

Sandra Farrell  
1900 Esplendido Ave  
Vista, CA 92084

February 12, 2018

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310,  
SAN DIEGO, CA 92123  
Attention: Kevin Johnston, Land Use/Environmental Planner  
Sent via email to [pds.advanceplanning@sdcounty.ca.gov](mailto:pds.advanceplanning@sdcounty.ca.gov)

RE: PROPERTY SPECIFIC REQUESTS GENERAL PLAN AMENDMENT, PDS2012-3800-12-005, PDS2014-REZ-14-006; LOG NO. PDS2012-ER-12-00-003; SCH NO. 2015121012.

Dear Mr. Johnston:

I23-1 [ Thank you for the opportunity to submit comments to this SEIR on the proposed Property Specific Requests to Amend the County General Plan and Rezone which is being processed for the benefit of specific property owners (PSRs). Although I am a member of the Twin Oaks Valley Community Sponsor Group my comments are being submitted as an individual and not as a representative of the sponsor group.

I23-2 [ I believe for the SEIR in most cases is correct in the impacts the PSRs will have on the County and the Twin Oaks Valley Community Planning Area. The SEIR evaluates potential environmental impacts resulting from buildout of the Proposed Project as compared to existing baseline conditions, with consideration of the prior environmental analysis provided in the 2011 GPU PEIR.

I23-3 [ This SEIR makes is very clear that the proposed Property Specific Requests General Plan Amendment, with our without the proposed Reduced Density Alternatives, will have significant negative impacts on County and City residents in the Twin Oaks area and will undermine the Vision and Guiding Principles of the County General Plan. After reviewing SEIR, it is clear that adapting this amendment to the General Plan would not be in the best interest of the community of Twin Oaks or North County Metro.

**Below are our comments to the SEIR as it pertains to the Twin Oaks Valley Community Planning Area**

I23-4 [ **I. General Comments**

Comment 1: I am greatly concerned that the County is proposing to amend a General Plan it never fully completed in the first place. The General Plan, adopted in 2011, references the Community Plans but most of the Community Plans were never completed. Staff told the community that the Board of

Supervisors didn't have money and staff time to complete the Community Plans and needed the money and staff time it had for other things--like to processing this Property Specific Request General Plan Amendment. The SEIR should explain how the County can amend a General Plan when it has not been fully completed by including all of the Community Plans.

I23-5  
Comment 2: In the Alternatives, why didn't the County consider an alternative that included a Purchase of Development Rights (PDR) program as a way to compensate these property owners who weren't happy with the density assigned to their properties? A TDR/PDR program was discussed during the General Plan Update. Having a PDR program could be way to avoid the costly expense and impacts to the General Plan. In fact, how much has the County spent on this SEIR since 2011 when it first was assigned the task to produce it? Given the cost of property in 2011 or 2012, how much would it have cost the County at that time if it had purchased the the loss in value looking at the difference between the General Plan density and what these property owners wanted? The SEIR needs to discuss a PDR alternative and how it would lessen the numerous impacts highlighted in this SEIR. By the time this process is complete, it may have been more cost efficient and with far less impact if the County had paid these property owners for their loss and moved on. The consultants paid to prepare this SEIR are the only ones who are guaranteed to benefit from this process. The public certainly won't but we have to pay for it!

I23-6  
Comment 3: In addition, I am concerned that the County has dragged its feet for the past twenty years on completing the North County Multiple Species Conservation Plan (NCMSCP). Bob Asher presented the virtues of the MSCP at a Twin Oaks Valley Community Sponsor Group meeting in the late 1990s. Over the years there were several other presentations by Tom Overbauer and others from the County to the community about the on-going work on the NCMSCP. After the draft NCMSCP plan was released in 2009, work on the NCMSCP seemed to come to a standstill because the County wanted to complete its General Plan. The community waited and waited and nothing happened with the NCMSCP. Only within the past year or so has the County moved forward on the NCMSCP. Why wasn't the NCMSCP worked on in the six years after the General Plan was adopted in 2011 and why it is still incomplete?

I23-7  
Comment 4: This SEIR finds the impacts to Habitat Conservation Plans and Natural Community Plans by the proposed Property Specific Requests to have less than significant and is relying of the Federal and State permitting agencies to provide correct conservation and mitigation. The County, via the Board of Supervisors, appears to just be kicking the can down the road by not completing the NCMSCP and leaving the conservation job to other agencies. I believe public deserves better and Property Specific Requests to amend the County General Plan and Rezone should not be considered by the Board of Supervisors until the NCMSCP is completed.

I23-8  
Comment 5: I disagree with the statement on page 4-17 and 4-50 , that under Habitat Conservation Plans and Natural Community Conservation Plans,".. *that Regulatory processes are in place to ensure implementation of, and conformance with applicable HCPs and NCCPs in the unincorporated County for future development projects within the Analysis Areas.*" After watching over 20 years of the Regulatory process being used in the same manner while the seven cities, that are part of the MHCP, diddled and

I23-8  
Con'd  
failed to complete the MHCP preserve system<sup>1</sup>, it is hard for the public to think the Regulatory process will work any better for the County's NC MSCP. In fact, the narrow jurisdiction of the Regulatory process may actual hurt the County's ability to complete a viable NCMSCP.

For instance, in a case where a proposed project has wetland and waterway impacts, the developer may need to get a 404 permit through the Army Corps of Engineers. Under Section 7 of the 404 process, US Fish and Wildlife can only review and comment on a project's impacts to the extent the project will result the extinction in the wild of a listed species. Therefore an area of high habitat value, wildlife corridor and wetlands/waterways can have a project that will result in significant loss of natural environmental resources making the area no longer viable for wildlife or to be part of the an HCP and still get approved.

