 Elfin Forest Road
Elfin Forest, CA 92029

April 9, 2018

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

E-Mail: Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ashley:

Thank you for the opportunity to comment on the RDEIR for this General Plan Amendment. This letter supplements that sent by our law firm, Shute, Mihaly and Weinberger, as well as the spreadsheet submitted as "Wildfire Evacuation Cumulative Impact.pdf". RO3-1

We continue to stress the unconscionable danger approval of this project would expose current and future residents to in the next wildfires. RO3-2

Our previous comment letter requested a full evacuation scenario analysis prior to staff recommendation and Planning Commission hearing, and we are submitting the attached in Exhibit A as our best effort based on review of the FPP, the WUIFERP, the MRO Traffic Analysis Report, the USDOT FHA Office of Operations Traffic Analysis Toolbox Volume VI, and the Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Plan ANNEX Q Evacuation, October 2010, V. Transportation, Determination of Evacuation Times, page 37. RO3-3

We request that the County verify the assumptions made to derive a more accurate rate of entrapment and number of residents and horses likely to become victims of entrapment in a wildfire evacuation. Without that data, decision makers and County staff have no basis to make a finding of Less than Significant for Wildland Fire Hazards Cumulative Impact Analysis in the DEIR Hazards and Hazardous Materials section. RO3-4

The DEIR Hazards and Hazardous Materials Cumulative Impact Analysis finding that "impacts from wildland fire hazards would be less than significant" (DEIR at 3.1.4-29) is invalid because RO3-5

Response to Comment RO3-1

As an introductory general response to all of the comments below, it is noted that these comments relate to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comments do not address an issue in this Revised DEIR, they do pertain to analysis in the FEIR and introduce some comment elements that vary in specifics from those received on the DEIR. As such, responses are provided below.

Specific to information in Comment RO3-1, it is noted as informational, and does not raise new issues with the EIR or its analysis.

Response to Comment RO3-2

The concerns in this comment provide the opinion of the commenter, and do not raise new issues with the DEIR or its analysis.

Response to Comment RO3-3

This comment was previously submitted; please refer to DEIR Responses to Comments Letter O6 of this FEIR. In summary, the Harmony Grove Village South (HGV South) Project's evacuation during a wildfire event was summarized in the accepted Fire Protection Plan (FPP) (Dudek 2017). That analysis considered a worst-case scenario where the entire development required evacuation and resulted in an estimated evacuation timeframe of up to 2.25 hours or more, depending on several factors that could affect traffic flow, which could double that timeframe. Please see the Global Responses to Fire Hazards for a detailed summary of HGV South fire safety measures.

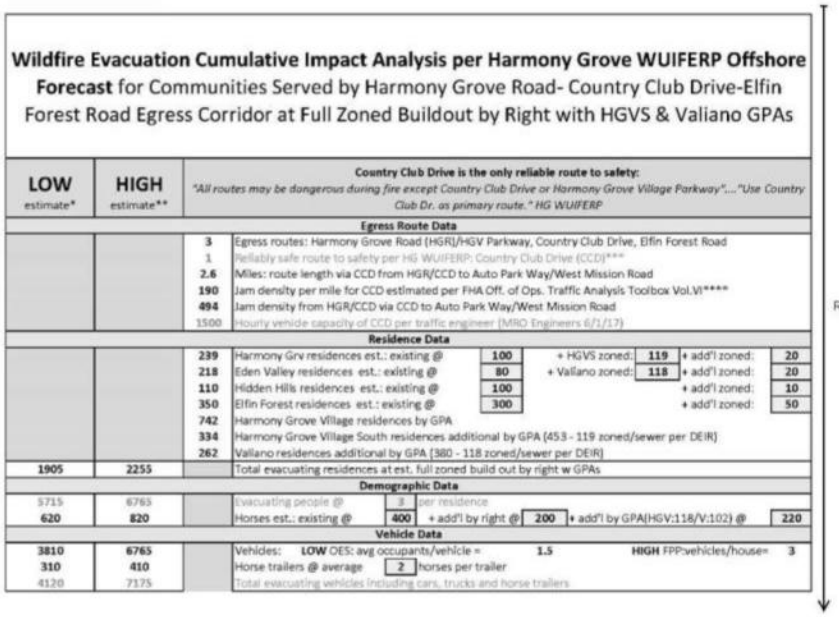
In addition, the Project has now also prepared a separate Wildfire Evacuation Plan (Evacuation Plan) (Dudek 2018), which is on file with FEIR documents. The Evacuation Plan uses previously published information from many of the sources listed by Elfin Forest Harmony Grove Town Council in its comment letter. The analysis compares wildfire spread rate scenarios with evacuation timeframes, and concludes that for some fire events, there would be time available to evacuate the Project. Other events, such as those that ignite closer to the Project and include extreme fire weather, may not allow time to evacuate

COMMENTS	RESPONSES
	the Project. In this scenario, contingency options are available, as detailed in the FPP (Section 5.2.1.2), the EIR (see particularly the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access in Chapter 8) and the Evacuation Plan (Section Figure 2, Sections 3.3 and 6.3). The Evacuation Plan also addresses the surrounding area (Section 4.1.1.2) including Harmony Grove, Eden Valley, and Elfin Forest by indicating that in some wildfire scenarios, HGV South could add up to 1,584 vehicles to a mass-evacuation, potentially affecting some evacuation scenarios. However, it goes on to indicate that when there is time to evacuate the entire area, HGV South would likely be evacuated along with the remainder of the population. If it is determined that there would not be enough time for a mass evacuation, HGV South, along with Harmony Grove Village (HGV), and potentially other new communities, would not be automatically evacuated as they offer contingency options to shelter in place. These communities would also be available to evacuees who are residents within the area. The Evacuation Plan further identifies improvements in the area that are likely to result in improved evacuations, including the new evacuation route Harmony Grove Village Parkway, the bridge over Escondido Creek, the new fire station, and the large HGV development with its road network and areas where existing Harmony Grove area residents could reach temporary refuge if roadways were considered less safe. **Response to Comment RO3-4** The County disagrees with the provided entrapment analysis conclusion that the less than significant finding is not supported by substantial evidence and that the comment provides new information. The County has reviewed the provided population estimates and potential evacuation scenarios and concur that they appear accurate, including a wide range between the low and high estimates. The analysis is consistent with analysis conducted within the Project's FPP (Dudek 2017) and the County's WUIERP and Wildland Fire Risk Analysis (Rohde & Associates 2017). The most significant omission from the comment's provided entrapment analysis is that it fails to include any consideration of the recent area improvements that offer enhanced evacuation options (Harmony Grove Village Parkway), potential sheltering versus evacuation (HGV South,

COMMENTS	RESPONSES
	HGV); improved, protected roadways (HGV South, HGV); improved emergency response and presence (new Rancho Santa Fe Fire Protection District Fire Station); and identified evacuation route last-resort refuge options (Evacuation Plan). The most significant of these would be the ability for emergency responders to direct existing residents, who do not live in the highly ignition-resistant new communities, to seek temporary refuge within one of the new communities as an option if specific evacuation routes are considered unsafe, congested, or otherwise not available during a short-notice evacuation or when roadways are not available. The addition of these new evacuation options essentially reduces the distance some existing residents would have to travel to arrive at areas where they could seek temporary refuge, reducing overall travel distances and travel times. The analysis provided in the DEIR and its technical appendices, along with independent focused analysis of the area as discussed in this FEIR, are sufficient for CEQA purposes. Therefore, the impact conclusion of less than significant for wildfire hazards has been substantiated and no changes to the FEIR are warranted. **Response to Comment RO3-5** The County disagrees that the DEIR's impact conclusion is invalid and the commenter does not provide evidence to the contrary within this comment. Please refer to Response to Comment RO3-3 regarding the assertion that the DEIR's analyses is not reasonable or realistic. The analyses provided in the various Project and County studies informing the DEIR's impact conclusions result in a similar conclusion for evacuation timeframes as the comment's entrapment analysis. Please refer to Response to Comment RO3-4 for response to the contention that analysis has not been conducted that considers evacuating all residents and animals all the way to safety. Options for safety are currently present at HGV, and will increase as that project continues to build out. HGV and the Proposed Project locations are closer to existing residents than is represented in the comments. Residents in new communities could be directed to shelter in their protected homes, leaving the area's roads to residents from vulnerable areas with older construction and lack of managed and maintained defensible space. Alternatively, if residents are evacuated, they will follow their practiced "Ready, Set, Go!" model (FPP and Evacuation Plan) and evacuate. Delays related to livestock evacuation based on additional large vehicles

COMMENTS	RESPONSES
	carrying horses or other market animals would not occur from HGV South as the Project does not propose and would not permit large animals housed on-site. Late evacuees from currently existing residents would have available to them the option of using the new communities as their evacuation destination, resulting in reduced travel distances, reduced travel times, and reduced potential for entrapment.

COMMENTS	RESPONSES
Comment Letter RO3 it is not supported by objective evidence regarding the cumulative time to evacuate all the way to safety all residents and animals from the affected area, which includes Harmony Grove, Eden Valley, Hidden Hills and Elfin Forest, and is unreasonable because an analysis of cumulative impacts to emergency evacuation access under a realistic worst case scenario, as described below, would result in a significant impact that may be infeasible to mitigate. RO3-5 Failure to conduct such an analysis, or performance of the analysis using inaccurate data, or on the basis of an inferior worst-case scenario, would represent a failure of the County to exercise fundamental best practice disaster planning and, consequently, failure to properly provide for the safety of residents and failure to "ensure that development accounts for physical constraints and the natural hazards of the land" in violation of General Plan Guiding Principle 5. RO3-6 Sincerely, Jacqueline Arsivaud Chair, Elfin Forest Harmony Grove Town Council 2	**Response to Comment RO3-6** The County disagrees that the DEIR's impact conclusion is not based on valid analysis, relies on flawed input, and did not analyze a worst-case scenario and that General Plan Guiding Principle 5 has not been adequately considered. Please also see Response to Comment RO3-7, below, regarding worst-case scenario analysis.

COMMENTS	RESPONSES
Comment Letter RO3  **Wildfire Evacuation Cumulative Impact Analysis per Harmony Grove WUIFERP Offshore Forecast** for Communities Served by Harmony Grove Road- Country Club Drive-Elfin Forest Road Egress Corridor at Full Zoned Buildout by Right with HGVS & Valiano GPAs **LOW** estimate* / **HIGH** estimate** **Country Club Drive is the only reliable route to safety:** *"All routes may be dangerous during fire except Country Club Drive or Harmony Grove Village Parkway"..."Use Country Club Dr. as primary route." HG WUIFERP* **Egress Route Data** 3 — Egress routes: Harmony Grove Road (HGR)/HGV Parkway, Country Club Drive, Elfin Forest Road 1 — Reliably safe route to safety per HG WUIFERP: Country Club Drive (CCD)*** 2.6 — Miles: route length via CCD from HGR/CCD to Auto Park Way/West Mission Road 190 — Jam density per mile for CCD estimated per FHA Off. of Ops. Traffic Analysis Toolbox Vol.VI**** 494 — Jam density from HGR/CCD via CCD to Auto Park Way/West Mission Road 1500 — Hourly vehicle capacity of CCD per traffic engineer (MRO Engineers 6/1/17) **Residence Data** 239 — Harmony Grv residences est.: existing @ 100 + HGVS zoned: 119 + add'l zoned: 20 218 — Eden Valley residences est.: existing @ 80 + Valiano zoned: 118 + add'l zoned: 20 110 — Hidden Hills residences est.: existing @ 100 + add'l zoned: 10 350 — Elfin Forest residences est.: existing @ 300 + add'l zoned: 50 742 — Harmony Grove Village residences by GPA 334 — Harmony Grove Village South residences additional by GPA (453 - 119 zoned/sewer per DEIR) 262 — Valiano residences additional by GPA (380 - 118 zoned/sewer per DEIR) 1905 / 2255 — Total evacuating residences at est. full zoned build out by right w GPAs **Demographic Data** 5715 / 6765 — Evacuating people @ 3 per residence 620 / 820 — Horses est.: existing @ 400 + add'l by right @ 200 + add'l by GPA(HGV:118/V:102) @ 220 **Vehicle Data** 3810 / 6765 — Vehicles: **LOW** OES: avg occupants/vehicle = 1.5 **HIGH** FPP:vehicles/house= 3 310 / 410 — Horse trailers @ average 2 horses per trailer 4120 / 7175 — Total evacuating vehicles including cars, trucks and horse trailers RO3-7	**Response to Comment RO3-7** Please refer to Responses to Comments RO3-3 through RO3-6 of this letter regarding the analysis. Further, the entrapment analysis in the comment assumes that only Country Club Drive is available to evacuees and it assumes a four-hour delay until fire arrival as part of its analysis. Neither of these conditions is considered worst-case, as it is possible that a fire could ignite closer to the community with shorter time until arrival and that all roads could be unusable. This worst-case scenario was contemplated in the Project's FPP and Evacuation Plans and contingency options were designed into the Project to avoid impacts under this scenario. The benefit of HGV South contemplating this scenario along with the HGV buildout is that there would be two large areas available to evacuees that can provide a contingency to remaining on a potentially exposed roadway in the event of short-notice and insufficient time for evacuation. This condition exceeds many community's options for evacuation and contingencies to evacuation. (It is also noted that the scenario provided in the comment notes that the Project could contain 119 units "by right." Although not pertinent to the discussion of worst-case scenario with the full Project buildout, it is noted that the EIR actually says that the existing General Plan land use designation is for SR 0.5, or a potential parcel density of up to 220 units on 110 acres, for general planning purposes.) Regarding the assumption that only Country Club Drive would be available in a wildfire scenario, it must be noted that there are scenarios where this would be true, but there are many more scenarios where all routes would be available. There are also scenarios where two or three routes would be available or some combination of availability and unavailability for periods of time. In fact, the Rhode & Associates Report indicates that there are four potential evacuation routes available for ingress/egress during evacuations. The conclusion of that report's analysis was: "*In contrast, the consultant staff and public safety officials who participated in the field tour of the site unanimously agreed that the site has 4 [sic] potential routes of egress during evacuation, two with strong viability*." There are four available evacuation routes and it is speculative to assume that only one evacuation route would be available during a fire event. It is notable

COMMENTS	RESPONSES
	that the Harmony Grove area is unusual in that it offers up to four potential evacuation routes. Many communities approved and built in the wildland urban interface and Very High Fire Hazard Severity Zones include fewer. Having four potential evacuation routes provides options during early stages of evacuations, depending on the type of emergency and the level of situation awareness. The multiple evacuation routes provide travel options to the north, east, and west, although if a wildfire evacuation is in process, the fire behavior and movement will need to be considered before traffic is directed to leave the Project area. In addition, with the development of HGV and HGV South, there are contingency options that would allow temporary refuge for firefighters and—in a rare emergency that eliminated travel on all four evacuation routes—the ability to keep residents within these ignition-resistant communities and move legacy residents whose homes may not be as defensible, into these communities for a temporary period until it is safe to evacuate the area or return to their homes. Please see the Global Responses toAdequacy of Emergency Evacuation and Access in FEIR Chapter 8.0, and pages 33, 38, and 39 of the Project's FPP for more information regarding this contingency option. The Project's DEIR and FPP analysis considered a worst-case evacuation scenario where all evacuation routes were considered unavailable. Additionally, the HGV South Evacuation Plan considers in its analysis the greater HGV area and provides analysis related to area improvements that provide evacuation contingency options. Additional, region-wide analysis is considered beyond the scope of a Project-specific analysis. Please also note that region-wide plans (i.e., region-wide evacuation plans) are not subject to individual development CEQA documents; these are greater planning efforts. As stated in the DEIR (2017:3.1.4-14, 15): *The Unified San Diego County Emergency Services Organization has the primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the unincorporated area of San Diego County. The County of San Diego Office of Emergency Services (OES) serves as staff to the Unified Disaster Council (UDC), the governing*

COMMENTS	RESPONSES
	body of the Unified San Diego County Emergency Services Organization. *Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. Both of these plans develop goals and objectives for OES in regards to large-scale natural or man-made disasters.* *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 provides the framework for emergency response throughout the County, including at the Project site. It 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.* Based on all of these considerations, no additional analysis is required.

COMMENTS	RESPONSES

Comment Letter RO3

Evacuation Time Data			
		4	Hours from wildfire ignition to fire reaching CCD (HG WUIFERP Offshore Forecast)
		0.3	Hours to clear jam density @ CCD flow rate + [ ] hour safety margin
		3.7	Hours safe evacuation window from wildfire ignition time
		0.5	Hours from wildfire ignition to evacuation order initiation (per Lilac Fire AAR pg.12)
		1.5	Hours from evacuation order initiation to resident departure***** (per FPP pg 43)
2.5	4.5		Hours evacuation traffic time required to evacuate entire population
4.5	6.5		Hours from wildfire ignition required to evacuate entire population
-0.9	-2.8		Hours evacuation time deficit
Entrapment Data			
19%	44%		Entrapment rate
1295	2951		People entrapped
119	358		Horses entrapped

Notes

* OES vehicle estimate method excluding Elfin Forest. OES method assumes 1.5 average occupants per evacuating vehicle (Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Plan ANNEX Q Evacuation, October 2010, V. Transportation, Determination of Evacuation Times, page 87. https://www.sandiegocounty.gov/oes/emergency_management/protected/docs/ 2010_Complete_Plan_ w_Annexes.pdf). Elfin Forest excluded to model scenario where egress for Elfin Forest residents via San Elijo Hills Road is not compromised.

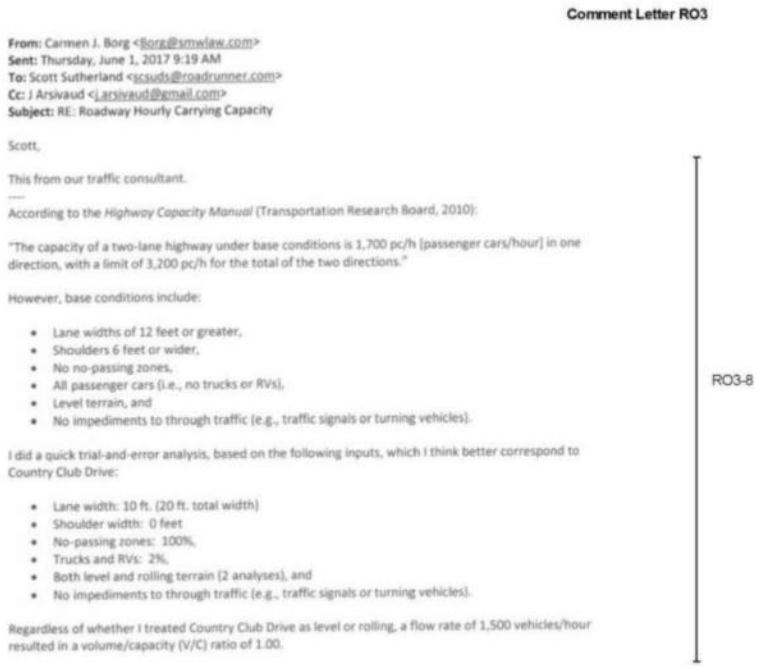
** FPP vehicle estimate method including Elfin Forest. HOVS FPP assumes 3 vehicles per residence based on 2.7 avg vehicles/residence in CA. (FPP pg. 34) Elfin Forest included to model scenario where egress for Elfin Forest residents via San Elijo Hills Road is compromised as occurred during Cocos Fire. San Elijo Hills Road was compromised during the Cocos Fire by gridlock and access to the road from Elfin Forest Road was blocked by physical barricades.

*** East bound egress via Harmony Grove Rd/HGV Pkwy and southwest bound egress via Harmony Grove Rd/Elfin Forest Rd are excluded as evacuation routes in this planning scenario because ***it cannot be certain that these routes will not be compromised by fire***. Regarding east bound routes: these routes are specifically excluded because, per the HG WUIFERP Offshore Forecast, fire would arrive at Harmony Grove Road and Harmony Grove Village Drive east of Harmony Grove in one to two hours from ignition. As the time from ignition to resident departure exceeds two hours, these roads are not usable evacuation routes under this scenario.
Regarding the southwest bound route: this route via Harmony Grove Road/Elfin Forest Road is specifically excluded because the HG WUIFERP Primary Evacuation Plan specifically states, "Do not use Harmony Grove Rd. either east or west of Harmony Grove unless certain it will not be compromised by fire." Based on the risks associated with this route refered to in the HG WUIFERP, there can be ***NO certainty*** that the southwest bound route will not be compromised by fire. The HG WUIFERP refers to the fire risk associated with this route as follows: "serious entrapment threats along Escondido Creek..." (Response Safety); "Harmony Grove Rd. either E/W of Harmony Grove ...will be dangerous during a moving fire" (Potential Choke Points/Entrapments); "Fires may burn with extreme behavior, high rates of spread, & long range spotting" (Expected Fire Behavior); and "All routes may be dangerous during fire except Country Club Dr. or Harmony Grove Village Parkway" (Access). Harmony Grove Village Parkway does not continue all the way to safety. Because of this, and because the WUIFERP designates Country Club Drive the "primary route"..."into urban areas to the North & East" (Safety Zones/Temporary Safe Refuge Areas), and because Country Club Drive is the only route not designated as dangerous in the WUIFERP that continues all the way to safety, Country Club Drive is the only egress route used in this evacuation planning scenario.

**** USDOT FHA Office of Operations Traffic Analysis Toolbox Volume VI https://ops.fhwa.dot.gov/publications/fhwahop08054/sect4.htm Note: jam density ref. for freeway and may be significantly greater for a light collector such as CCD

***** "It is not uncommon for it to require up to 90 minutes elapsed time from the time the decision is made to evacuate until all evacuees have left their occupancy of origin. Included in this time is dispatch notification to activate Reverse 911, police respond to the area, Reverse 911 calls are completed, and residents gather belongings and leave in their vehicles." (FPP pg 43)

RO3-7

COMMENTS	RESPONSES
	**Response to Comment RO3-8** The email from Carmen Borg to Scott Sutherland regarding Country Club Drive is noted. It provides generic traffic capacity estimates based on the Highway Capacity Manual (Transportation Research Board 2010). The comment indicates an estimate that each Country Club Drive travel lane provides capacity for 1,500 vehicles per hour. This contrasts with the HGV South FPP which indicates up to 1,900 vehicles per hour based on local traffic engineer input. Beyond information based on local knowledge, Ms. Borg's comments also do not appear to take into account the fact that a substantial portion of County Club Drive south of Escondido Creek would be improved to three lanes by the Project, and that portions of Country Club Drive north of Escondido Creek are already three-lanes wide as part of HGV improvements. (Harmony Grove Road within HGV also has wider pavement widths.) The County acknowledges the informational comment, notes its discrepancy in vehicles per hour capacity, and defers to the local traffic consultant data used in the FPP due to its more accurate estimation than a generic national highway estimate. No revisions to Project analyses on this point are required.

COMMENTS

RESPONSES

Comment Letter RO4

ENDANGERED HABITATS LEAGUE
DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

EHL

March 27, 2018

Ashley Smith
Dept of Planning and Development Services
5510 Overland Ave Suite 310
San Diego, CA 92123

RE: Recircuated DEIR for Harmony Grove Village South

Dear Ms. Smith:

Endangered Habitats League (EHL) opposes this project, which is a piecemeal amendment of General Plan. We find no reason to defeat the fine land use balance that the General Plan represents. RO4-1

The new GHG analysis adopts the approach of the recently adopted Climate Action Plan (CAP) and its EIR. By incorporating a pernicious carbon offset scheme instead of better land use planning and vehicle miles traveled reduction, and by supplying an accompanying threshold of significance, the Department's CAP targets the historic "smart growth" 2011 General Plan Update for dismantling. The Lilac Hills Ranch DEIR contains all the faults under CEQA inherent in his flawed approach.

Regarding the two GHG mitigation measures:

- The prioritization scheme is a sham. No criteria or methods are provided for determining when carbon offsets move from local to national to offshore. It is a hierarchy without meaning or accountability. Is "feasibility" involved, and if so, how?
- Because the County has no access to a company's internal balance sheets, no means or standards to determine an adequate profit margin, and no history of ever retaining an independent development economist to expertly sort through these issues, the prioritization will actually depend on an applicants' own financial representations, which are likely to be self-serving and not subject to meaningful verification.
- There are no tests, methods, or standards for determining if a proposed offset is beyond what is otherwise required by law. And beyond that, there are no tests, methods, or standards for determining whether the GHG reduction would have otherwise occurred *absent* the "offset," and thus actually be "additional." If a

RO4-2

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Response to Comment RO4-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning this Revised DEIR pursuant to CEQA Guidelines Section 15088.5(c). Your opposition to the Project is noted.

