FINAL ENVIRONMENTAL IMPACT REPORT

San Diego County General Plan Update
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COMMENT LETTERS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

ORGANIZATIONS

Lead Agency:

County of San Diego
Department of Planning and Land Use
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Contact: Devon Muto, Chief of Advanced Planning

August 2011

List of Commenters – Organizations

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O 3	East San Diego County Association of Realtors
O 4	Homeowners for the Preservation and Enhancement of the Mountain Empire
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Comment Letter O 1, California Native Plant Society (CNPS)

California Native Plant Society

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August 31, 2009
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RE: Comments on Draft Environmental Impact Report for General Plan

Dear Mr. Muto,

Thank you for the opportunity to provide comments on this Draft Environmental Impact Report (DEIR) on the General Plan for San Diego County. The San Diego Chapter of the California Native Plant Society shares concerns about the future of natural environments in San Diego with many of the County's residents. This letter focuses on and requests revisions relating to wildfire safety and climate change impacts, in both the DEIR and the draft General Plan. These impacts, and the sufficiency of the County's policies to address and mitigate them, may profoundly limit the extent and health of native plants and habitats in San Diego County.

O1-1.

1. Strengthen wildfire safety provisions in the Safety Element, Fire Hazards section.

Chapter 2.7 of the DEIR includes a reasonable description of the impacts associated with wildfires, and changes in County policies through the General Plan. The Mitigation Measures are reasonable, but are difficult to trace to specific provisions in the draft General Plan.

O1-2.

Section 2.7.6.8 lists Infeasible Mitigation Measures that should be considered rather than discarded:

O1-3.

- Require development guidelines and reduce planned densities (items 1 and 2) in areas that have extremely high fire risks, rather than knowingly putting future County residents at risk of wildfire losses of life and property.

The policy in S-1.1 (below) is strong and valued, yet is not carried through in the Land Use Element or in the Safety policies (specifically S-3). The DEIR proposes mitigation (Haz-4.1) to "[i]dentify and minimize potential fire hazards for future development… locating development away from Fire Hazard areas whenever practicable" Yet the density increases in the Draft Map are identified in the Very High Hazard areas.

O1-4.

Comment Letter O 1, California Native Plant Society (CNPS) (cont.)

O1-4. cont.

> **S-1.1 Land Use Designations.** Minimize the population exposed to hazards by assigning land use designations and density allowances that reflect site specific constraints and hazards.

O1-5.

In the DEIR, section 2.7.4.8 Issue 8: Wildland Fires states that "Implementation of the proposed General Plan Update would result in land uses that allow residential, commercial and industrial development in areas that are prone to wildland fires.,,, [and] would result in a potentially significant impact from the exposure of people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands." This is unacceptable for the citizens of San Diego County.

O1-6.

It is acknowledged that the July 1, 2009 draft of the General Plan incorporated a number of revisions from the previous version, including:

- Section S-3.5 was modified to require development to provide additional access (assumed to be the same as "secondary access").
- "Fuel" is written in several policies and definitions to include all structural elements, man-made combustible materials, ancillary structures, ornamental and natural vegetation.
- Revision of glossary definitions have been made, including "Very High Hazard Areas" (to be consistent with California Department of Forestry and Fire Protection), and "Fuel Modification Area"

O1-7.

In the "context" section, the recitation of structural losses is unnecessary; if retained, there should also be discussion of the natural vegetation burned in those wildfires, the acreage that has type-converted to non-native weeds, and/or flammable grasses over the past decades because of frequent fires, and more.

O1-8.

In that same section, the statement about wildland fire control being the responsibility the state and Federal agencies is misleading. These responsibilities are more accurately stated in the issue of "Multiple Fire Protection Districts."

O1-9.

Goal S-3 Minimized Fire Hazards should clearly state that development should be avoided in high risk areas, and include this policy:

> **S.3.x Avoid risk to life and property**. Avoid development or reduce its intensity in Very High Hazard Zones.

O1-10.

For S-3.2, development should be greatly curtailed on high-risk sites, rather than knowingly putting future County residents at risk of wildfire losses of life and property.

> **S-3.2 Development in Hillsides and Canyons.** ~~Require~~ Limit development located near ridgelines, top of slopes, saddles, or other areas where the terrain or topography affect its susceptibility to wildfires, and ~~located and designed to account for topography~~ locate and design any developments with maximum ignition-resistant construction to reduce the increased risk from fires. (Note that underlined text indicates additions, and overstrikes suggest deletions.)

Comment Letter O 1, California Native Plant Society (CNPS) (cont.)

O1-11. For S-3.6 Fire Protection Measures, there are two columns and these should be combined.

O1-12. In section S-3.7, a policy was added that clearly requires ignition-resistant construction for all new, remodeled, or rebuilt structures. It is still essential that the County address the structures in Very High Hazard Areas, and that the policy also include the following:

> **S-3.7. Fire resistant construction.** Add: Establish and enforce reasonable and prudent standards that require retrofitting of existing structures in Very High Fire Hazard areas.

O1-13. Section S-4 provides greater clarification for the difference between wildland fuel modification and that of defensible space around structures. Some changes were made in S-4.1, and one further revision is requested:

> **S-4.1 Fuel Management Programs.** Support programs consistent with state law that require fuel management/modification within established defensible space boundaries and when strategic fuel modification is necessary outside of defensible space, ~~balance fuel management needs with the preservation of native vegetation.~~ balancing protection of structures with preservation of sensitive habitats and native vegetation.

O1-14. For S-4.2, the following change is requested:

> **S-4.2 Coordination to Minimize Fuel Management Impacts.** ~~Solicit~~ Incorporate comments from CAL FIRE and wildlife agencies for recommendations regarding mitigation for impacts to habitat and species into fuel management projects.

O1-15. Interestingly, the Vegetation Management Report, approved by the County Board of Supervisors in March, 2009, does not mention or suggest that any report findings be applied to the General Plan, and neither the draft General Plan nor the DEIR mention the Vegetation Management Report.

O1-16. Since there is no mention of "shelter-in-place" or similar concepts, it is assumed that the County will not approve developments that request this consideration in lieu of secondary access and other requirements that reduce life and property risks from wildfires. The County's policies should ensure that a project should not be built, if it is unsafe for residents to prepare for and evacuate from a wildfire.

2. Strengthen descriptions of impacts, mitigation, and adaptation from climate change

O1-17. The impacts of regional and local drought are understated in the DEIR and mitigation is inadequate. The DEIR includes a short but comprehensive outline of expected impacts of wildfires from climate change, in section 2.17.3.2; however, mitigation measures are not provided. Specific comments, on water supplies and greenhouse gases (GHG) related to climate change, are provided below.

Comment Letter O 1, California Native Plant Society (CNPS) (cont.)

Water supplies. If extended droughts result from climate changes over the decades ahead, the General Plan policies and provisions for development may have a significant impact on water supply. The DEIR does not adequately address the significant effect that any project will have if there are insufficient water supplies available to serve the project from existing entitlements and resources. Recent research and analysis has clearly established that these entitlements are likely to be reduced by climate changes that affect drought conditions in the Colorado River basin, snowpack in the Sierra Nevada mountains, and ultimately allocations to the San Diego County Water Authority. The DEIR does not address the likelihood of the actual (not promised or allocated) delivery of future water supplies, since allocations will be unreliable and unpredictable if climate change reduces overall availability of water transfers in California. The DEIR also does not adequately address the cumulative impacts on continuing to withdraw and overdraw groundwater.

O1-18.

O1-19.

GHG emissions. These emissions are significant environmental impacts that must be mitigated. In order to show that the proposed new development is consistent with California's plans to stabilize GHG emissions (AB 32 and other laws and policies), the DEIR must demonstrate that policies and actions would result in a 30 percent reduction in emissions by 2020, and that they will not compromise the long-range goal of reducing GHG emission 80 percent below 1990 levels by 2050. Yet Section 2.17.7.1 Issue 1 (Compliance with AB 32) acknowledges that the projected GHG emissions will increase 24 percent over 2006 levels, and 36 percent increase from estimated 1990 levels. It further states that "the proposed project would result in a potentially significant impact related to compliance with AB 32" and that "the proposed General Plan Update policies and mitigation measures would reduce direct and cumulative impacts related to compliance with AB 32." It is the obligation of the County to meet these levels through the General Plan policies and other actions, not rely on State or Federal outcomes.

O1-20.

The few General Plan policies identified in Chapter 2.17.6 of the DEIR, are a modest start. As the policies and actions to reduce GHG emissions are not yet formulated and would be detailed in a "GHG Reduction Climate Change Action Plan," the long list of possible mitigations (CC-1.1 through CC-1.18) is impressive but inconsequential. Appendix G of the DEIR, prepared by the University of San Diego, includes an emissions inventory and suggested implementation strategies that are an important start, but are not analyzed or carried into the Draft General Plan. The County needs to identify and incorporate additional policies to reduce GHG emissions and confirm to state requirements.

O1-21.

3. State policies affirmatively

Although some changes were made since the November, 2008 draft, many policies are still stated vaguely and tentatively, rather than stated as commitments to accomplish the objectives. It is important to replace "may" and "will" with "must" and "should," and to replace "balance," "encourage," "promote," and similar verbs with active, affirmative verbs such as protect, enhance, restore, remove, preserve, and prohibit. Some changes have been made and are acknowledged, such as (*italics added*):

O1-22.

Comment Letter O 1, California Native Plant Society (CNPS) (cont.)

O1-23. LU 6.1 **Environmental Sustainability.** *Require the protection of intact* or sensitive natural resources and the long-term sustainability of the natural environment.

O1-24. LU 8.3 **Groundwater-Dependent Habitat.** *Prohibit development* that would draw down the groundwater table to the detriment of groundwater-dependent habitat.

O1-25. Definition of Sustainable (in glossary), to be consistent with the United Nations World Commission on Environment and Development.

O1-26. In addition, the DEIR identifies hundreds of policies and measures to mitigate significant impacts, but do not include measurable and enforceable performance standards.

O1-27. Thank you for this opportunity to comment and to contribute to the sustainability of our lives together, as citizens of the County of San Diego.

Sincerely,

Carrie Schneider

San Diego Chapter, California Native Plant Society

cc: Jeff Murphy, Tom Oberbauer, Ralph Steinhoff, Ken Miller, and Chandra Waller, County

Responses to Letter O 1, California Native Plant Society (CNPS)

O1-1 These introductory comments are more fully developed later in this comment letter and therefore more detailed responses are presented later for each topic.