I23-9  
The same Federal agencies that the County is relying on to ensure the implementation and conformance with HCPs and NCCps can find their hands tied under Section 7. The Cumulative impact of this could prevent the County from implementing viable NCMSCP. This is in essence seems to be what has happened in the seven city MHCP. Most of the cities who signed on to the MHCP don't have the will to complete a viable habitat plan. As a result, habitat conservation and the whole HCP is relying conservation on a project by project basis. The MHCP may well be the poster child for habitat conservation planning failure (HCPF) simply because the cities have relied on the Regulatory process to insure implementation of habitat conservation.

I23-10  
In many cases there may be a benefit for projects to find wetlands or waterways simply because it the project to circumvent the Wildlife Agencies by using Section 7 of the 404 permit process. The SEIR did not address this issue nor did it consider the impacts of the Section 7 process in PSRs where it may be used.

I23-11  
Comment 6: Related to conservation planning, Page 2.4.3 of the SEIR requires clarification. Although the County is authorized to issue "take permits" for the coastal California gnatcatcher (in the form of a Habitat Loss Permit) in lieu of Section 7 or Section 10(a) permits for the South County MSCP, the County only recently moved forward on the North County MSCP and either doesn't or shouldn't have "take" authorization until the North County MSCP is adopted and approved by the Wildlife Agencies.

According to the SEIR,

*"PSR Analysis Area NC22 would increase allowed density from 21 to 73 (an increase of 52 potential dwelling units) on 154 acres. The 158-acre PSR Analysis Area NC37 would increase allowed density from 19 to 31 dwelling units (an increase of 12 potential dwelling units). The 77-acre PSR Analysis Area NC38+ would increase allowed density by 38 dwelling potential units from the 37 units that are currently allowed, doubling the allowable number of potential units."*

<sup>1</sup> Only Carlsbad has an approved sub-area plan for the MHCP to date that I am aware of.

I23-12 [Comment 7: I agree with all the "potentially be significant" and "significant and unavoidable" impacts this SEIR reveals.

Comment 8: I agree with the conclusion reached in Table S-1 Summary of Project Impacts. Implementation of the proposed project would cause Significant and unavoidable impacts even after mitigation measure are applied to the community in the following areas:

- I23-13
- Aesthetics, Visual Character or Quality and Light or Glare
  - Agricultural Resources: Conversion of Agricultural Resources and Indirect Conversion of Agricultural Resources
  - Air Quality: Air Quality Plans, Air Quality Violations, Non-Attainment Criteria Pollutants, Sensitive Receptors
  - Biological Resources: Special Status Species, Riparian Habitat and Other Sensitive Natural Communities, Wildlife Movement Corridors and Nursery Sites,
  - Hazards and Hazardous Materials: Wildland Fires
  - Water Quality Standards and requirements
  - Groundwater Supplies and Recharge
  - Conflicts with Land Use Policies, Plans and Regulations
  - Permanent Increase in Ambient Noise Level
  - Population Growth
  - School Services
  - Traffic and Level of Service Standards
  - Road Safety
  - Adequate Water Supplies

II. Study Area Specific Comments:

I23-14 Comment 9: I would like to know how many property owners within the Twin Oaks Valley Community Sponsor Group Area are a part of the PSRs that this SEIR is studying? In addition, for each of the PSRs, how many property owners are in the Study Areas? Finally, how many property owners in the Study Areas asked to be included? Regarding Study Area NC22, neither I nor most (if not all of my neighbors) either asked for or support being in the Study Area or the proposed change from SR-10.

I23-15 Comment 10: The SEIR states, "*Study Areas*" were identified and included, as appropriate, because the proximity of some of the PSRs are relatively close; the purpose of the study areas is to avoid the creation of "islands" of potentially incompatible land use and zoning designations adjacent to and in the vicinity of some PSRs."

This indicates the proposed Planning Amendment must alter densities of surrounding areas in order to justify giving a preferred density to one or a few property owners. How does is this technique reflect good or wise planning?

I23-16  
Comment 11: I am concern that the Study Areas gives constrained areas densities it cannot achieve just to make them appear compatible with an adjacent PSR request.

Many of the property owners in the Study Areas may have not wanted the proposed density change to their property. In addition, some of the properties within the Study Areas are very constrained due to steep slopes and other factors. They can't accommodate an increased density and it seems odd to assign an unrealistic density to constrained areas just to make them appear compatible with an adjacent PSR request. Within each Study Area, what percentage of the Property owners will actually be able to build more dwellings on their property after requested change in density?

This SEIR to the proposed General Plan Amendment clearly highlights numerous ways the proposed amendment would create negative impacts that are under CEQA **"significant and unavoidable"**

I23-17  
Even with the proposed Reduced Density Alternatives, the SEIR finds impacts in many areas to be **"significant and unavoidable"**.

The SEIR found that Reduced Density Alternatives would result in a **Significant and unavoidable impact associated"** in the following areas:

1. visual quality or character
2. light or glare
3. direct conversion of agricultural resources
4. air quality plans such as RAQS
5. impacts associated with air quality violations
6. nonattainment criteria pollutants
7. sensitive receptors
8. special status plant and wildlife species
9. wildlife movement corridors and nursery sites
10. wildland fires.
11. riparian habitats and other sensitive natural communities
12. water quality standards and requirements
13. ambient noise levels
14. school services
15. roadway segments.
16. road safety
17. adequate water supply

I23-18  
III. **Reduced Density Alternatives Comments ( limited to PSRs that are within the Twin Oaks Valley Community Planning Area)**

Comment 12. Many of the PSRs within the Twin Oaks Valley Community Planning Area have Reduced Density Alternatives. Many seemed fairly reasonable with some only adding an additional 7 dwelling units while others added 14 dwelling units. Clearly the County tried to accommodate specific property

owners while trying to maintain the integrity of the General Plan. In the end, the SEIR shows that the Reduced Density Alternatives, with mitigation, create significant and unavoidable impacts.