Response to Comment RO4-2

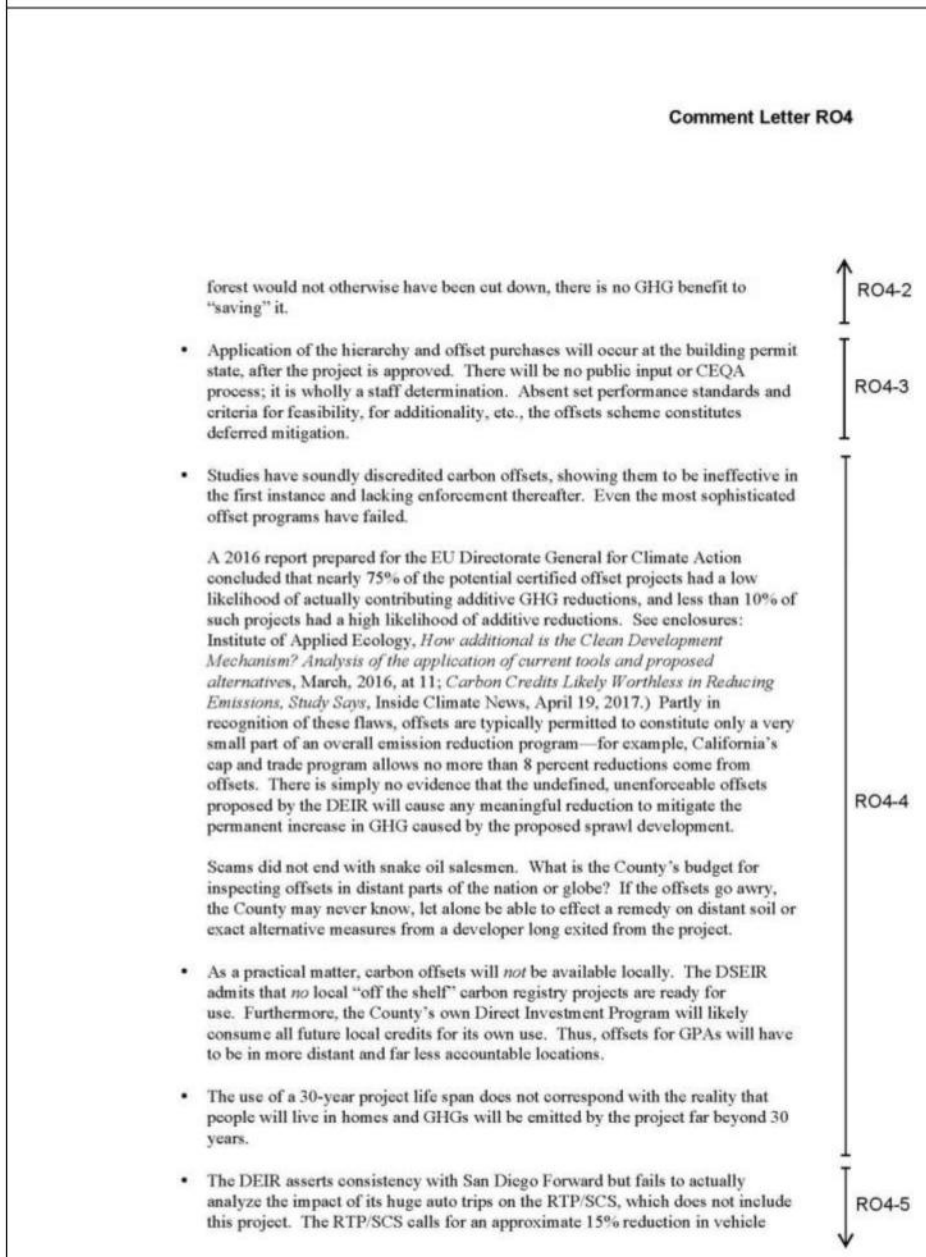
The revised greenhouse gas (GHG analysis is consistent with CEQA requirements uses. It is assumed that the comment is referring to the Harmony Grove Village (HGV) South Project, not the Lilac Hills Ranch project as mentioned.

The County disagrees that requiring offsets to net zero for any Project elements that exceed current General Plan land use designations is in conflict with the 2011 General Plan. Please see the Global Responses to General Plan/Community Plan CEQA Impact Analysis regarding the County's discretion to amend documents as appropriate, and the Global Responses to Project Consistency with General Plan Policy LU-1.4 regarding the appropriateness of proposing a village extension in accordance with the 2011 General Plan standards. Please also see the Global Responses to Regional Plan Conformity. Each of these global responses is located in Chapter 8.0 of this Final EIR (FEIR). Specifically with regard to VMT, please also see Response to Comment RO4-5, below in this letter.

This comment also identified issues associated with prioritization of locations for offset credit purchase, concerns over private data related to profit margins, determinations of whether a proposed offset is beyond what is otherwise required by law, and the nature of "additional" offsets. The comment contends that there is no evidence that any of the qualified offset programs listed in the RDEIR are capable of ensuring that offsets are "additional." This omission is said to be of a particular concern given the ability to purchase international offset credits. As required under Project Mitigation Measures M-GHG-1 and M-GHG-2, however, there are specific performance standards and requirements that must be adhered to by the Applicant. The carbon offsets to be purchased to reduce GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in Cal. Health & Saf. Code Section 38562(d)(1). Of importance to the current issue is that a

COMMENTS	RESPONSES
	carbon offset credit is clearly defined to mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines section 15126.4[c][3]). This means that preservation has not already been guaranteed for resource, resulting in GHG benefits already occurring. As part of the required mitigation, carbon offsets shall be purchased through a CARB-approved registry, such as the Climate Action Reserve, American Carbon Registry, or Verified Carbon Standard, or any registry approved by CARB to act as a registry under the State's cap-and-trade program. If no CARB-approved registry is in existence, then the Applicant or its designee shall purchase off-site carbon offset credits from any other reputable registry or entity to the satisfaction of the Director of PDS. The CAP, adopted by the County on February 14, 2018, requires the County to use CARB-approved registries, such as the Climate Action Reserve, Verified Carbon Standard, and American Carbon Registry (see CAP SEIR Section 2.7.5.1) The comment is incorrect in stating that there is no prioritization with respect to determining how offsets move from local to national to offshore. Mitigation measure (M-GHG-2) specifically states: *The County will consider, to the satisfaction of the Director of PDS, the following geographic priorities for GHG reduction features, and off-site carbon offset projects: (1) Project design features/on-site reduction measures; (2) off-site within the unincorporated areas of the County of San Diego; (3) off-site within the County of San Diego; (4) off-site within the State of California; (5) off-site within the United States; and (6) off-site internationally.* The Mitigation Measure describes criteria based upon geographic priorities. The first focus is Project design features/on-site reduction measures. International offsets are last on the geographic hierarchy and would only be allowed, if, to the satisfaction of the Director of PDS, the other options in the order of hierarchy are not feasible. This geographic hierarchy is consistent with the 2017 Climate Change Scoping Plan (November 2017, page 102). CARB recommended that lead agencies prioritize on-site design features and direct investments in GHG reductions in the vicinity of a project to help generate real

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	demand side benefits and local jobs. However, CARB also recognized that it might be appropriate to mitigate a project's emissions through purchasing and retiring carbon credits issued by a recognized and reputable, accredited carbon registry when on-site measures or regional investments are infeasible or non-effective (page 137). However, regardless of where such offsets are purchased, the offset credits must meet the performance standards stated above, "real, permanent, quantifiable, verifiable, and enforceable" as defined in Cal. Health & Saf. Code Section 38562(d)(1); with carbon offset credit being defined to mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" per CEQA Guidelines section 15126.4(c)(3). Please also refer to the Global Responses to Carbon Offsets in Chapter 8.0 of this FEIR.



Comment Letter RO4

forest would not otherwise have been cut down, there is no GHG benefit to "saving" it. RO4-2

- Application of the hierarchy and offset purchases will occur at the building permit state, after the project is approved. There will be no public input or CEQA process; it is wholly a staff determination. Absent set performance standards and criteria for feasibility, for additionality, etc., the offsets scheme constitutes deferred mitigation. RO4-3

- Studies have soundly discredited carbon offsets, showing them to be ineffective in the first instance and lacking enforcement thereafter. Even the most sophisticated offset programs have failed.

  A 2016 report prepared for the EU Directorate General for Climate Action concluded that nearly 75% of the potential certified offset projects had a low likelihood of actually contributing additive GHG reductions, and less than 10% of such projects had a high likelihood of additive reductions. See enclosures: Institute of Applied Ecology, *How additional is the Clean Development Mechanism? Analysis of the application of current tools and proposed alternatives*, March, 2016, at 11; *Carbon Credits Likely Worthless in Reducing Emissions, Study Says*, Inside Climate News, April 19, 2017.) Partly in recognition of these flaws, offsets are typically permitted to constitute only a very small part of an overall emission reduction program—for example, California's cap and trade program allows no more than 8 percent reductions come from offsets. There is simply no evidence that the undefined, unenforceable offsets proposed by the DEIR will cause any meaningful reduction to mitigate the permanent increase in GHG caused by the proposed sprawl development. RO4-4

  Scams did not end with snake oil salesmen. What is the County's budget for inspecting offsets in distant parts of the nation or globe? If the offsets go awry, the County may never know, let alone be able to effect a remedy on distant soil or exact alternative measures from a developer long exited from the project.

- As a practical matter, carbon offsets will *not* be available locally. The DSEIR admits that *no* local "off the shelf" carbon registry projects are ready for use. Furthermore, the County's own Direct Investment Program will likely consume all future local credits for its own use. Thus, offsets for GPAs will have to be in more distant and far less accountable locations.

- The use of a 30-year project life span does not correspond with the reality that people will live in homes and GHGs will be emitted by the project far beyond 30 years.

- The DEIR asserts consistency with San Diego Forward but fails to actually analyze the impact of its huge auto trips on the RTP/SCS, which does not include this project. The RTP/SCS calls for an approximate 15% reduction in vehicle RO4-5

Response to Comment RO4-3

This comment expresses concerns over the lack of public review of the purchase program and lack of County elucidation of set performance standards and criteria for feasibility, additionally, etc. Please see the Global Responses to Carbon Offsets in this chapter of this FEIR. The comment also states that offsets constitute deferred mitigation. The County disagrees. Projected HGV South GHG emissions were modeled based on a thorough Project description (see Chapter 1.0 of the EIR), and in accordance with industry standards by qualified technical professionals. As stated in Project mitigation measure M-GHG-1, purchase and retirement of credits for the full offset for construction-period emissions would occur prior to issuance of the first grading permit. Similarly, and consistent with mitigation measure M-GHG-2, prior to issuance of building permits for each implementing Site Plan, purchase and retirement of carbon offsets for the incremental portion of the Project within the Site Plan in a quantity sufficient to offset, for a 30-year period, the operational GHG emissions from that incremental amount of development to net zero, must be documented to have occurred. There is no deferral of impact identification and mitigation must occur prior to appropriate action thresholds.

Relative to performance standards, please see Response to Comment RO4-2, above. Real: offsets may only be issued for emissions reductions that are a result of complete emissions accounting. They must be permanent and irreversible, quantified through methodology protocols, documented and capable of objective review by a neutral, third-party verifier, enforceable (i.e., legally binding), and additional, as described in Response to Comment RO4-2.

Response to Comment RO4-4

This comment expresses concerns over the efficacy of carbon offsets, whether they will be locally available, and the stated 30-year "project life span" assumed in the offset purchase program. Please see the Global Responses to Carbon Offsets in Chapter 8.0 of this FEIR.

With respect to the commenter's concern that the County may not be able to effectively manage or inspect offset credits that are not local in nature, the use of carbon registries will provide a mechanism to ensure credits will actually

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	reduce carbon emissions. The use of such registries to purchase and retire carbon credits enable companies and organizations to invest proactively in projects that will reduce GHG emissions forecasted to occur once the projects are fully implemented. It provides a trusted, transparent resource for companies and organizations, such as land developers, manufacturing facilities, and other large projects, to reduce their carbon footprints in a responsible, consistent and accountable manner. With respect to the assertion that emission trading is unsuccessful, please see "California's carbon market is a big success. Here are the facts" by Erica Morehouse, incorporated herein and available at https://www.edf.org/blog/2016/.../californias-carbon-market-big-success-here-are-fact. As of 2016, California is ahead of schedule in meeting its climate goals. The state's nearly 10-year-old climate program, of which the carbon market is the backbone, initially required a reduction in greenhouse gas emissions to 1990 levels by 2020, 15 percent below where emissions would be without regulation. "But the Golden State is expected to be well below 1990 levels four years from now; emissions have been below required levels every year for which we have data." **Response to Comment RO4-5** This comment voices concern over consistency with the SANDAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) incorporated into San Diego Forward (the Regional Plan). Please see the Global Responses to Regional Plan Conformity in Chapter 8.0 of this FEIR. Relative to the comment regarding SANDAG achieving the RTP/SCS reduction in vehicle miles traveled from cars and light trucks, SANDAG was tasked by the California Air Resources Board (CARB) to achieve a 7 percent reduction (from a 2005 base year) in per capita GHGs from passenger cars and light trucks by 2020, and a 13 percent reduction by 2035 relative to emission levels in 2005. Currently, the region would achieve or exceed both reduction targets by implementing its SCS (SANDAG 2015). SANDAG calculations (which were accepted by CARB) stated that it would achieve the region's targets with 15 percent per capita reduction by 2020 and 21 percent reduction by 2035. When SANDAG calculates their vehicle miles travelled, it is based

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	on the current General Plan, and is therefore, as SANDAG describes, a forecast that is a snapshot in time. SANDAG's forecasts are meant to assist jurisdictions and special districts in their planning efforts. However, SANDAG routinely updates these projections based on land use decisions by all jurisdictions. SANDAG's Regional Growth Forecast data for population and housing itself includes a note that reads: "This forecast represents one possibility for future growth in the San Diego region. It is intended to represent likely prediction of future growth, but it is not intended to be a prescription for growth." Further, SANDAG's 2050 Regional Growth Forecast (available on SANDAG's website at http://www.sandag.org) states: "The purpose of the 2050 Regional Growth Forecast is to provide a starting point for regional planning. The forecast is not intended to be a prescription for future growth. Rather, the forecast is intended to show possible future development patterns based on regional projections and local input." Local input can change, which would involve consideration by the County Board of Supervisors of any requested General Plan Amendment. SANDAG regularly updates their population projections to reflect changes in jurisdictional land use plans, the regional economy and changes in economy. SANDAG's SCS, including the forecasted development pattern, is not intended to regulate the use of land, as explicitly provided by the California Legislature when enacting SB 375. Rather, pursuant to Government Code section 65080(b)(2)(K), the SCS does not regulate the use of land; does not supersede the exercise of the land use authority of cities and counties within its region; and, does not require that a city's or county's land use policies and regulations, including its general plan, be consistent with it. It is acknowledged that the Proposed Project is not currently included within the Regional Growth Forecast, as it proposes an amendment to the adopted General Plan that provides the land use assumptions used by SANDAG. The County will continue to provide updates to SANDAG relevant to their regional growth forecasts. Should the Proposed Project be approved, staff will provide that information to SANDAG as soon as possible, and potentially with an ability to have it included in Series 14 Regional Growth Forecast (the current forecast SANDAG is developing. It is also noted that SANDAG is on track to exceed the 2020 and 2035 targets specified above. These calculations exceed

COMMENTS	RESPONSES
	the targets by approximately 110 and 62 percent, respectively. As described in the cited global response, SANDAG has identified the County General Plan goal of moving 20 percent of future planned growth into western communities as part of the overall regional planning to reduce VMT. The Project is located in the western extent of unincorporated County lands. Location of the Project within the western communities can support reductions of County development in other portions of the unincorporated area. Please also note that SANDAG does assume some growth for this area as the 2035 forecast development pattern map shows General Plan-consistent residential land uses on site. City of Escondido lands abut the southern Project boundary, and developed City uses are less than 0.5 mile from the Project boundary. The City of San Marcos uses are within 2.0 miles to the north and the closest City boundary is approximately 1.1 mile to the northwest. Both of these cities contain shopping, educational and job opportunities, as well as public transit hubs, which provide options for public transit. The boundary of the incorporated city of Encinitas is approximately 4.0 miles westerly, and the northern portions of the City of San Diego along the I-15 corridor, are within approximately 4.4 miles. Most of the jobs are aggregated along the SR 78 corridor, stretching from Carlsbad to Escondido. The Project is also contiguous with HGV. It is in immediate proximity to recreational amenities provided by the County (community parks), paved roads, and HGV additional parks and planned limited commercial. All of these elements, combined with the Project on-site trails and tie-in to other regional trail facilities as shown on EIR Figure 1-17, *Trails and Pathways Plan,* support bike riding and pedestrian activities between HGV South and HGV through connections to the approved HGV multi-purpose trail on Country Club Drive and on-site wide streets with low use rates, sharrows, and pedestrian pathways. Finally, the Project would be "transit ready." A turn out for a future bus stop would be incorporated into the Center House use area, and two HOA-provided electric vehicles would be available for use within the Project and to HGV. These latter two commitments have been incorporated into Project PDFs and are included in the FEIR on Table 1-2, *Project Design Features*, in Subchapter 2.7, and in Chapter 7.0, *List of Mitigation Measures and Project Design*

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	Features. All of these Project elements are anticipated to help with VMT reductions. It is also noted that although no deductions from emissions can be taken given the voluntary nature of the measure (residents can choose to participate or not), the Project would encourage carpooling. As described in Subchapter 2.7 PDFs, "The HOA will provide informational materials on SANDAG's rideshare programs like icommute." Finally, the Project incorporates substantial on-site GHG emissions reduction measures as part of on-site design; as discussed in detail in FEIR Subchapter 2.7 and Section 3.1.1, *Energy*. Although these measures would not always reduce vehicular related emissions, they would contribute to reduction in Project-related emissions. All of these features will support SANDAG in achieving its goals. Specific to VMT, the Project has an average trip length of 7.88 miles, which is consistent with SANDAGs projections. as stated in Subchapter 2.7 of the EIR, and as supported by modelling discussed in Appendix C of EIR Appendix J. Average trip length actually provides the best indication with respect to compliance with the RTP/SCS goals and policies. The Project's VMT rate (7.88) is within the regional average identified by SANDAG. The fact that the trip length is consistent with SANDAG's regional average of 7.9 miles shows that the Project is in fact in an appropriate location for the reasons described above.

COMMENTS	RESPONSES
Comment Letter RO4 miles traveled from cars and light trucks. How does this high VMT per capita project affect regional VMT reduction goals? RO4-5 Thank you for considering our views. Yours truly, Dan Silver Executive Director Enclosures • How additional is the Clean Development Mechanism? • Carbon Credits Likely Worthless in Reducing Emissions, Study Says RO4-6	**Response to Comment RO4-6** Both of these enclosures are cited in Comment RO4-4. Please see the Global Responses to Carbon Offsets in this chapter of this FEIR.

COMMENTS	RESPONSES

Comment Letter RO5

Lisa Maier

From: Lisa Capper <LisaC@helixepi.com>
Sent: Tuesday, March 20, 2018 11:02 AM
To: Dianne Acevedo
Cc: 'Kathryn Murrel'
Subject: FW: Harmony Grove Village South PDS2015-ER-15-08-006

Dianne, here is the letter from Rincon.

From: Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>
Sent: Thursday, March 01, 2018 9:14 AM
To: Lisa Capper <LisaC@helixepi.com>; Kathryn Murrel (kmurrel@surterreproperties.com) <kmurrel@surterreproperties.com>
Subject: FW: Harmony Grove Village South PDS2015-ER-15-08-006

From: Erica Martinez [mailto:emartinez@RinconTribe.org]
Sent: Thursday, March 01, 2018 8:47 AM
To: Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>
Cc: Destiny Colocho <DColocho@RinconTribe.org>
Subject: Harmony Grove Village South PDS2015-ER-15-08-006

Dear Ms. Smith,

This letter is written on behalf of the Rincon Band of Luiseño Indians. We have received your notification regarding the above referenced Project and we thank you for the opportunity to consult on this project. The identified location is within the Territory of the Luiseño people, and is also within Rincon's specific area of Historic interest.

Embedded in the Luiseño territory are Rincon's history, culture and identity. Thank you for providing the Rincon Band with the recirculation of the Draft EIR for the above referenced project. We have reviewed the document and are in agreement with the mitigation measures pertaining to cultural resources. In addition, Rincon would like to be provided with the opportunity to provide Luiseño tribal monitoring for this project, as the project is located in Rincon's back yard and our tribe has direct ties to this area. RO5-1

We look forward to hearing from you. If there are any additional questions or concerns please do not hesitate to contact our office at your convenience at (760) 297-2635.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Erica A. Ortiz-Martinez
Administrative Assistant
For Destiny Colocho, Manager
Cultural Resources Department
Rincon Band of Luiseño Indians
1 West Tribal Road | Valley Center, CA 92082

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Response to Comment RO5-1

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. Please note, however, that the County appreciates your continued input and concurrence with the mitigation pertaining to cultural resources, consistent with the comment provided on the DEIR. Please also see DEIR Response to Comment O5-1.

COMMENTS	RESPONSES
Comment Letter RO5 Office:760-297-2635 Fax: 760-692-1498 Email: emartinez@rincontribe.org  	

COMMENTS	RESPONSES

Comment Letter RO6

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

SARAH H. SIGMAN
Attorney
sigman@smwlaw.com

April 9, 2018

Via Electronic Mail

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123
Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Recirculated 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)

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"). The purpose of this letter is to inform the County that the Recirculated Draft Environmental Impact Report ("RDEIR"), which modifies the analysis of the Project's impact on greenhouse gas emissions ("GHGs"), remains inadequate and violates the minimum standards of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the "CEQA Guidelines," California Code of Regulations, title 14, § 15000 et seq.

As described below, the Elfin Forest Harmony Grove Town Council ("Council") is deeply concerned about the Project's far-ranging impacts on environmental resources, land use planning, and public safety. The Council is thus disappointed that the recirculated analysis of greenhouse gas emissions retains many of the errors identified in the Council's June 20, 2017 letter on the draft environmental impact report for the Project ("DEIR"). Even where it adopts new approaches, the RDEIR continues to rely on inadequate methodologies and mitigation measures. As the Supreme Court held' in *Center for Biological Diversity v. California Department of Fish & Wildlife* (2015) 62 Cal.4th 204 ("*Newhall Ranch*"), environmental impact reports for

RO6-1

Response to Comment RO6-1

This comment indicates that the Elfin Forest/Harmony Grove Town Council (EFHGTC) believes that the greenhouse gas (GHG) emissions analysis remains inadequate under CEQA and retains "many of the errors identified in the Council's June 20, 2017 letter," including continuing to rely on inadequate methodologies and mitigation measures. The comment notes that new developments "must acknowledge their heightened responsibility" to meet California's emissions reduction goals, and address "permanent" changes.

Although these comments are noted, the statements are generalized conclusions, with no specific detail as to areas of concern. Specific responses are therefore not possible but each of these points is addressed in summary form.

With reference to stated concerns on environmental resources, land use planning, and public safety, this comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this Revised DEIR, the Final EIR (FEIR) does include responses to the comments asked on these questions. Please refer to Responses to Comments O3a-6, -9, 10, -12, -39, -47, and 48 regarding land use planning; and to O3a-9, -10, -15, 16, -32, -34, -37, and -38 (as well as O3b-3, -13 and -14 regarding fire and/or roadway safety). Reponses to Letter O3c are wholly dedicated to fire safety issues. It is impossible to know which of the "environmental resources" concerns are referenced here, and no response can be made.

Regarding the "errors" in GHG that have been retained, the comment is not understood. The June 20 communication addresses GHGs in Comments O3a-41 and O3a-42 (cumulative impacts are important; feasible mitigation measures must be identified to address these issues; and analysis was flawed because it used an inappropriate threshold suggested in County interim guidance of July 2016, referenced state metrics, and should have been based on a County Climate Action Plan [CAP]). Comments continued in O3a-43 and -44 regarding compliance with A 32 and SB 32, as well as Executive Orders S-03-05 and B-30-15 and need to provide greater emission reductions than meeting a statewide target. These issues were addressed in both Responses to Comments O3a-41 through O3a-44 (which

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	the commenter did not see prior to this FEIR) but also in the Revised DEIR (RDEIR) Subchapter 2.7, *Greenhouse Gas Emissions,* as well as the amended Appendix J, circulated from February 22 to April 9, 2018, and which these comments purport to address. In brief, the topic of GHGs is cumulative by nature, and has been identified as such in Subchapter 2.7. Impacts were found to be significant, which is why mitigation measures are proposed for both construction and operational periods. The threshold in the Revised DEIR was revised to use one currently appropriate under CEQA (the original DEIR used a threshold appropriate at the time of release for public circulation, but found to be inappropriate by the courts during public circulation), and although a County CAP has now been made available and was reviewed, it has been challenged. The Project would provide greater reductions than assumed under statewide targets because it not only requires reasonable and feasible reduction measures, but also would mitigate to carbon neutrality for the Project overall, even though up to 220 residential units were identified for the parcel in the adopted General Plan land use designation for the parcels (Semi-Rural Residential at 0.5 acre per dwelling unit without consideration of environmental factors). This information is also addressed in the Global Responses to Carbon Offsets and Climate Action Plan in Chapter 8.0 of this FEIR. The Project does not ignore the changes that would result from the Project land use changes or the associated climate change impacts.

COMMENTS	RESPONSES

Comment Letter RO6

new developments like this one must acknowledge their heightened responsibility for meeting the State's ambitious (but achievable) emissions-reduction goals. Contrary to this direction, the RDEIR persists in ignoring the permanent changes that the Project will cause to land use and the associated climate change impacts. RO6-1

Overall, the RDEIR, like the DEIR concludes that the Project will have no significant impacts on GHGs, despite generating 4,500 new car trips per day and more than 11 million additional vehicle miles traveled ("VMT") each year. To reach this unsupported conclusion, the RDEIR ignores both state and County policies that expressly disfavor sprawl and direct growth to locations that will minimize VMT to avoid exacerbating existing conditions that have contributed to climate change. Both the General Plan and the Regional Transportation Plan/Sustainable Community Strategy recognize that projects should be built in appropriate locations and, to the extent that they still require mitigation of impacts on GHGs, should provide mitigation by reducing other local sources of emissions. Here, the Project seeks to double the planned population in a rural location, far from jobs, services, and shopping. This type of development is a prime contributor to the climate impacts that California and, purportedly, the County are now fighting. As proposed, the Project will make a significant contribution to climate change. These significant impacts must be acknowledged in the RDEIR. RO6-2

An adequate analysis of greenhouse gas emissions is essential to achieve CEQA's fundamental purpose: informing decision makers and the public about the environmental price-tag of development before it is too late. Accurate information about a project's climate change impacts is particularly important because we have already exceeded the capacity of the atmosphere to absorb additional greenhouse emissions without risking catastrophic and irreversible consequences. Therefore, even seemingly small additions of GHG emissions into the atmosphere must be considered cumulatively significant, and weighed seriously by the County. *See Communities for Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 120 ("the greater the existing environmental problems are, the lower the threshold for treating a project's contribution to cumulative impacts as significant."); *see also Center for Biological Diversity v. National Highway Traffic Safety Admin.* (9th Cir. 2007) 508 F.3d 508, 550 ("we cannot afford to ignore even modest contributions to global warming."). The RDEIR must be revised once more to present an accurate assessment of the Project's greenhouse gas emissions. RO6-3

I. The RDEIR understates vehicle emissions resulting from the Project.

As discussed in the Council's June 20, 2017 comments on the DEIR, the RDEIR continues to underestimate predicted traffic volumes because it relies on outdated RO6-4

Response to Comment RO6-2

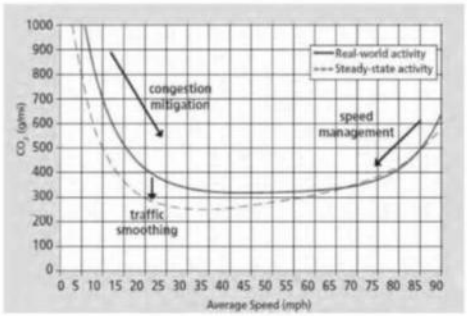
This comment provides general contentions with no supporting evidence or specifics; therefore, a specific response cannot be provided. The conclusion that the Project ultimately will result in less than significant impacts on GHGs is supported. The location of the Project in an area that does not contribute to sprawl was directly addressed in the DEIR in Chapter 1.0, *Introduction*, and Section 3.1.6, *Land Use* (3.1.5 in the FEIR). In addition, please see the Global Responses to Regional Plan Conformity for additional focused discussion of this point.