O1-2 The mitigation measures are not necessarily implemented through the draft General Plan Update text. The mitigation has been incorporated into the draft Implementation Plan, however, which will become part of the Mitigation Monitoring and Reporting Program for the EIR.

O1-3 The comment recommends that two infeasible measures discussed in DEIR Section 2.7.6.8 be implemented: (1) Require development guidelines to be prepared and incorporated into all community plans that would limit the amount of future development in order to reduce hazards associated with wildland fires; and (2) Substantially reduce planned densities in areas of concern. The County does not agree with this comment. After each stated measure in DEIR Section 2.7.6.8, the County provides the rationale for determining that the mitigation measures are infeasible. The primary reason that these measures are not feasible is because they would directly conflict with the project objectives listed in the DEIR project description. It should be noted that the General Plan Update does propose to substantially lower densities in Very High Hazard Severity Zones when compared to the existing General Plan. However, when compared to existing conditions, the densities would not be low enough to reach a finding of “less than significant.”

O1-4 The comment contends that draft Safety Element Policy S-1.1, Land Use Designations, to minimize the population exposed to hazards is not carried through in the Land Use Element or Safety Element policies. The comment further states that the Project Land Use Map proposes density increases in Very High Hazard areas. The County does not agree with the comment. In fact, in most cases in very high fire risk areas the project proposes very low densities (decreased density when compared to the existing General Plan).

The County also does not agree that draft Safety Element policies under Goal S-3, Minimized Fire Hazards, are inconsistent with Policy S-1.1. The draft General Plan Safety Element states, "Because most of the unincorporated County is located within high or very high fire hazard severity zones, avoiding high threat areas is not possible." Since it is not feasible to totally avoid developing in very high hazard areas, the policies under Goal S-3 are intended to ensure any development that does occur minimizes loss to life and property. These policies are provided in the draft Safety Element as follows:

GOAL S-3 Minimized Fire Hazards. Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.

S-3.1 **Defensible Development.** Require development to be located, designed, and constructed to provide adequate defensibility and minimize the risk of structural loss and life safety resulting from wildland fires.

S-3.2 **Development in Hillsides and Canyons.** Require development located near ridgelines, top of slopes, saddles, or other areas where the terrain or

Responses to Letter O 1, California Native Plant Society (CNPS) (cont.)

topography affect its susceptibility to wildfires to be located and designed to account for topography and reduce the increased risk from fires.

S-3.3 **Minimize Flammable Vegetation.** Site and design development to minimize the likelihood of a wildfire spreading to structures by minimizing pockets or peninsulas, or islands of flammable vegetation within a development.

S-3.4 **Service Availability**. Plan for development where fire and emergency services are available or planned.

S-3.5 **Access Roads.** Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.

S-3.6 **Fire Protection Measures.** Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.

S-3.7 **Fire Resistant Construction.** Require all new, remodeled, or rebuilt structures to meet current ignition resistance construction codes and establish and enforce reasonable and prudent standards that support retrofitting of existing structures in high fire hazards areas.

Future development will be required to demonstrate that it meets these policies. These restrictions, in addition to the low densities proposed for Very High Hazard areas by the General Plan Update, would minimize potential hazards related to wildland fires.

O1-5 The County understands the commenter's concern and strives to reduce wildland fire hazards in every way that is feasible. In addition to the proposed low densities in hazardous areas, and the many policies and mitigation measures described in the DEIR for the General Plan Update, the County has already taken aggressive action to address fire safety issues in the unincorporated area. The San Diego County Fire Authority was created by the County Board of Supervisors in July 2008 to improve fire and life safety services, federal stimulus funds are being used for critical fire safety resources, and discretionary projects are required to adhere to the County's Guidelines for Determining Significance for Wildland Fire and Fire Protection that were approved in December of 2008. While every effort is being made to ensure that developed areas of the County are safe and livable, the County still finds that the conclusion in the DEIR is correct; that the project would result in a potentially significant impact with regard to wildland fire hazards. It should be noted that the County has set a very high standard of significance under CEQA for wildland fire hazards. And as noted above in response to comment O1-4, most of the unincorporated County is located within high or very high fire hazard severity zones, thereby making it infeasible for the project to completely avoid wildland fire threats to structures.

Responses to Letter O 1, California Native Plant Society (CNPS) (cont.)

O1-6 This comment acknowledges changes made within the General Plan Update Safety Element since the draft version circulated in 2008. No further response to this comment is necessary.

O1-7 This comment focuses on the wording of the draft General Plan Update and does not address the adequacy of the DEIR. The County does not agree that if the number of structural losses due to wildland fires is included within the Context section of the Safety Element, then the number of acres of natural vegetation burned should also be included. Information regarding the amount and type of vegetation burned in wildland fires is not available, while recent amendments to regulations has reduced structural losses.

O1-8 The County appreciates the comment that this sentence is misleading and unnecessary since it is addressed under "Multiple Fire Protection Districts." The following sentence has been removed from the Fire Hazards Context section: "Wildland fire control in these areas rests predominately with the California State Department of Forestry (CAL FIRE) and the United States Forest Service (USFS)."

O1-9 The County does not agree that draft safety Element Goal S-3, Minimized Fire Hazards, should be amended to state that development should be avoided in high risk areas. The goal is intended to be broader as it focuses on minimizing any loss due to fire. Avoiding development in high risk areas is a means to implement this goal and is more appropriate as a policy.

This comment further recommends that a policy be added that would avoid development in Very High Hazard Zones. The County does not concur that a new policy is necessary since draft Land Use Element policy LU-6.10 Protection from Wildfires and Unmitigable Hazards assigns land uses and densities that would minimize development in Very High or High Hazard Areas.

O1-10 The County appreciates this comment, but does not concur that the policy should be changed. The focus of this policy is on the design and location of lots in new development to minimize risks from fires when it is not feasible to totally avoid development in hillsides and canyons.

In addition, the County does not concur that "maximum ignition-resistant construction" needs to be added to this policy as this issue is already addressed in draft Safety Element Policy S-3.7, Fire Resistant Construction. Therefore, no changes have been made.

O1-11 The County appreciates this suggestion but does not agree with it. The sidebar to the right of the policy is meant to provide clarification but is not a part of the policy. Therefore, no change has been made.

O1-12 The County does not agree that draft Safety Element Policy S-3.7, Fire Resistant Construction, should be changed to establish standards that would "require" retrofitting of existing structures in Very High Hazard Areas. This is outside the

Responses to Letter O 1, California Native Plant Society (CNPS) (cont.)

County's authority; therefore, the policy is written to "support" retrofitting existing structures.

O1-13 General Plan Update draft Safety Element Policy S-4.1, Fuel Management Programs, has been revised as shown below based on this comment, along with some grammatical changes.

"Support programs consistent with state law that require fuel management/ modification within established defensible space boundaries and when strategic fuel modification is necessary outside of defensible space, balance fuel management needs to protect structures with the preservation of native vegetation and sensitive habitats.

O1-14 The County does not agree that draft Safety Element Policy S-4.2, Coordination to Minimize Fuel Management, Impacts should be revised to require the County to incorporate comments from CAL FIRE and the wildlife agencies; however, the policy has been amended to replace the phrase "solicit comments" with "consider comments". In addition, local fire agencies have been added to the list of agencies with which the County will coordinate.

O1-15 The Vegetation Management Report identified tools that agencies could consider when managing vegetation; as such it would not be appropriate to reference this report in the draft General Plan and DEIR. See also responses to comments I20-14 and X5-56.

O1-16 The draft General Plan policies adequately address fire risk and life safety objectives. Shelter-in-Place is an option available to achieve those objectives through fire code and General Plan policy requirements. It is not necessary to include in the General Plan.

O1-17 The County does not agree with this comment. The description of potential impacts from climate change provided in the DEIR is consistent with available studies and reports on the issue. Section 2.17.6.2 discusses mitigation that is related to this issue. The comment provides no further detail or suggestions for consideration by the County so further response is not necessary.

O1-18 The County does not agree with this comment. The DEIR explains that if water is not available then the draft General Plan contains policies that will preclude a project from being approved and built. The DEIR also explains that the County Water Authority is planning to expand future water supplies, as well as improve upon the reliability of its supplies. It is not clear what further analysis is necessary as suggested by the comment. Therefore, no further response is provided.

O1-19 The County does not agree with this comment. Potential groundwater impacts are thoroughly discussed in Section 2.8 and Appendix D of the DEIR.

O1-20 The County does not agree with this comment. As explained in the DEIR, the AB 32 standard is to reduce statewide emissions to 1990 levels by 2020. The comment

Responses to Letter O 1, California Native Plant Society (CNPS) (cont.)

references the requirement of a 30 percent reduction; however, this is not a requirement of State law or any associated policy. Also, the goal of reducing emissions 80 percent below 1990 levels by 2050 is contained in an Executive Order issued by the California Governor. An Executive Order does not have the force and effect of law. Nor is there law or guidance similar to that of AB 32 and its associated implementing legislation and reports for the 2050 target. Therefore, the County did not use the 2050 target in determining significance of impacts.

In addition, as part of AB 32, the California Air Resources Board was directed to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions from sources or categories of sources of greenhouse gases by 2020. The scoping plan, approved by the CARB Board December 12, 2008, provides the outline for actions to reduce greenhouse gases in California to achieve the AB 32 target. The approved scoping plan indicates how these emission reductions will be achieved from significant greenhouse gas (GHG) sources via regulations, market mechanisms and other actions. As detailed in the scoping plan, achievement of the 2020 target requires actions from all levels of government and no single sector of government is expected to achieve the target alone. Nevertheless, the County has included in its policies and mitigation measures a firm commitment to achieving the AB 32 targets. This commitment serves as a performance standard that will achieve the AB 32 targets and in committing to this standard, the County will implement the measures necessary for it to be achieved. Therefore, as a result of this and other comments, the County has reevaluated its conclusions related to climate change related impacts and determined that they should be determined to be mitigated to a less than significant level. This revision has been made to the DEIR.