## NC22

I23-19  
Comment 13: The SEIR states that Reduced Density Alternative for NC22 Analysis area results in an increase of 7 dwelling units by converting SR-10 to SR-4. This change would remove the Conservation Subdivision requirement associated with the existing SR -10 designation in a very high quality habitat area. Not using a Conservation Subdivision could result in a development pattern that would preserve less of the habitat and have much greater negative impact on wildlife and habitat planning in this PAMA designated area. This area is an important link for wildlife that travel Agua Hedionda Creek. It is also important for wildlife to move through the site to reach the habitat preserves near Owens Peak to the South and the Buena Creek Conservation Bank to the north. **(Attachment A)** . I don't support this Reduced Density Alternative specifically because of the potential damage it will inflict on the ability to get viable wildlife corridors in the area. I therefore strongly recommend that if this alternative is adopted, or the proposed project, that a Conservation Subdivision overly applied as a condition to any change in density. I am not personally opposed to development in this area as long as it provides a 1,000 foot wildlife corridor along the northern portion of the site and an adequate wildlife corridor along Agua Hedionda Creek.

I23-20  
Comment 14: The SEIR found that the Reduced Density Alternative Map was also inconsistent with Policy LU-6.2, resulting in a significant impact. Although the SEIR noted that a GPA/Rezone could be used to bring it into consistency with the General Plan, doing so would not support the spirit of Policy 6.2 whose purpose is to protect sensitive resources within the PAMA by assigning a lower density.

I23-21  
Comment 15: I believe there are only a few parcels in the NC22 Study area that are over 4 acres and with the largest being under 8 acres so the change from SR-10 to SR-4 may not provide any development benefit to existing parcels in the NC22 Study Area. If the NC22 request is for the benefit of one property owner than the County should be not change the density of the adjacent Study Areas. Of the parcels in the NC22 Study area, if the Reduced Density Alternative is adopted, how many will be able to developed to a higher density than is allowed under the current General Plan designation of SR10? Alternatives should be realistic and only include only those properties that actually can build out to the density specified in the General Plan.

I23-22  
Comment 16: The SEIR correctly finds that Reduced Density Alternative for NC22 would:

1. result in significant and unavoidable impacts associated with visual quality or character.
2. result in potentially significant impacts to visual character of the community
3. result in potentially significant impacts to scenic vistas
4. result in significant and unavoidable impacts associated with light or glare.

- I23-22  
Con'd.
5. result in significant and unavoidable impacts associated with air quality plans such as RAQS
  6. result in significant and unavoidable impacts associated with air quality violations
  7. result in significant and unavoidable impacts associated with nonattainment criteria pollutants.
  8. would result in a significant and unavoidable impact associated with sensitive receptors.
  9. result in a significant and unavoidable impacts associated with special status plant and wildlife species.
  10. result in a significant and unavoidable impact associated with riparian habitats and other sensitive natural communities
  11. result in a significant and unavoidable impact associated with wildlife movement corridors and nursery sites.
  12. result in a significant and unavoidable impact associated with wildland fires.

I23-23

**NC38+ Analysis Area**

Comment 17: The proposed changes the density for NC38+ from SR-2 to SR-1. The Reduced Density Alternative wisely keeps the General Plan density for the areas that are within the 100- year floodplain. However, by keeping the same density for the floodplain areas and increasing the density within the other portions of NC38+ will the area develop in a manner that appears denser than the adjacent properties in San Marcos?

I23-24

Comment 18: The Reduced Density Alternative of 64 du is 27 more dwelling units than what is allowed under the existing General Plan but may be too dense in an area that is plagued by some of the worse traffic in San Diego. This area is not walkable and does not have public transportation.

I23-25

Comment 19: In addition, the SR2 designation created a transition between SR-10 to the north and the City of San Marcos. The abrupt transition from SR-10 to SR-2 may result in creating future growth inducement into the Twin Oaks Valley Community Planning Area.

**Comment 20: The SEIR correctly finds that this Reduced Density Alternative for NC 38 would:**

- I23-26
1. result in significant and unavoidable impacts associated with visual quality or character.
  2. result in potentially significant impacts to visual character of the community
  3. result in significant and unavoidable impacts associated with light or glare.
  4. result in significant and unavoidable impacts associated with the direct conversion of agricultural resources.
  5. result in significant and unavoidable impacts associated with air quality plans such as RAQS
  6. result in significant and unavoidable impacts associated with air quality violations.
  7. result in a significant and unavoidable impact associated with sensitive receptors.

8. result in a significant and unavoidable impact associated with wildland fires.

**NC37 Analysis Area:**

The NC37 Analysis Area Reduced Density Alternative would change the General Plan land use designation in the eastern portion (approximately 90 acres) of the analysis area from SR-10 to SR-4. The western portion of the analysis area (approximately 68 acres) would remain unchanged from the existing General Plan land use designation of SR-10 .

Comment 21: This appears to be appropriate since the area on the western portion of the analysis area appears to be predominantly steep slopes. This alternative would allow this 68 acres to develop creating a Conservation Subdivision, that could provide enough open space for wildlife movement. This alternative would allow 12 more dwelling units in comparison to the General Plan.

Comment 22: This alternative seems reasonable. However the concern we have is similar to NC38, the traffic in the area makes even incremental increases in density problematic. With the addition of 12 more units we have 120 more vehicle trips through a road systems that is failing to carry existing traffic. In a wildland fire situation evacuation could be difficult or impossible, especially if the Newland Sierra project Specific Plan is approved by the Board of Supervisors.

Comment 23: In addition, the sR-4 designation would not require a Conservation Subdivision be used and so the future development could negatively impact wildlife movement between the mountain ranges on either side of North Twin Oaks Valley Road. The SEIR needs to address this impact.

**Comment 24: The SEIR correctly finds that this Reduced Density Alternative for NC 37 would :**

1. result in significant and unavoidable impacts associated with light or glare.
2. result in significant and unavoidable impacts associated with the direct conversion of agricultural resources.
3. result in significant and unavoidable impacts associated with air quality plans such as RAQS
4. result in significant and unavoidable impacts associated with air quality violations.
5. result in a significant and unavoidable impact associated with wildlife movement corridors and nursery sites.
6. result in a significant and unavoidable impact associated with wildland fires.

