

# Responses to Comments on the Draft Environmental Impact Report

An original draft version of this EIR was circulated for public review from April 28, 2016, to June 13, 2016 (45-day public review period). Fifteen comment letters were received. Due to the revisions made to the Draft EIR, the County decided to recirculate certain portions of the Draft Revised EIR sections, as well as the Traffic Impact Assessment. The public review circulation period of the Draft Revised EIR occurred from November 18, 2016, to January 3, 2017 (45-day public review period). No additional comment letters were received on the Draft Revised EIR.

The following is a listing of the names and addresses of persons, organizations, and public agencies that commented during the first public review period. On the following pages are copies of those letters and written responses to them.

**Table 1-1. List of Commenters**

Commenter	Address
<b>State Agencies</b>	
State of California Governor's Office of Planning and Research	1400 Tenth Street Sacramento, CA 95812
<b>County, City, and Other Local Agencies</b>	
Sweetwater Authority	505 Garrett Avenue Chula Vista, CA 91912
City of San Diego, Planning Department	1010 2 <sup>nd</sup> Avenue, MS 413 San Diego, CA 92401
Valley Center Community Planning Group	PO Box 127 Valley Center, CA 92082
San Diego County, Valle De Oro Community Planning Group	3755 Avocado Blvd, #187 La Mesa, CA 91941
<b>Organizations</b>	
Pala Pauma Community Sponsor Group	None provided.
Bonsall Community Sponsor Group	None provided.
<b>Individuals</b>	
Keefe Baker	None provided.
Scott McMillan	4670 Nebo Drive, #200 La Mesa, CA
Dave Harbour	None provided.
Dave Harbour	None provided.
Eric Metz	None provided.
Carolyn Harris	910 Gem Lane Ramona, CA 92065
Carolyn Harris	910 Gem Lane Ramona, CA 92065
Cindi Lynn Pusateri	None provided.
Richard Keith	None provided.

# Comment Letter A – State of California, Governor's Office of Planning and Research, SCH

Comment Letter A



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

July 7, 2016

Dennis Campbell  
San Diego County  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

Subject: Agriculture Promotion Program (POD 14-001)  
SCH#: 2015061047

Dear Dennis Campbell:

A-1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on July 6, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 446-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2015061047  
**Project Title** Agriculture Promotion Program (POD 14-001)  
**Lead Agency** San Diego County

---

**Type** EIR Draft EIR  
**Description** The project consists of amending the County's Zoning Ordinance to provide updated definitions, procedures, and standards for review and permitting of agriculture related accessory uses, and amending Table M-4 of the general plan mobility element to amend existing, and add additional accepted roadways, that may operate at Level of Service E or F. The Zoning ordinance amendment addresses accessory agricultural uses such as homestays, microbreweries, cideries, micro distilleries, agriculture and horticultural retail, agriculture tourism, animal raising, aquaponics, creamery/dairy, fisherman's markets, mobile butchering and wineries.

---

**Lead Agency Contact**

<b>Name</b>	Dennis Campbell	
<b>Agency</b>	San Diego County	
<b>Phone</b>	858-505-6380	<b>Fax</b>
<b>email</b>		
<b>Address</b>	5510 Overland Avenue, Suite 310	
<b>City</b>	San Diego	<b>State</b> CA <b>Zip</b> 92123

---

**Project Location**

<b>County</b>	San Diego
<b>City</b>	
<b>Region</b>	
<b>Lat / Long</b>	
<b>Cross Streets</b>	
<b>Parcel No.</b>	Various
<b>Township</b>	
	<b>Range</b>
	<b>Section</b>
	<b>Base</b>

---

**Proximity to:**

<b>Highways</b>	1, 8, 15, 25, 905, 94, 54, 67, 78, 79, s
<b>Airports</b>	Agua Caliente, Borrego Valley, F
<b>Railways</b>	
<b>Waterways</b>	Countywide
<b>Schools</b>	Many
<b>Land Use</b>	Various

---

**Project Issues** Air Quality; Archaeologic-Historic, Biological Resources; Forest Land/Fire Hazard; Noise; Toxic/Hazardous; Traffic/Circulation; Vegetation, Water Quality, Wetland/Riparian; Wildlife, Landuse; Cumulative Effects; Agricultural Land; Aesthetic/Visual; Drainage/Absorption; Flood Plain/Flooding, Geologic/Seismic, Minerals; Public Services; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Water Supply; Growth Inducing

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources, Caltrans, District 11; Department of Food and Agriculture; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 7; Regional Water Quality Control Board, Region 9, Native American Heritage Commission

---

<b>Date Received</b>	04/28/2016	<b>Start of Review</b>	05/23/2016	<b>End of Review</b>	07/06/2016
----------------------	------------	------------------------	------------	----------------------	------------

---

Note: Blanks in data fields result from insufficient information provided by lead agency.

# Responses to Comment Letter A

## Response to Comment A-1

This letter acknowledges compliance with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA. The letter does not raise an environmental issue for which a response is required.



# Comment Letter B – Sweetwater Authority



## SWEETWATER AUTHORITY

505 GARRETT AVENUE  
POST OFFICE BOX 2328  
CHULA VISTA, CALIFORNIA 91912-2328  
(619) 420-1413  
FAX (619) 425-7469  
<http://www.sweetwater.org>

Comment Letter B

GOVERNING BOARD  
ERNESTO ZAMUDIO, CHAIR  
TERESA "TERRY" THOMAS, VICE CHAIR  
STEVE CASTANEDA  
JOSÉ F. CERDA  
RON MORRISON  
JOSE PRECIADO  
JESS VAN DEVENTER

JAMES L. SMYTH  
GENERAL MANAGER

JENNIFER H. SABINE  
ASSISTANT GENERAL MANAGER

June 9, 2016

Mr. Dennis Campbell  
County of San Diego  
Planning and Development Services  
5510 Overland Ave., Suite 310  
San Diego, CA 92123

Subject: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT  
AGRICULTURE PROMOTION ORDINANCE AND PROPOSED  
GENERAL PLAN AMENDMENT, PDS2014-POD-14-001  
SWEETWATER RIVER WATERSHED PROTECTION

Dear Mr. Campbell:

B-1

Thank you for providing notification to Sweetwater Authority on the Agriculture Promotion Ordinance Draft EIR (DEIR) and Proposed General Plan Amendment. Sweetwater Authority (Authority) is a public water agency in southern San Diego County serving approximately 191,500 people residing in National City, the western and central portions of Chula Vista, and the unincorporated community of Bonita. The Authority operates Sweetwater Reservoir and Loveland Reservoir to store local and imported water for its customers and utilizes the Sweetwater River to transfer water from Loveland Reservoir to Sweetwater Reservoir. The proposed Agriculture Promotion Ordinance would promote accessory uses to diversify agricultural operations throughout the unincorporated County, including areas of the Sweetwater River Watershed within the County's jurisdiction (Figure 1).

B-2

The Agriculture Promotion Program involves amending the County's Zoning Ordinance to promote accessory uses to agricultural operations. However, the types of accessory land uses described in the DEIR are more similar to commercial uses than traditional agricultural activities and should be analyzed accordingly. Sweetwater Authority feels that this program should be reconsidered as a commercial promotion program and an appropriate standard be applied.

B-3

The Authority has reviewed the DEIR and offers the following comments under the premise of the above comment regarding the commercial nature of this DEIR.

### Hydrology and Water Quality/Water Supply and Groundwater/Project Alternatives

The DEIR states that the proposed project would result in potentially significant and unavoidable adverse impacts for which feasible mitigation measures would not reduce the impacts to below a level of significance for several issues, including hydrology and water quality and water supply and groundwater. Project alternatives evaluated in the document include the Reduced Project Area Alternative; Lot Size Use Restriction Alternative; and No

*A Public Water Agency  
Serving National City, Chula Vista and Surrounding Areas*

Mr. Dennis Campbell  
 Re: Comments on DEIR for Agriculture Promotion Ordinance  
 Sweetwater River Watershed Protection  
 June 9, 2016  
 Page 2

B-3  
 cont. | Project Alternative. These alternatives were selected, in part, relative to their ability to meet the basic objectives of the proposed project (Section 4.1).

| Since the No Project Alternative would not meet any project objectives, the Authority recommends that the environmentally superior Reduced Project Area Alternative be combined with the Lot Size Use Restriction Alternative. A combined alternative would limit the proposed Agriculture Promotion Program to the unincorporated areas within the San Diego County Water Authority (SDCWA) Boundary and properties 4 acres or larger within the same zoning classifications as specified by the proposed project, reducing the overall significant impacts to environmental issues:

- B-4 |
- Hydrology and water quality impacts would be reduced when compared to the proposed project.
  - Impacts related to the use and depletion of water supplies and impacts on groundwater supplies would be reduced under this alternative.
  - Ground and soil disturbance for construction of new accessory agricultural uses would be reduced, lessening impacts on hydrology and drainage affecting water quality and erosion.
  - This alternative would also be likely to result in reduced agricultural runoff, although there is no guarantee that mitigation measures and best management practices (BMPs) would reduce impacts to a level below significance on a project-specific level (Section 4.3).

B-5 | Approximately 65 percent of the project area lies outside the SDCWA Boundary and is dependent on naturally occurring groundwater resources. While property owners of lands that are less than 4 acres in size and/or outside the boundary could still develop their agricultural lands with new accessory agricultural uses under this alternative, it is our understanding that the process would be the same as the current Zoning Ordinance requirements (Section 4.3).

B-6 | **Animal Raising**  
 Under the proposed project, the current animal schedule would be amended to allow certain animal raising operations to exceed the allowed number of animals per designator with a less restrictive Administrative Permit instead of a Major Use Permit. As such, it is likely that the proposed project would cause an increased intensity of animals on agricultural lands, which would also increase animal waste. This could introduce additional sources of bacteriological contamination and elevated nitrates (Section 2.5).

B-7 | While the DEIR states that standard housekeeping practices and BMPs are adequate for addressing the hazards of animal waste (Section 2.4), detailed descriptions of these standard practices and BMPs should be included. Clarification on monitoring and enforcement should also be provided, especially relating to by-right land use activities

Mr. Dennis Campbell  
Re: Comments on DEIR for Agriculture Promotion Ordinance  
Sweetwater River Watershed Protection  
June 9, 2016  
Page 3

B-7  
cont. | where CEQA review would not be required and appropriate mitigation would not be possible.

B-8 | Sweetwater Authority addressed impacts to surface water quality and groundwater contamination resulting from animal waste in comments to the County on the Draft EIR for the Tiered Equine Ordinance (March 18, 2013). A copy of this letter is enclosed.

B-9 | **Pesticides**  
The promotion of accessory agricultural uses by the proposed project could result in corresponding increases in the use of pesticides, fertilizers, and other hazardous materials associated with agriculture. The DEIR states that any uses of fertilizers or pesticides as part of agricultural operations are required to comply with CalEPA's enforcement of pesticide laws and regulations in California and concludes that compliance with these existing federal and state regulations would ensure that potential project impacts related to fertilizer and pesticide use would be less than significant (Section 2.4).

B-10 | The document states that potential contaminants related to the proposed project are not anticipated to reach groundwater supplies and would not significantly contribute to groundwater quality issues. However, nitrate is among the most common contaminants in groundwater within the County, and groundwater contaminants of concern that may result from agricultural operations include herbicides and pesticides. Pesticides and herbicides can enter both groundwater and surface water from agricultural uses. The Authority routinely monitors for the presence of pesticides in its sampling of surface water within the middle Sweetwater River Watershed.

B-11 | We appreciate the opportunity to comment on the DEIR for the Agriculture Promotion Ordinance but encourage the County to recognize the proposed commercial land uses described in the document. Please continue to include Sweetwater Authority on the County's distribution list for POD-14-001. If you have any questions, contact Cindy Pino at [cpino@sweetwater.org](mailto:cpino@sweetwater.org) or (619) 409-6805.

Sincerely,

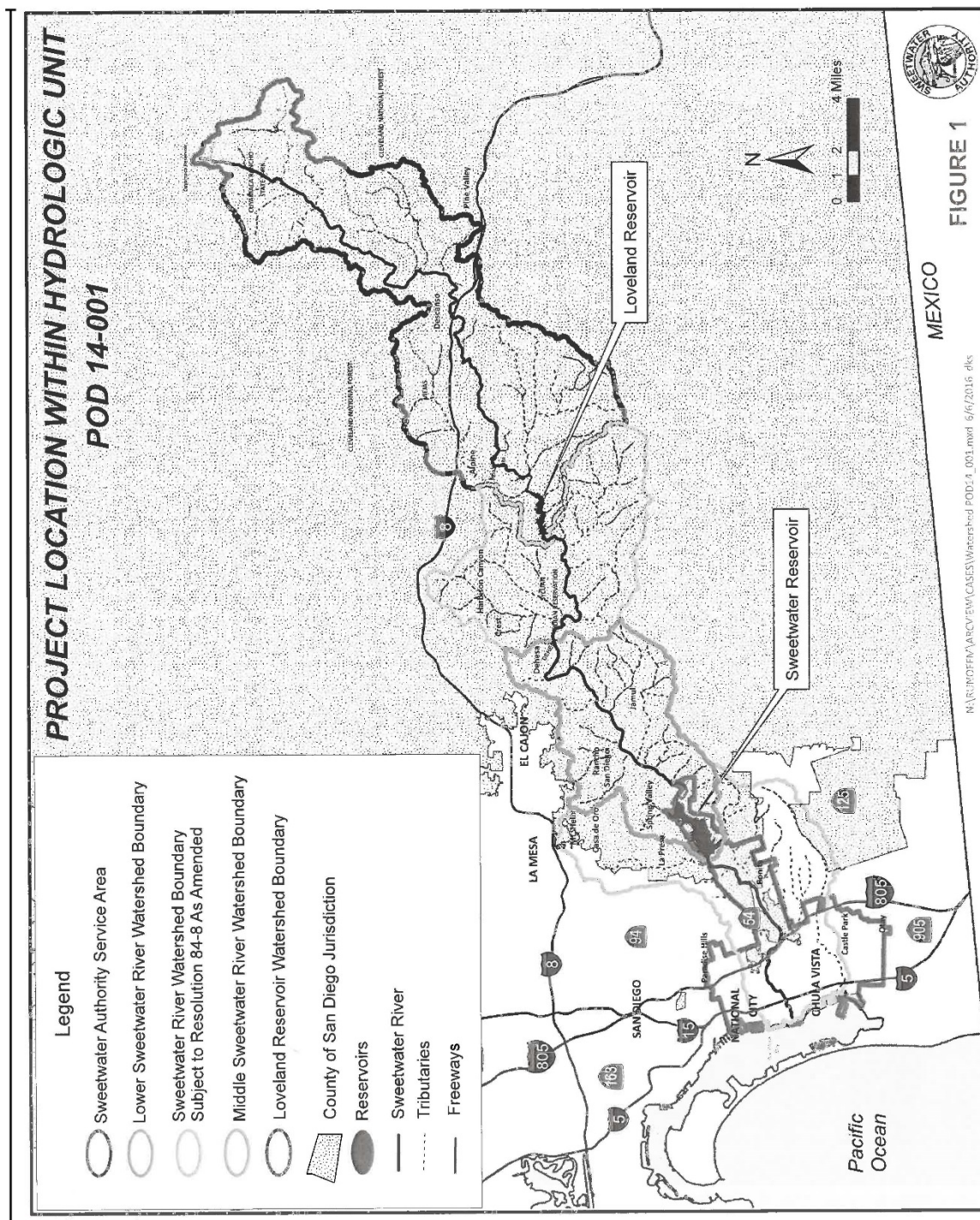


Scott McClelland, P.E., BCEE  
Director of Water Quality

Enclosures: Figure 1  
Sweetwater Authority comments on DEIR for Tiered Equine Ordinance  
Amendment POD11-011, March 18, 2013