O1-21 The County does not agree with this comment. It is believed that the comment should be referring to Appendix K of the DEIR, which is the Greenhouse Gas Emissions Inventory that was prepared by the County (not the University of San Diego). The mitigation measures identified in Appendix K of the DEIR are included in the General Plan Update Implementation Plan as action items that will be undertaken by the County. In addition, Section III.C of the Inventory evaluates the potential reductions that could be achieved through implementation of these actions. The County has identified all feasible mitigation related to GHG emissions. The comment does not identify any other measures for consideration and therefore no further response is necessary.

O1-22 This comment focuses on the wording of the draft General Plan and does not address the adequacy of the EIR. The County does not concur that many policies of the draft General Plan are stated vaguely, rather than as commitments. Most of the policies are stated as absolutes, with an implied shall. The instances where less affirmative language is used occur primarily when the implementation of these policies is outside the authority of the County. See also response to comment S1-25.

O1-23 This comment acknowledges the previous revisions made to draft General Plan Land Use Element Policy LU-6.1, Environmental Sustainability.

Responses to Letter O 1, California Native Plant Society (CNPS) (cont.)

O1-24 It should be noted that Policy LU-8.3 has been revised further as follows:

"Discourage~~Prohibit~~ development that would significantly drawdown the groundwater table to the detriment of groundwater-dependent habitat, except in the Borrego Valley."

The change of policy language from "prohibit" to "discourage significant" was made so as to avoid placing a moratorium on the use of groundwater in the backcountry.

O1-25 The draft General Plan glossary has been revised to replace the definition for "sustainable" with a definition for "sustainable development" based on the United Nations World Commission on environment and Development, as recommended. The new definition for sustainable development is provided below:

"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

O1-26 This comment states that the DEIR does not include measurable and enforceable performance standards. CEQA Guidelines Section 15126.4(a)(1)(B) states that, "Measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way." Performance standards are not required for all mitigation measures and numeric standards would be inappropriate for most of the policies in the General Plan. Instead, most draft General Plan policies and implementation measures contain objective standards of implementation. This is appropriate given that the General Plan is a policy level document that guides decision making and program implementation. The County has specifically avoided the use of excessive detail in its General Plan in order to provide a concise, clear, and more user friendly policy document. A second level of detail is provided in the General Plan Draft Implementation Plan, which also contains the mitigation measures identified in the DEIR. This is also a policy level document leaving further detail to be provided with development of specific implementation measures. However, in either case, the County believes that compliance with the policy or measure is clear.

O1-27 This comment provides a concluding statement and does not raise a significant environmental issue for which a response is required.

Comment Letter O 2, Conservation Biology Institute (CBI)

Conservation Biology Institute

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August 26, 2009

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Sent via e-mail to gpupdate.DPLU@sdcounty.ca.gov and Devon.Muto@sdcounty.ca.gov

RE: Draft EIR for the County General Plan Update

Dear Mr. Muto:

The Conservation Biology Institute (CBI) is a non-profit, science support organization, with expertise in habitat conservation planning, environmental impact studies, and special status species conservation and recovery efforts. CBI has reviewed the subject document on behalf of the Endangered Habitats League. We appreciate the opportunity to comment on the Draft EIR (DEIR).

O2-1. I have personally been engaged in conservation planning in San Diego County for 20 years and was the project manager and senior author of the Multiple Species Conservation Program (MSCP) plan. Since completion of the plan, I have been actively involved in acquisition, management, and monitoring to meet the conservation goals of the MSCP. I have observed first-hand the indirect impacts of different land use planning scenarios and how these have affected conservation objectives and the ability to manage effectively for sensitive resources.

Our comments focus on the document's failure to disclose significant differences in the biological resources impacts of the Referral Map (proposed project) and alternatives relative to:

O2-2.
- Project Objectives
- General Plan Update Policies
- Habitat Conservation Plans and NCCPs
- Sensitive Natural Communities
- Draft Conservation Subdivision Program

Comment Letter O 2, Conservation Biology Institute (CBI) (cont.)



Fulfillment of Project Objectives

The Referral Map and alternatives do not equally fulfill the objectives as stated in the DEIR, in
O2-3. particular for Project Objectives (2) and (4):

2. Reduce land consumption and promote sustainability.
4. Promote environmental stewardship that protects natural resources and habitats of ecological importance.

The scientific literature documents a relationship between increasing density of dwelling units
O2-4. (DU) and adverse biological effects, with these effects evident at densities as low as 1 DU/40-50 acres (CBI 2005). CBI's analyses of existing fragmentation in San Diego County show that total habitat area and habitat patch size decrease with increasing development density (CBI 2005).
O2-5. Thus, the greater densities of the Referral Map, and associated loss and fragmentation of natural habitats, has profound implications for the long-term viability of our public open space resources. This is well documented in the scientific literature. Even though habitats may not be directly impacted by development, habitat values can be lost from indirect impacts of adjacent
O2-6. development and associated human uses and recreational activities. Changes in land cover associated with development can also modify physical processes that are integral to ecosystem function and thus can alter the dynamics of adjacent, undisturbed ecosystems.

Thus, with the exception of the No Project Alternative, the more logical conclusions are:

O2-7.
- Under all alternatives, there will be indirect impacts that have not been quantified, even on a relative basis, and these will be greatest for the Referral Map.

O2-8.
- The Referral Map directly impacts (i.e., consumes) more land than the alternatives.

O2-9.
- Natural communities under the Referral Map are less sustainable because of greater fragmentation and a larger percentage of indirect impacts.

O2-10.
- Greater indirect impacts result in higher costs for managing and monitoring; therefore, the other alternatives promote stewardship to a greater degree than the Referral Map.

General Plan Update Policies

The DEIR does not analyze the relative consistency of the Referral Map and alternatives with the General Plan Update Policies, in particular the following policies:

O2-11.

COS-1.1	Coordinated Preserve System	COS-1.9	Invasive Species
COS-1.2	Minimize Impacts	LU-6.1	Environmental Sustainability
COS-1.3	Management	LU-6.3	Conservation-Oriented Project Design
COS-1.6	Assemblage of Preserve Systems	LU 6.7	Open Space Network
COS-1.8	Preserve Assemblage		

Comment Letter O 2, Conservation Biology Institute (CBI) (cont.)



The DEIR uses these policies as mitigation for the General Plan rather than as guidelines for intelligent planning. As noted above, greater fragmentation will:

- Hinder rather than promote a coordinated preserve system or open space network.
- Increase impacts rather than minimize impacts.

O2-12.

- Facilitate invasion of nonnative species to natural lands, as a result of greater edge effects.
- Decrease rather than promote environmental sustainability

The Referral Map is inconsistent with these policies. The Environmentally Preferred Alternative is most consistent with these policies.

Habitat Conservation Plans and NCCPs.

In analyzing alternatives, the DEIR uses the criterion that

> Implementation of the proposed General Plan Update would not conflict with any applicable HCP or NCCP.

O2-13.

However, the DEIR does not consider the relative impact of the Referral Map and alternatives on the ability to effectively implement ongoing NCCPs, for example to conserve functional Habitat Linkages and large blocks of unfragmented Core Resource Areas (such as Rancho Guejito—see discussion below). Nor does it consider the impacts of fragmentation in the upper watershed on existing conservation investments downstream in the watershed.

Sensitive Natural Communities

The DEIR does not identify the major differences in geographic allocation of DU density among alternatives and the Referral Map. For example, in some of the most intact and important habitat in San Diego County—Rancho Guejito and the Santa Ysabel Valley—the difference in impacts between the Draft Land Use Map (RL-160 in this area) and Referral Map (RL-40 in this area) is approximately 39,000 acres. Development in this area will disproportionately affect coast live oak and Engelmann oak woodlands and large intact grasslands. These communities are considered rare by the County of San Diego's Biological Mitigation Ordinance, which lists them as Tier I communities, i.e., communities that are limited in distribution and that support rare or

O2-14.

listed species. Impacts to Tier I communities must be mitigated in-kind or by conservation of other communities within Tier I, indicating the irreplaceable nature of these resources.

Most of the land in this area supports high and very high ecological integrity within the last remaining large core biological resources in San Diego County. In fact, Rancho Guejito represents the largest and most intact core area within the County of San Diego's North County Multiple Species Conservation Program (MSCP) Pre-Approved Mitigation Area (PAMA). The grasslands on Rancho Guejito and in Santa Ysabel Valley are particularly significant because of their overall size and integrity. Large grassland patches are rare in San Diego County, and the largest are not conserved for their biological values. Therefore, decisions concerning residential densities in these areas have huge implications for the county's remaining grasslands.

Comment Letter O 2, Conservation Biology Institute (CBI) (cont.)

Draft Conservation Subdivision Program

O2-15. The General Plan Update does not take advantage of the Conservation Subdivision Program, which, if implemented effectively, would minimize loss and fragmentation of habitat by clustering dwelling units into a consolidated, rather than sprawling, development envelope. In practice, the Conservation Subdivision Program would reduce the edge-to-area ratio of a development, thus minimizing the amount of habitat exposed to the development perimeter, thereby reducing indirect impacts or "edge effects." If appropriately applied, the Conservation Subdivision Program, combined with application of the Rural Subdivision Design Guidelines, would serve as an effective mitigation measure. In addition, it should be noted that the Referral Map is in direct conflict with the biological principle of reducing dispersed patterns of development.

O2-16.

O2-17.

Summary

O2-18. Within San Diego County's 4,260 square miles there are over1 million acres of public open space, representing enormous investments of local, state, and federal funding. This network of open space supports natural resources that are recognized globally for their biodiversity. These resources are threatened by loss and fragmentation of habitat as a result of rapid population growth spreading into historically rural and undeveloped portions of the county. These development patterns are controlled largely by land use and residential development density zoning embodied in the County's General Plan. Thus, analyzing the differences in zoning categories across the landscape is imperative to understanding impacts on biological resources.

O2-19. The County's DEIR is deficient in adequately disclosing differences between the Proposed Project and Alternatives. Moreover, the County did not use its own policies to guide development of the Proposed Project and Alternatives.

Sincerely,

Jerre Ann Stallcup
Conservation Biologist

Attachments:
- Stallcup CV
- CBI 2005 report

Responses to Letter O 2, Conservation Biology Institute (CBI)

O2-1 This introductory comment describes the organization and the commenter's expertise in conservations issues. It does not raise specific issues relative to the DEIR, and therefore, no further response is provided.