Response to Comment RO6-3

This comment does not specifically state why the GHG analysis is inaccurate and should be additionally revised. In any event, the County agrees that adequate analysis of Greenhouse Gas (GHG) emissions is essential as part of the Project's evaluation under CEQA. As noted above, GHG impacts are by definition cumulative and have been analyzed as such. The EIR does not ignore the Project's contribution to global climate change, but to the contrary, finds the Project-related impact significant and identifies mitigation consistent with County and state requirements. The RDEIR does not require additional revision.

Response to Comment RO6-4

The statement that the RDEIR "continues to underestimate predicted traffic volumes because it relies on outdated traffic volume data" is not correct. In response to those comments, the traffic volume data were confirmed by LLG, as shown in the Final TIA (Attachment A of Appendix D to the FEIR) and no corrections are needed. Please also refer to DEIR Responses to Comments O3a-29 and O3b-4.

COMMENTS	RESPONSES
Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 3 traffic volume data. Inasmuch as the greenhouse gas emissions are dependent on the transportation analysis assumptions, any underestimation of vehicular trips necessarily results in an underestimation of vehicle-related greenhouse gas emissions. Once the County accurately analyzes the Project's increase in traffic volumes, and corresponding increases in traffic congestion, it must revise the greenhouse gas impact analysis. RO6-4 In addition, the RDEIR fails to account for all the ways in which the Project will cause GHGs. For example, the RDEIR simply calculates vehicular emissions based on Project-related trips and miles traveled. RDEIR p. 2.7-21 and Global Climate Change Supplement, Attachment C at 34. However, it fails to assess the GHG impacts of the traffic congestion that the Project will necessarily cause. Such congestion dramatically affects vehicle efficiency and increases GHGs (and other emissions). As Caltrans has previously described in its environmental reviews: RO6-5 One of the main strategies in the Caltrans' Climate Action Program to reduce GHG emissions is to make California's transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0-25 mph) and speeds over 55 mph; the most severe emissions occur from 0-25 mph.[1]  [1] *See, e.g.*, Final Initial Study and Mitigated Negative Declaration for Lambert Road Interchange Improvement Project p. 2.6-5 (citing Exhibit A to this letter), available at http://dot.ca.gov/dist12/DEA/SR57LAM/2.6.pdf; Caltrans Environmental Handbook, Ch. 13 – Energy, available at http://www.dot.ca.gov/ser/vol1/sec3/physical/ch13energy/chap13.htm. SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment RO6-5** The comment incorrectly states that the RDEIR GHG analysis fails to account for all the ways in which the Project will cause GHGs because it fails to assess the GHG impacts of the traffic congestion. The vehicle emissions were derived using a model commonly referred to as CalEEMod. As detailed in Chapter 5 of CalEEMod's Appendix A: Calculation Details for CalEEMod, CalEEMod relies upon emission factors for each vehicle model year and type based on individual counties, air basins, air districts, and statewide averages for all fuel types. The emissions associated with on-road mobile sources includes running, idling, starting, and evaporative loss emissions. For running exhaust emissions, CalEEMod utilizes aggregated speed option which allows for a single emission factor weighted and averaged based on varying vehicle speeds to be expressed in terms of grams per vehicle mile traveled. Idling, starting, and evaporative loss emissions are associated with the number of starts or time between vehicle uses and are calculated using average daily trips. As such, CalEEMod does account for both idling and varying vehicle speed in its emissions estimation. Specific to the comment request, the type of analysis requested by the commenter is speculative and does not constitute evidence. While some congestion might cause increased GHG emissions on existing roadways, it would be speculative to model as GHG emissions from mobile sources, i.e. on-road vehicles, is directly related to the amount of fuel consumed in combustion. The amount of fuel used by a vehicle is dependent on several factors and as general rule vehicles traveling at higher speeds experience lower fuel efficiency. The commenter cites a study conducted by the EPA, that shows a vehicle's fuel efficiency peaks between 25 and 55 miles per hour (mph), and identifies the emission rate, such as grams per mile. However, the amount of fuel consumed is also dependent on the amount of work the engine is required to do and the efficiency of the engine. As example, while a vehicle sitting at idle consumes fuel, it is not working and does not consume as much fuel as a moving vehicle. To calculate mobile source emissions would require using the California emission factor model (EMFAC), which is the only regulatory approved model for calculating mobile source emissions in California. To model the condition requested, information on the total existing and future annual traffic volume would

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	be required. The level of information required includes an understanding of the variations in daily and hourly traffic volumes over the year, and within that information it would be necessary to identify the vehicle classification mix for each period along with the percentage of vehicles traveling at various speeds ranging from 5 to 75 mph in 5 mph increments. This results in potentially infinite combinations -- all of which would be based on random assumptions, not facts - and would result in speculative results that could not be supported by substantial evidence one way or the other. According to CEQA Guidelines Section 15384 substantial evidence should be used "to support a conclusion." Substantial evidence is defined as: *Enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached… Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.* The evaluation of a near infinite number of potential scenarios of potential congestion that cannot be quantified would be trying to determine impacts on variable and potentially inaccurate evidence at the very least and also would be speculative. Due to the level of speculation involved in determining these impacts, and consistent with CCR 14, Section 15145, "after thorough investigation…[this] particular impact is too speculative for evaluation…" Additionally, various improvements to the identified systems are being planned by Caltrans, the County, the City, and SANDAG, such as a rapid bus transit line along the I-15 and managed lanes projects. Please refer to local capital improvement programs, as well as San Diego Forward, and Caltrans. Finally, the commenter assumes that congestion would result in greater GHG emissions,

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	however this too is some what speculative, as emissions would be expected to decrease with newer technology. The comment also incorrectly states that the Project would result in significant traffic congestion on County roads and freeways. Review of Subchapter 2.2, *Transportation/Traffic* shows that even with the conservative assumptions of all HGV traffic being on area roads on opening day, addition of Project traffic results in only one segment impact on all the assessed roads. That segment is on Country Club Drive in the City of Escondido, where LOS would drop from C to D. Although the impact is identified as significant and unmitigated/infeasible as it is within the jurisdiction of another CEQA lead agency, mitigation has been proposed which (if approved by the City) would lower that impact to less than significant levels. (It is noted that a potential intersection impact is addressed to the intersection of Country Club Drive/Harmony Grove Road, but that would be rectified as part of Project-design upgrades.) Beyond that, impacts only occur in the existing plus Project plus cumulative condition. Again, where a CEQA nexus between the Project and the cumulative effect is identified (i.e., the Project would result in significant cumulative contributions to off-site transportation facilities), mitigation measures are proposed to improve these conditions. This is consistent with the cited goal of making the transportation system more efficient. Consistent with the detailed explanations in DEIR Responses to Comments O3b-4 through O3b-8, the freeway analysis conducted for the Proposed Project is consistent with County standards and lead agency requirements. While the comment is correct that the freeway analysis shows LOS F(0) operations on SR 78 under existing plus cumulative projects conditions both without the Project, and with the addition of Project traffic to this condition (operating at four to nine percent over the hourly capacity); as shown in the EIR traffic study, the Project-induced increase in the volume-to-capacity (V/C) ratio is below the significance threshold of 0.01 for an LOS F-operating freeway segment. Therefore, a significant traffic-related impact does not occur as a result of the Project. Similarly, of the 6,549 a.m. and 6,268 p.m. cumulative peak hour trips, the Project would contribute 38 and 20 trips, respectively. This is approximately one-half of one percent for the morning and one-third of one percent for the

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	afternoon/evening. Since some level of idling and trip speed data are already incorporated into the modeling as shown above, these are very small percentages. In any event, the Project achieves net neutrality through a combination of on- and off-site mitigation measures, including mitigation identified in Subchapter 2.7, for carbon offsets.

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Exhibit A at p. 26 (M. Barth and K. Boriboonsomsin, Traffic Congestion and Greenhouse Gases, TR News 268 May-June 2010).

Here, the Project would result in significant traffic congestion on County roads and freeways. For example, as we explained in our comments on the DEIR, even though the traffic analysis presented was flawed, the DEIR indicated that SR 78 would operate at level of service F under cumulative conditions – 4 to 9 percent beyond its capacity. See Letter from Winter King to Ashley Smith Re Comments on Harmony Grove Village South Draft Environmental Impact Report (June 20, 2017), Exhibit A, MRO Report dated June 2, 2017 at 5. The Project would add significant traffic contributing to anticipated traffic congestion. By increasing traffic congestion and causing slower speeds on County roads, the Project will cause greater emissions not only from Project-related vehicle trips, but also from existing trips where drivers will be forced to operate at lower speeds. Yet the RDEIR fails to analyze how the Project's contribution to this congestion will increase GHGs as well as particulate, toxic air contaminant and other emissions. RO6-5

EIRs must analyze not only a project's direct effects, but also indirect effects that are reasonably foreseeable. § 21065; Guidelines § 15064(d). Here, it is reasonably foreseeable—indeed, the RDEIR acknowledges that it is certain—that the Project will cause increased congestion and lower traffic speeds. This, in turn, will cause greater levels of GHGs than currently exist or than would occur without the Project. The RDEIR's failure to analyze these indirect Project impacts is prejudicial error. See *Plastic Pipe & Fittings Assn. v. California Building Standards Com.* (2004) 124 Cal.App.4th 1390, 1412 (CEQA requires analysis of indirect impacts). RO6-6

II. The RDEIR acknowledges that the Project is inconsistent with the fundamental purpose of the General Plan's provision for climate change, EO-S-05, AB 32, and SB 375.

Even setting aside the inadequacy of the vehicle emissions analysis discussed above, the RDEIR concedes that the Project will generate 4,500 daily car trips and more than 11 million VMT each year (DEIR pp. 3.1.3-7, 3.1-25) and "will increase the density of residential land uses on the Project site" in a location that "was not identified for development in SANDAG's . . . forecasted development pattern maps" (RDEIR pp. 2.7-26 to 27). More than 80 percent of the Project's annual operating emissions will be from vehicle trips. RDEIR p. 2.7-36. Yet the RDEIR seeks to paper over these fundamental flaws in its discussion of consistency with plans, policies, and regulations adopted to address GHGs by pointing to energy efficient Project components that have nothing to do with VMT and by claiming that the Project will be located close RO6-7

Response to Comment RO6-6

The impacts would not be indirect in nature – GHG vehicular emissions are direct, but they are cumulative in nature and would be mitigated through the offset credits purchased on behalf of the Project. Please see the Response to Comment RO6-5.

Response to Comment RO6-7

This comment generally contends that the Project is inconsistent SANDAG's Regional Plan. This is addressed below. A statement is also made that the Project RDEIR should have disclosed the magnitude of the difference between the Project's density and number of units compared to the assumptions in the RTP/SCS and that the location was not identified for development in SANDAG's forecasted development pattern maps.

The Project is zoned for 0.5 acre lots and under the primary General Plan land use designation (without consideration of slope or other environmental constraints) up to 220 homes could be placed on the property. Under the CAP, design and evaluation of homes built in compliance with the General Plan would incorporate Project GHG Consistency List analysis and the associated reduction checklist, but a conforming project would not need to purchase carbon offsets to get to net zero. Compliance with the General Plan and Project GHG Consistency List would support the County in achieving the GHG emissions reduction goals. The Project, however, is even more conservative in that it commits to purchase of offset credits for all Project-related emission not reduced through on-site measures, and not just for the emissions exceeding those already assumed as part of County plans. This commitment ultimately would result in a greater GHG emissions reduction than buildout under the General Plan in compliance with the CAP.

When SANDAG calculates their vehicle miles travelled, it is based on the current General Plan, and is therefore, as SANDAG describes, a forecast that is a snapshot in time. SANDAG's forecasts are meant to assist jurisdictions and special districts in their planning efforts.

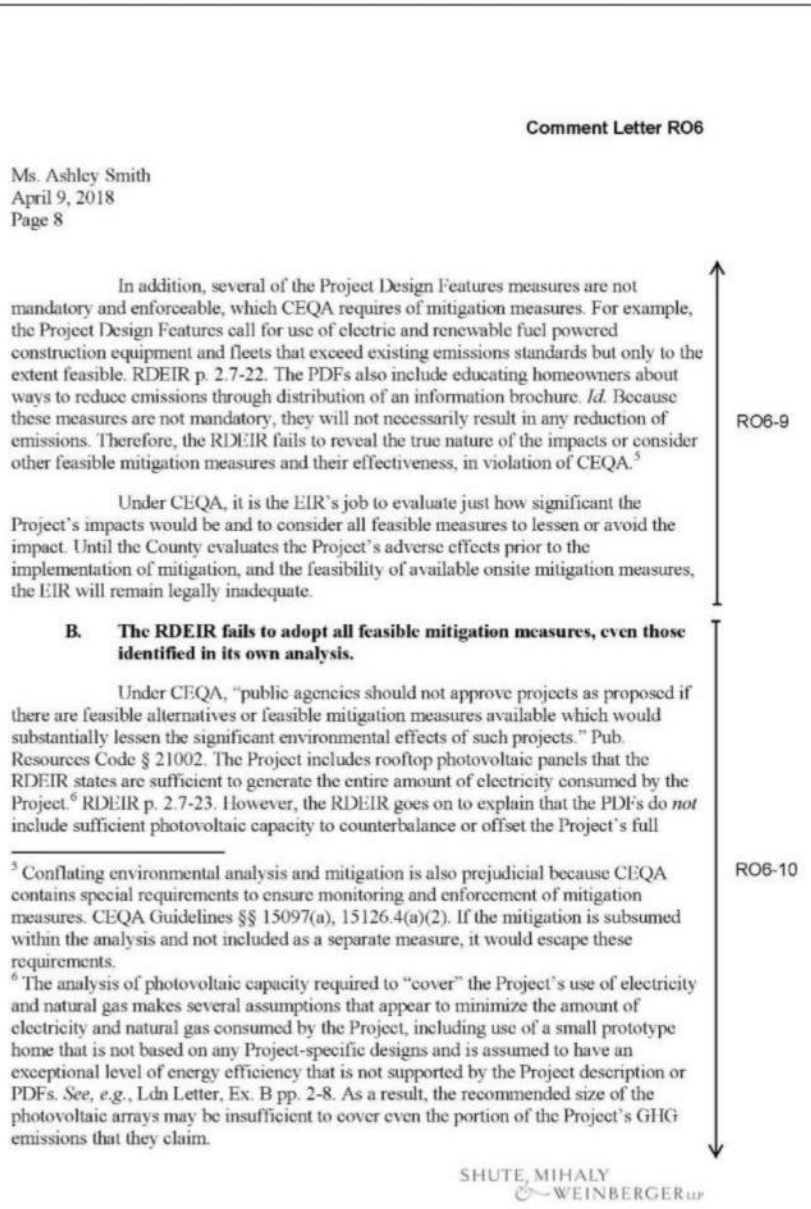
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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 5 to transit, jobs, and shopping. *Id.* p. 27. This is disingenuous at best. The project site is in a rural area several miles from the nearest services and much further from job centers in and near the City of San Diego. In fact, the Project is located in a notably circumscribed gap in SANDAG's Regional Transportation Plan/Sustainable Community Strategy ("RTP/SCS"), outside of the Urban Area Transit Strategy Boundary and—contrary to the RDEIR's claims—away from jobs. *See* RTP/SCS p. 37.[2] SANDAG identified the need to direct the County's future growth to urbanized areas, yet the County is now considering multiple projects, including the Harmony Grove Village South Project, in rural areas that would result in thousands of housing units in far flung locations. This approach is inconsistent with the RTP/SCS, and the GHG impacts of this approach must be fully analyzed in a revised RDEIR. The Project's inconsistency with the RTP/SCS is evidence of the Project's significant climate change impacts. The preeminent goal and performance target of the RTP/SCS, as mandated by SB 375, is to reduce per-capita CO_{2e} emissions from cars and light-duty trucks to meet the California Air Resources Board's 2020 and 2035 reduction targets for the region. *See* RTP/SCS p. 24. The RDEIR acknowledges that the Project would be inconsistent with the RTP/SCS because the density proposed is greater and the number of dwelling units is higher than what was included in the land use input assumptions from San Diego County. RDEIR p. 2.7-26 to 27. But it never acknowledges that this inconsistency is clear evidence of significant GHG impacts. As a result, the RDEIR's perfunctory "analysis" of the Project's inconsistency with the RTP/SCS does not comply with CEQA. RO6-7 Rather than study the environmental implications of this inconsistency, the RDEIR attempts to sweep them under the rug, as described above. The fact that SANDAG has not planned for this Project is not a trivial detail, as the RDEIR implies. The EIR must actually *analyze* the implications of this unplanned growth on regional and state climate change and air quality goals. In particular, the RDEIR should have disclosed the magnitude of the difference between the Project's density and number of units compared to the assumptions in the RTP/SCS. Moreover, many of the RTP/SCS's fundamental provisions are directly at odds with the proposed Project. For example, the RTP/SCS did not contemplate this type of sprawling residential development. Rather than growing "out," the RTP/SCS envisioned the development of compact communities.[3] The RTP/SCS [2] Available at http://www.sdforward.com/pdfs/Final_PDFs/The_Plan_combined.pdf. [3] *See* San Diego Forward: the Regional Plan Summary; available at: http://www.sdforward.com/about-san-diego-forward/how-we-will-grow. SHUTE, MIHALY & WEINBERGER LLP	However, SANDAG routinely updates these projections based on land use decisions by all jurisdictions. SANDAG's Regional Growth Forecast data for population and housing itself includes a note that reads: "This forecast represents one possibility for future growth in the San Diego region. It is intended to represent likely prediction of future growth, but it is not intended to be a prescription for growth" (emphasis supplied). Further, SANDAG's 2050 Regional Growth Forecast (available on SANDAG's website at http://www.sandag.org) states: "The purpose of the 2050 Regional Growth Forecast is to provide a starting point for regional planning. The forecast is not intended to be a prescription for future growth. Rather, the forecast is intended to show possible future development patterns based on regional projections and local input." Local input can change, which would involve consideration by the County Board of Supervisors of any requested General Plan Amendment. SANDAG regularly updates their population projections to reflect changes in jurisdictional land use plans, the regional economy and changes in economy. SANDAG's SCS, including the forecasted development pattern, is not intended to regulate the use of land, as explicitly provided by the California Legislature when enacting SB 375. Rather, pursuant to Government Code section 65080(b)(2)(K), the SCS does not regulate the use of land; does not supersede the exercise of the land use authority of cities and counties within its region; and, does not require that a city's or county's land use policies and regulations, including its general plan, be consistent with it. Please see the Global Responses to Regional Plan Conformity. The commenter cites the Urban Area Transit Strategy Boundary shown on Figure 2.6 of the Regional Plan on page 37. It is acknowledged that the Regional Plan focuses housing and population growth within the region's incorporated cities. The focus of Figure 2.6 is not to identify all areas where growth may occur in the region, but to show where SANDAG and the transit planning agencies should focus transit improvements, based largely on existing land uses. It also clearly shows the employment hubs cited in the Project EIR (the dense brown dots indicating employment opportunity/building density in the areas of San Marcos and Escondido). The County does not agree that the Project is located in a rural area

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	"far flung" from existing and planned developed uses. Please see the Global Responses to Regional Plan Conformity. Average trip length provides the best indication with respect to compliance with the RTP/SCS goals and policies. The Project is not identified as having a high average trip length (VMT rate). As stated in Subchapter 2.7, *Greenhouse Gas Emissions*, of the EIR, and as supported by modelling discussed in Appendix C of EIR Appendix J, the Project average trip length, or the VMT rate, is projected to be 7.88, within the regional average identified by SANDAG. The fact that the trip length is consistent with SANDAG's regional average of 7.9 miles shows that the Project is in fact in an appropriate location. Although the Project was not proposed at the time of General Plan adoption and Regional Plan modeling, the Project is located in the western extent of unincorporated County lands. Location of the Project within the western communities supports reductions of County development in other portions of the unincorporated area. The cities of Escondido and San Marcos contain shopping, educational and job opportunities, as well as public transit hubs, which provide options for public transit. Most of the jobs are aggregated along the SR 78 corridor, stretching from Carlsbad to Escondido. Please also note that SANDAG does assume some growth for this area as the 2035 forecast development pattern map shows General Plan-consistent residential land uses on site. With respect to the comment related to the VMT reduction of 7 percent, the commenter is conflating regional goals with project-specific requirements. The Project will be consistent with SANDAG's RTP/SCS, by including site design elements and Project design features developed to support the policy objectives of the RTP and SB 375. The Project would implement land use and design measures that would create an environment that promotes alternative mode choice (e.g., pedestrian/bicycle networks and proximity to bus routes). For example, the Project will work with SANDAG to provide informational materials on rideshare programs like icommute to promote rideshare programs and opportunities. The Project is located near job centers, and existing land uses and is also currently designated as Village under the Regional Category of the General Plan. The Project will encourage daily physical activity associated with walking and bicycling, by providing public riding and hiking trails as well as creating a public

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	place for the community to gather and have access to cultural activities at the proposed park that will be dedicated to the public. The Project will include sidewalks and easy walkability throughout the site and to the nearby bus stops along the Project frontage. Relative to SANDAG achieving their CARB-projected reductions, SANDAG was tasked by CARB to achieve a 7 percent reduction (from a 2005 base year) in per capita GHGs from passenger cars and light trucks by 2020, and a 13 percent reduction by 2035 relative to emission levels in 2005. Currently, the region would achieve or exceed both reduction targets by implementing its SCS (SANDAG 2015). SANDAG calculations (which were accepted by CARB) stated that it would achieve the region's targets with 15 percent per capita reduction by 2020 and 21 percent reduction by 2035. Consistent with reaching SANDAG goals, the Project is carbon neutral net zero. Current calculations exceed the targets by approximately 110 and 62 percent, respectively.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 6 anticipated that about 80 percent of all housing would be developed within the urbanized areas in the western part of the County, which do not include the Project area. Accordingly, the RTP/SCS called for achieving GHG reduction goals in part by reducing vehicle miles travelled throughout the region. *Id.* The State's 2017 Scoping Plan reinforced this priority with even greater urgency based on recent data: > CARB determined that VMT reductions of 7 percent below projected VMT levels in 2030 (which includes currently adopted SB 375 SCSs) are necessary. In 2050, reductions of 15 percent below projected VMT levels are needed. A 7 percent VMT reduction translates to a reduction, on average, of 1.5 miles/person/day from projected levels in 2030. It is recommended that local governments consider policies to reduce VMT to help achieve these reductions, including: *land use and community design that reduces VMT . . . . It is important that VMT reducing strategies are implemented early because more time is necessary to achieve the full climate, health, social, equity, and economic benefits from these strategies.* California's 2017 Climate Change Scoping Plan ("Scoping Plan")[4] p. 101 (emphasis added); *see also Newhall Ranch*, 62 Cal.4th at 226. Yet, the Project's remote location will ensure that the majority of residents will be forced to rely on automobiles for virtually all of their transportation needs. *See* DEIR pp. 3.1.3-7, 3.1-25 (Project would generate more than 11 million VMT each year). The RDEIR should have identified SANDAG's VMT (and GHG emissions) assumptions for this location and compared them to those that would be generated by the proposed Project. The RDEIR's failure to conduct this evaluation is a serious flaw. RO6-7 **III. The RDEIR fails to propose feasible mitigation measures to reduce project-related GHG emissions.** An EIR must identify feasible measures to avoid or mitigate significant environmental impacts. CEQA Guidelines § 15126.4. Under CEQA, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Pub. Resources Code § 21002. RO6-8 [4] Available at https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment RO6-8** This comment contends that the RDEIR does not propose feasible mitigation measures to reduce Project-related GHG emissions. The County does not agree with this contention. The Project complies with CEQA Guidelines Section 15126.4 and PRC Section 21002. Reductions in on-site GHG generation are incorporated into the Project through building design (e.g., solar panels to generate electricity, provision of electrical car and equipment outlets for residences, lack of wood-burning fire places, electrical car recharge station at the Center House, planned use of recycled water, reductions in turf use, etc.). Relative to the Revised DEIR, the significance conclusion was not that impacts would be less than significant, but that they would be significant and mitigable. Mitigation is proposed on top of these reductions that would reach carbon neutrality for the Project through offset credit purchase (please see the Global Responses to Carbon Offsets). Finally, the Project also identifies lesser intensity development alternatives that would emit fewer operational GHG emissions. The commenter fails to cite any information pertaining to what feasible and potentially effective mitigation measures were rejected. There is no "unlawful reject[ion] of feasible and potentially effective mitigation measures." The Project appropriately identifies and commits to design and mitigation measures and identifies alternatives that "substantially lessen the significant effects," and in fact do so to less than significant levels under CEQA. Please also see current Responses to Comments RO6-4 and -05. Regardless, GHGs comprise cumulative impacts.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 7 Despite the fact that the Project would result in an anticipated 4,500 daily car trips and more than 11 million VMT each year, the RDEIR maintains the flawed conclusion from the DEIR that the Project would not result in significant impacts related to climate change, although on new grounds. As detailed below, the RDEIR's analysis is again fundamentally flawed. It unlawfully rejects feasible and potentially effective mitigation measures specifically described in its own supporting technical documents. Instead, the RDEIR relies primarily on the purchase of carbon offset credits to claim that the Project will have no impacts whatsoever. RO6-8 **A. The RDEIR improperly avoids analysis of impacts by relying on project features to mitigate Project-related impacts.** Where a project may have significant environmental impacts, any appropriate mitigation measures must be identified in the environmental review process, not outside of it. *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1199-1200. This ensures that impacts are reduced to the greatest extent possible, as a result of informed decision making. *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658. Accordingly, reliance on mitigation measures to avoid CEQA review amounts to an "end run" around the governing standards. *Azusa Land Reclamation Co.*, 52 Cal.App.4th at 1201. According to the RDEIR, the proposed Project incorporates "sustainability and efficiency [Project Design Features or] PDFs that would reduce the Project's operational GHG emissions." RDEIR p. 2.7-18. The RDEIR, like the DEIR, concludes that these features would reduce many of the Project's impacts. *See id.* p. 2.7-21 to 25. RO6-9 But CEQA does not allow an EIR to fold what is effectively an assumed mitigation measure into a significance determination; the project's significant impacts must be determined first, and then the EIR must identify enforceable mitigation that will "offset" the impacts. *See Lotus*, 223 Cal.App.4th at 656. *Lotus* held that an EIR was legally inadequate where it assumed certain mitigation techniques would be incorporated into the project, and thus the EIR did not disclose the impacts of the project without those special techniques. *See id.* Further, the court in *Lotus* held that the EIR there was inadequate because it "fail[ed] to discuss the significance of the environmental impacts apart from the proposed 'avoidance, minimization, and/or mitigation measures' and thus fail[ed] to consider whether other possible mitigation measures would be more effective." *Id.* at 657. Such is the case here: the RDEIR relies on a list of Project Design Features, but it never considers the full range of feasible mitigation measures. SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment RO6-9** These issues largely were submitted on the DEIR. Please see Response to Comment O3a-49 of your prior letter. This comment also raises issues regarding the enforceability of some of the Project design features (PDFs). Specific to use of construction equipment/fleets that exceed existing emissions standards as feasible, the measures in question are potentially more restrictive (if there is something better than Tier III), but it is not possible to be specific at this time. These are very conservative County requirements as they look forward to future fleet function/equipment that is currently unknown, but would be pursued based on availability in the future. This will be a Project condition of approval and will ensure that the equipment will meet the best standards available at the time of construction. Regarding provision of educational materials to homeowners, the Applicant is required to provide these educational materials to the homeowner (however no emission credits were taken for this PDF). It is not a mitigation measure as it cannot be ensured to measurably lower impacts. The County ensures that items assumed as part of design are clearly spelled out and included as conditions. They cannot "escape" requirements as they are included within Chapter 7.0, *List of Mitigation Measures and Project Design Features* that become conditions and act as the Project mitigation monitoring and reporting program. The true nature of the impacts is disclosed. No reductions in emissions have been taken for PDFs that are not truly enforceable, and for which participation by residents would be voluntary. Operational vehicular trips were conservatively estimated (see Project Final TIA Attachment G), no reductions were taken for Project sequestration benefits provided by the robust landscaping plan (see Attachment B to the Ldn Consulting Supplemental Letter of Final Appendix J, no reductions were taken for natural gas use offset (see Attachment A to the Ldn Consulting Supplemental Letter in Appendix J), etc. Relevant to footnote 5, use of these PDFs is not prejudicial, please see Response to Comment O3a-49 of your prior letter.

