

Attachment H – Correspondence

ATTACHMENT H – CORRESPONDENCE

This Attachment includes correspondence received ***outside of*** the Subsequent Environmental Impact Report (SEIR) Notice of Preparation (NOP) comment period (12/3/15 – 2/4/16) and public review comment period (12/14/17 – 2/12-17). For NOP comments and SEIR public review comments, please see the SEIR documents linked on the project web page, found at this link - <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

The SEIR has also been provided to the Planning Commissioners as a compact disc. A paper copy of the full SEIR, including all comments and public review comment responses is on file with PDS as Environmental Review Log Number ER-12-00-003, and can viewed at the PDS Zoning Counter at 5510 Overland Avenue, Suite 110, San Diego, CA 92123.

Staff recommends viewing the NOP and public review comments in the SEIR, in addition to those provided in this attachment. There are many more comments in the NOP comments section and public review comments section of the SEIR, particularly for the DS24 Analysis Area. Many of the NOP/SEIR comments are more related to the commenter's project recommendations than they are to SEIR references.

BO18+ ANALYSIS AREA CORRESPONDENCE

For additional BO18+ correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

From: Nancy Wilson [<mailto:ehollyhill1@aol.com>]
Sent: Wednesday, April 25, 2018 9:33 AM
To: Kevin.Johnston@sdcounty.ca.gov.
Subject: Bonsall CPA parcels 12729081 and 12729082

Dear Mr. Johnston,

I appreciate the detailed information you sent regarding the rezoning in the Bonsall area and want to urge the Planning

Commission to seriously consider adopting the "proposed plan" which would bring the above parcels into the same

category as all others on the Via Ararat Lane and Mt. Ararat Way.

On the maps you sent--the quarter sections to the south and southeast of the referenced properties (i.e. SW1/4 and SE1/4

of section 23, T10S R03W SBB&M) are depicted as SR10, but in actuality they are already subdivided into 8 and 15 parcels

respectively, which means they really conform to SR4 and SR2 zoning.

I request that the planning committee take these facts into consideration and opt for the "proposed plan" which would rezone the referenced parcels to SR4.

Thank you very much for your courteous attention.

Sincerely,
Nancy J Wilson

From: Jefferson K Chambers [<mailto:jefferson.chambers@cox.net>]
Sent: Tuesday, April 24, 2018 6:54 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Cc: Ehollyhill1@aol.com
Subject: RE: Bonsall CPA. Parcels 12729081 & 12729082

Kevin –

Thank you for the detailed information you provided in response to my previous email urging rezoning of the referenced parcels in the Bonsall CPA.

I am sending this follow-up letter to strongly urge that the “Proposed” plan be adopted, rather than the “Existing” or “Alternative” plans shown in the maps you provided.

The “Proposed” Plan would rezone the referenced properties to SR-4, consistent with contiguous areas and viable present-day land usage.

The “Alternative” proposal would maintain the “Existing” situation, in which the referenced properties would be the only parcels on Via Ararat Drive to be zoned SR-10.

Please note that the maps you sent me, and which are apparently being used to make planning decisions, do not reflect actual conditions on the ground. On these maps, the quarter sections to the south and southeast of the referenced properties (i.e.; SW¼ and SE¼ of the SW¼ of Section 23, T10S R03W SBB&M) are depicted as SR-10, but in actuality they are already subdivided into 8 and 15 parcels respectively. This means that in reality they conform to SR-4 and SR-2 zoning.

To summarize: under existing zoning, the quarter section within which the referenced parcels are situated is the only one on Via Ararat Lane and Mt Ararat Way that is truly limited to SR-10 zoning. This is illogical from a planning perspective, and economically disadvantageous to the owner of these parcels. The “Alternative” plan for this area does not solve these problems and may be based on incorrect data concerning parcel density in surrounding quarter sections.

I request that the planning committee take these arguments into consideration and opt for the “Proposed” plan, which would rezone the referenced parcels to SR-4.

I will be sending you a paper copy of this letter via regular post as well. I would like to request that you place it in the correspondence file available to decision makers, as you did with my previous message. Thanks you for your consideration.

Jeff

Jefferson K. Chambers
Email: Jefferson.chambers@cox.net
Telephone: (520) 743-0738
Cell: (520) 822-4169

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Bonsall Property Specific Request BO 18+
Date: Thursday, February 23, 2017 2:52:42 PM

Dear Mr. Johnston:

Endangered Habitats League (EHL) has reviewed the draft material for BO 18+. Originally totaling 136 acres of requests, it has been massively expanded to a study area of 735 acres. It consists largely of farmland with significant biological resources, including 120 acres in the draft North County MSCP PreApproved Mitigation Area. All these lands were *properly* designated SR-10 in the 2011 Update, on the basis of agriculture, habitat, existing parcelization, surrounding uses, infrastructure, and services. EHL therefore *opposes* the proposed change to SR 4, which would also eliminate the Conservation Subdivision. If the Department seeks a split designation – which EHL does not support – then the most obvious would be to change to SR-4 only in the northeast portion, which has best access and fewest biological resources, and retain SR-10 elsewhere.

Thank you for considering our views and for the opportunity to participate in this process.

Yours truly,
Dan Silver

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

From: [Nancy Wilson](#)
To: [Johnston, Kevin](#)
Cc: [AdvancePlanning, PDS](#)
Subject: project PDS2012-3800-12-005 (Bonsall, Ca.)
Date: Sunday, March 11, 2018 5:32:43 PM

Re: Bonsall CPA parcel: 127-290-81
parcel 127-290-82

Dear Mr. Johnston,

I am writing to request that the above referenced parcels be included in any proposed rezoning of the area, specifically the Bonsall CPA2012-12-005.

All the areas around these parcels are already designated SR-4 or denser, or are included in the above mentioned proposal. If the above mentioned parcels are not included, they would be the only ones on Via Ararat Dr. that are not SR-4 or denser. Additionally, we share access roads, so the traffic burden would be borne unequally.

These parcels are now engaged in flower and avocado production, but the future of agriculture is bleak because of escalating costs and continuing pressure for housing, which the county continues to accommodate by rezoning.

Please reference the request by Jefferson Chambers, who has detailed the description of areas surrounding these parcels.

Additionally, I request to be informed of any meetings, discussions or decisions pertaining to these parcels or the Bonsall PDS

Thank you for your attention to this matter.

Nancy Wilson
Holly Hill Ranch
31820 Via Ararat Dr
Bonsall, Ca 92003

(760) 731-3048
ehollyhill1@aol.com

From: [Jefferson K Chambers](#)
To: [Johnston, Kevin](#)
Cc: [Ehollyhill1@aol.com](#)
Subject: Bonsall CPA. Parcels 12729081 & 12729082
Date: Saturday, March 10, 2018 4:49:21 PM

To: Kevin Johnston
San Diego County Advanced Planning
Reference: Bonsall CPA
Parcel: 127-290-81-00
Parcel: 127-290-82-00

Dear Mr. Johnston;

I am writing to urge that the referenced properties, which are included in the Bonsall CPA, be rezoned to an SR-4 designation.

This designation is reasonable, and in keeping with surrounding zoning designations. The quarter sections to the northwest, north, northeast, and east of these parcels are already designated SR-4. The quarter sections to the south and southeast of these parcels are already subdivided into eight and fifteen parcels, respectively; which means that they are already more heavily subdivided than SR-4.

If the referenced parcels are not re-zoned to SR-4, they will be the only ones on Via Ararat Drive that are not. This anomaly would make no sense. And, since that would make the referenced parcels less valuable than any of their neighbors, it would be unjust.

These parcels are currently devoted to avocado and flower cultivation. These pursuits are no longer viable, due to water costs that result from the growing population in the region. The population growth is promoted by County planning actions which have rezoned much of the surrounding areas SR-4 or denser, and reflects the County's recognition that this area is inevitably destined for residential purposes, and not commercial agriculture. Rezoning the referenced parcels to SR-4 would be consistent with County Planning actions in the surrounding area.

I am the son of Nancy J. Wilson, the owner of these parcels, and I have a direct interest in the zoning decisions pertaining to these properties. Please keep me informed of any meetings, published studies, recommendations or decisions regarding the referenced parcels and the Bonsall CPA. My email and telephone contacts are listed below.

Thank you,

Jefferson K. Chambers
Email: Jefferson.chambers@cox.net
Telephone: (520) 743-0738
Cell: (520) 822-4169

CD14 ANALYSIS AREA CORRESPONDENCE

For additional CD14 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR CD14 WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

DS8 ANALYSIS AREA CORRESPONDENCE

For additional DS8 correspondence received as part of the SEIR
NOP comment period and public review comment period, see
the SEIR linked at the project web page

at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>



BORREGO WATER DISTRICT

October 30, 2017

Borrego Springs Community Sponsor Group

Delivered by email:

Bill Haneline - desertwrx15@gmail.com

Bonnie Petrach - bonniepetrach@ymail.com

Clint Brandin - moochsd@aol.com

David Farley - dtfarley@aol.com

Judy Haldeman - jhaldeman@coldwellbankerborrego.com

Linda Haddock - lhaddock@bscvb.com

Rebecca Falk - rebalk7@gmail.com

This is in response to requests from various members of the Community that the Borrego Water District (BWD) comment on whether the County of San Diego Department of Planning and Development Services (PDS) should consider future groundwater supply availability and affordability in its land use decisions within the District's municipal service boundaries of the Borrego Springs Subbasin (Borrego Basin) of the Borrego Valley Groundwater Basin.

An overdraft in the Borrego Basin is well established. In the early 1980's, a US Geological Survey (USGS) study funded by San Diego County found that the basin was in overdraft and presented a serious economic, social, and environmental threat to the future of the Borrego Valley. In 2015, the USGS concluded a second study funded by the Borrego Water District that confirmed and expanded on the 1980's study, finding that the overdraft is more severe than had been established in the early 1980's.

Current estimates of average annual withdrawals from the basin are: agricultural uses approximately 70%, recreational uses (primarily golf courses) approximately 20% and municipal uses approximately 10%. The USGS estimated that annual withdrawals equal approximately 19,000 AFY, while average annual recharge is approximately 5,700 AFY based on 66 years of historic data. Thus, the current rate of groundwater pumping produces an average annual overdraft of about 13,300 AFY (for additional information please see the District's website at borregowd.org).

On January 1, 2015, the Sustainable Groundwater Management Act (SGMA) went into effect requiring Groundwater Sustainability Agencies (GSAs) to bring basins into sustainability by taking various actions, including potentially limiting extractions, imposing fees and penalties, and requiring metering and water quality monitoring in overdrafted basins. The Borrego Basin is defined by the Department of Water Resources (DWR) as a basin in "critical" overdraft. In 2015/16, the District and San Diego County entered into a Memorandum of Agreement (MOA) to become a multi-agency GSA for the basin. The GSA is charged with developing and adopting a Groundwater Sustainability Plan (GSP) that produces basin sustainability in no more



BORREGO WATER DISTRICT

than twenty (20) years from 2020. The target date for GSP adoption is before January 1, 2020 (for additional information refer to the County's or DWR's websites).

We assume that PDS is carefully reviewing the availability of water supply and the potential environmental impacts of serving Borrego Basin groundwater to new EDU's under the California Environmental Quality Act (CEQA) as required under California law in all its deliberations concerning new development and the potential future water supply constraints in the Basin. Yet, we understand that currently the County takes the position that there is no specific statutory requirement that it consider SGMA's sustainability mandates when making its land use decisions within the District's municipal service area of the Borrego Basin. To support the continued economic growth of our area and the protection of the Basin, we want to ensure that such land use decisions are not, inadvertently, made open to challenge under CEQA or SGMA due to any allegation that Basin conditions and water availability have not been fully addressed before discretionary action is taken by the land use agency.

Practically speaking establishing sustainability will directly and permanently affect the water supply within the Borrego Basin, straining BWD's capacity to provide an affordable supply of potable water in our severely disadvantaged community for current municipal uses, the approximately 3,000 County approved, but currently unbuilt EDUs, in addition to any newly created EDUs. Accordingly, the District strongly recommends that PDS's land use decisions must consider the future availability and affordability of municipal water supply for the Borrego Springs community.

Sincerely,

Beth A Hart
President
Borrego Water District

cc: Mark Wardlaw, Director, mark.wardlaw@sdcounty.ca.gov
Kevin Johnston, kevin.johnston@sdcounty.ca.gov

From: Robert Keeley [mailto:rhkeeley@earthlink.net]
Sent: Wednesday, April 06, 2016 5:45 PM
To: Bush, Marcus
Cc: Johnston, Kevin; shugan@earthlink.net
Subject: Re: County Property Specific Requests (PSRs) GPA – Borrego Springs CSG Review of PSRs DS8 and DS24

Dear Mr. Bush and Mr. Johnston:

I may miss tomorrow's meeting because of prior commitments. Comments on the Policy Review of the PSR for DS24 is attached. I will also send it to a friend, Beth Shugan, who may use it in any comments that she has.

Overall: "You" (i.e. the folks who wrote the Policy Review), in dispassionate language, develop a compelling case to reject assigning DS24 an SR-1 designation. Many of your reasons are similar to ones I made in an earlier letter to you.

In reading your review and in doing more research on the groundwater problem facing Borrego Springs, it is clear that DS8 should also be turned down, at least until it becomes clear that the groundwater sustainability management program is compatible with permitting lots beyond the existing 3,700 vacant ones. At that point, and hopefully only after the inventory of undeveloped lots is greatly reduced, it may make sense to consider adding more lots.

In other parts of the country (where a large inventory of lots was created in earlier times and where planning is far less advanced than in San Diego County), I have heard the argument: "Go ahead and permit my property. Let the market decide." I hope (pray) that is not the thinking of you or the County Commissioners. Such an argument makes a mockery of the concept of planning, and of all the good work that San Diego County has accomplished in becoming a magnet for folks such as my wife and me. Carried to an extreme the anti planning argument is-- "Forget about planning and zoning. Let anyone develop as they wish (apartments/a mess everywhere)." Decades of experience and careful research refute that view.

Borrego Springs has made many mistakes in that past, but it is headed in a good direction. DS24 (and to a lesser extent DS8) are proposals to revert to failed laissez faire ideas--proven failures in Borrego Springs over the last 50 years. We're working our way out of a mess. Don't change DS24 to an SR-1 and saddle us with another mistake that the community must live with forevermore.

Thank you,

Robert Keeley

DS24 ANALYSIS AREA CORRESPONDENCE

For additional DS24 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

County of San Diego Planning Commission
Planning and Development Services
Kevin.Johnston@sdcounty.ca.gov
5510 Overland Avenue #310
San Diego, California 92123

May 29, 2018

Re: Request to disapprove element DS24 of Property Specific Requests (PSRs) General Plan Amendment and Rezone (GPA 12-005; REZ 14-006).

Specifically concerning Property Specific Request (PSR) Desert Subregion 24 (DS-24):

APN# 198-320-01

APN#198-320-26

to change above parcels of undeveloped desert from Semi-Rural SR-10 to Semi-Rural SR-1 zoning under the current San Diego County General Plan

Dear Planning Commission Members, Mr. Johnston, and Planning Staff,

I represent twelve family members who currently own 16 contiguous parcels comprising over 700 acres immediately west of element DS-24 of Property Specific Requests in Borrego Springs. This land has been in our family for five generations.

We strongly object to the proposed zoning revision DS-24 of Property Specific Requests (PSRs) General Plan Amendment and Rezone (GPA 12-005; REZ 14-006). The flood control plan is especially concerning as this would involve seizing part of our land where a dirt dike was created in the 1960s. This dirt dike is NOT owned by the County and was in fact built by U.S Army Corps of Engineers as a "temporary" dirt levee. We have no intention of relinquishing this dike for any reason much less for a developer to sell lots in a flood plain.

This property would need to be seized from private landowners via eminent domain and then ironically create a new special assessment tax for the very people this land was seized from.

Although we do not relish moving forward with legal action we have alerted our attorney and will not hesitate to sue if necessary.

Furthermore, we are strongly opposed to this proposed development. There are already ample empty homes and lots on the market. We don't believe in scraping an ancient Ocotillo Forest to make way for more empty lots.

Sincerely,

Cassandra Collins, CEO
La Jolla Industries, Inc.
7598 Eads Ave.
La Jolla, CA 92037



31 May 2018

County of San Diego
Planning and Development Services
Kevin.Johnston@sdcounty.ca.gov
5510 Overland Avenue #310
San Diego, California 92123

Re: Opposition to Property Specific Request Desert Subregion 24 (DS-24, AKA "Rudyville") proposed change from Semi-Rural (SR)-10 to SR-1 under the current San Diego County General Plan encompassing ~172 acres of pristine desert (APNs 198-320-01 and 198-320-26)

Dear Mr. Johnston and San Diego County Advanced Planning Staff,

Tubb Canyon Desert Conservancy (TCDC) once again implores San Diego County to *deny* PSR DS-24, generally known as "Rudyville."

The protracted "process" associated with DS-24's non-existing subdivision has gone on for far too many years to date. Many of those opposed to Rudyville on myriad grounds find themselves experiencing letter and meeting fatigue at this juncture. The same is probably true for planning staff working on PSR DS-24. Nevertheless, it is very important that we continue to send a strong message to new staff (and to new Supervisors) that Rudyville should not have been granted a costly, tax-payer subsidized Environmental Impact Report (EIR) and certainly should not be granted any zoning density increase under the current San Diego General Plan.

Over a decade has passed since the owners of ~172 acres of undeveloped desert on Tubb Canyon Bajada first attempted to cobble together a destructive subdivision that, if ever approved, would destroy significant desert riparian habitat (in a hazardous flash flood zone) along with an ancient ocotillo "forest" growing on the last sand dune complex near the western terminus of the Anza-Borrego Desert.

The following quote by Abby King, Chairperson of the Borrego Springs Community Sponsor Group, is from a letter to the County re: Rudyville dated 27 March 2007. It addresses the erroneous justification for DS-24 as merely "in-fill" for existing residential neighborhoods:

"...This area is and always has been recognized as an Ocotillo Forest, a local artifact unique to the Borrego valley, with the highest density of Ocotillo in Borrego Springs. With the exception of Desert Gardens in Coyote Canyon, the density is also higher than anywhere within the Anza Borrego Desert State Park. This property was not included in the original Borrego Subdivision of 1947 (which parcelized all property to the north and east and west that this project claims to be an infill of) precisely because of 1) this natural uniqueness that is a major stopover point for Park visitors that form the economic backbone of our community, 2) excessive [flood] runoff from Tubb Canyon, and 3) because the shiftiness of the sand itself does not lend itself to stable construction. (It is peculiar to us that this would be obvious in 1947, but overlooked today)."

DS-24's so-called "Borrego Country Club Estates," locally known as "Rudyville" for owner and promoter, Rudy Monica, was a bad project proposal in 2007 and it is even more unacceptable now under the current San Diego County General Plan. That said, it is important to note that *Rudyville does not exist as an approved subdivision, but only as an expired application (TM-5487) in San Diego County Planning's dead project files.* As such, owners of the Rudyville site merit no special privileges for increasing zoning density from Semi-Rural (SR)-10 to SR-1 under the most recent San Diego County General Plan than any other property owner in the vicinity of Tubb Canyon who must comply with reduced density requirement under that General Plan.

Several years of input from landowners and the local community were evaluated by the County before the long-awaited General Plan went into effect. The only reason there is now a Property Specific Request for DS-24 exemption and increased zoning density under consideration is that *the Rudyville site owners were the only*

property owners who filed a formal complaint against the General Plan among all the affected landowners on Tubb Canyon Bajada. On this basis alone, we assert that granting special advantage for destructive, higher density to the owners of DS-24 is unjustified and unfair to all those Tubb Canyon area owners who have accepted reduced density for their own parcels under the General Plan.

Should the "Borrego Country Club Estates" application ever rise from the County's dead file like a zombie, it would be to the detriment of neighboring property owners, Borrego Springs, and the adjacent Anza-Borrego Desert State Park in numerous ways. The most recent "plan" as described by Rudyville's owners would be to grade off all native vegetation (including the Old Ocotillo Forest) in order to create 4-foot elevated building pads (as required by the County) that will then be sold as individual, undeveloped "lots." This is a very bad idea for so many reasons, which Tubb Canyon Desert Conservancy specifies in more detail in the attached copy of our 2016 letter against granting PSR DS-24, including species maps for the site.

Building numerous (149+) graded lots is unwise:

- in a high-wind area where disturbed sandy particulates will become airborne pollutants;
- where numerous surplus building sites already exist for the foreseeable future;
- where there is insufficient water and lack of a sewer system (and no on-site septic systems allowed in sandy fill soils);
- where grading would destroy a significant natural landscape that includes a rare Ocotillo Forest, ancient sand dune, seasonal desert stream, and biodiverse wildlife, including rare and endangered species;
- where grading would destroy a historic view at the gateway to both Anza-Borrego State Park and the community of Borrego Springs;
- where construction would also adversely impact surrounding residential property values by destroying the existing, pastoral view for neighboring homes, by increased night lighting, and by expanding roads where there are currently quiet cul-de-sacs, thereby increasing pass-through traffic.

While no "Borrego Country Club Estates" subdivision application is under evaluation by the County, any future consideration of such a project would necessitate concurrent plans for a flood control project to protect the numerous proposed lots located in a seasonal desert stream (arroyo) and within a historic high flood zone. As referenced in TCDC's 2016 letter and by others, Rudy Monica and his associates provided the County with flood control plans that promote construction of a concrete dam and flood channels across Tubb Canyon that would require eminent domain to "take" several neighbors' parcels. Such a concrete dam would be costly; however, in "Flood Hazard Evaluation for Borrego Country Club Estates," author Walter F. Crampton recommends the formation of a "Geologic Hazard Abatement District (GHAD)" as the means to finance the design and construction of the flood control system. An abatement district levees a tax burden on all the neighboring properties alleged to "benefit" from the project. The County needs to know that local landowners and neighbors will not tolerate any effort to acquire land by eminent domain so that "Rudyville" lots can be inappropriately graded within a known high flood hazard zone.

In conclusion, we urge San Diego County Planners and the County Board of Supervisors to swiftly and definitively deny the DS-24 request. Thank you for once again registering our concern and resolve to stop Rudyville and preserve the pristine desert for future public benefit.

Respectfully,



Lori L. Paul
TCDC Corporate Secretary
gaboos@sbcbglobal.net
626.798.3235

Enc.



27 August 2013 flash flood on Tubb Canyon Bajada just west (upslope) of the Rudyville site. High, fast flood water eroded 11+ foot of embankment and swept away signs. (Photo by Walter Boyce.)



4 February 2016

= COPY =

County of San Diego
Planning and Development Services
Peter.Eichar@sdcounty.ca.gov
Kevin.Johnston@sdcounty.ca.gov
5510 Overland Avenue #310
San Diego, California 92123

Re: Opposition to Property Specific Request Desert Subregion 24 (DS-24) proposed change from Semi-Rural (SR)-10 to SR-1 under the current San Diego County General Plan encompassing ~172 acres of pristine desert (APNs 198-320-01 and 198-320-26)

Dear San Diego County Advanced Planning Staff,

Tubb Canyon Desert Conservancy (TCDC) was established to preserve desert habitat and biodiversity, to protect native plants and wildlife, and to promote understanding of these special places. Tubb Canyon Desert Conservancy represents numerous desert landowners and visitors to the Anza-Borrego Desert in the vicinity of the proposed DS-24 Property Specific Request located on ~172 acres (APNs 198-320-01 and 198-320-26). It is our strong assertion that any increase in density on the DS-24 site would adversely impact neighboring landowners, Anza-Borrego Desert State Park, Pinyon Ridge Wilderness, rare species, and the associated economy of Borrego Springs.

DS-24 is located at the southern edge of the unincorporated San Diego County community of Borrego Springs. **The high conservation and pastoral recreational value of the two subject parcels was broadly recognized during the protracted San Diego County General Plan process, resulting in the final determination to include DS-24 in the lower density SR-10 zoning designation. This decision was correct and fair and should not be altered.** The current owners of the property had the same opportunity as all landowners in the immediate vicinity to provide input during the lengthy General Plan update process.

The high density of buildable lots surrounding the sand dune and a dense ocotillo forest on the DS-24 site as represented on the County planning maps for DS-24 is not reflected in reality and actual land use. DS-24 is not, as described by the property owner, "in-fill" to existing residential housing. In spite of the name "Country Club Road," there is no country club or high-density development in the area around DS-24. In fact, many local residents in the immediate area have deliberately "self-zoned" at lower density than the current SR-2, SR-1 or Village Residential (VR)-2 permits by purchasing vacant land (lots) on one or more sides of their own homes to prevent future development, which, in turn, preserves natural vegetation and wildlife habitat, maintains their semi-rural lifestyle, and protects their scenic views. Many more residents desire to purchase the vacant lot or lots around their homes; however, they cannot yet afford to acquire those parcels. Allowing DS-24, currently zoned low-density SR-10, to become a more "urban" SR-1 would result in smaller lots than currently exist in the surrounding residential area. See the attached aerial photos that document the actual low density of the neighboring homes adjacent to the DS-24 parcels as well as the floodplain and dune complex on the site.

The approved General Plan appropriately took the discrepancy between the County-specified density and reality into consideration, along with other germane factors, in lowering the zoning density for the open space parcels: APNs 198-320-01 and 198-320-26. It should also be noted that the two, large **DS-24 parcels have never been subdivided and have no certificate of compliance.**



Tubb Canyon Desert Conservancy

8899 University Center Lane #170, San Diego, CA 92122 * 858.535.9121 * TCDC@TubbCanyonDesertConservancy.Org
www.TubbCanyonDesertConservancy.Org

In this context, **the owners of DS-24 should not be granted a special zoning change that has been denied to other adjacent landowners of large parcels.** All property owners should abide equally with the new, lower density zoning in the region. Area landowners recognize the importance of a low-density, natural habitat buffer zone around their homes (or planned homes) that complements and protects adjacent Anza-Borrego Desert State Park. Area landowners, that is, excluding the owners of DS-24, notably Rudy Monica, David Davis, and Chris Brown. It is unacceptable that these property owners, *who had no active application in County Planning for any project at the time the General Plan was approved*, should be granted a free Subsequent EIR, conducted at taxpayers expense, to further their desire to be granted special privileges that other County landowners in the immediate area will not receive and that would be contrary to public interest.

In fact, local opposition to the numerous incarnations of the proposed high-density subdivision promoted by owner Rudy Monica has been consistent and so strong over the years, that immediate neighbors of the site, the larger community, state park personnel, local news media and even some law enforcement and utility company staff routinely refer to the DS-24 project as “Rudyville.” This is because the ostentatious name of “Borrego Country Club Estates” used in past Project documents and at Borrego Springs County Sponsor Group meetings, was perceived as absurd for what has become, over the years, a scheme to grade 172 acres of pristine desert into a grid of small, vacant lots for sale. **Borrego Springs already has a large surplus of buildable lots for the foreseeable future, especially considering the new limitations on water resources in Borrego Valley.**

The density proposed under the requested change for DS-24 is no longer be acceptable in the current, critically overdrafted state of the Borrego Valley Groundwater Basin (BVGB). Regarding water resource limitations on land use planning mandated by the adopted Groundwater Management Plan (GSP) under the Sustainable Groundwater Management Act (SGMA), please refer to the comment letter from TCDC dated 17 December 2015 at the Notice of Preparation public hearing (copy attached).

In a related matter, TCDC is concerned about **inadequate construction of water service infrastructure and the wastewater disposal system for any increased density development proposed on the DS-24 parcels.** In a letter dated July 24, 2008 sent to the San Diego Department of Land Use and Planning, Kenneth H. Lounsbery, of *Lounsbery Ferguson Altona and Peak LLC Attorneys at Law*, wrote the following:

According to the description provided by the developer, the Project will be served by on-site septic systems and groundwater from the Borrego Water District, which will require: 1) the construction of an off-site well that would be tied in to the District water system; 2) upgrading or increasing the pipe sizes surrounding the property; and, 3) upgrading the existing water tank located to the west of the Project with trenching and land disturbance to connect the project area to the tank.

*Regardless of whether a well is even feasible (there is reason to believe it is not, since a nearby well is going dry with minimal water supplies remaining), the developer's plans are more problematic than considered in the Project's reports. The plan is for the developer to dig a viable yield well elsewhere in Borrego Valley, then lease or donate the well to the Borrego Water District. The Borrego Water District would, in turn, import water to the large storage tank to the west of the Project site and pipe it to the development. **This will require additional trenching for the pipes, over land that has recently been donated to Anza-Borrego Desert State Park.***

Because Borrego Springs is in the Colorado River District, it falls under the jurisdiction of the Regional Water Quality Control Board, which has started to require treatment plants for housing developments with ten (10) or more units. [Kurt Schauppner Desert Trail, “Who has Sewer Power? The City” March 2, 2007] The only indication that the developer has considered wastewater disposal systems is by a reference in a letter dated February 18, 2008 from the County of San Diego Department of Environmental Health, Land and Water Quality Division which notes deficiencies in the developer's replacement of the Tentative Map, dated December 19, 2007. According to this letter, with the increase in the number of lots, the developer failed to provide percolation test data on certain lots; failed to include the layout of the existing well, or the layout for the proposed onsite wastewater disposal system and reserve area. Lastly, the letter notes that

"leach lines may not exceed 24 inches of cover and lines may not be placed in fill or in areas of disturbed soil." The fact is that all of the lots in the Project area would be elevated on sand fill from the graded down dune.

The Department of Environmental Health did not recommend approval of the subdivision proposal or the associated preliminary grading plan.

Not surprisingly, there is also a dearth of information in the record on plans for wastewater disposal and / or sewage treatment plans, either on the tentative maps or the preliminary grading plans. Given the Department of Environmental Health's concerns and the possible restrictions by the Regional Water Quality Control Board, the property owners in the Borrego Community (and the County) should be wondering what the developer plans on doing with the sewage from 150+ residences. Apparently, the developer is proposing to grade lots for sale and is not planning on building a planned development.

Most egregiously, the proposed development of the DS-24 parcels involves an unpublicized, covert preferred alternative plan that would infringe on the property rights of neighbors by acquiring land through eminent domain. The owners of the DS-24 site have long planned to build their high-density subdivision in a hazardous floodplain, necessitating the construction of an extensive dam, channel and debris basin flood control system on Tubb Canyon Bajada to divert natural flows away from their land. They intend to finance these extensive flood control structures by convincing County officials to create a new "assessment district" that would impose fees on neighboring landowners.

~60% of the proposed project site is located in a desert riparian floodplain susceptible to periodic flash flooding. Such floods in the desert are a periodic, natural, and beneficial phenomenon that brings water to an otherwise parched landscape. Floods move soil nutrients for vegetation from higher locations to lowlands. Floods also form the ephemeral streams and ponds that numerous species, such as frogs and waterfowl, require for sustenance and reproduction. There are even certain native plants, such as smoke trees, whose seeds have evolved to only germinate after a flood has rolled and battered their tough outer surface. Flood damage to the seed coat signals that there is water present to nourish the seedling, which in turn triggers germination at the right time. Regardless of the role flash floods play in Nature, desert floodplains are an unsafe and unwise location to build homes.

"Flood Hazard Evaluation for Borrego Country Club Estates" is a report with accompanying blueprints and maps prepared by Walter F. Crampton, Principal Engineer for TerraCosta Consulting Company, to analyze flood issues for the DS-24 site; dated August 27, 2007. The report recommends installation of extensive flood control structures and incorrectly states:

*"The 2,700-foot-long existing dike within the headwaters of the Culp-Tubb Canyon drainage was **constructed by the County** in the 1970s to divert flood flows to the south away from the populated east of Country Club Road, and has effectively done so for the last 40+ years."*

The earthen dike in question was *not* built by San Diego County, nor does the County own or even maintain that dike or the smaller sub-dikes located northwest of the main dike across Tubb Canyon Bajada. No easements vesting those levees in the public domain have ever been granted or recorded. The dike in question, which is being allowed to naturalize over time, is privately owned. The main dike and sub-dikes were actually built decades ago by the Army Corps of Engineers, some would argue illicitly without the permission of the original landowners, at a time when numerous floods were occurring across the desert Southwest.

Be that as it may, none of the owners on whose property the old earthen dike and sub-dikes exist would allow the County or any other agency to construct an extensive concrete flood control system including a dam and new sub-dikes across Tubb Canyon Bajada. Nor would neighboring property owners east of the existing old dike approve the construction of concrete channels and diversion berms down unpaved Tubb Canyon Road and across their land (and near their homes) in order to protect the DS-24 parcels from future floods. Only a forced taking of private property by eminent domain, which each and every owner has promised to oppose, could

enable a major flood control system to be built on the natural desert. Apparently, the developers who own the DS-24 parcels have considered exactly that approach.

Burrowing Owls live on the east side of the main dike berm. Eventually, the floods from Tubb Canyon and adjacent mountains will erode the levee and water will once again flow across the bajada and into Anza-Borrego Desert State Park.

In the "Flood Hazard Evaluation for Borrego Country Club Estates," author Walter F. Crampton recommends the formation of a "Geologic Hazard Abatement District (GHAD)" as the means to finance the design and construction of the flood control system. An abatement district levees a tax burden on all the neighboring properties alleged to "benefit" from the project.