O2-2 These introductory comments regarding general issues with the DEIR are more fully developed later in this comment letter and therefore more detailed responses are presented below for each topic.

O2-3 The County acknowledges and appreciates this comment. Ultimately, the Board of Supervisors must determine how the County can best meet its objectives. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O2-4 The County agrees with this comment and finds that it is not at variance with the existing content of the draft EIR. The Conservation Biology Institute Analysis of General Plan-2020 San Diego County (CBI 2005) cited in this comment was also referenced in the DEIR as one source of substantial evidence that the project will have significant direct and indirect impacts to special status species and their habitats (see Section 2.4.3.1 of the DEIR).

O2-5 The County finds this sentence to be ambiguous and possibly erroneous. The County agrees that the Referral Map (or proposed project) will result in more development than what is on the ground today; and further, that the associated development will result in significant loss and fragmentation of natural habitats. This conclusion is consistent with the analysis provided in the DEIR (see Sections 2.4.3.1 and 2.4.3.2). However, it is not clear what is meant by "profound implications for the long-term viability of our public open space resources." The County continuously provides assurances for the viability of public open space areas that are deeded to the County or dedicated to the County. Without a more specific example or substantive explanation of the perceived effects to "public open space resources," the County cannot provide further response to the comment.

O2-6 The issues raised in this comment are not at variance with the content of the DEIR. The significance of direct and indirect development impacts on species and habitat are discussed in Section 2.4.3.1 of the DEIR. Also refer to response to comment O2-4 above.

O2-7 This comment seems to suggest that indirect impacts for the proposed project and the alternatives should have been quantified in the DEIR. The County considers any attempt to quantify potential indirect effects to habitat on such a large scale to be speculative. As noted in response to comment O2-4 above, the CBI 2005 report was incorporated into the DEIR impact analysis for biological resources to illustrate to the public and the decision makers how the indirect impacts of the proposed project can significantly affect species and habitat. The DEIR also includes a detailed discussion of the various sources of indirect impacts in Section 2.4.3.1. This analysis was relied upon in the evaluations of the alternatives in Sections 4.2.2.4, 4.3.2.4, and 4.4.2.4. The comment further states that indirect impacts "will be greatest for the Referral

Responses to Letter O 2, Conservation Biology Institute (CBI) (cont.)

Map." This statement is consistent with the analysis provided in the DEIR (see Table S-2 and discussion provided throughout Chapter 4 of the DEIR).

O2-8 This comment is not at variance with the content of the DEIR.

O2-9 As stated above in responses to comments O2-4, O2-6, and O2-7, the County agrees that the project will result in significant indirect impacts; and the County concurs that impacts to biological resources would be greater under the Referral Map than they would be under the other three alternatives in the DEIR. These issues are not at variance with the content of the DEIR.

O2-10 Financial considerations were not addressed in the DEIR. Therefore, the conclusion provided in this comment can neither be confirmed nor refuted. However, it should be noted that Chapter 4 of the DEIR concludes that environmental effects to biological resources in general would be reduced under the project alternatives when compared to the Referral Map. As such, the comment is not at variance with the conclusions provided in the DEIR.

O2-11 The comment suggests that part of the role of the EIR is to analyze or compare the proposed land use map with the proposed policies. The County does not agree that this is required or that the discussion would be meaningful. The DEIR describes the many project components and how they work together. In addition, staff has thoroughly reviewed the General Plan Update for internal consistency. When any conflicts or inconsistencies are identified, they have been revised and/or removed. The comment does not specify what inconsistencies occur with the listed policies. Therefore, no further response or document revisions can be provided.

O2-12 The County proposes policies in the General Plan Update to guide planning in the unincorporated area. The reasons and goals that serve as the framework for the policies are also described in the text. The DEIR then refers to some policies that will mitigate or lessen environmental impacts. The DEIR also includes other implementation programs as mitigation measures.

The comment lists adverse effects that result from "greater fragmentation." However, it should be noted that the project is proposing substantially less fragmentation than would occur under the existing General Plan. The comment goes on to state that the "Environmentally Preferred Alternative is most consistent with these policies." It is assumed that the comment is referring to the Environmentally Superior Map Alternative. It is ultimately up to the Board of Supervisors to determine which alternative will best meet the County's policies and objectives. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O2-13 The comment misstates the criterion used in the DEIR, which was taken directly from CEQA Appendix G. The full determination of significance is provided in Section 2.4.3.6 as follows: "Based on Appendix G of the CEQA Guidelines, the proposed County General Plan Update would result in a significant impact if it would conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or

Responses to Letter O 2, Conservation Biology Institute (CBI) (cont.)

State habitat conservation plan." The County carefully evaluated this issue and found that potential impacts to adopted conservation plans would be less than significant. The comment states that the DEIR does not account for impacts of the project or alternatives on the ability to "implement ongoing NCCPs." The comment uses Rancho Guejito as an example. This example is located outside of any approved or adopted NCCP, HCP or other habitat conservation plan. This implies that the comment's use of the term "ongoing NCCPs" refers to future NCCPs and conservation plans. In response, it would be inappropriate to analyze project conformance with draft/future conservation plans within the General Plan Update DEIR since the details of such plans are not final and the environmental analysis has not been conducted. Nevertheless, the County continually checks for internal consistency with such plans and found no potential conflicts. In fact, based on careful review of the draft MSCP Plans for North and East County, this comprehensive General Plan Update will be much more compatible with NCCP conservation goals than the existing General Plan. There is no substantial evidence that the project would hinder NCCP implementation, including the conservation of linkages and core areas. In addition, the County does not agree that the DEIR lacks consideration of downstream impacts to conserved areas within watersheds. Such effects are included within the impact analysis but on a large scale. Any such effects are also highly regulated and mitigated on a local, state, and federal level.

O2-14 The County appreciates this comment and the level of analysis conducted by CBI. For the most part, the detailed analysis recommended in the comment cannot be conducted in the Alternatives Chapter given the size of the project area and the lack of specificity inherent in a General Plan project. Moreover, for this particular area of concern (Rancho Guejito and Santa Ysabel Valley), the County does not agree with the specific quantities given in the comment. The comment's conclusions were derived from the 2005 report titled "Analysis of General Plan-2020 San Diego County" prepared by CBI. The County does not dispute this report; however, the DEIR narrows the impact analysis of future development based on existing policies and ordinances. Based on County regulations for instance, dwelling units in the given area would have a potential impact footprint of five acres each. The difference in number of dwelling units between the Referral Map and Draft Land Use Map for the study area is 728 units based on the 2005 report. Therefore, the difference in potential direct impacts would be 3,640 acres (728 x 5 acres) rather than 39,000 acres.

The comment goes on to cite the County of San Diego's Biological Mitigation Ordinance (BMO). It should be noted that the ordinance covers only the existing County MSCP Subarea in the southwest portion of San Diego County and not the Rancho Guejito/Santa Ysabel Valley area. The County acknowledges that conservation plans are needed for the other areas of the County and is preparing North and East County MSCP Plans. While the general information regarding Tier I habitats can be used to draw conclusions about other areas, the rules regarding how Tier I habitat is conserved or mitigated apply only to the existing MSCP at this time.

Responses to Letter O 2, Conservation Biology Institute (CBI) (cont.)

The County agrees that environmental resources in the Rancho Guejito/Santa Ysabel area are of high value. As such, the Referral Map and alternative maps generally show densities no higher than 1du/40 in these areas.

O2-15 The comment states that the General Plan Update does not take advantage of the Conservation Subdivision Program (CSP). Yet, the CSP is listed as mitigation measure Bio-1.1 in the DEIR. It is also Program 5.1.2.D in the Implementation Plan. Therefore, the County does not agree with this assertion.

O2-16 The County agrees that the CSP would minimize potential impacts to biological resources and therefore serve as an effective mitigation measure. This comment is consistent with the conclusions in the DEIR.

O2-17 This comment claims that the "Referral Map is in direct conflict with the biological principle of reducing dispersed patterns of development." The County does not agree with this comment. As noted above, the CSP would be effective in reducing sprawl and fragmentation during build-out of the General Plan Update. In addition, the Referral Map substantially reduces densities and planned infrastructure in rural areas, thereby fulfilling basic biological conservation goals and standards.

O2-18 The issues raised in this comment are not at variance with the content of the DEIR, which provides analysis of the differences in density among the proposed alternatives for the unincorporated area.

O2-19 The County does not agree with this comment. The DEIR provides meaningful analysis for comparison of the alternatives. The Alternatives Chapter closely follows CEQA Guidelines (Section 15126.6). It focuses on whether or not there would be more or less environmental impacts for a given alternative when compared to the proposed project and includes a summary table as an overview of the comparison. In addition, the draft policies in the proposed General Plan text appear to be consistent with other components of the project, including the draft Land Use Maps analyzed in the DEIR. Yet it should be noted that changes to policies are on-going in response to public comments.

Comment Letter O 3, East San Diego County Association of Realtors

August 28, 2009

EAST San Diego County Association of REALTORS®
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E-Mail: info@esdcar.org

Mr. Devon Muto, Chief
General Plan Update
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Dear Mr. Muto:

O3-1. The East San Diego County Association of REALTORS® has been attending the General Plan meetings and following the update process for almost 10 years and wishes to provide comments regarding the General Plan EIR.

The following are draft Environmental Impact Report (EIR) comments for the proposed San Diego County General Plan Update.

O3-2. **General Plan Population Statistics:** California law requires a General Plan be updated every 10 years to address changing land uses, construction practices and population changes. The proposed General Plan has proposed population targets for each community which, in some cases, is significantly lower than the population projections provided by the San Diego Association of Governments. SANDAG population projections are recognized by the state Department of Finance, CalTrans and other planning agencies to assist the state to project future trends. Only SANDAG population numbers should be used in the General Plan Update and not figures altered and proposed by Planning/Sponsor Groups or county planners. *(Section 2.12)*

O3-3. **Conservation Subdivision:** We believe the imposition of a Conservation Subdivision Ordinance (whether voluntary or mandatory for General Plan Amendments/Subdivision of parcels) is a taking of private property for the following reasons:

O3-4.
- In some cases, up to 95% of a parcel must set be aside for permanent conservation.

O3-5.
- The private property owner would have no future use of the property but must pay taxes and maintain the property.

O3-6.
- It will have severe impacts on future land use patterns since it is an inefficient use of property.