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	**Response to Comment RO6-10** Please see Response to Comment RO6-8, above. There is no violation of PRC Section 21002, or inconsistency with CEQA Guidelines Section 15126.4(c). The commenter is correct in stating that the RDEIR provides that based on ConSol's analysis, the Project's residences can achieve ZNE and off-set all the natural gas energy use with an increased solar system. The ConSol analysis calculated the estimated size of a rooftop solar PV system that would produce the amount of electricity required for each building to achieve 100 percent offsets of all fuel uses, based on Time Dependent Valuation (TDV) values (i.e., the time of day when most expensive, or peak use), thus achieving ZNE. Therefore, a design feature to off-set 100 percent of the energy usage provided in the Global Climate Change Study is achievable. However, for purposes of providing a conservative analysis, ZNE credit for the reduction of natural gas emissions was not taken in the Supplemental GHG analysis. The PDF has been revised to better reflect the text of the RDEIR and the findings of the Supplemental GHG Analysis. the Project design feature has been revised as follows: Design all residences to achieve the CEC's Zero Net Energy standards, as defined in that agency's 2015 Integrated Energy Policy Report (CEC 2015). Footnote 6 of the letter questions the assumptions used by ConSol in assessing the efficacy of photovoltaic panels on Project residences. The comment says that the analysis "is not based on any Project-specific designs" and assumes "an exceptional level of energy efficiency that is not supported by the Project description of PDFs. The County disagrees. As detailed in the ConSol report in Attachment B to the Ldn Consulting Amendments to EIR Appendix J, the "typical" single family and multi-family structures modeled were taken from the ConSol library and fit within the parameters (in terms of overall square footage and numbers of units) of the Project. The "typicals" for the single-family uses reflect an underestimation of the larger individual homes and an overestimation of the smaller individual homes. As stated in the ConSol Report, the objective of the report was to calculate the annual energy use when each building is configured with options that achieve: (i) compliance with the 2016 Title 24 Standards (California's Energy Code); and (ii) Zero Net Energy (ZNE) as defined in the California Energy Commission's (CEC's) 2015 Integrated Energy Policy Report (2015 IEPR). This analysis also calculates the estimated size of a roof top solar photovoltaic (PV) system that

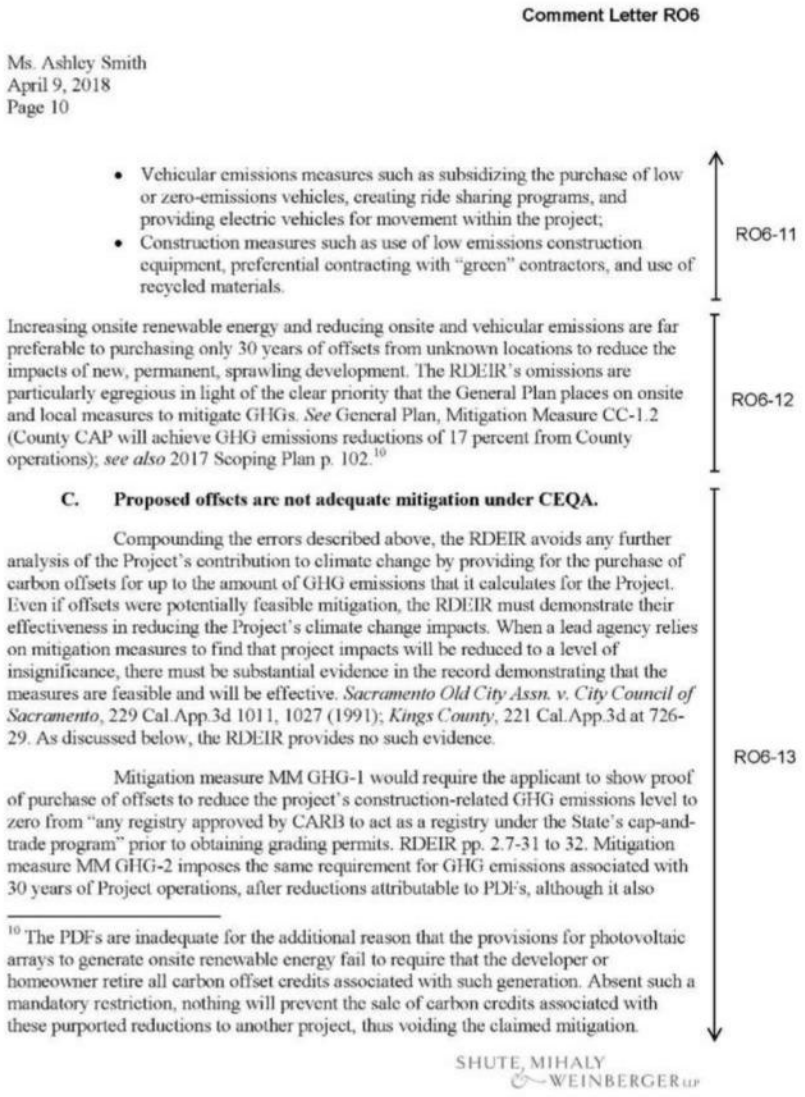
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	would produce the amount of electricity required for each building to achieve ZNE. Similar to other conservative assessments for this Project, no credit for any additional reductions was accounted for in the emission reductions.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 9 energy use, even though "the Project *could* also off-set all the natural gas energy use with an increased solar system." RDEIR p. 2.7-20 fn. 1 (emphasis added). As the supporting letter provided by Ldn Consulting Inc. explains, "the [P]roject could also off-set all the natural gas energy use with an increased solar system" that either increased the size of photovoltaic arrays or the efficiency of the panels used. Letter to RCS Harmony Partners, LLC from Jeremy Louden, Ldn Consulting, Inc. ("Ldn Letter") p. 7 (Feb. 16, 2018); *see also id.*, Ex. B p. 6 (technical report explaining that increase in either size or efficiency of photovoltaic panels on homes would produce sufficient energy to cover the entire "load" of each building, including consumption of both electricity and natural gas). There is no indication, much less substantial evidence, that such additional mitigation is infeasible. Thus, the very documents that claim to support the RDEIR identify feasible mitigation measures that the County has not required, in violation of CEQA. Pub. Resources Code § 21002. RO6-10 Likewise, the RDEIR provides no discussion of the availability or feasibility of additional locations for solar panel installation, such as parking areas or roofs on other buildings. Nor does it mention the vast array of additional measures that the State Attorney General's Office,[7] the California Air Pollution Control Officers' Association,[8] and other air districts[9] have published for years, including: RO6-11 • Onsite energy generation and savings such as solar or geothermal hot water systems and energy storage to optimize onsite renewable generation; • Design features such as cool roofs, graywater systems, prohibitions on fireplaces, and reductions in turf and nonnative grass; • Transit measures such as incorporating the construction of one or more transit stops within the project and providing shuttles to transit stops and/or transit subsidies to reduce residents' VMT; [7] California Attorney General, Addressing Climate Change at the Project Level (2010), available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf. [8] CAPCOA, Quantifying Greenhouse Gas Mitigation Measures (2010), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf. [9] Sacramento Metropolitan Air Quality Management District, Recommended Guidance for Land Use Emission Reductions, Version 4 (for Operational Emissions) (Nov. 2017), available at http://www.airquality.org/LandUseTransportation/Documents/SMAQMDLandUseEmissionReductions4.0Final.pdf. SHUTE, MIHALY & WEINBERGER LLP	**Response to Comment RO6-11** This comment lists a number of additional sources that could be referenced when determining measures that could be applied to the Project, such as the State Attorney General's Office, the California Air Pollution Control Officers' Association (CAPOA), and other air districts. However, the commenter does not include any specifics as to which measures the commenter assert should be considered by the Project from hundreds of such measures. The comment also questions the lack of discussion of potential to add additional locations for solar panel installation, such as parking areas or other buildings. The EIR and supporting GHG technical study assume that any residential building could have solar panels as needed and that the Center House also would have solar panels. The ConSol Report (attached as Appendix B to the Supplemental Analysis) assumed, with the information concerning the Center House, that the building should be able to easily meet a ZNE requirement. As noted above, the energy needs of the Project would be offset. Given the configuration of parking as a narrow linear area, combined with required compliance with the vegetation requirements in the County's Parking Design Manual to minimize the heat island effect, there is no potential for covered parking. The only other on-site structures would be associated with the Wastewater Treatment/Wastewater Reclamation Facility (WTWRF). That facility generally consists of ponds, with equipment structures being limited in size. As necessary, however, panels could also be added to the WTWRF, and those structures would be pre-wired, consistent with Title 24 and as stated in the Project PDFs. Taking each of the bullets in turn: • **Use of on-site solar or geothermal hot water systems and energy storage to optimize on-site renewable generation**: The Project already proposes solar panels. Tankless water heaters are incorporated as part of the Project, and they are more energy-efficient than dedicated solar panels for hot water. or geothermal hot water systems. Energy storage is unnecessary, as the energy provider (SDG&E) accepts energy fed into the grid during sunlight hours and feeds it back to users as needed. • **Use of cool roofs, graywater systems, prohibitions on fireplaces, and reductions in turf and non-native grasses**: Cool roofs were not specifically called out as they will be part of the required Title 24 building code during construction. The Project will achieve cooling

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	benefits through the implementation of cool roof design with special roof tiles and radiant barrier insulation. Greywater systems are not preferred in areas where there is potential for runoff into waterways, or community garden areas. These are also unnecessary for a Project that assumes use of recycled water on all Project public landscaping. As stated in the Project Description on page 1-15, "all Project wastewater is proposed to be reclaimed and reused for irrigation of on-site parks, parkways and common areas (excluding the community gardens) in accordance with standards set by Rincon MWD." The Project has restricted turf use, as discussed in Subchapter 2.7 PDFs ("The Project's outdoor landscaping plan will use turf only in sports field, dog park and park/recreation areas; maximize drought-tolerant, native, and regionally appropriate plants through planting in conformance with the Project Conceptual Landscape Plan and the County's Water Conservation and Landscape Design Manual"). Also as noted in EIR Table 1-2, *Project Design Features,* the Project's outdoor landscaping plan will use turf only in sports field, dog park and park/recreation areas, maximize drought-tolerant, native and regionally appropriate plants through planting in conformance with the Project Conceptual Landscape Plan and the County's Water Conservation and Landscape Design Manual, and incorporate weather-based irrigation controllers, multi-programmable irrigation clocks, and high efficiency drip irrigation systems. At the time of final inspection, a manual shall be placed in each building that includes, among other things, information about water conservation. The Project shall submit a Landscape Document Package that complies with the referenced County Ordinance and demonstrates a 40 percent reduction in outdoor use. The Landscape Document Package shall be submitted to the County for review and approval prior to issuance of any building permits and compliance with this measure shall be made a condition of the Project's approval. This latter commitment has been incorporated into Project PDFs and is included in the Final EIR on Table 1-2, and in Chapter 7.0, *List of Mitigation Measures and Project Design Features*.

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	• **Incorporation of transit stops, shuttles to transit stops and/or transit subsidies**: It is beyond the Project's purview to provide transit stops. Coordination with North County Transit District indicates that they do not see ridership sufficient to support bus lines in the area as of yet. The Project would be "transit ready." A turn out for a future bus stop would be incorporated into the Center House use area. This latter commitment has been incorporated into Project PDFs and is included in the Final EIR on Table 1-2, in Subchapter 2.7, and in Chapter 7.0. The Project is approximately 3 miles for the Nordahl Transit Station, and is therefore well located for future residents who wish to access public transportation. Transit subsidies are not feasible because they are too difficult to confirm that they would be used with any degree of certainty over the life of the Project. As described in Subchapter 2.7 "The HOA will provide informational materials on SANDAG's rideshare programs like icommute," and the Nordahl Transit station is located within 3 miles. • **Subsidy of reduced emissions vehicle purchase, creation of ride-sharing programs and provision of electric vehicles for movement within the Project.** These actions are often included in Transportation Demand Management (TDM) programs focusing on efforts to shift when travel occurs, promotion of telecommuting, etc. These (and other TDM programs) are most frequently applicable to state road planning agencies, metropolitan planning agencies, or to employers providing job opportunities that would support a substantial number of workers travelling to/from a specific locale at specified hours. The HGV South Project is a residential project. Such projects cannot control the ability to telecommute to jobs and do not contain elements that draw visitors/users to the site at specified times each day (as would be the case with a large-scale employer). Similarly, future residents would be expected to have varied reasons and times to leave and return to the Project, minimizing opportunities to combine trips. It is therefore not feasible for the Project to implement a ride-sharing program. The Project would, however, encourage carpooling. As described in Subchapter, "The HOA will provide informational materials on SANDAG's rideshare programs like

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	icommute," Also, in response to comment, the Project will support two electric vehicles on site for use by residents on site and to/from HGV. Similarly, the Project is designed to be walkable on site and also supports bike riding and pedestrian activities between HGV South and HGV through connections to the HGV multi-purpose trail on Country Club Drive and on-site wide streets with low use rates, sharrows, and pedestrian pathways. • **Use of low emissions construction equipment, preferential contracting with "green" contractors, and use of recycled material:** The Project has PDFs requiring low emissions equipment. As stated in Subchapter 2.7, "Tier III or higher construction equipment will be used, with the exception of concrete/industrial saws, generator sets, welders, air compressors, or construction equipment where Tier III or higher is not available." Also, as specifically noted in Response to Comment RO6-09, even higher standards are requested when available. Similarly, the Project will recycle 90 percent of inerts and 70 percent of all other materials. "Green building" is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle from siting to design, construction, operation, maintenance, (and even beyond to) renovation and deconstruction. Although the latter two phases would be in the future (and speculative) actions, the basis of this Project is environmentally responsible and resource efficient. This starts with the consolidated footprint for the number of homes proposed and continues to the use of wide swaths of vegetation, the 2,045 trees to be planted, the 100 percent offset of electrical/energy use through use of solar, the reduction in turf, the use of recycled water on Project public areas, the walkability of the Project, and all the other measures detailed in the Project FEIR and these responses. The use of recycled materials is encouraged and potential for such use will be reviewed during Project construction. In the meantime, Project modeling is conservative as no deductions have been taken.

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	**Response to Comment RO6-12** The commenter incorrectly states that the RDEIR fails to comply with the clear priority that the General Plan places on on-site and local measures to mitigation GHG. Consistent with County requirements, all feasible measures have been incorporated into the Project, as detailed throughout these responses. The Project GHG Consistency List and the CARB Scoping Plan document the incorporation of all feasible measures for the Project. The Project GHG Consistency List has been incorporated into the Final GHG Emissions Report and the Scoping Plan List of Mitigation Measures is Attachment D to the GHG Emissions Report. (Project GHG Consistency List is hereby incorporated by this reference and is available for review as a part of the Information for the Reader in the technical report.) All of the Project design features and mitigation measures are included in Chapter 7.0 of the FEIR. These have resulted in a robust on-site reduction program is built into the Project – 100 percent of the projected Project electrical/energy use would be offset through on-site solar panels, and the energy use in general was initially reduced through the measures (as well as others specified in FEIR Subchapter 2.7) summarized in Response to Comment RO6-8. In addition, the Project landscaping plan, and the installation of a minimum of 2,045 trees, was not quantified but would nonetheless sequester emissions (please also see RO6-05, above). The commenter cites a mitigation measure in the General Plan Update (GPU) PEIR requiring the County to adopt a CAP. The County Board of Supervisors adopted the CAP on February 14, 2018 in full compliance with GPU PEIR mitigation measure CC-1.2. The Project, designed and mitigated through commitments to be carbon neutral, would not interfere with the County's ability to achieve the targets and goal in the CAP. In fact, through placement of developed uses on County lands abutting County Village and proximate to more intensely developed uses in nearby cities, the Project would support goals to place County housing in areas where jobs, services and shopping are nearby. Regarding the 30 years of offset credits and CARB's 2017 Scoping Plan, please see the Global Responses to Carbon Offsets.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 11 allows the developer to reduce the amount of offsets purchased after Project approval under certain circumstances. *Id.* pp. 2.7-32 to 33. A mitigation measure requiring the purchase of offset credits operates as a kind of mitigation fee. But CEQA does not allow mitigation fees unless there is substantial evidence of a functioning, enforceable, and effective implementation program. Courts have found mitigation fees inadequate where the amount to be paid for traffic mitigation was unspecified and not "part of a reasonable, enforceable program" (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1189 (*Anderson First*)); where a proposed urban decay mitigation fee contained no cost estimate and no description of how it would be implemented (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 198); and where there was no specific traffic mitigation plan in place that would be funded by mitigation fees (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1122). Here, the applicant can purchase offsets from an unspecified registry without providing any mechanism to ensure that those credits will actually reduce carbon emissions at all, much less in the same quantity that the County admits the Project will generate. This is insufficient. RO6-13 **1. Carbon offsets are disfavored and may not be effective.** Measures M-GHG-1 and M-GHG-2 fail to comply with CEQA's rule that proposed offsets must be "not otherwise required." Guidelines §15126.4(c)(3). This rule makes clear that offsets may only be used as CEQA mitigation if the offsets will provide "additional" emission reductions—that is, reductions not otherwise required by law or likely to occur anyway. California Natural Resources Agency, Final Statement of Reasons for Regulatory Action pp. 88-89.[11] The RDEIR makes no attempt to identify how many of the required offsets meet this essential criterion. In fact, it provides no evidence that any of the qualified offset programs listed in the RDEIR are capable of ensuring that offsets are "additional." This omission is a particular concern given the RDEIR's allowance of international offsets, which are especially challenging to verify, as described below and in Exhibits B and C. As a result, the RDEIR fails to ensure that these programs will generate offsets that comply with CEQA. *See Sacramento Old City*, 229 Cal.App.3d at 1027 (record must include substantial evidence that mitigation is effective and enforceable). [11] Available at http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf. SHUTE, MIHALY & WEINBERGER LLP	Regarding footnote 10, the commenter is incorrect in stating that the Project's PDF, that requires 100 percent of its projected electrical use be offset through on-site solar panels, could be sold to mitigate GHG emissions for another project. There is a mandatory restriction that prevents this from occurring; CEQA Guidelines section 15126.4[c][3]) requires that carbon offset credits be in addition to or "not otherwise required." Therefore, no offset credits could be sold for this PDF. **Response to Comment RO6-13** Please see the Global Responses to Carbon Offsets regarding information on offsets being adequate mitigation under CEQA, and the effective nature of offsets. Specific to the California cap and trade program created by CARB with the voluntary, open GHG credit-based trading market available through CARB-approved registries. The Cap-and-Trade program is an adopted statewide plan for reducing or mitigating GHG emissions from regulated industries. In the voluntary, open based market, emission reduction credits are treated as a commodity with independent value which may be purchased and sold as a commodity on an exchange. The important distinction between a voluntary, open market and a cap-and-trade system is that the creation, buying, and selling of offsets is not restricted in an open market. An open GHG credit-based trading market does not have a cap, and participation is on a voluntary basis. Therefore, the eight percent restriction placed on the cap and trade program mentioned by the commenter is not relevant when discussing the purchase and retirement of emission reduction credits obtained from the carbon market. The cap and trade requirement for regulated entities is a different regulatory scheme than applied to land use development projects on the voluntary market. Even though the decision to approve a project is a discretionary matter, the commenter speculates that the County will approve a number of projects in the future which will result in the demand for offset credits growing so rapidly that there will be insufficient credits for such projects to purchase. Then relying on Kings County Farm Bureau v. City of Hanford, 221 Cal. App. 3d 692, 728,

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 12 Moreover, even the most sophisticated offset programs have failed in practice. A 2016 report prepared for the EU Directorate General for Climate Action concluded that nearly 75 percent of the potential certified offset projects had a low likelihood of actually contributing additive GHG reductions, and less than 10 percent of such projects had a high likelihood of additive reductions. *See* Exhibit B (*How additional is the Clean Development Mechanism? Analysis of the application of current tools and proposed alternatives*, Institute of Applied Ecology, March, 2016) p. 11; *see also* Exhibit C (*Carbon Credits Likely Worthless in Reducing Emissions, Study Says*, Inside Climate News, April 19, 2017). Here, there is no evidence that the required offsets will be effective. The three registries identified in the RDEIR allow the developer to purchase offsets from several different categories of offset programs. Only some of these offset programs meet the minimum standards that CARB sets for "compliance offsets," which are the offsets that are eligible for use in the state's cap and trade program.[12] Other products, such as voluntary offsets, are unregulated and provide no evidence of their effectiveness or additionality. *See, e.g.*, Climate Action Reserve, Voluntary Offsets.[13] Absent any evidence whatsoever that the offsets on which it relies will actually reduce carbon emissions, the RDEIR lacks substantial evidence to support its conclusion that the Project will have less-than-significant-impacts on climate change. Because of these known problems with enforcement and efficacy, agencies typically permit offsets to constitute only a very small part of an overall emission reduction program. For example, California's cap and trade program allows no more than 8 percent of GHG reductions to come from offsets, which will drop to 4 percent in 2021, at which point at least half of the offsets used must "provide direct environmental benefits in state." Health & Safety Code. § 38562(c)(2)(E). The 2017 Scoping Plan also prioritizes onsite measures: "[t]o the degree a project relies on GHG mitigation measures, CARB recommends that lead agencies prioritize on-site design features that reduce emissions, *especially from VMT*, and direct investments in GHG reductions within the project's region that contribute potential air quality, health, and economic co-benefits [12] Under the State's cap-and-trade program, compliance offset projects must comply with minimum regulatory requirements, including that "[t]he activities that result in GHG reductions and GHG removal enhancements are not required by law, regulation, or any legally binding mandate applicable in the offset project's jurisdiction, and would not otherwise occur in a conservative business-as-usual scenario." Cal. Code Regs. tit. 17, § 95973(a)(2). [13] Available at http://www.climateactionreserve.org/about-us/voluntary-offsets/. SHUTE, MIHALY & WEINBERGER LLP RO6-13	assets that the RDEIR must address whether enough GHG offset credits are available from existing, functioning programs to mitigate the Project's emissions. However, the Kings County case is inapposite here. In Kings County the mitigation measure relied upon to mitigate an impact consisted of the act of entering into the agreement to purchase water not the actual purchase of the water. The agreement was then made a part of the basis for finding there was no significant impact and was not a condition of project approval. This is quite different from the case here in which carbon offset credits must actually be purchased before the impact occurs. In the case of construction emissions, such emissions must be mitigated before a grading permit may be issued by the County and impacts related to operational emissions must be mitigated before building permits that would cause such emissions are issued by the County for each phase of the project. The concept of development projects purchasing compensatory mitigation credits in the future is not a new one. For example, purchasing off-site mitigation credits from "mitigation banks" or "programs" respectively for biological or agricultural impacts has been used for quite some time and has been upheld when there is a commitment to the mitigation and criteria or performance standards are set forth. As described in the Global Responses to Carbon Offsets, the use of carbon offset credits is also a well-established method for mitigating project-level GHG emissions. The GHG Mitigation Measures established clear performance standards ensuring the effectiveness of the mitigation by requiring the purchase of carbon offset credits from registries consistent with CARB guidance. This ensures that the carbon offsets are in fact purchased through an existing and functioning program.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 13 locally." Scoping Plan p. 102 (emphasis added). The County General Plan concurs; Mitigation Measure CC-1.2 for the General Plan expressly requires reductions in GHG emissions from County and community emissions. Contrary to each of these approaches, the RDEIR relies on offsets to mitigate all VMT-related emissions. Yet there is simply no evidence that the undefined, unenforceable offsets proposed by the RDEIR will cause any meaningful reduction to mitigate the permanent increase in GHG resulting from the Project's sprawl development. Perhaps most important, the RDEIR's approach of meeting its GHG reduction requirements with the use of out-of-County offsets simply allows the County to perpetuate sprawling land use development patterns. Projects such as Harmony Grove Village South increase sprawl, VMT, and GHG emissions. This Project and its mitigation, which allows in-County emissions to multiply while out-sourcing reductions to unreliable international offsets, violates both the letter and the spirit of CEQA. **2. There is no evidence that enough GHG offset credits are available.** The RDEIR does not even address whether enough GHG offset credits are available from existing, functioning programs to mitigate the Project's emissions. This is a particular concern because there are only a limited number of offset projects that attempt to demonstrate additionality, as discussed above. This Project will require approximately 10,000 MT CO_{2e} in offsets total. RDEIR pp. 35-36. But the Project does not exist in a vacuum. The San Diego Union Tribune recently noted that "more than a dozen" projects that rely on offsets were awaiting County approval as of March 19, 2018. *See* Exhibit D (San Diego Union Tribune, "Sierra Club, others sue San Diego County to block carbon credit plan for new development," March 19, 2018). The County's flawed Climate Action Plan, discussed below, endorses the use of offsets, ensuring that demand for offset credits will grow rapidly in the near future. Despite this growing demand, as of January 2018 there were no credits from carbon offset projects located in San Diego County that were available on any of the three offset registries approved by CARB. Final Supplement to the 2011 General Plan Update Program Environmental Impact Report for the Climate Action Plan, p. 8-53.[14] And at a much broader level, 324,069,019 MT CO_{2e} were subject to the state's cap-and trade program in 2016, over 25 million (up to 8 percent) of which could come from [14] Available at https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/cap/publicreviewdocuments/FinalPublicReviewDocs/FinalBoardDocs/Chapter%208.0_%20Revised%20Final.pdf. SHUTE, MIHALY & WEINBERGER LLP RO6-13	With respect to the assertion that emission trading is unsuccessful, please see "California's carbon market is a big success. Here are the facts" by Erica Morehouse, incorporated herein and available at https://www.edf.org/blog/2016/.../californias-carbon-market-big-success-here-are-fact. As of 2016, California is ahead of schedule in meeting its climate goals. The state's nearly 10-year-old climate program, of which the carbon market is the backbone, initially required a reduction in greenhouse gas emissions to 1990 levels by 2020, 15 percent below where emissions would be without regulation. "But the Golden State is expected to be well below 1990 levels four years from now; emissions have been below required levels every year for which we have data."