B-12



**SWEETWATER AUTHORITY**

505 GARRETT AVENUE  
POST OFFICE BOX 2328  
CHULA VISTA, CALIFORNIA 91912-2328  
(619) 420-1413  
FAX (619) 425-7469  
<http://www.sweetwater.org>

**GOVERNING BOARD**

JOSE PRECIADO, CHAIR  
RON MORRISON, VICE CHAIR  
W.D. "BUD" POCKLINGTON  
MARIA RUBALCABA  
TERESA "TERRY" THOMAS  
JESS VAN DEVENTER  
ERNESTO ZAMUDIO

JAMES L. SMYTH  
GENERAL MANAGER  
JENNIFER H. SABINE  
ASSISTANT GENERAL MANAGER

March 18, 2013

Mr. Carl Stiehl  
County of San Diego  
Advance Planning  
5510 Overland Ave., Suite 310  
San Diego, CA 92123

Subject: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT  
TIERED EQUINE ORDINANCE AMENDMENT, POD 11-011  
SWEETWATER RIVER WATERSHED PROTECTION

Dear Mr. Stiehl:

Thank you for providing notification to Sweetwater Authority on the Tiered Equine Ordinance Amendment Draft EIR (DEIR). Sweetwater Authority is a public water agency in the South Bay area of San Diego County serving approximately 186,000 people residing in National City, the western and central portions of Chula Vista, and the unincorporated communities of Bonita and Lincoln Acres. Sweetwater operates Sweetwater Reservoir and Loveland Reservoir to store local and imported water for its customers and utilizes the Sweetwater River to transfer water from Loveland Reservoir to Sweetwater Reservoir. The proposed Tiered Equine Ordinance Amendment would potentially affect commercial equine uses in unincorporated portions of the County, including areas of the Sweetwater River watershed within the County's jurisdiction (Figure 1).

We have reviewed the DEIR, draft ordinance, and supporting documents and have the following comments:

**Tier One and Tier Two Requirements**

Section 3.1.2, Hydrology and Water Quality, includes contradictory information on Tier 1 and Tier 2 requirements:

- Sections 3.1.2.3.1 and 3.1.2.4.1 state that some future Tier One and Tier Two equine facilities would require a building permit and would be subject to preparation of a Minor SWMP.
- Sections 3.1.2.3.3; 3.1.2.3.4; 3.1.2.3.5; 3.1.2.3.7; and 3.1.2.3.8 state that future Tier One and Tier Two equine facilities would require a building permit and therefore would be subject to the preparation of a Minor SWMP.

Clarification should be provided, and reliance on potentially incorrect requirements to determine the significance of related impacts should be re-evaluated in the document.

*A Public Water Agency  
Serving National City, Chula Vista and Surrounding Areas*

Mr. Carl Stiehl

Re: Comments on DEIR for Tiered Equine Ordinance Amendment, POD 11-011  
Sweetwater River Watershed Protection

March 18, 2013

Page 2

#### **Surface Water Quality Impacts**

The document states that future equine uses may result in an increase in animal waste which contains biological and chemical properties that can be harmful to plants, animals and humans, and that animal waste can contribute to surface water pollution when it is improperly stored or left uncovered near watercourses and storm drains (p. 3.1.2-13). The DEIR does not specifically discuss *Cryptosporidium parvum*, a waterborne pathogenic organism that is known to cause health effects, including fatalities in some humans. The draft ordinance would define Horse Stables to include equine breeding and raising uses, yet equines under the age of 12 months, the predominant carriers and shedders of *Cryptosporidium* oocysts, would not be counted in Horse Stable populations. Since Tier One and Tier Two projects would not be subject to environmental review, the analysis should discuss the adequacy of setback requirements and manure management guidelines to prevent increases and potential spreading of *Cryptosporidium* in waterways. County enforcement procedures for setbacks and BMPs should also be described in detail. Additionally, we recommend that the County's Watershed Protection Program Equine Facilities handout be revised to state that bacteria and viruses impact surface water reservoirs used for drinking water, of which there are several in the County that would be impacted by the draft ordinance. The handout currently states that bacteria travel downstream to our beaches, causing beach closures.

#### **Groundwater Quality Impacts**

Although Section 3.1.2.3.2 evaluates potential depletion of groundwater supplies and interference with groundwater recharge, the analysis also should include a discussion on groundwater quality impacts from equine facilities. The document states that the most common man-made sources of groundwater contamination include facilities producing animal wastes, and that the most common contaminants in groundwater within San Diego County include elevated nitrate levels and bacteria (p. 3.1.2-4). Horse urine is a significant source of nitrates that can make groundwater unusable by rapidly degrading groundwater and surface water quality. WPO requirements, including berming or curbing to contain animal waste where it is produced, would not halt seepage into such water supplies and the resulting contamination of groundwater. Because Sweetwater Authority derives up to 70 percent of its potable water from local sources, including the San Diego Groundwater Formation, groundwater quality impacts carry ramifications for Sweetwater's water supply and customers.

#### **Project Alternatives**

The proposed project applies to properties within the unincorporated County that are zoned with an Animal Designator D-J, L-N, U, V, or X for a total of 344,665 acres (Section S.2.3). According to County data presented at the Equine Stakeholders Meeting on January 24, 2013 (Figure 2), the proposed density of 10 horses per usable acre throughout the project area is greater than other jurisdictions allow with discretionary use permits



Mr. Carl Stiehl

Re: Comments on DEIR for Tiered Equine Ordinance Amendment, POD 11-011

Sweetwater River Watershed Protection

March 18, 2013

Page 3

required. The proposed density of 10 horses per usable acre would have a detrimental cumulative impact on water quality and would affect Sweetwater Authority water resources. Since the Board of Supervisors may consider the adoption of specific components or a combination of the proposed project and project alternatives (p. S-6), we recommend that a combination of the Four Horses Per Acre Alternative and the Reduced Project Area Alternative be considered:

- Tier One would allow boarding only of up to 3 horses (including horses less than one year of age) not owned by the property owner without a ministerial or discretionary permit on properties 1 acre or larger in size.
- Tier Two would allow 4 horses per acre of usable area up to 20 horses (including horses less than one year of age) on properties between 1 and 5 acres with the proposed ministerial Zoning Verification Permit.
- Tier Three would allow 4 horses per acre of usable area up to 40 horses (including horses less than one year of age) on properties greater than 5 acres and less than 10 acres with a discretionary Administrative Permit.
- Tier Four would allow more than 40 horses (including horses less than one year of age) on more than 10 acres of usable area, or more than 4 horses per usable acre, with a discretionary Major Use Permit.

These recommended Horse Stable limits take into consideration the fact that typical horse boarding on properties is confined to relatively small areas where animal enclosures are located, and other portions of the site are used for turn-out pens, corrals, and/or other structures. This in effect further concentrates the animal waste issues and therefore contamination potential.

We appreciate the opportunity to comment on the DEIR for the Tiered Equine Ordinance Amendment. Please continue to include Sweetwater Authority on the County's distribution list for POD 11-011. If you have any questions, please contact Jane Davies at [jdavies@sweetwater.org](mailto:jdavies@sweetwater.org) or (619) 409-6816.

Sincerely,

SWEETWATER AUTHORITY



Scott McClelland, P.E., BCEE  
Director of Water Quality

Enclosures

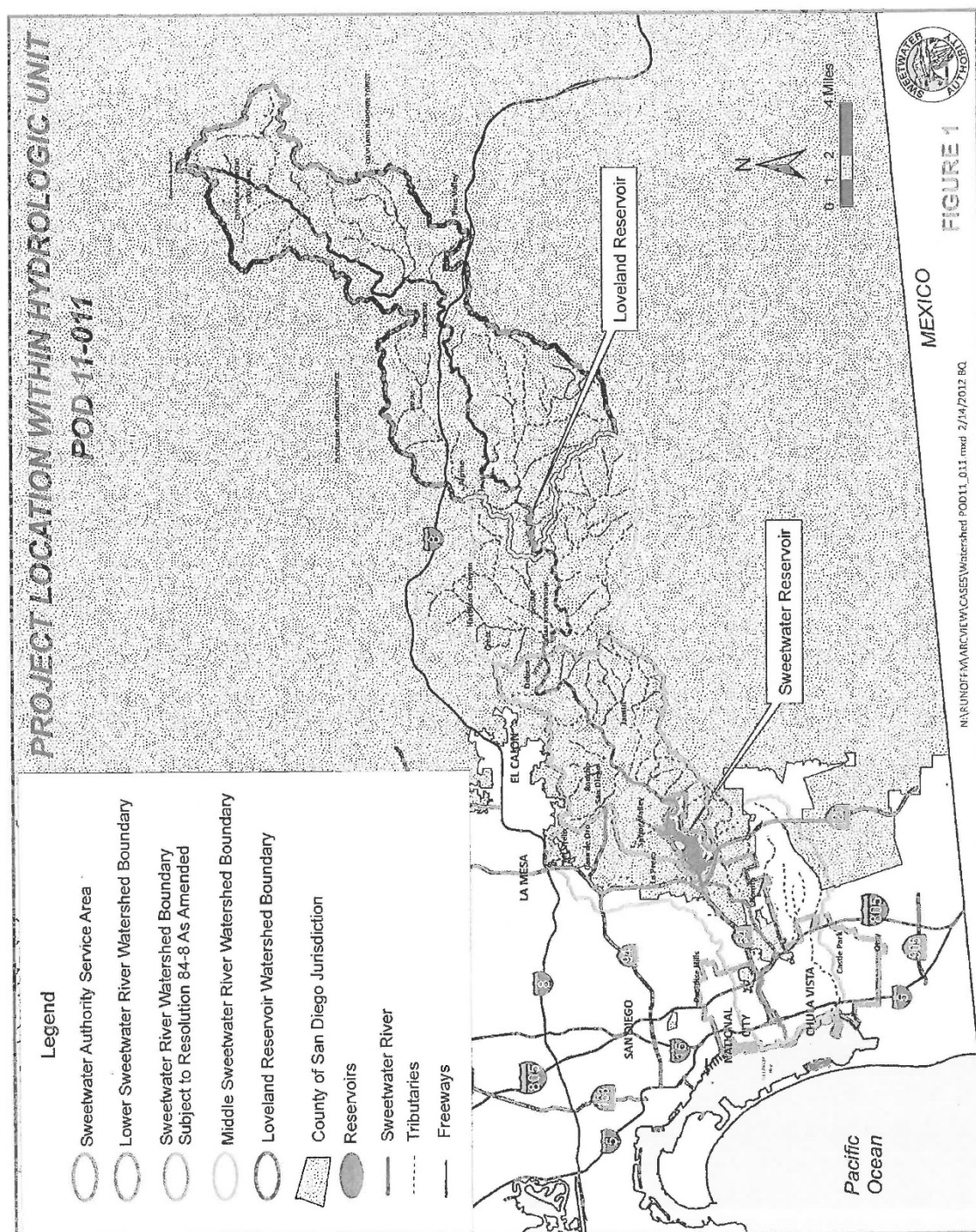




FIGURE 2

# Research

Other Jurisdictions – require Use Permits

City of San Diego – 8 h/ac in agricultural zone (10ac lot)

Los Angeles County – 8 h/ac

Orange County – 8 h/ac in Equine District only

Riverside County – 4-6 h/ac in certain zones

San Bernardino – 4 h/ac in certain zones

City of Chula Vista – 3 h first ac, 2 h/ac

Santa Barbara County – 2 h/ac



## Responses to Comment Letter B

### Response to Comment B-1

This portion of the letter is introductory and does not raise an environmental issue for which a response is required. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment B-2

The comment suggests that the types of accessory land uses in the Draft EIR are more similar to commercial uses than to traditional agricultural uses and should be analyzed accordingly. Additionally, the comment states that this program should be reconsidered as a commercial promotion program. The comment is noted; however, the County disagrees with it. The primary intent of the proposed Ordinance is to offer existing agricultural operators a wider array of accessory agricultural use options, with streamlined permitting requirements. These options may preserve existing, and increase the potential for new, successful agricultural operations within the County. The comment is vague and does not explain how renaming the program would alter the environmental analysis. Further, it does not identify any flaws in the current analysis. The Draft EIR utilizes trip generation rates associated with commercial uses, as the basis for the analysis, which is transferred throughout the Draft EIR. In essence, the analysis does study potential impacts as if they were generated by commercial uses. As required by CEQA, the impact analysis is based on the anticipated direct, indirect, and cumulative impacts that could result from the specific proposed accessory agricultural uses. Therefore, regardless of how these proposed uses are labeled, the required environmental analysis was completed. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment B-3