In addition, to all of the above the SEIR found the following impacts by all the PSRs Reduced Density Alternatives for the following:

- The Reduced Density Alternatives would result in cumulative impacts would remain significant and unavoidable, similar to the Proposed Project for Population and Housing.

- I23-32  
con'd.
- The Reduced Density Alternatives would result in a significant and unavoidable impact associated with school services.
  - The Reduced Density Alternatives would create new impacts on three roadway segments and impacts would remain significant and unavoidable.
  - The Reduced Density Alternatives would result in significant and unavoidable impact associated with the road safety.
  - The Reduced Density Alternatives would result in a significant and unavoidable impact associated with adequate water supply.

I23-33

Comment 25: Although in several cases the Reduced Density Alternatives appear to be a minor change from the current density in the County General Plan, the impact is too significant and unavoidable to be adopted.

I23-34

Comment 26: Overall I think the County did a good job recognizing the potential impacts. The proposed project simply has too many impacts that fall within the range of significant and unavoidable to warrant being considered for adoption and modifying the General Plan. I recommend the County and Board of Supervisor consider a Purchase of Development Rights (PDR) as an alternative way to compensate these property owners and not damage the work and integrity of the County General Plan and avoid the numerous negative impacts identified in this SEIR.

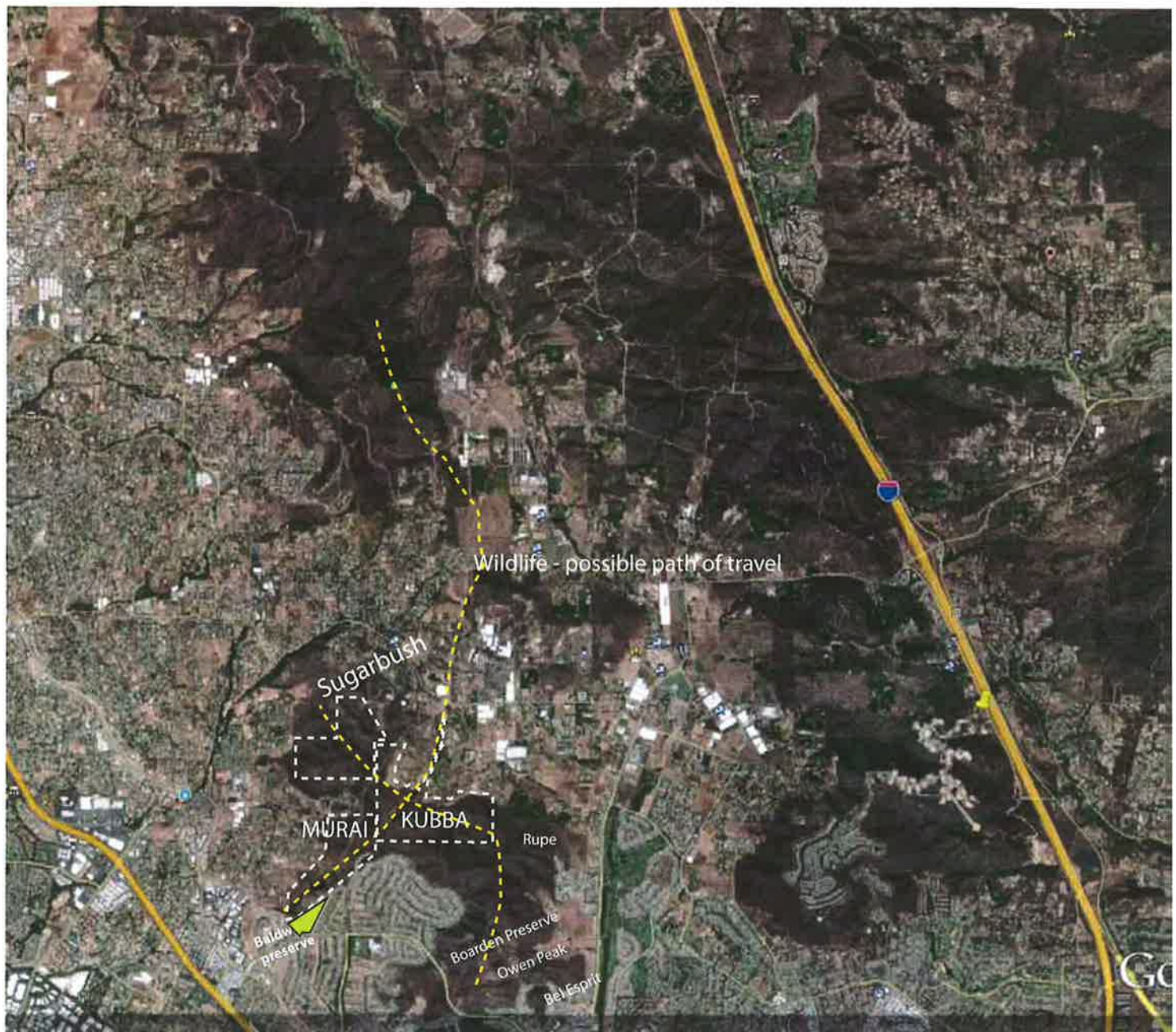
This concludes my comments to the SEIR on the proposed Property Specific Requests to Amend the County General Plan and Rezone for the benefit of specific property owners. Thank you very much for the opportunity to submit comments.