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offsets. *See* Exhibit E. The sheer volume of emissions creates a large and growing demand for offsets and thus casts serious doubt on the availability of sufficient credits. The lack of evidence that sufficient credits exist renders the mitigation measure invalid. *See Kings County*, 221 Cal.App.3d at p. 728. RO6-13

3. The RDEIR allows for impermissible decreases in mitigation after project approval, contrary to state policy.

Mitigation Measure M-GHG-2 is flawed for the additional and independent reason that it authorizes County staff to *decrease* the amount of carbon offsets required if the Project's assumed carbon emissions are reduced by future measures or regulatory changes, without any corresponding requirement to *increase* offsets if future events prove that the EIR's emissions assumptions are too low. RDEIR p. 2.7-33. This lopsided standard could further reduce the already inadequate offsets, even where later information or changed circumstances demonstrate that the Project's actual GHGs are greater than the RDEIR anticipated.

Moreover, the process for approving this reduction in mitigation would be subject only to County oversight, conducted outside of CEQA, with no public review. At a minimum, any change in greenhouse gas emissions that are to be offset must be subject to CEQA review. The mitigation measure should also be broadened to require offsets for increases in future operational greenhouse gas and criteria pollutant emissions, beyond those estimated in the RDEIR, as increases are equally likely because future emissions depend upon many factors that cannot be currently predicted—including the feasibility of proposed PDFs, political will, increasing ambient temperatures, and reductions in water supply due to climate change—which could increase greenhouse gas and criteria pollutant emissions beyond those estimated in the RDEIR. RO6-14

This one-way provision that allows the County to ratchet mitigation down moves the County in the wrong direction. In fact, even if the Project purchased a sufficient number of offsets, and the offsets were actually effective as mitigation, the RDEIR would still fail to show that the Project complies with County and state policies that require reductions in long-term climate impacts to a less-than-significant level. As explained in the DEIR, the California Air Resources Board projects that average annual emissions must decline by 5.2 percent *each year* to achieve target reductions for year 2050. DEIR p. 3.1.3-16. CARB recently confirmed these required reductions in its 2017 Scoping Plan. Scoping Plan p. 18. These reductions are portrayed graphically in the Plan's Figure 5, which is reproduced below. Mitigation Measure CC 1.2 for the County General Plan reflects the same conclusion, requiring reductions in emissions from County operations and communities, as described below. As the California Supreme Court recognized in

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This comment contends that the RDEIR allows for impermissible decreases in mitigation after project approval, contrary to state policy. Mitigation Measure M-GHG-2 acknowledges the constant advances that are being made in technology with respect to GHG emissions. It provides that if new technological improvements, scientific advancements, improvements in fuel efficiency or other similar advancements result in a greater reduction in the total MT CO_2e operational emissions being realized from the Project, the Applicant may provide an Updated Operational Emissions Report to the County. The Report is subject to the following specific requirements as set forth in M-GHG-2:

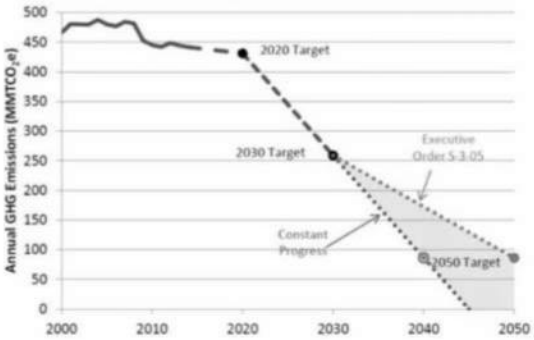
- The Updated Operational Emissions Report shall be prepared by a County-approved, qualified air quality and GHG technical specialist
- The Report shall be based upon calculations that utilize a County-approved model or methodology
- The calculations shall be based upon an emissions inventory of the Project's operational emissions, including emissions from mobile sources, energy, area sources, water consumption, and solid waste
- The Report shall demonstrate based on substantial evidence that greater GHG efficiencies occurred due to advancements, or improvements in fuel efficiency or other similar advancements that has resulted in a greater reduction in the total operational emissions of the Project than what was evaluated.

The County may only reduce the amount of GHG credits required to be purchased at the next site plan approval phase and the associated building permits issued per that subsequent site plan, if the following occurs:

1. The Director of PDS approves the Updated Operational Emissions Report that has been prepared subject to the requirements described above, and
2. The Director determines that the Applicant has demonstrated by substantial evidence that changes in State regulation or law, or other increased building efficiencies, have reduced the total MT CO_2e emitted by the Project and the reduction to the total carbon offsets, and are

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	consistent with the Project commitment to achieve and maintain carbon neutrality (i.e., net zero emissions) for the 30-year life of the Project. The DEIR analyzed in detail the impacts related to the Project's GHG emissions and identified appropriate mitigation measures under a worst case scenario that does not take into consideration the future advances that are constantly being made in technology that could result in reductions to the operational emissions of the Project. It clearly provides the performance standards with which the Applicant must comply in order to be eligible to receive a reduction in the amount of GHG credits the Applicant would be required to purchase in the future. Thus this process is in keeping with Sacramento Old City Ass'n v. City Council (1991) 229 CA3d 1011. (The agency has committed itself to devising measures that will satisfy specific performance criteria articulated at the time of project approval.) Similar to Sacramento Old City, the County has thoroughly analyzed the GHG impacts and has committed to a specific mitigation measure. It merely allows the Applicant to seek to purchase fewer offset emission credits if there has been a decrease in the project's GHG emissions. However, the Applicant must prove this to the County based on substantial evidence after following the specific performance criteria set forth in M-GHG-2. It is not conducted outside of CEQA but rather is allowed by CEQA under the circumstances described herein. There is no need for this to receive public review because it is a routine part of conformity analysis completed by qualified County staff as part of Project final approvals Relative to the potential for additional offset credits to be required, this is not anticipated. As described throughout these responses, the Project GHG analyses were conservative in nature. Operational vehicular trips were conservatively estimated (see Project Final TIA Attachment G), no reductions were taken for Project sequestration benefits provided by the robust landscaping plan (see Attachment B to the Ldn Consulting Supplemental Letter of Final Appendix J, no reductions were taken for natural gas use offset (see Attachment A to the Ldn Consulting Supplemental Letter in Appendix J), etc. Finally, it is acknowledged that improved technology will continue to lower GHG emissions from Project

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	vehicular sources over time. For all these reasons, the potential for need for additional credits over those assessed for the Project is not considered likely. The paragraph on the bottom of page 14 focuses on the need to reduce emissions every year, and states that "even if the Project purchased a sufficient number of offsets, and the offsets were actually effective as mitigation," the Project would still fail to demonstrate compliance with County and State policies requiring reductions in climate impacts. On the top of page 15, however, the comment alludes to Newhall Ranch, and makes the generally agreed-upon observation that the greatest possible reduction in emissions will come from new construction with it "associated opportunities to design for energy efficiency and minimal emissions from the outset." There will be reductions per residence as older built uses and vehicles phase out and newer structures and vehicles, with fewer emissions come into use. This Project would be part of the less impactive and reduction-focused new construction noted in Newhall, based on the Project design features, as well as the offsets in emissions over and above those identified to offset Project impacts (i.e., due to offsets to carbon neutral of even the designated land uses in the adopted General Plan for the site and the landscaping plan that provides an additional 48 percent sequestration value over the vegetation removal totals). The graphic on page 15 is a schematic of how many reductions need to occur per year in order to attain straight line reductions to reach 2050 targets. It is not a standard per se, but illustrative on average of what it would take to "get there." Greater reductions may be attained in some years, and lesser reductions may be attained in others, but overall, the same goal is met in 2050. It is also noted that there are other agencies, industries and factors involved in planned GHG reductions. For example, local and state transportation agency reductions are also critical to the mix.

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Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 15 *Newhall Ranch*, 62 Cal.4th at 226, it is especially important to obtain the greatest possible reductions in emissions from new construction, with its associated opportunities to design for energy efficiency and minimal emissions from the outset. Figure I-5. Plotting California's Path Forward  **IV. The County's failure to adopt a legally sufficient climate action plan is the root of the problem.** The County's General Plan contains a mitigation measure that requires the County to adopt a Climate Action Plan ("CAP") that will ensure that the County sufficiently reduces its GHG emissions to meet AB 32's goals and longer-term climate needs. As the Court of Appeal stated in recent litigation successfully challenging the County's failure to prepare an adequate CAP: > [Mitigation Measure] CC-1.2 requires the preparation of a County Climate Change Action Plan within six months from the adoption date of the General Plan Update. The Climate Change Action Plan will include a baseline inventory of greenhouse gas emissions from all sources and more detailed greenhouse gas emissions reduction targets and deadlines. The County Climate Change Action Plan will achieve comprehensive and enforceable GHG emissions reduction of 17% (totaling 23,572 $MTCO_2e$) SHUTE, MIHALY & WEINBERGER LLP RO6-14 RO6-15	**Response to Comment RO6-15** Please see the Global Responses to Climate Action Plan regarding the County CAP.

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from County operations from 2006 by 2020 and 9% reduction (totaling 479,717 $MTCO_2e$) in community emissions from 2006 by 2020.

Sierra Club v. County of San Diego (2014) 231 Cal.App.4th 1152, 1159. This mitigation measure is a crucial aspect of the General Plan, and the General Plan EIR made it clear that adoption of the Climate Action Plan, among other measures, was necessary to mitigate the Plan's significant climate impacts. However, when the County adopted its Climate Action Plan, it failed to ensure that the Plan contained enforceable measures to reduce Countywide emissions to 1990 levels by 2020. Sierra Club successfully challenged the Climate Action Plan, which the court invalidated. *Id.*

The County adopted a new CAP on February 14, 2018. While the RDEIR does not expressly rely on the CAP, its mitigation measures track those of the CAP. In particular, the RDEIR relies on the purchase of carbon offset credits to conclude that the "Project would not generate GHG emissions that may have a significant impact on the environment because the mitigated Project would have no net increase in GHG emissions, as compared to the existing environmental setting." RDEIR p. 2.7-33. RO6-15

For the reasons set forth above and in the March 16, 2018 Petition for a Writ of Mandate in which the Sierra Club and other County environmental organizations challenge the new CAP, attached as Exhibit F, and the comment letter submitted by the same, attached as Exhibit G, this approach does not comply with the County General Plan, the RTP/SCS, CEQA, or the State's urgent policy of reducing emissions from VMT in particular in an attempt to avoid catastrophic climate change.

V. Conclusion

For all of the foregoing reasons, we respectfully submit that the County cannot lawfully approve Harmony Grove Village South. The Project is plainly inconsistent with numerous General Plan policies. The RDEIR perpetuates the flaws of the DEIR and fails to inform the public of the full impacts of the Project. It cannot support the findings required by CEQA. We urge the County to exercise its discretion and deny this ill-advised Project. RO6-16

Response to Comment RO6-16

These are conclusion comments. No specific substantive comments are made, but a number of generalizations are stated. In response, it is noted that as demonstrated in the DEIR, RDEIR, and FEIR (including responses to comments submitted on the draft documents), the Project is consistent with General Plan policies and informs the public of the full impacts of the Project. The FEIR and supporting technical studies are also found to support the necessary CEQA findings. Your opposition to the Project is noted, and it will be before the decision makers during consideration of the Project. Should they decide to approve the Project, it is expected to be a lawful approval.

COMMENTS	RESPONSES
Comment Letter RO6 Ms. Ashley Smith April 9, 2018 Page 17 Very truly yours, SHUTE, MIHALY & WEINBERGER LLP  Sarah H. Sigman cc: (e-mail only): Dianne Jacob, Chair, Supervisor, District 2 Kristin Gaspar, Supervisor, District 3 Greg Cox, Supervisor, District 1 Ron Roberts, Supervisor, District 4 Bill Horn, Supervisor, District 5 Sarah Aghassi, Deputy CAO and group General Manager for LUEG David Sibbett, Planning Manager, PDS Doug Dill, San Dieguito Planning Group Jacqueline Arsivaud, Elfin Forest Harmony Grove Town Council David Kovach, RCS Harmony Partners, LLC Marcel Arsenault, Real Capital Solutions SHUTE, MIHALY & WEINBERGER LLP	

COMMENTS	RESPONSES

Comment Letter RO6

List of Exhibits

Exhibit A	M. Barth and K. Boriboonsomsin, Traffic Congestion and Greenhouse Gases, TR News 268 May-June 2010. Available at http://onlinepubs.trb.org/onlinepubs/trnews/trnews268.pdf.	RO6-17
Exhibit B	M. Cames et al., *How additional is the Clean Development Mechanism? Analysis of the application of current tools and proposed alternatives* (March 2016). Available at https://www.atmosfair.de/wp-content/uploads/clean_dev_mechanism_en.pdf.	RO6-18
Exhibit C	N. Kusnetz, *Carbon Credits Likely Worthless in Reducing Emissions, Study Says*, Inside Climate News (April 19, 2017). Available at https://insideclimatenews.org/news/19042017/cabon-emissions-credits-paris-climate-agreement.	RO6-19
Exhibit D	J. Smith, *Sierra Club, others sue San Diego County to block carbon credit plan for new development*, San Diego Union Tribune (March 19, 2018). Available at http://www.sandiegouniontribune.com/news/environment/sd-me-sierra-lawsuit-20180319-story.html.	RO6-20
Exhibit E	California Air Resources Board, Annual Summary of 2016 Greenhouse Gas Emissions Data Reported to the California Air Resources Board (Nov. 6, 2017). Available at https://www.arb.ca.gov/cc/reporting/ghg-rep/reported-data/2016-ghg-emissions-2017-11-06.xlsx?_ga=2.154900728.1354564655.1521587185-1672352890.1504716489.	RO6-21
Exhibit F	Sierra Club et al. v. County of San Diego, Petition for a Writ of Mandate (March 16, 2018).	RO6-22
Exhibit G	Letter from J. Chatten-Brown to San Diego County Planning Commission Re Supplemental Comments on San Diego Climate Action Plan (PDS2015-POD-15-002), Draft Supplemental Environmental Impact Report for the Climate Action Plan (PDS2016-ER-16-00-003) and Pending General Plan Amendments (Jan. 16, 2018).	RO6-23

Response to Comment RO6-17
This exhibit is cited in Comment RO6-5. Please see the Global Responses to Carbon Offsets.

Response to Comment RO6-18
This exhibit is cited in Comment RO6-13. Please see the Global Responses to Carbon Offsets.

Response to Comment RO6-19
This exhibit is cited in Comment RO6-13. Please see the Global Responses to Carbon Offsets.

Response to Comment RO6-20
This exhibit is cited in Comment RO6-13. Please see the Global Responses to Carbon Offsets.

Response to Comment RO6-21
This exhibit is cited in Comment RO6-13. Please see the Global Responses to Carbon Offsets.

Response to Comment RO6-22
This exhibit is cited in Comment RO6-15. Please see the Global Responses to Climate Action Plan.

Response to Comment RO6-23
This exhibit is cited in Comment RO6-15. Please see the Global Responses to Climate Action Plan.

COMMENTS	RESPONSES

Comment Letter RI1

April 5, 2018

Karen Binns
2637 Deer Springs Place
San Marcos, CA 92069

Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

RE: Recirculation of Harmony Grove Village South, PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDSXXXX-HLP-XXX, Log No. PDS2015-ER-15-08-006, SCH NO. 2015081071.

Dear Ashley,

I am writing regarding the Harmony Grove Village South recirculated DEIR project.

I know that we hear there is a housing shortage yet the other Harmony Grove homes are NOT selling. They have reduced the prices about $100,000.00 across the board.

Will these homes even sell? Harmony Grove has grading the land and now the homes are not selling.

Not sure what the price range will be for these homes, but $700,000.00 is not affordable housing. Then you add on Mello Roos or Community District fees and the prices skyrocket. — RI1-1

Where is the water coming from for this project? I know that Rincon MWD is the supplier. Is there enough water or will the current homeowners in that district need to conserve so that there is appropriate water for this new development? — RI1-2

My other concern is that this is in a **very high fire hazard zone**. Will there be a firehouse on site? Is there an evacuate plan? Are the access roads in and out of the project of sufficient size and width to accompany all the fleeing residents as well as to accommodate the entering fire fighters, etc. With all the fires in Northern California this year, it is only a matter of time before this area is next. — RI1-3

All we hear is that we need housing, housing, housing. Build to the approved 2011General Plan and you will have PLENTY of housing. These proposed homes are not even homes that people will be able to afford. It is not "affordable housing". — RI1-4

The traffic on the I-15 freeway as well as the Route 78 freeway is always backed up during rush hour. Sometimes they are just backed up for no reason. There are just too many people using these roads. Adding all these homes to an already flawed highway system is inappropriate. — RI1-5

Sincerely,

Karen Binns

Response to Comment RI1-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018.

Response to Comment RI1-2

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, the FEIR analyzes potential Project-related water supply impacts. This analysis is detailed in the Potable Water Supply Analysis (Appendix P) and Subchapter 3.1.11, *Utilities and Service Systems*, of the FEIR.

Response to Comment RI1-3

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, fire hazards and why they are less than significant are detailed within the Project Fire Protection Plan and summarized in the FEIR in Table 1-2, *Project Design Features*, and in Section 3.1.3, *Hazards and Hazardous Materials*, as well as in Chapter 7, *List of Mitigation Measures and Project Design Features*. This topic is also addressed in global responses in the Sections 8.3.3, *Fire Hazards Impact Analysis*, and 8.3.4, *Adequacy of Emergency Evacuation and Access* in Chapter 8 of the FEIR.

Response to Comment RI1-4

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, housing is addressed in the FEIR Global Response in Subchapter 8.3.1, *Project Consistency with General Plan Policy LU-1.4*.

COMMENTS	RESPONSES
	Response to Comment RI1-5 This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, the FEIR analyzes potential Project-related traffic impacts (including State Route 78) and sets forth mitigation measures for significant impacts as necessary. This analysis is detailed in the Traffic Impact Analysis (Appendix D) and Subchapter 2.2, *Transportation/Traffic*, of the FEIR.

COMMENTS	RESPONSES

Comment Letter RI2

April 8, 2018

Ashley Smith
County of San Diego
Planning & Development Services
5510 Overland Ave, Suite 310
San Diego, Ca 92123

Dear Ms. Smith,

I live in Elfin Forest and reviewed the traffic portion of the Harmony Grove Village South EIR and have the following comments:
As a former member (in the late 1980s and early 90's) of the San Dieguito Planning Group , I have reviewed quite a few EIRs. While I was on the planning group we updated our community plan at the time as well. The San Dieguito Community Plan has always emphasized a rural community with a minimum of 2 acre lots, many of which are on septic systems. We primarily have light collectors throughout our area. The recent developments in the Harmony Grove area continually go against our community plan. RI2-1

Besides the fact that this and the other Harmony Grove project are contrary to the community plan, my other complaint about this project is the traffic that will be generated by all the homes (this project and the other 3). I reviewed the traffic section, as I mentioned above, and once again…as with Harmony Grove Village and the Valiano project (to the north of Harmony Grove Village development), they continue to disregard the effect, individually or cummulatively, of traffic generated by these developments, There does not appear to be any mention of traffic going down Harmony Grove Rd and then down Elfin Forest Rd. It is as if all of the traffic will magically be denied any access down this part of the road. As you know, traffic along 15, 78 and Del Dios Highway are, at peak hours, level of service E and sometimes F. Does the county really believe that none of the potential residents of the 1800 homes(cumulative for all 4 proposed or soon to be proposed developments in Harmony Grove: Harmony Grove Village, Valiano, RI2-2

Response to Comment RI2-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018.

Response to Comment RI2-2

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, the FEIR analyzes potential Project-related traffic impacts, including cumulative and multimodal impacts, and sets forth feasible mitigation measures for significant impacts. The study area includes local roads and intersections that would receive 25 or more peak hour trips. This analysis is detailed in the Traffic Impact Analysis (Appendix D) and Subchapter 2.2, *Transportation/ Traffic*, of the FEIR.

COMMENTS	RESPONSES
Comment Letter RI2 Harmony Grove Village South, and the development to the south of Harmony Grove Village South) will drive down Harmony Grove Rd in the direction of Elfin Forest Rd? Why has this not been brought up in this or any prior EIR for the developments in this area? I keep bringing it up, but never see any change to the EIR commenting on this. Does the county and developers expect us to buy off on the fact that out of a potential of 18,000 ADTs (10 per home) none will go down this light collector? Does the county understand that this road has a hill on one side on Harmony Grove Rd en route to Elfin Forest and a creek on the other with no realistic means to expand this 2 lane road? Does the county understand that there are quite a lot of bikes that ride this road and there is no bike lane, no side walks and the roads are winding and have poor site distance? There is not supposed to be passing along this road either, but that doesn't stop cars from passing illegally. This road is already getting very busy at peak hours, since it is used a lot as a shortcut between the 5 freeway and the 15 freeway given the traffic on the freeways, Del Dios and 78. And given that the site distance is poor at many places along Elfin Forest and Harmony Grove Rds, there is bound to be deadly accidents along this road. In fact, someone a few years ago tried to pass my husband on Harmony Grove Rd near Elfin Forest Rd and that person crashed head on into a car coming from the opposite direction. I am worried also that there may be deadly accidents with bicyclists with the increase in traffic. As I said, the roads are currently too narrow to handle the bicycles and cars, given the 3 foot law to stay clear of bicyclists, quite often cross over the solid double yellow lines to pass them on blind curves. If ¼ of the potential ADTs from these developments (cumulative 18,000) went through Harmony Grove/Elfin Forest Rds, that would be an additional 4,500 ADTs. That would be very dangerous for that light collector. RI2-2 In addition, I am tired of the county not sticking to the community plan for our area. We have always been rural, but these 4 developments alone, will change the community character of our area. The community plan should be adhered to and no exceptions should be made. Harmony Grove Village South is, like Harmony Grove Village and Valiano, an urban development and does not belong in a rural area. RI2-3	**Response to Comment RI2-3** This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, housing is addressed in the FEIR, global responses, in Section 8.3.1, *Project Consistency with General Plan Policy LU-1.4*, in Chapter 8.0 of the FEIR.