The County agrees with the statements made in this comment regarding the impacts that were identified in the Draft EIR regarding water quality (**Impacts HY-1, HY-2, HY-3, and HY-4**) and water and groundwater supply (**Impacts WS-1, WS-2, WS-3, and WS-4**), and that the determination for these impacts remain significant and unmitigable. The County also agrees with the statement made regarding the project alternatives that were analyzed in Chapter 4 of the Draft EIR. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment B-4

This comment suggests that the proposed project should be replaced by the Draft EIR's Reduced Project Area and Lot Size Use Restriction Project Alternatives. The comment is understood; however, as discussed in the Draft EIR, the two alternatives do not fully meet the proposed project's objectives because they each limit a substantial number of properties from participation in the Ordinance, many of which are agricultural communities and represent a primary focus of the Ordinance. For instance, the County's agricultural areas are found within the backcountry, such as Ramona, Julian, and Alpine. Some of these communities are not located within the County Water Authority boundaries (Reduced Project Area Alternative). Combining these two project alternatives would contradict the purpose of the proposed Ordinance, which is to allow existing agricultural uses the opportunity for agritourism and agricultural sales and to broaden the type of allowed uses. As a

result a large number of agricultural areas and operations would not benefit from the program. Ultimately, the County Board of Supervisors will determine whether to approve the proposed project or an alternative. The information in this comment will be in the Final EIR for review and consideration by the Board. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-5

This comment explains that in the case of the approach recommended in comment B-4 (combining the two project alternatives to limit the number of properties subject to the proposed Ordinance), agricultural properties not subject to the proposed Ordinance revisions would still be able to develop accessory uses under the current Zoning Ordinance requirements. While this is correct, the purpose of the proposed project is to improve the regulations on all agricultural properties to promote continued agricultural operations in the County. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-6

The County agrees that the comment summarizes a discussion in the Draft EIR (Section 2.5.3.1 under the heading *Animal Raising*), which explains that the increased intensity of animals on agricultural lands would increase animal wastes and would thereby introduce additional sources of bacteriological contamination and elevated nitrates. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-7

The comment suggests that further details be provided regarding monitoring and enforcing the standard housekeeping practices and BMPs. The County of San Diego Department of Agriculture, Weights and Measures regulates agricultural facilities designated as high priority commercial facilities. More information can be found on their Water Quality Program webpage at [http://www.sandiegocounty.gov/content/sdc/awm/ag\\_water.html](http://www.sandiegocounty.gov/content/sdc/awm/ag_water.html). This reference contains a list of BMPs and a description of annual inspections required pursuant to County code, as well as links to other relevant references. In addition, the County's Grading Ordinance regulates grading related to agricultural uses (see Sections 87.202 and 87.205 at <http://www.sandiegocounty.gov/dpw/land/landpdf/gradingordinance.pdf>). Sections 67.807(f) and 67.808(7)(C)(v) of the County's Watershed Protection Ordinance ([http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED\\_PROTECTION\\_PROGRAM/watershedpdf/WPO.pdf](http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/watershedpdf/WPO.pdf)) describe BMPs for manure and pet waste. Sections 3130.c and 3130.b.4 of the Zoning Ordinance (<http://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/z3000.pdf>) also describe BMPs for equine uses and manure management. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-8

The County has received and acknowledged this attachment. Responses to the March 18, 2013, letter were written by the County and provided in the Final EIR for the Tiered Equine Ordinance. The responses are included in this EIR for reference. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-9

This comment is a summary statement regarding compliance with CalEPA's enforcement of pesticide laws and regulations in California. The County agrees that statements related to this issue were made in Section 2.4.3.1 of the Draft EIR under the heading *General Operational Impacts*. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-10

The comment states that nitrate is among the most common contaminants in groundwater within the County, that groundwater contaminants of concern that may result from agricultural operations include pesticides and herbicides, and that pesticide and herbicides can enter both the groundwater and surface water from agricultural uses. The Draft EIR discusses these potential impacts and concludes that these potential contaminants related to the project would not significantly contribute to groundwater quality issues. The comment does not provide any information that contradicts the Draft EIR or that requires a revision to the document. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment B-11

This comment is a concluding statement and does not raise an environmental issue for which a response is required. The County has included the Sweetwater Authority on the notification list for this project.

## Response to Comment B-12

The County acknowledges the attached figure. The figure does not raise an environmental issue for which a response is required.

# Comment Letter C – City of San Diego, Planning Department

Comment Letter C



June 13, 2016

County of San Diego, Planning & Development Services  
 Attn: Dennis Campbell  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123

Subject: **CITY OF SAN DIEGO COMMENTS ON THE AGRICULTURE PROMOTION ORDINANCE AND GENERAL PLAN AMENDMENT (SCH# 2015061047)**

C-1

The City of San Diego ("City") CEQA has received the Draft Environmental Impact Report (EIR) prepared by the County of San Diego and distributed it to multiple City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the Draft EIR and appreciates this opportunity to provide comments to the County. In response to this request for public comments, the City has identified potential environmental issues that may result in a significant impact to the environment. Continued coordination between the City, the County, and other local, regional, state, and federal agencies will be essential. Following are comments on the Draft EIR for your consideration.

**Transportation & Storm Water Department – Mark Stephens, Associate Planner –**  
**[mgstephens@sandiego.gov](mailto:mgstephens@sandiego.gov), 858-541-4361**

## General Comments Regarding Hydrology and Water Quality

C-2

The Draft Environmental Impact Report (EIR) notes that agriculture has been subject to conditional waivers of waste discharge requirements, and that San Diego Regional Water Quality Control Board Order No. R9-2007-0104, Conditional Waiver No. 4 for discharges from agricultural and nursery operations, expired in February 2014. On May 23, 2016, the Regional Water Quality Control Board issued a Notice of a Public Workshop to be held at the June 22, 2016 Regional Water Quality Control Board meeting. The workshop is to provide an opportunity for discussion and to receive comments, information, and input from the public on proposed General Waste Discharge Requirements for the Commercial Agricultural Operations Regulatory Program, and associated California Environmental Quality Act (CEQA) documents. No action or voting is to occur at the workshop, which is intended to provide information and facilitate discussion with Board members and the public. Thus, proposed program requirements are evolving concurrently with public review of this Draft EIR. Without such provisions in place, the Draft EIR finds significant adverse environmental impacts could result from the proposed County of San Diego Agriculture Promotion Ordinance and General Plan Amendment. Although mitigation measures are identified, potentially significant adverse impacts related to soil erosion and water quality could remain. Consequently, a statement of overriding considerations would be needed to approve the proposed project, as described in the Draft EIR.

## Section 2.5 Hydrology and Water Quality

**Planning Department**  
 1010 2nd Avenue, MS 413 – San Diego, CA 92101-4155  
 Tel (619) 235-5200

Page 2 of 2  
County of San Diego  
June 13, 2016

- C-3 [ 2.5.1.1 Surface Water Hydrology. On page 2.5-1, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> sentence, add San Luis Rey to watersheds located entirely in the San Diego hydrologic region.
- C-4 [ 2.5.1.5 Stormwater Drainage Systems. On page 2.5-5, 1<sup>st</sup> sentence under heading, revise as follows: Stormwater drainage systems convey urban runoff and ~~are related to~~ can influence water quality conditions.
- C-5 [ 2.5.2.3 Regional/Local Regulations. On page 2.5-9, last paragraph on page, revise as follows: (3) using ~~porous~~ permeable pavements... While all three terms are used somewhat interchangeably, "permeable" or "pervious" is increasingly preferred over "porous" in this context.
- C-6 [ Thank you for the opportunity to provide comments on the Draft EIR. Please contact me directly if there are any questions regarding the contents of this letter or if the County would like to meet with City staff to discuss our comments. Please feel free to contact Myra Herrmann, Senior Planner, directly via email at [MHerrmann@sandiego.gov](mailto:MHerrmann@sandiego.gov) or by phone at 619-446-5372.

Sincerely,

Alyssa Muto, Deputy Director  
Planning Department

cc: Reviewing Departments (via email)  
Review and Comment online file

## Responses to Comment Letter C

### Response to Comment C-1

This comment is introductory and does not raise an environmental issue for which a response is required.

### Response to Comment C-2

The comment summarizes the concurrent public workshop for the Regional Water Quality Control Board on the proposed General Waste Discharge Requirements for the Commercial Agricultural Operations Regulatory Program and associated CEQA documents. The comment states that as the proposed program requirements are evolving concurrently with public review of this Draft EIR, mitigation measures identified and potentially significant adverse impacts related to soil erosion and water quality could remain. This is consistent with the analysis in the Draft EIR, which identified potential direct and cumulative impacts on surface water quality and from soil erosion. The comment concludes that a statement of overriding considerations would need to be adopted for the proposed project to be approved. This is also consistent with the Draft EIR's determination that the stated impacts are not fully mitigated. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment C-3

The County appreciates the comment. The suggested revision has been incorporated into Section 2.5.1.1, *Surface Water Hydrology*.

### Response to Comment C-4

The County appreciates the comment. The suggested revision has been incorporated into Section 2.5.1.5, *Stormwater Drainage Systems*.

### Response to Comment C-5

The County appreciates the comment. The suggested revision has been incorporated into Section 2.5.2.3, *Regional/Local Regulations*.


### Response to Comment C-6

This comment is a concluding statement and does not raise an environmental issue for which a response is required.



# Comment Letter D – Valley Center Community Planning Group

Comment Letter D

Valley Center Community Planning Group PO Box 127 Valley Center CA 92082	
 <p><b>Oliver Smith</b> Chair <a href="mailto:oliver.smith@philips.com">oliver.smith@philips.com</a></p> <p><b>Ann Quinley</b> Vice Chair <a href="mailto:Annquinley@gmail.com">Annquinley@gmail.com</a></p> <p><b>Steve Hutchison</b> Secretary <a href="mailto:hutchisonsm@gmail.com">hutchisonsm@gmail.com</a></p> <p><b>Jeana Boulos</b> <a href="mailto:jeana.h.boulos@gmail.com">jeana.h.boulos@gmail.com</a></p> <p><b>Hans Britsch</b> <a href="mailto:thomas@westerncactus.com">thomas@westerncactus.com</a></p> <p><b>Susan Fajardo</b> <a href="mailto:susanfarr@vcweb.org">susanfarr@vcweb.org</a></p> <p><b>James Garritson</b> <a href="mailto:vc@garritson.com">vc@garritson.com</a></p> <p><b>Mark Jackson</b> <a href="mailto:jacksonmark92026@gmail.com">jacksonmark92026@gmail.com</a></p> <p><b>Susan Janisch</b> <a href="mailto:socalij@cts.com">socalij@cts.com</a></p> <p><b>Bill Miller</b> <a href="mailto:cdmmiller@aol.com">cdmmiller@aol.com</a></p> <p><b>LaVonne Norwood</b> <a href="mailto:lavonne@armorfabrication.com">lavonne@armorfabrication.com</a></p> <p><b>Mike O'Connor</b> <a href="mailto:firemanmic@aol.com">firemanmic@aol.com</a></p> <p><b>Claire Plotner</b> <a href="mailto:claireplotner@mac.com">claireplotner@mac.com</a></p> <p><b>Jon Vick</b> <a href="mailto:JonVick2@aol.com">JonVick2@aol.com</a></p> <p>(one vacancy)</p>	<p style="text-align: right;">June 14, 2016</p> <p>Dennis Campbell County of San Diego Planning and Development Services 5510 Overland Avenue, Suite 310 San Diego, CA 92123 <a href="mailto:Dennis.Campbell@sdcountry.ca.gov">Dennis.Campbell@sdcountry.ca.gov</a> (858)-505-6380</p> <p style="text-align: right;"><b>LATE</b> REC'D 6/14/16</p> <p><b>Subject: DEIR Public Comment to the Proposed Agricultural Promotion Ordinance and General Plan Amendment [PDS2014-POD-14-001, PDS2016-GPA-16-004]</b></p> <p>On June 13, 2016, the Valley Center Community Planning Group voted 12 yeas, 2 nays, and 0 abstentions (1 vacant seat) in support of the Agricultural Promotion Ordinance with the following comments.</p> <p><b><u>Proposed Agricultural Use Changes</u></b></p> <p>Generally, the changes to the zoning ordinance in connection with the agricultural promotion program are well intentioned and do encourage agriculture by reducing permit requirements in several cases and recognizing the changing agriculture opportunities in the county. Overall, we endorse the efforts to encourage and facilitate agriculture in San Diego County. However, we present the following comments on sections that can be improved/deleted:</p> <p><b>Section 6126 Mobile Butchering – b. Setback</b> – The proposed changes are unnecessarily defined. The setback requirement should be consistent with, and made the same as, the setback requirements for the animal enclosures for a particular parcel's zone and animal designator. The 25-foot minimum distance is arbitrary, and the butchering truck/trailer should be permitted near/next to the animal quarters. <span style="float: right;">D-1</span></p> <p><b>Section 6126 – c. Duration</b> – This section limits 'custom butchering' operations too severely, which will not encourage agriculture as the proposed changes are intended to do. A more appropriate limit that would facilitate such non-commercial operations is 30 days per year without regard to whether the days are consecutive or not. <span style="float: right;">D-2</span></p> <p><b>Section 6126 – d. Hours of Operation</b> – The hours of operation should more appropriately be limited from sunrise to sunset rather than defined hours that will, or will not, be appropriate as the seasons change. Having the more flexible hours of operation limits is reasonable for a rural area, especially during summer months when heat can be a factor in the process. <span style="float: right;">D-3</span></p> <p><b>Section 6126 – f. Disposal of Offal</b> – It is more appropriate and reasonable for offal resulting from butchering to be disposed of according to USDA and San Diego County Health Department requirements either on-site or off-site. Many areas of the county where butchering operations will take place are rural and have parcels of sufficient size to accommodate such disposal if it is done consistently with county and federal regulations. <span style="float: right;">D-4</span></p> <p><span style="float: right;">D-5</span></p>

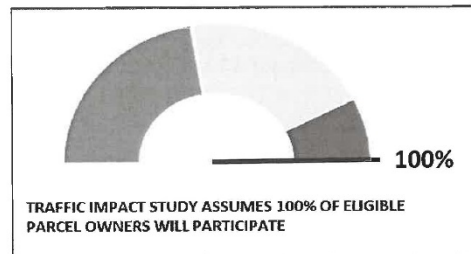
Page 1 of 5



- D-6 **Section 6128 – Fisherman’s Market** – It is unclear that there is a need for a separate section designation for fishermen’s markets versus farmer’s markets. It appears that they are essentially the same kind of operation and that they could be combined to simplify the ordinance
- D-7 **Section 6157 – d. Agricultural Microbrewery or Micro-distillery** – This section would allow an essentially industrial operation on land zoned for agriculture and is incompatible with such zoning. Section 6157 d. should be deleted. San Diego County has hosted numerous microbreweries/ distilleries without invading agricultural zones. The county ought to re-evaluate the needed facility to property size limits when agricultural zones are being used.
- D-8 **Section 6157 – e. Creamery** – The parcel size identified for the production livestock and the creamery building is unreasonably small given setbacks and other considerations. For such operations, parcel size should be larger, perhaps 2-acres minimum.
- D-9 **Section 6157 – h. Manure Management** – Manure management for all animals, not just poultry, should be permitted where sufficient acreage is available and no harm to riparian habitats will result. There should not be a special dispensation for poultry to the exclusion of other animal operations. This section should be deleted.