O3-7.
- There is no certainty that the proposed unit density can be achieved since the clustering of units may preclude the use of alternative septic systems.

O3-8. *(The EIR does not directly address this issue but it could be included in the proposed General Plan if the Conservation Subdivision ordinance being reviewed by the Interest Group and Steering Committee is adopted).*

O3-9. **General Plan Wording - Should vs. Shall**: State law established the General Plan process to provide guiding processes and principles for land use in municipalities. The proposed General Plan EIR proposes to mandate various processes and principles rather than give general guidance so county planners and communities have some latitude to contend with proposed land uses which don't fit strictly within tight land use parameters. *(Throughout the EIR)*

O3-10. **General Plan Map Alternatives:** The County Supervisors Referral Map should be used when proceeding with the final General Plan update and approval since the Supervisors Referral Map has received hundreds of hours of public input and public review versus the Staff Hybrid Map which has had little public review and will act as a de-facto no-growth tool. *(Land Use Map Technical Appendix)*

Comment Letter O 3, East San Diego County Association of Realtors (cont.)

O3-11. **Alternative Septic Systems:** The current wording does not acknowledge that alternative septic systems are being considered by the state Water Quality Control Board and language should be added to give land owners the option to use Alternative Septic Systems if a regionally based alternative is approved by the state and the Regional Water Quality Control Board. *(2.16-34)*

O3-12. **Housing Element- Affordable (Inclusionary) Housing:** The County should continue to accept builder plans which voluntarily include affordable housing units in exchange for the use of density bonuses or fast-tracking of builder projects. If subdivision plans are not approved with the original number, or units/densities are reduced by planning groups or staff, Affordable (Inclusionary) units and/or in lieu fees should not be required. *(H-1.9)*

O3-13. **Land Use Element - TDR/PDR:** In order to accomplish its goal of directing more density to town centers, the General Plan must include the use of equity tools to allow for a Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) so land owners will not be deprived of the use of their land if their land is not contiguous to a town center or village.

(The EIR does not directly address this issue but it could be included in the proposed General Plan if the Conservation Subdivision ordinance being reviewed by the Interest Group and Steering Committee is adopted).

O3-14. **Addressing Negative Economic Impacts in General Plan:** The East San Diego County Association of REALTORS® urges the Board of Supervisors to request the EIR and General Plan address economic impacts of the proposed General Plan which would have far-reaching impacts on both future land decisions and commerce in the unincorporated areas. There are legal precedents that have addressed economic impacts *Citizens Association for Sensible Development of Bishop Area v. Inyo* (1985); the court held that "economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. (Not addressed in EIR)

O3-15. We appreciate your consideration of our comments and request a reply to address how the EIR and General Plan can be amended to incorporate our recommendations.

Sincerely,

Candace Waldon, President
East San Diego County Association of REALTORS®

cc: San Diego County Board of Supervisors
San Diego County Clerk
Eric Gibson

Responses to Letter O 3, East San Diego County Association of Realtors

O3-1 This introductory comment does not raise specific issues relative to the DEIR, and therefore, no further response is provided.

O3-2 The County respectfully disagrees with this comment in its entirety. There is no California law requiring a city or county to update its General Plan every 10 years. The only requirement is for Housing Element Cycles, formerly 5 years and now every 8 years. Additionally, there are no population requirements or targets given by the San Diego Association of Governments (SANDAG). SANDAG uses existing and draft General Plans to forecast future populations. The last two SANDAG forecasts were based on the draft General Plan Update maps. SANDAG forecasts are helpful tools that predict what may happen based on implementation of the land use plan included in the forecast model. The County also developed a population forecast model that uses more specific information that pertains to the unincorporated area. The County uses this and SANDAG's information in the EIR. Both SANDAG and the California Department of Housing and Community Development are in support of how the County has addressed population forecasts and accommodated growth in the General Plan Update.

O3-3 The County is not proposing a separate ordinance to mandate conservation subdivisions. However, the County is proposing a Conservation Subdivision Program (CSP) that involves modifications to multiple ordinances that will facilitate a conservation-oriented design among new residential subdivision applications. The program in its entirety can be reviewed at http://www.sdcounty.ca.gov/dplu/gpupdate/docs/draft_consubs_070109.pdf. This type of program, or even the mandate for open space on subdivisions, is not a taking of private property. Most rural subdivisions utilize on-site open space as a means to mitigate environmental impacts pursuant to CEQA. Under current lot design and zoning restrictions, many projects have to lose units to achieve the necessary conservation area; and in some cases, they still have to acquire additional mitigation lands or credits off site. The CSP will help applicants in that it will allow more development with a smaller overall footprint while accommodating more mitigation on the property.

O3-4 The potential for 95 percent open space would only arise for subdivisions in Rural Lands-160 designations. Even the smallest Tentative Parcel Map would have to be 320 acres in this designation to yield two dwelling units. In this case, 95 percent open space would amount to 16 acres of residential use and 304 acres of natural land or agriculture, which is what would be expected within this type of land use designation.

O3-5 It is true that areas set aside for open space within a conservation subdivision would not be available for residential use. It is the County's intent that the subdivider would generally reach his/her development potential in the buildable area. The open space area would be used for environmental mitigation, agriculture, or aesthetic value. This is not the same thing as "no future use." The private owner of the property would pay taxes but would receive a tax reduction for acreage within open space.

Responses to Letter O 3, East San Diego County Association of Realtors (cont.)

O3-6 The County does not agree with this comment. There is no evidence shown to support the claim that conservation subdivisions would impact land use patterns or that they constitute an inefficient use of property.

O3-7 The County does not agree with this comment. The County does not claim to offer certainty that subdividers will achieve potential yield of housing units under the CSP. However, County staff's research shows that the CSP will remove various constraints that currently result in loss of potential dwelling units. Furthermore, based on this research, standard or alternative septic systems will typically still be accommodated within the consolidated development footprint in a conservation subdivision.

O3-8 The CSP is not a part of the General Plan Update documentation but it is a component of the overall project as described in the DEIR project description. The various ordinance amendments that make up the CSP are described in Sections 1.6, 1.8.5, 1.8.6, 1.8.7, and 1.8.8. In addition, the CSP is a mitigation measure in the DEIR for impacts to aesthetics, agriculture, and biology.

O3-9 The subheading for this comment appears to be referring to the language of the draft General Plan (permissive language versus mandatory language); however, the comment goes on to state that it is the language of the DEIR that is at issue. In either case, the issue of mandatory language versus permissive language has been considered carefully in preparing the General Plan Update documents. The County has avoided the use of "should" because it desires a General Plan that is clear on its intent and avoids debate during application. This approach has also been supported by a number of stakeholders and commenters on the General Plan Update who have indicated that they desire clear and firm commitments to certain policies and actions. See also responses to comments G7-2 and O9-2.

O3-10 The County acknowledges the East San Diego County Association of Realtors support for the Referral Map, however does not agree that the stated reason is valid. The Hybrid Map, as well as the Draft Land Use, and Environmentally Superior Map have been established and available for the public to comment on since early 2008. Additionally, the maps have been presented to the Community Planning and Sponsor Groups, stakeholder groups, and have been available online and for display at the Department of Planning and Land Use. The assertion that the hybrid and other alternatives would result as a "de-facto no growth tool" is not supported by fact. The Hybrid Map and Draft Land Use Map would accommodate approximately 75,000 and 74,700 additional housing units respectively, –under five percent less than the 78,000 that are accommodated by the Referral Map. Ultimately, the Board of Supervisors will determine which land use map will be implemented.

O3-11 The County acknowledges the East San Diego County Association of Realtors' concern regarding the need for alternative septic systems, but does agree that the specific language requested is appropriate in the General Plan. The State is still developing new regulations for the use of alternative septic systems. Any specific language concerning alternative septic systems is more appropriately addressed in the County Onsite Wastewater System Ordinance.

Responses to Letter O 3, East San Diego County Association of Realtors (cont.)

O3-12 The County acknowledges the comment, noting that Policy H-1.9 would not require inclusionary housing or in-lieu fees.

O3-13 This comment does not address the adequacy of the DEIR. The inclusion of an equity mechanism such as a Purchase or Transfer of Development Rights (PDR or TDR) Program was discussed in great detail early in the General Plan Update process. At the Board's direction, staff worked with the Interest Group to develop a recommendation for an equity mechanism program. As a result, staff reported back to the Board in 2004 that the group was unable to support a comprehensive PDR or TDR program and instead would focus on an agriculture-specific program.

O3-14 The County does not agree with this comment. There is no evidence that the proposed project will result in an economic impact that will result in an adverse physical impact. Without some evidence of physical change, CEQA does not require analysis of economic impacts from a proposed project. See also responses to comments O4-2 and O6-3.

O3-15 This provides concluding comments for which a response is not required.

Comment Letter O 4, Homeowners for the Preservation and Enhancement of the Mountain Empire (HOPE)

August 27, 2009

Devon Muto
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd., Ste B
San Diego, CA 92123

Re: Comments on the General Plan Update Draft EIR

Dear Mr. Muto,

O4-1. The following comments are from the Homeowners for the Preservation and Enhancement of the Mountain Empire (H.O.P.E.) in response to the Draft EIR released by the County of San Diego on July 1, 2009, for environmental analysis of the General Plan Update. H.O.P.E. is a grassroots political action committee comprised of citizens concerned about our rural communities in eastern San Diego County. H.O.P.E. clearly stands for those things that are good for our rural communities and against those things that are bad.

O4-2. H.O.P.E. believes that the radical downzoning provisions of the General Plan Update (40/80/160 density designations) will be destructive to the social and economic fabric of our rural communities and a threat to our schools, healthcare provider, and general amenities in the rurual communities that will cause significant increase in long commutes to the urban areas for basic essentials of life. Much has changed since this General Plan Update was begun and we need to be very careful that we are not pursuing outdated objectives that will leave vast areas of eastern San Diego County blighted and in a state of decay.

H.O.P.E. believes the Draft EIR is inadequate for the purposes of CEQA analysis, as it fails to analyze the significance of impacts resulting from physical changes caused to the environment in light of economic effects.

While economic impacts of a project are not considered significant environmental effects under CEQA Guidelines Section 15131, economic impacts can be used to demonstrate the significance of physical changes caused to the environment.