This Draconian flood control plan to enable a high-density subdivision to be built where it does not belong presents grave environmental concerns. Blocking natural flood waters from natural arroyos, desert trees and ocotillos in the State Park would degrade the high biodiversity currently thriving on the bajada. An expanded concrete dam and channelized surface drainage system would also be a major visual blight marring scenic vistas.

This extensive dam and channel system, including full blueprints, was never publicized by the developers; not to the affected neighbors who would lose their properties and not to the Borrego Springs Sponsor Group during the many briefings and discussions about the "Rudyville" project over the years. This sort of subterfuge is chilling. It makes one wonder what else is not known about this project. The intent to charge neighbors through a special assessment district, as well as to take private land by eminent domain, in order to build a large development for their own profit, is unacceptable on multiple levels. This massive flood control plan should be definitively opposed by San Diego County. TCDC and the affected landowners oppose this plan along with any attempt to impose special district assessment fees on surrounding neighbors.

DS-24 is located within walking distance of Anza-Borrego Desert State Park and is a component of the transition zone between the Sonoran Desert (Colorado Subdivision) at its western terminus with foothill chaparral. **As with most transition zones, the DS-24 site supports significant biodiversity and listed species** due to the variety of vegetation regimes and terrain located in close proximity. The slightly wetter transition habitat where DS-24 is located encompasses the westernmost complex of Sonoran desert sand dunes, home to numerous lizard species, including the Flat-tailed Horned Lizard (*Phrynosoma mcallii*), a California Species of Special Concern, which favors stable dunes and desert riparian gravel flats. See the annotated California Department of Fish & Wildlife map attached.

The property in question is also an attractive hunting ground for a resident population of Burrowing Owls (*Athene cunicularia*), another California Species of Special Concern. Burrowing Owl populations remain in decline across much of their range. See photo documentation attached of burrowing owls on DS-25. Additional photos are available upon request.

DS-24 is adjacent (within walking distance) to the federal recovery area for the endangered Peninsular Desert Bighorn Sheep (*Ovis canadensis nelsonii* / *cremnobates*). See the annotated U.S. Fish & Wildlife Service map attached.

The varied terrain on the DS-24 site attracts a variety of resident and migratory bird species to its ephemeral water sources and ancient ocotillo forest, including several species of hummingbirds, hawks, warblers, and orioles. Bats roost nearby within local cliff cracks and small caves, flying out at night to feed on abundant insects present around seasonal water sources. Wildflower bloom abundantly on the site after sufficient rain. **The full spectrum of species living within the subject area has not been fully documented, merits further study, and is deserving of full protection from destruction.**

As noted by County planners, **the current designation of SR-10 for the undisturbed desert on the DS-24 parcels qualifies for habitat preservation measures under the Conservation Subdivision Program**

(<http://www.sandiegocounty.gov/pds/advance/conservationsubdivision.html>). **The requested change to higher density SR-1 zoning designation would not qualify for that program.**

As previously mentioned, a vast majority of neighbors and visitors familiar with “Rudyville” have strongly opposed the project in all its various forms over the years. Local neighbors and landowners greatly value the wildlife, wildflowers, and a large, ancient ocotillo forest located on the subject site. In fact, the ocotillo forest was once a popular destination highlighted on local tourist maps. **Development of DS-24 threatens the quality of life and property values of neighboring residents.**

Grading the stable dune and ocotillo forest into rows and rows of elevated vacant lots would result in unconsolidated sand and fine particulates becoming airborne in the frequent high winds (60 to 80 mph) that blow across Tubb Canyon Bajada from the western mountains. Dust storms created by vacant lots would blow into other neighborhoods and pollute the clean, dark skies that are highly valued in Borrego Valley. Borrego Springs is one of only nine IDA-certified “International Dark Sky Communities” in the United States: <http://darksky.org/idsp/communities/>. The tourism value of the Dark Sky designation would be diminished by the proposed development, as would business to a variety of local overnight accommodation and eating establishments, and other businesses supported by visitors.

Destabilizing the sand dune would also increase health risk in the community. Many persons move to the desert to improve their health, including seniors and those with allergies and other respiratory conditions. DS-24 is located in a high wind corridor that would pick up fine sand and dust particles from the 172+ acre denuded dune and graded floodplain, creating localized dust storms that would lower air quality to an unacceptable level, both in the immediate area and farther away in residential and recreational areas “downwind.” The resulting degraded air quality would also diminish the tourist value of Borrego Springs and the surrounding Anza-Borrego Desert State Park, resulting in harm to the local economy. Tourism revenues have decreased in other communities where a nearby land use change has resulted in a thick haze, high airborne particulate counts, and more frequent asthmatic, allergic, and other negative respiratory reactions in visitors and local residents.

Country Club Road across the DS-24 acreage is not paved and not currently used with any frequency by the public. **Roads planned through any future subdivision, along with the numerous vehicles associated with a higher density of homes, would bring undesirable and intrusive traffic onto existing narrow roads and through quiet neighborhoods, thereby changing the pleasant character of the semi-rural streets and sparsely spaced desert homes.** According to the 2006 “Transportation Analysis for Borrego Country Club Prepared for Borrego Country Club Estates (second submittal: June 13, 2006) by Urban Systems Associates, Inc. of San Diego, CA,” for the DS-24 site, the proposed subdivision would generate approximately 1,480 average daily vehicle trips, with 118 occurring during morning peak hour and 148 in the PM peak hour. Much of this traffic would be directed onto West Star and East Star Roads to the north of the site. These roads are both narrow (~20 feet wide), rural in nature, and insufficient for increased 2-way traffic flow. Redirecting traffic out of the area via those low density roads will require extensive widening and redesign that will adversely impact adjacent, established homes, and increase danger to pedestrians and animals, including wildlife and horses. Increased commercial vehicle traffic serving the proposed subdivision, such as heavy garbage trucks, UPS and Federal express delivery trucks, etc. will greatly accelerate road wear, necessitating more frequent and costly road maintenance and repair.

Increased traffic, private and commercial, would also contribute to higher ambient noise levels generated by a concentration of houses in what is an otherwise very low-density location. **Noise generated by an increased density of homes and associated human activities on the DS-24 parcels would reverberate off the nearby mountains and canyons, causing unacceptably high noise levels locally and across the adjacent State Park.** Noise is potentially destructive to both wildlife and the tranquil setting visitors expect in the State Park. Neighbors who moved to the outskirts of town for added solitude highly value the subtle sounds of nature around their homes, including bird songs, the chorus of frogs and toads after rain, as well as serenades by coyotes out on the bajada. All this would be lost if the DS-24 site is ever developed.

Increased traffic also has the potential adverse impact of vehicle emissions generating an inversion layer, further degrading air quality and visibility in the Borrego Valley. This consequence of increased traffic needs to be fully evaluated. Obscured views across scenic vistas would harm the local tourist economy.

A higher density subdivision would destroy ancient Native American sites. Tubb Canyon Bajada was once heavily used by the local Cahuilla for their seasonal harvest of agave. Nearby canyons and arroyos were a reliable source water in the desert from both nearby springs and ephemeral floods. Potsherds, stone hand tools, and other Native American and pioneer artifacts are often found in the surrounding area and are no doubt present on the DS-24 site.

Lastly, it has come to our attention that an owner / investor in DS-24, Chris Brown, is allegedly a former San Diego County employee who has worked directly for Supervisor Bill Horn in matters of regional planning. This relationship raises conflict of interest questions originating at the 2012 Board of Supervisors hearing that authorized a Property Specific Request (PSR) for the DS-24 site... in spite of strong, ongoing community and Borrego Springs Sponsor Group opposition... and, in spite of the fact that there was *no active application for any subdivision project on the DS-24 parcels* in the County planning system for *several years* before the new General Plan was ratified. The value of a “free” EIR for the landowners of DS-24 is immense, because this costly process may lead to special privileges for Mr. Brown and his partners that will not be granted to other landowners in the same area, and likely involving eminent domain “taking” of nearby properties for the purpose of a future subdivision.

This PSR is particularly unjustified considering the fact the owners’ original project plan for “Borrego Country Club Estates” (TM5487) had been in the County “dead file” *for years* at the time of General Plan approval. All this, along with the substantial impacts raised in this letter, generates suspicion about how a Project Specific Request for DS-24 ever qualified for County consideration.

Based on all of the reasons and evidence presented herein, TCDC urges the County to disqualify and remove DS-24 from the collective Property Specific Request SEIR process (thereby saving taxpayer funds and conserving limited County resources, including valuable staff time). In any case, the County should deny the zoning change that the owners of DS-24 have requested.

Sincerely,



J. David Garmon, MD
President, Tubb Canyon Desert Conservancy

Enc



Ocotillo and sand dune on DS-24 site.



Close up of a burrowing owl "pellet" (~2 inches long). Fur, bones, insect chitin and other indigestible parts of prey collect in the bird's gizzard where they are compressed into a pellet form, then regurgitated by the owl. Note the leg bones and piece of rodent skull above the pellet. Several pellets were taken from the DS-24 site as tangible, physical proof of the burrowing owl's existence on the property.

Photo by L. Paul

Burrowing Owls on DS-24 Parcels

Active burrowing owl burrow on the DS-24 property proposed for complete grading and leveling. Red arrows (upper left of image) indicate greyish owl pellets above the hole (located just left of one "observation perch" in the creosote bush that extends over the burrow's entrance). There is a back entrance (exit) to the burrow on the other side of the bush.

Photo by L. Paul



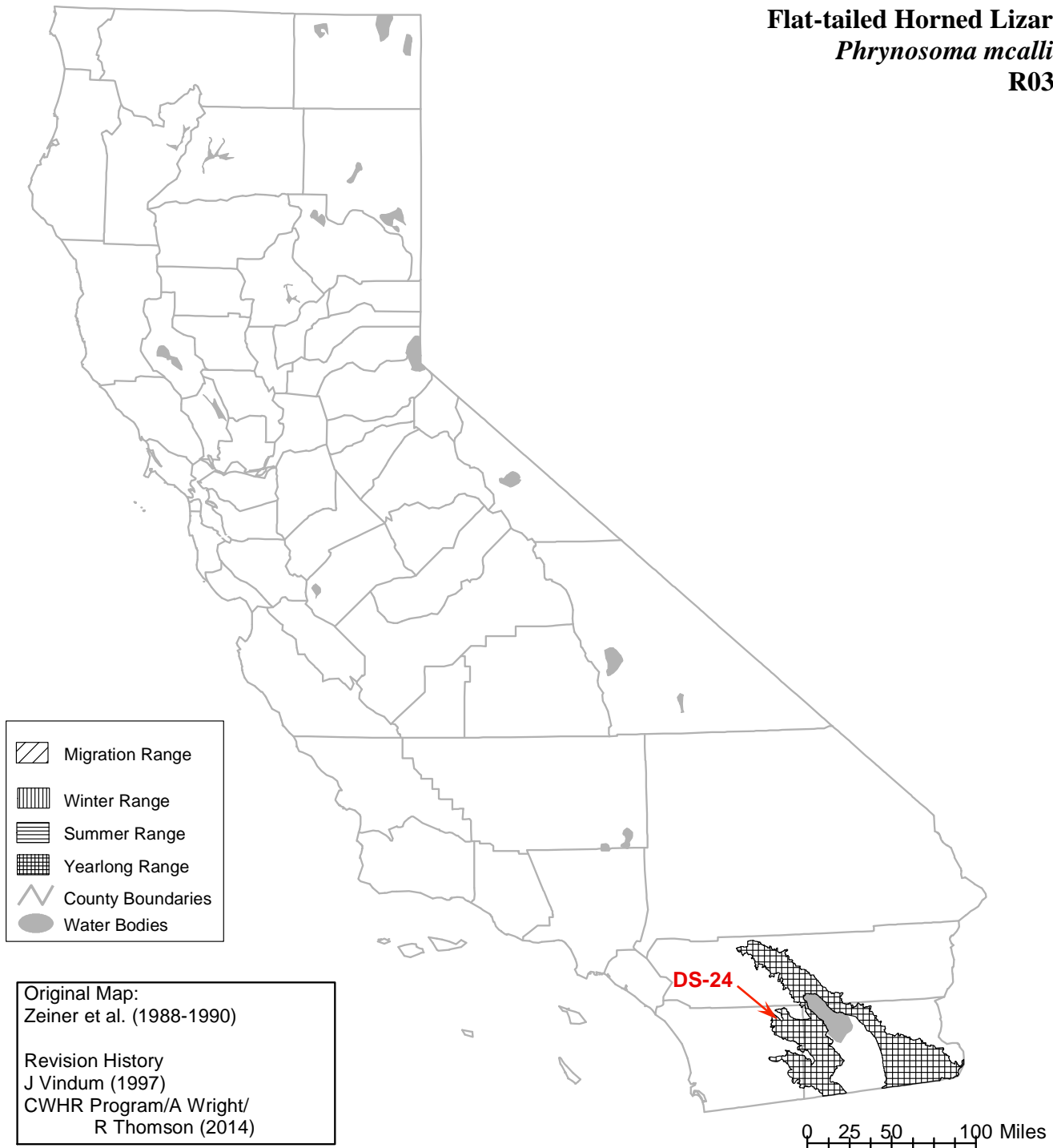
Burrowing Owl (*Athene cunicularia*) near property. Burrowing owls are a California Dept. of Fish & Wildlife Species of Special Concern. Photo by Thad McManus (used with permission)

California Wildlife Habitat Relationships System

California Department of Fish and Wildlife

California Interagency Wildlife Task Group

Flat-tailed Horned Lizard *Phrynosoma mcallii* R032



Range maps are based on available occurrence data and professional knowledge. They represent current, but not historic or potential, range. Unless otherwise noted above, maps were originally published in Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. California Depart. of Fish and Game, Sacramento, California. Updates are noted in maps that have been added or edited since original publication.

Peninsular Bighorn Sheep (*Ovis canadensis nelsoni*) Recovery Regions (USFWS 2000a)

1 San Jacinto Mtns.
 2 Northern Santa Rosa Mtns.
 3 Central Santa Rosa Mtns.
 4 Southern Santa Rosa Mtns.
 5 Coyote Canyon
 6 North San Ysidro Mtns.
 7 South San Ysidro Mtns.
 8 Vallecito Mountains
 9 Carrizo Cyn./Tierra Blanca Mtns./Coyote Mts. Area

U.S. Fish & Wildlife Service
 GIS Branch
 6010 Hidden Valley Rd., #101
 Carlsbad, CA 92011
 760/431-9440
 Project Biologist: Susan North
 Map By: Linda Roberts
 Map Date: November 29, 2010
 Vector Data Source: CALFIRE, CaSIL, Tele Atlas, USFWS, USGS
 Image Data Source: ESRI Arc Online, USGS

Legend:
 Peninsular Bighorn Sheep Recovery Plan Habitat (USFWS 2000a)
 City
 Major Road
 County Boundary
 State/National Boundary

Scale:
 0 2.5 5 10 Mi.
 0 2.5 5 10 15 Km.

Map Date: November 29, 2010
 Vector Data Source: CALFIRE, CaSIL, Tele Atlas, USFWS, USGS
 Image Data Source: ESRI Arc Online, USGS

**LORI L. STAEHLE PAUL & ROBERT L. STAEHLE
153 JAXINE DRIVE
ALTADENA, CALIFORNIA 91001**

Co-owners of San Diego County APN #198-320-14, #198-320-15 and owners of #198-320-28

2018 May 27

County of San Diego Planning Commission
Planning and Development Services
Kevin.Johnston@sdcounty.ca.gov
5510 Overland Avenue #310
San Diego, California 92123

Re: Request to disapprove element DS24 of Property Specific Requests (PSRs) General Plan
Amendment and Rezone (GPA 12-005; REZ 14-006).

Specifically concerning Property Specific Request (PSR) Desert Subregion 24 (DS-24):

APN# 198-320-01

APN#198-320-26

to change above parcels of undeveloped desert from Semi-Rural SR-10 to Semi-Rural SR-1 zoning
under the current San Diego County General Plan

(Restated from concerns submitted 2016 February 4)

Dear Planning Commission Members, Mr. Johnston, and Planning Staff,

As owners of three parcels near the subject APNs, ourselves and our property values would be negatively impacted by the proposed zoning and land use change to increase density of development on approximately 172 acres of natural desert encompassed by Property Specific Request DS-24. The requested zoning change from low density SR-10 to high density SR-1 is contrary to the County General Plan adopted for this area on August 3, 2011. Because the proponents had no active development application on record at the time the new General Plan was approved (and certainly no approval for any subdivision plan), we strongly object to the County giving any special treatment to the persons who propose to develop the subject parcels.

Further, whether or not they might have had an active request "in the system," we strongly object to the proposed County approval of development plans on the DS-24 site because of the negative impacts this would impart, including but not limited to:

1. Degradation of the semi-rural character of the zone surrounding Anza Borrego Desert State Park. It was precisely this semi-rural, open space character that the reduced density approved in the new General Plan was intended to preserve.

2. Dust, molds, and other fine particulate pollution will be added to the air in large quantities for many days of the year if the stable sand dune and a large ocotillo forest are removed from the DS-24 site, thereby degrading air quality and threatening public health. The developers plan to grade 170+ acres, scraping off native vegetation and biotic soil crust and using the existing old sand dune on the site as fill to create elevated vacant lots they hope to sell. This plan would dramatically increase the load of windborne dust, molds, and other fine particulates that will irritate our lungs and eyes and those of our co-owners, our guests, neighbors in the region, and tourists. The subject parcels are located in an area of known frequent high winds, often >50 mph.
3. Dark sky is one of the rare resources that brings many people to the Anza Borrego Desert. It is one of the significant reasons we value the desert. Unlike more populated parts of Southern California, the Milky Way galaxy in which our Solar System resides can be clearly seen on the usually-cloud-free nights. Increasing the residential density will increase background lighting in ways that degrade the dark night sky, especially when there is windblown dust in the air (see #2 above). The proposed increase in development density will counter efforts by Borrego Springs that have earned us an official Dark Sky designation (see <http://darksky.org/idsp/communities/borregosprings/>), as the second Dark Sky Community in the United States after Flagstaff, Arizona. Just as Flagstaff is located near Lowell Observatory (from which Pluto was discovered), Borrego Springs is located in the dark skies near the historical and still fully-utilized Palomar Observatory. The economy of Borrego Springs is enhanced by the astronomers and other visitors who specifically come here to see dark skies and clear, scenic desert views.
4. Traffic in close proximity to Anza-Borrego Desert State Park south of the Borrego Springs community proper would be dramatically increased if DS-24 is changed to SR-1 zoning, first during construction, and then as people occupy new residences. Traffic will increase noise, toxic exhaust, particulates thrown up by diesel engines and tires, and noise pollution. Traffic at night will further degrade Borrego Springs' dark sky resource and the attraction this holds for astronomical event tourism that helps support many local businesses.
5. Species diversity and biological resources will be greatly diminished and the natural environment degraded if the PSR for DS-24 is approved. Under the 10-acre minimum parcel size designation carried for the subject parcels in the new General Plan, there would be sufficient space between any eventual residences to retain natural vegetation and the wildlife that depends upon it. Higher lot density and the need to grade the stable sand dune to meet lot elevation requirements would ensure that most or all original native vegetation would be removed from the site, which in turn would virtually eliminate natural habitat for the numerous species of resident and migratory birds, amphibians in areas of periodic water, reptiles, mammals, abundant butterflies, and many species of annual and perennial wildflowers. After sufficient rain, the site can come alive with carpets of spectacular blooms.

In addition to habitat destruction, increased human activity in the higher-density setting would eliminate many significant species for which the site is home or forage or hunting range, including:

Burrowing Owls (*Athene cunicularia*, a California Species of Special Concern) who have active burrows on the site. Populations of these owls are in decline, largely from habitat loss to development as well as pesticide use, making the existence of this species on the DS-24 parcels an important consideration.

Flat-tailed Horned Lizard (*Phrynosoma mcallii*, a California Species of Special Concern) have been observed on the subject parcels. High density housing usually results in the introduction of foreign Argentine ants that kill native ant species and radiate out into the local environment. Horned lizards (including Flat-tailed, Desert, and Sand Diego Coast horned lizards) cannot eat Argentine ants, which results in extirpation of these native lizards around housing subdivisions. Such an occurrence so close to the State Park and wilderness areas is of serious concern.

Colorado Desert Fringe-toed Lizard (*Uma notata*, a California Species of Special Concern) has been seen on the DS-24 parcels in the sandy dune area adjacent to unpaved Country Club Road. The pristine desert habitat, including the old sand dune, large ocotillo forest, and desert stream bed on the subject parcels supports an incredible diversity of desert lizards, including the striking-looking Western Whiptail (*Aspidoscelis tigris*), Zebra-tailed Lizard (*Callisaurus draconoides*), and Long-nosed Leopard Lizard (*Gambelia wislizenii*), among many others. Snakes are also present in abundance, including the spectacular Red Diamondback Rattlesnake (*Crotalus ruber*), Northern Desert Nightsnake (*Hypsiglena chlorophaea / torquata deserticola*), and recognizable light and dark banded California Kingsnake (*Lampropeltis / getula californae*), etc.

Tubb Canyon Bajada and vicinity, including the natural habitat on the DS-24 site, receive occasional visitations by endangered **Peninsular Desert Bighorn Sheep** (*Ovis canadensis nelsonii / cremnobates*), which is a federally listed Endangered Species. Hoof prints of these Bighorn Sheep have been seen on an adjacent parcel as recently as December 2015. Endangered Bighorn Sheep may utilize the subject parcels for seasonal forage, especially during periods of drought. DS-24 parcels are located on the boundary of designated “critical recovery habitat” for the Peninsular Desert Bighorn Sheep. It is possible that future study data will result in extending critical habitat for this endangered species to include alluvial fans and desert riparian water sources that may provide the sheep with additional forage and drinking options during prolonged drought. Such adjustments to critical habitat boundaries have occurred in the past.

6. Noise will dramatically increase during grading and construction, and will remain a nuisance once new parcels are occupied, disturbing on adjacent parcels their owners’ quiet enjoyment and negatively impacting their property values as too many new residents move into the proposed development area so close to the recreational lands and habitat within the adjacent State Park and wilderness areas.
7. Recreational value and aesthetics of the area south of Borrego Springs, including the rugged Tubb Canyon outflow area, will be diminished by destruction of the ancient Ocotillo Forest (*Fouquieria splendens*) and associated rare natural ecosystem that presently occupies the subject

parcels. Every spring these parcels are part of one of the largest unbroken Ocotillo Forest blooms that is easily viewed and accessible from public roads. Most years, this bloom is so intense as to create for a few weeks an astonishing “haze” of brilliant red just above the ground that is part of the wildflower spectacle that thousands of tourists come from all over the world to see.

8. Property values of neighboring parcels will decline, including those in which we share ownership, as result of all the above deleterious effects of the proposed development. The new General Plan enforced the long-standing status quo of low density surroundings that made parcels near the State Park attractive. The proposed action, filed as an active project *after* adoption of the new General Plan, would take value away from us that was intended to be protected by the General Plan, in order to line the pockets of the developers and those politicians whose campaigns they fund.
9. Illegal taking of our property has long been planned by the owners and developers of DS-24 in order to construct extensive, unsightly, environmentally damaging, and costly flood control structures, including a concrete dam “built to federal standards,” additional diversion dikes and channels running east-west along Tubb Canyon Road, and additional debris basins at the mouths of Tubb and Dry Canyons. These flood structures would be built on our land and that of several neighbors. This flood control system has been designed to enable the development of the DS-24 site in a hazardous flood plain at the cost of other, preexisting landowners. It is the most insidious and ominous element of the proposed high-density subdivision of vacant lots located on what is currently pristine desert.

During past extensive discussions and briefings, including proposed tract maps, about the proposed “Borrego County Club Estates” subdivision on the DS-24 parcels over many years, notably at the Borrego Springs Sponsor Group and with neighbors, this massive flood control system of dikes, dam, and basins *was never mentioned by Rudy Monica or other owners of the site*. The flood control plan, and proposed “Geologic Hazard Special Assessment District” to fund its construction, was found buried in County records researched by Lori Paul and neighbor, Ann Irwin, and brought to light back in 2008. It shocked all affected landowners, the Sponsor Group, State Park staff, and raised even greater public opposition to the project that has become commonly known as “Rudyville.”

Refer to the following developer’s report for details along with past TM5487 “Borrego Country Club Estates” Flood Hazard Evaluation documents and plans:

“Flood Hazard Evaluation – Borrego Country Club Estates – Borrego California”

Prepared for Mr. David S. Davis, Carlsbad, California

by Walter F. Crampton, Principal Engineer

R.C.E. 23792, R.G.E. 245

Terra Costa Consulting Group, Inc., San Diego, California

August 27, 2007

The report repeatedly refers to “...*the County’s 2,700-foot-long-dike* [emphasis added] in the headwaters of Culp-Tubb Canyon.” The old, earthen diversion dike built on our property and that of other neighbors was not, as stated, constructed by San Diego County. The County does not own or maintain that dike, it is on private property and was constructed decades ago as a temporary dirt levee by the U. S. Army Corps of Engineers. Currently, the main dike and small sub-dikes to the northwest are naturalizing by erosion and revegetation. Furthermore, burrowing owls reside on the east side of the old dike berm. We have no intention of allowing any alternation in that dike which is returning to its natural state.

The massive concretized flood control system proposed by the owners of DS-24 includes: A concrete “5600’ +/- OFFSITE DIVERSION DIKE TO BE CONSTRUCTED” as featured in a map dated 05/18/07 [month slightly illegible on reduced paper copy], so may be different], titled “DRAINAGE EXHIBIT, REGIONAL DEVELOPED CONDITIONS, BORREGO COUNTRY CLUB ESTATES,” prepared by Stevens-Cresto Engineering, Inc., and submitted to San Diego County for “TRACT 6487-RPL1”. This map, copy attached in east and west halves, shows a “4000’ +/- DIVERSION DIKE TO BE RETRO-FIT” crossing our parcel APN #198-320-28, and the “Proposed Diversion Structure” downslope of that to be inside the Anza-Borrego State Park Boundary, and to run alongside our land, impinging on our parcel APN #198-320-15.

The map notes state that this structure is to render a portion of the proposed development “TO BE REMOVED FROM FLOOD ZONE ‘AO’ ”; AO being a zone determined by the Federal Emergency Management Agency (FEMA) to be subject to periodic significant flooding that threatens structures.

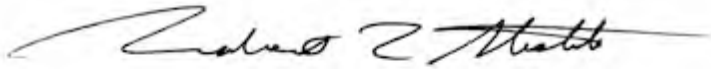
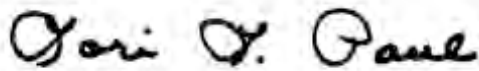
A preferred alternative involving the above flood control structures, includes excavation of catch basins at the base of Tubb Canyon and Dry Canyon, also on private property and possibly impinging on the State Park.

The land for these highly intrusive flood control structures is not owned by either the developers or the County, nor are there recorded easements that could be utilized for such structures. Thus, the required property would need to be seized from us, our co-owners, and our neighbors by eminent domain. Elsewhere there is a description for how the developers intend to secure support from elected officials to create a new special assessment district that would tax us, our co-owners, neighbors and others, in effect so that these developers could profit from illegally taking our lands for a project that should never be built in the first place.

This travesty is, fortunately, prohibited by the new General Plan; therefore, on this basis, in addition to other germane concerns, no Project Specific Request should be approved for DS-24 (aka “Borrego Country Club Estates,” known locally as “Rudyville”).

For all these reasons, we oppose the proposed project for the DS-24 site. We therefore request that San Diego County suspend any and all actions taken in support of increasing the permitted housing density, or any other proposed use change with the exception of reduced density or full conservation protection, from the present undeveloped land on APN #198-320-01 and #198-320-26.

Thank you,

A handwritten signature in black ink, appearing to read "Robert Z. Matthews". The signature is fluid and cursive, with a long horizontal stroke at the end.A handwritten signature in black ink, appearing to read "Gori D. Paul". The signature is written in a bold, cursive style.

Attachments: East and West halves of map dated 05/18/07, titled "DRAINAGE EXHIBIT, REGIONAL DEVELOPED CONDITIONS, BORREGO COUNTRY CLUB ESTATES," prepared by Stevens-Cresto Engineering, Inc., and submitted to San Diego County for "TRACT 6487-RPL1".

29 May 2018

Attn: Kevin Johnston

RE DS-24 Rudyville Project in Borrego Springs

We are against the DS-24 Rudyville proposal to increase the zoning for the project from one house per 10 acres to one house per acre. This may not sound like a lot but it is increasing the density by 10 times what is currently allowed. It is the difference of being zoned for 10 houses but allowing 100. In addition, the current zoning will allow for the preservation of the ocotillos as less land would have to be razed per house.

Land use issues are guided by zoning and planning. DS-24 Rudyville exceeds those plans. Would Coronado be the place it is today drive-through restaurants were allowed everywhere or if high rises buildings were allowed in residential areas? The charm of Coronado is preserved and governed by is in planning and zoning, which is actively enforced. We simply cannot allow developers to do what they want when zoning was put in place in order to preserve the unique qualities of Borrego Springs. If Coronado does not allow waivers, then why should we? Borrego Springs is a unique community that deserves to be preserved for generations to come.

We own a house in San Diego as well as one in Borrego Springs. We also own some land in Borrego. We understand that property owners have rights – however, those rights are within zoning and codes. At some point, we hope to build a home on our Borrego land. If Rudyville is approved, will we be able to get a similar waiver and be allowed to build 10 homes instead of one? If not, why not? All we ask is that we keep things fair and we all play by the rules.

We have already invested in Borrego Springs for the long term, yet we are reminded of the risks to Borrego – the depletion of water in the aquifers that has been going on for years. Residents are expected to reduce their water consumption by 70%. That goal seems unsustainable. What will it be if we allow growth to go on unchecked? Will Borrego become a ghost town in 20 or 40 years? We do not want to be left holding the bag for someone who is here to make a quick buck and leave and not care about the long-term success of this community.

We cannot stop growth. However, we must review and approve projects based on the overall plan for the community. Allowing some to exceed the zoning will upset the balance of what has already been planned for elsewhere in town. For example, Borrego already has a lot of land that is currently for sale or lease with the hopes of development. Some of it has been zoned for hotel or other residences. We cannot stop investors from buying and developing land here. However, we can enforce the zones and codes for such projects and preserve the character of Borrego Springs.

V/R

Kimberly and Walter D'Souza

Sandra Uele

3514 Country Club Road

Borrego Springs, CA 92004

Owner of San Diego County APN #198-320-24-00

County of San Diego Planning Commission Planning and Development Services

Kevin.Johnston@sdcounty.ca.gov

5510 Overland Avenue #310

San Diego, California 92123

Re: DS24 of Property Specific Requests (PSRs) General Plan Amendment and Rezone (GPA 12-005; REZ 14-006)

Dear Planning Commission Members, Mr. Johnston, and Planning Staff

Being a resident of Borrego Springs and living very near the subject property I put it on record that I do not approve of or support this rezoning and question the legality of such.

Borrego Springs is a unique part of this large County; isolated and far removed from San Diego. Its position surrounded completely by the Anza Borrego State Park makes it more a part of the park in many ways than a part of the fast growing County of San Diego. For that reason, one size does not fit all when it comes to the County of San Diego Zoning By-Laws and Borrego Springs.

I believe those living outside this small community would find it hard to understand how fragile this desert and our community is.

Borrego Springs has issues.

- water supply
- air quality
- flooding
- glut of developed vacant lots for sale

Of course there are more. A letter to reference would be one written to your offices by Lori and Robert Staehle dated May 27, 2018.

By understanding these issues, those approving any new development anywhere within our community, be it 1 lot, 10 lots or 100 lots must be ready to fully explain the benefit vs. risk of their decision. There is no blanket immunity.

Further, the residents of Borrego Springs came out in numbers to oppose this development. They also opposed scheduling this important meeting before the planning commission in the summer months when so many of them would be unable to attend. However, those in authority and the power to listen and hear the people refused. For that reason, I formally request all letters of opposition be added to the agenda as well as the video from the last meeting held in Borrego Springs with Mr. Kevin Johnston attending.

Respectfully,

Sandra Uele

From: marydelaney23@yahoo.com [<mailto:marydelaney23@yahoo.com>]

Sent: Monday, May 14, 2018 7:25 AM

To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>

Cc: jdesmond@san-marcos.net

Subject: Rudyville

Hello Mr. Johnston,

Our home is in Borrego Springs. We live on Country Club Road, just down the road from the proposed project known as Rudyville.

We recently learned that a meeting is scheduled for June 22 to hear opposition to this project. Like many Borregans, we won't be in Borrego at that time. We're hoping the meeting can be rescheduled for sometime in the fall when the residents return to town. Just in case you are unwilling to do this, we'd like you to hear our thoughts on this project.

There are so many vacant lots presently for sale in Borrego Springs, and there are many more that would be placed on the market if the owners thought there was any hope of selling them. In fact, we own two that we would like to sell. Do we really need to destroy an ocotillo forest so that Rudy Monica can create 172 more lots? In a flood zone no less! Seriously?

Also, as you may know, our aquifer is steadily being depleted. According to USGS Surveys, we should not be taking more than 5,700 acre feet of water from the aquifer per year. We're presently using around 19,000 acre feet per year. The last thing we need is more development.