#### General Plan Mobility Road Impacts

- D-10 In summary, we find the Traffic Impacts estimated in the DEIR to be a Worst Case Scenario that will never be realized.
- The Traffic Impact Study assessed the impact of 100% participation in the expanded zoning use activities for all eligible parcels. This resulted in a maximum additional 380,000 Average Daily Trips Countywide or 1.1 increased trips/acre.
- The Valley Center impact at 100% participation is assessed at a 70,000 ADT increase, or 4.6 trips/acre (refer to Appendix A & B). The chart below is a qualitative visual chart that has no quantitative basis – it merely recognizes the linear impact of participation % to trip generation.



- D-11 There is however, some likelihood that during “event” periods, area roads have might experience some temporary local level of service impacts.
- It is very hard to envision year round Valley Center Mobility Element road impacts that will require mitigation. The Traffic Impact Study assesses a 70,000 ADT increase. This is equivalent to the addition of 7,000 new homes. The General Plan 2030 land use designations, if 100% built out would only add 6,371 additional homes and generate less than 64,000 ADT.

D-12 [ We believe that perhaps a maximum of 25% of the eligible parcels will participate in these new zoning uses and that at 25% participation there will be on balance imperceptible impact to Mobility Element Roads, both in San Diego and locally in Valley Center.  
We therefore recommend that Trip Generation for General Plan Mobility Element Roads be modelled with a maximum impact of 25% parcel participation in the Agricultural Promotion Project.

Please let me know of any questions or concerns.

Regards,

Oliver Smith  
Chair, Valley Center Community Planning Group  
(760) 702-1455

**Appendix A AG Promotion Trip Gen pg. 24**

County of San Diego

Section 2.7: Transportation and Traffic

**Table 2.7-4. Allowable Increases on Two-Lane Highways with Signalized Intersection Spacing Over 1 Mile**

LOS	LOS Criteria	Impact Significance Level
E	> 16,200 ADT	> 325 ADT
F	> 22,900 ADT	> 225 ADT

Source: County of San Diego 2011a

**Table 2.7-5. Land Use Enhancement Trip Generation Rates**

CPA	Total Trip Generation	Agricultural Use Trip Generation Rate Per Acre
Alpine	9,695	1.5
Bonsall	16,968	3.5
Central Mountain	1,128	0.2
County Islands	0	0.0
Crest - Dehesa	8,880	1.3
Desert	3,471	0.5
Fallbrook	57,167	6.5
Jamul-Dulzura	27,800	1.0
Julian	6,665	0.9
Lakeside	17,291	1.6
Mountain Empire	15,711	0.7
North County Metro	26,265	1.8
North Mountain	17,216	0.2
Otay	2,608	0.4
Pala - Fauna	10,537	1.0
Pendleton - De Luz	17,818	0.2
Rainbow	12,869	3.8
Ramona	43,365	1.8
San Dieguito	9,529	2.7
Spring Valley	168	0.8
Sweetwater	1,016	0.5
Valle De Oro	1,479	2.3
Valley Center	70,353	4.6
Total	375,899	1.1

Source: Appendix E

**Appendix B AG Promotion Traffic V C Roads p 31-32**

County of San Diego				Section 2.7 Transportation and Traffic					
Community	Road	From	To	Mobility Element Classification	Capacity	Total ADT	LOS	Project ADT	Mobility Element Accepted as Deficient?
	New Road 19	Sunday Drive	Lilac Road	4.2B	25,000	34,700	F	4,142	No
	Lilac Road	Anthony Road	Cousser Canyon Road	2.3C	7,000	12,900	F	4,053	No
		Valley Center Road	New Road 19	4.2B	25,000	37,200	F	1,329	Yes
	Miraf De Valle Road	Cypress Ridge Drive	North County Metro CPA Boundary	2.1D	13,500	28,600	F	5,493	Yes
		Valley Center Road	Cypress Ridge Drive	2.1D	13,500	26,200	F	326	No
	Valley Center Road	Lilac Road	Road 17	4.1A	33,400	42,200	F	8,405	No
		North County Metro CPA Boundary	Woods Valley Road	4.1A	33,400	41,100	F	12,426	No
	W Lilac Road	Lilac Road	Shirley Road	2.2C	13,500	21,000	F	5,230	No

Source: Appendix E.  
 Gray highlight indicates a segment that is projected to operate at LOS E or F under Current Plan Buildout Plus GPAs in Process Plus Project that was not identified to fail without the addition of the GPAs in Process.

## Responses to Comment Letter D

### Response to Comment D-1

This comment is introductory and expresses support for the project and does not raise an environmental issue for which a response is required.

### Response to Comment D-2

The comment states that a 25-foot minimum setback distance is arbitrary, and the butchering truck/trailer should be permitted near/next to animal quarters. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The comment presents a valid method for determining appropriate setbacks. The Ordinance has been amended to state that a 10-foot minimum setback is now allowed for both the interior side and rear yards. This is the setback found within the most restrictive interior and rear animal enclosure setback in the Zoning Ordinance. The proposed 25-foot setback from the front and exterior side yards will remain in the Ordinance. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment D-3

The comment states that the proposed duration of mobile butchering would too severely limit custom butchering operations, which then would not encourage agriculture. The comment requests that a more appropriate duration, such as 30 days be established. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The restrictions to the duration of a mobile butchering operation are proposed to protect surrounding property owners from long-term impacts of mobile butchering, such as noise and odor. As mobile butchering is a temporary use, the proposed operational time limits are required to prevent it from becoming a permanent use, without appropriate permits from the USDA and the State of California. Based on staff research, the typical mobile butchering operation would stay on site for 2 to 3 days, based on the refrigeration needs, offal disposal, etc. The typical mobile butchering and packing truck can usually only accommodate refrigerated storage of the butchered meat for 3 days of butchering. The disposal of offal off site also would limit the total consecutive days the operation could continue, as the offal cannot be stored or disposed of on site. Therefore, the duration requirements of the proposed Ordinance have not been amended. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment D-4

The comment suggests that the hours of operation should be limited from sunrise to sunset in order to accommodate seasonal changes. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The proposed hours of operation are generally consistent with the Noise Ordinance and are proposed to protect potential neighboring property owners from excessive noise and odors either too early or too late in the day. Allowing the set-up and butchering activities at sunrise to sunset could negatively impact the surrounding neighbors during the longer summer daylight periods. Based on the need to protect the surrounding neighbors, the proposed times of operation have not been amended. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-5

The comment suggests that offal be disposed of according to USDA and San Diego Health Department requirements either on or off site. This is a comment on the proposed Ordinance and does not affect the Draft EIR. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-6

The comment requests that further clarification be provided regarding the need for a separate ordinance section for fishermen's market when it could be combined with the existing farmer's market ordinance section. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The comment is acknowledged, and no change is proposed to the Ordinance. The proposed separate fishermen's market section provides clarity to the Zoning Ordinance. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-7

The comment states that microbreweries and micro-distilleries are an industrial use and this should not be allowed within an agricultural use regulation, as they are incompatible uses with agriculture. The comment requests that Section 6157.d be deleted and that a re-evaluation be conducted regarding facility-to-property size ratios, when micro-breweries/distilleries are proposed within agricultural use regulations. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The Ordinance requires that with an accessory microbrewery or distillery, agricultural products that comprise constituent ingredients to the beer or spirits must be grown on the same site as the uses proposed in Section 6157.d. This preserves the agricultural production on an existing agricultural operation and preserves the rural nature of the site. It is true that such a facility is permitted in industrial use regulations, without the requirement to grow the beer and distillery ingredients on site; however, there is a demand today for microbreweries/distilleries with tasting rooms and associated cropping of ingredients on the same site. There is no evidence presented that the coexistence of the microbrewery/distillery would degrade the agricultural character of the site. It is more likely that the addition of growth of beer and spirits ingredients and the proposed Ordinance's acreage requirements, in conjunction with the existing agricultural operations, will enhance the agricultural character of the site. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-8

The comment recommends that a larger parcel size be established for production livestock and creamery buildings. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The proposed Ordinance presents a tiered approach to the square footage of a creamery structure as a ratio of the total lot size of the existing dairy operation. The Ordinance does not establish a parcel size for the production livestock. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-9

The comment recommends that manure management for all animals, not just poultry, be permitted where sufficient acreage is available, without causing harm to riparian habitats. Additionally, the comment recommends that there should not be a dispensation for poultry to the exclusion of other

animal operations. This is a comment on the proposed Ordinance and does not affect the Draft EIR. The proposed Ordinance moves Poultry Manure Management from Section 6156.dd to the new Section 6157.h. Both Sections 6156.dd and the new Section 6157.h are the same, with the exception of the proposed added language that would require the receiving site for poultry manure to be within the Small Animal Raising animal use type. Manure management for animals other than poultry is covered within the Zoning Ordinance Equine Ordinance (Section 3130.c.) and in the County Code of Regulations, at Title 6 – Health and Sanitation. Therefore, no revisions to the proposed Ordinance related to Section 6157.h are required. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment D-10

The comment states that the Traffic Impact Study was overly conservative in assuming that impacts would result from 100% participation in the expanded zoning use activities for all eligible parcels. Based on this comment and Comment D-12 below, the County modified the project's trip generation methodology to more realistic expectations. The County reviewed the number of parcels (compared to those eligible) that have applied for or made improvements allowed under the Tiered Winery Ordinance. Based on this review, it was determined that approximately seven percent of eligible parcels may implement improvements over a 30-year planning horizon. Therefore, trip generation rates displayed in Table 3.3 of the Revised Traffic Impact Assessment were applied to seven percent of the eligible parcels within each community. The number of new trips generated by the project are shown in Table 3.4 of the revised Traffic Impact Assessment, and in Table 2.7-5 of revised Section 2.7, *Transportation and Traffic*, of the Draft EIR. This revised methodology greatly reduces the anticipated project impacts as follows:

- For County roadway segments that had not been previously identified as accepted at LOS E or F, 4 roadway segments are now impacted versus 23 previously.
- For County roadway segments that were previously identified as accepted at LOS E or F, 6 roadway segments are now impacted versus 29 previously.
- For State roadway segments that had not been previously identified as accepted at LOS E or F, no roadway segments are now impacted versus 5 previously.
- For State roadway segments that had were previously identified as accepted at LOS E or F, 1 roadway segment is now impacted versus 12 previously.

This revised methodology represents a much more realistic expectation of traffic impacts that will result from the proposed project.

As a result of this comment and comment D-12 below, the Traffic Impact Assessment report (Appendix E of the Draft EIR) and Section 2.7 of the Draft EIR were revised to reflect the modified trip generation methodology. Please see page 13 of the revised Traffic Impact Assessment and Section 2.7.3.1 of the Draft EIR (under the heading *Trip Generation*) for more discussion concerning the modified trip generation methodology.

## Response to Comment D-11

The comment states that during special events, roads may experience temporary level of service impacts. However, it also states that it is unlikely that there will be year-round Valley Center Mobility Element road impacts that will require mitigation. This comment is acknowledged and does

not require a change to the Draft EIR. The Draft EIR analysis is considered a conservative approach to account for all potential impacts. The temporary impacts discussed by this comment would fall within the analysis included in the Draft EIR. No changes were made to the Draft EIR as a result of this comment.

## **Response to Comment D-12**

The comment recommends that the Trip Generation for General Plan Mobility Element Roads be modelled with a maximum impact of 25 percent parcel participation. Please see the response to comment D-10 above concerning the County's re-evaluation of traffic impacts utilizing a modified trip generation methodology for the proposed project.



# Comment Letter E – San Diego County Valle De Oro Community Planning Group

Comment Letter E

San Diego County  
**VALLE DE ORO COMMUNITY PLANNING GROUP**  
3755 Avocado Blvd. #187  
La Mesa, CA 91941

June 8, 2016

Heather Lingelser, Project Manager  
County of San Diego, Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

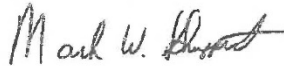
Re: Agriculture Promotion Program (APP) – Draft Environmental Impact Report (EIR)

Dear Ms. Lingelser:


E-1

After review of the Agriculture Promotion Program and associated Environmental Impact Report, the Valle de Oro Community Planning Group supports the adoption of the Reduced Project Area Alternative. We believe this alternative will encourage the growth of the local agriculture industry throughout the County of San Diego through a streamlined approval/permitting process for accessory agricultural operations, while protecting our water supply.

Sincerely,



Mark Schuppert  
Chairman  
Valle de Oro Community Planning Group



Alyssa Burley  
Member – Project Lead  
Valle de Oro Community Planning Group

## Responses to Comment Letter E

### Response to Comment E-1

The County acknowledges the comment expressing support for the Reduced Project Area Alternative. The comment does not raise an environmental issue for which a response is required. The planning group's position will be reported to the County's decision makers when the proposed Ordinance and EIR is presented for consideration.

# Comment Letter F – Pala Pauma Community Sponsor Group

Comment Letter F

Comments of Pala Pauma Community Sponsor Group ("PPCSG") regarding the Draft Environmental Impact Report of the proposed Agricultural Promotion Ordinance ("APO") and associated proposed General Plan Amendment ("pGPA"); the ("DEIR").