Sincerely,

Sandra Farrell

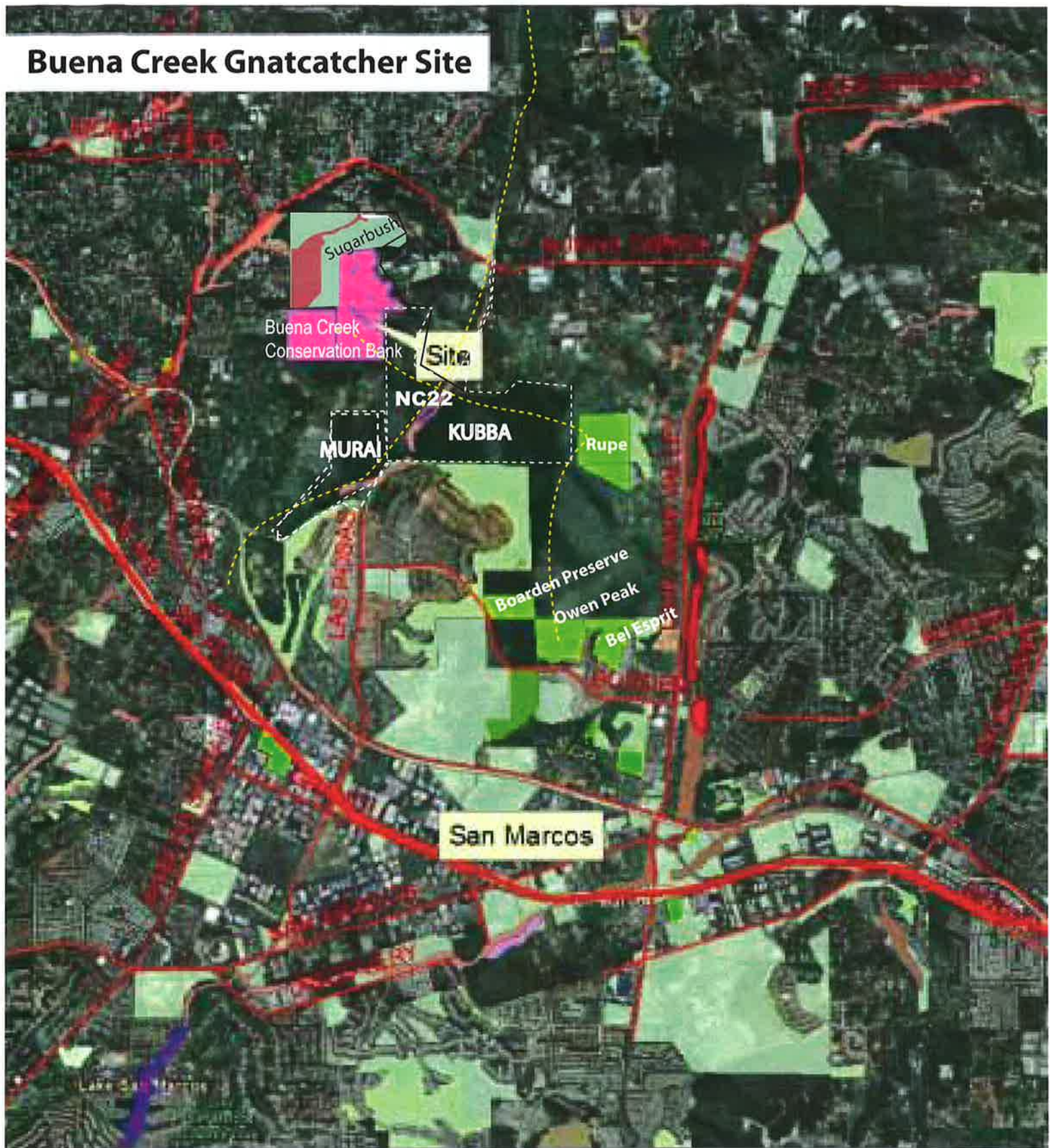
Attachments:

Attachment A- three pages



**ATTACHMENT A**

## Buena Creek Gnatcatcher Site



Former TET Properties within City of San Marcos: Rupe, Boarden Preserve, Owen Peak, Bel Esprit

Murai Property: San Marcos (96 Ac- along Agua Hedionda Creek)

Kubba Property: San Marcos and Unincorporated Area County (shown as PAMA-- 300 ac -- along Agua Hedionda Creek)