O4-3. In *Citizens Association for Sensible Development of Bishop Area v. Inyo* (1985), the court held that "economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. **Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment**." (Emphasis added)

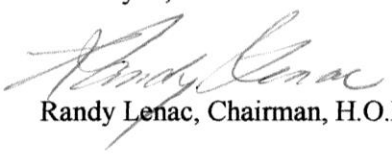
Despite this ruling, the Draft EIR for the San Diego County General Plan Update has failed to analyze how the decreased density allowances applied to portions of East San Diego County

Comment Letter O 4, Homeowners for the Preservation and Enhancement of the Mountain Empire (HOPE) (cont.)

O4-3. cont. (physical change to land use) may result in a negative economic impact due to the loss of property values and subsequent taxes levied on said properties.

O4-4. Until such an analysis is performed and the significance of these impacts accounted for, the Draft EIR has not adequately met CEQA requirements.

Thank you,



Randy Lenac, Chairman, H.O.P.E. of the Mountain Empire, P.O. Box 188, Campo, CA 91906

Responses to Letter O 4, Homeowners for the Preservation and Enhancement of the Mountain Empire (HOPE)

O4-1 This comment provides introductory remarks to comments O4-2 through O4-4.

O4-2 The County does not agree with this comment. No substantial evidence is provided to support the claims that the proposed General Plan Update designations will have the economic and social effects listed in the comment. Moreover, social and economic effects under CEQA need not be considered in an EIR unless they will result in a physical impact on the environment. See CEQA Guidelines section 15064(e).

O4-3 The County does not agree with this comment. There is no evidence that the proposed project will result in an economic impact that will result in an adverse physical impact. Courts have clarified the *Citizens Association for Sensible Development of Bishop Area v County of Inyo* (4th Dist. 1985), 172 Cal. App.3d 151, to explain that the Bishop ruling did not hold that, as a matter of law, physical change must be presumed for the establishment of a retail business. Friends of Davis v City of Davis (3d Dist. 2000), 83 Cal. App. 4th 1004. Without some evidence of physical change, CEQA does not require analysis of economic impacts from a proposed project.

The County does not agree that the density decreases associated with the proposed project will result in the suggested physical change. CEQA does not allow for a plan-to-plan analysis when determining project impacts, which is how one would derive a change between the proposed project and existing general plan. Instead, a plan-to-ground analysis is necessary, which is accomplished by evaluating the proposed project against the existing conditions. In the DEIR, the analysis appropriately follows this requirement.

O4-4 The County does not agree with this comment. The DEIR closely follows CEQA statutes and guidelines. This comment letter fails to make a substantive comment supported by evidence.

Comment Letter O 5, Mountain Empire Resources Information Taskforce (MERIT)



ASK ME WHY!

Devon Muto
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Ste B
San Diego, CA. 92123

August 29, 2009

RE: Form Letters from S.O.R.E./General Plan Update EIR

Dear Mr. Muto,

O5-1. First let me tell you that I do not envy you your job. We here at **MERIT** understand the pressures that are placed on you and have to complement you on a job well done.

O5-2. Second I would like to let you know some important information. The form letters that you maybe getting from the group SORE are very misunderstood by our community. Most of the community members have been lead to believe the GPU is going to make them all deprived with the changes it will bring. Of course anyone would want our economy to improve. But scaring everyone into thinking if the GP goes through, as is, it is going to kill our community. That it will ruin our livelihoods for our future generations is patently false. We are what we are by choice out here in the Mountain Empire and we want to stay that way.

O5-3. We here at **MERIT** see the General Plan as being a **good thing** with a few **minor changes** needed, which we addressed in another correspondence.

O5-4. Other information we feel you need to be apprised of is **MERIT** just did a mail survey to see how the community really feels about Growth and the Star Ranch project. Our last election of planning group members was filled with lies by the pro-growth candidates. Even we here at **MERIT** were confused.

Comment Letter O 5, Mountain Empire Resources Information Taskforce (MERIT) (cont.)

I would like to give you the results of that survey. We received hundreds of cards back in response.

We asked 2 major questions:

1# What type of growth would you like to see in Campo/Lake Morena?

Result: 81% want no growth or Slow Rural Growth. The majority wanted Slow Rural growth.

O5-5.

#2 How do you feel about the Star Ranch project of building 460 homes at Cameron Corners?

Result: 75% Disagreed or were not sure about Star Ranch. The majority disagreed with this project all together.

These numbers shocked even me. This shows us here at MERIT that we need to keep up the fight to keep ourselves Rural with slow natural growth.

I hope this information will help you to understand better what the majority of us want out here and that you have a very few well financed community members working for their own private goals. They are just a minority and do not speak for the most of us out here in the Backcountry. Sometimes we feel theirs is the only voice being heard by government when in fact the majority of us don't want what they tell you. The survey speaks for itself.

O5-6.

Thank you again for all your hard work and keep it up.

Respectfully,

Sheryl Bush-Carmody
President of MERIT
P.O. Box 665
Campo, CA.91906

Responses to Letter O 5, Mountain Empire Resources Information Taskforce (MERIT)

O5-1 This comment provides introductory remarks for which a response is not required.

O5-2 The County acknowledges and appreciates this comment. Since the issues raised are not related to an environmental issue pursuant to CEQA, no further response is needed.

O5-3 The County appreciates MERIT's provisional support of the General Plan Update. Since this comment is not related to the DEIR, no further response is necessary.

O5-4 The Comment does not does not raise a significant environmental issue for which a response is required, but the County acknowledges the comments.

O5-5 The Comment does not raise a significant environmental issue for which a response is required, but the County acknowledges the comments. The County notes that Star Ranch is a General Plan Amendment that is not included in the General Plan Update.

O5-6 The Comment does not raise a significant environmental issue for which a response is required, but the County acknowledges the comments.

Comment Letter O 6, Mountain Empire Business Association (MEBA)

Mountain Empire Business Association

P.O. Box 370

Campo, CA 91906

August 27, 2009

Devon Muto
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd., Ste B
San Diego, CA 92123

Re: Comments on the General Plan Update Draft EIR

Dear Mr. Muto,

O6-1. The following comments are from the Mountain Empire Business Association (MEBA) in response to the Draft EIR released by the County of San Diego on July 1, 2009, for environmental analysis of the General Plan Update. The MEBA is an association of nearly 100 businesses, ranches, churches, non-profit organizations and individuals in the mountain empire area of San Diego County who have come together to promote our area and work toward its economic and social prosperity. This letter is sent as a resolution by the unanimous consent of the members present at our August 26, 2009 general meeting in Boulevard, CA.

O6-2. MEBA believes much has changed since the inception of the General Plan Update and the County of San Diego must reprioritize its efforts to adjust to the economic and social climate of 2009 instead of pursuing radical downzoning schemes that met 1990's objectives. Furthermore, we believe that the eastern areas of San Diego County are being abandoned in this General Plan and a cost/benefit analysis needs to be

O6-3. considered before a plan is implemented that many believe will destroy the social and economic fabric of our rural communities.

O6-4. As such, MEBA believes the Draft EIR is inadequate for the purposes of CEQA analysis, as it fails to analyze the significance of impacts resulting from physical changes caused to the environment in light of economic effects.

O6-5. While economic impacts of a project are not considered significant environmental effects under CEQA Guidelines Section 15131, economic impacts can be used to demonstrate the significance of physical changes caused to the environment.

O6-6. In *Citizens Association for Sensible Development of Bishop Area v. Inyo* (1985), the court held that "economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical

Comment Letter O 6, Mountain Empire Business Association (MEBA) (cont.)

O6-6. cont. change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. **Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment.**

O6-7. Despite this ruling, the Draft EIR for the San Diego County General Plan Update has failed to analyze how the decreased density allowances applied to portions of East San Diego County (physical change to land use) may result in a negative economic impact due to the loss of property values and subsequent taxes levied on said properties.

Until such an analysis is performed and the significance of these impacts accounted for, the Draft EIR has not adequately met CEQA requirements.

Thank you,

Dan Lawrence

Treasurer/MEBA

Responses to Letter O 6, Mountain Empire Business Association (MEBA)

O6-1 The County acknowledges the information about Mountain Empire Business Association (MEBA).

O6-2 The County does not agree that substantial changes to the draft General Plan are needed to address 2009 circumstances. Preparation of the General Plan Update has been a dynamic process and changes have been included as appropriate during the life of the project. There is no evidence that the General Plan Update or Draft EIR are not current to the circumstances that exist today.

O6-3 The County does not agree that the General Plan Update will adversely impact the social and economic fabric of the rural communities. The General Plan Update is a plan for future growth and does not alter existing uses. Substantial growth is planned for several of the Mountain Empire communities including Tecate, Campo, and Jacumba. It is not clear what the scope of the suggested cost/benefit analysis would be; however, the County finds that it has sufficient economic information to support the General Plan Update. Additional economic studies may be considered as comprehensive updates to the community plans are completed.

O6-4 The County does not agree with this comment. There is no evidence that the proposed project will result in an economic impact that will result in an adverse physical impact. Please refer to response to comment I2-1.

O6-5 This comment paraphrases the CEQA guidelines and quotes a CEQA case. Please refer to response to comment I2-2.

O6-6 The County does not agree with this comment. There is no evidence that the proposed project will result in an economic impact that will result in an adverse physical impact. Please refer to response to comment I2-3.

O6-7 The County does not agree with this comment, which suggests that the density decreases that will result from the General Plan Update when compared to the existing general plan are physical changes to land use that must be addressed under CEQA. See also response to comment I2-4.

Comment Letter O 7, Move San Diego

From: Elyse Lowe [mailto:elowe@movesandiego.org]
Sent: Thursday, August 27, 2009 4:22 PM
To: DPLU, gpupdate
Subject: Move San Diego comments on County General Plan and draft EIR, and mailing list sign up

O7-1. Move San Diego is a California 501(c)3 non-profit corporation dedicated to improving the sustainability and performance of San Diego's transportation planning and implementation. Below are the comments we are submitting in regards to the County's draft General Plan update, and Draft EIR. Attached is a request to be added to your mailing list (email). We look forward to your response. Thank you.

O7-2. General Plan Policy Comments
We urge you to add General Plan Policy COS-20.4 Smart Growth Transit Performance Report on transit trip travel times between Regional Employment Centers, available transit routes into/out of any County congested intersections.