This proposed project was a bad idea from the start. We can certainly understand why Mr. Monica is pushing to make the project more profitable by going from 1 home per 10 acres to 1 home per acre, but it seems inappropriate for the San Diego County government to be helping him out. After all, who hasn't made a bad real estate investment at one time or another. Nobody bailed us out when we bought property in the wrong place at the wrong time. Mr. Monica is a big boy. He should have known better.

We hope you will hold on to our email address so that we can be notified when the opposition meeting is (hopefully) rescheduled. Also, we would appreciate your keeping us informed about any other news with respect to this project.

Thank you.

John and Mary Delaney

Good Afternoon.

I'm Betsy Knaak, Executive Director for the Anza-Borrego Desert Natural History Association.

The Anza-Borrego Desert Natural History Association (ABDNHA) recommends *against* the higher-density re-zoning of Borrego Country Club Estates/DS24 (aka Rudyville) based on the numerous, valid, and important negative impacts to the environment, the local economy, and community character—any one of which would be reason enough to deny the request for increased density, and together, are overwhelming. To innumerate a few:

Non-Compliance with the County General Plan, which promotes sustainable growth near infrastructure and services, while respecting sensitive natural resources, and community character. *Rather*, this development proposal requires building and maintaining flood channels, roads, a new water well and water lines, along with a septic or sewage system, and compels the removal of a uniquely-dense Ocotillo Forest.

Deterioration of Air Quality through removal of the mature plant community and destabilization of the dune and sandy soil in a high-wind area.

Intensifying Our Critical Water Problem through increased density, *especially in this pristine location*, rather than on agricultural land in the northern part of the valley, as specified in Borrego's Community Plan.

And finally.....Please consider that San Diego County's, Ocotillo Forest, is a National Treasure: What we have here in Borrego is a County treasure, and likely a State and National treasure as well....Based on a major study taking place of Ocotillo stands between Texas and Borrego Springs, we may have here in Borrego, is *the country's* most densely populated old-growth Ocotillo Forest that is easily accessible to public viewing. We have a major, unique, natural asset, which should not be undervalued. It is an asset worthy of protecting. It is a special landscape that is admired, viewed, and photographed by people from around the world. Just as people come from around the world to see the thick stand of mature Joshua Trees, accessible to view from roads in the National Park that bears the name of that iconic plant: Joshua Tree National Park, so, too, do visitors come to Borrego Springs to view the natural wonder that is San Diego County's unique Ocotillo Forest.

Please deny the request for rezoning to higher density.

Thank you,


Betsy Knaak

Executive Director

Anza-Borrego Desert Natural History Association

April 7, 2016



587 Palm Canyon Dr.
Suites 110 & 111
P.O. Box 2001
Borrego Springs, CA 92004

Phone (760) 767-0446
Fax (760) 767-0465

April 1, 2016

County of San Diego
Planning and Development Services
5510 Overland Avenue, Suite 310
Sand Diego Ca. 92123

Project Name: Property Specific Requests General Plan Amendment and Rezone
Project Numbers: PSD 2012-3800-12-005;PDS2014-REZ-14-006
Env. Review Number: PDS2012-ER-12-00-003

County of San Diego, and the Borrego Springs Sponsor Group:

Anza Borrego Foundation has reviewed the proposed project wishes to comment on the rezone of ~338 acres near the intersection of Borrego Springs Road and Country Club Road in the Community of Borrego Springs. Our Foundation would like to offer our opposition to the project due to a number of planning and environmental issues. We are also in agreement with the letter from the State of California (December 23, 2015, Falat to County of San Diego) that raised a number of objections to the project.

Specifically the issues that concern us include:

1) Environmental Issues:

- a. The groundwater basin providing water to the community is in a known overdraft condition. Additional demand on the aquifer will result in adverse impacts.
- b. The project is in a known flood zone from Tubb Canyon. In the past a dike had been constructed across the outfall of the Canyon which diverted flood flow to the southeast and away from the project. However in a recent 2015 flood event this dike has been breached and now flood flows are flowing to the east within the normal stream

pattern on the alluvial fan. This project lies directly in the path of future flood flows from the canyon

- c. The proposed site is composed of a very rare and unique Old Growth Ocotillo Forest and provides substantial and irreplaceable biological and aesthetic resources.
- d. The project is composed of mature landform with stable soils and biological resources. This landform is thousands of years old. It is well known that grading of such landforms creates significant erosion potential, including dust and sediment transport issues. These impacts would affect the entire Borrego Springs Community.
- e. Visual impacts. This area of the Community is currently not visually impacted and the grading and construction of hundreds of homes would not be compatible with the local community.

2) Planning Issues:

- a. Currently the vast number of approved and legal lots within the community are unbuilt and vacant. It is likely that greater than 90% of all legal lots are unbuilt. The concept that we are moving forward to create hundreds of more residential lots make no sense, especially since the community has existing legal lots that would provide for available growth into the next century.
- b. The County of San Diego has completed a General Plan that updated the development envelope for future development within the Community. This concentrated future development and density within the core of the town and then decreased density further from the town center. The proposed rezone from 1 dwelling unit per 10 acres to 1 dwelling unit per acre breaks with this acceptable and proven plan.

As a result of these issues Anza Borrego Foundation does not support the proposed project to rezone the 338 acres.

Sincerely

A handwritten signature in black ink, appearing to read 'John Peterson', with a long, sweeping horizontal line extending to the right.

John Peterson
Trustee



P.O. Box 420 • 786 Palm Canyon Drive • Borrego Springs, CA 92004
760.767.5555 • Fax: 760.767.5976 • BorregoSpringsChamber.com

To: County of San Diego Planning and Development Services

The Board of Directors of the Borrego Springs Chamber of Commerce has voted to oppose Property Specific Request Desert Subregion 24 (DS-24) proposed change from Semi-Rural (SR)-10 to SR-1 under the current San Diego County General Plan.

The Borrego Springs Chamber of Commerce is supportive of growth in Borrego Springs but it is our belief that the development that would be permitted to take place upon approval of this request would have a negative economic impact on Borrego Springs.

Tourism is the driving force in the economy of Borrego Springs. The economic well-being of Borrego Springs is dependent upon tourism and the quality of lifestyle that the community offers in a desert environment. This is the essence of what makes Borrego Springs a special place and these are the qualities that our economy depends upon.

We see negative impacts in the following areas:

1. **Air Quality.** This land is located in a high wind corridor in Borrego Springs, sitting at the bottom of the western mountain slopes. Air comes down these slopes and hits the valley floor at its highest speeds, eroding disturbed land and spreading dust across the very center of the Borrego Valley. High density construction, along with the road building and infrastructure development that goes along with it, would cause the residents, visitors, and businesses of Borrego Springs to endure a degradation of health and living standards. A negative economic impact will accompany that degradation.
2. **Flooding.** The development project that is proposed, and which could take place if this request is approved, is very likely to increase flood risks and flood abatement costs for present and future residents.
3. **Ocotillo Forest.** The Ocotillo Forest that exists in the area of this proposed development is home to one of the densest stands of old growth ocotillo in the southwest deserts. There is an entire palette of undisturbed plants and animals that would be destroyed by high density development in this area. Once that native ecosystem is lost it can never be restored. In economic terms, the loss of this habitat would have a negative impact on tourism.
4. **Future development** should be directed towards the thousands of acres of present and future fallowed farmland close to existing roads and utilities. Residents and businesses should not be expected to bare the higher costs of expanding and then maintaining the stretching out of infrastructure that this project would require.
5. **There is no need to change zoning** to allow high density housing in this area. There are thousands of existing approved lots and thousands of acres of already disturbed agricultural land where residential development could be accomplished without significant loss of native habitat or any of the other negative impacts listed above.

Approved for presentation, to the community and county planners at the Borrego Springs Community Sponsor Group meeting on 4/7/2016, by a majority vote of the Board of Directors on 4/5/2016:

Signed: 
Helen Haines Hamilton, Secretary

To: County of San Diego Planning and Development Services

The Board of Directors of the Borrego Springs Chamber of Commerce has voted to oppose Property Specific Request Desert Subregion 24 (DS-24) proposed change from Semi-Rural (SR)-10 to SR-1 under the current San Diego County General Plan.

The Borrego Springs Chamber of Commerce is supportive of growth in Borrego Springs but it is our belief that the development that would be permitted to take place upon approval of this request would have a negative economic impact on Borrego Springs.

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We see negative impacts in the following areas:

1. Air Quality. This land is located in a high wind corridor in Borrego Springs, sitting at the bottom of the western mountain slopes. Air comes down these slopes and hits the valley floor at its highest speeds, eroding disturbed land and spreading dust across the very center of the Borrego Valley. High density construction, along with the road building and infrastructure development that goes along with it, would cause the residents, visitors, and businesses of Borrego Springs to endure a degradation of health and living standards. A negative economic impact will accompany that degradation.
2. Flooding. The development project that is proposed, and which could take place if this request is approved, is very likely to increase flood risks and flood abatement costs for present and future residents.
3. Ocotillo Forest. The Ocotillo Forest that exists in the area of this proposed development is home to one of the densest stands of old growth ocotillo in the southwest deserts. There is an entire palette of undisturbed plants and animals that would be destroyed by high density development in this area. Once that native ecosystem is lost it can never be restored. In economic terms, the loss of this habitat would have a negative impact on tourism.
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5. There is no need to change zoning to allow high density housing in this area. There are thousands of existing approved lots and thousands of acres of already disturbed agricultural land where residential development could be accomplished without significant loss of native habitat or any of the other negative impacts listed above.

April 18, 2016

To: Kevin Johnston, Noah Alvey

This letter concerns DS24 PSR, which seeks to change the zoning from SR-10 to SR-1. This proposed zoning change would affect two parcels, one of approximately 65 acres and the other of approximately 104 acres for a total of 169 acres.

The proposed zoning change violates the General Plan in a number of areas. The land is currently designated as Semi-Rural Regional and does not have any infrastructure currently available. No water or sewer service is available, nor is electrical service currently available to this property. While SR-1 and VR-2 properties are adjacent to the lands proposed for change the current availability of land for sale in these adjacent areas indicates no shortage of buildable lots. Currently in Borrego Springs there are a total of 174 lots for sale – certainly a surfeit when viewed against the population of approximately 3000 persons. Additionally, there are many more building lots not currently on the market. The village of Borrego Springs does not need 169 more lots added to the land market.

The lands proposed for change lie virtually entirely within the 100-year floodplain. The proposed project called for many off-site diversion dikes/structures. These structures would be located on private properties. The current owners of these properties do not want, nor would they permit the construction of these features. They have stated publically that they would take legal action to prevent this from occurring. Given the present mood of the citizens of Borrego Springs I feel there would be considerable financial support for any legal actions taken to prevent this construction.

The extensive grading required to implement a one dwelling per acre change would remove most of the vegetation on the 169 acres. Removal of this vegetation would greatly exacerbate the air quality problems already facing the valley. The property is directly below Tub Canyon and is one of the windiest areas in the Borrego Valley. We currently experience many very dusty days in the valley because of the removal of vegetative cover for two solar farms in the valley. Additionally, there are still adverse effects from extensive grading by Cameron Brothers more than 15 years ago. Once the soil is disturbed the plant life will not regenerate for generations and the dust will create more air quality issues.

The properties in question are home to the most accessible and largest ocotillo forest in the entire Sonoran Desert. Viewed from Borrego Springs Road it is a scenic attraction drawing visitors literally from all over the world. The proposed project would wipe out this scenic attraction. This ocotillo forest certainly qualifies as sensitive natural resources. Policy LU-1.1.1 states “... native desert habitat lands throughout the CPA are conserved to the greatest extent possible”. Additionally, two sensitive species – the Flat-tailed Horned Lizard and the Burrowing Owl are

found on these properties. The proposed zoning change would adversely affect these animal's habitat.

The above described factors all indicate the proposed zoning change should NOT be permitted. Allowing a zoning change of this magnitude so quickly after adoption of the General Plan sets an extremely bad precedent. It says the plan was not well thought out and need not be adhered to carefully. Any deviation from the plan should have undeniable value to the community and should have virtually the full support of the community. This proposed change certainly DOES NOT. The lack of support was demonstrated by the public meeting held on April 7, 2016. When asked if the change should be approved the entire room (several hundred people) indicated their disapproval.

The highest and best use for these lands is inclusion in Anza-Borrego Desert State Park. This would preserve the lands in perpetuity and would allow the visitors to Borrego Springs and Anza-Borrego Desert State Park to visit and appreciate this unique site.

Respectfully,

Charles L. Bennett
3261 Broken Arrow Road
Borrego Springs, CA 92004



587 Palm Canyon Dr.
Suites 110 & 111
P.O. Box 2001
Borrego Springs, CA 92004

Phone (760) 767-0446
Fax (760) 767-0465

April 8, 2016

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

Project Name: Property Specific Requests General Plan Amendment and Rezone
Project Numbers: PSD 2012-3800-12-005; PDS2014-REZ-14-006
Env. Review Number: PDS2012-ER-12-00-003

County of San Diego, and the Borrego Springs Sponsor Group:

Anza Borrego Foundation (ABF) has reviewed the proposed project (PSR DS24) wishes to comment on the rezone of 169 acres near the intersection of Borrego Springs Road and Country Club Road in the Community of Borrego Springs. ABF has not reviewed PSR DS8 does no comment regarding the project. However the Foundation would like to offer our opposition to the project (DS24) due to a number of planning and environmental issues. We are also in agreement with the letter from the State of California (December 23, 2015, Falat to County of San Diego) that raised a number of objections to the project.

Specifically the issues that concern us include:

1) Environmental Issues:

- a. The groundwater basin providing water to the community is in a known overdraft condition. Additional demand on the aquifer will result in adverse impacts.
- b. The project is in a known flood zone from Tubb Canyon. In the past a dike had been constructed across the outfall of the Canyon which diverted flood flow to the southeast and away from the project. However in a recent 2015 flood event this dike has been breached and now flood flows are flowing to the east within the normal stream

pattern on the alluvial fan. This project lies directly in the path of future flood flows from the canyon

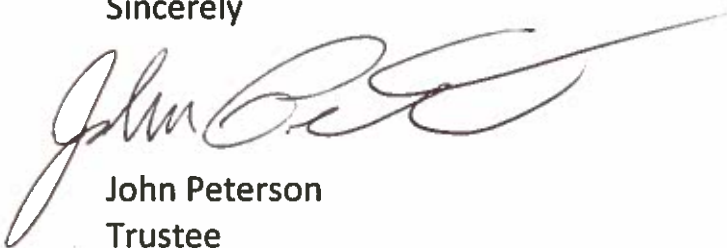
- c. The proposed site is composed of a very rare and unique Old Growth Ocotillo Forest and provides substantial and irreplaceable biological and aesthetic resources.
- d. The project is composed of mature landform with stable soils and biological resources. This landform is thousands of years old. It is well known that grading of such landforms creates significant erosion potential, including dust and sediment transport issues. These impacts would affect the entire Borrego Springs Community.
- e. Visual impacts. This area of the Community is currently not visually impacted and the grading and construction of hundreds of homes would not be compatible with the local community.

2) Planning Issues:

- a. Currently the vast number of approved and legal lots within the community are unbuilt and vacant. It is likely that greater than 90% of all legal lots are unbuilt. The concept that we are moving forward to create hundreds of more residential lots make no sense, especially since the community has existing legal lots that would provide for available growth into the next century.
- b. The County of San Diego has completed a General Plan that updated the development envelope for future development within the Community. This concentrated future development and density within the core of the town and then decreased density further from the town center. The proposed rezone from 1 dwelling unit per 10 acres to 1 dwelling unit per acre breaks with this acceptable and proven plan.

As a result of these issues Anza Borrego Foundation does not support the proposed project to rezone the 169 acres as identified within PSR DS24.

Sincerely

A handwritten signature in dark ink, appearing to read "John Peterson", with a long, sweeping horizontal line extending to the right.

John Peterson
Trustee

**STATEMENT REGARDING PROPERTY SPECIFIC REQUEST (PSR) DS-24
aka RUDYVILLE: BORREGO COUNTRY CLUB ESTATES
(A 170 acre parcel NW of the intersection of Borrego Springs Rd. and Country Club Rd.)
by the
STRATEGIC PLANNING COMMITTEE of the
BORREGO WATER DISTRICT BOARD OF DIRECTORS**

On September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (Act). On January 1, 2015 the Act went into effect.

The Act seeks to provide sustainable management of groundwater basins, enhance local management of groundwater, establish minimum standards for sustainable groundwater management, and provide local groundwater agencies the authority and the technical and financial assistance necessary to sustainably manage groundwater.

Both the Borrego Water District (District) and the County of San Diego (County) have elected to become Groundwater Sustainability Agencies (GSAs) overlying portions of Borrego Valley Groundwater Basin (Borrego Basin), identified as Basin Number 7.24, a Bulletin 118 designated (medium-priority) basin.

As GSAs, both the County and the District are responsible for abiding by the obligations and mandates of the Act to bring the Borrego Basin into sustainability by creating a Groundwater Sustainability Plan (Plan) pursuant to the Act. Section 10720.7 of Act requires all critically over drafted basins be managed under a Plan by January 31, 2020. The California Department of Water Resources (DWR) has identified the Borrego Valley Groundwater Basin as critically over drafted.

For the above reasons, the District is particularly concerned that the County is presently considering the up-zoning of the above referenced property from 17 homes to 170 homes. It's present 1:1 Groundwater Mitigation water credits policy for the approval of new land use in the Borrego Valley is contrary to the objectives and requirements of the County as a GSA for the Borrego Basin under the Act. The Act requires that land-use patterns and new development must be consistent with long-term sustainability and requires any new approved development to mitigate for its effects.¹

Of further and direct concern to the ratepayers of the District is that such potential land use decisions by the County will increase the burden on the Borrego Basin, rendering it difficult, if not impossible, for the District to control its costs to ratepayers in this disadvantaged community.²

¹ See Dudek, "Analysis of Borrego Water District and County of San Diego Demand Offset Water Credit Policy (December 18, 2015) available at http://www.borregowd.org/uploads/2016.02.16_BWD_Board_Package.pdf, pp. 37-50.

² Disadvantaged Communities (DACs) are defined in California Water Code Section 79505.5 as a community with an annual median household income that is less than 80 percent of the statewide annual median household income. According to DWR's DAC Mapping Tool, much of the populated areas of Borrego Valley are classified as a DAC. The DAC Mapping Tool depicts data from the US Census

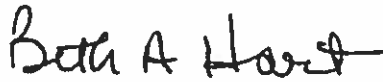
STATEMENT REGARDING PROPERTY SPECIFIC REQUEST (PSR) DS-24
aka RUDYVILLE: BORREGO COUNTRY CLUB ESTATES
(A 170 acre parcel NW of the intersection of Borrego Springs Rd. and Country Club Rd.)
by the

STRATEGIC PLANNING COMMITTEE of the
BORREGO WATER DISTRICT BOARD OF DIRECTORS

The current estimate to address near future water quality issues arising as a result of the continued overdraft is approximately \$6 million for mixing and storage infrastructure.³

A second potential tipping point may also be nearing if the Borrego Basin overdraft is not soon eliminated. If the Basin sustainability objectives derived from the Act are not implemented, it could require the District to spend many more tens of millions of dollars for advanced water treatment infrastructure to meet future federal and state drinking water standards for the potable water delivered to the District's customers.⁴

In advance of establishing a GSP plan and in recognition of these potential costs, the District has adopted a 4:1 ratio for all new development, a ratio that is consistent with a USGS study and other studies that have evaluated the amount of overdrafting currently occurring within the Basin. We urge the County to reevaluate and revise its land use and development mitigation policies in light of the Act before making any further decisions as to the appropriateness of new development within the Basin and in particular, before making any decisions to increase zoning density on any project before it.



Beth Hart, President, Borrego Water District Board of Directors



Lyle Brecht, Vice President, Borrego Water District Board of Directors

American Community Survey (ACS) 2009-2013 where 80 percent of the Statewide median household income (MHI) is \$48,875.

³ The overdraft was definitely established by the US Geological Survey (USGS) work conducted in 1982 for San Diego County. Since 1982, the overdraft has more than doubled. See http://www.borregowd.org/uploads/BWD_Report_USGS_1982.pdf.

⁴ Six million dollars is the current engineering cost estimate for mixing and storage capital infrastructure necessary for addressing temporal changes in water quality that may result in exceedances of drinking water maximum contaminant levels (MCLs) in District production wells due to the long-standing critical overdraft of the Borrego Basin.

Herbert E. Stone
PO Box 1929
3275 West Star Rd.
Borrego Springs, CA 92004

April 7, 2016

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

I'm writing you to oppose the proposed Borrego Country Club Estates (DS-24), commonly known as Rudyville, in Borrego Springs. I object to this development for several reasons.

Clearing a large area of pristine desert known as the Ocotillo Forest will increase the amount of dust stirred up when the wind blows. Residents of Borrego saw this happen when grading was done for the lots at Borrego Springs Resort, a huge tract of land north of Tilting T and east of DiGiorgio Rd. For years after on windy days, the graded land produced huge plumes of dust ruining the air quality to the point that children at Borrego Springs Elementary School were kept in for recess. That development remains empty lots to this day, creating an eyesore for us all and reminding us to oppose similar projects. I fear the same outcome for the Rudyville project, stripping the vegetation from the area causing increased dust whenever the wind blows, lots sitting empty for years and years without being sold and developed, and all this reducing the air quality, reducing the quality of life, and reducing the property values of people living downwind from the the development, if not the entire community.

What evidence is there that there is enough demand for housing in Borrego to justify such a large development? Empty lots at Rams Hill, Borrego Springs Resort and in the neighborhoods near the proposed development are evidence that there is not enough demand to warrant such a project.

I cannot think of a single way in which this development will be good for the community of Borrego Springs. It will mean the destruction of the Ocotillo Forest that visitors and residents alike have enjoyed for decades, and will replace it with a dust bowl of empty lots that will remain undeveloped for years and years. It will decrease the air quality, the quality of life, and the property values of people living downwind and/or near the development. Amending the General Plan to allow one residence per acre will only compound the problem. This development is not good for our community with 10 acre lots, let alone 1 acre lots.

If Borrego Country Club Estates is approved at any level of density, over the objections of so many Borrego residents, do not think that it will be good for our community. We know better.

Sincerely,



Herbert E. Stone
Thirty-two year resident of Borrego Springs

From: Robert Keeley [mailto:rhkeeley@earthlink.net]

Sent: Wednesday, April 06, 2016 5:45 PM

To: Bush, Marcus

Cc: Johnston, Kevin; shugan@earthlink.net

Subject: Re: County Property Specific Requests (PSRs) GPA – Borrego Springs CSG Review of PSRs DS8 and DS24

Dear Mr. Bush and Mr. Johnston:

I may miss tomorrow's meeting because of prior commitments. Comments on the Policy Review of the PSR for DS24 is attached. I will also send it to a friend, Beth Shugan, who may use it in any comments that she has. Overall: "You" (i.e. the folks who wrote the Policy Review), in dispassionate language, develop a compelling case to reject assigning DS24 an SR-1 designation. Many of your reasons are similar to ones I made in an earlier letter to you.

In reading your review and in doing more research on the groundwater problem facing Borrego Springs, it is clear that DS8 should also be turned down, at least until it becomes clear that the groundwater sustainability management program is compatible with permitting lots beyond the existing 3,700 vacant ones. At that point, and hopefully only after the inventory of undeveloped lots is greatly reduced, it may make sense to consider adding more lots.

In other parts of the country (where a large inventory of lots was created in earlier times and where planning is far less advanced than in San Diego County), I have heard the argument: "Go ahead and permit my property. Let the market decide." I hope (pray) that is not the thinking of you or the County Commissioners. Such an argument makes a mockery of the concept of planning, and of all the good work that San Diego County has accomplished in becoming a magnet for folks such as my wife and me. Carried to an extreme the anti planning argument is-- "Forget about planning and zoning. Let anyone develop as they wish (apartments/a mess everywhere)." Decades of experience and careful research refute that view.

Borrego Springs has made many mistakes in that past, but it is headed in a good direction. DS24 (and to a lesser extent DS8) are proposals to revert to failed laissez faire ideas--proven failures in Borrego Springs over the last 50 years. We're working our way out of a mess. Don't change DS24 to an SR-1 and saddle us with another mistake that the community must live with forevermore.

Thank you,

Robert Keeley

From: Laara K. Maxwell [<mailto:laarakmaxwell@hotmail.com>]
Sent: Monday, April 25, 2016 5:39 PM
To: Johnston, Kevin; Alvey, Noah
Subject: RE: DS24

Laara K. Maxwell, PhD
Alexander Technique Teacher
Co-author: Food for Thought

Dear Kevin and Noah,

Attached is a 1949 map of the Borrego Valley. It is from a document designed for tourists and prospective land purchasers and shows a number of features that may be of interest to Borrego Valley visitors.

Note that an Ocotillo Forest is one of these features and is shown to extend onto the area of DS24.

I believe the developer, Chris Brown, has denied that an ocotillo forest exists on the property. This map shows that the forest was recognized as long ago as 1949. It is still there and deserves to be preserved.

Yours truly,

Laara

Laara K. Maxwell, PhD
Alexander Technique Teacher
Co-author: Food for Thought



Copyright 1949 Lott Enterprises

Mark C. Jorgensen
Post Office Box 7
Borrego Springs, CA 92004

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

March 31, 2016

**COMMENTS ON PROPOSED PROPERTY SPECIFIC REQUEST OF GENERAL PLAN
AMENDMENT AND REZONE**

PROJECT NUMBERS: PDS2012-3800-12-005; PDS2014-REZ-14-006
ENVIRONMENTAL REVIEW NUMBER: PDS2012-ER-12-00-003

County of San Diego and Borrego Springs Sponsor Group:

I have reviewed the proposed project for a rezone of about 338 acres at the intersection of Country Club Road and Borrego Springs Road in the town of Borrego Springs. The property is zoned as one dwelling unit per ten acres in the County General Plan, but the proposal would increase this density to one dwelling unit per acre.

I am adamantly opposed to the rezoning of this spectacular piece of scenic property for the following reasons:


- The native ocotillo forest on this property is centuries old and is the finest remaining ocotillo forest on private lands in all of San Diego County. It cannot be replaced or mitigated.
- The habitat within this native ocotillo forest holds many species of plants and animals that will be destroyed or displaced if the land is subdivided and torn up with roads, lots, and utilities.
- The property has become a major tourist attraction during spring wildflower seasons, as we witnessed in March when the landscape was painted red with the spectacular bloom of thousands of mature ocotillos.
- The view shed on our town's south margin, which this land is part of, enhances the quality of life for residents and tourists alike.
- Why do we need more subdivided lots within our town? There are already more than 1,000 dedicated lots with entitlements of water, electric, and county services within our town limits. With the County as a major partner with Borrego Water District in managing the future of Borrego's dwindling groundwater supply, does it make sense the County would approve yet another major subdivision which will demand even more water from our finite supply? The County has already approved as many as 650 subdivided lots at the Borrego Springs Resort, and hundreds more in the Ram's Hill development. Does San Diego County or the town of Borrego Springs need more?

There are hundreds of lots, yet undeveloped, within our community. There is no shortage of opportunities for future residents to find an excellent building site for their homes.

- Grading of this magnificent native plant community will result in unbelievable amounts of airborne dust and sand, as well as large quantities of sediment being washed off the property and delivered downstream to neighborhoods to the east and south. I envision huge liabilities for the County of San Diego should the Board of Supervisors approve a major rezoning, increasing the potential lot density by a factor of ten. The project sits in a major flood plain of Tubb Canyon and numerous unnamed canyons. The future holds many major flashfloods for this alluvial fan property.

I request the County of San Diego deny the property owner's attempt to rezone this scenic property. This property should be purchased for the public good and set aside in perpetuity for future generations. Funding should be sought by the County, the Anza-Borrego Foundation, and State of California to secure this land for inclusion in the adjacent Anza-Borrego Desert State Park.

Sincerely,



Mark C. Jorgensen

Resident of Borrego Springs since 1972

**LORI L. STAEHLE PAUL & ROBERT L. STAEHLE
153 JAXINE DRIVE
ALTADENA, CALIFORNIA 91001**

Co-owners of San Diego County APN #198-320-14, #198-320-15 and #198-320-28

2016 February 4

County of San Diego
Planning and Development Services
Peter.Eichar@sdcounty.ca.gov
Kevin.Johnston@sdcounty.ca.gov
5510 Overland Avenue #310
San Diego, California 92123

Re: Public comment responding to the Notice of Preparation (NOP) for a Subsequent Environmental Impact Report (SEIR) to analyze impacts associated with the Property Specific Requests (PSRs) General Plan Amendment and Rezone (GPA 12-005; REZ 14-006).

Specifically concerning Property Specific Request (PSR) Desert Subregion 24 (DS-24):

APN# 198-320-01

APN#198-320-26

to change above parcels of undeveloped desert from Semi-Rural SR-10 to Semi-Rural SR-1 zoning under the current San Diego County General Plan

Dear Messrs. Eichar, Johnston, and Planning Staff,

As owners of record for three parcels near the subject APNs, ourselves and our property values would be negatively impacted by the proposed zoning and land use change to increase density of development on approximately 172 acres of natural desert encompassed by Property Specific Request DS-24. The requested zoning change from low density SR-10 to high density SR-1 is contrary to the County General Plan adopted for this area on August 3, 2011. Because the proponents had no active development application on record at the time the new General Plan was approved (and certainly no approval for any subdivision plan), we strongly object to the County giving any special treatment to the persons who propose to develop the subject parcels.

Further, whether or not they might have had an active request "in the system," we strongly object to the proposed County approval of development plans on the DS-24 site because of the negative impacts this would impart, including but not limited to:

1. Degradation of the semi-rural character of the zone surrounding Anza Borrego Desert State Park. It was precisely this semi-rural, open space character that the reduced density approved in the new General Plan was intended to preserve.

2. Dust, molds, and other fine particulate pollution will be added to the air in large quantities for many days of the year if the stable sand dune and a large ocotillo forest are removed from the DS-24 site, thereby degrading air quality and threatening public health. The developers plan to grade 170+ acres, scraping off native vegetation and biotic soil crust and using the existing old sand dune on the site as fill to create elevated vacant lots they hope to sell. This plan would dramatically increase the load of windborne dust, molds, and other fine particulates that will irritate our lungs and eyes and those of our co-owners, our guests, neighbors in the region, and tourists. The subject parcels are located in an area of known frequent high winds, often >50 mph.
3. Dark sky is one of the rare resources that brings many people to the Anza Borrego Desert. It is one of the significant reasons we value the desert. Unlike more populated parts of Southern California, the Milky Way galaxy in which our Solar System resides can be clearly seen on the usually-cloud-free nights. Increasing the residential density will increase background lighting in ways that degrade the dark night sky, especially when there is windblown dust in the air (see #2 above). The proposed increase in development density will counter efforts by Borrego Springs that have earned us an official Dark Sky designation (see <http://darksky.org/idsp/communities/borregosprings/>), as the second Dark Sky Community in the United States after Flagstaff, Arizona. Just as Flagstaff is located near Lowell Observatory (from which Pluto was discovered), Borrego Springs is located in the dark skies near the historical and still fully-utilized Palomar Observatory. The economy of Borrego Springs is enhanced by the astronomers and other visitors who specifically come here to see dark skies and clear, scenic desert views.
4. Traffic in close proximity to Anza-Borrego Desert State Park south of the Borrego Springs community proper would be dramatically increased if DS-24 is changed to SR-1 zoning, first during construction, and then as people occupy new residences. Traffic will increase noise, toxic exhaust, particulates thrown up by diesel engines and tires, and noise pollution. Traffic at night will further degrade Borrego Springs' dark sky resource and the attraction this holds for astronomical event tourism that helps support many local businesses.
5. Species diversity and biological resources will be greatly diminished and the natural environment degraded if the PSR for DS-24 is approved. Under the 10-acre minimum parcel size designation carried for the subject parcels in the new General Plan, there would be sufficient space between any eventual residences to retain natural vegetation and the wildlife that depends upon it. Higher lot density and the need to grade the stable sand dune to meet lot elevation requirements would ensure that most or all original native vegetation would be removed from the site, which in turn would virtually eliminate natural habitat for the numerous species of resident and migratory birds, amphibians in areas of periodic water, reptiles, mammals, abundant butterflies, and many species of annual and perennial wildflowers. After sufficient rain, the site can come alive with carpets of spectacular blooms.

In addition to habitat destruction, increased human activity in the higher-density setting would eliminate many significant species for which the site is home or forage or hunting range, including:

Burrowing Owls (*Athene cunicularia*, a California Species of Special Concern) who have active burrows on the site. Populations of these owls are in decline, largely from habitat loss to development as well as pesticide use, making the existence of this species on the DS-24 parcels an important consideration.

Flat-tailed Horned Lizard (*Phrynosoma mcallii*, a California Species of Special Concern) have been observed on the subject parcels. High density housing usually results in the introduction of foreign Argentine ants that kill native ant species and radiate out into the local environment. Horned lizards (including Flat-tailed, Desert, and Sand Diego Coast horned lizards) cannot eat Argentine ants, which results in extirpation of these native lizards around housing subdivisions. Such an occurrence so close to the State Park and wilderness areas is of serious concern.