..... Wildlife possible path of travel

### ATTACHMENT A



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Services

Land Stewardship

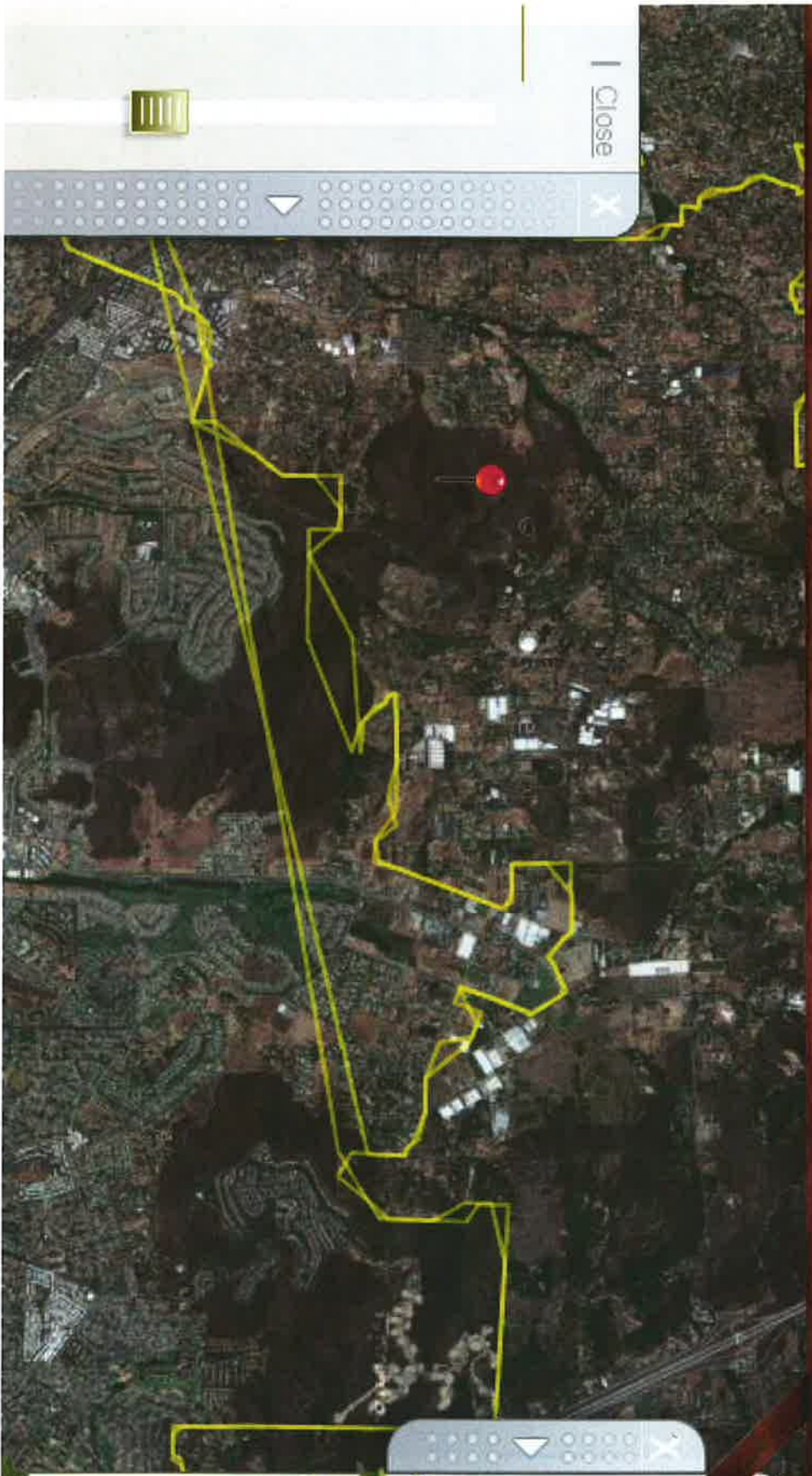
Agriculture

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Have questions or can't find a bank near your location? Call us at 877.435.3555

 Reset Map

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## **Response to Comment Letter I23**

**Sandra Farrell**  
**February 12, 2018**

**I23-1** This comment provides introductory remarks.

This comment does not raise issues regarding the adequacy of the Draft SEIR; therefore, no further response is necessary.

**I23-2** This comment provides general statements regarding the Draft SEIR.

This comment does not raise issues regarding the adequacy of the Draft SEIR; therefore, no further response is necessary.

**I23-3** This comment states the Draft SEIR makes clear the Proposed Project will have significant negative impacts on the County and to residents in the Twin Oaks area and states the Proposed Project would undermine the Vision and Guiding Principles of the General Plan.

The County agrees that the Project will have many significant and unavoidable impacts as described in the Draft SEIR. However, the County does not agree that all Analysis Areas proposals of the Proposed Project would undermine the Vision and Guiding Principles of the General Plan. The project includes many different Analysis Area proposals, with Proposed Project Map options (highest density/intensity options) and Alternative Map options (reduced density/intensity options with reduced environmental impacts), in addition to the option of retaining the existing General Plan land use designations for any Analysis Area. The proposals and map options vary widely, in terms of geographic location, environmental constraints, existing development patterns, and proximity to infrastructure, services, and jobs, among other factors (Draft SEIR, p. 1-13). Lumping all of the proposals together as consistent with, or inconsistent with the General Plan does not take into account the individual characteristics of the Analysis Area proposals. Section 2.9.3.2 provides covers the CEQA requirement for General Plan consistency review by providing a review of each of the policies of the General Plan that apply to a stand-alone GPA/Rezone with no development applications/proposals (like the current project) and that were relied upon to reduce impacts in the 2011 General Plan PEIR, which the current Draft SEIR tiers from. This review is provided for each Analysis Area proposal on an individual basis.

- I23-4** This comment refers to community plans not being completed and states the SEIR should explain how the County can amend the General Plan without fully completing community plans.

During the General Plan Update process, amendments were made to several community plans existing at the time, for consistency with the General Plan Update, and more significant updates were included for some community plans. The fact that the 2011 General Plan Update did not include a completely new community plan for every Subregion, Subregional Group Area, and Community Plan Area in the unincorporated County does not remove the legal authority of the County Board of Supervisors to amend the General Plan. This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.

- I23-5** This comment questions why the County did not consider an alternative that included a Purchase of Development Rights (PDR) program.

The commenter is requesting an additional alternative, which they describe as a Purchase of Development Rights (PDR) program. A Purchase of Development Rights Program is not excluded in the policies for the County of San Diego's General Plan. However, it is unclear how the commenter is indicating the baseline for a program would work instead of the clear objectives and direction provided as part of the PSRs Draft SEIR; an evaluation of different zoning and general plan designations for properties in the unincorporated County. Such an alternative is outside of the scope of a General Plan Amendment and would not present a reasonable alternative. The alternatives analysis in the SEIR meets the requirements of CEQA Section 15126.6 for the proposed project and objectives.

Comments about the cost of the SEIR and PSRs GPA/Rezone are not environmental issues and no response is required. However, this SEIR was directed after public workshops in 2012 following the adoption of the August 3, 2011 General Plan Update. During the 2011 General Plan Update, PDR and Transfer of Development Rights programs were discussed in detail as a part of fact sheets associated with that document and in the project record. They were considered and did not move forward as a part of the program as directed by the Board of Supervisors.

- I23-6** This comment provides general remarks regarding the Draft MSCP North County Plan and its schedule.

The comment that the County has not been working on MSCP North County since 2011 is incorrect. This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.