COMMENTS	RESPONSES
Comment Letter RI2 In addition, given the potential traffic along Elfin Forest Rd and Harmony Grove Rd, this EIR should also reflect the traffic impacts along Elfin Forest and Harmony Grove Roads from the SD 15 (aka Copper Hills) development in San Elijo area (351 DU). There is a cumulative effect of traffic coming to and from that development and other developments in San Elijo along our roads. Given the gridlock along San Elijo Rd, there most certainly will be traffic taking shortcuts down our light collector roads to go east and return back the same way. At peak hours, San Elijo road is very jammed up and is probably LOS E. RI2-4 And finally, having lived out here for about 35 years, the EIR does not at all discuss the cumulative traffic impacts or grid lock (LOS F) should there be a fire east of this development and others in Harmony Grove Village area and residents needing to evacuate down Harmony Grove and Elfin Forest Rd. During the Cocos fire San Elijo Road was gridlocked with no traffic movement. Adding that many homes, should they not be able to escape to the north towards 78, east to 15 or south to Del Dios, would be catastrophic for the residents of that community along with those of us in Harmony Grove near to and including Elfin Forest area residents. RI2-5 Please recommend that this developer change the EIR to reflect the huge impact to traffic along Harmony Grove Rd and Elfin Forest Rd. And finally, please recommend denial of this project. Should you have any additional questions, please feel free to call me at 760-744-2034 (home) or via my email (mickeykc@juno.com). RI2-6 Sincerely, Mary Cross 7150 Circa de Media Elfin Forest, Ca 92029	**Response to Comment RI2-4** This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, the FEIR analyzes potential Project-related traffic impacts, including cumulative impacts on analyzed roads, and sets forth mitigation measures for significant impacts. This analysis is detailed in the Traffic Impact Analysis (Appendix D) and Subchapter 2.2, *Transportation/Traffic*, of the FEIR. **Response to Comment RI2-5** This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, impacts to fire hazards are detailed within the Fire Protection Plan and summarized in the FEIR in Table 1-2, *Project Design Features*, and Section 3.1.3, *Hazards and Hazardous Materials*, as well as in Chapter 7.0, *List of Mitigation Measures and Project Design Features*. This topic is also addressed in the FEIR global responses in Sections 8.3.3, *Fire Hazards Impact Analysis*, and 8.3.4, *Adequacy of Emergency Evacuation and Access,* in Chapter 8.0 of the FEIR. **Response to Comment RI2-6** These are conclusion comments. They do not raise specific issues regarding the content of the RDEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter RI2 	

COMMENTS	RESPONSES

Comment Letter RI3

Lisa Maier

From: Lisa Capper <LisaC@helixepi.com>
Sent: Tuesday, March 20, 2018 11:03 AM
To: Dianne Acevedo
Cc: 'Kathryn Murrel'
Subject: FW: Harmony Grove Village South Project

Here is the letter from Ms. Kay.

From: Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>
Sent: Tuesday, February 27, 2018 2:40 PM
To: Lisa Capper <LisaC@helixepi.com>; Kathryn Murrel (kmurrel@surterreproperties.com) <kmurrel@surterreproperties.com>
Subject: FW: Harmony Grove Village South Project

From: Natasha Kay [mailto:orangemoth13@gmail.com]
Sent: Sunday, February 25, 2018 2:35 PM
To: Smith, Ashley <Ashley.Smith2@sdcounty.ca.gov>
Subject: Harmony Grove Village South Project

2/25/18

Re: Harmony Grove Village South Project

From: Natasha Kay

9237 harmony Grove Road
Escondido, Ca 92029

Ms. Smith,

I am writing today about the proposed EIR related to Harmony Grove Village South Project. We moved here in 2009 from Carlsbad. The reason I, and everyone else I've talked to moved here, is due to the rural atmosphere. We moved here to have quiet, dark night skies, privacy and to be in and around nature.

I am about a half mile around the corner from the Harmony Grove Village (HGV) and I cannot express how much that project has negatively affected our lives and experience here. It has created noise, constant lights and light pollution, more traffic and completely changed Harmony Grove for the worst, in more ways than I can mention here. RI3-1

The reason for my letter today is to express my concern about the proposed Harmony Grove Village South Project in Harmony Grove. I read through parts of the EIR and it was strange to see that almost every topic brought up ended with a statement like: the "_____ impact would be less than significant". It was as if it had been written by them, the Harmony Grove Village South Project developers. I think that almost everything in the report would have a very significant impact on this community. In fact, and I apologize for saying this, it RI3-2

1

Response to Comment RI3-1

The County acknowledges the comments and opposition to the Project; however, they do not raise an issue concerning the environmental analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018.

Response to Comment RI3-2

This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not raise specific issues regarding the content of the EIR, it is noted that the FEIR discusses hazards (vector control) in Section 3.1.3, *Hazards and Hazardous Materials*, historical land use in Section 3.1.5, *Land Use and Planning*, and water supply in Section 3.1.10, *Utilities and Service Systems*. Fire hazards information is detailed within the Fire Protection Plan and summarized in the FEIR in Table 1-2, *Project Design Features*, and Section 3.1.3, *Hazards and Hazardous Materials,* as well as in Chapter 7.0, *List of Mitigation Measures and Project Design Features*. These latter issues are also addressed in global responses in Sections 8.3.3, *Fire Hazards Impact Analysis*, and 8.3.4, *Adequacy of Emergency Evacuation and Access*, in Chapter 8 of the FEIR.

COMMENTS	RESPONSES
Comment Letter RI3 seems all these developments have already been approved in back room deals years ago, and that these "community comments" are just for show. RI3-2 Everything from vector control, historical land use, wildfire hazards, wildfire evacuations and water have been mentioned, and all of these cause us deep concern. For us (my family here at 9237 Harmony Grove Road) the Harmony Grove Village South Project will double the negative effects we are already suffering with from the HGV project. The traffic is already going to more than double and we fear that if Harmony Grove Village South Project is approved we may lose our homes due to having to widen the road. We may also lose our lives trying to escape another wildfire. Being right on the main road we already have almost non-stop traffic day and night which again is only going to be worse once HGV fills up all those homes. With Harmony Grove Village South Project, the traffic will increase even more. The issue of wildlife and open space is one of our largest concerns. Each pair of owls for instance, requires a certain number of square acres to mate/breed, they will lose even more space. Countless animals will be driven out, killed and driven to extinction (in the area). When we moved here we had deer, coyotes and bobcats frequently and now it is far less, Harmony Grove Village South Project will make this even worse. The dark sky policy is another issue that has been ruined by HGV, and again Harmony Grove Village South Project will worsen this as well. With the droughts, that are now a way of life here, water is an issue for all of us and I just don't see how another 326 homes will be sustainable. RI3-3 In conclusion I would just like to express my sadness and anger about the idea of another development down here in Harmony Grove when we haven't even seen the effects of HGV. Another "project" (Harmony Grove Village South Project) will only exacerbate all of the issues we are now coming to terms with and learning to deal with. We will most likely move if this project goes through. RI3-4 Thank you for your consideration, Natasha Kay (and family of 4) Thank you, Natasha Kay-Hazou orangemoth13@gmail.com (619) 307-9446 2	**Response to Comment RI3-3** This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comment does not address an issue in this RDEIR, the FEIR analyzes potential Project-related traffic impacts, including cumulative impacts, and sets forth mitigation measures for significant impacts. This analysis is detailed in the Traffic Impact Analysis (Appendix D) and Subchapter 2.2, *Transportation/Traffic*, of the FEIR. Please refer to Response to Comment I3-2 of this letter for fire hazards and water supply information locations. Biological analysis is provided in Subchapter 2.3, *Biological Resources* and EIR Appendix E. **Response to Comment RI3-4** Biological analysis is provided in Subchapter 2.3, *Biological Resources*, and EIR Appendix E. The County acknowledges the conclusion comment and opposition to the Project. This comment does not raise specific issues regarding the substantive environmental analysis conducted within the EIR. The comment will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter RI4

Lisa Maier

From: Kira Lakin <kiraleelakin@gmail.com>
Sent: Thursday, April 5, 2018 7:51 PM
To: Smith, Ashley
Cc: J Arsivaud; JP Theberge
Subject: Comments to the Revised DEIR

Referencing Projects: Harmony Grove Village South Project, PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006.

To whom it may concern:

I am writing as a resident of the Hidden Hills community, immediately adjacent to Eden Valley, Harmony Grove and Elfin Forest and accessible primarily via Country Club Drive.

My husband, two young children and I moved into our home in 2012. We fell in love with the rural feel -- we had been searching high and low for a place where we could have a decent parcel of land to raise our children, and QUIET -- and believed we were buying in an area that would remain hidden and tucked away, true to its name. We were told that Harmony Grove Village was already in process and likely to be built, but that it was the only project in the works since there was a General Plan in place that would prohibit further development. RI4-1

Imagine our shock when we learned that, in this area, a General Plan apparently doesn't mean... anything. Taxpayers shouldered the massive cost of hammering one out and getting all parties to agree on every detail -- a multi-year undertaking -- and yet developers mysteriously descended upon our hidden valley and began drawing up plans for hundreds or thousands of homes to be squeezed into our little valley, a process which would fundamentally destroy the nature of our neighborhood. RI4-2

I will not presume to speak on behalf of all residents, but I will speak on behalf of my family: **we are singularly and completely opposed to further development of this area**. I am still traumatized by the Cocos Fire, when our one way out of our neighborhood was barely passable as we literally heard the flames roaring down the hillsides; it is unthinkable to add hundreds more cars to this one-lane country road. As coyotes are driven further and further into our neighborhoods by the destruction of their habitat, more neighbors are losing their pets; does this even register on anyone's radar? It is shameful to me that we should be beholden to a group of people who apparently think nothing of green-lighting projects that are expressly forbidden by a document that all agreed to, as long as there is some benefit in it for them... are there not words for that, none of them flattering?

If you ever drive down Country Club Drive, you will occasionally see an equestrian trotting alongside the road; open rolling hillsides with native growth and wildlife; homes on large lots with pens for various livestock. They may be getting hemmed in by the existing development of HGV, but that culture is still here for now, and so you will also be looking at a community united in its determination to defend this lifestyle. We will not be fooled, placated, or ignored. This is our home, which developers -- and our own so-called representatives -- would do well to remember as they look for the next profitable venture with no thought to any other considerations. RI4-3

Best regards,
Kira Lee Lakin
952 Chardonney Way
Escondido, CA 92029
858-692-4876

Response to Comment RI4-1

The County acknowledges these introductory comments; however, they do not raise an issue concerning the analysis or adequacy of the RDEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018.

Response to Comment RI4-2

The County acknowledges the comment and opposition to the Project. This comment relates to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). While the comment does not address an issue in this RDEIR, fire hazards issues are detailed within the Project Fire Protection Plan and summarized in the FEIR in Table 1-2, *Project Design Features*, and Section 3.1.3, *Hazards and Hazardous Materials*, as well as in Chapter 7.0, *List of Mitigation Measures and Project Design Features*. This topic is also addressed in the FEIR global responses in Sections 8.3.3, *Fire Hazards Impact Analysis*, and 8.3.4, *Adequacy of Emergency Evacuation and Access*, in Chapter 8.0 of the FEIR.

Response to Comment RI4-3

This comment relates to issues outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c). They do not raise specific issues regarding the content of the RDEIR, but will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES

Comment Letter RI5

Ms. Ashley Smith
Land Use & Environmental Planner
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123
Ashley.Smith2@sdcounty.ca.gov

Re: Harmony Grove Village South Recirculated 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.)

Dear Ms. Smith:

The Recalculated Draft EIR, while improved over the previous version, still does not adequately address California's requirements to reduce green house gases (GHG) and thus is not compliant to the laws that govern them. RI5-1

The developer proposes using what they call "Net Zero" mitigation since the county has yet to prepare guidelines for the CAP approved in January 2018. The RDEIR states on page 27-12

> "As this of the time of preparation of this analysis, the County has not adopted GHG guidelines for general use as part of its environmental review process".

If this proposal is approved it would do nothing to reduce GHG. The States GHG laws require a reduction of GHG to 1990 levels by 2020, a 40% reduction of 1990 levels by 2030 and an 80% reduction of 1990 levels by 2050. The Net Zero proposal is based on a paragraph from the 2017 Climate Change Scoping Plan Update states as stated on Page 2.7-12. The amended EIR does not explain, support or provided any data, analysis or other information to support why the 2017 Climate Change Scoping Plan Update should supplant San Diego County's 2011 General Plan. It makes no attempt to explain why a general proposal out of a state wide document better meets the county's needs then a plan specifically designed to meet the local requirements. It does not state how such a proposal would be implemented in a San Diego County context. The General plan update took 13 years to develop at a cost of 18.6 million dollars with significant community input. The 2011 General Plan is an integral part of San Diego County's strategy to meet the states GHG requirements and cannot be cast aside without preponderance of evidence to show why it is necessary and in the best interest of the residence of the county. As the courts RI5-2

Response to Comment RI5-1

This is an introductory comment stating the commenter's position on the Project greenhouse gas (GHG) analysis that does not raise specific issues regarding the content of the RDEIR. As such, no specific response is warranted.

Response to Comment RI5-2

Please see the Global Responses to Climate Action Plan (CAP) and Carbon Offsets. As discussed in detail therein, the Project was determined to have less than significant impacts as mitigated based on Appendix G of the CEQA Guidelines and did not rely on the CAP. In this instance, the Project is proposing net zero. With incorporation of mitigation measures, the Project will be consistent with, and not interfere with, the County's CAP and thus the attainment of GHG reductions as set forth in state regulations. Furthermore, the RDEIR merely quotes an excerpt from the 2017 Scoping Plan; it does not rely upon this plan for the determination of significance nor does it "supplant" the General Plan. The comment conflates these regulations. The General Plan and its land use assumptions were used to develop the CAP and the GHG reductions necessary for the County to meet state GHG regulations. Lastly, the GHG analysis does provide substantial evidence as to why the Project would not result in a significant impact related to GHG emissions. As previously described, the Proposed Project, after the incorporation of mitigation, would be net zero and would not contribute to a significant impact related to GHG emissions. Please see Chapter 2.7 of the RDEIR for a detailed analysis of the Project impacts, mitigation measures, and significance conclusions related to GHG emissions. No changes to the FEIR were warranted as a result of this comment.

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Comment Letter RI5 made clear in the Newhall Ranch case, EIRs must be supported by reasoned explanation based on substantial evidence. RI5-2 The reason the above mentioned guidelines are not complete is that it has taken the county nearly 7 years to produce the current CAP, a requirement of the 2011 General Plan. Nearly five years after the courts rejected the initial proposed CAP. This delay is being used in the RDEIR to claim that this project does not need to reduce GHG because guidelines for the new CAP are not complete page 2.7-12. If the courts were to accept such an argument, this would kill the States GHG laws. Any entity that is required to produce plans to meet the State's GHG laws could avoid compliance by delaying the development of those plans. Clearly the legislature did not write these laws with a built in avoidance scheme. No court will accept such circular logic. RI5-3 Net Zero maybe a perfectly good way to manage GHG mitigation but its implementation as proposed in this RDEIR is really Net Plus. One can easily imagine 2 developments requesting up zones. One located within walking distance to rail lines, grocery stores, shopping and a quarter mile to freeway access. And one like Harmony Grove Village South in a semi rural area at the end of a horseshoe shaped valley, in other words a car dependent development. The approach suggested by the developer treats both of these up-zones equally. But from a GHG perspective the former might actually produce far less GHG per dwelling unit than a nominal or baseline housing unit as allowed in the 2011 General Plan. Why should such a proposal be punished if petitioner can otherwise justify the up-zone? And more importantly why should projects that make meeting the states GHG laws far more difficult, possible impossible, be encouraged and subsidized by tax payers. RI5-4 The 2011 General Plan sought to reduce GHG by limiting this very type of development. Because projects built with inadequate infrastructure to support, topography that makes improving existing infrastructure difficult, with inadequate services, car dependent communities greatly increases the total GHG output beyond the direct ones of the development. Yet this proposal would treat this project as if it were an island connected to the surrounding communities by imaginary roads with infinite capacity or services without limit. Without accounting for the total GHG impact "Net Zero" is nothing of the sort. And by doing so it fundamentally contradicts the 2011 General Plan and violates the States GHG laws. The developer attempts to gloss this over by referring to the proposal as consistent with smart growth. They claim on 2.7-27 "The Project would provide a variety of housing opportunities located near major employment centers consistent with the smart growth concept of locating housing closer to retail, services, and jobs on smaller lots to reduce required infrastructure and the length of automobile trips while increasing community livability and preserving open space by compact development. The Project's residential uses are within walking distance of, and are connected to, the commercial services and civic uses of its central commercial/civic core and the RI5-5	**Response to Comment RI5-3** Please see the Global Responses to Climate Action Plan and Carbon Offsets. The EIR does not state that the Project does not need to reduce GHG emissions because the CAP is incomplete. The comment references page 2.7-12 of the RDEIR, but does not specifically state which portion of that page purportedly absolves the Project from reducing GHG emissions. This page of the RDEIR provides numerous reasons as to how the significance of GHG emissions was determined, as the CAP had not been adopted at that time. Specifically, it states: "The County General Plan does not contain policies prohibiting the County from adopting a non-CAP-based threshold prior to adoption of a court-approved CAP." It also states that the California Air Resources Board (CARB) in its release draft of its Proposed Scoping Plan Update for 2030, states that local governments can consider discretionary approvals and entitlements for individual projects through the CEQA process absent an adequate CAP by implementing all feasible measures to reduce GHG emissions (see page 136 of CARB's Draft Scoping Plan Update for 2030). In addition, the document concludes that the Project would not conflict with goals to reduce GHG emissions. It is also noted that a review of the CAP Guidelines shows that the Project does comply with them. As noted above, however, because they are still under challenge, and it is uncertain if they ultimately will remain exactly as currently proposed, the analysis takes a conservative approach and proves this up independently rather than relying on CAP consistency alone as a basis for Project approval. **Response to Comment RI5-4** This comment provides a hypothetical scenario in which two "upzone" projects are weighed against each other and posits that regardless of location, they could be treated "equally," going on to note that one might have less GHG per dwelling and that it could be "punished." This is a speculative discussion that does not contain enough detail for an analytical response—neither size nor specifics of the residences are clear, nor is the potential "punishment." As such, it is noted that each project presumably would undergo independent CEQA review, and be individually judged for compliance with required thresholds and standards. No additional response can be provided.

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	The comment also presumes that the Project does not meet state GHG regulations. Please refer to the response to comment RI5-2. In addition, the Project would not be subsidized by tax payers. Please see the Global Responses to Regional Plan Conformity; and Carbon Offsets, in Chapter 8 of this FEIR. Finally, Harmony Grove Village South analyses do not assume roads with infinite capacity or services without limit. Please see EIR Chapter 1, *Project Description*, regarding the on-site and tie-in infrastructure associated with Project design (including major improvements to the Escondido Creek crossing as well as Country Club Drive segments south of Harmony Grove Road and edging the Project); as well as Subchapter 2.2, *Transportation/Traffic*, for information related to wider-area road capacity, modeled Project impacts, and proposed mitigation as necessary and appropriate. The GHG emissions associated with construction of these noted road segments and bridge were also accounted for in the Project air quality and GHG analyses. The operational emissions (i.e., cars driving on the improved—and other—road segments) are also accounted for in these studies as the emissions associated with the anticipated number and length of Project trips. Please see Appendix J to the EIR in particular, regarding GHG emissions. Regarding the location of the Project and connection to surrounding communities; the Project is not an "island connected to the surrounding communities by imaginary roads." Rather, the Project is placed on and near roads accessing the cities of Escondido and San Marcos (via Country Club Drive (both cities) as well as via Harmony Grove Road to the city of Escondido. These routes also take area residents directly to SR-78 and toward I-15, which link to other area cities. The Project TIA looked at existing roadway configurations as well as configurations following the Project and other future improvements. The Project vehicle miles traveled (VMT) modeling (based on the San Diego Association of Governments [SANDAG] model) accounted for this; which resulted in the Project average trip length falling just under the regional average. The Project is also located within 3 miles of a Sprinter and bus hub at the Nordahl transit station, which is very unusual for residences in County unincorporated lands. As described in the EIR and cited below in Response to Comment RI5-5, the location of the Project is near shopping and services, as

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	well as employment. Please see Figure 8.3.6-1 in the Global Response to Regional Plan Conformity, for depiction of Project proximity to the surrounding area. **Response to Comment RI5-5** Please see the previous responses (including Response to Comment RI5-4 regarding VMT) within this letter, and also the aforementioned Global Responses. The GHG analysis takes into account all aspects of development: construction, operation (i.e., energy use, water use, electricity, mobile sources), as set forth in FEIR Subchapter 2.7. The analysis then incorporates all feasible on-site Project design measures, and then sets forth mitigation requiring the purchase of carbon offsets. This is supported by substantial evidence in FEIR Subchapter 2.7. The Project mitigates to carbon neutral standards based on the assessed impacts and the amount of carbon credits identified for purchase. Relative to the Project location and smart growth goals, please also see the Global Response to Regional Plan Conformity.

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Comment Letter RI5

HGV Village Center."

The services within walking distance are a sewage treatment facility, a small but admittedly nice park and a community center dedicated to the residence of the neighboring community. Not withstanding the value of being within walking distance to a sewage treatment facility these services hardly meet the needs of running a household. The Closest elementary school is 3.8 miles away. San Pasqual High School is 6.7 miles away. The nearest access to I-15 is 2.9 miles from the proposed development. If your commute back and forth to work were the average trip distance of 7.88 as claimed by the EIR, that would eliminate any jobs located south of the I-15 corridor as you could no reach the next exit before exceeding half you trip distance. Similarly the access to 78 is 3 miles away and the next exit west is more than half the average trip distance as claimed in the EIR. The nearest grocery store is 2.6 miles away. The distance to the transit center mentioned in the EIR is 3.1 miles. If a person were adventurous and walked to the transit the majority of that journey would be along a narrow 2-lane country road without sidewalks. After all this is a semi rural community with infrastructure to match. None of these facts support the idea that this development is consistent with smart growth.

The proposed development is a car dependent community at the end of a horseshoe shaped valley surrounded on three sides by mountainous terrain and County Parks as shown in the picture below. The circle represents half the 7.88 average trip distance claimed by the EIR, if one had a flying car. Of course you could not drive to the edge of this circle due the twist and turns of roads but it illustrates just how isolated the proposed project site actually is. To travel to any destination south of the proposed development one would first have to travel North then East or West before they could travel south. The claim of an average trip distance of 7.88 miles is laughable give the topography and existing infrastructure. Since transportation accounts for the majority of the County's GHG, this vastly understates the actually GHG output of this project. Keep in mind that proposed project site was zoned for approximately 25 homes as late as 2011. The current request if granted would increase the density by more than 1,800 % over that zoning. The infrastructure in the area was not and is not designed for this type of density. To support this massive up-zone would require significant infrastructure improvements and thus indirect GHG, which are not accounted for in the EIR.

RI5-5

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Comment Letter RI5  R. Google Earth showing radius emanating from proposed development site equaling half the claimed average trip distance. This EIR fails to meet the States GHG laws and thus the project may not be approved. The developer proposes an ad hoc methodology that is not adequately supported by evidence showing how it is consistent with the 2011 General Plan or how its implementation in San Diego County would meet the States GHG laws. In fact it is an attempt to cast aside the 2011 General Plan based on what can only be described as dubious logig. A fact that is shocking given that the residence of the county overwhelming reaffirmed their support for the General Plan in last years vote rejecting Lilac Hills attempt to seek a waiver of it. The analysis both understates the total GHG produced by the development with a traffic study analysis that is unrealistic and greatly understates the average trip distance in and out of the proposed project. And ignores all indirect GHG the project would create. By the developers own admission the propose mitigation would not reduce GHG as the County is required by State law. Due to the extremely misleading analysis and failure to address indirect sources of GHG, it would significantly increases the Counties GHG output. RI5-6 Thank you, Richard Murphy	**Response to Comment RI5-6** These comments generally are conclusion comments, summing up some of the points made in the letter; please see Responses to Comments RI5-2 through R15-5 of this letter. The reference to Lilac Hills is noted, but a vote against a specific much larger and mixed use project in a different location east of I-15 and with different environmental constraints and opportunities is not pertinent to the specifics of the Harmony Grove Village South Project. With respect to the comment that the developer proposes an ad hoc methodology that is not adequately supported by evidence showing how it is consistent with the 2011 General Plan or how its implementation in San Diego County would meet the state GHG laws, please see the Global Responses to Climate Action Plan. The comment also contends that the traffic study analysis is "unrealistic and greatly understates the average trip distance"; and that the analysis "ignores all indirect GHG the project would create." However, the comment offers no specifics related to these unsubstantiated conclusions. It is noted that the Project Traffic Impact Analysis (TIA) has been reviewed and commented upon and is not a subject of recirculation. The County disagrees that the TIA was unrealistic or that average trip distance was underestimated. In fact, the average trip distance was modeled in conjunction with SANDAG input for the Project. It is also noted that following public review, a request for review of specified TIA elements (including such items as baseline traffic loading, and distribution to I-15 and SR-78) was received. Each of those items was reviewed and memoranda regarding these topics are part of the Final TIA (Appendix D to the FEIR). No changes to CEQA conclusions or proposed mitigation were required as a result of these focused reviews. While providing some clarification, they were all confirmatory in nature. As stated in Subchapter 2.7, *Greenhouse Gas Emissions*, of the EIR, and as supported by modelling discussed in Appendix C of EIR Appendix J, the Project VMT is projected to be 7.88, just within the regional average identified by SANDAG. In conclusion, the County finds that the analyses do not understate the total GHG emissions, and that the Project documents accurately reflect the industry standard modeling. Mitigation is proposed consistent with state law. Project GHG emissions, including those associated with isolated instances of

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	congestion would be addressed through the mitigation identified in Subchapter 2.7, which proposes mitigation through carbon offsets of the full Project rather than simply the residences/uses proposed under the General Plan Amendment, and also would further reduce GHG contributions through the benefits identified as part of the landscaping plan, discussed above in Response to Comment RI5-5. Also, as stated in Response to Comment RI5-5, the Project would therefore actually result in a projected net decrease of GHG emissions in the County over continuation of on-site existing conditions.