- F-1 On June 7, 2016 the Pala Pauma Community Sponsor Group (the "PPCSG") during its regular monthly public meeting considered the DEIR and upon motion made, seconded and adopted (4 in favor; 1 absent; 2 vacancies) authorized the making of the following comments:
- F-2 I. Reduction of application complexity  
PPCSG generally supports the administrative and other changes contained in the APO, especially those that simplify and facilitate the acquisition of required approvals for activities addressed by the APO.
- However, PPCSG believes that the mitigation proposals contained in the DEIR are deficient in that they will adversely affect the quality of life in the area of concern of PPCSG and generally within the unincorporated areas of the County of San Diego.
- F-3 II. Traffic  
1. ADT Projections  
PPCSG believes that the projections of ADT contained in the DEIR are based upon estimates of public involvement that are apparently wildly optimistic. Moreover, the ADT projections are based upon traffic volume data that are not current; a parametric assumption that the DEIR defends on the basis that it would be impractical to conduct County-wide traffic surveys. However, the result is a projection of unknown error and significant recommendations are made in the DEIR based upon those potentially hugely inaccurate projections.
- PPCSG strongly recommends that, at least for those road segments that are projected in the DEIR to become Levels of Service ("LOS") 'E' and 'F', current traffic surveys are conducted, projected ADT values reestablished, and mitigation recommendations revised as may be resultant.
- F-4 2. General Plan changes to LOS on SR-76  
Based upon these ADT data of unknown error, the pGPA seeks to add two road segments of approximately 8 miles in total of SR-76 roadway to the list of road segments where adding travel lanes is not justified. Such an action continues to create public danger on SR-76 that is (i) already highly traveled with atypical busy hour traffic creating convoys of vehicles, (ii) adding LOS 'E' and 'F' designations to road segments that are contiguous with and extensions of other road segments of SR-76 that are already so classified, and (iii) in conflict with the CalTrans development of a traffic circle at the SR-76 and Valley Center Road intersection which is an entry to and exit from the Valley Center Road to South Grade Road segment of SR-76 (which the DEIR proposes should be re-designated in LOS.
- F-5 PPCSG is unable to comprehend how one agency is acting to improve public safety and ease traffic flow at the same geographic point that the County of San Diego proposes to act in a way that increases jeopardy of public safety and will impede traffic flow.
- F-6 Additionally, PPCSG recommends that the DEIR analyze the impact on traffic flow of the levels of significance applicable to LOS 'E' and 'F' road segments for remediation by other land use projects now in the process of development or in stages of discussion.

F-7

## III. Enforcement

PPCSG recommends that the DEIR considers the costs, efforts and establish mitigation requirements for additional enforcement of the provisions of the APO. The present situation on SR-76 with sale of product from the backs of vehicles parked on the roadside and from non-conforming stands is dangerous. It is not apparent that any enforcement action is taken to enforce the present ordinance, let alone the increase in stands and agricultural operations likely to result from the APO.

[The remainder of this page left blank]

# Responses to Comment Letter F

## Response to Comment F-1

This comment is introductory and does not raise an environmental issue for which a response is required.

## Response to Comment F-2

The comment primarily expresses general support for the project; however, it states that the proposed mitigation measures are deficient and may adversely affect the quality of life in the area of concern and generally within the unincorporated areas of the County of San Diego. The specific concerns are provided in the remainder of the letter and therefore are addressed in the responses below. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment F-3

The comment states that the projections of the average daily trips used in the Draft EIR are based on estimates of public participation that are too optimistic. Additionally, the comment states that the traffic volume data used is not current. The comment recommends that road segments that are projected to become LOS E or F have updated traffic surveys, ADT values reestablished, and mitigation measures revised for the project. Partly in response to this comment and as discussed in response to comment D-10, the County modified the project trip generation methodology to obtain more realistic expectations of project trip generation and traffic impacts. Changes were made to Section 2.7, *Transportation and Traffic*, of the Draft EIR and the Traffic Impact Assessment report (Appendix E of the Draft EIR). This resulted in the identification of much reduced traffic impacts. Please see response to comment D-10 for additional details. Because the traffic analysis is based on long-term traffic models, conducting more current traffic surveys and obtaining additional existing ADT values as suggested in the comment would not affect the analysis.

## Response to Comment F-4

The comment states objections towards adding two road segments of approximately 8 miles in length to SR-76 to the list of General Plan road segments that may achieve LOS E or F. The comment states that this addition is not justified and that this action has the potential to cause public danger on SR-76.

The public review version of Section 2.7 of the Draft EIR indicated that two segments of SR-76 would have operated at LOS E or F with the addition of project trips (Gird Road to Old Highway 395 in the Fallbrook Community Planning Group, and Valley Center Road to South Grade Road in the Pala Pauma Community Sponsor Group), and that these segments had not been accepted by the General Plan Mobility Element as operating at LOS E or F. Under the modified trip generation methodology described in response to comment D-10, these two segments are no longer impacted by the proposed project, and are no longer considered for acceptance at LOS E or F as a result of this project.

The County disagrees with the views concerning public safety. The view that acceptance of a roadway segment at LOS E or F creates additional public safety issues is not supported by evidence

specific to the situation. The County also disagrees in general that acceptance of roadway segments at LOS E or F would be in conflict with the development of a roundabout.

## Response to Comment F-5

The County disagrees that it would act in a way that jeopardizes public safety. Please see the response to comment F-4 above regarding how the project no longer would cause the two highway segments on SR-76 to be considered for acceptance at LOS E or F. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment F-6

The comment recommends that the Draft EIR analyze the impact on traffic flow of the levels of significance applicable to LOS E and F road segments for remediation by other land use projects now in the process of development or in preliminary stages. The Draft EIR includes a cumulative analysis that accounts for other GPA projects in the Pala-Pauma area, which resulted in a determination of a significant and unmitigable impact (**T-3**) even though certain mitigation measures will be implemented. However, the Draft EIR cannot assign mitigation to the other cumulative projects. The environmental analysis for the other cumulative projects either did or will consider whether each of those other projects would result in a significant traffic impact, and propose relevant feasible mitigation measures as necessary. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment F-7

The comment recommends that the Draft EIR consider the costs and efforts associated with establishing the proposed mitigation measures for additional enforcement and provisions of the project. However, this issue is separate from the environmental analysis of the proposed project. The enforcement of alleged existing unpermitted farm stands is a separate issue that has been referred to the County's code enforcement. No changes were made to the Draft EIR as a result of this comment.

# Comment Letter G – Bonsall Community Sponsor Group

Comment Letter G

## BONSALL COMMUNITY SPONSOR GROUP

*Dedicated to enhancing and preserving a rural lifestyle*



Dennis Campbell  
Land Use & Environmental Planner  
Planning & Development Services  
5510 Overland Avenue Suite 310  
San Diego CA 92123

**RE:** County of San Diego Agriculture Promotion Program  
(POD 14-001) DEIR

Dear Dennis:

G-1 Thank you for sending me via email the (POD 14-001) DEIR Agriculture Promotion Program information as the DVD and the County link were a problem for the members of the Bonsall Sponsor Group to open. I was notified of this problem at our monthly meeting of June 7<sup>th</sup> I tried to contact you for assistance but was unable to meet the deadline for comments of June 13, 2016.

G-2 After reviewing several elements of the DEIR the following are concerns that the Bonsall Sponsor Group:

- G-2 1. The section that deals with the AppendixE-TIA or Traffic Impact Study does not contain any mention of how the private roads that could be impacted will be addressed. As the majority of our group members live on private roads this is a major concern with new ordinances that can change the way we enjoy or life and property. As we purchased the property with one set of County ordinances and as time goes on new ordinances impact our way of life.
- G-3 2. We would like to request the County address how these changes in the Agriculture Promotion Program (APP) that will be part of the County General Plan can be made to address private roads and the fact that the APP does not require any governing body to have public meetings for the neighbors on private roads to make comments. With the wind blowing from west to east any large animal designation change could cause the quality of life of the neighbors to the east of the parcel changed in its designation to become less than desirable especially if the neighbor does not have a chance to discuss their concerns.

G-4 Our private roads have been a real problem in our community and we have requested assistance from County staff for years on creating a County ordinance/ requirement for road maintenance agreements on all private roads. This requirement for a road maintenance agreement on all private roads would assist county and neighbors that have issues with cell sites and drainage problems with new builds. Could the County use or modify the document used in the new subdivisions for a template with some modifications for our semi rural community.



<http://www.bcsbg.org>



**BONSALL COMMUNITY SPONSOR GROUP***Dedicated to enhancing and preserving a rural lifestyle*

- G-5 3. Reviewing the documents within the (APP) it appears that Fruit Stand Standards are needed. Currently blue tarps for roofs, no bathrooms/port a potty or water for washing hands as well as crops being sold at the stands are not from the land in Bonsall. We would appreciate the county including a building standard for all fruit standards.
- G-6 4. Table 2.3-9 Roadway Improvements to Mitigate Cumulative Impacts – Page 2.7-32 Bonsall Road West Lilac Road from Shirley Road to Old Highway 395 has classification of 2.2C with ADT of 31,000 improved to 4.1 A. Please look at page 2.7-31 Valley Center - Lilac Road from Shirley Road is 2.2C with a total ADT of 21,000 what is this and error in road designation. Bonsall does not want a 4.1A road in this rural area as the traffic totals do not match as there is a 10,000 ADT difference on the same road in Bonsall and Valley Center. The change from a 2.2 C to a 4.1A in Bonsall on this road has to be an error. Please change to the road designation in Bonsall back to the current 2.2C.

Sincerely,

*Margarette Morgan*

Margarette Morgan, Chair  
Bonsall Sponsor Group



<http://www.bcsbg.org>





## Response to Comment Letter G

### Response to Comment G-1

This comment is introductory and does not raise an environmental issue for which a response is required.

### Response to Comment G-2

The comment requests that further information be provided in the Traffic Impact Study with regards to how private roads would be impacted and how they would be addressed. County Private Road Standards are described on page 2.7-5 of the Draft EIR. Level of Service is not established for private roads, but minimum design standards are established based on projected ADT. In general, use of private roads is a private matter that must be addressed by the individuals with rights to the road. However, with the exception of the Zoning Verification Permits, neighbors would be notified of any discretionary applications (including those related to the proposed Zoning Ordinance changes) thereby allowing neighbors to comment on those projects. In those situations, the County would address private road issues to the extent possible under the law. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment G-3

The comment requests that further information be provided with regards to addressing how the changes in the Agriculture Promotion Program that will be part of the County General Plan can be made to address private roads and that the project does not require any governing body to have public meetings for the neighbors on private roads to make comments.

Please see the response to comment G-2 above concerning the issue of private roads. With regard to the portion of the comment concerning changes in large animal designations and possible odor issues, the Draft EIR analyzed this issue and determined that impacts related to objectionable odors would be potentially significant (**M-AQ-3** and **M-AQ-7** in Section 2.1, *Air Quality and Greenhouse Gases*). Mitigation Measure **M-AQ-5** will be implemented for future discretionary permits; however, overall, the impacts remain unmitigated. The proposed animal designator changes increase the number of Animal Designators may keep Large Animals, other than horses. It further makes the Animal Schedule more efficient by reorganizing the acreage descriptions for Large Animal Raising, other than equine. The Ordinance does not significantly alter the total number of Large Animals that could be placed on a property and, therefore, would result in similar impacts as could occur today. No changes were made to the Draft EIR as a result of this comment.

### Response to Comment G-4

The comment requests that the County create an ordinance or requirement for road maintenance agreements on all private roads. Further, the comment requests that a modified document be used in the subdivisions that will include modifications for the semi-rural community. This comment does not raise an environmental issue for which a response is required. Maintenance of private roads is the responsibility of the parties that have agreed to such maintenance. Typically, all those granted rights to a private road also agree to support its maintenance. No changes were made to the Draft EIR as a result of this comment.

## Response to Comment G-5

The comment requests that a building standard be included for all fruit stands. The existing On-Site Agricultural and /or Horticultural Sales section has been moved to Section 6157.a, from Section 6156.q, and is not a new section. As with the current section, the proposed Ordinance requires a structure for fruit stands. Any such structure over 200 square feet would be required to meet the Building Code and obtain a building permit. The Ordinance is proposed to allow stands up to 300 square feet, and located 15 feet from a roadway, as an accessory use to the existing farming operation. The stand must sell products grown on the property and can only be operated by the owner or tenant farmer. The produce cannot be sold from a motor vehicle. Sanitation requirements for employees are found within the County Code of Regulations, at Title 6 – Health and Sanitation and do not need repeating in the Zoning Ordinance. If a violation to this section is suspected, residents may contact the County Code Enforcement staff to investigate the complaint.

## Response to Comment G-6

The comment requests that road designation be changed from 4.1A to 2.2C for West Lilac Road in Bonsall as interpreted by the commenter from page 2.7-32 (Table 2.7-9) of the Draft EIR. Table 2.7-9 states the current Mobility Element Classification (2.2C) for West Lilac Road and what the future or improved classification would need to be to address all anticipated future cumulative traffic (4.1A). However, there are no plans, and the proposed project does not propose, to change the current classification of 2.2C for West Lilac Road. No changes were made to the Draft EIR as a result of this comment.

# Comment Letter H – Keef Baker, Individual

Comment Letter H

**From:** KEEFE BAKER [mailto:keefewb@cox.net]

**Sent:** Monday, June 13, 2016 2:31 PM

**To:** Campbell, Dennis

**Subject:** Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR , Hello and comments from Keefe Baker, Ramona land and vineyard owner

Hi Dennis, Leave it to me to push comments until the last day, I have been helping dear friends with an end of life Hospice situation... but here are a couple comments I had. I take it I just mention comments here to you.

Our little Ag History:

My wife and I bought 8 workable A70 (maybe A72) acres in Ramona, CA and now have a new home built there with a small 550 vine vineyard planted. When we bought the land we bought it to have a quick escape from the busy San Diego city life where we work and live. We parked our old Airstream trailer there and on weekends got out there and enjoyed the view and improved the lot, made it fire safe and cleaned up old burnt out lot from 2007 wild fires, to the fire marshal's and our neighbors delight. We went ahead and pulled the trigger and we built a nice home there, w/ SD County permits, and have continued to legally work the land.

H-1 Through the years I have researched starting such things as a B&B (not allowed due to 4 residents sharing entry road), Ag Homestay, and some other Agri-tourism ideas, but we are still working and dreaming.