- I23-7** This comment states the PSR General Plan Amendment and Rezone should be not be considered by the Board until the MSCP North County Plan is completed.
- The County disagrees with this comment. This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.
- I23-8** This comment expresses the commenter’s opinions regarding the regulatory processes (HCPs and NCCPs) effectiveness.
- This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.
- I23-9** This comment expresses the commenter’s opinions regarding the effectiveness of the MHCP process.
- This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.
- I23-10** This comment expresses the commenter’s opinions regarding the 404 permit process.
- Section 2.4.3.3 of the Draft SEIR adequately addresses potential impacts to federally protected wetlands. No further response is necessary.
- I23-11** This comment first suggests text on page 2.4-3 of the Draft SEIR regarding Habitat Loss Permits needs clarification. The second part of the comment cites the Draft SEIR regarding the proposed increases in the number of potential dwelling units for PSRs NC22, NC37, and NC38+.
- The text on page 2.4-3 regarding Habitat Loss Permits is accurate, and notes that the wildlife agencies (USFWS and CDFW) must concur with the issuance of a Habitat Loss Permit for it to become valid as take authorization under the Endangered Species Act.
- The proposed density increases for these PSRs are accurately stated in the second part of the comment as reflected in Table 1-1 of the Draft SEIR. No further response is necessary.
- I23-12** This comment states the commenter agrees with the determinations made regarding potentially significant and potentially significant and unavoidable impacts identified in the SEIR.

This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.

- I23-13** This comment summarizes most of the information in Table S-1 of the Draft SEIR with respect to potentially significant and unavoidable impacts of the Proposed Project, and states the commenter is in agreement with the determinations.

This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.

- I23-14** The comment requests information regarding the number property owners of the PSR and Study Area parcels within the Twin Oaks Valley CSG area, and how many asked to be included in the GPA/Rezone. The comment also states that the commenter and most her neighbors asked to be included in the Study Area for NC22.

There are a total of seven owners of PSR parcels (those requesting changes) in the Analysis Areas within Twin Oaks. There are a total of 29 owners of Study Area parcels in the Analysis Areas within Twin Oaks. Staff is not aware that any of the Study Area owners requested the changes.

An explanation regarding how the Study Areas were determined is provided in Section 1.1 (second paragraph), Section 1.2.3 (second paragraph), and Section 1.3.1 (first paragraph) of the Draft SEIR. The County acknowledges the commenters statement that neither she nor most of her neighbors asked for or support being in the Study Area. No further response is necessary.

- I23-15** This comment cites text in the Draft SEIR (Section 1.3.1, first paragraph) and implies the Proposed Project must alter densities of areas surrounding a Property Specific Request to justify the increase in density requested by the PSR owners, and questions how that technique reflects good or wise planning.

The County disagrees with this comment. As stated in the first paragraph of Section 1.3.1, the Study Area parcels (where appropriate) were also analyzed for increases in density to avoid “islands” of potentially incompatible land use designations that might result if only the PSR parcels were considered for increased density. County staff is analyzing the proposed changes for all of the Analysis Areas as directed by the County Board of Supervisors, in the configurations described in Chapter 1 of the Draft SEIR and as shown in map figures. Chapter 4 of the SEIR analyzes alternative map configurations that, in many cases, would reduce the area subject to changes, but would still not result in spot designations. County staff is analyzing each Analysis Area (including General Plan consistency analysis) without any different consideration for

PSR parcels versus Study Area parcels. The final staff recommendations will vary based on the Analysis Area and associated constraints and General Plan consistency issues.

This comment does not raise issues regarding the adequacy of the Draft SEIR, therefore, no further response is necessary.

- I23-16** The comment implies that many Study Area parcel owners may not want the density increase proposed by the Project and that some of the properties have constraints that would not allow the proposed density increase to be achieved. The comment also asks what percent of Study Area parcel owners would actually be able to achieve more dwellings on their property if the proposed density is approved.

The County believes the analysis presented in the Draft SEIR adequately discusses environmental constraints of the PSR Analysis Areas as indicated by the number of potentially significant impacts and potentially significant and unavoidable impacts. This information will be taken into account when the Department (PDS) develops its recommendation to the Planning Commission and Board of Supervisors. Feasibility of the proposed densities (associated with map options) will factor into staff recommendations. Development project level analysis of site constraints would be performed for any subsequent development projects that might be proposed. The County cannot predict what percent of property owners will pursue development projects that take advantage of increased density that may be approved.

- I23-17** This comment summarizes most of the significant and unavoidable impacts of the Reduced Density Alternatives.

The County notes that in addition to the list of significant and unavoidable impacts listed in the comment, the Reduced Project Alternatives also result in significant and unavoidable impacts to indirect conversion of agricultural resources, groundwater supplies and recharge, conflicts with land use plans, mineral resource availability, and population growth. This comment does not raise issues regarding the adequacy of the Draft SEIR; therefore, no further response is necessary.

- I23-18** This comment discusses the Reduced Density Alternatives for Analysis Areas within the Twin Oaks Valley Community Planning Area.

The comment is accurate in that the Reduced Density Alternatives for NC18A and NC22 would still increase the number of potential dwelling units by 14 and 7 units, respectively. The comment is also accurate in that the Reduced Density Alternatives

still result in many significant and unavoidable impacts. No further response is necessary.

- I23-19** This comment provides statements regarding removing the Conservation Subdivision requirement and potential biological impacts of the Reduced Density Alternative for PSR Analysis Area NC22 and states the commenter is opposed to this Reduced Density Alternative.

The County acknowledges the commenter's opposition to the Reduced Density Alternative for NC22 specifically because of potential impacts to wildlife corridors. The comment accurately reflects that the Reduced Density Alternative for NC22 contributed to the overall determination that the Reduced Density Alternatives would still result in significant and unavoidable impacts to wildlife movement corridors. No further response is necessary.

- I23-20** This comment refers to the Reduced Density's Alternative inconsistency with General Plan Policy LU-6.2.

The commenter is correct in that Reduced Project Alternative for NC22 (and other PSRs) were found to be inconsistent with General Plan Policy LU-6.2. The SEIR did not note that it was as simple as a GPA/Rezone could be used to bring it into consistency with the General Plan. The clarification after the inconsistency finding actually notes, "This finding of policy inconsistency should not be interpreted to conclude that any development project under the designation outlines of the Reduced Density Alternative Map in this subject area would be inconsistent with this policy. It is possible that development project-specific mitigation and/or design considerations could be proposed with analysis leading to a consistency finding. In addition to other factors discussed, this policy consistency evaluation considers the project context of a stand-alone GPA/Rezone with no development proposed, and the extent of development that would be possible under the proposed designations."