COMMENTS	RESPONSES
Comment Letter RI6 April 9, 2018 Planning & Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123 Attention: Ashley Smith Reference: Harmony Grove Village South Project, PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-REZ-15-003, PDS2015-TM-5600, PDS2015-MUP-15-008, PDS2015-ER-15-08-006 To Whom It May Concern, This letter is in response to the Revised Draft Environmental Impact Report developed for the above referenced project, referred to as Harmony Grove Village South. As this revision is only addressing proposed updates related to Green House Gas (GHG) emissions, which the developer updated in response to recent changes in legal interpretations, this letter will only address those portions of the DEIR which have been changed. Please see our letter dated June 19, 2017 for concerns related to other issues with the development. RI6-1 The developer does appear to be proposing a plan that on paper makes attempts to satisfy legal requirements to mitigate GHG. However, in reality, these mitigations will reduce the GHG's produced by the creation of the development but will not reduce them enough to zero out the GHG's caused by the development. In other words, the development will have a significant effect on increasing GHGs. The main reason for this is that the development is far away from where the residents will work. They will have to leave the community, drive on the already clogged I-15 or I-78, to get to their jobs in San Diego, L.A., Escondido, or elsewhere in San Diego County. This development is not going to be creating significant numbers of jobs for residents to work where they live. There is a small amount of commercial space proposed but that will not employ the residents of 425 homes. There is no public transportation within walking distance of this community. It is insufficient for the developer to offer information on public transportation and ride sharing programs the residents can access elsewhere in the County. The developer should make arrangements with North County Transit District to bring public transportation to the community. The cost of increasing bus routes into the development should be absorbed by the developer. In addition to public transportation, which is inadequately addressed by the RDEIR, increasing bike accessibility is mentioned. The developer plans on having bike stations and trails in the development. That is nice for pleasure bike riding but is insufficient to encourage community members to bike to work to reduce GHGs. To leave the community, bikers would have to ride on Harmony Grove Road which has inadequate space for bike riders. Currently, bikes are frequent on this road on the weekends but can create a hazard as car drivers have to cross the double yellow line in order to pass the bike or bikes. Add the increased car traffic from Harmony Grove Village South as well as the bike riders, and you RI6-2 RI6-3 RI6-4	**Response to Comment RI6-1** The County acknowledges these introductory comments. Regarding your letter of June 19, 2017, please refer to DEIR Responses to Comment Letter I37. No additional response is required. **Response to Comment RI6-2** The comment generally states that the Project will have a significant effect on increasing greenhouse gases (GHGs) due to the length of vehicle trips for employment. Please see the Global Responses to Regional Plan Conformity in this FEIR regarding the Project location and adjacent services, jobs, and shopping opportunities. Relative to travel on I-15 and SR-78, please see Subchapter 2.2, *Transportation/Travel*, in the EIR. Project trips make up a very small percentage of peak hour trips on those facilities. Information as to each of these issues is additionally briefly summarized below. Regarding the location of the Project and the distance drivers would have to travel to access their jobs, please see the Global Responses to Regional Plan Conformity. The Project parcels are sited in the western part of the County, on and near roads accessing the cities of Escondido and San Marcos (via Country Club Drive (both cities) as well as via Harmony Grove Road to the City of Escondido. These routes also take area residents directly to SR 78 and toward I-15, which link to other area cities. As described in Subchapter 2.2, *Transportation/Traffic*, and the Project Transportation Impact Analysis (TIA) (Appendix D to the EIR), no Project-related significant impacts to I-15 or SR 78 would occur. The Project TIA looked at existing roadway configurations as well as configurations following the Project and other future improvements. The Project vehicle miles traveled (VMT) modeling (based on the San Diego Association of Governments' model) accounted for this; which resulted in the Project VMT falling just under the regional average. The Project is also located within 3 miles of a Sprinter and bus hub at the Nordahl transit station, which is very unusual for residences in County unincorporated lands. As described in the EIR and cited below in Response to Comment RI6-5, the location of the Project is near shopping and services as well as employment.

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	The mobile source emissions were calculated using an industry standard model: the California Emissions Estimator Model (CalEEMod). The Project was analyzed to generate approximately 4,500 average daily trips (ADT), with an average trip length of 7.88 miles/trip. This is actually a conservative (greater impact) analysis. This is because traffic study was initially prepared prior to identification of the Project-proposed number of homes and types (single-family and multi-family) unit counts. The Project is proposing 193 single-family units projected to generate 10 trips (each equating to 1,930 ADT), and 260 multi-family units projected to generate 8 trips each (equating to 2,080 ADT). Thus, the actual total ADT would be 4,010, and not approximately 4,500. Documentation of this is provided in the Project Final TIA, EIR Appendix D in a memorandum titled "HGVS -- Trip Generation Comparison." This is a reduction in traffic volume of 490 ADT, or roughly 10.9 percent from the analyzed Project. The associated mobile source GHG emissions, therefore, also are overstated by approximately 458 MT CO_2e from what was originally modeled under the 4,500 ADT scenario and from the conservative numbers provided in the 2018 recirculated RDEIR. Regardless, CalEEMod relies upon emission factors for each vehicle model year and type based on individual counties, air basins, air districts, and statewide averages for all fuel types. The emissions associated with on-road mobile sources includes running, idling, starting, and evaporative loss emissions. The County finds that the Project documents accurately reflect the industry standard modeling and mitigation is proposed consistent with state law. Project GHG emissions would be addressed through the mitigation identified in Subchapter 2.7, *Greenhouse Gas Emissions*, which proposes mitigation through carbon offsets of the full Project rather than simply the "additional" residences/uses proposed under the GPA, and also would further reduce GHG contributions through the benefits identified as part of the landscaping plan, discussed in Response to Comment RI6-6, below. The Project would therefore actually result in a projected net decrease of GHG emissions in the County over continuation of on-site existing conditions.

Response to Comment RI6-3

The comment generally states that the developer should provide public transportation and that it is inadequately addressed in the RDEIR. The County disagrees. The North County Transit District is responsible for provision of bus service within their service limits. They have indicated that they find the Project consistent with their standards and that no impacts to bus stops would occur at this time (see DEIR letter L3). The comment does not specifically state what the REIR should have analyzed with regard to public transportation; therefore, no further information can be provided. In addition, an area within the developable portion of the Center House will be reserved for dedication for a transit stop for bus service when a local transit line is extended to service the Harmony Grove Village/Harmony Grove Village South area, rendering it "transit ready." The Project's proposed circulation network of sidewalks, trails, and bicycle routes, will connect to the transit stop to further provide a regional alternative transportation system.

Response to Comment RI6-4

The comment generally states that the developer should provide a "safe bike route" from the development to Escondido or to the coast. CEQA requires a nexus. The County agrees that not all residents would or could (or would want to) ride bikes to work. The purpose of the multi-purpose trails associated with the Project is to address multiple uses. Not all GHGs are generated by individuals going to and from work. Some are generated through travel to shop, access recreational areas, visit friends, etc. To the extent that opportunities to do any of these things are located within the Project, or between the Project and Harmony Grove Village, these trails provide nonvehicular transportation options that allow residents (as well as existing adjacent community residents) the ability to comfortably walk or ride rather than reaching for the car keys. The comments regarding current activities of bike riders during congestion and projected issues are noted. The number of individuals anticipated to ride bikes during peak rush hours, however, is unknown and speculative. Both bike riders and drivers are responsible for using existing roadways in a responsible fashion. There is no nexus to require the Project developer to provide a "bike only route to Escondido or to the Coast" and no ability to require private property owners along the route to yield their property to accommodate such a use on behalf of a private project. The planning of bike routes and trails is the responsibility of

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	land use planning agencies (the County, area cities). The Project is consistent with the County regional trail system and local planned trails.

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Comment Letter RI6 have a potentially deadly situation for bike riders during rush hour traffic. The developer should be required to create a safe bike only route for bicyclists to safely travel either to Escondido or to the Coast in order to reach their jobs. RI6-4 The RDEIR proposes to meet GHG emission standards, and reports that the homes in the development will have "net zero GHG emissions" through "a combination of energy efficiency enhancements to the building envelope and regulated loads, and the provision of on-site solar." Even if we were to assume that the developer's consultants on energy usage were accurate that they can outfit the homes with the amount of PV panels to balance out the electricity used by the residents under perfect circumstances, there does not seem to be any accountability for less than perfect circumstances. The developer plans on informing the home buyers on how to conserve energy but what if they don't? What happens during cloudy days, or if the panels cannot be placed on the actual homes to maximize solar absorptance? Who will hold the developer responsible if HGVS residents use more electricity than they produce? What about the energy used in all the car trips by the residents? RI6-5 Finally, the RDEIR inadequately mitigates the GHGs emitted from HGVS because whatever GHGs they cannot mitigate on the property, they proposed to mitigate through buying carbon offsets. This is a proposal for paper, not reality. First, these carbon offsets are not even local so do nothing for the local air quality, drain on local energy resources, or local temperature rise from the heat effects of asphalt and cement where there had previously been plants and soil. The developer proposes to use standard building and landscaping practices to keep the temperatures from rising but these practices don't work as evidenced by the noticeable increase in ambient temperature when walking down Country Club Lane from the open space where HGVS is proposed, across the creek and up past Harmony Grove Village. Another reason carbon offsets are poor mitigation is that there is no reason to believe that there are enough carbon offsets available to mitigate all the developments in the state that want to buy offsets. If the development is approved, despite all the community opposition, and the fire danger to all the residents, then the developer should be required to provide all of the mitigation for any GHG's caused during construction and the existence of HGVS, either in the development or locally through various means (e.g. planting native vegetation on mitigation lands, PV panels on parking lot covers, providing more EV charging stations, solar tracking stations, or building to LEED Platinum Certification standards). RI6-6 Thank you in advanced for considering our concerns regarding the RDEIR. It is our sincere hope that you will take all of the community input into advisement and choose to develop this parcel as it was originally zoned, for 25 rural homes. It's what the County experts felt was appropriate for this parcel given the environmental constraints and county needs as originally zoned in the San Diego County General Plan. RI6-7 Sincerely, Debbie O'Neill Jonathan Dummer	**Response to Comment RI6-5** The comment questions the analysis regarding solar panels proposed by the developer that will offset 100 percent of the electricity use. The ability of the Project to attain offset energy needs through on-site solar is documented in the ConSol Report in Appendix J to the EIR. Both single- and multi-family designs of this Project were analyzed by ConSol, including assumed conditions in which panels could not be placed on south-facing directions. The results of the ConSol Report modeling indicate that 100 percent of the average energy use for each building type on-site energy needs can be met with this system through proper design. The modeling conservatively assumed that not all buildings could be placed in optimal orientation and on-site reductions would still be adequate. Solar panels actually do work on cloudy days; although they produce less power than on sunny days, they still do continue to produce power (https://cleantechnica.com/2018/02/08/solar-panels-work-cloudy-days-just-less-effectively/). In addition, on very sunny days, it is expected that more energy would be put into the grid than would be required so that it balances out over the year. Although the Applicant will provide homeowners with information that may lead to some reductions in energy consumed, there is no way to accurately project the extent to which that might occur. As a result, no deduction was taken based on future resident actions on that point. The energy used in car trips, and the emissions that result from that use, were fully factored into Project impact analyses. Please see Subchapter 2.7, *Greenhouse Gas Emissions*, as well as Section 3.1.1, *Energy*, of the FEIR. Please also see the Global Responses to Carbon Offsets, in this FEIR, for information regarding overall Project reductions to net zero. **Response to Comment RI6-6** Please see the Global Responses to Carbon Offsets, in this chapter of this FEIR, for information regarding the nature and location of offset credits and their efficacy. As discussed in the global response, GHG emissions and climate change are a global, cumulative issue. It should also be noted that several state agencies and regulations (including CEQA) recognize carbon offsets as mitigation. The Project has incorporated all feasible mitigation measures cited in the County Climate Action Plan (CAP) as well as the California Air

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	Resources Board's Scoping Plan Update (see Appendix J to this EIR). All feasible mitigation measures have been applied to the Project, even those from the CAP, even though it was approved after the Revised DEIR was submitted for circulation. This includes on-site reductions first, followed by off-site credit purchase. The Project therefore adequately mitigates GHG impacts to less than significant, as adequately detailed in the FEIR. As described in Subchapter 2.6, *Air Quality*, of the EIR, criteria emissions associated with the Project would be less than significant; there are no significant effects to the local air basin (the San Diego Air Basin) and mitigation is not required. Similarly, there are immediately abutting energy connections. Please note that the Project would offset 100 percent of its energy needs through use of on-site photovoltaic panels, and would be built to the latest code (see EIR Table 1-2, *Project Design Features*, and Subchapter 2.7), requiring additional energy reducing elements/amenities; such as Energy Star appliances, low-water landscaping, low-flow fixtures, use of recycled water, plumbing for EV-charging stations in residential garages, etc. Project energy consumption related to construction (equipment use); operations, including stationary demands (e.g., electricity, natural gas, water, wastewater); mobile energy needs (fuel for vehicular trips); and waste of non-renewable energy are all addressed in FEIR Section 3.1.1, *Energy*. Impacts were quantified (see Tables 3.1.1-8 through 3.1.1-10), and as described in text, both direct and cumulative impacts were found to be less than significant. Regarding local temperature rise, it is acknowledged that blacktop reflects greater heat than soil or vegetation and that the Project site currently primarily contains non-native grassland and scrub habitats. The Project does not propose large expanses of blacktop, however, and expressly proposes use of concrete and surfaces such as decomposed granite for sidewalks and pathways. Please also see FEIR Subchapters 2.3, *Biological Resources*, and 2.7, *Greenhouse Gas Emissions*, for information on replanting of native vegetation areas associated with biological open space and Escondido Creek, and GHG reductions due to landscaping sequestration, etc., respectively. Specifically regarding the landscaping, the Project would plant a minimum of 2,045 trees. Relative to GHG emissions, the sequestration provided by those trees would roughly double

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	the amount provided by the current on-site vegetation. The canopies of those trees also would cast shade and minimize heat sink in their vicinity. Additional shrubbery and ground cover also would contribute to absorption, rather than reflection, of heat. Solar tracking stations are not necessary for this Project. Modeling for the rooftop solar shows that it can accommodate projected on-site energy needs without such a station (see the ConSol Report in EIR Appendix J. With respect to complying with LEED Platinum standards, the Project would consistent with Title 24 and include the design features provided above in this comment related to use of solar photovoltaic panels, low-water use, high-efficiency appliances, etc. Comments regarding community opposition and fire danger do not raise an issue concerning this Revised DEIR pursuant to CEQA Guidelines Section 15088.5(c). For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. Relative to areas not addressed in the Revised DEIR; community opposition is not a CEQA topic per se. Proposed amendments of the existing General Plan and Community Plan, however are addressed in the Global Responses to General Plan/Community Plan CEQA Impacts Analysis. Fire hazards are expressly addressed in Section 3.1.3, *Hazards and Hazardous Materials*, of the FEIR, in the Project Fire Protection Plan, and in the Global Responses to Fire Hazards Impact Analysis, and Adequacy of Emergency Evacuation and Access in this FEIR. **Response to Comment RI6-7** The statement that County experts felt that 25 rural homes was appropriate for this parcel is incorrect. The General Plan land use designation is SR-0.5. This reflects the best judgment of the County as a land use planning agency and CEQA lead agency. The remainder of the comment is comprised of conclusion comments. They do not raise specific issues regarding the content of the Revised DEIR, but the opposition to the Project is noted and will be included as part of the administrative record and made available to the decision makers prior to a final decision on the Proposed Project.

COMMENTS	RESPONSES
Comment Letter RI6 cc: Ashley.Smith2@sdcounty.ca.gov sarah.aghassi@sdcounty.ca.gov bill.horn@sdcounty.ca.gov ron-roberts@sdcounty.ca.gov dianne.jacob@sdcounty.ca.gov greg.cox@sdcounty.ca.gov kristin.gaspar@sdcounty.ca.gov efhgtc@gmail.com marsenault@realcapitalsolutions.com Address Attachments RI6-8	**Response to Comment RI6-8** The attachments to this letter were composed of submittals made on the DEIR as part of Comment Letter I37. Please see the DEIR Responses to Comments I37-1 through I37-61.

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Comment Letter RI7

From: scsuds@gmail.com
Sent: Monday, April 9, 2018 4:52 PM
To: Smith, Ashley
Cc: Aghassi, Sarah; Horn, Bill; Ron-Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; Slovick, Mark; Sibbet, David; efhgtc@gmail.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)
Attachments: HGVS FPP pg 34.pdf; Lilac Fire AAR pgs. 12 & D-1.pdf

RE: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ashley,

Thank you for the opportunity to comment on the RDEIR for the Harmony Grove Village South proposed General Plan Amendment. In reviewing the publicly disclosed Project documentation as background for fellow community member comments on the greenhouse gas emissions issue related to vehicular emissions, I discovered significant errors in the Project Fire Protection Plan related to emergency evacuation. RI7-1

Please see below comments regarding a **significant internal inconsistency and omission in the Harmony Grove Village South Fire Protection Plan (FPP)**. The errors concern the estimate of evacuation time appearing on page 34 of the FPP. Correction for these errors is likely to necessitate upgrade of the hazard impact associated with wildfire and evacuation to significant and unmitigatable, and a finding that the Project is also inconsistent with several land use and safety elements of the General Plan as described below. RI7-2

A copy of the cited FPP page (34) with the relevant sections highlighted and marked "A" and "B", respectively corresponding to comments below, is attached for your convenient reference. Also attached are copies of the pages from the Lilac Fire After Action Report cited below. The cited Harmony Grove WUIFERP is included in whole by reference. RI7-3

Sincerely,

Scott C. Sutherland
Elfin Forest Resident

COMMENT RE: FPP pg.34 TEXT MARKED "A" (attached)

This estimate is predicated on an internal inconsistency and an omission that cause the analysis to substantially under-estimate the total evacuation time. The internal inconsistency is that an additional 45 minutes to allow time for "residents (to) gather belongings and leave in their vehicles" should be added to the 45 minutes required for the "evacuation protocol" in order to be consistent with the "90 minutes elapsed time" interval which explicitly includes evacuation protocol execution time and resident prep and departure time. In order to resolve the inconsistency, 45 minutes for resident prep and departure time should be added on top of the time required for execution of the "evacuation protocol" for a total time of 90 minutes not 45 minutes. The omission is that the time from wildfire ignition until "the time the decision is made to evacuate" is not included in the analysis. This time period is a critical data point because the HG WUIFERP Offshore Forecast Arrival Times are founded on the ignition time. Based on the time interval between ignition and evacuation protocol initiation during the most recent local fire, the Lilac Fire (Lilac Fire AAR, page RI7-4

1

Response to Comment RI7-1

As an introductory general response to all of the comments below, it is noted that these comments relate to an issue outside the scope of recirculation pursuant to CEQA Guidelines Section 15088.5(c), which was limited to the environmental issue of greenhouse gas (GHG) emissions. For a full description of the scope of recirculation for this EIR, please see the Recirculation Readers Guide, dated February 22, 2018. While the comments do not address an issue in this Revised DEIR, they do pertain to analysis in the FEIR and raise issues that vary in specifics from those received on the DEIR. As such, responses are provided below.

Specific to information in RI7-1, the comment is introductory to the email and provides general opinions of the commenter with no supporting detail as to specific issues. No additional response is warranted. The reader is referred to responses to specific comments in Response to Comment RI7-4, below.

Response to Comment RI7-2

The comment raises concerns regarding evacuation time, as well as a contention that the Project is inconsistent with several policies in the Land Use and Safety Elements of the General Plan and asks that they be considered. Please refer to Response to Comment RI7-4 of this letter regarding evacuation time. Please see Response to Comment RI7-6 regarding General Plan Elements.

Response to Comment RI7-3

The comment is informational, indicating attachments provided with the comment. No additional response is required.

Response to Comment RI7-4

The comment suggests that an internal inconsistency was identified within the Harmony Grove Village South (HGV South) Fire Protection Plan (FPP). Specifically, the comment states that the evacuation time estimate on page 34 is inconsistent in the FPP and the inconsistency could require an update to the hazard impact assessment. There is no inconsistency in the FPP; however, it is acknowledged that the analysis could have been clearer and therefore is clarified below.

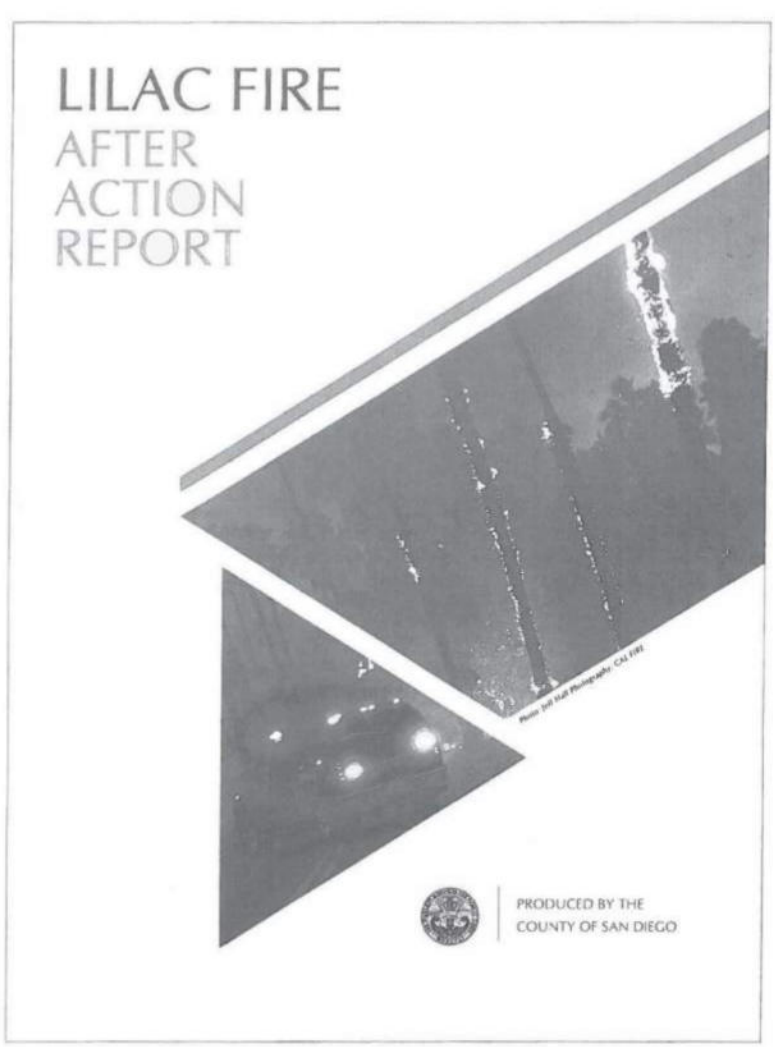
COMMENTS	RESPONSES
	The FPP introduces an average timeline for evacuations that can result in up to 90 minutes from the time the decision to evacuate is made until the last residents of a community leave their driveway in their vehicles. This timeline is not easily applied universally due to the varying sizes of communities. For instance, a large community with many residents will take longer to evacuate than a small community with few residents. Further, a community that includes two lanes for egress will be able to evacuate faster than a community with one lane. The constants in the estimate are the 45 minutes associated with the: (1) decision to evacuate, (2) notification to initiate Reverse 911, (3) police response to area, and (4) completion of Reverse 911. This estimate is meant to provide perspective on how much time it can take to get people into their cars and starting to move from the area. Because there is so much variability in this timeframe and there is not a HGV South–specific timeframe, the 45 minutes associated with gathering belongings is not accurate or applicable. In conclusion, the perceived inconsistency is in fact not an inconsistency. Also, a well-prepared, practiced community such as HGV South is planned to be, and that follows the "Ready, Set, Go" program, would have a faster response time as residents would be anticipated to have personal action plans in place. Lastly, the total evacuation time provided in the FPP is corroborated in the HGV South Wildland Fire Evacuation Plan (Evacuation Plan) that indicates that the 30-minute timeframe (travel time) to evacuate the community is considered adequate and confirms that the total evacuation time (from first notice) could take 1.25 to 2.25 hours. Regardless of the calculated evacuation time, because the community offers a contingency to evacuation, at any point during an evacuation, the evacuation could be stopped and residents directed to remain in their protected homes or at the community club house as a temporary refuge. Therefore, the DEIR hazard section does not rely on the FPPs calculated evacuation times alone and incorporates the evacuation contingency into its impact analysis. Without the contingency option of temporary refuge, the impact analysis conclusion could be different than less than significant, but with that option, impacts are determined to be less than significant.