We have thought of ideas such as a Ag Homestay, Micro/Boutique winery, Microbrewery, Ag store , etc. We have 1 acre planted with wine grape vines, and have thought of growing hops and/or barley for beer, etc. We have around 5 acres that we could potentially continue/expand Ag growth.

I found that there were a lot of restrictions in San Diego County, and I am glad to see that the county is proposing easing some of the restrictions. I do not want to see a bunch of classless Ag adventures out there, so I do not mind some legal restrictions either.

I find that anything that says micro, boutique, farm-stay, should not require any commercial demands. Like saying a Boutique winery needs a commercial building to make and store wine, when it is supposed to be a by-right thing, so be it in a shed, garage, or whatever should be fine, as long as there is no major health or protection concern.

H-2 We have been practicing our home-made wine making skills for years, even won a gold medal at this year's SD County Fair. I have also made some fruit wine and beer, and know that these practices should be done in a cool space. But requiring people to build a commercial cooled building in addition to other wine/beer making/farming supplies prices a lot of us small farms out of ever actually doing a business.

So, I am asking that any Ag Homestay, Microbrewery, Boutique winery (another ordinance, I know) or Ag Store or any other family run small Agritourism ventures/businesses be allowed on A70 and A72 farms

H-2  
cont.

with no commercial demands or restrictions. Part of this whole thing should be part of the whole Farm to Table idea, so we should be able to process fruit, nuts, winegrapes, hops, etc in our air-conditioned garages or farm houses, not be required to build or retrofit some commercial building. That would also carry over to sharing our homes and agricultural processes during an Agricultural Homestay.

Anyways, just some comments.

Thank you,

Keefe Baker, RVVA member, and native San Diegan

## Responses to Comment Letter H

### Response to Comment H-1

This comment is introductory and does not raise an environmental issue for which a response is required.

### Response to Comment H-2

The comment requests that any Ag Homestay, microbrewery, boutique winery, or Ag stores be allowed on A70 and A72 farms with no commercial demands or restrictions. The comment is acknowledged; however, the proposed Ordinance represents a balance between broadening allowed accessory agricultural uses from what exists now, and the possible negative impacts caused by those accessory uses. The proposed regulations offer protection to surrounding property owners from potential impacts. The commentator appears to suggest that the proposed Ordinance requires commercially cooled or air conditioned processing buildings. This Ordinance does not require a microbrewery or micro-distillery owner to construct air conditioned buildings; however, new buildings would require building permits and conformance to the building code.

# Comment Letter I – Scott McMillan, Individual

Comment Letter I

## Campbell, Dennis

**From:** Scott A McMillan <scott@mcmillanlaw.us>  
**Sent:** Friday, April 29, 2016 7:01 PM  
**To:** Campbell, Dennis  
**Subject:** Proposed Zoning Amendments, Zoning Ordinance 6157(d) - No provision for type 74 Craft Distillers - Type 74

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Campbell,

My name is Scott McMillan. I am the owner of a 20 acre parcel, 35900 Shockey Truck Trail, Campo, CA. It is zoned S92, with a General Plan designation of RL-80. I grow fruit, and grapes now. I expect to have Winter cereal crops planted Fall 2016. I am researching opening a "Craft Distillery" at my property.

I am writing to comment regarding Appendix A to the Proposed Zoning Amendments. The revision I refer to is published [here](#).

I am researching obtaining a Craft Distillers License. As you may know, Governor Brown signed into law AB 1295, which allows for a "Type 74" Craft Distillers License. The ABC has issued a FAQ on that new law, which took effect January 1, 2016. The link is [here](#):

Like the Type 4 license, the Craft Distillers license also allows for onsite sales of spirits. Importantly, a person that holds the license that is referenced in proposed section 6157(d), i.e., Agricultural Microbrewery or Micro-Distillery refers to a Type 4 ABC license. **There is no reference in the proposed amendment to the new Type 74 license for "Craft" Micro-distilleries.**

In the FAQ, the ABC states that a holder of a type 4 license can't hold a type 74.

6. Can a licensee hold both a Type-4 and a Type-74? No. The privileges and restrictions on each of the licenses are inherently incompatible.

I request that the proposed Zoning Amendments for section 6157(d) be further modified to include the Type 74 "Craft Distillers" license.

If you have any further questions, I can be reached at the contact information below.

Thank you,

Scott McMillan

Scott A. McMillan  
 The McMillan Law Firm, APC  
 4670 Nebo Drive, Suite 200  
 La Mesa, CA 91941-5230  
 Direct (619) 393-1751 // Main (619) 464-1500 x 14 // Cel (619) 274-0884 // Fax (206) 600-

# Responses to Comment I

## Response to Comment I-1

This comment is introductory and does not raise an environmental issue for which a response is required.

## Response to Comment I-2

The comment states that there is no reference in the proposed amendment to the Type 74 license for craft micro-distilleries. The comment requests that the proposed Zoning Amendments for Section 6157.d be further modified to include the Type 74 Craft Distillers license. The Type 74 Craft Distillers License is a new State License and requires that a distiller own and/or operate a still to produce spirits with a 100,000 gallon limitation. The license also permits sales of 2.25 liters per customer of spirits, if the sale is in conjunction with an educational tasting. Based on this, tasting rooms are permitted by the Type 74 License, which is consistent with the goals of the proposed Ordinance. Therefore, the Ordinance provisions relating to proposed Section 6157.d have been revised to include “...shall have either a current Type 04 Distilled Spirits Manufacturer License or a Type 74 Craft Distillers License issued by the California Department of Alcoholic Beverage and Control.”

# Comment Letter J – Dennis Campbell, Individual

Comment Letter J

## Campbell, Dennis

**From:** dave@harbourfarm.com  
**Sent:** Thursday, April 28, 2016 10:55 AM  
**To:** Campbell, Dennis  
**Cc:** Farace, Joseph; dave@harbourfarm.com  
**Subject:** RE: Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR

Hi Dennis,

J-1 Please clarify Section 6157 d. 1. a)

Is the meaning intended to convey that if one has for example an 02 (winery) license than a micro-distillery or micro-brewery will not be allowed? I currently have an 02 (winery) and 06 (still) and have been waiting patiently for years to be allowed to operate my legal still for other than brandy making. My property is 20.33 acres and can meet all the minimum acreage and production requirements for both operations.

I also have an interest in either a small or large farm store and would like to confirm that winery and micro-distillery operations are allowed along with a farm store.

Thank you,  
 Dave Harbour

-----Original Message-----

From: "Campbell, Dennis" <Dennis.Campbell@sdcounty.ca.gov>  
 Sent: Wednesday, April 27, 2016 8:34pm  
 To:  
 Subject: Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR

Hello All:

We are pleased to inform you that the attached Notice for the above-referenced subject advertises the CEQA public review period starting tomorrow, April 28, 2016, at 8:00 AM and ending on June 13, 2016, at 4:00 PM. This Notice will be published in San Diego Union Tribune, tomorrow.

The links to the DEIR, the Ordinance Amendments and the required General Plan Amendment (GPA) are included at the bottom of this Notice. The PDS environmental Public Review web link is active, now (for DEIR review). The link to the PDS Advanced Planning website is not yet active (for Ordinance Amendments and GPA), but will be by tomorrow morning (if not sooner).

You are invited to comment about the DEIR, the Ordinance Amendments and the required General Plan Amendment (GPA). If you have questions and you wish to call me, please see my contact information below.

Sincerely, Dennis

Dennis Campbell  
 Land Use & Environmental Planner  
 Planning & Development Services  
 5510 Overland Avenue Suite 310  
 San Diego CA 92123



**Campbell, Dennis**

---

**From:** dave@harbourfarm.com  
**Sent:** Thursday, April 28, 2016 11:07 AM  
**To:** Campbell, Dennis; Farace, Joseph  
**Cc:** dave@harbourfarm.com  
**Subject:** RE: Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

J-2 [ Section 6157 d.2. m) (micro-distillery/micro brewery) mentions small winery premises which seems out of place since the section refers to micro-distillery and micro-brewery. This same error appears under large distillery and brewery.

DH

-----Original Message-----

From: dave@harbourfarm.com  
 Sent: Thursday, April 28, 2016 1:54pm  
 To: "Campbell, Dennis" <Dennis.Campbell@sdcounty.ca.gov>  
 Cc: "Farace Joseph" <Joseph.Farace@sdcounty.ca.gov>, dave@harbourfarm.com  
 Subject: RE: Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR

Hi Dennis,

Please clarify Section 6157 d. 1. a)

Is the meaning intended to convey that if one has for example an 02 (winery) license than a micro-distillery or micro-brewery will not be allowed? I currently have an 02 (winery) and 06 (still) and have been waiting patiently for years to be allowed to operate my legal still for other than brandy making. My property is 20.33 acres and can meet all the minimum acreage and production requirements for both operations.

I also have an interest in either a small or large farm store and would like to confirm that winery and micro-distillery operations are allowed along with a farm store.

Thank you,  
 Dave Harbour

-----Original Message-----

From: "Campbell, Dennis" <Dennis.Campbell@sdcounty.ca.gov>  
 Sent: Wednesday, April 27, 2016 8:34pm  
 To:  
 Subject: Agriculture Promotion Program Zoning Ordinance Amendments - Start of the CEQA 45-Day Public Review of the DEIR

Hello All:

We are pleased to inform you that the attached Notice for the above-referenced subject advertises the CEQA public review period starting tomorrow, April 28, 2016, at 8:00 AM and ending on June 13, 2016, at 4:00 PM. This Notice will be published in San Diego Union Tribune, tomorrow.

The links to the DEIR, the Ordinance Amendments and the required General Plan Amendment (GPA) are included at the bottom of this Notice. The PDS environmental Public Review web link is active, now (for DEIR review). The link to the

PDS Advanced Planning website is not yet active (for Ordinance Amendments and GPA), but will be by tomorrow morning (if not sooner).

You are invited to comment about the DEIR, the Ordinance Amendments and the required General Plan Amendment (GPA). If you have questions and you wish to call me, please see my contact information below.

Sincerely, Dennis

Dennis Campbell  
Land Use & Environmental Planner  
Planning & Development Services  
5510 Overland Avenue Suite 310  
San Diego CA 92123

858.505.6380

## Responses to Comment Letter J

### Response to Comment J-1

The comment requests further clarification regarding Sections 6157.d and 6157.a, which relate to combining a tiered winery and microbrewery/micro-distillery uses on the same properties, as well as the operation of a Small or Large Agricultural Store and the sale of wine and spirits. As the commentator implies, the size of a parcel restricts the ability of collocating both a tiered winery and a micro-distillery. Further, there may be cumulative impacts on property owners next to a concurrent winery and distillery uses. Such impacts have not been addressed by the Draft EIR and could adversely impact the surrounding property owners. The Tiered Winery Ordinance governs that type of use, and it cannot occur on the same property as a microbrewery or micro-distillery in order to reduce impacts on surrounding property owners. The proposed Ordinance would further permit an agricultural store on the same property as the agricultural product that is sold within that store. As the Small and Large Microbrewery/Micro-Distillery both allow sales of the alcohol produced on site, these sales would not be covered within the provisions for the Ordinance. It would not include the Small or Large Agricultural Store. The agricultural store is intended for the sale of agricultural products grown or raised (animal husbandry) on site. This use is not intended to include onsite wine or beer/spirits.

### Response to Comment J-2

The comment requests further clarification regarding Section 6157.d. Related to the use of the term “small winery premises,” Sections 6157.d.1.m and 6157.k. have been amended by replacing the terms “small” and “boutique wineries” with “small” and “large microbreweries/micro-distilleries,” respectively.

## Comment Letter K – Eric Metz, Individual

**Campbell, Dennis**

---

**From:** Eric Metz <winegrower@ymail.com>  
**Sent:** Thursday, April 28, 2016 8:25 AM  
**To:** Campbell, Dennis  
**Subject:** Agriculture Promotion Program

Hello, Mr. Campbell.

K-1

Would there be any way that weddings could be allowed within the Agriculture Promotion Program, POD 14-001, as an allowed activity? Weddings are not open to the general public. Weddings are private parties. As such, I would hope that the County would allow them without requiring an Administrative Use Permit or a Major Use Permit as both are very expensive to obtain. If this would not be possible, would weddings be allowed under the proposed Agricultural Tourism activity?

Regards,

Eric Metz  
Lenora Winery  
Ramona. Ca.

## Responses to Comment Letter K

### Response to Comment K-1

The comment requests that weddings be allowed within the Agriculture Promotion Program due to the fact that they are private parties that are not open to the general public. Further, the comment requests that weddings be allowed without requiring an Administrative Use Permit or a Major Use Permit and, if possible, be allowed under the Agricultural Tourism category. Within the Large Microbrewery/Micro-Distillery section of the Ordinance, weddings would be permitted, if included and addressed within the proposed Administrative Permit required for the Large Microbrewery/Micro-Distillery. This permit ensures that potential impacts on surrounding property owners that may be caused by a wedding or event are addressed during the permitting period. This is a less restrictive permit than the existing requirement to obtain a Major Use Permit to host weddings.

