



THE STEPHEN A. BIERI COMPANY, INC

February 12, 2018

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SENT VIA E-MAIL

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RE: SD-15 / Comments to Draft Environmental Impact Report -- Property Specific Requests General Plan Amendment, PDS2012-3800-12-005, PDS2014-REZ-14-006; Log No. PDA2012-ER-12-00-003; SCH No. 2015121012

Dear Kevin:

I25-1 The following is a list of items that need addressing for clarity and consistency in the EIR. Several of these items are incorrect in multiple locations throughout the document. We may have not caught all of them so please double check and make sure all errors and inconsistencies are addressed.

CHAPTER 2.1 – Aesthetics

Section 2.1-1 – Existing Conditions

Page: 2.1-8 – San Dieguito

I25-2 This paragraph has an inaccurate and inconsistent description of the property. The property is not comprised of just coastal sage scrub and chaparral vegetation communities. Also, the view comes from just one trail north of the ridgeline. Please replace with the following:

I25-3 PSR Analysis Area SD15 is a 69-acre property containing urban/developed land, disturbed habitat, chaparral vegetation communities and coastal sage scrub. There are scenic views from one trail and a limited number of viewpoints within the Rancho La Costa Preserve north of the ridgeline to the south and west of the Analysis Area. Construction and operation impacts could have the potential to detract from the scenic views of the Analysis Area. Therefore, impacts to scenic vistas associated with the development of future projects within PSR Analysis Area SD15 could be potentially significant (Impact AE-1).

Page: 2.1-12 – San Dieguito

I25-4 This paragraph has an inaccurate description of what surrounds the property. Please replace with the following:

I25-5

I25-5
(cont)

Land use changes proposed for the San Dieguito CPA in PSR Analysis Area SD15 would accommodate an increase of 301 potential dwelling units that would have the potential to impact viewsheds and visual landmarks. SD15 is bordered on the north by San Elijo Road, a 4-lane divided major road which includes bike lanes and sidewalks / pathways; to the east by the San Marcos Recycling Center and Trash to Energy Plant building, which is currently zoned for a Movie Studio; on the south by open space land (Rancho La Costa Habitat Conservation Area, which includes the Copper Creek trail), and on the west primarily by residentially zoned property, and a 60' wide access easement, along with some open space.

I25-6

Page: 2.1-16 – San Dieguito CPA

This paragraph has an inaccurate description of what borders the property. Please replace with the following:

I25-7

PSR Analysis Area SD15 spans 69 acres and is currently bordered on the north by San Elijo Road, a 4-lane divided major road which includes bike lanes and sidewalks / pathways; to the east by the San Marcos Recycling Center and Trash to Energy Plant building, which is currently zoned for a Movie Studio; on the south by open space land (Rancho La Costa Habitat Conservation Area, which includes the Copper Creek trail), and on the west primarily by residentially zoned property, and a 60' wide access easement, along with some open space. The Proposed Project Map would increase allowed density from 61 to 362 dwelling units (an increase of 301 potential dwelling units). Implementation of the Proposed Project would introduce land uses/densities with the potential to detract from existing scenic views in this area. Therefore, impacts to visual character or quality within PSR Analysis Area SD15 would be potentially significant (Impact AE-3).

CHAPTER 2.2 – Agriculture and Forestry Resources

I25-8

Page: 2.2-21 – Table 2.2-4 County Identified Agricultural Resources

This table incorrectly states 6 acres of Orchards/Vineyards in SD15. There have never been any Orchards/Vineyards, nor any agricultural use on this property.

I25-9

Figure 2.2-2 – County Identified Agricultural Lands

Remove the light blue Orchards and Vineyards marking from SD15. There have never been any agricultural activities on SD15 (see section 2.9.3.2, page 2.9-45).

CHAPTER 2.4 – Biological Resources

I25-10

Page: 2.4-34 – Table 2.4-2 Estimated Vegetation Classification Acreages by CPA / Subregion and PSR Analysis Area/Formal CGSP Subareas

Please correct this table to reflect 0 acres of Orchards/Vineyards

I25-11

Page: 2.4-38 – Table 2.4-4 Estimated Acreage Potentially Supporting Special Status Species by CPA/Subregion - Subsection San Dieguito – Coastal California Gnatcatcher

Please correct the acreage to reflect 8 acres of habitat for the Coastal California Gnatcatcher (see Table 2.4-2 SD 15, Diegan Coastal Sage scrub – 8 Acres).