Colorado Desert Fringe-toed Lizard (*Uma notata*, a California Species of Special Concern) has been seen on the DS-24 parcels in the sandy dune area adjacent to unpaved Country Club Road. The pristine desert habitat, including the old sand dune, large ocotillo forest, and desert stream bed on the subject parcels supports an incredible diversity of desert lizards, including the striking-looking Western Whiptail (*Aspidoscelis tigris*), Zebra-tailed Lizard (*Callisaurus draconoides*), and Long-nosed Leopard Lizard (*Gambelia wislizenii*), among many others. Snakes are also present in abundance, including the spectacular Red Diamondback Rattlesnake (*Crotalus ruber*), Northern Desert Nightsnake (*Hypsiglena chlorophaea / torquata deserticola*), and recognizable light and dark banded California Kingsnake (*Lampropeltis / getula californae*), etc.

Tubb Canyon Bajada and vicinity, including the natural habitat on the DS-24 site, receive occasional visitations by endangered **Peninsular Desert Bighorn Sheep** (*Ovis canadensis nelsonii / cremnobates*), which is a federally listed Endangered Species. Hoof prints of these Bighorn Sheep have been seen on an adjacent parcel as recently as December 2015. Endangered Bighorn Sheep may utilize the subject parcels for seasonal forage, especially during periods of drought. DS-24 parcels are located on the boundary of designated “critical recovery habitat” for the Peninsular Desert Bighorn Sheep. It is possible that future study data will result in extending critical habitat for this endangered species to include alluvial fans and desert riparian water sources that may provide the sheep with additional forage and drinking options during prolonged drought. Such adjustments to critical habitat boundaries have occurred in the past.

6. Noise will dramatically increase during grading and construction, and will remain a nuisance once new parcels are occupied, disturbing on adjacent parcels their owners’ quiet enjoyment and negatively impacting their property values as too many new residents move into the proposed development area so close to the recreational lands and habitat within the adjacent State Park and wilderness areas.
7. Recreational value and aesthetics of the area south of Borrego Springs, including the rugged Tubb Canyon outflow area, will be diminished by destruction of the ancient Ocotillo Forest (*Fouquieria splendens*) and associated rare natural ecosystem that presently occupies the subject

parcels. Every spring these parcels are part of one of the largest unbroken Ocotillo Forest blooms that is easily viewed and accessible from public roads. Most years, this bloom is so intense as to create for a few weeks an astonishing “haze” of brilliant red just above the ground that is part of the wildflower spectacle that thousands of tourists come from all over the world to see.

8. Property values of neighboring parcels will decline, including those in which we share ownership, as result of all the above deleterious effects of the proposed development. The new General Plan enforced the long-standing status quo of low density surroundings that made parcels near the State Park attractive. The proposed action, filed as an active project *after* adoption of the new General Plan, would take value away from us that was intended to be protected by the General Plan, in order to line the pockets of the developers and those politicians whose campaigns they fund.
9. Illegal taking of our property has long been planned by the owners and developers of DS-24 in order to construct extensive, unsightly, environmentally damaging, and costly flood control structures, including a concrete dam “built to federal standards,” additional diversion dikes and channels running east-west along Tubb Canyon Road, and additional debris basins at the mouths of Tubb and Dry Canyons. These flood structures would be built on our land and that of several neighbors. This flood control system has been designed to enable the development of the DS-24 site in a hazardous flood plain at the cost of other, preexisting landowners. It is the most insidious and ominous element of the proposed high-density subdivision of vacant lots located on what is currently pristine desert.

During past extensive discussions and briefings, including proposed tract maps, about the proposed “Borrego County Club Estates” subdivision on the DS-24 parcels over many years, notably at the Borrego Springs Sponsor Group and with neighbors, this massive flood control system of dikes, dam, and basins *was never mentioned by Rudy Monica or other owners of the site*. The flood control plan, and proposed “Geologic Hazard Special Assessment District” to fund its construction, was found buried in County records researched by Lori Paul and neighbor, Ann Irwin, and brought to light back in 2008. It shocked all affected landowners, the Sponsor Group, State Park staff, and raised even greater public opposition to the project that has become commonly known as “Rudyville.”

Refer to the following developer’s report for details along with past TM5487 “Borrego Country Club Estates” Flood Hazard Evaluation documents and plans:

“Flood Hazard Evaluation – Borrego Country Club Estates – Borrego California”

Prepared for Mr. David S. Davis, Carlsbad, California

by Walter F. Crampton, Principal Engineer

R.C.E. 23792, R.G.E. 245

Terra Costa Consulting Group, Inc., San Diego, California

August 27, 2007

The report repeatedly refers to “...*the County’s 2,700-foot-long-dike* [emphasis added] in the headwaters of Culp-Tubb Canyon.” The old, earthen diversion dike built on our property and that of other neighbors was not, as stated, constructed by San Diego County. The County does not own or maintain that dike, it is on private property and was constructed decades ago as a temporary dirt levee by the U. S. Army Corps of Engineers. Currently, the main dike and small sub-dikes to the northwest are naturalizing by erosion and revegetation. Furthermore, burrowing owls reside on the east side of the old dike berm. We have no intention of allowing any alternation in that dike which is returning to its natural state.

The massive concretized flood control system proposed by the owners of DS-24 includes: A concrete “5600’ +/- OFFSITE DIVERSION DIKE TO BE CONSTRUCTED” as featured in a map dated 05/18/07 [month slightly illegible on reduced paper copy], so may be different], titled “DRAINAGE EXHIBIT, REGIONAL DEVELOPED CONDITIONS, BORREGO COUNTRY CLUB ESTATES,” prepared by Stevens-Cresto Engineering, Inc., and submitted to San Diego County for “TRACT 6487-RPL1”. This map, copy attached in east and west halves, shows a “4000’ +/- DIVERSION DIKE TO BE RETRO-FIT” crossing our parcel APN #198-320-28, and the “Proposed Diversion Structure” downslope of that to be inside the Anza-Borrego State Park Boundary, and to run alongside our land, impinging on our parcel APN #198-320-15.

The map notes state that this structure is to render a portion of the proposed development “TO BE REMOVED FROM FLOOD ZONE ‘AO’ ”; AO being a zone determined by the Federal Emergency Management Agency (FEMA) to be subject to periodic significant flooding that threatens structures.

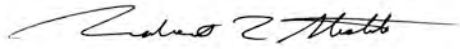
A preferred alternative involving the above flood control structures, includes excavation of catch basins at the base of Tubb Canyon and Dry Canyon, also on private property and possibly impinging on the State Park.

The land for these highly intrusive flood control structures is not owned by either the developers or the County, nor are there recorded easements that could be utilized for such structures. Thus, the required property would need to be seized from us, our co-owners, and our neighbors by eminent domain. Elsewhere there is a description for how the developers intend to secure support from elected officials to create a new special assessment district that would tax us, our co-owners, neighbors and others, in effect so that these developers could profit from illegally taking our lands for a project that should never be built in the first place.

This travesty is, fortunately, prohibited by the new General Plan; therefore, on this basis, in addition to other germane concerns, no Project Specific Request should be approved for DS-24 (aka “Borrego Country Club Estates,” known locally as “Rudyville”).

For all these reasons, we oppose the proposed project for the DS-24 site. We therefore request that San Diego County suspend any and all actions taken in support of increasing the permitted housing density, or any other proposed use change with the exception of reduced density or conservation protection, from the present undeveloped land on APN #198-320-01 and #198-320-26.

Thank you,

A handwritten signature in black ink, appearing to read "Robert Z. Martin".A handwritten signature in black ink, appearing to read "Gori V. Paul".

Attachments: East and West halves of map dated 05/18/07, titled "DRAINAGE EXHIBIT, REGIONAL DEVELOPED CONDITIONS, BORREGO COUNTRY CLUB ESTATES," prepared by Stevens-Cresto Engineering, Inc., and submitted to San Diego County for "TRACT 6487-RPL1".

From: [Mary Barber](#)
To: [Johnston, Kevin](#)
Subject: Rudyville
Date: Monday, January 15, 2018 12:05:30 PM

i am writing to you to about the proposed zoning change in Borrego Springs in the area called Rudyville. We live directly across the highway from these acres and if they were to be developed we could face increased dust and sand on our property and in our lungs. Tubb canyon is a wind tunnel whenever we have winds and this blows strong and hard through our property. Also a public hearing about this issue in the middle of the summer is unfair as not all home owners in Borrego and even on our street are in residence. We do not want a zoning change to allow more homes. We do not need more lots in Borrego Springs nor do we want development on those acres as this will also destroy the natural and eye catching beauty of an ancient ocotillo forest, a signature plant of our Sonoran desert. Water is also a huge issue here in Borrego and we are mandated to reduce consumption. The zoning change makes no sense and should be denied.

sincerely,

John and Mary Barber
3414 carillo rd.
Borrego Springs

Sent from my iPad

From: [Nicholas Clapp](#)
To: [Johnston, Kevin](#)
Subject: Rudyville
Date: Saturday, January 13, 2018 1:42:08 PM

Dear Mr. Johnston —

A few days ago my wife Bonnie called you to express her opposition to Rudyville & very much appreciated your well-informed and thoughtful response.

This is to second what she had to say...

The proposed development — in whatever form —is wrong for our desert community:

a It will impact, even destroy a remarkable ocotillo forest & its diverse wildlife.

b Clearing vegetation will create sandstorms impacting housing to the east (including ours).
Air quality will be degraded.

c *More housing is the last thing Borrego Springs needs.* We're facing a serious water supply crisis & in any case we our valley has an extensive inventory of for-sale home (plus the empty streets & lots of prior, failed developments).

In a just world, Rudyville's developers could be heroes (opposed to villains) if they ceded the acreage in question to Anza-Borrego Desert State Park. And be remunerated for this at a comparable real-estate rate.

Sincerely,

Nicholas Clapp

Borrego Springs Community Sponsor Group
P.O. Box 1371
Borrego Springs, CA 92004

February 1, 2018

Kevin Johnston, Land Use/Environmental Planner
5510 Overland Avenue, Suite 310
San Diego, CA 92123

RE: Comment on the Property Specific Requests General Plan Amendment/SEIR for Borrego Springs

At its January meeting, the Borrego Springs Community Sponsor Group unanimously voted to express its support and agreement with overwhelming community opinion that both DS24 and DS8 should not have changes in General Plan designations to increase density of dwelling units allowed on those parcels.

County staff has heard from Borregans on these Property Specific Requests and staff reports all provide the reasons why the Borrego Sponsor Group opposes any changes to the current General Plan designations for these parcels.

Sincerely,

A handwritten signature in black ink, reading "Rebecca Falk". The signature is written in a cursive, flowing style.

Rebecca Falk, Chair, for the Borrego Springs Community Sponsor Group

April 9, 2016

Peter Eichar

County of San Diego

Planning and Development Services

5510 Overland Drive, Suite 310

San Diego, CA 92123

RE: Project: Property Specific Requests General Plan Amendment and Rezone
Borrego Country Estates, D24.

Dear Mr. Eichar:

I am writing to vehemently oppose the above- mentioned project. My property is located at 641 Tilting T Drive in Borrego Springs. Three years ago, as a result of a major rainfall, the berm broke at upper Tub Canyon. This has permanently changed the direction of the water flow when there is significant rainfall. The water now runs directly *through* my property and if we receive a significant enough rainfall, it will seriously jeopardize my home. The proposed development is in a flood plain! I am extremely concerned that this project will cause further serious flooding to my property in the future.

I have lived at this residence for 23 years. During this time, I have developed respiratory issues due to allergies and regular blowing sand. I now have a stuffed nose and a bad cough much of the year. Once the land has been disturbed the natural habitat takes hundreds of years to regrow. If the land is scraped and the wind blows, the sand travels a long distance and causes breathing problems for many of us who live here. We can get blowing sand from as far away as Ocotillo Wells and Borrego Country Estates is about two miles away.

As you are well aware, we have a very serious groundwater problem. We are currently drinking water that is from Pleistocene era – 20,000 years old!! The Borrego Water District just implemented the Governor's plan to cut back by 25%. We are already at a very serious overdraft and building more homes in an area with a serious overdraft is just completely irresponsible. When are the residents of California going to understand that we cannot sustain our current lifestyle without running out of water?

There are several significant species on this parcel of land, to include the threatened burrowing owl and endangered flat-tailed horned lizard. This is critical habitat in the Sonoran Desert for these two already-threatened species. In addition, the *old-grove* ocotillo forest is irreplaceable. The Ocotillo is a very slow

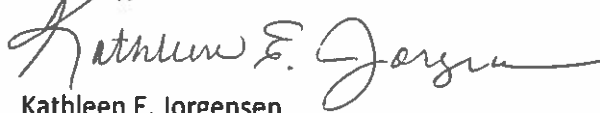
growing shrub. Having an outstanding population alongside a paved road (where the public can view it) is *extremely* rare.

It appears that this rezone project is slated for 172 homes. If you have spent any time in this community whatsoever you would find that building that many homes is not realistic. Who is going to purchase them? Have you taken a look at just how much real is already available? In a community with only 3,000 full-time residents, there is a plethora of real estate. Adding 172 homes is foolish. Has anyone looked at our rate of growth per year? Non-existent.

Finally, I like many of our residents question the relationship between Rudy Monica and Supervisor Horn. I see a huge conflict of interest here. Our community members are saavy and don't push over easily. We will fight this development with everything we have because we know it is the **WRONG** thing to do.

Please seriously consider our concerns. This project will permanently destroy and impact our precious resources in this irreplaceable and magnificent desert.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen E. Jorgensen". The signature is fluid and extends to the right.

Kathleen E. Jorgensen

From: [Nicholas Clapp](#)
To: [Johnston, Kevin](#)
Subject: Rudyville
Date: Saturday, January 13, 2018 1:42:08 PM

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sincerely,

John and Mary Barber
3414 carillo rd.
Borrego Springs

Sent from my iPad



DEPARTMENT OF PARKS AND RECREATION
COLORADO DESERT DISTRICT
200 PALM CANYON DRIVE
BORREGO SPRINGS, CA 92004
760-767-4037

Lisa Ann L. Mangat, Director

December 31, 2015

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

PROJECT NAME: Property Specific Requests General Plan Amendment and Rezone
PROJECT NUMBER(S): PDS2012-3800-12-005; PDS2014-REZ-14-006
ENV. REVIEW NUMBER: PDS2012-ER-12-00-003

To Peter Eichar and Relevant County of San Diego Staff:

As representative of the Colorado Desert District of California State parks, I would like to comment on the proposed Project changes to Land Use designations affecting the Anza-Borrego Desert State Park®. The Probable Environmental Effects listed in the Notice of Preparation, because of increased residential density, are of concern because of the negative impacts to lands adjacent and near State Park lands.

I would like the County of San Diego to reconsider increasing residential density and/or possible changes to commercial or industrial Land Use designation within the Desert Subregion (approximately 338 acres). Proposed changes may negatively affect State Park land aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, recreation, and traffic. In addition, affected land adjacent to State Park land west of Borrego Springs Road at the mouth of Tubb Canyon contain a rare Old Growth Ocotillo Forest of substantial and irreplaceable biological and aesthetic value.

Please keep me informed as the planning and review process continues for the Desert Subregion so that we can participate in the collective process.

Sincerely,

Dan Falat
District Superintendent

From: [Mary Ann Cincotta](#)
To: [Eichar, Peter](#)
Subject: Borrego Country Club Estates (DS24)
Date: Friday, February 19, 2016 3:59:27 PM

Dear Peter Eichar:

As a homeowner, property taxpayer, and part-time resident of Borrego Springs, I am writing to express my opposition to the proposed rezoning, and, indeed, any development, of the area in Borrego Springs owned by Rudy Monica and Chris Brown and referred to as Borrego Country Club Estates (DS24). Further, the proposed EIS should not be allowed to go forward at taxpayer expense (perhaps Mssrs. Monica and Brown should pay for it themselves).

My reasons are as follows:

1. The area is a flood plain directly below a steep mountain slope that can receive large amounts of flash-flood drainage;
2. Development would involve clearing the land of a mature , undisturbed stand of ocotillos, which are threatened by development throughout the southwest;
3. Grading would raise a significant amount of dust in an area prone to high winds;
4. Mitigation of dust created by grading (to say nothing of the additional houses) would place an undue strain on an aquifer that is severely over drafted;
5. A previous proposal to develop this land at a density of one house per 10 acres was not approved. By what stretch of the imagination should rezoning to one house per acre be considered acceptable?
6. Chris Brown is a former staff member to Commissioner Horn. Approving a development partly owned by Brown smacks of cronyism, at the very least.

Before you consider allowing development on this land, you should visit Borrego and see the ocotillos in bloom. They're just getting started this week.

Mary Ann Cincotta, PhD
PO Box 375
Borrego Springs CA 92004

DS24 Borrego Country Club Estates

We are against the denser housing zone change from 1 house per 10 acres to the dense 1 house per acre. Potentially this beautiful area will go from 17 homes to 171!

As you drive around the Borrego Springs area you will see many homes for sale and many have been on the market for a long while. One spec home has been on the market for 8 years and has not sold yet! If the 17 or 171 homes are built how many will be sold? The developers will probably tell you that all 171 homes will sell. Probably not.

Paved roads, water, power, sewer or a lot of septic tanks will be installed. On the subject of water... how can the county allow this development in our area? Golf and citrus are drawing down our aquifer at an alarming rate. 20,000 acre feet of water is used each year and the recharge rate is only 5,700 acre feet a year. People are doing the best they can to save water at their homes. Adding 17 or 171 homes does not seem logical when our drinking water is leaving us. We cannot do anything to slow down the tremendous amount of water used for commercial purposes because they pump it themselves. But, we can keep more from being used by stopping development of housing projects.

The area where Borrego Country Club Estates is going in is beautiful virgin desert with a forest of wonderful ocotillo and an ancient sand dune. It is a very pretty sight to drive by. Only a few scattered houses further west of this site exist. This site is also in a flood plain and ugly diversion methods will have to be put in place to protect the homes in this estate area. Next to unsightly, land will have to be taken from the owners westward, which will set a precedent, since it has not been done before in our beautiful valley. Also what will happen for sure is excessive lighting in this area. People will leave porch lights on all night and probably the lights on the front of their garages. Who wants to see this happen here? We are a designated Dark Skies Community.

The developers will say that Borrego needs growth, many jobs will be created, and there will be new tax money. We are doing just fine without the lights and traffic for this area. But after they remove the virgin desert to build their homes and abandon the project part way through what will we have? A destroyed desert and it will be something that will affect all of who live here along with tourist visiting the desert because it is beautiful.

If the 171 homes are built will they buy land next to it and put a golf course in too?

17 homes out here in this view shed is way too many and will destroy the beauty of the area. 171 homes built will be sickening.

Bill and Linda Haneline

Borrego Springs

FB2+ ANALYSIS AREA CORRESPONDENCE

For additional FB2+ correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR FB2+ WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

FB17 ANALYSIS AREA CORRESPONDENCE

For additional FB17 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

Christina L. Whitlock
3304 Via Zara
Fallbrook CA 92028
760.728.5743
cwhitlock760@gmail.com

September 18, 2016

Re: FB 17 Rezoning

Fallbrook Comm. Planning Group

Dear Planning Group members:

My home is very close to the subject property. I learned of this proposed rezoning just by chance. I am extremely opposed to any such rezoning. We, like all our neighbors, moved to this part of Fallbrook PRECISELY BECAUSE it was two acre zoning and offered us the quiet rural lifestyle that we sought.

I am unaware of any plausible argument that would support rezoning. The fact that there is a mobile home park nearby doesn't seem relevant to me. I can see no compelling reason to allow it. It would not be fair to the surrounding property owners. Not only will it negatively affect us with traffic but also will subject us to years of development of twice as many homes as would otherwise be allowed there. We moved to Fallbrook, and not to Temecula, because we wanted to avoid that.

I respectfully request that you vote to maintain the existing zoning and deny Garrett's petition.

Sincerely,

Christina L. Whitlock

From: Barry Meadow [<mailto:barry@trpublishing.com>]
Sent: Friday, March 30, 2018 2:26 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: re: FB17

Dear Kevin,

This note is to voice our objection to the proposed FB17, which would change zoning from SR-2 to SR-1 so that dozens of tract houses could be built on the Garretts' property.

You may recall that this plan was rejected by the full Fallbrook Planning Group in 2016, after testimony from a number of members of our local community. But like a bad penny that nobody wants, it's back again...

Our area lot sizes are a minimum of two acres (there are many properties with dozens or even hundreds of acres). Most of Fallbrook is zoned as SR-2 or higher. The plan, advanced by the Garretts, is to rezone our small area into one-acre lots so they can build dozens of tract homes within walking distance of all of us.

The set of documents covers numerous areas of potential impact--none of it positive for our little community.

The biggest issue is that the Breining property on Via Zara, next to the Garretts' property (and now, apparently, owned by the Garretts), has been deemed a hazardous waste site. According to the San Diego County Environmental Impact Report, "FB17 is located within 1,000 feet of a known contamination site and would result in a potentially significant hazard to the public or environment by locating additional development near sites listed pursuant to CGC Section 65962.5(b)." This site (which is called Breining-Mercedes) is a federally listed hazardous waste site and would potentially expose people to the hazards associated with the contamination.

This project would change the character of Fallbrook in a negative way. The properties north of Reche Road and east of Live Oak Park are zoned for at least two acres. Some of the properties are much larger, but none are smaller. Fallbrook's Community Plan, which guides the county's decisions for its general plan and was updated in May 2016, is to cluster the smaller lots in the Village near downtown, or in the Pala Mesa area south of Reche where the mobile home park is located. There is no "395 corridor" housing north of Reche, which is where the Garretts propose to build these homes.

This is a bucolic, agricultural area. Here is what our Chamber of Commerce says about Fallbrook: "If what you are looking for is a peaceful, rural countryside...Fallbrook might be just that place...Fallbrook is a quiet, hidden gem nestled among the hills...Fallbrook is life in the country with a feel which sets us apart and gives all who live here a special pride." If our plan in this town is to change areas zoned for SR-2 to SR-1, then we need to change what the Chamber of Commerce says, and what the Community Plan promises, so that newcomers to this area won't be misled into thinking this is a quiet, lovely rural community--but just another tract-filled place of urban sprawl.

Within 5 miles, several large housing projects--Campus Park, Campus Park West, and Meadowwood Homes--are currently being built. All are south of Reche. There is no need for further projects.

FB17 would not only bring unwanted construction to our quiet area, but will also degrade our scenic views, and will impact traffic and air quality. According to the plan, these new homes would empty out not just onto Reche (which is not especially safe for left-hand turns) but onto Ranger Road, a small, winding road with a speed limit of 20 that is rarely used except by its handful of residents because it is not safe for through traffic. New houses will also bring light and noise pollution to our area.

Our area contains premium steep growing land for agriculture which has been categorized by the county as "local, statewide, prime and unique farmland"—not as soil for more houses that none of our neighbors want. There are no tract houses within close proximity of the proposed project. FB17 would not be consistent with the regional plan—which states that close-together dwelling units should be restricted to downtown village areas, not rural outskirts areas such as where we live.

The Garretts also have a 10+-acre riparian forest on their property with plants and animals which will be disrupted and possibly destroyed by construction.

According to the San Diego County report cited above, additional homes in an area with restricted traffic access would create potential problems during emergencies such as fires that may require evacuations. According to the report, "The proposed project would result in a potentially significant impact associated with fire response times and the construction or expansion of fire protection facilities." Which means that with more homes in our area, in a confined space, we might all be put at risk.

The report further states, “The proposed project would contribute to a significant, cumulative impact from conflicting land use plans, policies, or regulations.” It also puts in doubt a proposed plan to declare a local stretch of I-15 as a Scenic Highway.

The Garretts propose to install a septic system. However, if this is not possible, they told the local planning board that they would hook up to the Rainbow sewer system—which is in conflict with LU-14.4, which states that putting in a new sewer system induces unplanned growth...as does changing zoning from ag to one-acre lots.

The Garretts believe that they should be able to do whatever they want on their own property. Not true. We can’t put an oil well on our property, nor a 100-foot flag that says “Budweiser.” This is a neighborhood. And trying to cram dozens of new houses into our small area is a slap to our neighborhood.

Our community members have banded together previously to help defeat this project, and many of them, and others, are prepared to do so again.

Barry and Jeanne Meadow

Presentation at Fallbrook Planning Meeting Monday 9/19/16

Paul and Dianne Garrett have certainly done a lot for Fallbrook over the years with their charitable contributions, and Fallbrook is a better place because of them. So our objections to this project have nothing to do with them personally.

Our objections have to do with the fact that this project would change the character of Fallbrook in a negative way. The properties north of Reche Road and east of Live Oak Park are zoned for at least two acres. Some of the properties are much larger, but none are smaller. Fallbrook's Community Plan, which guides the county's decisions for its general plan and just updated in May, is to cluster the smaller lots in the Village near downtown, or in the Pala Mesa area south of Reche where the mobile home park is located.

More than 12,000 acres outside of the Village boundary are designated SR-2 or more. Including the area north of Reche, where this proposed project would be located.

The old CCR's in this area used the phrase "quiet enjoyment," and this is why many of us moved here. You can see clear skies, and the stars at night. You can't hear traffic. You can't hear construction. I grow avocados and many of my neighbors have apple trees, pear trees, orange trees, or grow other fruits and vegetables. This is a bucolic agricultural area. Our Community Plan states that any new projects outside of the Village should promote agriculture. This tract-home project directly contradicts this goal.

This project would transform our beautiful rural area into Temecula or Escondido. It would no longer be Fallbrook, the beautiful little town which is described as a place in the Community Plan with a "unique history, culture, character, lifestyle, and identity." This is a lovely little agricultural town of family farms, hills, trails, and unique wildlife species. It is not a tract-filled city. We residents cherish our rural character and small-town values.

Instead of stars, we'd have light pollution. Instead of no traffic, there would be a steady stream of blaring noise from the cars of dozens of new homeowners. Instead of quiet, there'd be construction noise and dirt, a steady stream of ear-piercing equipment, to be followed by the noise created by these dozens of new homeowners.

There are several other nearby large housing projects that are in various stages—Campus Park, Campus Park West, and Meadowood Homes, along with other projects in Pala and Valley Center. There are also more than 200 homes currently for sale in Fallbrook. There is no need for any additional housing tracts.

Some people say, "It's my property and I should be able to do what I want with it." If you believe that, I guess I can put an oil well on my property that's drilling 24

hours a day—more cash for me, but a terrible blight on the community. Or maybe I can work a sponsorship deal to install a gigantic pole with an enormous “I Love Budweiser” flag—more cash for me, but a terrible blight on the community. Or I can take my 2 ½ acres and put up a whole tract of what are called tiny houses—more cash for me, but a terrible blight on the community.

And that’s what this project is—more cash for the developer, but a terrible blight on the community. Please deny the application. Thank you.

Barry Meadow

3457 Via Zara Ct.

Fallbrook, CA 92028

From: peggy barnes [<mailto:pegbarn7@gmail.com>]
Sent: Saturday, March 31, 2018 9:48 AM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: Garrett Housing Tract

Dear Kevin,

We beg you to stop the Garrett Housing Project. We live in Fallbrook for its beauty, quiet, rural atmosphere and this project would have profound impact on all that live within this area. Traffic is becoming a nightmare and we certainly do not need another housing tract.

Please STOP this project.

Thank you,
Bill and Peggy Barnes

From: David L. Adler, APC [<mailto:info@davidadler.com>]
Sent: Friday, March 30, 2018 5:56 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: Formal objection to FB17

Dear Mr. Johnston,

We reside at 1324 Camino Zara in Fallbrook. Our residence is only a few hundred feet away from the planned development. We object strongly to the proposed zone change and would compare this to an eminent domain action.

Mr. and Mrs. Meadow's arguments in opposition are incorporated here by reference. Granting FB17 will have a major deleterious impact on our community and historically, was never within the wise and well-considered zoning for our neighborhood.

We thank you for being mindful of our objection.

Respectfully,

David and Linda Adler

From: Hope Sjursen [<mailto:hopesjursen@gmail.com>]
Sent: Saturday, March 31, 2018 9:17 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: Objection to Proposed FB17

March 31, 2018

Dear Mr. Johnston,

We are writing this letter to share our objection to the proposed FB17 proposal that was rejected last year. We have lived in Fallbrook since 1971 when our both our respective parents moved here for the agricultural and small town feel that Fallbrook has been able to maintain for decades. In fact, I lived at 1601 Wilt Road, so know this area very well. I was aware of the Breining Mercedes repair operation on the site then, which apparently has been deemed a recorded hazardous waste site.

While we moved away for our young adult years, we came back to Fallbrook to raise our children. The country feel and agricultural aspect of Fallbrook with the 2-acre minimum lot sizes affecting much of Fallbrook, was part of the draw. To preserve the character, attraction and home values, this should and must be maintained.

Severe traffic is already an issue on northbound I15 and Reche Road in this area. (When my mother tried to sell her home at 1601 Wilt, several who came to look said their objection was the traffic noise on Reche Road.) Before any further development with dozens of homes go in, something must be done to ease the traffic currently affecting Rainbow and Temecula. There are already several developments in progress that will address housing in smaller lot sizes, and those too will be a further burden on the already negative impact these residents are experiencing. Adding 82 homes in the same proximity is not only unnecessary, but lowering the minimum lot size will negatively impact traffic, air quality and property values and quality of life and cultural feel.

In addition to the traffic, the hazardous waste area should be a barrier to this development as could pose significant health issues to those within the area.

Fallbrook has been affectionately known as the Avocado Capital of the World. Help us maintain this nickname, the rural community feel and our quality of life.

Thank you.

Sincerely,

John and Hope Sjursen

Hope Sjursen
Off: 760-723-1432
Cell: 951-852-7205

From: JoanneDeltra [<mailto:joannedeltra@gmail.com>]
Sent: Saturday, March 31, 2018 10:19 AM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: FB17 Proposal

Dear Kevin, our small neighborhood in the Via Zara Fallbrook area has been communicating regarding the proposed rezoning from SR-2 to SR-1 to accommodate the building of many tract homes on the Garretts' property.

I live at 3498 Via Zara Court and work men have been out next door measuring and installing stakes up to my fence line. I am writing to you to request the dates, times and venue for all the upcoming meetings to discuss this rezoning proposal. I was one of the neighbors who went to the Fallbrook Planning Group in 2016 to say that rezoning would have such a negative impact on this quiet rural area. This small community could not possibly cope with dozens of additional homes especially if we were to experience any sort of emergency. We only have to look back to December 2017 when we were in the evacuation zone because of the Lilac fire and its proximity to I15 and Old 395. There are many large housing projects underway right now. Additional homes are being built. Rezoning this community to cram in more is not warranted.

I am sure you must be inundated with messages from worried homeowners and I thank you in advance for taking the time to hear our concerns and consider the long term consequences of this proposal.

Sincerely,
Joanne Deltra Jones
(925 330 8596)

Re: FB 17 Rezoning Request

Here's what our Chamber of Commerce has to say about Fallbrook: "If what you are looking for is a peaceful, rural countryside...Fallbrook might just be that place....Fallbrook is a quiet, hidden gem nestled among the hills...Fallbrook is life in the country with a feel which sets us apart and gives all who live here a special pride."

How is this project going to enhance our town? Through many revisions over the years, our Community Plan is quite clear on this—"Fallbrook has retained its family farm oriented culture, while adding an influx of young families fleeing urban life, retirees venturing into country life, and farm workers that supply labor." Nothing about dense developments outside of the Village area.

If our plan in this town is to change areas zoned for SR-2 to SR-1, then we need to change what the Chamber of Commerce says, and what the Community Plan promises, so that newcomers to this area won't be misled into thinking this is a quiet, lovely rural community—but just another tract-filled place of urban sprawl.

What's good for one developer is not good for the community. I urge you to reject this proposed development.

Jeanne Meadow (3457 Via Zara Ct.)

From: Michael Trinkle [<mailto:mtrinkle921@gmail.com>]
Sent: Friday, March 30, 2018 9:53 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: FB 17

Dear Kevin,

We find it disheartening and unfortunate that the rural atmosphere, moderate, comfortable developed density and overall environment that brought most of us to Fallbrook is being threatened by a challenge driven solely by enhanced profit. We strongly support landowners rights and do not object to Mr. Garrett's proposed development of his property under the current zoning. There are a multitude of reasons one might cite that rationally argue against changing the housing density in this specific case, possibly one of the more important many be simply that we current residents purchased property with 'elbow' room intentionally, not by accident. For most of us, if we wanted to live with Orange/ Los Angeles County like density, we would still be living there!

Sadly it seems that all of the arguments against reducing the current 2 acre parcel size have been presented again and again..apparently falling on deaf ears and quickly discarded as reactionary by non caring listeners. To allow the minimum acreage to be reduced is truly an act of acquiescing to the desires of an individual and ignoring the welfare of the many.

Traffic, congestion, enormous potential negative impact to the fragile Fallbrook ecosystem will be the legacy of this proposal if it is adopted. Something to take pride in?