# Comment Letter L – Carolyn Harris, Individual

Comment Letter L

CAROLYN HARRIS  
GENERAL COUNSEL SERVICES  
CALIFORNIA STATE BAR NO. 137347

910 Gem Lane  
Ramona, CA 92065  
760/788-0018 office  
619/884-5432 cell  
carolyn@carolynharrislaw.com

13 June 2016

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

Attention: Dennis Campbell – Advanced Planning

Subject: Comments – Allowing Limited Wholesale Winery Use in all Commercial Agriculture Zones

Reference: Draft Environmental Impact Report  
Notice of CEQA Public Review  
Agriculture Promotion Program: PDS2014-POD 14-001  
Log No. PDS2015-ER-15-00-001  
Dated 28 April 2016

Dear Mr. Campbell:

- L-1 I have reviewed the updated draft EIR included in the referenced publication and would like to request a re-evaluation of an edit that I requested last year.
- L-2 **Limited Wholesale Winery use in Commercial Agriculture zoned areas:** I have clients who are currently growing wine grapes and making wine as home winemakers in Specific Planning Area (S88) and Rural Residential (RR) zoned areas operating under an approved Specific Plan Report (SPA) which was rezoned from S88 to S88 and RR. Both S88 and RR allow commercial agriculture activities. In addition to design criteria and other restrictions, the SPA provided access roads, designated some areas to for open space, and others for a large-parcel residential use. The rural residential properties range from 2 to 4 acres in size.
- L-2 An 02 Winegrower license issued by the California Department of Alcoholic Beverage Control (ABC) is required to donate or sell any wine made from the grapes, and the ABC requires that the County confirm that the winery premises are located in an allowed zone. At this time, San Diego County regulations prohibit an 02 Winegrower license to be issued to a winery located on S88 or RR zoned properties, or any property operating under an SPA which doesn't list "winery" use as an anticipated ancillary use of the property.
- The winemakers would like to sell or donate some of the wine they are currently making, and therefore request that while all four tiers of winery uses are currently being proposed for expansion into S92 zoned areas, that only one: a limited wholesale winery (with no retail activities on the premises) also be available to other zones that allow commercial agriculture, namely S88 and RR.
- L-3 As an illustration of the appropriateness of this request, the S88/RR area where these clients' properties are located are surrounded by A70/A72 zoned properties. There is a chicken ranch across the street and a dairy next door. The S88/RR zoning was put into place to protect portions of the 368 acre parcel as it was being subdivided to many multi-acre parcels, and the project provided for several specific protections, including open space, preservation of oaks, integration of boulders, limitation of grading on steep slopes, setbacks, and design / color restrictions for

Page 2 of 2  
Carolyn Harris 6/13/2016  
Agriculture Promotion Program: PDS2014-POD 14-001  
Limited Wholesale Winery Use in Commercial Agriculture Zones

L-3 [ structures. All of these additional protections would have precedence and apply to any winery  
cont. ] operation.

L-4 [ It is understood that a basic tenant of land use regulation is that any use not expressly permitted  
] for a zone is prohibited. However, at the time that some of the County's SPAs for S88 zoned  
properties were approved, there was no viable micro-winery industry in the County, and no  
reason for that use to have been considered for exclusion.

A property covered by an SPA is subjected to overriding special protection considerations that  
would make a limited wholesale winery activity less likely (not more likely) to have a negative  
impact than a similar project located on other commercial agriculture (A70, A72, or S92) zones.

L-5 [ The current draft of the suggested edits to the County zoning ordinance provides for the EIR to  
] evaluate the expansion of winery use types in the S92 zones of the County. This would be a  
good and most economical time to also consider the potential impact on S88/RR zones, and the  
SPAs that provide any overriding additional protections.

If there are any concerns with the limited wholesale tier being allowed in an area covered by an  
SPA, it is requested that a limited wholesale activity be allowed with a higher on-site source  
requirement (50% - 75%, perhaps).

L-6 [ Thank you for your consideration of these edits. I look forward to working with you on this project.

Regards,



Carolyn Harris

## Responses to Comment Letter L

### Response to Comment L-1

This comment is introductory and does not raise an environmental issue for which a response is required.

### Response to Comment L-2

The comment requests that only one tier – a limited wholesale winery (with no retail activities on the premises) – also should be available to other zones that allow commercial agriculture, specifically S88 and RR. The proposed Ordinance would allow commercial agricultural activities within an S88 Use Regulation provided there was no approved specific plan in the zone. After a specific plan is adopted by the Board, that specific plan would govern the permitted uses. If the uses approved within a specific plan did not include commercial agriculture, those uses would not be allowed without a specific plan amendment. The proposed Ordinance does not address tiered wineries or their permitted locations. This is found in another section of the Zoning Ordinance (see Section 6910), which is not amended by the Agriculture Promotion Ordinance.

### Response to Comment L-3

The comment summarizes the appropriateness of the S88/RR area surrounded by A70/A72 properties that include additional protections and would have precedence and apply to any winery operation. The protections referenced in the comment relate to an offsite chicken ranch that was adjacent to the proposed residential Specific Plan (SP), on the SP's exterior property line. Those same protections would not govern lots within an SP that are used for winery purposes and may negatively impact neighboring property owners, within the SP. If an owner within an SP wishes to establish a tiered winery operation, that resident would be required to apply for a Specific Plan Amendment (SPA). During the review of an SPA application, impact reviews would be conducted to determine the impact of a winery use within the SPA.

### Response to Comment L-4

The comment expresses the view that properties covered by an SP are subjected to overriding special protection considerations that would make a limited wholesale winery less likely to have a negative impact than a similar project located on other commercial agriculture (A70, A72, or S92) zones. Although this view may be true in many or most situations, the County cannot concur completely due to the variety of site-specific characteristics throughout the County. Those same protections would not govern lots within an SP that are used for winery purposes and may negatively impact neighboring property owners within the SP. If an owner within a SP wishes to establish a tiered winery operation, that resident would be required to apply for an SPA. During the review of a SPA application, impact reviews would be conducted to determine the impact of a winery use within the SPA.

### Response to Comment L-5

The comment expresses support for the expansion of winery use types in the S92 zones of the County. Additionally, the comment recommends that winery use types be considered for the S88



and RR zones, and that if there are concerns with the limited wholesale being allowed in a specific plan area, that it be allowed with a higher onsite source requirement. The proposed Ordinance would allow commercial agricultural activities within an S88 Use Regulation provided there was no approved specific plan in the zone. After a specific plan is adopted by the Board, that specific plan would govern the permitted uses. If the uses approved within a specific plan did not include commercial agriculture, those uses would not be allowed without an SPA. The proposed Ordinance does not address tiered wineries or their permitted locations. This is found in another section of the Zoning Ordinance (see Section 6910), which is not amended by the Agriculture Promotion Ordinance.

## **Response to Comment L-6**

This comment is a concluding statement and does not raise an environmental issue for which a response is required.

# Comment Letter M – Carolyn Harris, Individual

Comment Letter M

CAROLYN HARRIS  
GENERAL COUNSEL SERVICES  
CALIFORNIA STATE BAR NO. 137347

910 Gem Lane  
Ramona, CA 92065  
760/788-0018 office  
619/884-5432 cell  
carolyn@carolynharrislaw.com

13 June 2016

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

Attention: Dennis Campbell – Advanced Planning

Subject: Comments – Allowing Agriculture Stores, Microbrewery and Microdistillery Uses to coincide with Winery Uses

Reference: Draft Environmental Impact Report  
Notice of CEQA Public Review  
Agriculture Promotion Program: PDS2014-POD 14-001  
Log No. PDS2015-ER-15-00-001  
Dated 28 April 2016

Dear Mr. Campbell:

I have reviewed the updated draft EIR included in the referenced publication and would like to reiterate an edit that I requested last year.

M-1

I have clients who are growing many various items (including, but not limited to wine grapes, olives, fruit trees, etc.) on their large Ag zoned properties, and are operating an administrative use permitted small winery under 02 Winegrower licenses. Under the current (28 April 2016) draft of the Ag Promotion Program ordinance, a property with an 02 Winegrower license would be prohibited from the proposed distillery or brewery uses, and vice versa because those sections of the existing and proposed ordinances for wine, beer, and distilled spirits state that licenses issued by the California ABC that allow other types of alcohol (production) are prohibited.

This could inadvertently prevent, for example, the use of a still from being used for the production of brandy as a service to local winemakers. An 03 Brandy license is needed for this service, and should not be prohibited. It is important that this new Ag Promotion Program enable those making an investment in alcohol beverage facilities, equipment, and skills diversify beyond just one product from their large ag parcels.

Here is a copy of my original edit request:

M-2

**Winery, brewery and distillery combined uses:** The proposed microbrewery / micro-distillery uses specify that no other ABC license can be held at the same property. This restriction should be removed for properly sized and located projects, where the production of wine, beer, or distilled spirits are not incompatible uses, particularly if operating under a use permit.

The California Department of Alcoholic Beverage Control does not limit an applicant, a property, or a structure to only one type of license (beer, wine, or distilled spirits). Their only limitation is that the designated premises for each type of license (beer, wine, or distilled spirits) not overlap, and be distinctly designated. Therefore, it is requested that the draft be amended as follows:

M-3

d. Agricultural Microbrewery or Micro-Distillery

Page 2 of 2

Carolyn Harris 6/13/2016

Agriculture Promotion Program: PDS2014-POD 14-001

Winery Use coinciding with Microbrewery and Microdistillery uses

- M-3 cont. 1. Microbrewery, Agricultural, Small. A Small Agricultural Microbrewery or Micro-Distillery accessory to a Commercial Agriculture operation may be allowed with a Zoning Verification Permit and shall comply with the following provisions:
- a. A Microbrewery or a Micro-Distillery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau. A Microbrewery shall have a current Type 23 Small Beer Manufacturer license issued by the California Department of Alcoholic Beverage Control. A Micro-Distillery shall have a current Type 03 Brandy or 04 Distilled Spirits Manufacturer license issued by the California Department of Alcoholic Beverage Control. ~~Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.~~
- M-4 ... Signage: One sign, not to exceed twelve square feet, is allowed
- M-5 2. Microbrewery, Agricultural, Large. A Large Agricultural Microbrewery or Micro-Distillery accessory to a Commercial Agriculture operation may be allowed with an Administrative Permit and shall comply with the following provisions:
- a. A Microbrewery or a Micro-Distillery shall have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, and a current Type 23 Small Beer Manufacturer license issued by the California Department of Alcoholic Beverage Control. A Micro-Distillery shall have a current Type 03 Brandy or 04 Distilled Spirits Manufacturer license issued by the California Department of Alcoholic Beverage Control. ~~Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited.~~
- M-6 k) ~~No-amplified sound is allowed~~ outside of any building shall be subject to the terms of the use permit.
- M-7 l) ~~Signage: Shall be subject to the terms of the use permit. One sign, not to exceed four square feet, is allowed~~

M-8 I Thank you for your consideration of these edits. I look forward to working with you on this project.

Regards,



Carolyn Harris

## Responses to Comment Letter M

### Response to Comment M-1

The comment recommends that the Agriculture Promotion Program enable those making an investment in alcohol beverage facilities, equipment, and skills be allowed to diversify beyond just one product from their large agriculture parcels. There may be cumulative impacts on neighboring property owners next to a concurrent winery and distillery uses. Such impacts have not been addressed by the Draft EIR and could adversely impact the surrounding property owners. The Tiered Winery Ordinance governs that type of use, and it cannot occur on the same property as a microbrewery or micro-distillery in order to reduce impacts on surrounding property owners. The proposed Ordinance would further permit an agricultural store on the same property as the agricultural product that is sold within that store. As the Small and Large Microbrewery/Micro-Distillery both allow sales of the alcohol produced on site, these sales would not be covered within the provisions for the proposed Ordinance. It would not include the Small or Large Agricultural Store. The agricultural store is intended for the sale of agricultural products grown or raised (animal husbandry) on site. This use is not intended to include onsite wine or beer/spirits.

### Response to Comment M-2

The comment recommends that the proposed microbrewery/micro-distillery uses be less restrictive so as to allow the production of wine, beer, or distilled spirits on appropriately sized and located parcels where it could be shown that these uses are not incompatible. There may be cumulative impacts on neighboring property owners next to a concurrent winery and distillery uses. Such impacts have not been addressed by the Draft EIR and could adversely impact the surrounding property owners. The Tiered Winery Ordinance governs that type of use, and it cannot occur on the same property as a microbrewery or micro-distillery in order to reduce impacts on surrounding property owners. The proposed Ordinance would further permit an agricultural store on the same property as the agricultural product that is sold within that store. As the Small and Large Microbrewery/Micro-Distillery both allow sales of the alcohol produced on site, these sales would not be covered within the provisions for the proposed Ordinance. It would not include the Small or Large Agricultural Store. The agricultural store is intended for the sale of agricultural products grown or raised (animal husbandry) on site. This use is not intended to include onsite wine or beer/spirits.

### Response to Comment M-3

The comment shows where the text under proposed Section 6157.d.1.a, Agriculture Microbrewery or Micro-Distillery, would be amended pursuant to the previous comment. Please see the response to the previous comment.

### Response to Comment M-4

The comment also apparently recommends revising the requirements for signage as stated in proposed Section 6157.d.1.i, by increasing the area of one on-premise sign from 4 square feet to 12 square feet. As the proposed uses may be located within residential properties and neighborhoods,

the signage size limitation is needed in order to protect surrounding property owners from obtrusive visual effects. No change to the Ordinance is required by this comment.

## **Response to Comment M-5**

The comment shows recommended text revisions to proposed Section 6157.d.2.a, to allow both Type 03 and 04 licenses by the California Department of Alcoholic Beverage Control. The Type 03 Brandy Manufacturer License only allows a permit holder to manufacture brandy, not other distilled spirits. Therefore, the combination of the Type 03 and 04 permits is not practical, within the scope of this Ordinance. No changes to the Ordinance were made as a result of this comment.

## **Response to Comment M-6**

The comment shows recommended text revisions to proposed Section 6157.d.2.k, to state that amplified sound outside of any building shall be subject to the terms of the use permit, rather than not allowing amplified sound outside of any building; however, proposed Section 6157.d.2.k is related to the sale and consumption of pre-packaged food. Proposed Section 6157.d.2.i states that all operations shall comply with the provisions of Section 36.401 et seq. of the County's Noise Ordinance. No changes were made to the Draft EIR or proposed Zoning Ordinance Amendment as a result of this comment.

## **Response to Comment M-7**

The comment shows recommended text revisions to proposed Section 6157.d.2.l, to state that signage would be subject to terms of the use permit rather than a limit of 4 square feet. As the proposed uses may be located within residential properties and neighborhoods, the signage size limitation is needed in order to protect surrounding property owners from obtrusive visual effects. No change to the Ordinance is required by this comment.

## **Response to Comment M-8**

This comment is a concluding statement and does not raise an environmental issue for which a response is required.