CHAPTER 2.7 – Hazards and Hazardous Materials

Section 2.7-5 – Agricultural Areas

I25-12

Page: 2.7-5

Remove SD15 from the sentence, “The PSR analysis areas that have been used for agricultural activities, past or present, include...” There have never been any agricultural activities on SD15 (see section 2.9.3.2, page 2.9-45).

Section 2.7.3.3 – Hazards to Schools

I25-13

Page: 2.7-15 – Historic Agriculture

Please remove SD15 from the sentence, “PSR Analysis Areas which have been used for agricultural activities, past or present include...” There have never been any agricultural activities on SD15 (see section 2.9.3.2, page 2.9-45).

CHAPTER 4.0 – Project Alternatives

I25-14

Section 4.2.1.2 – Agricultural Resources

Page: 4-10 – Direct Conversion of Agricultural Resources.

Please remove, “however, this Analysis Area contains 6 acres of County Identified Agricultural Resources.” There have never been any agricultural activities on SD15 (see section 2.9.3.2, page 2.9-45).

Page: 4-11 – Direct Conversion of Agricultural Resources.

I25-15

Please remove, “however, this Analysis Area contains 6 acres of County Identified Agricultural Resources.” There have never been any agricultural activities on SD15 (see section 2.9.3.2, page 2.9-45).

APPENDIX D – CHAPTER 1

Section 1.2.1 – Settings and Existing Conditions

This paragraph has an inaccurate description of what surrounds the property and the property is not west of a junkyard, nor is there a junkyard anywhere in the vicinity. Please replace with the following:

The PSR proposed in the San Dieguito CPA (SD15), located east of the incorporated cities of Carlsbad and Encinitas and southwest of San Marcos, is currently undeveloped land. It is situated immediately to the west of land that is occupied by the San Marcos Recycling Center and Trash to Energy Plant building, which is currently zoned for a Movie Studio. The PSR is located approximately 200 yards east and 400 yards south of two distinct detached single family residential developments. It is also situated approximately 300 yards to the southwest of a development of multi-family units and commercial land uses. The existing land uses immediately surrounding the proposed PSR are, on the north by San Elijo Road, a 4-lane divided major road which includes bike lanes and sidewalks / pathways; to the east by the San Marcos Recycling Center and Trash to Energy Plant building, which is currently zoned for a Movie Studio; on the south by open space land (Rancho La Costa Habitat Conservation Area, which includes the Copper Creek trail), and on the west primarily by residentially zoned property, and a 60' wide access easement, along with some open space.

Thank you for your time and consideration of our requested modifications and corrections.

QUESTHAVEN-SAB LLC



Stephen A. Bieri - owner of SD15

Responses to Letter I25, Bieri, Stephen

- I25-1 This comment provides a brief introduction to items requiring clarity and consistency review, which are outlined in the subsequent comments.

Comment noted. Responses to the outlined list of comments are provided in responses to comments I25-2 through I25-17 below.

- I25-2 This comment states Section 2.1.1 of the Draft SEIR includes an inaccurate and inconsistent description of PSR Analysis Area SD15. The comment states the property contains more than coastal sage and chaparral vegetation and only one trail north of the ridgeline provides a view.

This comment refers to the baseline used in the Aesthetics Section of the Draft SEIR. Section 2.1.3.1 states, “PSR Analysis Area SD15 is a 69-acre undeveloped area comprised of coastal sage scrub chaparral vegetation communities that provides scenic views from the various trails and viewpoints of the Rancho La Costa Preserve to the south and west of the Analysis Area. Construction and operation impacts would have the potential to detract from the scenic views of the Analysis Area. Therefore, impacts to scenic vistas associated with the development of future projects within PSR Analysis Area SD15 would be potentially significant.”