Rationale
There appears to be no measure as of yet included to consider whether transit services are supporting smart growth or not. While the General Plan contains policies encouraging and supporting transit-supportive land uses, in order to measure whether County policies smart growth policies are having their intended effects, it will be useful for planners and the public to be able to see reported what travel times are for key points in the General Plan area. Increases in transit by existing drivers is a key way to reduce VMTs needed to reduce climate change emissions, and market research by regional transit providers has shown that San Diego drivers do not change to transit unless trip times are competitive with driving times.

O7-3. We urge to also add this concept to as well as to clarify the wording for:
Policy M-8.2 Transit Service to Key Community Facilities and Services
Locate key county facilities, healthcare services, educational institutions, and other civic facilities in areas where transit is available. Require those facilities to be designed so they are easily accessible by transit. Report on transit travel times between Key Community Facilities and Services to Regional Employment Centers and high-density locations in the General Plan Area.

O7-4. NOTE: There is a typo in Policy LU-5.1: Reduction in Vehicle Trips within Communities: the word "of" is missing between "the use" and "public transit" in the copy we have.

O7-5. Draft EIR
Page 2.15-5

Traffic Conditions and Trends
...
The average commute time in the region
grew by only three minutes between 1990 and 2000, indicating that people make personal adjustments to keep commute times reasonable (SANDAG 2007).

Q. Please provide a more detailed citation for this conclusion. There are likely multiple reasons why average commute times lengthened. What is the measure for what makes a commute time "reasonable." What was population growth/loss during that time?

O7-6. Q. How much of commute traffic is into and out of the County? What are the statistics for origins and destinations into and out of the County? What have been the trends for County commuters?

Comment Letter O 7, Move San Diego (cont.)

Bus and Rail Service Page 2.15-7, 8

O7-7. The information provided in this section is inconsistent. For instance, the document reports some ridership statistics for some modes of transit, but not for all. If information is provided in one, it should be provided in all.

San Diego Trolley
MTS operates the San Diego Trolley which runs along the SD&AE Railroad Corridor. The San Diego Trolley operates over 53 miles on three routes, mostly double-tracked, with 53 stations. Although the entire Trolley line is located within the incorporated County, many unincorporated residents use its service. In 2007, the San Diego Trolley carried 35.1 million riders. Average weekday ridership is 100,000 to 110,000 riders (MTS 2008).

O7-8. Q. What is the data source for this statement?

O7-9. Q. What is an estimate of how many riders use this service? or any other of the transit services?

O7-10. Q. Are the numbers really "ridership" or is it "boardings" i.e. is it a count of the number of people who board each day as one trip, or do they count for instance, a round-trip as more than one "rider"? Is ridership really the same as "riders" at this statement implies? What are the sources of data for counting, riders, ridership and boardings? What is the definition for each?

Page 2.15-14
Transportation Development Act (TDA)

O7-11. Q. What has been the inflow of funding from TDA funds (LTF and STA) into the County in the past 5 years and what is planned to be the inflow in the next five years?

O7-12. Q. Has the County ever attempted to show that there a "no unmet transit needs"?

O7-13. Q. Is there any scenario in the General Plan where the County could foreseeably show there are "no unmet transit needs."?

Page 2.15-16
2030 Regional Transportation Plan (RTP)

O7-14. Q. How is this RTP used in the County's General Plan update forecasting and modeling?

O7-15. Q. Did this RTP incorporate the County's existing General Plan in its forecasting and modeling?

O7-16. Q. Did this RTP use adopted General Plans for other jurisdictions?

O7-17. Q. If this RTP did not use adopted General Plans, then what did they use?

Comment Letter O 7, Move San Diego (cont.)

Page 2.15-17
Methodology of Traffic and Circulation Assessment

O7-18. In order to provide a program-level analysis of the project area, traffic operations were evaluated by consideration of daily roadway segment operations rather than peak hour intersection operations.

Q. Choosing to analyze a 24-hour average vs a peak hour is a biased choice that automatically reduces analysis of impacts where they are most significant. What is the impact of this choice on review of peak hour intersection operations?

Page 2.15-18
Therefore, based on the assumptions programmed within the SANDAG forecast model, it is reasonable to conclude that build-out of the General Plan Update would

O7-19. occur around the 2030 timeframe.

Q. What assumptions are programmed with the SANDAG forecast model?

Please provide a public reference to the assumptions in this model.

The traffic modeling process utilized the SANDAG Series 10 Regional Forecast model, with the assumption of full build-out of the General Plan Update land use map of the County's unincorporated land by 2030.

O7-20.

Q. Why is full-build-out by 2030 a reasonable choice? What percentage of build-out was ever achieved by the existing General Plan?

Over the last two census cycles, how far off - high and/or low, were the Regional Forecasts?

Page 2.15-19
Projected Trip Generation

O7-21. Compared to existing conditions (see Table 2.15-5), the proposed project would increase State highways by 160 lane miles, County Mobility Element roads by 214 lane miles, and local public roads by 288 lane miles, for a total of 662 additional roadway lane miles. When comparing the proposed General Plan Update roadway network to existing conditions, the northwestern communities would experience an increase of 285 lane miles, southwestern communities would experience and increase of 243 lane miles, and eastern communities would experience an increase of 134 lane miles. Planning areas that would experience the greatest increase in number of roadway lane miles from implementation of the proposed General Plan Update, when compared to existing conditions, include: North County Metro Subregion (78 lane miles), Lakeside CPA (68 lane miles), Valley Center CPA (57 lane miles), and Fallbrook CPA (50 lane

and
Projected Vehicle Miles of Travel (VMT)
The proposed project would generate approximately 2,094,554 additional ADT as compared to the existing condition (see Table 2.15-7). The proposed project would result in a total of 5,237,405 ADT while under the existing condition the ADT is 3,142,851. Implementation of the proposed project would result in a 66 percent increase in ADT as compared to the existing condition of the unincorporated County.

Comment Letter O 7, Move San Diego (cont.)

O7-21. cont. Q. How are ADTs esimated? What are any relationships between lane miles, ADT and VMT used to come to these conclusions?

O7-22. Q. Did the County consider any alternatives with reduced VMTs?

Page 2.15-22
Regional Roadway Facilities

O7-23. The 2030 RTP EIR determined that impacts to regional traffic and circulation patterns under the 2030 RTP, which includes growth projections representative of those proposed in the General Plan Update, would be less than significant. The 2030 RTP EIR determined that upon build-out of the 2030 RTP, there would be a projected two percent decrease in congested peak period travel conditions on freeway facilities. This determination was based upon the comparison of the congested peak period freeway travel conditions in 2006 (32 percent) to congested peak period freeway travel conditions in 2030 (30 percent) under implementation of the 2030 RTP. Additionally, the 2030 RTP EIR compared the existing transportation system LOS to year 2030 RTP LOS and concluded that certain freeway segments would operate at improved levels as compared to existing conditions. Therefore, the 2030 RTP EIR concludes that implementation of the proposed 2030 RTP would not result in a significant impact to freeway facilities and mitigation is not required.

Q. Referring to the statement that "A total of 128 roadway lane miles (45 lane miles of State highway and 83 lane miles of Mobility Element roads) are projected to operate at LOS F under the proposed General Plan Update."

Are none of these freeways?

How many of these involve lane miles close to freeways?

What are the impacts of traffic from freeways backing up at County intersections?

Thank you for the opportunity to comment.

Sincerely,

Elyse Lowe
Executive Director
Move San Diego

(858) 204-6545

www.movesandiego.org



Responses to Letter O 7, Move San Diego

O7-1 This comment provides background on the commenting organization, Move San Diego, and introduces the comments that are addressed in responses to comments O7-2 through O7-23.

O7-2 The County does not agree that adding a policy on Smart Growth Transit Performance is necessary to determine whether transit services are supporting smart growth. Transit in the unincorporated County is limited to bus services, with the exception of one Sprinter light rail stop in the Buena Vista area of North County Metro. Therefore, transit ridership in the unincorporated County is limited and the travel times are greater than travel times by private automobile. The County contends that this issue is best addressed through coordination with transit agencies, which is required by Policy M-8.1, which has been renamed as "Maximize Transit Service Opportunities."

O7-3 General Plan Update Policy M-8.2, Transit Service to Key Community Facilities and Services, has been amended with the addition of the following at the end of the policy:

"Require those facilities to be designed so that they are easily accessible by transit, whenever possible."

The County disagrees with adding reporting requirements on transit travel times, as discussed in the response to comment O7-3 above.

O7-4 This comment has identified a typo in General Plan Update Policy LU-5.1, Reduction in Vehicle Trips with Communities. This typo will be corrected in the revised version of the General Plan Update and in the Final EIR. Text Revision: General Plan Update Policy LU-5.1 has been revised to include the word "of" between "the use" and "public transit." The same revisions should be made to this policy in the following DEIR sections: 2.15.6.1; 2.15.6.6; 7.1.15.1; and 7.1.15.6.

O7-5 This comment requests a more detailed citation for the reference (SANDAG 2007), shown within DEIR Section 2.15.1.1. The complete citation for (SANDAG 2007) is listed in Section 5.0, References, of the DEIR and reads as follows:

"San Diego Association of Governments (SANDAG 2007). 2030 San Diego Regional Transportation Plan: Pathways for the Future. November 2007. Online URL: www.sandag.com."

For clarification purposes, the Chapter 5.0, References, of the DEIR will be modified to read:

"San Diego Association of Governments (SANDAG 2007). 2030 San Diego Regional Transportation Plan: Pathways for the Future. November 2007. Online URL: http://www.sandag.org/index.asp?projectid=292&fuseaction=projects.detail."

The methodology and demographic characteristics behind the statistical conclusions presented in the DEIR are described in the SANDAG 2030 Regional Transportation

Responses to Letter O 7, Move San Diego (cont.)

Plan. Specifically, page 3-6 of the SANDAG 2030 Regional Transportation Plan (RTP) provides the exact wording cited in the DEIR. CEQA Guidelines Section 15148 refers to citations and states the "Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR." The information provided in the DEIR is a conclusion reached in the SANDAG 2030 RTP, which is cited as a reference in the DEIR. The SANDAG 2030 RTP, including Technical Appendices and Final Environmental Impact Report, are publicly available at the above referenced website. Please refer to those documents for information regarding SANDAG's methodology and assumptions.