We imagine that as part of the planning review process the city and county must have been able to calculate the compendium of downsides to people, quality of life and environment if this change is made and put a price tag on it. What is that price tag? Please share it with us so that at least we know the donation we are all making to an individuals personal wealth.

As current residents of the area. my wife Patricia and I strongly object to what would be in our opinion reckless stewardship of our land and its supporting resources if this proposal is adopted.

Thank you for your consideration.

Michael and Patricia Trinkle
3495 Via Zara Ct
Fallbrook, CA 92028
760-451-1114

From: Mark Zuckerbrod [<mailto:markzuckerbrod@gmail.com>]
Sent: Sunday, April 01, 2018 12:58 PM
To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>
Subject: P.S. Strong objection to FB17

Hi Kevin,

I wanted to add one more thing to my email from 3/31. In our neighborhood which as I mentioned adjoins the Garrett property, there is a 30 acre farm that at some point in the not too distant future will change hands and probably get developed. We know we will probably end up with homes on that 30 acres after it is cut up into 2 acre parcels, but if Garrett is granted an exception that will make that property totally vulnerable to an exception as well.

If Garrett's property becomes 1 acre parcels and this one eventually does as well (because there will be precedent for it), it will completely DESTROY the character of the area even beyond what Garrett is trying to do. It will change from a rural residential area to an area of many tract homes. We plan on living there for a long time and we bought our property based on long time zoning of 2 acres in that entire area.

Making a single exception will lead to a slippery slope that can turn Fallbrook into everything we all tried to leave in OC and L.A.

Thank you.
Mark

From: Mark Zuckerbrod [<mailto:markzuckerbrod@gmail.com>]
Sent: Saturday, March 31, 2018 10:41 PM
To: Johnston, Kevin (<Kevin.Johnston@sdcounty.ca.gov>)
Subject: Strong objection to FB17

Hi Kevin,

My wife Christina and I live at 3304 Via Zara in Fallbrook, the neighborhood adjacent to where Paul Garrett wants to rezone the land from 2 acres to 1 acre and disrupt our way of life with additional traffic and lots of other issues that are noted below by Barry and Jeanne Meadow.

I am out of town and didn't realize the deadline for comments was today so hopefully I have gotten this to you in time. We really thought that after attending the Fallbrook Planning group meeting back in 2016 that this issue was done. We are now hearing that Paul Garrett is STILL trying to boost his own personal profit at the expense of the quality of life of all of his neighbors. Garrett doesn't care about people only profits. It seemed to me that when his plan to rezone the land to 1 acre was rejected by the full Fallbrook Planning group this issue was finished. The people on that planning commission understood the significant impact 1 acre zoning was going to have on the surrounding area because of all the add'l houses that would be crammed in his development.

We are not sure why the county is even listening to Garrett's request when the local planning group acknowledged it was a bad idea and voted their disapproval.

This land was zoned for 2 acres for a reason. Why should that reason be changed because one greedy 90 year old real estate developer (who very well may not even live to see the completion of the project which brings into question the possibility the project could be started and never finished leaving a huge mess in the area or that his death could dramatically extend the time to build the development) wants to make more money? There is no benefit to Fallbrook and it will put tremendous strain on the area in terms of traffic, potential water issues, potential evacuation issues in times of fire (this is not a hypothetical....we just evacuated a few months ago and the area in question suffered a devastating fire back in 2007) and numerous other issues which are detailed in the Meadow email.

We are prepared to fight this again, but hope common sense will prevail and this will not be necessary.

Please don't let one extremely greedy developer change the rules for his personal benefit at the expense of so many people in the area who moved to Fallbrook for the peace and quiet and 2 plus acre zoning. If we wanted to live in Orange County and L.A. we would all still live there. We came to FB for a different quality of life and this would dramatically change that quality of life. I don't believe any of us object to Paul building homes on 2 acre lots. That is his right and that is how the land is zoned, something all of us knew when we moved to FB.

Please let common sense prevail. If Garrett gets an exception it can set precedent for other exceptions and very quickly the whole area can become everything we left behind in OC and/or L.A.

Lastly, we totally support everything the Meadow's have said in their email below.

Thank you,

Mark Zuckerbrod

3304 Via Zara

Fallbrook, CA 92028

760 451-0700

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This note is to voice our objection to the proposed FB17, which would change zoning from SR-2 to SR-1 so that dozens of tract houses could be built on the Garretts' property.

You may recall that this plan was rejected by the full Fallbrook Planning Group in 2016, after testimony from a number of members of our local community. But like a bad penny that nobody wants, it's back again...

Our area lot sizes are a minimum of two acres (there are many properties with dozens or even hundreds of acres). Most of Fallbrook is zoned as SR-2 or higher. The plan, advanced by the Garretts, is to rezone our small area into one-acre lots so they can build dozens of tract homes within walking distance of all of us.

The set of documents covers numerous areas of potential impact--none of it positive for our little community.

The biggest issue is that the Breining property on Via Zara, next to the Garretts' property (and now, apparently, owned by the Garretts), has been deemed a hazardous waste site. According to the San Diego County Environmental Impact Report, "FB17 is located within 1,000 feet of a known contamination site and would result in a potentially significant hazard to the public or environment by locating additional development near sites listed pursuant to CGC Section 65962.5(b)." This site (which is called Breining-Mercedes) is a federally listed hazardous waste site and would potentially expose people to the hazards associated with the contamination.

This project would change the character of Fallbrook in a negative way. The properties north of Reche Road and east of Live Oak Park are zoned for at least two acres. Some of the properties are much larger, but none are smaller. Fallbrook's Community Plan, which guides the county's decisions for its general plan and was updated in May 2016, is to cluster the smaller lots in the Village near downtown, or in the Pala Mesa area south of Reche where the mobile home park is located. There is no "395 corridor" housing north of Reche, which is where the Garretts propose to build these homes.

This is a bucolic, agricultural area. Here is what our Chamber of Commerce says about Fallbrook: "If what you are looking for is a peaceful, rural countryside...Fallbrook might be just that place...Fallbrook is a quiet, hidden gem nestled among the hills...Fallbrook is life in the country with a feel which sets us apart and gives all who live here a special pride." If our plan in this town is to change areas zoned for SR-2 to SR-1, then we need to change what the Chamber of Commerce says, and what the Community Plan promises, so that newcomers to this area won't be misled into thinking this is a quiet, lovely rural community--but just another tract-filled place of urban sprawl.

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The Garretts also have a 10+-acre riparian forest on their property with plants and animals which will be disrupted and possibly destroyed by construction.

According to the San Diego County report cited above, additional homes in an area with restricted traffic access would create potential problems during emergencies such as fires that may require evacuations. According to the report, “The proposed project would result in a potentially significant impact associated with fire response times and the construction or expansion of fire protection facilities.” Which means that with more homes in our area, in a confined space, we might all be put at risk.

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“Budweiser.” This is a neighborhood. And trying to cram dozens of new houses into our small area is a slap to our neighborhood.

Our community members have banded together previously to help defeat this project, and many of them, and others, are prepared to do so again.

Barry and Jeanne Meadow

Mark Zuckerbrod
3304 Via Zara
Fallbrook CA 92028-3800
760.451.0700

September 16, 2016

Re: FB 17 Rezoning Request

Dear Fallbrook Community Planning Group Members:

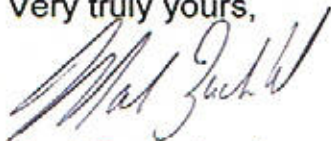
I live near the subject property and want to voice my opposition to the proposed rezoning from two acre to one acre lots. We live in this area because we like a quiet lifestyle. When we purchased our home we paid a premium for our lot because being surrounded by larger lots, and the agricultural use of the land, was important to us. I can see no reason why a developer should be allowed to subdivide his property into one acre lots when everyone around him is limited to two acre lots. It seems unreasonable to me. There are reasons this area was zoned for two acres. Among them is that we rely on septic. The developments that Garrett cites as less than 2 acres are all on sewer. These homes would have to be on septic. That is quite a difference.

I am very concerned about the disruption in our country lifestyles that such a development would cause. It will cause double pollution and inconvenience to us. The building phase will be noisy, dirty and long. The traffic will be worse. The wetland habitats on the property will be damaged in many ways.

In addition this would set a terrible precedent for other large parcels in the area. For example we look out at a beautiful 30 acre organic farm in our neighborhood. We realize that at some point it may be sold and houses built. Right now it would require 2 acres per house. If the Garrett project is approved that would set a precedent for potentially all these big parcels becoming 1 acre zoning which would completely change the look and feel of the area and greatly diminish our quality of life. One of the main reasons we moved to this part of Fallbrook in 2003 was because of 2 acre minimum zoning.

Please don't rezone this property to one acre parcels!

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Mark Zuckerbrod', written over a horizontal line.

Mark Zuckerbrod

Mark Zuckerbrod
3304 Via Zara
Fallbrook CA 92028-3800
760.451.0700

September 16, 2016

Re: FB 17 Rezoning Request

Dear Fallbrook Community Planning Group Members:

I live near the subject property and want to voice my opposition to the proposed rezoning from two acre to one acre lots. We live in this area because we like a quiet lifestyle. When we purchased our home we paid a premium for our lot because being surrounded by larger lots was important to us. I can see no reason why a developer should be allowed to subdivide his property into one acre lots when everyone around him is limited to two acre lots. It seems unreasonable to me.

I am very concerned about the disruption in our country lifestyles that such a development would cause. It will cause double pollution and inconvenience to us. The building phase will be noisy, dirty and long. The traffic will be worse. The environment will be damaged in many ways. Please don't rezone this property to one acre parcels!

Very truly yours,

Mark Zuckerbrod

From: nagnagian@gmail.com [<mailto:nagnagian@gmail.com>]

Sent: Friday, March 30, 2018 7:52 PM

To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>

Subject: Vote NO on Proposal FB17

Attention Kevin Johnston:

We do not need condensed housing in Fallbrook. There are a few main roads and when camp Pendleton lets out, there is a traffic buildup. This will only add to the problem. This area was recently evacuated during the Lilac Fire. I fear if the zoning changes, the numerous new homes will only add to the problem. No one I have talk to wants this development. We are organizing and we will be attending all meetings. Vote no on proposal FB 17.

Sincerely, Noel Glaser

Sent from my iPhone

From: Nancy HeinsGlaser [<mailto:nheinsglaser@gmail.com>]

Sent: Friday, March 30, 2018 8:18 PM

To: Johnston, Kevin <Kevin.Johnston@sdcounty.ca.gov>

Subject: Fwd: Mr. Johnston. OPPOSITION TO GARRETT PROPOSAL /pending meeting june 2018

To Mr. Kevin Johnston

CC: Nancy Heins-Glaser

Dear Kevin Johnston:

Hello. My name is Nancy Heins-Glaser and I am writing to oppose FB17 coming before yourS an Diego County Supervisors Planning and Zoning anticipated date: June 2018.

RE: OPPOSITION TO GARRETT PROPOSAL FB 17

I am writing as a homeowner/property owner in Fallbrook I am opposed to the Garrett Proposal FB 17.

As a proposal it is inconsistent and at odds with the master plan for our region. It will negatively impact the entire neighborhood and should not be allowed given already heavy and ongoing development 2 miles away. It seems unfair to put greater demand on our roadways and traffic exiting off Highway 15 entering into Fallbrook on the East Side.

REGIONAL MASTER PLAN INCONSISTENCY

In San Diego Regional master plan close-together dwelling units should be restricted to downtown village areas, not rural outskirts areas such as where we live.

This is being revisited but why? As proposed to the Fallbrook planning/zoning advisory board in September 2016, Garrett is a local person who has given money to local and worthy projects. It appeared those elected to serve as advisory to the residents of this unincorporated town are his friends. We attended this meeting and rejected this solidly as neighbors wanting to preserve our towns rural character as its advertised.

In the end Garrett Proposal was voted down. If this advisory board did not speak loudly, how much louder can I speak as an individual?I continue to believe I can be heard. I will attend the June meeting to protest in person if needed. For one I am going to speak as loudly as possible as a voter in November elections. I am not satisfied that we must address this again, although I understand it is Garrett's right to pursue the larger San Diego County Board of Supervisors.

REJECTION AT THE LOCAL LEVEL FALLBROOK ZONING ADVISORY COMMITTEE

The September 2016 attendee comments ranged from angry to stunned; all resident comments were made in earnest. It was surprising there was as much support for Garrett proposal in the subcommittee members given the fact that this is adjacent to a Federally Designated Toxic Site as the result of a fire in 2007, with a large collection of cars which were burned, automotive oil and gasoline seepage and fines assessed the prior property owners. The owners at the time were once again were fined for additional contamination in 2016. Somewhere along the line the sale of the property went to Garrett from the Beininger- Mercedes toxic site. Why would the State of

California allow building next to such a site? We certainly did not know of its existence further up the hill because one person who was a large auto collector kept his cars out of sight of others. This type of development will turn upside down the perception of a friendly village. Fallbrook is advertised far and wide to others as an agricultural community.

SURROUNDING NEIGHBORHOODS

Most of Fallbrook is zoned as SR-2 or higher. I specifically request that the area with smaller properties be also allowed to remain zoned for rural purposes. Why should they not be zoned that way?

The subcommittee had a vote which in the end did not pass the recommended Garrett development plan. IT was voted down.

The plan, advanced by the Garretts, is to rezone our area. There is a desire to make one-acre lots (and if bundled back yards can be one acre where frontage on cut de sac can be substantially smaller. they How can they even think to build dozens of tract homes within walking distance of all of us? Its not safe as it is with the winding roads and limited access. During the fires of the past there was restricted access and only one way out. Adding more homes makes evacuation even more difficult. We respectfully request you consider The Garrett proposal YET AGAIN and not allow its passage. Not only is this after the fact planning but its inappropriate giving our existing zoning - and one of the main reasons we purchased our home and moved here.

This does not make sound planning on behalf of public safety matters of fire and evacuation planning which requires restricting numbers of homes based on access and egress.

BUNDLING PROPERTIES

Actually it appears that the Garrett's in his lawyers proposal as presented in 2016 seemed to favor bundling properties - making it allowable to provide LESS THAN ACTUALLY ONE ACRE PER HOME. It appears as though he would actually prefer to have bundled tract homes with limited space much such as currently in process on East Side Of Highway 15 - just directly across the Reche and 395 intersection where Garrett proposes the houses be built. Besides the tightly bound homes on North Bound HWY 15, there is a large large scale development on the western 395 frontage road immediately around the corner from the proposed GARRETT multiple dwelling site.

NEIGHBORHOOD CHARACTER

Many people from the neighborhood spoke out against it for many reasons, including the fact it would significantly change the neighborhood tenor and flavor.

This would also require a rezoning and change the very bucolic nature of the neighborhood. The riparian land should be maintained as well.

This project would change the overall character of the overall of Fallbrook in a negative way. As it stands the rural nature of the road welcomes people off the highway. The properties north of Reche Road and east of Live Oak Park are zoned for at least two acres. Some of the properties are much larger, BUT NONE ARE SMALLER. Why should we be zoned smaller ? There are citrus growers and an agricultural haven with open space just down the road at Myrtle Creek Nursery. Why cant it remain so as a rural welcome into the Eastern side of Fallbrook.

TRAFFIC CONSEQUENCE:

Traffic is already heavy, not allowing safe or easy access off Wilt Road onto Reche Road. There is significant littering and high speeds as its seen as a pass through area with no markings or speed enforcement. Many people will head East on streets down to Tecolote because of the speed of traffic already present from Old Highway 395 up past the country club and past the modular home park. The corner of Wilt and Reche is unsafe as it already stands. Since the time of the September proposal and rejection massive developments have begun on the East Side of Highway 15 alongside a substantial Palomar College Campus Extension. Why is more needed?

ADDITIONAL CHANGE A SIGN OF THINGS TO COME

Recently on Wilt was a request for A MUP /multi-use permit to allow individuals not of the same family (six or over) to reside with a proposal of an independent drug and alcohol program in a substantial million dollar + home. The neighbors rose in protest about this, understandably. Thankfully this was voted down by our Fallbrook planning board given public outcry.

QUALITY OF LIFE

Please do not let the Garrett development go forward at all with significant reduction in property and quality of life for residents here. Recently we were forced to install a \$12,000 septic which technically may not have been approved prior to the sale of our home to us in 2011. Its uncle now why and how it was passed at the time. Nonetheless we complied. Why does the simple adding of a septic allow Mr. Garrett to proceed at all?

INCONSISTENT WITH NEIGHBORHOOD

There are no tract houses within close proximity of the proposed project. Why s should these be allowed now? Why should a person deciding to retire be able to decide the environment around me when I purchased based on the R2 zoning and that there would be no homes allowed on under than 2 acre plots? Please consider this a request for another NO VOTE for the GARRETT development as proposed. Sadly, there is a sense that we the other neighbors do not have a voice in the matter as the Garrett family are long time residents here with involvement and political connections.

DUMPING MEDIAN INCOME HOUSING ON NORTH COUNTY SAN DIEGO

The median income housing market has blossomed in our immediate area since we arrived in 2011. Because land has been carefully preserved based on property size to maintain is rural character does this mean one person gets to take it away because they are “retiring” and want to do something with their property. Does one person who owns property get to give sway over the entire neighborhood because they want to move on?

THANK YOU. I appreciate your consideration in the review of all materials supporting such a development. Its inconceivable to me that this area of North County should be required to

supply the median income housing of the rest of San Diego County. We are already doing our part, with the significant developments along Highway 15 and the widening of Highway 76 has opened up tourism from the Ocean communities to inland and

Nancy Heins-Glaser
* 1446 Wilt Road
Fallbrook, Cali 92028
760-645-3515

Subject: Re: Meeting re Garrett expansion/rezone project - 9/19/16 7:00 pm
From: sfsydor@aol.com
Date: 9/17/2016 11:16 AM
To: barry@trpublishing.com

Barry & Jeannie,

Thanks for the heads up on the action being contemplated to build houses near our homes that require exception to the General Plan. Since Paula and I may not make it to the meeting Monday we wanted to make sure our sentiments were offered via this note.

When we moved here in 1999 we were attracted by the quiet pastoral setting that is this side of Fallbrook, and were encouraged that the town's General Plan sought to keep the area that way.

The pending change is therefore very disturbing. What makes it even worse is that when I was first greeted by one of the big landowners his words were to the effect – Welcome, I'm sorry you moved here. He was referring to the fact my house interfered with his view.

17 years have passed and I guess it's time for the big landowners to cash out, and the impact on the charm of this area is no longer a concern.

I hope the decision to be made is a democratic one in which the voices of the people will be tallied to determine the decision.

Thanks for taking our comments to the people issuing what appears to me to be a unilateral decision (I don't see why the trailer park justifies further changes to the plan and think that descision may be used to make the Plan completely arbitrary, and useless). I the hope they share our love for the unique charm and beauty of this lovely setting and decide against money over quality of life.

Your neighbors,

Stan and Paula Sydor

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

From: Barry Meadow <barry@trpublishing.com>

To: sfsydor <sfsydor@aol.com>

Sent: Fri, Sep 16, 2016 1:14 pm

FB19+ ANALYSIS AREA CORRESPONDENCE

For additional FB19+ correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR FB19+ WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

ME26 ANALYSIS AREA CORRESPONDENCE

For additional ME26 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR ME26 WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

ME30A ANALYSIS AREA CORRESPONDENCE

For additional ME30A correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR ME30A WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

NC3A ANALYSIS AREA CORRESPONDENCE

For additional NC3A correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

***ALL CORRESPONDENCE FOR NC3A WAS RECEIVED
DURING THE SEIR COMMENT PERIODS***

NC18A ANALYSIS AREA CORRESPONDENCE

For additional NC18A correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

April 6, 2018

To: San Diego County Planning Commission
From: Timothy Kerans
Re: Proposed change in NC18A zoning and development

Dear Planning Commissioners,

As a homeowner on Hog Back Ridge, which overlooks the proposed NC18a re-zoning area, I am strongly opposed to the plan for several reasons.

Firstly, from the NC18a proposed development analysis:

One of the 'Key Community Issues' for North County Metro that is referenced in the General Plan Update Board Letters of May 19, 2004 and April 13, 2011 is referenced as, 'Ensure preservation of agriculture in areas adjacent to rapidly growing cities.'

If this re-zoning were to go ahead it would likely open the door to future development and certainly contradict this key community issue regarding agriculture referenced above. This pocket of agriculturally zoned land is now almost entirely surrounded by residential development, and especially from the huge community of Cloverdale that is growing to the east of NC18a. In the Guiding Principle Review from the development analysis, number 8 states: *'Preserve agriculture as an integral component of the region's economy, character, and open space network'*. Again, eliminating one of the last remaining areas of agriculture in the local community basically renders this key community issue and goal as meaningless.

Additionally, in my view the proposed re-zoning would also contradict other Guiding Principles.

Number 3 talks about 'reinforcing the vitality, local economy, and individual character of existing communities'. The PSR area includes some of the only economic activity in the neighborhood (agriculture) and substantially defines the character of the neighborhood. Escondido was once a vibrant farming community (citrus, grapes, hay, and grain) but there is precious little of this left.

Number 4 states it should 'promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance'. The land in question is currently home to a large range of wildlife that includes deer, hawk, and owl as well as the occasional coyote and turkey vulture. It also incorporates a wetlands zone that basically cuts across the whole PSR area. This wildlife habitat would of course be doomed if the re-zoning (and potential future residential development) were to go ahead, and the unique character of this area would be at a loss as a result.

Number 6 talks about providing a 'multi-modal' transportation network which enhances connectivity and supports public transportation. This also seems very unlikely to be fulfilled due to the limited scope of road access into this community. South Citrus Avenue is currently the only significant access road for this already congested area and it is only two lanes wide and is already quite narrow and busy.

On a more personal note, I purchased my home (2377 Royal Oak Drive, Escondido) just last year and the main selling point for my wife and I was the beautiful view and quiet, rural serenity of this agricultural area. We see this re-zoning effort as a likely precursor to future residential development. The value of our property is to a large degree based on the awesome view and natural beauty of the land currently under consideration, and we are concerned about the impact a change will have on our property values and our quality of life here. I have spoken with several of the other homeowners in my neighborhood and they all share this same viewpoint.

In summary, I would greatly appreciate it if this re-zoning request was denied by the Planning Commission. What little is left of Escondido's agricultural economy should be preserved. It would really be a pity if the rural character of this once predominantly agricultural town were to be extinguished entirely. A large number of people who have invested their lives and assets in this neighborhood would be eternally grateful.

Sincerely,
Timothy Kerans
parcel 2340206400
(442) 286-2351

NC22 ANALYSIS AREA CORRESPONDENCE

For additional NC22 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

From: Tom Byrne [tom.j.byrne@gmail.com]
Sent: Wednesday, June 26, 2013 9:32 AM
To: Fogg, Mindy; Devon.Muto@sdcounty.ca.gov; Johnston, Kevin
Subject: Fwd: San Marcos Highlands Project (Proposed)

RE: NC-22

I am forwarding my personal letter to the Planning Division and City Council of San Marcos regarding the ill-conceived multiple times defeated San Marcos highlands project. I am fully aware for this project to go through at the high density Mt.Kubba proposed it requires the city annexation of the property to get away from the 1 dwelling per 10 acre designation of the county zoning. That is why I am writing you today.

Please do not let the City of San Marcos re-zone that sensitive habitat. There is no way almost 200 homes should be planted smack dab in the middle of a wildlife corridor. San Marcos has to end somewhere and there is no need for housing in a fire prone area far away from services, This goes against any "smart-growth" plan that both the county and city have outlined for the 2020 vision.

Please I implore you to not let Mr. Kubba nor the City of San Marcos re-zone that area the current density is absolutely correct. The citizens of Santa Fe Hills, The county landowners, the Gnatcatcher protected habitat, the Mule Deer, the Fire protection district and wildlife in general will THANK YOU!

Just visit the area and look... there is no way 200-homes without any added services should be built there. It would be an odd-pocket of development and force wildlife out of the area. It is at the headwaters of the Agu Hedionda creek which feeds the lagoon.

We all see it for what it is a way for San Marcos to fund the Las Posas extension to Buena Creek creating 11,000 -14,000 car trips down Las Posas as a shortcut to 78... at the expense of everyone in the surrounding area.

That is why Twin Oaks was expanded and decisions to leave Las Posas alone.... we do not want a shortcut, we like the rural nature of San Marcos.

Don't let San Marcos City fool the county. This is a horrible project. You have the power to help preserve the area.

Mt Kubba has the right to develop his land at current zoning levels. He is trying to fool everyone for one thing,,, money.

He is an Orange County developer... last time I checked their is a great reason I moved out of Orange County.... over development.

Resident of San Marcos since 1993

1388 Corte Bagalso
San Marcos, CA 92069

I can be reached at:
760-496-8824

Thank you for your consideration of appropriate use of this area of the San Diego county,

Tom Byrne

Dear San Marcos Planning Division and City Council,

I have lived in Paloma/Santa Fe Hills since 1993 . I bought two houses here due to the overall living nature of the area and the cities vision and quality of life. That includes living near rural space in the county jurisdiction on the North edge of San Marcos in Santa Fe Hills. I can walk to the city border in less than 5 minutes and be in the county. In the rural area.

I attended most all the "Our City/Our Future" workshops and everything I saw stated plainly that San Marcos was not going to allow development of odd pockets of High Density growth just like the Proposed 198-dwelling Highlands Project.

Current county zoning: 1 dwelling per 10 acres... that is nowhere near the proposed zoning that requires the City to annex most of the land to allow for high density housing. This is opposed by the county, by many citizens of San Marcos, county residents and also various wildlife groups. It will overlay a wildlife corridor and be right next to a protected Gnatcatcher habitat at the headwaters of the Agua Hedionda Creek in a high hazard fire area of steep slopes which will degrade the current fire protection of Santa Fe Hills. Last time I checked that is not a good place for 198-homes...at all.

Mr Kubba bought that property knowing the zoning his only hope is to convince you all its a good idea.. it isn't. No one outside of Mr. Kubba would think 198-dwelling in that area would be a good idea. It just does not pass the smart development litmus test. Let him develop with current zoning in place because that is about what the area can support. Better yet let him sell it to retain as open space and give the wildlife a break. San Marcos has to end somewhere... not some odd finger of development North of us and abutted next to long-term county land owners.

I am aware that an application for the San Marcos Highlands project has been submitted to the City of San Marcos for processing. This letter is to advise you that I am highly opposed to this 198-unit high density project on current county land. Please notify me of any workshops, meetings, hearings or documents related to this project.

Thank you for your attention to this request. My family of four appreciates your attention to this matter, we trust that you our elected officials will do what is best for the citizens of San Marcos and our county neighbors.

Sincerely,

Tom Byrne and family
1388 Corte Bagalso
San Marcos, CA 92069

760-496-8824



July 14, 2016

Marcus Bush
Community Planner (Adjunct Staff)
County of San Diego – Planning and Development Services
5201 Ruffin Road, Suite 310
San Diego, CA 92123

Subject: County of San Diego Property Specific Requests (PSRs) General Plan Amendments

Dear Mr. Bush:

The City appreciates the opportunity to respond to the above listed project. The City of San Marcos Development Services Department, Planning Division, submits the following comments:

PSR SD15: The City's General Plan designates the site for a future Specific Plan for Light Industrial/Commercial/Open Space uses. The property owner recently met with the City and has discussed the possibility of applying for a General Plan Amendment to re-designate the site for "Residential/Light Industrial/Commercial/Open Space". The City is currently reviewing this request and has not made any decision to re-designate the site. It should also be noted that the site is delineated as a Pre-Approved Mitigation Area (PAMA) in the MSCP North County Draft plan.

PSR NC22: The City comments submitted in 2011 to the 2012 County General Plan update opposed the change from SR1 to SR10. The reason is because this PSR area contains County Land primarily located within the 265.8-acre San Marcos Highlands Specific Plan Area (SPA) which allows for the development of up to 230 single-family dwelling units. Except for 23 acres at the northwest corner which are located outside of the City's Sphere of Influence ("Sphere"), approximately 107 acres of the PSR are located within the SPA. The City is currently processing a Tentative Subdivision Map and Specific Plan Amendment for 189 residential lots for the SPA. In addition, the 23-acre parcel outside of the Sphere is proposed to be used as off-site open space as part of the project. Of the 189 single-family homes currently proposed, approximately 139 homes would be located within the 130-acre PSR area, resulting in a density of 1.06 dwelling units per acre. The project proposes to annex the PSR area into the City, except for the 23-acres outside of the Sphere. As a result, the project's overall density for the SPA would be 0.71 dwelling units per acre. The project design proposes to cluster the 189-lot development with preservation of approximately 72 percent as biological open space. The City requests the change to SR-1 for the entire PSR consistent with the SMH project.

The proposed change should also consider the identification of the natural habitat on the subject site as a Pre-Approved Mitigation Area (PAMA) in the MSCP North County Draft plan, and also as a preservation area identified within the MHCP draft Subarea Plan for San Marcos.

PSR NC 37: The "Property Specific Request" area is located outside of the City Sphere and roughly half of the "Study Area" is in the City Sphere. The SR-4 land use is more compatible than the SR-10 with the

Marcus Bush
Community Planner (Adjunct Staff)
County of San Diego – Planning and Development Services
July 14, 2016
Page 2 of 2

City's General Plan Agricultural Residential parcels of one dwelling unit per acre (depending on slope), but is still a lower density than the City Sphere parcels.

PSR NC38: The proposed change is a smoother transition from SR-2 parcels to the SR-1 parcels in the County of San Diego more directly adjacent City Agricultural Residential parcels. The City supports this change.

Thank you in advance for your consideration of these comments. If you have any questions, please feel free to contact me at (760) 744-1050, x.3237.

Sincerely,



Susan Vandrew Rodriguez
Associate Planner

cc: Karen Brindley, Planning Manager
Saima Qureshy, Principal Planner

Citrano, Robert

From: Sandra Farrell <slfarrell@cox.net>
Sent: Tuesday, August 20, 2013 10:30 PM
To: robert.berry@sdcounty.ca.gov
Cc: Citrano, Robert
Subject: San Marcos Highlands

Importance: High

Robert Barry, AICP
San Diego LAFCO
9335 Hazard Way, Suite 200
San Diego, CA 92123
(858) 614-7788
<http://www.sdlafco.org>

Subject: San Marcos Highlands

Dear Mr. Barry,

As you may be aware the San Marcos Highlands is being processed through the City of San Marcos. This proposed project will place approximately 143 home on 113 acres that is in the unincorporated area of the County and currently zoned SR10. The City of San Marcos plans to annex the property. One of the unique issues that has come to light by the project consultants is the City of San Marcos will be not annexing the portion of the Highlands in the County that will be left as natural open space. The County will be left as the land use jurisdiction and be responsible agency for the open space. San Marcos only intends to annex the tax revenue generation portion of the property, developed portion of the property. According to Norm Pedersen, planner at the City of San Marcos the City is planning on submitting a Mitigated Negative Declaration.

As a responsible agency under CEQA it is important for LAFO, the County, other agencies, and the public to understand the issues surrounding this project. There is substantial new information, which was not known and could not have been known at the time of environmental impact report, was certified as complete, has become available. In addition, there may be changes to the project itself that require revision of the environmental impact report.

Not analyzed in the old EIR are impacts of the proposed project on the adjacent Buena Creek gnatcatcher preserve, the Agua Hedionda Creek Watershed Management Plan, the North County MSCP, County General plan, new regional MS4 permit, consistency with County Residential Design Guidelines as it relates to the community character the adjacent Twin Oaks community. In addition I was told by the consultant that there is no plan to update the Biological information or studies from what done in 1998-1999 and were referenced in the 2001 URS Biological Report that is Appendix 11B in the Environmental Impact Report. Also, residents of the adjacent Santa Fe Hills community have raised concerns about the City's change in financing of large development projects and how services will be paid. Finally, City residents are concerned at the cumulative traffic impacts created by the proposed San Marcos Highlands project in light of the recently approved high density projects along Las Posas Road between SR78 and Mission Road.

I respectfully ask LAFCO to request the City of San Marcos to conduct a Scoping meeting on the San Marcos Highlands project. Please contact me if you have any questions or wish additional detail on any items mentioned above.

Thank you very much for your attention in this matter.

Sandra Farrell
1900 Esplendido Ave
Vista, CA 92084
PH 760-415-3349
Copy: Robert Citrano, San Diego County

NC37 ANALYSIS AREA CORRESPONDENCE

For additional NC37 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

From: [Lynne Malinowski](#)
To: [Eichar, Peter](#)
Cc: [Lynne Malinowski](#)
Subject: North County Metro Specific Requests GPA and Rezone
Date: Thursday, February 25, 2016 3:06:25 PM

February 25, 2016

Mr. Mark Wardlaw, Director

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

RE: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48

Mr. Wardlaw,

I am a property owner in San Marcos, and a horse rider in the Twin Oaks Valley area (North County Metro.)

I have looked at the requests cited above, and have deep concerns about the potential adverse changes that would be made to the character of this area.

The General Plan for 2020 was made with the intention of locating development in certain specific areas and allowing the retention of rural character in existing rural and agricultural areas. In other words, put the developments where the transit and the infrastructure already exist, not continue a sprawl into our precious low density back country and rural areas.