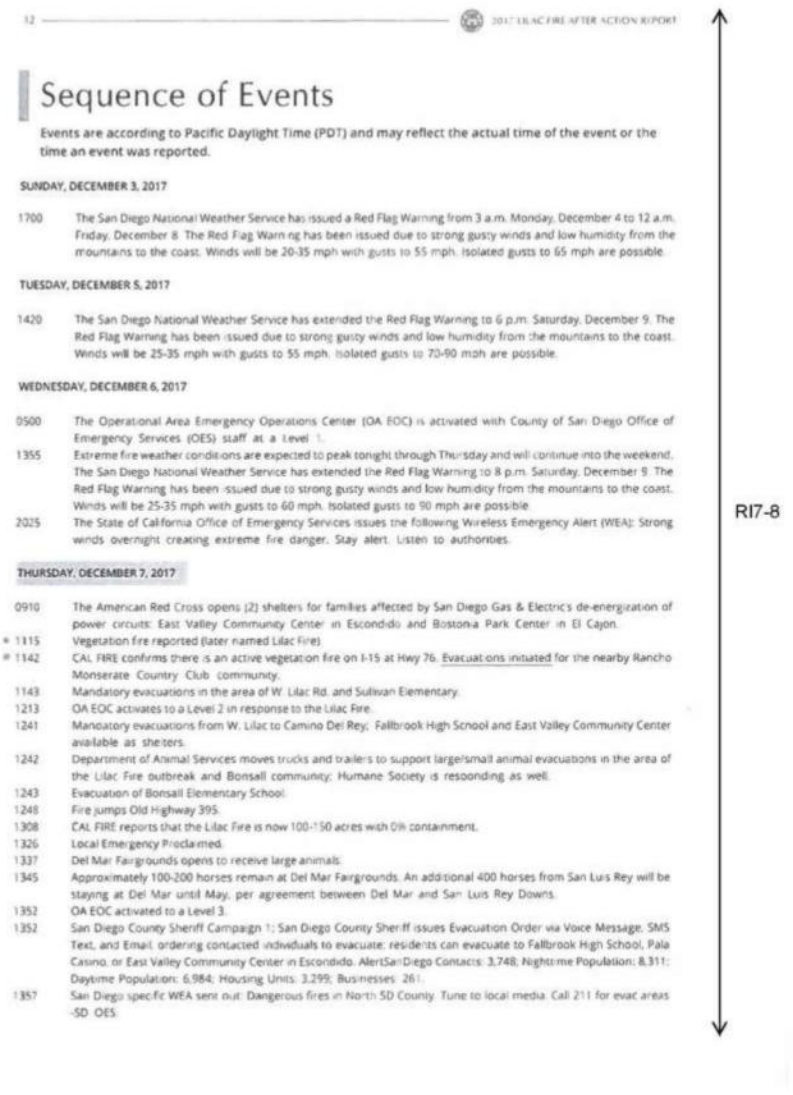
COMMENTS	RESPONSES
Comment Letter RI7 12), an additional 30 minutes is a reasonable time period to add to the analysis of time to evacuate from ignition. Accounting for the inconsistency and the omission, the correct 1 lane total evacuation time is 2'30" from evacuation protocol initiation and 3'00" from wildfire ignition. RI7-4 COMMENT RE: FPP pg.34 TEXT MARKED "B" (attached) For the same reasons cited above, the correct 2 lane total evacuation time is 2'00" from evacuation protocol initiation and 2'30" from wildfire ignition. COMMENT RE: SIGNIFICANT HAZARD IMPACT AND INCONSISTENCY WITH GENERAL PLAN LAND USE AND SAFETY ELEMENTS Evaluating the emergency evacuation impact of the Project based on the corrected analysis above in conjunction with the HG WUIFERP, it can be demonstrated that the hazards associated with wildfire are significant and almost certainly unmitigatable. And, further, it can be demonstrated based on the corrected analysis above that the project is inconsistent with numerous safety and land use elements. A significant hazard impact would occur because the wildfire as simulated in the HG WUIFERP Offshore Forecast would reach the Project in approximately 2'30", the same evacuation time from wildfire ignition demonstrated above under the two-lane scenario. An evacuation time period the same as the forecast arrival time of fire leaves no safety margin. Such a safety margin is prudent and necessary to allow for contingencies such as, but not limited to, a longer interval than anticipated from ignition to evacuation protocol initiation; extra resident prep and departure time; impediments to departure such as vehicle breakdowns or accidents; and fire rate of spread faster than forecast. Regarding the potential for faster rate of spread, the 2017 Lilac Fire traveled approximately four miles in 2'45", from ignition at 11:15 am until 2:00 pm (Lilac Fire AAR, page 12 & D-1). The fire occurred under real conditions similar to those simulated in the HG WUIFERP Offshore Forecast, yet the distance of fire travel in the forecast simulation is only one and one-third miles, far less than the real-world Lilac fire traveled in approximately the same time period. In fact, there is a substantial probability that if a fire were to originate as per the HG WUIFERP Offshore Forecast at a time and under conditions similar to the Lilac Fire it could move at the same rate as the Lilac fire, much faster and farther than simulated in the HG WUIFERP Offshore Forecast. Under these circumstances, the fire could travel the one mile from the simulated point of ignition to the Project area in far less than 2'30", perhaps more on the order of 1'30". Given that there is a substantial probability that a fire behaving similarly to the Lilac Fire under similar conditions could reach the Project area in approximately one hour less time than would be required to complete evacuation, and because such a fast moving fire would arrive at the project site with sufficient intensity to obviate most suppression efforts (as did the Lilac Fire) and entrap far more residents than could be accommodated by the shelter in place facility envisioned in the Project EIR, per the corrected analysis above, hazards to Project residents associated with wildfire are significant and unmitigatable. RI7-5 Further, it can be demonstrated based on the corrected evacuation time analysis above that the Project would violate several General Plan Land Use and Safety Element policies. ***"LU-6.10 Protection from Hazards.** Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards."* Violation of GP LU-6.10 would occur because the Project property is located in a designated high fire risk area with a designed density that includes more residents than can be safely evacuated in the time available as per the corrected analysis above, thereby failing to locate and design to protect residents from the risk of natural or man-induced wildfire hazards. RI7-6 ***"S-1.1 Minimize Exposure to Hazards.** Minimize the population exposed to hazards by assigning land use designations and density allowances that reflect site specific constraints and hazards."* Violation of GP S-1.1 would occur because the Project population exposed to the wildfire hazard described in the HG WUIFERP Offshore Forecast would exceed safe limits as demonstrated in the corrected analysis above, and, 2	**Response to Comment RI7-5** The County disagrees that the perceived inconsistency changes the impact assessment conclusions, causes inconsistency with General Plan Elements, and that the forecasted fire behavior modeling is not accurate. Please refer to Response to Comment RI7-4 above for description of why the hazard section impact analysis remains accurate. Although discussion of General Plan consistency is indicated in the heading, it is addressed in Response to Comment RI7-6, below. Please refer to Response to Comment RI7-6 for why the Project is consistent with the noted elements of the General Plan. Regarding the Lilac Fire spread rates, it is not accurate to compare fire spread rates from two very different fire environments. The Lilac Fire spread through a continuous fuel bed along the San Luis Rey River bottom that included willow riparian forest, driven by extreme winds that were aligned with the river bed. The Harmony Grove area does not include continuous, long stretches of wide, unbroken fuel beds; is subject to different wind exposures; and was modeled according to one of the most sophisticated fire behavior models available by Rohde & Associates (2017). The comments regarding faster spread and shorter timeframes for fire arrival would not be expected for the fire scenario referred to in the comment, but scenarios where this could be possible were anticipated in the Project's FPP and resulted in the development of evacuation contingency options, as discussed in Response to Comment RI7-4. The County disagrees that the provided information invalidates the EIR less than significant conclusion for cumulative fire hazards impacts. The most significant omission from the comment's provided analysis is that it fails to include any consideration of the recent area improvements that offer enhanced evacuation options (Harmony Grove Village Parkway), potential sheltering vs evacuation (HGV South, HGV), improved, protected roadways (HGV South, HGV), improved emergency response and presence (New Rancho Santa Fe Fire Protection District Fire Station), and identified evacuation route last resort refuge options (HGV South Evacuation Plan). The most significant of these would be the ability for emergency responders to direct existing residents, who do not live in the highly ignition-resistant new communities, to seek temporary refuge within one of the new communities as an option if specific evacuation

COMMENTS	RESPONSES
	routes are considered unsafe, congested, or otherwise not available during a short-notice evacuation or when roadways are not available. The addition of these new evacuation options essentially reduces the distance some existing residents would have to travel to arrive at areas where they could seek temporary refuge, reducing overall travel distances and travel times. **Response to Comment RI7-6** The County disagrees with the comment that General Plan Land Use and Safety Element policies are violated by the HGV South EIR or technical studies. The comment identifies perceived inconsistencies that are primarily based on an inaccurate interpretation of the FPP and evacuation times, as previously detailed in Responses RI7-4 and RI7-4. Specific to General Plan Policies LU-6.10 (Protection from Hazards), S-1.1 (Minimize Exposure to Hazards). S-2.6 (Effective Emergency Evacuation Programs), and S-3.6 (Fire Protection Measures), the County disagrees. The DEIR and FEIR Section 3.1.3, *Hazards and Hazardous Materials*, the Global Responses to Fire Hazards Impact Analysis and Adequacy of Emergency Evacuation and Access in FEIR Chapter 8, and the Project FPP all provide detailed discussion regarding the site-specific topography, vegetation, and existing and planned access, as well as surrounding land uses. These same discussions provide detail as to Project design elements to address each of the noted constraints, e.g., expanded fuel management zones, type, and location of Project landscaping, enhanced building design standards, on-site street width and designated parking to ensure open emergency vehicle access, improvements to abutting portions of Country Club Drive that would provide an additional travel lane during emergencies, and provision of a bridge to widen and elevate the Escondido Creek crossing. All of these would not only benefit the Project, but also could improve access and evacuation actions for residents west of the Project off Country Club drive through provision of additional buffer from fires burning to the east, as well as easier evacuation from south of the creek, and (where so directed by emergency fire personnel) perhaps even a place to shelter if they cannot evacuate quickly enough. Also, although evacuation was addressed in the DEIR and FPP, as noted in Response to Comment RI7-4 an

COMMENTS	RESPONSES
Comment Letter RI7 consequently, the density allowance required to facilitate the Project population level would fail to reflect this critical site specific constraint. ***"S-2.6 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 site is a proven area of high wildfire risk and the significant evacuation impact of the Project as described in the corrected analysis above would preclude development, implementation and maintenance of an effective evacuation program thereby causing the County to violate S-2.6 if the GPA is granted. The time to effect Project evacuation, based on the corrected analysis above, would be so substantially greater than the time period of safe egress route access under a reasonable worst-case scenario that development of an effective emergency evacuation program would be infeasible. ***"S-3.6 Fire Protection Measures****. Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire."* The HGVS development is located within a fire threat area and because of the significant evacuation hazard impact of the Project, as per the corrected analysis above, despite mitigation measures that may reduce risk of structural and human loss due to wildfire within the development, the Project would increase the risk of structural and human loss due to wildfire, particularly due to entrapment risk, for potential HGVS residents and residents of the surrounding affected area in violation of General Plan Policy S-3.6 because the time to evacuate the area would substantially exceed the time period of safe evacuation route access, under a reasonable worst-case scenario. 3 RI7-6	additional Evacuation Plan (Dudek 2018) has been prepared based on Project analysis and other published data and is part of the final Project files. The Project is consistent with the relevant policies of the of the General Plan Land Use and Safety Elements.

COMMENTS	RESPONSES
Comment Letter RI7 Harmony Grove Village South Fire Protection Plan These and the other measures are discussed in detail in the following sections. *Access and Parking* **Country Club Drive Designed To Include Three, 12-Foot Travel Lanes.** Country Club Drive would be widened from its intersection with Harmony Grove Road to the southernmost HGVS project entrance to three 12 foot wide travel lanes (Appendix G) which would provide additional capacity for evacuation. The three access roads into the project from Country Club Drive provide the ability to move vehicles out while responding emergency personnel are inbound. In an emergency, two lanes can be designated for egress while one lane would remain available to responding emergency vehicles. The project's traffic engineer states that each lane can effectively handle 1,900 vehicles per hour. There are roughly 60 existing residential units that rely on Country Club Drive as their only means of ingress/egress. With the maximum unit site plan for HGVS, an additional 453 residences would be added. If a conservative estimate of three cars per household is used (the California average is roughly 2.7 vehicles – U.S. Census Bureau 2016), there would be a total of approximately 1,584 vehicles seeking egress, assuming worst case. The actual number of vehicles would likely be much lower than this. For example, if a fire occurred during the daylight hours, many of the vehicles would already be off-site. If a fire occurred at night, families are likely to evacuate in one or two vehicles. Conservatively assuming three vehicles per household are evacuating, , with one lane, all existing and proposed residences could evacuate within one hour and still be approximately 316 vehicles below the capacity. The extra evacuation lane essentially doubles the capacity and provides a significant buffer of 2,216 vehicles per hour over what would otherwise be necessary. RI7-7 In terms of evaluating how the additional egress lane assists in the movement of people during an emergency, the following analysis provides perspective. It is not uncommon for it to require up to 90 minutes elapsed time from the time the decision is made to evacuate until all evacuees have left their occupancy of origin. Included in this time is dispatch notification to activate Reverse 911, police respond to the area, Reverse 911 calls are completed, and residents gather belongings and leave in their vehicles. If only 1 lane was available for egress at HGVS, it would be anticipated that the evacuation protocol (decision to evacuate, notification to initiate Reverse 911, police respond, and completion of Reverse 911) would take roughly 45 minutes and moving the worst case 1,584 vehicles out of the area would require just under one hour, for a total time of 1'45". This time can be reduced significantly with a second lane, as proposed for this project. The evacuation protocol time remains constant at 45 minutes, but the movement of 1,828 vehicles on two lanes cuts the nearly 1 hour to 30 minutes, for a savings of roughly 30 minutes for a complete evacuation when compared to the one lane scenario. A B • **Extension of Three Lane Road into Project.** The three lane road will extend into the project such that no structure is more than 800 feet from the additional lane (Appendix DUDEK 34 8159.02 July 2016	**Response to Comment RI7-7** The County acknowledges the inclusion of page 34 from the HGV South FPP, provided as reference to Comment RI7-4. The comment is informational and comments referencing this page have been responded to in Response to Comment RI7-4, above. No additional response is required.

COMMENTS	RESPONSES
Comment Letter RI7  RI7-8	**Response to Comment RI7-8** The County acknowledges the provided Lilac Fire After Action Report. This information raises no new issues and is not applicable to fire spread within the Harmony Grove area based on different fire environments, as described in Response to Comment RI7-5, above.

COMMENTS	RESPONSES
Comment Letter RI7 	

Sequence of Events

Events are according to Pacific Daylight Time (PDT) and may reflect the actual time of the event or the time an event was reported.

SUNDAY, DECEMBER 3, 2017

1700 The San Diego National Weather Service has issued a Red Flag Warning from 3 a.m. Monday, December 4 to 12 a.m. Friday, December 8. The Red Flag Warn ng has been issued due to strong gusty winds and low humidity from the mountains to the coast. Winds will be 20-35 mph with gusts to 55 mph. Isolated gusts to 65 mph are possible.

TUESDAY, DECEMBER 5, 2017

1420 The San Diego National Weather Service has extended the Red Flag Warning to 6 p.m. Saturday, December 9. The Red Flag Warning has been issued due to strong gusty winds and low humidity from the mountains to the coast. Winds will be 25-35 mph with gusts to 55 mph. Isolated gusts to 70-90 mph are possible.

WEDNESDAY, DECEMBER 6, 2017

0500 The Operational Area Emergency Operations Center (OA EOC) is activated with County of San Diego Office of Emergency Services (OES) staff at a Level 1.

1355 Extreme fire weather conditions are expected to peak tonight through Thursday and will continue into the weekend. The San Diego National Weather Service has extended the Red Flag Warning to 8 p.m. Saturday, December 9. The Red Flag Warning has been issued due to strong gusty winds and low humidity from the mountains to the coast. Winds will be 25-35 mph with gusts to 60 mph. Isolated gusts to 90 mph are possible.

2025 The State of California Office of Emergency Services issues the following Wireless Emergency Alert (WEA): Strong winds overnight creating extreme fire danger. Stay alert. Listen to authorities.

THURSDAY, DECEMBER 7, 2017

0910 The American Red Cross opens (2) shelters for families affected by San Diego Gas & Electric's de-energization of power circuits: East Valley Community Center in Escondido and Bostonia Park Center in El Cajon.

* 1115 Vegetation fire reported (later named Lilac Fire).

* 1142 CAL FIRE confirms there is an active vegetation fire on I-15 at Hwy 76. Evacuations initiated for the nearby Rancho Monserate Country Club community.

1143 Mandatory evacuations in the area of W. Lilac Rd. and Sullivan Elementary.

1213 OA EOC activates to a Level 2 in response to the Lilac Fire.

1241 Mandatory evacuations from W. Lilac to Camino Del Rey; Fallbrook High School and East Valley Community Center available as shelters.

1242 Department of Animal Services moves trucks and trailers to support large/small animal evacuations in the area of the Lilac Fire outbreak and Bonsall community; Humane Society is responding as well.

1243 Evacuation of Bonsall Elementary School.

1248 Fire jumps Old Highway 395.

1308 CAL FIRE reports that the Lilac Fire is now 100-150 acres with 0% containment.

1326 Local Emergency Proclaimed.

1337 Del Mar Fairgrounds opens to receive large animals.

1345 Approximately 100-200 horses remain at Del Mar Fairgrounds. An additional 400 horses from San Luis Rey will be staying at Del Mar until May, per agreement between Del Mar and San Luis Rey Downs.

1352 OA EOC activated to a Level 3.

1352 San Diego County Sheriff Campaign 1: San Diego County Sheriff issues Evacuation Order via Voice Message, SMS Text, and Email, ordering contacted individuals to evacuate; residents can evacuate to Fallbrook High School, Pala Casino, or East Valley Community Center in Escondido. AlertSanDiego Contacts: 3,748; Nighttime Population: 8,311; Daytime Population: 6,984; Housing Units: 3,299; Businesses: 261.

1357 San Diego specific WEA sent out: Dangerous fires in North SD County. Tune to local media. Call 211 for evac areas -SD OES.

RI7-8

COMMENTS	RESPONSES
Comment Letter RI7 County of San Diego GIS Portal *Lilac Fire 2017 sequential maps showing changes to the Fire Perimeter as well as Evacuation Warning and Order areas on Thursday, December 7, 2017, from 2:00pm through 11:00pm.* *2:00pm*  *3:00pm*  RI7-8 D-1	

COMMENTS	RESPONSES

Comment Letter RI7
Comment Letter I7

From: scsuds@gmail.com
Sent: Monday, April 9, 2018 4:57 PM
To: Smith, Ashley
Cc: Aghassi, Sarah; Horn, Bill; Ron Roberts; Jacob, Dianne; Cox, Greg; Gaspar, Kristin; Slovick, Mark; Sibbet, David; efhgtc@gmail.com
Subject: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.) ADDITIONAL COMMENT
Attachments: HARMONY GROVE VILLAGE SOUTH WILDFIRE RISK ANALYSIS pgs 18 & 19.pdf

RE: Harmony Grove Village South Draft Environmental Impact Report (PDS2015-GPA-15-002; PDS2015-SP-15-002;PDS2015-TM-5600; PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006.)

Dear Ashley,

Thank you for the opportunity to comment on the RDEIR for the Harmony Grove Village South proposed General Plan Amendment. RI7-9

In addition to the significant errors in the Project Fire Protection Plan related to emergency evacuation that I commented upon in my prior email today, I have discovered a **critical omission in the Harmony Grove Village South Wildfire Risk Analysis (WRA)**. A copy of the relevant pages from the analysis (18 & 19) are attached and the subject section highlighted for your convenient reference. RI7-10

As you know, the analysis was prepared by Rhode & Associates for the purpose of *"development of a wildland fire assessment and tactical plan for the greater Harmony Grove community,...(and)...Second, a site specific analysis of the proposed Harmony Grove Village South project to answer specific written questions posed by the County of San Diego related to application of Building/Fire Code and requested variance to existing regulations."* (WRA, page 2) There are 12 such questions addressed in the WRA, and the 11th of the questions (WRA, page 18) is composed of two parts. The second part of the question is as follows: RI7-11

"Will the addition of the proposed development compromise fire protection, evacuation, or other public safety components within the greater Harmony Grove community?"

The WRA omits any response to this question.

The omission is critical because the answer underpins the fundamental foundational support for the fire code variance to existing regulations granted for the Project. Furthermore, the omission precludes a reasoned appraisal of related cumulative impacts on "the greater Harmony Grove community", which, consequently, have not been sufficiently addressed in the Project DEIR. Also, the omission precludes evaluation of the compliance of the Project with General Plan elements: RI7-12

LU-6.10 Protection from Hazards
S-1.1 Minimize Exposure to Hazards
S-2.6 Effective Emergency Evacuation Programs
S-3.6 Fire Protection Measures

Thanks again for the opportunity to comment.

Sincerely,
Scott C. Sutherland
Elfin Forest Resident

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Response to Comment RI7-9

This comment is introductory to the second email, and does not raise any new issues with regard to the DEIR or its analysis. No response is required.

Response to Comment RI7-10

Comments noted. They provide the opinion of the commenter, and are conclusory in nature, without any stated basis. Specific comments below provide additional detail and are each addressed in turn.

Response to Comment RI7-11

The County agrees with the quoted excerpts from the Rohde & Associates HGV South Wildfire Risk Analysis (WRA) but disagrees that the report fails to fully respond to Question 11. For clarification, the question is asking Rohde & Associates to evaluate whether the HGV South Project would place stress on the ability of fire protection, evacuation and other public safety components to provide the same services throughout the greater Harmony Grove community. The answer from the Rohde & Associates report on pages 18 and 19 indicates that fires in the area can require vast resources and that there are vast resources available to respond. Additionally, the response indicates that both fire and law enforcement agencies can respond to the types of fire emergencies anticipated in Harmony Grove. Lastly, the response indicates that the Project includes features that will considerably reduce the resources needed to protect the HGV South Project. Therefore, there is no omission in the response to Question 11.

Response to Comment RI7-12

Please refer to Response to Comment RI7-11 regarding how and where Question 11 regarding "the greater Harmony Grove community" was fully addressed. Specific to General Plan Policies LU-6.10, S-1.1, S-2.6, and S-3.6, Comment RI7-6 of the earlier email raised this question. Please refer to Response to Comment RI7-6, above, for discussion of Project consistency with these General Plan policies. All of this information comprises part of the FEIR, which will be before the decision makers during consideration.

COMMENTS	RESPONSES
Comment Letter RI7 HARMONY GROVE VILLAGE SOUTH *WILDFIRE RISK ANALYSIS* *Harmony Grove Village South development area*  RI7-13 ***Prepared for the Fire Marshal, San Diego County Fire Authority, by:*** ROHDE & ASSOCIATES FIRE • EMERGENCY MANAGEMENT • ENVIRONMENTAL OCCUPATIONAL SAFETY & HEALTH SERVICES **April, 2016**	**Response to Comment RI7-13** Comment RI7-13 consists of text excerpted from the Rohde & Associates HGV South WRA. The County agrees that this text is part of the report. No additional response is required.

COMMENTS	RESPONSES
Comment Letter RI7 The proposed community center/fire Safety Zone is proposed for 5,000 square foot size with a capacity of 330 people. Given the availability and access to other community Safety Zone assets, this is felt by the consultant team to be adequate to address proposed development needs. Since 60 legacy homes located to the south and west of the proposed development have no Safety Zones in the vicinity of their residences, and Country Club Dr. also provides egress for these residents, it is likely these residents will use the same evacuation routes and Safety Zones identified for use by Harmony Grove Village South, and will view the proposed development site itself as an opportunity for safe refuge. **11. What is the recommended fire/law resource allocations for wildfire structural defense within the proposed development, given expected fire behavior and community design? Will the addition of the proposed development compromise fire protection, evacuation, or other public safety components within the greater Harmony Grove community?** The Harmony Grove subdivision development has included construction of a new fire station facility within Harmony Grove. This facility is anticipated to be staffed by the Rancho Santa Fe Fire Protection District upon LAFCO annexation approval, expected in July of 2016. Rancho Santa Fe will assume primary responsibility for structure fire protection and emergency medical services, and Cal Fire will maintain primary responsibility for wildfire protection. The San Diego County Sheriff will retain primary law enforcement responsibilities, with local jurisdiction maintained by rural deputies assigned to the San Marcos Sub-Station. Highway traffic jurisdiction will continue to be managed by the California Highway Patrol. Regional resource response to potential wildfires requires vast and mutli-agency resources to mount effective and rapid defense against aggressive wildfire threats, and will include assets such as handcrews, dozers, helicopters, and airtankers, in addition to many ground engine companies. Law enforcement deployment would similarly require response from multiple agencies to manage evacuation, traffic, and security. Both fire and law agencies within the area possess diverse and robust resources and organization for addressing fires within the proposed development area. Like most of San Diego County, fires in Harmony Grove may occur under the most adverse weather conditions, and likely occur during times of regional fire siege of multiple large fires when resource availability is compromised and limited. The proposed development's compliance with San Diego County Wildland-Urban Interface fire codes, and the proposed enhancements contained within this report will significantly reduce the resource deployment requirements for structural defense to the proposed project. The proposed project was evaluated for fire service protection demands as part of the greater Harmony Grove community. Recommendations for resource deployment were 18 RI7-13	

COMMENTS	RESPONSES
Comment Letter RI7 included in the completed emergency services Wildland Urban Interface Fire Emergency plan. With proposed mitigations, good results from structural defense efforts may be expected in the proposed development, similar to those of other modern fire resistive communities in San Diego County. **12. Does community water supply infrastructure/systems adequately address fire flow demands for the proposed development during wildfire? Will the pumping infrastructure be safe from fire effects?** Fire flow data was received from the County of San Diego for system performance expected in the Harmony Grove South proposed development. The consultant review found system performance to be consistent with storage, fire flow, and distribution standards for suburban communities. 5,000 GPM will be the intended available fire flow with a minimum 40 PSI. Fire hydrants will be available every 300 feet in the project. In addition to fire flow, the applicant has committed that all residences in the proposed development will be equipped with residential fire sprinklers. Planning for redundancy of power supply is recommended to ensure backup power in the case of utility disruption. This is usually provided through generator power delivery. This is recommended to ensure fire flows are maintained and reservoirs are capable of refilling under major emergency fire conditions. Backup plans should be undertaken by the water authority to maintain electronic visualization of systems should primary telemetry be interrupted by power loss. Pump rooms and their related structures and exterior areas should be maintained free of materials which are ignitable by fire branding and constructed/reinforced against fire exposure. Fuels clearance from these critical facilities should be maintained and inspected by the County for compliance. Parking/access controls are recommended to maintain fire apparatus access to fire hydrants, and maintain adequate access and turning radius within the proposed development. Compliance with applicable fire and building code relating to these concerns has received the commitment of the applicant. **Summary** The applicant's proposed mitigations appear consistent with good practice to mitigate fire risks in the proposed Harmony Grove Village South development, with the following caveats: a. Additional fuel modification is recommended where slope and the presence of chaparral fuels accentuates fire behavior potential. 19 RI7-13	