The description of the vegetation communities provided in the paragraph in question is a summary of the dominant natural vegetation communities present within the PSR Analysis Area. A full list of vegetation communities for each PSR Analysis Area is provided in Table 2.4-2 of the Draft SEIR (Section 2.4 Biological Resources).. Section 2.1.3.1 of the Draft SEIR is intended to provide a brief description of the site for review of aesthetics, including the dominant vegetation communities present. It’s not intended to substitute for biological resources information provided in the text, maps, and tables of Section 2.4 – Biological Resources.

Regarding views from nearby trails, County staff has visited the site and the walked the nearby trails. There are multiple spots on multiple nearby trails providing views of the Analysis Area.

The County does not find any inaccurate statements in the paragraph in question and does not agree that it requires revision.

- I25-3 This comment is a continuation of comment I25-2 and suggests replacement text for the SD15 reference in Section 2.1.3.1 of the Draft SEIR.

Refer to response to comment I25-2.

- I25-4 This comment claims that page 2.1-12 of the Draft SEIR includes an inaccurate description of the area that surrounds PSR Analysis Area SD15.

This comment provides the context for the paragraph the commenter requests replacing in the SEIR. See comment and response to comment I25-5 below.

- I25-5 This comment requests revisions to page 2.1-12 of Section 2.1.3.2, which describes potential impacts to scenic resources in San Dieguito, associated with the only PSR Analysis Area in San Dieguito – SD15.

This subject section is not intended to provide a complete description of all existing conditions and uses surrounding the SD15 Analysis Area, as the comment and suggested revisions seem infer. The information in this section is specifically related to potential impacts to scenic resources, and provides text consistent with the programmatic analysis approach of the Draft SEIR. The surrounding open space preserves on the south, southeast, and west, in relation to the extensive areas of undeveloped native vegetation on the SD15 site are what create the greatest potential for impacts to scenic resources. The County does not find anything inaccurate in the referenced paragraph, and in consideration of the purpose of this section, the County does not agree that revisions are necessary.

- I25-6 This comment requests revisions to page 2.1-16 of Section 2.1.3.3, which describes potential impacts to visual character or quality in San Dieguito, associated with the only PSR Analysis Area in San Dieguito – SD15.

This comment provides the context for the paragraph the commenter requests replacing in the SEIR. See comment and response to comment I25-7 below.

- I25-7 This comment requests revisions to page 2.1-16 of Section 2.1.3.3, which describes potential impacts to visual character or quality in San Dieguito, associated with the only PSR Analysis Area in San Dieguito – SD15.

This subject section is not intended to provide a complete description of all existing conditions and uses surrounding the SD15 Analysis Area, as the comment and suggested revisions seem infer. The information in this section is specifically related to potential impacts to visual character or quality, and provides text consistent with the programmatic analysis approach of the Draft SEIR. The surrounding open space preserves on the south, southeast, and west, in relation to the extensive areas of undeveloped native vegetation on the SD15 site are what create the greatest potential for impacts to visual character or quality. San Elijo Road on the north and the recycling center on the east are not the factors that would lead to substantial impacts to visual character or quality from potential extensive development of the SD15 site. The County does not find anything inaccurate in the referenced paragraph, and in consideration of the purpose of this section, the County does not agree that revisions are necessary.

- I25-8 This comment states that Table 2.2-4 of the Draft SEIR incorrectly states that 6 acres of orchards/vineyards are within PSR Analysis Area SD15.

Table 2.2-4 provides a table of County Identified Agricultural Resources. County Identified Agricultural Resources are described on page 2.2-2 of the Draft SEIR as follows, “The County defines an agricultural resource as any land with an active agricultural operation, or any site with a history of agricultural production based on aerial photography or other data sources identifying agricultural land uses.” The subject area was mapped as Orchards and Vineyards based on historic use. As noted on page 2.2-8 of the SEIR, SD15 is not one of the Analysis Areas that contains Farmland of Local Importance, Farmland of Statewide importance, Prime Farmland, or Unique Farmland (Farmland Mapping and Monitoring Program [FMMP] categories). The overall Project impact determinations in the agricultural resources Section would not be affected by the inclusion or exclusion of this GIS layer data for SD15, regarding

County Identified Agricultural Resources. For this programmatic analysis covering almost 10,000 acres in varying locations of the County, the County is relying on GIS layers, following the methodology of the 2011 General Plan Update PEIR. Future development would require discretionary project applications, which would trigger a development project-specific CEQA analysis. That process will include an opportunity for current surveys to ground-truth any perceived issues with GIS layer data.