Changing the zoning on these areas to have increased density will put further strain on the already maxed out roads which already need a lot of maintenance. It will further exacerbate the safety issues of high speed traffic in rural winding roads (e.g., Deer Springs Road, Twin Oaks Valley Road, and others). And it is well known that when major roads become congested, local residential streets become alternatives for bypasses, and those 25mph speed limits are recklessly unheeded. It is unsafe to try to walk, bike, or ride horses in these areas due to the traffic conditions. We shouldn't be compounding these problems with additional traffic.

In fact, if you look at this specific North County Metro area, you will see the history of quiet, rural/agricultural, horse friendly character, which has attracted likeminded residents to choose this area above others to live and locate their businesses for more than a century. This area is a jewel in the region where encroaching subdivisions and commercial development are applying pressure to 'pave paradise and put up a parking lot.' These specific requests aim to do just that. The rural quality of life is the legacy of this valuable area, and should not and cannot be erased for the sake of unchecked sprawl.

Please help save the Twin Oaks Valley by retaining the current GP2020 zoning for these parcels.

Lynne Malinowski

Property owner

Lynne.Malinowski@gmail.com

From: [Eichar, Peter](#)
To: [Eichar, Peter](#)
Subject: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48
Date: Friday, February 26, 2016 1:31:46 PM

Peter Eichar, AICP
County of San Diego

From: Patty Morton [mailto:patty@pathfinderfarm.com]
Sent: Friday, February 26, 2016 1:18 PM
To: Eichar, Peter
Subject: RE: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48

February 26, 2016

Mr. Mark Wardlaw, Director
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

RE: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48

Mr. Wardlaw,

Our area is currently being studied for an amendment to the General Plan. The properties under consideration are asking to increase density in an already impacted area. The area of Twin Oaks is rural residential and has had a long history of agricultural farming and equestrian heritage. Business and residents interested in the rural lifestyle associated with these interests have gravitated to this community. Twin Oaks has a unique character and has been an equestrian hub with Walnut Grove Park and the existing regional trail system central to our community.

The rural residential and agricultural nature of our community creates natural limitations. Agriculture business is evolving into a high impact industry that does not directly contribute financially to our communities' roadways and infrastructure in addition rapid growth in the San Marcos and surrounding areas have generated high volume cut through traffic and our roads are congested and failing.

Our roads need long overdue upgrades- our community and the properties requesting density increases have sensitive drainage issues and topographical challenges, we are experiencing severe drought conditions. The reality of our community is the fact that there are limitations to what it can support as far as residential development and increased density. Our community will evolve and change with the times. Growth is inevitable – density is on the rise, agricultural operations continue to expand. We want to preserve the rural character that is our history. People have long been drawn to this community to enjoy the horse and rural lifestyle.

I am asking that the zoning currently in place not be amended and that all future zoning consideration follow our established community plan. Attention to the Master Parks and Trails Plan implementation to fulfill connectivity between City and County master trails plans should remain a high priority. A balanced process in our community's development is needed.

Patty Morton
2101 Marilyn Lane San Marcos CA 92069
APN 182-074-10-00



Twin Oaks Valley Equestrian Association

PMB 430, 197 Woodland Pkwy, Suite 104 - San Marcos, CA 92069-3020

email: twinoaksvalleyequestrian@gmail.com

www.keepitequestrian.org

Sent via Email to Peter.Eichar@sdcounty.ca.gov

February 25, 2016

Mr. Mark Wardlaw, Director
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

RE: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48

Mr. Wardlaw,

The Twin Oaks Valley Equestrian Association, on a unanimous vote of 8-0-0, approved the following letter:

Our North County Metro area is currently being studied for amendments to the General Plan. The properties under consideration are asking to increase density in an already impacted area. This raises several concerns for both residents and business leaders within the region:

Community Character:

The area of Twin Oaks is rural residential and has had a long history of agricultural farming and equestrian heritage. Businesses and residents interested in the rural lifestyle associated with these qualities have gravitated to this community to enjoy the extra space larger lots and lower densities provide. Twin Oaks has a unique character and has been an equestrian hub with Walnut Grove Park and the existing regional trail system being central to our community.

Infrastructure Limitations:

The rural residential and agricultural nature of our community creates natural limitations. As agricultural business evolves into a high impact industry, there is little contribution to our community's roadways and infrastructure. In addition, the unmet infrastructure needs associated with rapid growth in San Marcos and surrounding areas has generated high volume cut-through traffic in this region, and our roads are congested and failing. The region sees very little support to accommodate these impacts as the county continues to grow.

Further, our community and the properties requesting density increases have sensitive drainage issues and topographical challenges that will be adversely impacted with the introduction of more traffic and congestion, and we are deep in the midst of a multi-year severe drought. There are limitations to what this community can support in terms of residential development and increased density, and these zoning changes stand to impact areas far outside the scope of the development projects proposed.

Conclusion:

We understand that our community will evolve and change with the times; growth is inevitable throughout the county. However, as agricultural operations continue to expand and the county explores further increases in density, we want to preserve the rural character that is our history and our legacy for the current residents as well as for those who have long been drawn to this Twin Oaks community to enjoy the horse and rural lifestyle.

We are asking that the zoning currently in place not be amended and that all future zoning consideration follow our established community plan. Attention to the Master Parks and Trails Plan implementation to fulfill connectivity between City and County master trails plans should remain a high priority, as well as the continued inclusion of trail easements as part of any future subdivision or planned development of these lands. While members of the community seek to establish balanced partnerships with developers, it is important that the character of the community be preserved and its limitations be recognized.

Patty Morton

Patricia Morton

Chair, Twin Oaks Valley Equestrian Association

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Note on NC37
Date: Wednesday, October 12, 2016 11:21:29 AM

Dear Kevin:

Thank you for your time today discussing PSRs. NC37 would convert SR10 land subject to the Conservation Subdivision to Semi-Rural 4. EHL will provide more comprehensive comments later in the process, but I wanted to bring to your attention an issue regarding the Study Area boundary. I can see how lands *directly* to the south of the original NC37 request would be studied as they are adjacent to SR 4 further south. However, the western portion of the current Study Area is entirely discontinuous with the original parcel and much more a part of a large block of RL20 to the west. We believe this western section should not be considered for re-planning as there was landowner no request to do so and it would establish an adverse precedent for future encroachment into intact Rural lands.

Thank you for your consideration.

With best regards,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

NC37 ANALYSIS AREA CORRESPONDENCE

For additional NC37 correspondence received as part of the
SEIR NOP comment period and public review comment period,
see the SEIR linked at the project web page
at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

May 3, 2018
W.O. 824-1100-600

Mr. Kevin Johnston
COUNTY OF SAN DIEGO
Advanced Planning
5510 Overland Avenue, Suite 310
San Diego, CA 92123

**RE: COMMENTS FOR PROPERTY SPECIFIC REQUEST - NC38 - YASUKOCHI
PROPERTY**

Dear Mr. Johnston:

This letter will replace our correspondence to you dated April 16, 2018. Mr. Yasukochi asked BHA to respond to the Property Specific Request for GPA NC38 on his behalf. It is BHA's understanding that the County Staff is considering the proposed land use (SR-1) as directed by the Board of Supervisors, as well as a Staff proposed alternative (SR-1 & SR-2) for the Yasukochi Property (NC38).

PROPOSED - SR-1 DESIGNATION:

BHA and the Yaskochi Family support the SR-1 Designation for the property for the following reasons:

- Site currently has sewer and water available to the site.
- An existing sewer main currently crosses the property.
- The site has public access via Olive Street and Marilyn Lane.
- SR-1 Designation is compatible with existing land uses in the area.
- The site does not support any sensitive biological habitats.
- The majority of the site has been disturbed.
- The site is relatively flat.
- The proposed land use is consistent with the County of San Diego General Plan principles.

STAFF ALTERNATIVE - SR-1/SR-2 DESIGNATION:

BHA and the Yasukochi Family are opposed to this designation for the following reasons:

May 3, 2018

Re: Property Specific Request - NG38 - Yasukochi Property

Page 2

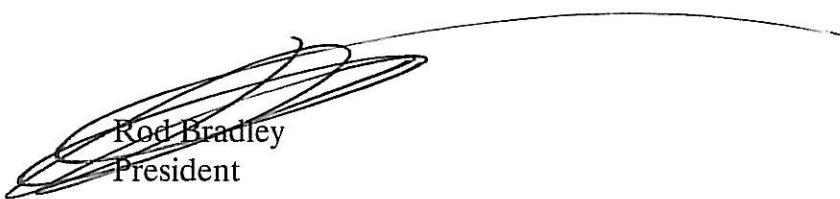
- We disagree with the SR-2 Designation for any portion of the property.
- The Staff alternative shows the SR-2 Designation, where they believe the existing floodplain occurs on site. However, the floodplain is shown in error.
- The floodplain is shown on the Staff exhibit at the highest elevations of the property. This is shown in error.
- Additionally, the Staff does not show the floodplain/flood way onto the adjacent property to the east, known as NC48 on the exhibit they have prepared, which makes you wonder, what is going on?
- We do not support Staff's use of inaccurate data (i.e., biology, hydrology and topographic mapping studies) for determining land use for NC38.

We highly recommend that Staff not use the County's hydrological data and topographic mapping to determine residential densities for the Property Specific Request. These site specific studies should be site specific and required during the entitlement process for the property.

These issues remain the same for the County's General Plan Update. We sincerely request Staff to reconsider their alternative analysis.

Sincerely,

bha, Inc.



Rod Bradley
President

RB:pjh

cc: Bill Horn - 5th District Supervisor

property specific request-nc38-county.ltr3

Staff response to assertions on page 2 of Bradley letter (NC38 Yasukochi)

- Staff acknowledges that the commenter does not agree with maps options that would maintain SR-2 on any portion of the Yasukochi property, as noted in the first dot point.
- This second dot point claims staff is showing the floodplain where we believe the existing floodplain occurs, but that it is shown in error.
 - As staff has discussed with the commenter several times, we are showing the FEMA floodplain map. On April 20, prior to sending this letter, the commenter sent staff a copy of the official FEMA map (which staff was already using), which shows the exact same floodplain and floodway delineation that is shown in the analysis packet. The commenter has stated issues with the FEMA map.
- The third point again points to a staff exhibit, noting issues with the floodplain map.
 - As the commenter knew before submitting this letter, the staff analysis shows the FEMA floodplain map.
- The fourth point states that staff does not show the floodplain/floodway on the adjacent property to the east, known as NC48, and asks, “what is going on?”
 - As the commenter knew before submitting this letter, there is no mapped floodplain/floodway (FEMA or County-mapped) on the adjacent property to the east.
- The fifth point notes the commenter does not support staff’s use of inaccurate data, “...(i.e. biology, hydrology, and topographic mapping studies)...”
 - Staff has asked the commenter several times what he is referring to here, as he had brought this up previously. On May 4, the commenter responded in an email on one item he is referring to, noting, “I read in your analysis, that the Yasukochi property has riparian habitat within the drainage that crosses the property.”
Staff responded that the subject text from the analysis states it is a reference to NC48, which is not the Yasukochi property. Staff asked if the commenter could check and see this reference to NC48 on p. 23 of analysis packet, or if there was another page he was referring to. No response was received on that question.

From: [Lynne Malinowski](#)
To: [Eichar, Peter](#)
Cc: [Lynne Malinowski](#)
Subject: North County Metro Specific Requests GPA and Rezone
Date: Thursday, February 25, 2016 3:06:25 PM

February 25, 2016

Mr. Mark Wardlaw, Director

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

RE: North County Metro Property Specific Requests GPA and Rezone: Study areas NC37, NC38, NC41, NC42, and NC48

Mr. Wardlaw,

I am a property owner in San Marcos, and a horse rider in the Twin Oaks Valley area (North County Metro.)

I have looked at the requests cited above, and have deep concerns about the potential adverse changes that would be made to the character of this area.

The General Plan for 2020 was made with the intention of locating development in certain specific areas and allowing the retention of rural character in existing rural and agricultural areas. In other words, put the developments where the transit and the infrastructure already exist, not continue a sprawl into our precious low density back country and rural areas.

Changing the zoning on these areas to have increased density will put further strain on the already maxed out roads which already need a lot of maintenance. It will further exacerbate the safety issues of high speed traffic in rural winding roads (e.g., Deer Springs Road, Twin Oaks Valley Road, and others). And it is well known that when major roads become congested, local residential streets become alternatives for bypasses, and those 25mph speed limits are recklessly unheeded. It is unsafe to try to walk, bike, or ride horses in these areas due to the traffic conditions. We shouldn't be compounding these problems with additional traffic.

In fact, if you look at this specific North County Metro area, you will see the history of quiet, rural/agricultural, horse friendly character, which has attracted likeminded residents to choose this area above others to live and locate their businesses for more than a century. This area is a jewel in the region where encroaching subdivisions and commercial development are applying pressure to 'pave paradise and put up a parking lot.' These specific requests aim to do just that. The rural quality of life is the legacy of this valuable area, and should not and cannot be erased for the sake of unchecked sprawl.

Please help save the Twin Oaks Valley by retaining the current GP2020 zoning for these parcels.

Lynne Malinowski

Property owner

Lynne.Malinowski@gmail.com

March 12, 2018

Mr. Kevin Johnston
COUNTY OF SAN DIEGO
Department of Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

**RE: NC 38 - YASUKOCHI PROPERTY, APN 182-074-04, 25 AND 10 - GENERAL PLAN
AMENDMENT PDS 2012-3800-12-005 PDS 2014-REZ-14-006; LOG NO. PDS 2012-
ER-12-00-003 SCH NO. 2015121012**

Dear Mr. Johnston:

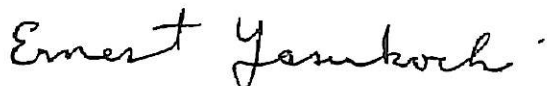
It is our understanding that our property has been included in a General Plan Amendment and Rezone - Property Specific Request being prepared by the County of San Diego Planning and Development Services Department (PDS) as directed by the County Board of Supervisors.

Our property is comprised of NC 38 and is being recommended for an SR-1 Designation and Associated Zoning.

This letter will serve as our support for the SR-1 Designation.

If you should have any questions, please feel free to contact me.

Sincerely,



Ernest Yasukochi
25903 N. Voltaire Place
Stevenson Ranch, CA 91381-1144
eyasukochi@yahoo.com

cc: Bill Horn - 5th District Supervisor
Mark Wardlaw - Director

PP30 ANALYSIS AREA CORRESPONDENCE

For additional PP30 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

File: 102-585

December 1, 2016

Charles Mathews, Chair
Pala Pauma Valley Community Sponsor Group
16650 Highway 76
Pauma Valley, CA 92061

SUBJECT: PP30 Property Specific Request – Pala-Pauma CSG

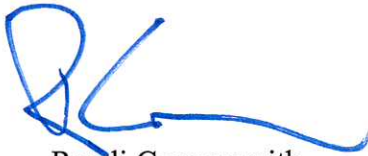
Dear Mr. Mathews,

Thank you for the opportunity to present this letter regarding PP30, a Property Specific Request for a proposed land use change to the County of San Diego's General Plan. Latitude 33 is pleased to represent Mr. Don Armstrong of McCormick Ranch, owner of the subject property. We are unfortunately not able to attend the December 7th Community Sponsor Group Meeting.

We would, however, hereby like to state for the record that we are in support of the PSR to change a portion of the Property's Land Use from RL-40 to SR-2. We believe the request is both logical and reasonable. This area has direct and abutting access to Highway 76 and is adjacent to existing higher-density residential, Mixed-use and commercial land uses.

We look forward to working with your Community Sponsor Group and County Staff. Should you have any questions, feel free to contact me at 858-875-1703.

Sincerely,



Randi Coopersmith
Senior Principal

SD15 ANALYSIS AREA CORRESPONDENCE

For additional SD15 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

Center for Natural Lands Management

A non-profit organization for the protection and management of natural resources

27258 Via Industria, Suite B
Temecula, CA 92590-3751
Phone: 760.731.7790
Fax: 760.731.7791
www.cnlm.org



May 12, 2017

Mayor Jim Desmond
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Letter in Opposition to Proposed Copper Hills Development Project

Dear Mayor Desmond:

The Center for Natural Lands Management (CNLM), a conservation-focused nonprofit organization, owns land (Preserve) that provides protected habitat for imperiled species and that lies adjacent to the site (Property) of the proposed Copper Hills Development project (Project).

CNLM recently became aware of the Project located off San Elijo Road near the southeast corner of the City of San Marcos (City). We understand the Project is comprised of over 310 residential apartments and attached condominiums, and commercial/industrial buildings on approximately forty acres. According to the documents we received from the City, the Property is located in the County of San Diego, is currently zoned for commercial use, and the project proponent wants to change the current zoning to include residential and annex the Property and Project to the City.

CNLM is very concerned about the Project and the impacts that a high-density residential community is likely to have on our Rancho La Costa Habitat Conservation Area (Preserve), protected habitat we own (see attached figure). The Preserve was set aside as part of the Multiple Species Habitat Conservation Program (MSHCP) and is within an area known as the La Costa Villages/University Commons Core Area. The Preserve protects natural open space in the County of San Diego, and Cities of Carlsbad and San Marcos. We own and manage the Preserve—some sections of which have been under our ownership and care for over 15 years.

CNLM is an IRS §501(c)(3) nonprofit organization with a mission to protect imperiled species and their habitats. We own and manage conservation lands that are protected as a result of government resource agency mitigation requirements. It is our responsibility to protect and to steward the Preserve's imperiled species and sensitive habitats in perpetuity for the benefit of the people of the State of California, including the citizens of the City. Our charitable trust responsibilities include continually monitoring the Preserve and assessing the potential for future adverse impacts to the Preserve.

The Preserve has very important conservation values (Conservation Values): it supports hundreds of species, including sensitive or endangered species such as the (threatened) coastal California gnatcatcher (*Polioptila californica californica*), mule deer (*Odocoileus hemionus californicus*), (endangered) thread-leaved brodiaea (*Brodiaea filifolia*), (endangered) San Diego thornmint (*Acanthomintha ilicifolia*), and Orcutt's brodiaea (*Brodiaea orcuttii*), and is a primary wildlife movement corridor between the coastal Carlsbad and San Marcos, and the inland areas of Elfin Forest and Escondido.

The Copper Creek area of the Preserve is a very private, secluded canyon, that supports habitat and a movement corridor for species such as mule deer. It is adjacent to the proposed Project.

Our management includes all aspects of preserve stewardship, including biological monitoring, habitat maintenance, public outreach, trail maintenance, patrols, and enforcement. The Preserve has approximately ten miles of trails that attract hundreds of users each week and is the primary conservation property for residents of the San Elijo Hills, University Commons, and La Costa Villages developments, as well as other residents from across San Diego County, who enjoy the Preserve for hiking, biking, and horse-back riding.

CNLM has the following concerns about the Copper Hills project and how it will adversely affect Conservation Values on the Preserve:

1. Increase in direct, adverse impacts to the Preserve: The Project will increase, by hundreds, the residents adjacent to our Preserve, increasing both noise and the likelihood of trespass, fire ignition, and other cause of damage to our Preserve.
2. Increase in impacts on public trails area (Copper Creek area): The Preserve's Copper Creek area will likely experience a significant increase in users, with attendant adverse effects on wildlife and native vegetation. CNLM manages many acres of multiple nature preserves in urban areas and has done so for over twenty-five years. Our experience is that an increase in trail users is correlated with an increase in adverse impacts to wildlife and sensitive natural resources.
3. Increased impact on critical animal movement: Increased use, trespass, and other human activity will adversely impact animal movement through our Preserve, especially in the Copper Creek area.
4. Increased expense for Preserve stewardship: CNLM already struggles with vandalism to our property, such as sign and gate destruction, theft of equipment from our storage sheds, and vegetation removal and damage from illegal trail building and off-road activity. These expenses are already a burden, and it is likely to worsen with increased residential population density adjacent to our Preserve.

5. Need for increased enforcement capacity: CNLM's enforcement capacity cannot handle the large increase in users that the Project would bring to our Preserve. We are already struggling to successfully enforce Preserve rules, conservation protective requirements imposed by government agencies and supplemented by our stewardship standards. For example we do not allow dogs, leashed or otherwise, on our Copper Creek trail (because of sensitivity of wildlife). We currently struggle to enforce this prohibition, and, with the increase in users, this problem would likely be unmanageable without a significant increase in staffing.

Residential density in this area of San Marcos and the County (e.g., San Elijo Hills, University Commons, La Costa Villages, and other areas) is already extremely high. The Project will increase residential density and traffic in an area where infrastructure and quality-of-life facilities and services are already stressed. Commercial use of this property would have far less impact on the Preserve and other facilities.

CNLM requests that the City of San Marcos deny the approval of the Copper Hills project and the re-zoning request.

Thank you on behalf of CNLM and the people of California for supporting our efforts to ensure the integrity of the Preserve and its high quality Conservation Values.

Sincerely,



David R. Brunner
Executive Director
Center for Natural Lands Management

Attachment: Figure 1

cc: City Council Members, City of San Marcos
Jack Griffin, City Manager, City of San Marcos
Norm Pederson, Associate Planner, City of San Marcos
David Zoutendyk, United States Fish and Wildlife Service
David Mayer, California Department of Fish and Wildlife
Mark Wardlaw, County of San Diego



0.55 0.275 0 0.55 Kilometers



Figure 1. Copper Hills Proximity Map

Rancho La Costa Habitat Conservation Area- San Marcos, California Center for Natural Lands Management

From: [Cherie Arendse](#)
To: [Johnston, Kevin](#)
Cc: efhgtc@gmail.com
Subject: SD15 Comments
Date: Wednesday, March 07, 2018 9:24:18 AM

Please Please no more house!!!!

We need developed green space. My kids are always trying to find a space to play football or to run around in grass that is a level place, also where they can ride their bikes on a flat surface, or to skate.

Lets develop a green space that has a skate park, level grassy field, bike trails, dog park, swimming pool (Alga Norte is a great example).

However I would add only one commercial building with a restroom, and eateries with local flavors type food court.

A small playground for kids imagination and experimental minds.

And the most important things is more access road to Rancho Santa Fe and Elifin Forest so we are not locked in, to route traffic in other directions, to have better escape plans for fires, or if their is an accident on San Elijo Blvd.

Please listen we don't need 300 more homes, lets support the community we have now!!!

Cherie Arendse

From: [chris rager](#)
To: [Johnston, Kevin](#)
Cc: efhgtc@gmail.com
Subject: SD15 Comments
Date: Friday, March 09, 2018 6:09:11 AM

Mr. Johnston,

I would like to voice my opposition to the Copper Hills development. My family moved to Elfin Forest 8 years ago to escape high density housing, congested roadways and to enjoy a rural lifestyle.

It is sad that I cannot build a guest house on my 5.5 acres, yet the County will consider high density/commercial for land zoned for 1 acre lots and no commercial.

I'm sure that when you bought your home, you did so assuming your neighbor couldn't turn their property into something highly undesirable to you. You were able to purchase your home in confidence because the County code protects you. Our situation is not much different. Had I known the probabilities of a developer convincing the County to change the General Plan (like what happened in Harmony Grove), I might have reconsidered buying in Elfin Forest.

Please put yourself in our shoes and help us oppose this project.

Regards,

Chris Rager

Sent from my iPhone

From: [Dee Folse](#)
To: [Johnston, Kevin](#)
Cc: [Dee Folse](#)
Subject: SD15 Comments
Date: Friday, March 09, 2018 1:29:46 PM

Good afternoon Kevin,

Thank you for your time last night at the San Dieguito Planning group. I know how busy you all are at the County and I appreciate you being there and your explanation on this difficult project.

I have developed property before, (very small projects) and realize how much money it takes to get a property rezoned. I understood that the County is paying for this process instead of the land owner. Could that be correct and if so why.

Am I also to understand that we spent millions of dollars on a General Plan and got it wrong just to go back later, spend more money and up-zone it for a private land owners benefit?

If you could clarify those concerns for me I would greatly appreciate that.

I also feel that building a mini SEH's next to a decaying, abandoned dump and up against La Costa Preserve is irresponsible.

Lastly I would like to go on record as stating I am absolutely opposed to changing the GP for SD15, Copper Hills, and feel it needs to stay zoned as it currently is.

Thank You

Take Care

Dee Folse

760-889-2453

"We only get so many Trips Around the Sun"

Make a difference Today.

From: [Erin DeWitt](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Wednesday, March 07, 2018 9:21:20 PM

Mr. Johnston,

I am writing to express my opposition to the rezoning of the land near the landfill in San Marcos, also known as the Copper Creek project.

As a San Elijo resident for over ten years, ai have seen rapid growth in terms of building housing. Unfortunately the infrastructure has not caught up to that growth. Our schools are crowded and our roads are congested. Adding 300+ residences as well as commercial space would only make it worse.

This land should be kept as it's original designation of acre lots and nature preserve. Packing in homes in that area would not only decimate the local wildlife and preserve but greatly increase the risk of a fire rapidly spreading. Having evacuated twice, I can tell you that more people and structures in this area is not what we need.

Please do not allow this to happen.

Thank you,
Erin DeWitt

Sent from my iPhone

From: [Kristin Bradford](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Thursday, February 22, 2018 5:14:08 PM

Kevin

Please do NOT allow the proposed plan for SD15 to move forward. As a San Elijo Hills resident this has SO many negative impacts. Fire evacuation congestion, not enough room in our schools, even more congestion on SE Road...just to name a few. This is awful and I absolutely oppose. Thank you
Kristin Bradford

Sent from my iPhone

From: [Maureen Quinn](#)
To: [Johnston, Kevin](#)
Cc: efhgtc@gmail.com
Subject: SD15 Comments
Date: Thursday, February 22, 2018 3:04:12 PM

Good Afternoon Mr. Johnson,

I am writing to you today in opposition of the the Copper Hills project proposed in San Elijo road. My purpose of this email is not to be a disgruntled neighbor, yet rather provide you with some personal insight as to why I strongly oppose this development.

My name is Maureen Kim and I am a mother to a 2 year old boy, as well as expecting another little boy in the Spring.

This past summer, my husband John and I purchased a home in the community of San Elijo. We chose this area of San Diego county specifically for the school district and “quaint” community feel we got when looking around. My husband is originally from Ohio and was stationed in San Diego with the US Navy. I moved to San Diego 15 years ago, from New Jersey, to attend graduate school to become a teacher for students with special needs. As we were researching areas to raise our family San Elijo provided us with the “back East” feel we both miss and we excitedly planned and saved to purchase our home.

After moving here and seeing this proposal, I am very concerned about the future of this community, as well as San Marcos. This past December, when we had the unprecedented “Purple Flag” warning I was terrified thinking about how families would manage to evacuate on one two-lane road. I can’t even imagine how difficult it would be if there are even more people trying to get out Via San Elijo Road due to the Copper Hills project.

I am also extremely disappointed in the way the school district is being impacted due to the increased building and lack of proper schools. As a public school teacher, I know how crucial it is for students to be educated in a classroom with proper student to teacher ratios. By adding more homes, and more students to an already crowded school, developers are ruining educational experiences for both students and teachers.

I am not opposed to change and I realize that there are many positives that come along with development. Yet, I am personally asking you to please realize the direct impact on the safety and education this development will have on families and children.

Thank you for your time

Respectfully,

Maureen Kim

Sent from my iPhone

From: [Nancy Henderson](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Tuesday, March 06, 2018 8:38:55 AM

I am a resident of Harmony Grove and travel through Elfin Forest San Elijo every day.
I am opposed to the massive development you propose with over 300 home and commercial space-- 61 houses is way too many! This is an old landfill and should be kept as open space.

My main concern is that of fire evacuation and overuse of roads in this area. It will be a death trap and it is not in the best interests of our community

From: [Patricia Ariadne](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Tuesday, March 06, 2018 3:12:18 PM

Dear Kevin Johnston,

I live in Elfin Forest. I travel Elfin Forest Rd. and San Elijo Rd. daily to my teaching job at Mira Costa College, San Elijo Campus, and to my psychotherapy office in Encinitas. The crowded conditions on this route (which include driving on Rancho Santa Fe Rd and El Camino Real) has already greatly impacted the quality of life for me in North County; *drivers are taking perilous risks to cut off cars to get to the head of lines; compulsively tailgating; and running red lights (I see this daily)*. Yesterday, I saw a truck speed up and pass the car in front of it—on Elfin Forest Rd. (where passing is absolutely forbidden)! These reckless driving incidents—and a sharp increase in accidents—will definitely be the end result if you add this proposed condo project into the mix. (And I am not even mentioning the housing developments planned for the area near UCSM). Soon, it will be impossible to live in this area! Please help!

Dr. Patricia Ariadne

760.445.0805

Patricia Ariadne, Ph.D., LMFT (MFC19277)

*The **TransitionTherapist***

Office

*Address: 187 Calle Magdalena Ste. 208
Encinitas, CA 92024*

From: [Rebecca Schlesinger](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Wednesday, February 28, 2018 1:49:43 PM

Kevin -

I writing to you regarding the proposed development named Copper Hills /SD15. I am against this development for several reasons. I have lived in SEH for eight years and before that I grew up in Escondido. I have seen the growth of the community over the past 44 years. It went from nothing to what it is today. I love it here. PLEASE DON'T RUIN IT. During my time in SEH the traffic has increased to gridlock during the hours of 4:30 pm through around 5:45 pm. When the middle schools lets out it can take 30 min to just pass though downtown. The parents park on the street to pick up kids creating even more gridlock.

And then there is the fire issue. With only one road in and out of the Hills and that road being two lanes each way adding more houses is not in the best interest of the community and will create a road block of traffic when we all need to evacuate.

That land would be better used as a park for the community. How about some tennis courts? A community pool? Just grass would be better then more houses! I moved to SEH for the small town community feel it offered. Don't ruin it by huge unplanned growth and more houses, more traffic, more people etc.

There are already several developments going in around SEH right now. We don't need more.

Best,

Rebecca C. Schlesinger
e rebecca10s@cox.net
p +1 760 310 5345

From: [Alan Lasnover](#)
To: [Johnston, Kevin](#)
Subject: SD15 Comments
Date: Tuesday, February 27, 2018 2:09:24 PM

Dear Mr. Johnson,

Thank you for your telephone explanation. As a resident of rural north San Diego County who frequently uses both Elfin Forest road, Harmony Grove Road, and San Elijo Road, I am frightened by any proposal that increases traffic on any of these roads, which were not designed even for the traffic congestion that now takes place. The City of San Marcos has been unsuccessful in its efforts to deal with traffic congestion on San Elijo Road, especially when school starts and ends at the two schools involved. Having another large population, such as that described by the applicant's decision to add more residential and/or commercial units to an already congested site only serves to increase a traffic problem on roads designed and used for evacuation of large numbers of people and animals in times of disaster such as fire. The developers of this proposal have only their economic profit in mind and apparently care nothing of the stress caused to existing inhabitants of the areas involved.

It is my fervent hope that you will act to disallow any proposal that amends San Diego County's existing general plan.

Alan L. Lasnover, MD

From: [Lisa Avellino](#)
To: [Johnston, Kevin](#)
Subject: Cooper Hills Development
Date: Thursday, February 22, 2018 7:53:46 PM

Dear Mr. Johnston,

I am a resident of San Elijo hills and have been following the Cooper Hills project closely. There are some serious concerns with traffic and fire safety for the area already and by adding 351 residents will only make both of these concerns a bigger issue. Reading through the information provided to the public I don't understand how this could be approved with the possibility of adding an additional 16,000+ daily trips to the area. There needs to be a traffic study done as its pretty difficult to get in and out of the area during the morning and evening hours.

The entire plan area and the surrounding parcels are designated a Very High Fire Hazard Safety Zone by CalFire. It is adjacent to permanently conserved wild land and has a higher probability of being impacted by wildfire. There is also a landfill adjacent that may emit methane gas. There do not appear to be any studies which analyze either fire safety of the proposal or the ability to evacuate. If you all remember Coco's fire, SE Road was backed up for almost two hours as residents sought to get away from the fire. These 351 new residences and 138,000 feet of commercial space would add another 2.5 to 3 vehicles per household (so close to a 1000 vehicles for the residences alone) to the evacuating traffic. There needs to be additional routes in and out of San Elijo to accommodate this additional traffic which will cause significant issues should we need to evacuate in the future.

I strongly urge you to stop this project from being approved.

Lisa Avellino
2862 Dove Tail Dr
San Marcos, CA 92078

From: [Melissa Burgess](#)
To: [Johnston, Kevin](#)
Subject: Copper Creek Development
Date: Thursday, February 22, 2018 4:43:49 PM

Dear Mr. Johnston,

I write to ask you to stop the planned development at Copper Creek near San Elijo Hills adjacent to San Marcos. This area is not built with the infrastructure needed to accommodate the development, and such an influx of people and traffic is a serious threat to safety and security. As it is, fire evacuation is nearly impossible with only one main road for ingress and egress into San Elijo Hills, and adding a cork in the bottleneck will mean that lives will be lost in the next fire.

As you may be aware, our local activism is focused on ensuring that our roads and schools can accommodate any further development. This project will not be a benefit to anyone other than greedy developers and it needs to be stopped now.