## Comment Letter N – Cindi Lynn Pusateri, Individual

Comment Letter N

- N-1
- Section 4, Section 1110 definition of Commercial Agriculture is confusing in that it may be read as requiring that all of 1-4 is necessary to qualify for the definition of Commercial Agriculture. Recommend making the language disjunctive (i.e. “or”) or clarifying which of 1-4 is required (it doesn’t seem like all should be) to qualify under the definition.
- N-2
- Section 8, sec. 1110 definition of micro-distillery, agricultural should be revised to include fruits and berries and other ingredients that may be used in the production of spirits (“grains, vegetables, berries, fruits, or other ingredients used in the production of distilled spirits”). Similarly, definitions of micro-brewery, agricultural should be revised to include fruits and berries and other ingredients (“hops, barley, grain, berries, fruits, and other ingredients used in the production of beer”). The definitions should be revised because just as with the ingredient crops already listed in the amendment, fruits and berries and other ingredients likewise can be used in the production of artisanal beer and distilled spirits, and we believe the ordinance should be more forward thinking to accommodate more creative styles of beer and distilled spirits.
- N-3
- Section 6157(d)(1)(C) and 6157(d)(2)(B) – recommend revising to say “planted with grains, vegetables or other ingredients used in the onsite production of distilled spirits.” The ordinance should allow for the growing of other ingredients used in the production of spirits, not only grains and vegetables.
- N-4
- 6157(d)(1)(m) & (2)(k)– these subsections contain references to wineries but these sections otherwise pertain to small or large microbrewery or micro-distillery. This appears to be a typo.
- N-5
- DEIR comments**
- We object to section S.6.1 in the DEIR as pertaining to breweries and distilleries. It doesn’t make sense to categorically exclude properties dependent on ground water, particularly since the ordinance requires a groundwater study in connection with obtaining necessary approvals. It is more fair and practical to address this on a case by case basis, and the ordinance should not in advance exclude entire property areas from eligibility under the program.



## Responses to Comment Letter N

### Response to Comment N-1

The comment requests further clarification regarding the revisions to the definition of Commercial Agriculture in Section 1110 of the Zoning Ordinance. The comment is acknowledged and Section 4. Section 1110, "Commercial Agriculture," has been amended to replace the "and" with an "or," at the end of subparagraph 3.

### Response to Comment N-2

The comment recommends that the definitions of Micro-Distillery, Agricultural and Micro-brewery, Agricultural be revised to include fruits, berries, and other ingredients that may be used in the production of beer and distilled spirits. The proposed Ordinance already permits the use of onsite produced ingredients, besides the cited hops, honey barley, or grains (see Sections 6157.d.1.c and 6157.d.2.b). The language is permissive toward other ingredients, if cultivated on site. Therefore, no changes are required as a result of this comment.

### Response to Comment N-3

The comment recommends revising Section 6157.d.1.c and 6157.d.2.b to include language that allows other ingredients besides grains and vegetables to be planted for the production of spirits, whereas the public review text only specified hops, barley, or other grain. The proposed Ordinance already permits the use of onsite produced ingredients, besides the cited hops, honey barley, or grains (see Sections 6157.d.1.c and 6157.d.2.b). The language is permissive toward other ingredients, if cultivated on site. Therefore, no changes are required as a result of this comment.

### Response to Comment N-4

The comment requests that the language under Sections 6157.d.1.m and 6157.d.2.k be revised as it appears that there is a typo that refers to wineries instead of small or large microbreweries or micro-distilleries. Relating the use of the term "small winery premises," Sections 6157.d.1.m and 6157.k. have been amended by replacing the terms "small" and "boutique wineries" with "small" and "large microbreweries/micro-distilleries," respectively.

### Response to Comment N-5

The comment expresses objections to Section S.6.1 in the Draft EIR (Reduced Project Area Alternative) with respect to breweries and distilleries as it categorically excludes properties dependent on groundwater (those areas outside the County Water Authority boundary). The comment states that the Ordinance changes require a groundwater study to obtain the necessary approvals and that is more fair to evaluate this on a case-by-case basis instead of excluding entire an groundwater-dependent area from eligibility under the program.

The County notes that the proposed Zoning Ordinance Amendment does allow small microbrewery or micro-distillery uses with a Zoning Verification Permit and large microbrewery or micro-distillery uses with an Administrative Permit, as long as a groundwater study is submitted that demonstrates there is adequate groundwater at the site to support the uses, among other

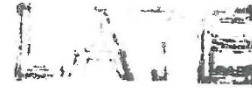
requirements. The concept of restricting the proposed Ordinance to exclude groundwater-dependent areas is evaluated as an alternative to the proposed Ordinance because CEQA requires that a reasonable range of alternatives be considered that can avoid or significantly reduce potential impacts while still meeting most project objectives. As described in Sections 4.2, *Analysis of the Reduced Project Area Alternative*, and 4.5, *Environmentally Superior Project*, and Table 4-1 of the Draft EIR, the Reduced Project Area Alternative reduces all potential project impacts and reduces potential groundwater supply impacts to less than significant compared to the proposed project. This alternative was also determined to be the Environmentally Superior Alternative, although it is recognized that it would geographically limit the full application of the Agriculture Promotion Program. The County Board of Supervisors will ultimately decide whether to adopt the proposed Ordinance or one of the alternatives.

# Comment Letter O – Keith Ritchey, Individual

Comment Letter O

**Campbell, Dennis**

**From:** Ritchey, Keith <keith.ritchey@hpe.com>  
**Sent:** Monday, June 13, 2016 11:19 PM  
**To:** Campbell, Dennis  
**Subject:** Agricultural Promotion Program



Dennis,

- O-1 Please consider the following comments to the Draft Environmental Impact Report and the Proposed Zoning Amendment for the Agricultural Promotion Program:

Draft Environmental Impact Report

- O-2 • It makes no sense to implement a Reduced Project Area Alternative. There are adequate protections against implementing on property that does not have an adequate water supply. A ground water study would determine sufficiency of water on the property. The Full Project option is the preferred option in that it is the only option to achieve project objectives.
- O-3 • If the Reduced Project Area Alternative is adopted, there is no need for groundwater studies and they should be eliminated. If the property is within the San Diego County Water Authority boundary, any needed water can be provided by the water utility.
- O-4 • If an alternative to the full project is required, the Lot Size Use Restriction Alternative is a better choice than the Reduced Project Area Alternative. The larger lot size requirement spreads potential agricultural uses across the county, not making an arbitrary boundary based on existing water utilities. It would still, however, reduce the number of potential uses, and therefore the water consumed. The larger lot size requirement might tend to limit uses to those more likely to succeed.

Proposed Zoning Amendment

- O-5 • The definitions of Micro-brewery, Agricultural and Micro-Distillery, Agricultural, appearing in Section 8, Section 1110, should both include, "...Agricultural operation producing hops, barley, grain, berries, fruits, vegetables, spices, honey, or other ingredients grown on the premises for (brewing on site or distilling on site)."
- O-6 • The same above definition should be used in Section 38, Section 6157, Subsections d.1.c and d.2.b.
- O-6 • The Proposed Zoning Amendment should be clarified that it is permissible to have more than one activity on a property – both a Micro-brewery and Micro-distillery, for instance.

Thanks,  
 Keith Ritchey

## Responses to Comment Letter O

### Responses to Comment O-1

This comment is introductory and does not raise an environmental issue for which a response is required.

### Responses to Comment O-2

The comment expresses objections to the Reduced Project Area Alternative as there are adequate protections against implementing the project on property that does not have an adequate water supply. The comment expresses support for the Full Project option as it will achieve all project objectives. Please see the response to comment N-5 above. No changes were made to the Draft EIR as a result of this comment.

### Responses to Comment O-3

The project states that if the Reduced Project Area Alternative is adopted, the requirements for groundwater studies for small and large microbreweries and micro-distilleries should be eliminated, as the only properties eligible for these uses under the proposed Zoning Ordinance Amendment would be located within the County Water Authority boundary, and any water needed could be provided by the utility.

The County disagrees with this comment because there are areas within the County Water Authority boundary that do not have infrastructure to connect to a municipal water supply and must still rely on groundwater. Therefore, these areas would be reliant on groundwater and a groundwater study would still be required. No changes were made to the Draft EIR as a result of this comment.

### Responses to Comment O-4

The comment expresses support for the Lot Size Use Restriction Alternative if an alternative to the full project is required. The commenter believes this alternative would still promote accessory agricultural uses throughout the County, reduce potential impacts on groundwater supply, and perhaps limit accessory uses to those properties where they are more likely to succeed. The County agrees in that the analysis of this alternative determined that the impact on groundwater supply would be reduced but remain significant, as compared to the proposed project (see Section 4.3.2.8, *Water Supply and Groundwater*, and Table 4-1). This comment is noted and will be included in the project documentation for consideration by the decision makers.

### Responses to Comment O-5

The comment recommends amending the proposed definitions for Microbrewery, Agricultural and Micro-Distillery, Agricultural in Section 1110 of the Zoning Ordinance to include other ingredients that may be used for onsite brewing or distilling such as berries, fruits, spices, honey, or other ingredients. These recommended revisions are also requested in proposed Section 6157 of the Zoning Ordinance for consistency. The proposed Ordinance already permits the use of onsite produced ingredients, besides the cited hops, honey barley, or grains (see Sections 6157.d.1.c and

6157.d.2.b). The language is permissive toward the use of other ingredients, if cultivated on site. Therefore, no changes are required as a result of this comment.

## Responses to Comment O-6

The comment requests further clarification regarding whether it is permissible to have more than one activity on a property – such as a microbrewery and micro-distillery. The combination of both a winery and microbrewery/micro-distillery uses may create cumulative impacts on neighboring property owners next to a shared winery and distillery use. Such impacts have not been addressed by the Draft EIR and could adversely impact the surrounding property owners. The Tiered Winery Ordinance governs that type of use, and it cannot occur on the same property as a microbrewery or micro-distillery in order to reduce impacts on surrounding property owners. The proposed Ordinance would further permit an agricultural store on the same property as the agricultural product that is sold within that store. As the Small and Large Microbrewery/Micro-Distillery both allow sales of the alcohol produced on site, these sales would not be covered within the provisions for the proposed Ordinance. It would not include the Small or Large Agricultural Store. The agricultural store is intended for the sale of agricultural products grown or raised (animal husbandry) on site. This use is not intended to include onsite wine or beer/spirits.

<b>Responses to Comments on the Draft Environmental Impact Report.....</b>	<b>1</b>
Comment Letter A – State of California, Governor’s Office of Planning and Research, SCH.....	2
Responses to Comment Letter A.....	4
Response to Comment A-1 .....	4
Comment Letter B – Sweetwater Authority.....	5
Responses to Comment Letter B.....	14
Response to Comment B-1 .....	14
Response to Comment B-2 .....	14
Response to Comment B-3 .....	14
Response to Comment B-4 .....	14
Response to Comment B-5 .....	15
Response to Comment B-6 .....	15
Response to Comment B-7 .....	15
Response to Comment B-8 .....	15
Response to Comment B-9 .....	16
Response to Comment B-10 .....	16
Response to Comment B-11 .....	16
Response to Comment B-12 .....	16
Comment Letter C – City of San Diego, Planning Department.....	17
Responses to Comment Letter C.....	19
Response to Comment C-1 .....	19
Response to Comment C-2 .....	19
Response to Comment C-3 .....	19
Response to Comment C-4 .....	19
Response to Comment C-5 .....	19
Response to Comment C-6 .....	19
Comment Letter D – Valley Center Community Planning Group.....	20
Responses to Comment Letter D.....	25
Response to Comment D-1 .....	25
Response to Comment D-2 .....	25
Response to Comment D-3 .....	25
Response to Comment D-4 .....	25
Response to Comment D-5 .....	26
Response to Comment D-6 .....	26
Response to Comment D-7 .....	26
Response to Comment D-8 .....	26
Response to Comment D-9 .....	26

Response to Comment D-10 .....	27
Response to Comment D-11 .....	27
Response to Comment D-12 .....	28
Comment Letter E – San Diego County Valle De Oro Community Planning Group .....	29
Responses to Comment Letter E .....	30
Response to Comment E-1.....	30
Comment Letter F – Pala Pauma Community Sponsor Group .....	31
Responses to Comment Letter F .....	33
Response to Comment F-1.....	33
Response to Comment F-2.....	33
Response to Comment F-3.....	33
Response to Comment F-4.....	33
Response to Comment F-5.....	34
Response to Comment F-6.....	34
Response to Comment F-7.....	34
Comment Letter G – Bonsall Community Sponsor Group.....	35
Response to Comment Letter G .....	37
Response to Comment G-1 .....	37
Response to Comment G-2 .....	37
Response to Comment G-3 .....	37
Response to Comment G-4 .....	37
Response to Comment G-5 .....	38
Response to Comment G-6 .....	38
Comment Letter H – Keef Baker, Individual .....	39
Responses to Comment Letter H.....	41
Response to Comment H-1 .....	41
Response to Comment H-2 .....	41
Comment Letter I – Scott McCillan, Individual.....	42
Responses to Comment I.....	43
Response to Comment I-1 .....	43
Response to Comment I-2 .....	43
Comment Letter J – Dennis Campbell, Individual .....	44
Responses to Comment Letter J.....	47
Response to Comment J-1 .....	47
Response to Comment J-2 .....	47
Comment Letter K – Eric Metz, Individual.....	48
Responses to Comment Letter K .....	49



Response to Comment K-1 .....	49
Comment Letter L – Carolyn Harris, Individual .....	50
Responses to Comment Letter L .....	52
Response to Comment L-1.....	52
Response to Comment L-2.....	52
Response to Comment L-3.....	52
Response to Comment L-4.....	52
Response to Comment L-5.....	52
Response to Comment L-6.....	53
Comment Letter M – Carolyn Harris, Individual.....	54
Responses to Comment Letter M.....	56
Response to Comment M-1 .....	56
Response to Comment M-2 .....	56
Response to Comment M-3 .....	56
Response to Comment M-4 .....	56
Response to Comment M-5 .....	57
Response to Comment M-6 .....	57
Response to Comment M-7 .....	57
Response to Comment M-8.....	57
Comment Letter N – Insert Name Here .....	58
Responses to Comment Letter N.....	59
Response to Comment N-1 .....	59
Response to Comment N-2.....	59
Response to Comment N-3.....	59
Response to Comment N-4.....	59
Response to Comment N-5.....	59
Comment Letter O – Keith Ritchey, Individual.....	61
Responses to Comment Letter O .....	62
Responses to Comment O-1 .....	62
Responses to Comment O-2 .....	62
Responses to Comment O-3 .....	62
Responses to Comment O-4 .....	62
Responses to Comment O-5 .....	62
Responses to Comment O-6 .....	63

## Acronyms

**No table of figures entries found.**

Citations

**No table of figures entries found.**

Tables

**No table of figures entries found.**

Figures

**No table of figures entries found.**

Miscellaneous

**No table of figures entries found.**

Glossary

**No table of figures entries found.**