- I23-21** This comment expresses the commenter's opinions regarding the development potential of the parcels within Study Area for NC22.

As shown in Table 1-1 of the Draft SEIR, there are 11 parcels in the Study Area comprising 28 acres. The table shows that there are six additional potential dwelling units in the Study Area should the Proposed Project be approved. Under the proposed Reduced Density Alternative for NC22, none of the Study Area parcels would be able to further subdivide with the proposed SR-4 land use designation. The NC22 Reduced Density Alternative is appropriately proposed in that the SR-4 land use designation

would reduce impacts compared to the Proposed Project land use designation of SR-1. As shown in Table 4-1, the potential dwelling unit increase would be reduced from 52 (Proposed Project) to 7 (Reduced Density Alternative) for NC22.

- I23-22** This comment summarizes the potential significant impacts of the Reduced Density Alternative for PSR Analysis Area NC22.

Chapter 4 of the Draft SEIR provides the correct impact determinations for the Reduced Density Alternatives. These impact determinations were made in consideration of all of the Reduced Density Alternatives combined, not just in consideration of the NC22 Reduced Density Alternative.

- I23-23** This comment refers to the Reduced Density Alternative for PSR Analysis Area 38+ and questions whether this would facilitate a denser looking development than adjacent properties in the City of San Marcos to the south.

Many lot sizes in the jurisdiction of the City of San Marcos adjacent to NC38+ are approximately one acre in area. Therefore, if either the Proposed Project or Reduced Project Alternative for NC38+ were approved, the County would not expect future development would appear denser than in the adjacent areas in the City of San Marcos.

- I23-24** This comment raises concerns that the Reduced Density Alternative for PSR Analysis Area 38+ may be too dense, given traffic concerns in that area.

The comment is correct in that the Reduced Density Alternative for NC38+ would still be estimated to result in 27 additional potential dwelling units as compared to the existing SR-2 over the entire Analysis Area. The analysis presented in Section 4.2.1.15 of the Draft SEIR indicates the Reduced Project Alternatives would still contribute to cumulative traffic Level of Service impacts.

- I23-25** The comment states the existing SR-2 designation creates a transition between the City of San Marcos and SR-10 designation (to the north), and that the abrupt transition from SR-10 to SR-2 may result in growth inducement to the Twin Oaks CSG area.

The County is assuming the commenter meant to refer to an abrupt transition from SR-10 to SR-1. The County disagrees with the comment. All properties adjacent to the Analysis Area in the unincorporated County are currently SR-10, so there would be a transition from SR-10 to SR-2 to SR-1 even if the Proposed Project map or Reduced Density Alternative map were to be approved.

- I23-26** This comment summarizes the potential significant impacts of the Reduced Density Alternative for PSR Analysis Area NC38+.

Chapter 4 of the Draft SEIR provides the correct impact determinations for the Reduced Density Alternatives. These impact determinations were made in consideration of all of the Reduced Density Alternatives combined, not just in consideration of the NC38+ Reduced Density Alternative.

- I23-27** This comment correctly describes the Reduced Density Alternative for PSR Analysis Area NC37. No further response is necessary.

- I23-28** This comment provides general statements as to why the Reduced Density Alternative for PSR Analysis Area NC37 appears to be appropriate.

The comment is correct in that any development proposed in the western portion of the Study Area would be subject to Conservation Subdivision requirements with the SR-10 Land Use Designation. The comment is also correct in that the Reduced Density Alternative would also result in 12 additional potential dwelling units.

- I23-29** This comment states the Reduced Density Alternative for PSR Analysis Area NC37 seems reasonable; however, this comment also raises concerns that the incremental increase in traffic is problematic.

The analysis presented in Section 4.2.1.7 and Section 4.2.1.15 of the Draft SEIR indicates the Reduced Project Alternatives would still contribute to significant and unavoidable impacts related to wildland fire hazards and cumulative traffic Level of Service impacts. No further response is necessary.

- I23-30** This comment states the S-4 designation for PSR Analysis Area NC37 would not require a Conservation Subdivision and could negatively impact wildlife movement.

The commenter is correct in that the proposed SR-4 designation for the entire Proposed Project map and the eastern portion of the Reduced Density Alternative map would not be subject to Conservation Subdivision requirements as compared to the current SR-10 designation. Section 4.2.1.4 of the Draft SEIR provides an analysis of the effects to biological resources of the Reduced Density Alternative as compared to the Proposed Project. The Reduced Density Alternative would reduce the impacts associated with wildlife movement corridors as compared to the Proposed Project; however, the impacts would remain significant and unavoidable.

- I23-31** This comment summarizes the potential significant and unavoidable impacts of the Reduced Density Alternative for PSR Analysis Area NC37.

Chapter 4 of the Draft SEIR provides the correct impact determinations for the Reduced Density Alternatives. These impact determinations were made in consideration of all of the Reduced Density Alternatives combined, not just in consideration of the NC38+ Reduced Density Alternative.

- I23-32** This comment summarizes potentially significant and unavoidable impacts for all PSR Analysis Areas Reduced Density Alternatives.

Chapter 4 of the Draft SEIR provides the correct impact determinations for the Reduced Density Alternatives. These impact determinations were made in consideration of all of the Reduced Density Alternatives combined.

- I23-33** This comment expresses the commenter's opinion that the Reduced Density Alternatives' potential impacts are too significant and unavoidable to be adopted.

The County acknowledges the commenter's opposition to adoption of Reduced Density Alternatives. No further response is required.

- I23-34** The comment states the County did a good job recognizing potential impacts. This comment also expresses the commenter's opposition to the Proposed Project and recommends the County consider a Purchase of Development Rights program.

The County acknowledges the commenter's stated preferences. Please refer to response to comment I23-5 above regarding a Purchase of Development Rights program.