Kind regards,

Melissa Burgess
760 672 4572
Resident of San Elijo Hills

Sent from my Verizon 4G LTE smartphone

From: [Margo Fudge](#)
To: [Johnston, Kevin](#)
Subject: Copper hills housing
Date: Saturday, February 24, 2018 6:36:33 AM

Mr. Johnston

I am writing to implore you to not allow the building of additional homes in San Elijo. As you may know, we have seen an explosion of development in our community and there is not sufficient schools or roads to handle more people crammed into this area.

We have lived in Old Creek Ranch, adjacent to the proposed site, and in times of recent fires, it took almost an hour to evacuate due to the limited roads to leave. It is irresponsible to allow additional families to be added to the area.

Please stop this project.

Sincerely
Margo Fudge

Sent from my iPhone

From: [Lawrence Witt](#)
To: [Johnston, Kevin](#); NPedersen@san-marcos.net
Subject: Copper Hills
Date: Friday, February 23, 2018 11:15:31 AM

Messrs. Johnston and Pedersen,

I am writing to voice my objection to the Copper Hills development. We have had way too much building in the San Elijo / San Marcos area in recent years. Our infrastructure is bursting. The schools in SMUSD are overcapacity, that's a fact. The traffic on San Elijo Road is already a nightmare. There are too many houses and not enough roads. This was most evident during the Cocos fire. It took me an hour to get drive my family from the neighborhoods near Double Peak out of San Elijo. If the wind was slightly stronger and came over that hill, hundreds, maybe thousands, of people would have died in their cars trying to leave the area. Please think about our safety, our schools, our children.

Regards,
Larry Witt
San Elijo Hills Resident

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Property Specific Request (PSR) for San Dieguito (SD15)
Date: Thursday, January 19, 2017 9:28:05 AM

Dear Mr Johnston:

Endangered Habitats League (EHL) has reviewed the draft materials on SD15 and opposes it. This 69-acre PSR involves in part a change from SR-1 to a Village category, specifically VR-10.9. The proposal is flawed on numerous grounds. The site is in the draft PAMA for the North County MSCP. The proposed change would essentially void the PAMA designation and jeopardize this segment of the North County MSCP. The location is also subject to high wildfire hazard. And very fundamentally, it is not contiguous with a Village but rather *violates* LU 1.2 of the General Plan, pertaining to leapfrog development. We note the the site is in the sphere of influence of the City of San Marcos. If more intense, urban-level development is desired, annexation should be pursued.

Thank you for considering our views,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

From: [Burgess, Steven J.](#)
To: [Johnston, Kevin](#)
Subject: FW: Copper hills development
Date: Wednesday, February 28, 2018 11:39:44 AM
Attachments: [image001.png](#)

Dear Kevin,

My name is Steven Burgess and I'm a resident of San Elijo Hills/ San Marcos. I'm dismayed at the continuous development of densely packed houses/ apartments within the whole of San Marcos (not just San Elijo) without corresponding improvements in infrastructure (roads/ schools etc). Today it took me 25 minutes to drive 1 mile though San Elijo during the school rush hour. If there was an additional thousand homes (2000 cars) with increased traffic lights I would dread to think how long it would take. I urge you not to plan for more developments in this area of San Elijo hills as:

- It would lead to enormous traffic congestion
- Would be a serious safety concern in the event of a fire
- The current infrastructure cannot cope with increase traffic at peak time
- Would lessen the experience of living in San Marcos/ SHE

On the last note, I think the city/ town planners have zero concern for the effect of the residents who have to live in San Marcos and are more concerned with granting greedy developers with any planning permission they desire. Please consider these comments/ suggestions seriously as the current rate of development is having a detrimental impact on our lives.

Kind regards

Steven Burgess
92 Baylor Drive
San Marcos

*Steven Burgess PhD
Principal Scientist,
Cancer Vaccines and Immunotherapeutics,
Pfizer Worldwide Research and Development*



Tel. +1 858-6223015

Address: Cancer Immunotherapeutics, Pfizer WRD, 10777 Science Center Drive, La Jolla, CA92121

Email: Steven.J.Burgess@Pfizer.com

From: [Scott Wilson](#)
To: [Johnston, Kevin](#)
Subject: New Development Proposed -- Copper Hills/SD15
Date: Thursday, February 22, 2018 5:31:37 PM
Attachments: [image001.jpg](#)

Dear Kevin,

I would like to take a quick moment to express my concerns about the proposed development 'Copper Hills.' We live in a beautiful part of the world, and I understand more people want to move in, and families grow, which of course creates a housing shortage. What's in my opinion more important here than any potential traffic, crowded schools or overall quality of life issue is that we as humans have an essential role that many over-look in modern society. We need to preserve wildlife and nature itself; please do not let developers take away what belongs to everyone and everything, so they can grow fatter pockets and continue on the race to the bottom.

Please help, we owe it to our planet, our children, and generations to come.

Thank you for your time,
Scott

id:image001.jpg@01D1BCB7.2D470080



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20223 Elfin Forest Road
Elfin Forest, CA 92029

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Shelley Fontaine
Angelique Hartman
Scott Sutherland

March 15, 2018

Mark Wardlaw, Director
County of San Diego
Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 93123

RE: Comment letter regarding Property Specific Requests General Plan Amendment, GPA 12-005; REZ 14-006, pertaining to the San Dieguito Analysis Area, SD15.

Mr. Wardlaw,

The Elfin Forest /Harmony Grove Town Council appreciates the opportunity to comment on the proposed Property Specific Request GPA and subsequent re-zoning of the parcel known as SD15.

The project is located within a quarter mile of the Elfin Forest / Harmony Grove Town Council Boundaries and proposes a change in the land use designation from SR-1 to a combination of C-1, VR-10.9, and SR-0.5 over a one parcel, 69-acre PSR area, with no study area. This change would be anticipated to yield 301 additional dwelling units and 138,000 square feet of commercial space, if approved, for a total of 361 housing units.

In the absence of a specific plan, we are opposed to this General Plan Amendment to allow the rezoning of this parcel due to the significant potential impacts that the increased density would create. Of concern are the following:

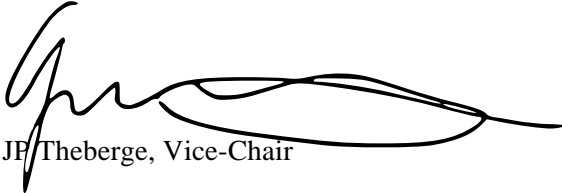
- a) Setting a precedent for amending the general plan when there is no public interest and no extenuating circumstances. Amending of the General Plan of San Diego is permitted if and only if the change is the public interest. The applicant has failed to show that it would be "in the public interest and would not be detrimental to public health, safety, and welfare." GP 1-15. In the absence of a legitimate reason to do so, and the lack of a clear plan for this property, in addition to the significant potential impacts, we cannot endorse amending the general plan to accommodate additional units.
- b) There is significant community opposition both among County residents and residents of the City of San Marcos, who would be most impacted.
- c) The traffic impacts will introduce a level of congestion on roads in the County (and the City of San Marcos) that are unavoidable and cannot easily be mitigated. 16,231 ADTs would have a considerable impact on the traffic flow, per the EIR.
- d) Evacuation on San Elijo Road has already been a problem in the most recent Coco's fire where residents of San Elijo Hills were stuck in their cars for over two hours. Elfin Forest residents were unable to evacuate via Elfin Forest Road heading towards San Marcos and had to find

alternate egress. An additional 362 houses and 138,000 feet of commercial space will generate much more evacuation traffic that will put residents at considerable risk for entrapment.¹

- e) Biological impacts: we would refer to the letters by the Center for Natural Lands Management and The Escondido Creek Conservancy which echo our position on the matter.

We do not support this GPA and its associated change in land use designation and would ask that the County reject this application. Until the applicant can bring a more detailed and specific project plan and associated EIR, we cannot full assess the impacts or merits of the project and it should therefore be rejected.

Respectfully,

A handwritten signature in black ink, appearing to read 'JP Theberge', followed by a long, horizontal, looping flourish.

JP Theberge, Vice-Chair

CC: Kevin Johnston

¹ <http://www.sandiegouniontribune.com/sdut-san-elijo-traffic-review-cocos-fire-san-marcos-2014jun07-story.html>

From: [Camille Perkins](#)
To: [Johnston, Kevin](#)
Subject: SD15 Property Specific Requests General Plan Amendment / APN 223-080-46
Date: Thursday, July 13, 2017 10:03:23 AM
Attachments: [image.png](#)

Hi Kevin,

Thank you again for speaking to me earlier this week. I appreciate all of your information and help coming up to speed on this project.

My concerns relate to APN 223-080-46, SD15, a 68.84 acre parcel within the County and adjacent to the decommissioned San Marcos landfill.

As discussed, I would be grateful if you could add us to your notice lists concerning this project: Camille Perkins, 3489 Lone Jack Road, Encinitas, CA 92024 and Virginia Perkins, 3451 Bumann Road, Encinitas, CA 92024.

We strongly oppose any effort to rezone this property. We do not believe that upzoning is appropriate for this property based on a large number of reasons due to its negative impacts:

1. Landfill issues. Per public County filings relating to the landfill, nearly all of the groundwater from the unlined San Marcos landfill flows toward this property. The water wells on this property, and immediately adjacent, have tested positive for elevated chemical levels. In addition, there are concerns, including those raised by the County, that the landfill gas transits through the fractured metavolcanic rock underlying this area, and can impact structures built on this property.

This was enough of a concern to the San Elijo Hills development that news agencies reported that "The county and San Elijo agreed on a \$3.4 million settlement for the acquisition by condemnation of 80 acres of the property being used as a buffer against the landfill."

<http://www.sddt.com/News/article.cfm?SourceCode=1990726td#.WWY6TvlukM9>

According to this news article, San Elijo Hills was 1000 feet to 1.5 miles away from the landfill, much further than this project.

Property immediately adjacent to the decommissioned landfill would not be at a lesser risk from landfill concerns than the more distant San Elijo Hills land. It seems like a very inappropriate risk for taxpayers to upzone this property, thereby increasing the value at time of condemnation.

2. Copper Creek runs on the South-East of this property, although it is not reflected on any of the SD15 maps. While Copper Creek now runs year-round, it used to run only a few days per year from seasonal runoff only. The current volume of water, especially during winter flash floods, is creating tremendous damage including scouring, sedimentation and siltation and encouraging non-native vegetation. This waterway is already at overcapacity. There can be no further addition of water to Copper Creek under any condition because roads downstream across Copper Creek are already washing out along with other property damage in both the County and City of Encinitas. The best solution would be to use portions of this property to address stormwater concerns caused by both onsite and upstream sources.

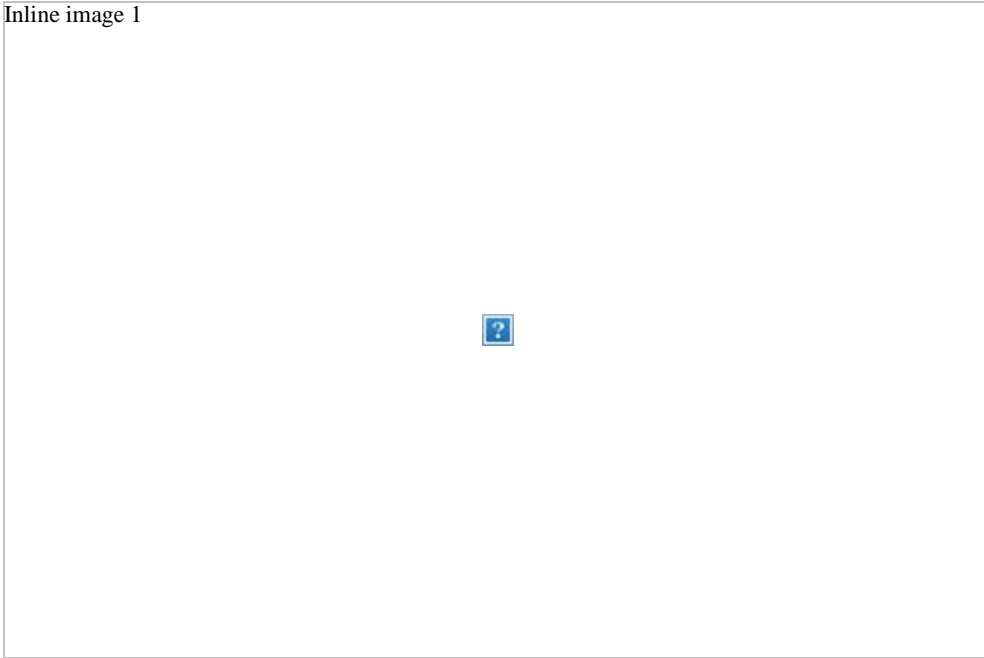
I am concerned that upzoning this property will create additional impermeable surfaces and stormwater impacts, including further property damage downstream.

3. I am also concerned that this project maintains existing habitat connectivity. The existing SD15 documentation addressed the adjacent County preserved habitat but did not address the adjacent habitat already preserved in the City of San Marcos. I

have attached some screenshots below from <http://maps.san-marcos.net/mapgallery/map.html?webmap=5b762031658c493cb7dc604654b5d9ce>

The proposed project is the large pink property at the bottom of the screenshot below. All pale green areas are open space and dark green areas are parks. The dark line below shows the southern limits of San Marcos. Yellow areas are within the County and San Marcos zoning does not apply, although much of this land is also preserved.

Inline image 1



This property as a key habitat connector/linkage between these preserved San Marcos lands and the County Core property already preserved.

4. It appears that the developer is using the proximity of San Elijo Hills as a justification for higher zoning. This is not an accurate reflection of this property's location. This property is immediately surrounded by predominantly open space or very large lots. Under the GP2020 plan, any nearby remaining undeveloped lots in this island of County land are zoned SR-10 acre/du. As it is, under the GP2020 changes, this lot already is the highest zoned property in this part of the County, higher than its neighbors and therefore out of character. Any development beyond SR-1 would form an island unto itself. I believe it is more appropriate to maintain the SR-1 acre/du as a transition into the large lots and habitat area.
5. According to County Assessor records, this property was purchased in 2004 for approximately \$48,755/acre. It is currently assessed at \$59,731/acre. These prices are lower than many habitat sales in the area. This property owner knew that this property had environmental constraints and was significantly impacted by the landfill leachate and landfill gas and existing zoning levels. There is no economic loss to this developer by maintaining the 61 dwelling unit/SR-1 acre land zoning and significant upside potential exists at current zoning levels.
6. I was active in the GP2020 process. Land nearly adjacent to this property was significantly downzoned along with countless other people across the County. It seems incredibly unfair for this property owner to derive benefits on the backs of so many others. This request to upzone is especially egregious because the density should be kept very low to reflect the habitat and landfill issues. SR-1 du/acre is generous under these conditions.

I strongly oppose any effort to upzone this property. Given its proximity to the landfill, the fact that nearly all groundwater flows towards this property from the landfill, leachate issues, landfill gas issues, stormwater issues, community surroundings, and habitat connectivity described above, this property does not seem like a good candidate for upzoning beyond the 61 dwelling units currently allowed.

Thank you again for your time and attention.

Kind regards,

Camille Perkins

From: [Joe Pusi](#)
To: [Johnston, Kevin](#); npedersen@san-marcos.net
Cc: efhgtc@gmail.com
Subject: Potential New Development - Copper Hills / SD15 near San Elijo - please deny
Date: Wednesday, March 07, 2018 9:16:33 PM

Hello,

I would like to state my strong opposition to the Potential New Development - Copper Hills / SD15 near San Elijo project.

Reasons to deny this project:

1. High density in that area already (San Elijo + South Carlsbad)
2. Adjacent to old dump/landfill
3. Area is surrounded by protected land (managed by CNLM; <https://cnlm.org/>)
3. Area is not well-suited to development due to topography
4. Area is on a creek (Copper Creek) - environmental issues w/ development
5. Useful as public open space / many recreation opportunities in area

Thank you for your attention,

Joe Pusi
Encinitas, CA
760-420-7447 m

From: [Cheri Smith](#)
To: [Johnston, Kevin](#)
Subject: Proposed Zoning Change for SR 15/Copper Hills
Date: Thursday, March 15, 2018 11:46:58 AM

March 11, 2018

To: Kevin Johnson, Norm Pedersen, and the Elfin Forest Town Council

As a taxpayer, homeowner in Elfin Forest, a fifth generation Californian, and a lover of San Diego, I oppose the zoning change proposed by the developer of SR 15/Copper Hills. This drastic change of density from currently zoned 69 houses to 351 houses with an additional 138k sf of commercial space is a totally unacceptable FIVE FOLD increase of density for the following reasons:

This massive density increase will greatly and negatively impact life here in Elfin Forest, with increased traffic along San Elijo Rd and Elfin Forest Rd. San Elijo Road is already very congested at school times (from two schools on this road within 3 miles of each other) and during rush hours. Elfin Forest Rd traffic, as an alternate route for ever increasing congestion on Hiway 78, is also increasing. This proposed SR15 zoning change will add over 16,000 daily automobile trips in and out of this area onto these already stressed roads. This foreseeable traffic nightmare alone warrants strong opposition to this developer's proposed five fold density increase.

This massive traffic increase of 16,000 trips per day will permanently and negatively change life here in Elfin Forest, not only for residents who have fought decades to preserve our unique rural character but for our many visitors coming to take a scenic drive through our valley and or hike in our Elfin Forest Reserve. Our many heritage oaks and the natural habitats of our local wildlife will be likewise negatively impacted by this massive traffic increase. This refuge is a positive resource for all, for local residents, for trees, wildlife, for all San Diegans, and for our visitors. It is a small reminder of what California once was. It is worth great care in preserving this for future generations.

It should be added local residents do not need more commercial outlets. San Elijo has developed and is developing as we speak more commercial outlets in the central part of this community within a couple miles of the proposed further commercial space. We do not need or welcome any further commercial space. We have enough.

Most of all, I beg you to please look at the bigger picture of land development here is North County in our beautiful San Diego, at what can be so easily lost forever, and to have a vision of what we want to leave as a positive legacy for the future. Once that cement goes in, there is no going back. City planning can go very wrong here in California and leave areas blighted by dense and thoughtless overdevelopment. One has only to look at South San Francisco or areas of coastal Orange County to see where a developer's greed and city planners' lack of vision has triumphed over what might have been a greater respect for preserving unique local character and the natural beauties of an area.

North County San Diego is one of the best places in the world to live and to visit. We should continue to offer appropriately zoned new housing and to welcome many visitors, but what draws people here is not bumper to bumper traffic and not hillsides blighted by overly dense ill thought out housing projects. Over development like this proposed SR 15 density increase is a blight on the landscape that cannot be undone.

For all of the above reasons, I sincerely thank you for opposing it.

Your truly,

Cheri Smith, MS, MDiv, CCH
20402 Elfin Forest Rd
Elfin Forest, CA 92029

From: [Corey Funk](#)
To: [Johnston, Kevin](#)
Subject: PSR GPA SD15
Date: Monday, March 26, 2018 10:09:26 AM

Hello Kevin,

I am writing to submit comments and express concerns about the land use changes proposed by PSR GPA SD15 located on San Elijo Road.

Schools – Due to the rapid growth within San Marcos, many of the schools have struggled with overcrowding. The schools that serve the project, Carrillo Elementary, San Elijo Middle and San Marcos High are at or over capacity (see link below). My son attended San Elijo Elementary for a period while it was over capacity by approximately 200 students (while Double Peak School was under construction, which drew some student from San Elijo Elementary). As a parent it was a very frustrating experience to have children at an overcrowded school. According to a meeting between SMUSD and City of SM about school concerns on city growth (powerpoint file too large to email), SMUSD estimates that their student generation rates are very low. Using their higher estimated generation rates, the proposed land use change allowing up to 362 dwelling units could add between 271-362 new students. A substantial increase in residential density will cause negative impacts to existing schools and those attending the schools.

<https://www.smusd.org/Page/31256>

Transportation and Traffic – Section 2.15 of the SEIR analyzed traffic for SD15 only on county roads, and did not analyze traffic for roads within city jurisdictions. Although it is important to analyze traffic on Elfin Forrest and Harmony Village roads as done by Section 2.15, these are not the roads that directly serve the project. This project is served most directly by San Elijo Road, Twin Oaks Valley, Melrose and Rancho Santa Fe Road. All of these major roads are within the jurisdiction of San Marcos and Carlsbad, and they are the roads that would be most impacted by the proposed lands use change. Although this approach may be consistent with how the County of San Diego performs traffic analysis, in the case of this property's location, it makes sense to expand the analysis and include the roads above. Critical information about potentially significant environmental impacts is not included with the SEIR and project analysis. This comment applies both as an environmental impact under CEQA as well as an issue of concern with the proposed land use change. It is a significant gap in information for the Planning staff and decision makers of the project and should be a part of the project review. This proposed land use change could significantly increase traffic through San Elijo.

Traffic is noticeably heavy during morning and evening commute times on San Elijo Road. During school drop off and pick up at San Elijo Middle School, traffic backs up from the school down to the SD15 property, preventing those exiting the property from turning right during these times. If there is an event at either school in San Elijo school during the evening

commute, I have seen traffic back up on San Elijo Rd. from the school past the project site, past the Melrose intersection and almost to the Rancho Sante Fe intersection in Carlsbad.

Fire evacuation – During the Cocos Fire, Twin Oaks Valley Rd. was blocked and not usable as an evacuation route. As a result, it took more than two hours for traffic to ease up enough for my family to evacuate San Elijo. Fortunately, it was not as windy as it was in the recent Napa fires, which significantly reduced evacuation times. Significantly increasing the potential development intensity of the property from low density residential to high density residential and commercial will make this much worse, which is a serious concern. Mitigation measure Haz-3.2 only appears to apply to county roads and lands, but the most impacted roads during a fire in this area would be roads in San Marcos and Carlsbad, as stated in the comment about transportation and traffic above.

San Elijo town center walkability – The San Elijo town center was designed as a walkable mixed-use area, and part of what increases walkability is the quality of the pedestrian experience. If traffic is too heavy through the town center, it could degrade from the pedestrian experience, working against the vision of the town center.

Thank you for the opportunity to comment on the proposed PSR GPA SD15.

Sincerely,

Corey Funk

cfunk100@yahoo.com

1569 Black Walnut Dr.

San Marcos, CA 92078

From: [Heidi Huffman](#)
To: [Johnston, Kevin](#)
Cc: [JP Theberge](#)
Subject: SD15/Copper Hills Comments
Date: Wednesday, March 14, 2018 10:31:25 PM

Dear Sir,

I am getting this letter with comments regarding SD15/Copper Hills to you just under the wire. I have been out of town recently, I am an airline pilot based at Los Angeles International Airport (LAX), and I live in Escondido. I am sharing this with you because I *get* to make the drive to and from LAX no less than 4 times a month, at various times of day and various days of the week.

I will not sugar coat this sir, the drive has become awful, pure hell. The 78 at rush hour, and the 5/405 through Orange County, all the way to the airport are nightmares. Orange County has grown to the point of being virtually uninhabitable...folks are angry and impatient. Accidents occur ALL THE TIME, wreaking havoc on the highways. Los Angeles is worse, if that is even possible. Public transit is severely lacking, adding to the frustrations.

I feel San Diego county is at a crossroads. I understand that growth is inevitable, but do we want to grow smartly, or with seemingly reckless abandon like LA and Orange County? I vote for smart growth...let's preserve the beauty of our county, and learn from LA and Orange County's irreversible mistakes.

Thank you for your time and consideration.

Sincerely,

Heidi Huffman
Hidden Hills
Escondido

VC7+ ANALYSIS AREA CORRESPONDENCE

For additional VC7+ correspondence received as part of the
SEIR NOP comment period and public review comment period,
see the SEIR linked at the project web page
at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

From: debby@wollamgrovemanagement.com
To: [Johnston, Kevin](#)
Subject: Mark Wollam 9437 W. Lilac Road, Escondido, CA 92026
Date: Thursday, February 09, 2017 1:09:09 PM

Valley Center Community Planning Group

**Regarding (PSR 54) Property Specific Request
9437 West Lilac Road
Escondido, CA 92026**

Some facts regarding my parcel are:

4 parcels approximately 55 acres connected to West Lilac Rd

2 miles east of I-15

Valley Center Municipal Water District

3 phase electricity

Gentle topography, all is farmed

No known environmental concern

+/- 1/2 mile from Miller Fire Station

Owner occupied property

I respectfully ask for your consideration to apply SR2 zoning to my property.

This property was previously zoned SR2 for many years prior to the 2020 General Plan Update. Many of the surrounding parcels have been developed according to SR2. We have some neighboring property as low as +/- 1 acre parcels.

This planning process should reflect some consistency as to how my neighborhood is developed. I see no reason for the county to make larger parcels.

Respectfully submitted,

Mark H. Wollam

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Valley Center Property Specific Requests (PSRs)
Date: Thursday, January 19, 2017 9:25:02 AM

Dear Mr Johnston:

Endangered Habitats League (EHL) has reviewed the draft materials available for the PSRs proposed for Valley Center. We oppose these proposals for many reasons.

VC7 and VC57 are both spot zones which entail the addition of massive study areas totaling thousands of acres. This is truly the tail wagging the dog, which represents bad planning. These areas are subject to deficient emergency access for fire and long dead end roads. Important agriculture lands, including prime soils, would be compromised. In some case, densities would be paradoxically increased as distances increase from the Village, which is the opposite of the Community Development Model. Densities of 1 units per 2 acres are highly inefficient, produce high GHG emissions, and would only add to the surplus of such parcels within Valley Center.

VC51 proposes to change the Regional Category entirely, from RL-20 to SR-4. This property is surrounded on *three sides* by RL-20! Multiple constraints are present, including fire hazard, habitat, Williamson Act contracts, and slopes. We note that standard mapping practice during the 2011 Update was to retain 1:10 or lower densities in important agricultural lands such as these. There are severe obstacles to emergency fire access, as RPO wetlands on the eastern side constrain or prevent access from Lilac Rd. Finally, emergency response travel times exceed the General Plan standard.

VC67 is a bizarre proposal to place industrial uses in the active *floodway* of Keys Creek. To the contrary, only uses compatible with flooding are allowed in such hazard areas. Such a change would have implications for FEMA insurance rates. Flooding would also release toxins from the industrial uses and impair water quality.

Thank you for considering our views,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

VC51 ANALYSIS AREA CORRESPONDENCE

For additional VC51 correspondence received as part of the
SEIR NOP comment period and public review comment period,
see the SEIR linked at the project web page
at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

November 24, 2012

Chairman Ron Roberts
Supervisor, District 4
San Diego County Board of Supervisors
1600 Pacific Coast Highway, Room 335
San Diego, CA 92101

Dear Supervisor Roberts,

I am writing with reference to the November 19th letter I just received (from Mr. Bob Citrano, Planning Manager, Advance Planning Division, Dept. of Planning and Development Services) to express my appreciation for the consideration the Board has given to my Property Specific Request #VC51. I understand there is no guarantee my request will be granted, but I take the meaning to be that I have a fighting chance. In the meantime, who knows? Maybe the rain gods will shine on our beautiful state, our legislature will authorize more impoundment of water, and the environmental extremists will understand that people have needs and their ascendance to dominate the landscape is part of evolution too.

FYI, we have six neighboring parcels, all of which are planted in avocados. Two of my neighbors have abandoned farming avocados, another is selling out to quit the business, another appears to have quit (an absentee owner) as he is not watering, two more (also absentee owners) are cutting trees down and one of them has let weeds run rampant on his parcel. The cost of our water rose again last July and is now more than 200% more expensive than in 2007 with no promise made there will be no further increases. You know what the cost of fuel is now. Well, fertilizer followed it, and the scarce labor we have available has become more costly. A new entrant into the avocado market, Peru, is expanding its exports to the U. S. exponentially to overcome the remaining harvesting "window" we have been left with. That is the short lull from Mexican and Chilean imports, depending on their crop size, of from late May to early July. I know that avocado farming in this County is on the ropes, but you can ask Mr. Horn if my assessment is valid. But I am not sitting idly by waiting to be forced out. I sought and won election to the California Avocado Commission as an Alternate Board Member so that I can learn, firsthand, of developments in avocado horticulture and marketing which might help us remain in business. I have contacted, and will continue to contact, Univ. of Calif. Extension Service and U. S. Dept. of Agriculture representatives for similar information-collection and use purposes.

We are actively investigating the potentials of crops alternative to avocados. Contrary to the county's slope estimate assignment to our parcel, we have between 5 and 7 acres which could be used to farm dragon fruit, pomegranates or grapes, and I am trying all of them out here now. Doing row crops is out of the question, and the same goes for a field nursery operation. I am also preparing to erect a rudimentary greenhouse (pipe frame covered with plastic) to try out propagating specialty flowers such as protea. If I can keep it sanitary, meaning free of the *phytophthora cinnamoni* bacteria which protea do not tolerate, there may be a chance for that sort of business.

All of this is to say that we are not quitting and we continue to maintain our land. From the perspective of the perceived need of the public to be able to view "open space," only a portion of our parcel can be seen from one public road at a distance of nearly ½ a mile. If I may re-state the intent of my property specific request, it is that we need flexibility. If I grow too old, or if I get hurt, or sick, or if we cannot successfully farm avocados or any other crop, we will need to be able to sell a small piece of our property and use those funds to secure more fire-fighting capability than we now have, and to maintain our property in a fire-safe manner as current regulations require. That's it. I am not a developer. I do not want neighbors closer than they are now. It is for flexibility and safety that I want our request to be granted. And I am fairly certain there are no other such requests pending in our immediate vicinity consisting of hundreds of acres, or even for miles around. Again, thank you for this reprieve.

Sincerely,



William T. Rice, Jr.
For The Rice Family Trust 12-10-09
11273 San Gabriel Way
Valley Center, CA 92082-3125
(760) 742-1883
wtricejr@wildblue.net

cc: Vice Chairman Greg Cox, District 1 Supervisor
Supervisor Dianne Jacob, District 2
Supervisor Pam Slater-Price, District 3
Supervisor Bill Horn, District 5
✓ Mr. Bob Citrano, Planning Manager, Advance Planning Division, Dept. of Planning and Development Services

May 16, 2018

Clerk of the San Diego County Board of Supervisors
1600 Pacific Highway
San Diego, CA 92101

Supv. Kristin Gaspar, District 3, Chair of the Board
Supv. Dianne Jacob, District 2, Vice Chair of the Board
Supv. Greg Cox, District 1
Supv. Ron Roberts, District 4
Supv. Bill Horn, District 5

Dear Supervisors,

I have been notified there will be a meeting scheduled for June 22, 2018, of the Planning Group which will decide the fate of the several Property Specific exceptions to the GP 2020. This is my last effort for over three years to have our minimal request approved. In short, we requested that we be allowed the right to subdivide a small part of our 15.95 acre parcel one time, if necessary, by piecing off the minimal parcel size allowed if my zone was adjusted. My reasons is that if our County decided to strictly enforce the existing regulations about land use, such as fire safety, erosion, runoff control and more, it would require us to spend far more capital to accomplish it than what would be the cost for a 2-acre parcel owner. I would sell the parcel for that capital and keep it unspent except for that purpose.

The adjustment recommended by a Valley Center (VC) Planning Group sub-committee was that our small parcel and a slightly larger adjacent parcel be moved from their new proposed GP 2020 zone designation to another new, adjacent zone designation which would allow a small, the minimum, new parcel subdivision. The whole VC Planning Group rejected the proposal of its committee. I note that farmers are under-represented in the VC Planning Group. They are mostly home owners who do not need much to manage their land parcels. They have no idea what it takes to manage the weeds, brush, and erosion issues presented on a partially sloped parcel of our size. I apologize for not providing the exact numbers, but DPLU Specialist Kevin Johnson is well aware of the issues and they will be presented in your meeting materials.

We farmed avocados very successfully for twelve (12) years until the drought, the 237% increase in water cost, and NAFTA, made it impossible for us to earn enough to continue farming avocados. I considered inter-planting (smaller trees closer together), but the numbers didn't work for us for several reasons:

- (1) There was uncertainty about the continuing increase in cost, the diminishing quality (rise in saltiness), and even the availability, of water.
- (2) The major avocado packing companies (Calavo, Index, Mission and others) have all established substantial avocado groves and packing facilities in Mexico. The significance of this is that NAFTA had allowed both Chile and Mexico into the U. S. Market first, and then into California, and their production coincided with our picking season (for most everything south of Ventura). Given the rainfall (free water) and cheap labor cost available to the large packers' foreign facilities, they could, and did, undersell our prices to grocers. Who might think the large foreign-located packers would pick and sell our fruit before their own? Only a fool. I have heard they may have similar operations in Chile and Peru now, but I do not know for sure.
- (3) The net effect of this was that we had to wait until June at the earliest to achieve pricing

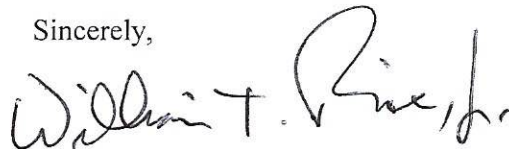
that would enable us to make enough to keep farming avocados. Avocado trees can't hold crop and make new crop at the same time, which they do in April and May. This caused "alternate bearing," which means you have a regular crop one year but a much lower yield the next year.