- I25-9 This comment references Figure 2.2-2, County Identified Agricultural Lands, in the Draft SEIR, which includes the light blue Orchards and Vineyards marking. This comment states there have never been any agricultural activities on PSR Analysis Area SD15.

See response to comment I25-8. This comment refers to the figure that depicts information in the table discussed in comment I25-8.

- I25-10 This comment states the acreage identified in PSR Analysis Area SD15 in Table 2.4-2 of the Draft SEIR is incorrect and suggests changing the table to reflect there are no acres of orchards/vineyards.

For this programmatic analysis covering almost 10,000 acres in varying locations, the County is relying on GIS layers, following the methodology of the 2011 General Plan Update PEIR. See page 2.4-6 of the Draft SEIR for an explanation of the limitations of the GIS layer of vegetation categories. There is a possibility that the GIS layer underestimates/under-represents the current acreage of Diegan coastal sage scrub and southern mixed chaparral on the property. The limitations apply to the potential for overestimating *and* underestimating. Future development would require discretionary project applications, which would trigger a development project-specific CEQA analysis. Updated vegetation mapping by a certified biologist would be required, based on the proposed development footprint and edge effect factors. Once accepted by the County, such updated mapping would be used to update the GIS vegetation layer for the subject property.

While it is important to explain this programmatic methodology and reliance on GIS layers, the County concurs that Table 2.4-2 can be revised to reflect 0 acres of Orchards/Vineyards (instead of < 1 acre), as this layer is not intended to include historical uses in mapping vegetation areas. The Draft SEIR has been revised accordingly.

- I25-11 This comment states Table 2.4-4 of the Draft SEIR provides incorrect acreage of habitat for the coastal California gnatcatcher.

The County's Geographic Information System (GIS) database was used to identify habitat that potentially supports special-status species by CPA/Subregion where the PSR Analysis Areas are located. In the absence of specific development proposals where more precise footprints of ground-disturbing activities would be identified, the exact extent of impacts on special-status plant and wildlife species cannot be determined. As stated in Section 2.4.3.1, site-specific surveys would be required when specific development plans are proposed, and detailed information will be provided at that time.

I25-12 This comment states agricultural activities have not occurred within PSR Analysis Area SD15, as identified in Section 2.7.1.1 of the Draft SEIR. This comment requests a revision to correct this statement.

See the response to comment I25-8.

I25-13 This comment states agricultural activities have not occurred within PSR Analysis Area SD15, as identified in Section 2.7.3.4 of the Draft SEIR. This comment requests a revision to correct this statement.

See the response to comment I25-8.

I25-14 This comment states agricultural activities have not occurred within PSR Analysis Area SD15, as identified in Section 4.2.1.2 of the Draft SEIR. This comment requests a revision to correct this statement.

See the response to comment I25-8.

I25-15 This comment states agricultural activities have not occurred within PSR Analysis Area SD15, as identified in Section 4.2.1.2 of the Draft SEIR. This comment requests a revision to correct this statement

See the response to comment I25-8.

I25-16 This comment references Section 1.2.1 of Appendix D and states the Draft SEIR includes an inaccurate description of properties surrounding PSR Analysis Area SD15.

This comment provides the context for the paragraph the commenter requests replacing in Appendix D of the SEIR. See comment and response to comment I25-17 below.

I25-17 This comment references Section 1.2.1 of Appendix D and states the appendix includes an inaccurate description of properties surrounding PSR Analysis Area SD15. This comment requests a revision of the information presented.

See the responses to comments I25-5 through I25-7. This section of the Noise Technical Report Appendix only serves the purpose of providing a brief description as it pertains to the noise analysis. However, the County acknowledges that this Appendix mistakenly referred to a junkyard on the parcel adjacent to SD15. Section 1.2.1 of Appendix D of has been revised to remove the reference to the junkyard and instead reference the adjacency to the San Marcos Recycling Center and Trash to Energy Plant building and the former landfill. The change in land use stated in the Draft SEIR will not result in an increase in noise-related impacts associated with the proposed project.