I searched around for another crop, but options were few because of our sloped and undulating ground will not work for row crops. Nuts and other fruit like Dragon Fruit, guavas, and the like require too much water. I commenced a 4-year study of wine grape growing, which I think has been championed by Supv. Jacob, and noted the wisdom with which the Board of Supervisors formulated, enacted and amended the Boutique Winery Ordinance with its emphasis on wine grapes grown in San Diego County. I began clearing our land and planting wine grapes in 2014 and, as of the end of this month, we will have 4,200 wine grape vines planted. It takes 3-4 years to have a significant harvest, but we did harvest and sell 4.5 tons to a local winery last Fall.

I have converted 67% of our plantable land to this crop, and still have to clear, for fire safety reasons, the remaining part which is too steep to grow wine grapes on. The cost has been somewhere in excess of \$150,000., which we know we will not recover. Our expectation is that the revenue from grape sales will be enough to pay for this farming. I have also partnered with the Federal Natural Resources Conservation Service (NRCS) to correct some erosion issues, and to install moisture sensors and measured irrigation control correlated with the CMIS reports on the internet. The NRCS sets the cost for these measures, and will pay up to 50% of that cost over the three years of the contract. The difficulty is that the cost-setting has been shown to be miserly, but something is better than nothing. We are very water efficient now, and our wine grapes only require about 10% of what avocados require. Our monthly water cost bears that out.

My point in this (probably too long) explanation is that we are doing our part to make our area a better place. Our vineyard, which I think I will be able to dry-farm once the vines are well-established, is an enormous improvement over the dead avocado groves in Valley Center and elsewhere, several of which are near us. I know there is an expensive process for taking a property out of the Williamson Act tracts; and, I know that the State's insatiable appetite for cash might one day eliminate Williamson Act land tax benefits, and that this has been discussed before. I know that subdividing properties is now a horribly expensive process, and that there are rigorous building regulations to meet and permits to acquire before a building project can be undertaken. It's just that the unprecedented restriction on land use presented by GP 2020 is very final. I want to secure at least the possibility of being able to do a small subdivision and sale of a lot to pay to maintain our land in a fire safe and resource-conscious manner. The local planning group's position does not respect the plight of farmers who must continue to manage their land. Theirs is sort of a "I've got mine, but you can't have yours because it does not square with what I want to look at." On that point, the location of the parcel I would subdivide can't be seen by anyone from anywhere and, if it was built on, there would be significant tax income accruing to the County for it. That's about all I have to say except that what I am requesting is not even a significant part of 1% of the land use being restricted by GP 2020. Thanks for your consideration. I will be at the hearing on May 22nd, God willing.

Sincerely,

A handwritten signature in dark ink, appearing to read "William T. Rice, Jr.", with a stylized, cursive script.

William T. Rice, Jr.
11273 San Gabriel Way
Valley Center, CA 92082-3125

April 24, 2013

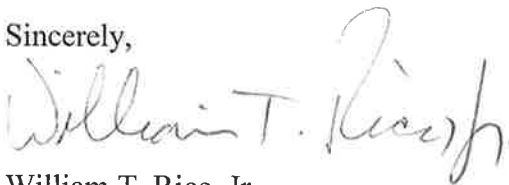
Mr. Kevin Johnston
County of San Diego
Dept. of Planning & Development Services
Advance Planning Unit
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Dear Mr. Johnston,

Thank you for taking my call this morning. Accompanying this note are copies of eight letters I have written on this matter over two years. I think it is all of them, but I am certain I have repeated myself so the thoughts are all there even if there may be some communications missing. I will admit to a slight bit of hyperbole in my writings as I considered and was astounded by the GP 2020's taking of a landowner's property rights. Rest assured I am not an anti-government nut. My wife and I are good stewards of the land, ours and that of the public. It is just that we feel like we are being boxed into a no-win situation not of our making, that we are not being treated equally with all other citizens, and we don't like it. It seems that someone should warn people of the potential for downside results like this when one buys property. The water situation is something no one recognized, and shame on them for they should have been authorizing more water impoundments as the state's population grew. And no one disclosed to us that governments were promising benefits to their workers that could not be sustained, which is probably why the Metropolitan Water Authority is continuing to raise its water prices.

I understand the fact that there is a certain group which wants us all off the land and living in high density urban enclaves. I also recognize this county seems to have taken up this philosophy by eliminating the opportunity for growth in its outlands. But some people in authority may be uneasy about it still, which is why I continue to write. Thanks for listening.

Sincerely,

A handwritten signature in dark ink, appearing to read "William T. Rice, Jr.", written in a cursive style.

William T. Rice, Jr.

April 24, 2013

Mr. Greg Cox, Supervisor for District 1 and Chairman
San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
San Diego, CA 92101

Dear Supervisor Cox,

I just heard that a long time (many decades) neighboring avocado-growing family, farming on about 100 acres near us and more down the road 2 miles, who also ran their own packing operation, has turned off the water to their avocado grove. It was said they will direct their attention to the family's farming operation in Borrego.

Just as an example to illustrate our difficulty now, one hundred acres could represent as much as one million pounds of avocados per year or more. But let's use 7,000 lbs. per acre, which I think is higher than the last county-wide average production per acre figure I saw. And let's use a net income figure of 50-cents per pound for the sake of calculation, which yields \$350,000 after association fees and picking labor expense. The water cost to grow those avocados, watering very conservatively, would be about \$321,090. Then add in a minimum of \$13,000 for pest detection and prevention, plus \$11,676 for fertilizer, making a total of \$345,766 to grow those avocados. That is nearly a break-even scenario, but it **does not include** property taxes; mortgage debt retirement; utility costs; equipment purchase, repair and maintenance expenses; or the cost of labor to prune trees, irrigate, hand-cast fertilizer, do weed control, fix irrigation systems, or a myriad of other tasks that require attention, time and money. I have added a schedule of our gross receipts from avocado sales in a time-line format with explanations of what was going on to explain the deviations in those receipts. You might find the explanations for the trend enlightening.

Before the enormous increases in the cost of water over the past five+ years, it was possible to make enough money to keep the activity going and to maintain reserves to endure bad years due to weather, prices, etc. **NEWS FLASH:** The Metropolitan Water Authority in Los Angeles has announced it plans to increase the cost of water to its customers by 6% per year for the foreseeable future (which is commonly taken to be five years). This means that by 2018, our water cost will have grown by about 259% since 2007. These increases were not caused by increases in the cost of living or inflation. We do not water as much as possible. Before the monstrous costs increases, we watered to what was needed based on the time of the year, what the trees were doing, and the weather. We didn't just profligately water to some blind number of hours.

I reiterate my request...please do not take away our ability to sell part of our property to enable us to maintain the remainder of it when farming is no longer possible. It is easy to say, and therefore dismiss requests out-of-hand, that the entire environmental study must be re-done if

any exemptions are to be allowed. Everyone, thanks to you, the Supervisors, has had ample opportunity to study where they stand relative to the GP 2020 plan changes, and to appeal for exemptions. There are not that many requests for exemptions pending.

I have seen this situation before, in Loudon County, VA. Citizens with homes on small plots of less than five acres complained vehemently to authorities when dairy farmers near them sold their land to developers. No matter that dairy farming there was no longer viable. The citizens' complaint was the same as here in Valley Center...the rural character of the area would be destroyed if denser development were to be allowed. Read: "I've got mine, I have my ambiance, I don't have to deal with change. You do (meaning we farmers.)" In our particular situation here, if we needed to sell some land, there are no neighbors who could even see the area where a new residence would have to be sited due to our topography. Let alone that we would still have to determine if the ground would perk, if the county would grant permits for grading and building, and if the water company would allow any new water meters.

I know I have been a pain somewhere, but I stand behind what I have reported to you. Ask Mr. Horn about my information, and I will bet he will concur. For your information, we have never spent any of the \$971,868 we have received for our avocado sales over 13 seasons on anything but growing avocados and ranch improvements. These improvements include irrigation system upgrades to increase efficiency, a pick-up truck purchase, planting new trees to replace losses, investigating and trying alternative crops, burying overhead electric service to eliminate the chance for boom truck accidents like the one of several years ago which resulted in a death in this county, new concrete for the loading area to replace decaying and sloughing asphalt, installation of drainage systems and pipes to prevent erosion, closing in existing shed-style outbuildings and other security enhancements to reduce the chances of losses due to thefts. Give us a break, we need one.

Sincerely,

William T. Rice, Jr.
11273 San Gabriel Way
Valley Center, CA 92082-3125
(760) 703-1321

cc: 1 - Dianne Jacob, District 2 Supervisor
1 - Dave Roberts, District 3 Supervisor
1 - Ron Roberts, District 4 Supervisor
1 - Bill Horn, District 5 Supervisor

February 28, 2013

Greg Cox, Supervisor for District 1 and Chairman
San Diego County Board of Supervisors
Room 335
1600 Pacific Highway
San Diego, CA 92101

Dear Supervisor

I have written numerous letters and testified before your Board several times on the same issue: To be able to retain the right to do a simple subdivision of a portion of our property so that we can afford certain actions which are becoming necessary, and which I will enumerate later in this letter. Thanks to the consideration you and your fellow supervisors have afforded us, the execution of the General Plan relative to our property has been delayed, even if not reconsidered. This is a status letter on the continuing demise of small avocado growers in our area, and the prospects for them in San Diego County.

In the immediate area surrounding us there are 12 avocado groves (including ours) with acreage sizes ranging from 100 down to what I estimate is 4 acres (100, 40, 40, 35, 20, 12, 10, 8, 8, 7, 6 and 4). Of these there are only four of us still farming avocados as eight have abandoned their operations. Two of the four still farming avocados are absentee owners who may have invested money originating in an Asian country. My immediate neighbor to the west is doing survival irrigation to keep his 35-acre grove alive while he tries to sell it with its house. All of the fruit around us, including ours, is small, a symptom of insufficient rainfall, diminished irrigation and cool weather.

Two things occurred since I last wrote to you which further eroded our viability: (1) Peru has now been allowed to send avocados to the U. S., and especially to California, exactly at the time we could pick here and make any money. You may remember that the importation of foreign fruit, principally from Mexico and Chile, took away our previous December through April picking period and relegated us to late March into June. If I can repeat a little horticulture information, the impact of this change is that the trees do not do well producing next year's fruit from the April flowering while they are still trying to hold and enlarge a current crop. This forces the trees into alternate bearing years, essentially cutting income substantially even though watering and other inputs must be continued. (2) We had another water price increase. We have had irrigation practice audits done and have made investments in equipment to make us more efficient, and we closely monitor soil moisture with physical probing prior to irrigating. In spite of these efforts, if we water minimally for only 12-13 days a month, our water bill will exceed \$5,000 for that month. Our water cost last year before the latest price increase was \$38,477, which was the lowest cost we have had in the 13 years we have been farming here. We lost money last year and this year does not look much better. Our cash reserves, consisting of money we have made from farming which we have never spent on anything else, will not last much longer.

We are eliminating the 1.5 acres of navel oranges we have. Last year we picked 8,000 lbs. of them and were paid \$330 which didn't pay for their water, fertilizer or weed control, and it will be the same this year. We are studying other crops but here are some of our realities: The economy will not support establishing a new nursery operation for landscape plants and trees, succulents or exotic flowers; wine grapes are possible for the most level part of our property, but the usually-quoted investment price per acre if one uses specialist is \$30,000, but \$20,000 if we do it ourselves. I think I could do it for about \$15,000 per acre myself. But it would be three years of water, fertilizer and maintenance before it would produce enough grapes to justify harvesting. Our parcel is only 15.95 acres, and only about 6

acres of it can be converted to crops requiring semi-level terrain, such as a nursery operation, dragon fruit, cherimoya, hops or wine grapes.

The outlook for avocado farming, and maybe for small farmers, in San Diego County is gloomy, and it isn't one I thought possible as few as five years ago. Water cost and the lack of water supply are the principal culprits negatively affecting all crops but especially avocados. Our state legislature has not authorized any water new impoundment since the 1960s, and none is in the offing. Environmental groups have successfully prevented the one and only salt water desalinization company around from commencing operations, and they will surely succeed in confounding any expansion of such an operation if it is allowed to start. All levels of government have piled on more and more regulations, including this county, albeit sometimes as a proxy for the state. We have regulations on how to maintain our land in a fire-safe way free of debris and dead weeds, and to keep our trees trimmed to allow safe passage of fire trucks. We are required to monitor and control even rain run-off because of what pollutants it might contain and erosion it might cause. These activities cost money, money we will not be making if we cannot farm viably.

And add to this the fact that our market is rigged, it is totally controlled, by large avocado packers who *must* serve their own huge investments in Mexico, and now Chile, first and not the avocado growers south of Los Angeles. Not only do they have packing facilities in those countries, but they are farming avocados on land they own and/or lease. Do you recognize the names Calavo, Westpak and Mission? They are the largest among U. S. packers physically operating in Mexico and Chile. Couple this control with the demands of their grocer customers who prefer to pay less for the foreign fruit than for California avocados, even though ours are of far better quality throughout our entire season. We have quality that Mexican fruit to some degree, and Chilean avocados to a larger measure, cannot claim. So, there is a lack of competition, no one will pay what we need to remain viable earlier than late March. Other packers, Giumara, Del Rey, Daniels, Harvest Time, all have to take the foreign fruit to serve their clients. You don't have to take my word for any of what I have written here, just ask Mr. Horn. He knows.

We need to have the right to be able to sell at least one subdivided parcel to have enough money to do what your laws and common sense require. It is self-servingly easy for non-farming residents to insist on having green space and ag preserves in the county. These are the people who populated the citizens' groups that worked on General Plan advisory panels. They were not burdened with land they could no longer use commercially, and they do not care that farmers may not be able to make it under the current circumstances we face. San Diego County has prided itself on the fact that it has more family farms than most, if not all, other locales. Please don't sell us out. Give us a chance to remain where we are, trying to farm.

Sincerely,

William T. Rice, Jr.
1273 San Gabriel Way
Valley Center, CA 92082-3125

cc: 1 - Dianne Jacob, District 2 Supervisor
1 - Dave Roberts, District 3 Supervisor
1 - Ron Roberts, District 4 Supervisor
1 - Bill Horn, District 5 Supervisor

March 16, 2013

Greg Cox, Supervisor for District 1 and Chairman
San Diego County Board of Supervisors
Room 335
1600 Pacific Highway
San Diego, CA 92101

Dear Supervisor Cox,

You and your fellow Supervisors may be tiring of my letter-writing, so I would like to explain. I am very unaccustomed to speaking publicly or advocating for myself and others in similar circumstances. Not unlike you in your current role, I spent most of my working life in service to the public. After graduating from UC Davis, I went to work for a large bank, learning the intricacies of financing and bank operations. I left that job and subsequently spent more than 26 years as an FBI Special Agent concentrating on criminal investigations, followed by another 16 years managing and conducting anti-corruption investigations in a major labor union. In those roles where objectivity was the controlling dogma of the investigator, I did not advocate or represent anyone or anything other than the public's laws, and no one wanted me to do otherwise. I retired fully from that work on Sept. 30, 2011, which I begun on Jan. 6, 1969. At 70 ½ years old, I am working hard, physically and mentally, to make a go of a passion I have had for about 60 of those years. My first taste of farming came when I was about 5 years old when I pulled, like a mule, a single-wheel garden cultivator which my grandfather guided behind me while laying down seeds for his truck garden crops. I grew seedlings, transplanted them, fertilized, irrigated, spaded, raked and harvested with him for years, until he was too old to do it any longer and I went into high school and beyond.

That's enough of that, but it may explain why I am so ardent in the pursuit of my dreams and goals in this dialogue. My one regret is that I was not involved in the local planning group's meetings and discussions, although I followed them in our paper. There were no real advocates for farmers, and there would have been no way to predict the chaos foreign competition, pest invasions from foreign countries and extraordinary water price increases have wreaked on our county's farming community. I learned yesterday from a longtime resident and "Ag" person that there were people around who predicted the end of agriculture in Valley Center, at least. One was a former CEO of the Valley Center Municipal Water District, maybe his name was Henninger, but he was apparently ridiculed and disregarded, and he resigned to pursue other work.

There is another strike against small farmers which you may not know about but, as you may have suspected, I will tell you about. We small farmers cannot obtain mortgage loans with the same terms and advantages as citizens who have no business, agriculture or otherwise, on their properties no matter how large or small the acreage is they occupy. You might say that is the risk we take.....blah, blah, blah. Well, the theme of this and my previous letters and testimony is that our circumstances have changed, rapidly and dramatically, in ways no one successfully predicted, and the General Plan, and San Diego County government as a whole, have not recognized. As to mortgages, before the 2008 real estate debacle there was no prohibition on, no negative connotation to, having business operations on real properties which also contained the primary residences of the property owners. The primary mortgage-buying

November 24, 2012

Chairman Ron Roberts
Supervisor, District 4
San Diego County Board of Supervisors
1600 Pacific Coast Highway, Room 335
San Diego, CA 92101

Dear Supervisor Roberts,

I am writing with reference to the November 19th letter I just received (from Mr. Bob Citrano, Planning Manager, Advance Planning Division, Dept. of Planning and Development Services) to express my appreciation for the consideration the Board has given to my Property Specific Request #VC51. I understand there is no guarantee my request will be granted, but I take the meaning to be that I have a fighting chance. In the meantime, who knows? Maybe the rain gods will shine on our beautiful state, our legislature will authorize more impoundment of water, and the environmental extremists will understand that people have needs and their ascendance to dominate the landscape is part of evolution too.

FYI, we have six neighboring parcels, all of which are planted in avocados. Two of my neighbors have abandoned farming avocados, another is selling out to quit the business, another appears to have quit (an absentee owner) as he is not watering, two more (also absentee owners) are cutting trees down and one of them has let weeds run rampant on his parcel. The cost of our water rose again last July and is now more than 200% more expensive than in 2007 with no promise made there will be no further increases. You know what the cost of fuel is now. Well, fertilizer followed it, and the scarce labor we have available has become more costly. A new entrant into the avocado market, Peru, is expanding its exports to the U. S. exponentially to overcome the remaining harvesting "window" we have been left with. That is the short lull from Mexican and Chilean imports, depending on their crop size, of from late May to early July. I know that avocado farming in this County is on the ropes, but you can ask Mr. Horn if my assessment is valid. But I am not sitting idly by waiting to be forced out. I sought and won election to the California Avocado Commission as an Alternate Board Member so that I can learn, firsthand, of developments in avocado horticulture and marketing which might help us remain in business. I have contacted, and will continue to contact, Univ. of Calif. Extension Service and U. S. Dept. of Agriculture representatives for similar information-collection and use purposes.

We are actively investigating the potentials of crops alternative to avocados. Contrary to the county's slope estimate assignment to our parcel, we have between 5 and 7 acres which could be used to farm dragon fruit, pomegranates or grapes, and I am trying all of them out here now. Doing row crops is out of the question, and the same goes for a field nursery operation. I am also preparing to erect a rudimentary greenhouse (pipe frame covered with plastic) to try out propagating specialty flowers such as protea. If I can keep it sanitary, meaning free of the *phytophthora cinnamoni* bacteria which protea do not tolerate, there may be a chance for that sort of business.

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Valley Center Property Specific Requests (PSRs)
Date: Thursday, January 19, 2017 9:25:02 AM

Dear Mr Johnston:

Endangered Habitats League (EHL) has reviewed the draft materials available for the PSRs proposed for Valley Center. We oppose these proposals for many reasons.

VC7 and VC57 are both spot zones which entail the addition of massive study areas totaling thousands of acres. This is truly the tail wagging the dog, which represents bad planning. These areas are subject to deficient emergency access for fire and long dead end roads. Important agriculture lands, including prime soils, would be compromised. In some case, densities would be paradoxically increased as distances increase from the Village, which is the opposite of the Community Development Model. Densities of 1 units per 2 acres are highly inefficient, produce high GHG emissions, and would only add to the surplus of such parcels within Valley Center.

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VC67 is a bizarre proposal to place industrial uses in the active *floodway* of Keys Creek. To the contrary, only uses compatible with flooding are allowed in such hazard areas. Such a change would have implications for FEMA insurance rates. Flooding would also release toxins from the industrial uses and impair water quality.

Thank you for considering our views,
Dan

Dan Silver, Executive Director
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213-804-2750
dsilverla@me.com
www.ehleague.org

VC57+ ANALYSIS AREA CORRESPONDENCE

For additional VC57+ correspondence received as part of the
SEIR NOP comment period and public review comment period,
see the SEIR linked at the project web page
at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

From: [Tuluie, Robin, Dr. \(EV\)](#)
To: [Johnston, Kevin](#)
Subject: RE: VC 57+ Tuluie Property APN 1890204000
Date: Tuesday, February 27, 2018 2:11:24 PM
Attachments: [image001.png](#)

Dear Kevin,

Apologies for the delay in following up. I just wanted to re-iterate our support for the proposed zoning change as per the comments made originally in my e-mail below of 1/23. I have removed some non-public details and added a preamble as per your suggestion over the phone. If you would also please remove my personal contact details (e-mail and phone number) when listing these comments. On a separate note, but it may be of interest to you, but not for public dissemination at this point, so please do not include this in the comments, we are currently working on a solar development option of our land.

Our public comments:

***“We find this Analysis a very well composed and supported document, with a few exceptions (Road access and Wetland designation for parcels APN 18902033900 and 1890204000), which are commented on below. We support all aspects of the Proposed Plan in the VC 57+ analysis area. In detail, we support a re-zoning of APN 18902033900 and 1890204000 to SR2 for all the reasons listed in the Proposed Plan and EIR, for example as in section LU 7.1. The proposal is in keeping with the current small farm usage, but also future usage for housing, solar or mixed-use development.*”**

Specific comments:

LU 9.9 and LU 1.1 in the Preliminary Study and 2.17 in the Environmental Impact Report: Housing Availability in Valley Center is very limited. The properties available for purchase either are expensive ranch homes, or mobile homes. There is a recognized shortage of affordable housing available for people that work in or near Valley Center. A prime example is the Valley View Casino and Hotel in Valley Center. The casino and hotel employs over 1,100 people. Many employees cannot find housing in Valley Center and have to commute significant distances. One stated purpose of the Proposal Plan is to reduce carbon dioxide emissions. Enabling housing development on APN 18902033900 and 1890204000 would allow a significant contribution to this emissions reduction goal, given the proximity to the Valley View Casino and Hotel (2 miles) and the significant increase in housing that can be accommodate (112 houses in the Proposed Plan vs. 56 in the Existing Plan) so close to the casino.

LU 1.9 (Wetlands Criteria) page 22 and S 1.1 page 34: The small marshland area in VC64, shown on page 10 of the Preliminary analysis, has disappeared over the years. This area has received improved drainage with the improved drainage ditches along Valley Center road, which are maintained by the town. Even during the heavy rains we had last year, at no time did the area designated as wetland or marsh flood or allow standing water of any depth or extend greater than normal puddles.

S1.1 (Road Access): The main access to our land is via Round Tree road, which borders our property to the east. This dirt road sees daily truck traffic to the farm and residential access and is used for fire truck access, which occurs yearly during controlled wood burns. Alternative access to our parcels can also be gained through Rock Hill Ranch road, which is an easement dirt road which traverses the flood plain mapped area, servicing the three houses within our property. Both roads are suitable for fire services. I believe the access issue to the parcels is effectively relieved by use of Round Tree Road, or by revising the outdated wetlands area designation, or construction of a bespoke access running south from Valley Center Road to parcel APN 1890204000 and which does not impinge upon the outdated wetlands designation.

Lastly, we do not support the Existing Plan. We fully support the Proposed Plan. Our second preference is for the Alternative Plan. “

Best Regards,

Robin Tuluie

From: Tuluie, Robin, Dr. (EV)
Sent: 23 January 2018 22:06
To: 'Kevin.Johnston@sdcounty.ca.gov'
Cc: 'Tania Tuluie'; 'Trudi Tuluie'
Subject: VC 57+ Tuluie Property APN 1890204000

Hello Kevin,

Thank you for sending your reply and I'm sorry it keeps bouncing off my home e-mail, hence I'm using my work e-mail now. Please use this one going forward.

I'm currently abroad in England, so difficult to reach by phone. I have tried to call but received a voicemail for a callback only. If you prefer to discuss this by phone, please let me know an opportune time and number to reach you on.

Indeed our family owned the whole larger outline area, parcels APN 1890211100, 1890204100, 18902033900 and 1890204000. After my father died in 2014, we sold parcels 1890211100, 1890204100, which comprise the house and the Avocado Farm. We keep the remaining adjacent parcels APN 18902033900 and 1890204000, the "flat land" bordering Valley Center Road. The VC 64 Proposed Plan and the Alternative Plan encompass both parcels 18902033900 and 1890204000.

Thank you for the links, they are very helpful. I have studied the maps and read the pertinent sections of the Environmental Impact Report and Preliminary Study and discussed this with my mother and sister.

We have the following comments:

We find this Analysis a very well composed and supported document, with a few exceptions (Road access and Wetland designation), which are commented on below.

LU 9.9 and LU 1.1 in the Preliminary Study and 2.17 in the Environmental Impact Report: Housing Availability in Valley Center is very limited. The properties available for purchase either are expensive ranch homes, or mobile homes. There is a recognized shortage of affordable housing available for people that work in or near Valley Center. A prime example is the Valley View Casino and Hotel in Valley Center. The casino and hotel employs over 1,100 people. Many employees cannot find housing in Valley Center and have to commute significant distances. One stated purpose of the Proposal Plan is to reduce carbon dioxide emissions. Enabling housing development on APN 18902033900 and 1890204000 would allow a significant contribution to this emissions reduction goal, given the proximity to the Valley View Casino and Hotel (2 miles) and the significant increase in housing that can be accommodate (112 houses in the Proposed Plan vs. 56 in the Existing Plan) so close to the casino.

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I don't know what precisely constitutes a flood plain designation, other than to comment that no flooding occurred during at least the last decade, even during the exceptionally heavy rains we had in 2016 and 2017. Certainly the wording under 2.8.3.7 in the Environmental Impact Report "*The Proposed Project would result in a potentially significant impact associated with structures which would impede flood flows (Impact HY-7)*" seems widely disproportionate when applied to our flat land, considering our first-hand daily experience in the over 25 years of ownership we enjoyed. The same applies to Mudflows (*Impact HY-9*).

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We would very much appreciate your thoughts on the above and how to best proceed in order to support the Proposed plan, which is our preference, or the Alternative Plan, which is our second choice. We feel the land set aside for Wetlands in the Alternative Plan is excessive and does not consider the lack of flooding and the factual absence of wetlands. Lastly, we do not support the Existing Plan.

-

Any advice you have for these points to be considered is very much appreciated!

Finally I have one other question: is the fact that our land is outside the study area but the PSR (including ours) are in the Proposed and Alternative plan of any concern or significance? For example, could our PSR be split from the VC57+ planning (which we of course would not support)?

Kind regards, Robin

From: Rtuluie [<mailto:r.tuluie@btinternet.com>]
Sent: Monday, January 22, 2018 5:09 PM
To: AdvancePlanning, PDS <PDS.AdvancePlanning@sdcounty.ca.gov>
Cc: Tania Tuluie <tania@taniatuluie.com>; Trudi Tuluie <trudituluie@yahoo.com>
Subject: To Kevin Johnson, GPA Rezone for VC+57, APN 1890204000

Dear Mr. Johnson,

we received a letter from you dated Dec 14 2017, informing us that our property APN 1890204000 is under consideration for rezoning under both option proposals put forward. We would like to obtain more information available on this matter, it is the first we heard about it.

Would you be able to please e-mail us the reports, or send us a link, to the documents within the GPA that pertain to our property, documents about the draft environmental impact report and any other matter that is relevant to our properties re-zoning consideration?

Once we have these documents and can review then we can offer our comments to the proposed changes. Could please tell us how we can make such comments, for example can we submit these by e-mail and if so, to whom?

Many thanks in advance for your help in this matter,

Robin Tuluie
Tania Tuluie
Trudi Tuluie
The Teymur Tuluie Family Trust

Dr. Robin Tuluie
Director
Vehicle Technology (EV)
Mob: +44 (0) 7825 125 823
Robin.Tuluie@Bentley.co.uk
BENTLEY MOTORS LIMITED
Registered Office: Pym's Lane, Crewe, Cheshire, CW1 3PL, England
Registered in England: Number 992897
Tel: +44 (0) 1270 255155

www.bentleymotors.com
www.facebook.com/BentleyMotors
www.youtube.com/BentleyMotors

From: [Dan Silver](#)
To: [Johnston, Kevin](#)
Subject: Valley Center Property Specific Requests (PSRs)
Date: Thursday, January 19, 2017 9:25:02 AM

Dear Mr Johnston:

Endangered Habitats League (EHL) has reviewed the draft materials available for the PSRs proposed for Valley Center. We oppose these proposals for many reasons.

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VC51 proposes to change the Regional Category entirely, from RL-20 to SR-4. This property is surrounded on *three sides* by RL-20! Multiple constraints are present, including fire hazard, habitat, Williamson Act contracts, and slopes. We note that standard mapping practice during the 2011 Update was to retain 1:10 or lower densities in important agricultural lands such as these. There are severe obstacles to emergency fire access, as RPO wetlands on the eastern side constrain or prevent access from Lilac Rd. Finally, emergency response travel times exceed the General Plan standard.

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Thank you for considering our views,
Dan

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213-804-2750
dsilverla@me.com
www.ehleague.org

From: Tami [mailto:sugarsbeat007@yahoo.com]
Sent: Monday, January 04, 2016 12:46 PM
To: AdvancePlanning, PDS
Subject: Property Specific Request Comment

Ref: Assessor Parcel # 1880900700
Commercial C46

I Roger Lincoln am requesting that my property, Assessor Parcel number 1880900700 remain Commercially zoned property. I bought it as commercial property and I want it to remain the same. I talked to Bob Cilantro and he assured me that the property would remain commercial. I will continue to attend any and all meetings regarding these matters.

Thank you for your time,

Roger Lincoln
(760)751-3922

Jan/4/2016

[Sent from Yahoo Mail on Android](#)

VC67 ANALYSIS AREA CORRESPONDENCE

For additional VC67 correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page at

<https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

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WESTERN CHAMPAGNE GARDENS ANALYSIS AREA CORRESPONDENCE

For additional Western Champagne Gardens correspondence received as part of the SEIR NOP comment period and public review comment period, see the SEIR linked at the project web page

at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

Johnston, Kevin

From: Dan Silver <dsilverla@me.com>
Sent: Saturday, March 21, 2015 10:13 AM
To: Johnston, Kevin
Cc: Farace, Joseph; Citrano, Robert; Spurgin, Andrew; Mindy Fogg
Subject: Champagne Gardens

Dear Kevin:

Thank you *very* much for sharing the Champagne Gardens materials with EHL as part of your community outreach effort. I understand the the existing SP land use designation will be replaced by GPU-consistent designations and zoning via the PSR process. While this makes sense given that the old Specific Plan has expired, we will also lose the opportunity to comprehensively plan separate ownerships and parcels, transfer density, etc.

A review of the vegetation maps and aerial and site photos has left me impressed with high (and beautiful) biological values on site - including coastal sage scrub, riparian, oak, and grassland. While there is adjacent development on some sides, there is also good contiguity with habitat blocks to the east as well as intact habitat across I-15. With this in mind, my recommendation is to establish, as an initial step, regional habitat conservation objectives and use these as the *primary constraints* for any development planning. One source for these objectives will be the draft North County MSCP. However, the draft PAMA will not reflect a detailed, site-specific analysis. Furthermore, I suspect it *deferred* to the approved SP and only included project open space as potential reserve, if anything. Thus, there should be a fresh look at the biology. I've copied Mindy Fogg due to her familiarity with habitat needs along the I-15 corridor, such as the gnatcatcher "stepping stones," and I urge early consultation with her.

Secondly, in terms of land use, there is no justification for village densities. While an adjacent resort might justify some amount of complementary commercial, a resort is most definitively *not* a County-designated "village" to expand upon, and the surrounding area is basically rural. I also imagine the site is relatively deficient in services and infrastructure. We certainly don't need another leapfrog!

As the goal here must be to develop GPU-consistent designations, I would like to note that during the GPU, high quality habitat combined with a lack of parcelization - as in this case - justified and resulted in *Rural* designations. Such locations became logical *boundaries* for existing Semi-Rural. Unless boundaries are set, Semi-Rural sprawl can expand to infinity on the basis of "adjacency." Therefore, absent existing parcelization, EHL recommends Rural designations, such as I:20, or at most SR 10. We note that at densities higher than 1:10, the Conservation Subdivision will not apply. Yet, the Conservation Subdivision would be the best tool to focus development on smaller lots in least sensitive locations, preserve the high biological values, and achieve North County MSCP goals. At a minimum, a low density alternative is essential for Champagne Gardens planning. And *all* alternatives should include a minimum lot size of 1/2 acre, as without this flexibility, there will be little chance of successful site design amid the biological constraints.

Thank you for allowing me to share these perspectives and I look forward to continuing to work with you on this and other planning endeavors.

If you might confirm your receipt of this input, that would also be appreciated.

With best regards,
Dan

Dan Silver, Executive Director
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EASTERN CHAMPAGNE GARDENS ANALYSIS AREA CORRESPONDENCE

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at <https://www.sandiegocounty.gov/content/sdc/pds/advance/PSR.html>

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