O7-6 This comment refers to information presented in the DEIR that was obtained from the SANDAG 2030 RTP. The DEIR discusses traffic conditions and trends within a regional context. The statistics obtained from the SANDAG 2030 RTP and summarized in the DEIR incorporate transportation and traffic information from all 18 incorporated cities and the County government.

The SANDAG 2030 RTP traffic conditions and trends information further incorporated data from the Metropolitan Transit System, North County Transit District, California Department of Transportation, and adjacent Counties, as determined appropriate. The SANDAG 2030 RTP document is publicly available at the website identified in response to comment O7-5 above. Please refer to this document for additional information regarding information on commuter traffic, origins and destinations, and past trends for commuters.

O7-7 The ridership statistics that were identified in the DEIR are not specific to the County. They apply to the entire service area of the individual bus or rail service, which may include portions of the County as well as other areas not within the jurisdiction of the County. These statistics were identified in the DEIR to give perspective on the magnitude of the bus or rail service area. They were not used to calculate project impacts. Therefore, the identification of ridership does not affect the analysis or conclusions provided in the DEIR. As such, no revisions were made to the DEIR in response to this comment.

O7-8 This comment requests a source for the reference (MTS 2008). Chapter 5.0, References, of the DEIR provides the following citation for this reference:

"Metropolitan Transit System (MTS 2008). Service information. Accessed May 15, 2008. Online URL: www.transit.511sd.com."

For clarification purposes, the Chapter 5.0, References, of the DEIR will be modified to read:

"Metropolitan Transit System (MTS 2008). San Diego Trolley, Inc. Fact Sheet. Dated January 2008. Accessed May 15, 2008. Online URL: http://www.sdmts.com/Trolley/documents/SDTrolleyInc08.pdf."

Responses to Letter O 7, Move San Diego (cont.)

O7-9 This comment asks for an estimate of how many riders use the San Diego Trolley Service or any other transit services. The DEIR provides this information under the heading Bus and Rail Service in Section 2.15.1.1, Unincorporated County:

"In 2007, the San Diego Trolley carried 35.1 million riders. Average weekday ridership is 100,000 to 110,000 riders."

With regard to other transit services, the DEIR provides ridership statistics for the two primary transit agencies in the region, the Metropolitan Transit Service (MTS) and the North County Transit District (NCTD). DEIR Section 2.15.1.1, Unincorporated County, states the following under the heading of Bus and Rail Service:

"MTS serves approximately 86 million passengers or 275,000 passengers each weekday through bus and trolley service. NCTD provides bus and rail service to 1,020 square miles and approximately 870,000 people in the northern region of the County."

O7-10 This comment requests an explanation of the methodology and assumptions behind the transit statistics presented in response to comment O7-9, which were obtained from the San Diego Trolley, Inc. Fact Sheet prepared by MTS and referenced in the DEIR as (MTS 2008). The MTS Fact Sheet is publicly available at the website address referenced in response to comment O7-8. Please refer to this document for information related to the ridership statistics. Please refer to response to comment O7-5 for information on the level of detail required for reference documents in the DEIR.

O7-11 The comment requests information on the inflow of funding from Transportation Development Act (TDA) funds from the past five years and the planned inflow of funding for the next five years. This comment does not raise a significant environmental issue for which a response is required.

O7-12 This comment refers to the information presented under DEIR Section 2.15.2.2, State Regulatory Framework:

"Some counties have the option of using Local Transportation Funds for local streets and roads projects, if they can show there are no unmet transit needs."

The comment asks if the County has ever attempted to show that there are "no unmet transit needs." The DEIR is not required to analyze unmet transit needs within the County. The DEIR analyzes the General Plan Update's physical effects on the environment, which includes the analysis of the project's compatibility with alternative transportation plans, policies and programs in Section 2.15.3.6, Issue 6: Alternative Transportation. As identified in this section, the proposed project would have a potentially significant impact and mitigation measures would be required. The DEIR contains multiple General Plan Update policies and mitigation measures that encourage the provision of adequate transit and would adequately mitigate the project's significant impacts associated with alternative transportation to below a level of significance.

Responses to Letter O 7, Move San Diego (cont.)

DEIR Section 2.15.6.6, Issue 6: Alternative Transportation, includes the following policies that support multi-model transportation: Policy LU-5.1, Reduction of Vehicle Trips within Communities; Policy LU-5.4, Planning Support; Policy LU-5.5, Projects that Impede Non-Motorized Travel; Policy LU-11.6, Office Development; Policy M-3.2, Traffic Impact Mitigation; Policy M-8.1, Transit Service for Transit-Dependent Populations (renamed Maximize Transit Service Opportunities); Policy M-8.3, Transit Stops that Facilitate Ridership; Policy M-8.4, Transit Amenities; Policy M-8.5, Improved Transit Facilities; Policy M-8.7, Inter-Regional Travel Modes; and Policy M-11.2, Bicycle and Pedestrian Facilities in Development. Additionally, mitigation measures Tra-6.5 and Tra-6.6 are identified in DEIR Section 2.15.6.6, which involve reviewing and expanding mass transit opportunities. Therefore, no revisions were made to the DEIR in response to this comment.

O7-13 The DEIR is not required to analyze unmet transit needs for project alternatives. According to CEQA Guidelines Section 15126.6(d), "the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project." Similar to the proposed project, the analysis of alternatives in the DEIR focused on the physical effects that the alternative would have on the environment. This included an analysis of each alternative's compatibility with alternative transportation plans policies and programs provided in DEIR Section 4.2.2.15, Transportation and Traffic (Hybrid Map Alternative); Section 4.3.2.15, Transportation and Traffic (Draft Land Use Map Alternative); Section 4.4.2.15, Transportation and Traffic (Environmentally Superior Map Alternative); and Section 4.5.2.15, Transportation and Traffic (No Project Alternative). These alternatives would mitigate potentially significant impacts associated with alternative transportation using similar policies and mitigation measures as identified for the proposed project.

Refer to response to comment O7-12 for General Plan Update policies and mitigation measures that encourage the provision of adequate transit.

O7-14 The traffic forecast model used in the DEIR traffic analysis includes assumptions from the SANDAG 2030 RTP. Section 2.3.1, Roadway Network and Land Use Assumptions, in DEIR Appendix G, Traffic and Circulation Assessment, identifies that the following roadway network and land use assumptions were incorporated into the traffic forecast model for State facilities: "the currently built highway and freeway system plus the "reasonably expected" improvements as indicated in the SANDAG 2030 Regional Transportation Plan."

O7-15 The SANDAG 2030 RTP incorporated the existing County of San Diego General Plan Circulation Element network and the General Plan Update Draft Land Use Map Alternative into its forecasting and analysis.

O7-16 The answer is yes, the SANDAG 2030 RTP incorporated other jurisdictions adopted General Plans into its forecasting and analysis. Please refer to response to comment O7-15 for additional information pertaining to this comment.

Responses to Letter O 7, Move San Diego (cont.)

O7-17 This comment tiers off Comments O7-14, O7-15, and O7-16 and asks what information sources were used in the SANDAG 2030 RTP for forecasting and modeling if the adopted general plans of the region's city and County were not used. Page 2-4 of the SANDAG 2030 RTP states "the 2030 RTP is based on the adopted General Plans of the region's cities and the County." Therefore, no further response to this comment is required.

O7-18 The County disagrees with the comment that choosing to analyze a 24-hour average vs. a peak hour is a biased choice that automatically reduces analysis of impacts where they are most significant. The General Plan Update is a planning document that would direct future population growth and plan for infrastructure needs, development, and resource protection. Therefore, a programmatic EIR was prepared for this project, consistent with Section 15168 of the CEQA Guidelines, which states that a program EIR may be prepared on a series of actions that can be characterized as one large project and are related geographically or as logical parts in the chain of contemplated actions. As discussed under the Methodology of Traffic and Circulation Assessment subheading of Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards, the Traffic and Circulation Assessment, prepared by Wilson & Company and included as Appendix G to the DEIR, was conducted at a programmatic level and is intended to identify the appropriate classifications for County Mobility Element roadways and assess total forecasted daily demand that would result from build-out of the General Plan Update relative to available roadway capacities. This assessment is representative of impacts to the circulation network as a whole that would be expected to result from build-out of the General Plan Update. Future development projects under the General Update would be required to conduct individual traffic impact studies to assess potential impacts on specific intersection peak hour operations. Appropriate intersection mitigation measures (generally adding turn pockets rather than through lanes) would be recommended at that time. This level of detail cannot be determined at the programmatic level because specific development projects that would occur under the General Plan Update have not yet been proposed.

O7-19 The DEIR provides a summary of the SANDAG population forecast model in Section 1.13.2, Differences with SANDAG Population Model Forecast. The DEIR also provides the following reference for this discussion, in Section 5.0, References:

"San Diego Association of Governments (SANDAG 2008d). 2030 Regional Growth Forecast Update. July 2008. Online URL: www.sandag.org/uploads/publicationid/publicationid_1390_8531.pdf."

Please refer to the reference document for the assumptions programmed with the SANDAG forecast model.

O7-20 This comment refers to the traffic modeling assumptions in DEIR Appendix G, Traffic and Circulation Assessment. DEIR Appendix G assumed a full build-out of the proposed project in an effort to provide a representative worst-case scenario of future transportation and traffic conditions in the unincorporated County. The preparation of a traffic analysis that assumes all land uses proposed under the

Responses to Letter O 7, Move San Diego (cont.)

General Plan Update would be developed by 2030 ensures that the analysis addresses the impacts of the full project being proposed. Realistically, full-build out of the proposed project may not occur by the year 2030.

However, the impacts of the full build-out of the General Plan Update have been accounted for. Additionally, Appendix G used 2030 as the horizon year because this is consistent with the horizon year of the SANDAG Series 10 traffic model and the SANDAG 2030 RTP. The DEIR does not analyze the percentage of build-out achieved from the existing General Plan or the accuracy of regional forecasts in the past. The DEIR focuses on the proposed project (General Plan Update) and its physical effect on the environment. The commenter's request for the percentage of build-out achieved from the existing General Plan and information on the accuracy of regional forecasts over the last two census cycles does not raise a significant environmental issue for which a response is required. Therefore, no revisions were made to the DEIR in response to this comment.

O7-21 As discussed under the Methodology of Traffic and Circulation Assessment subheading of DEIR Section 2.15.3.1, County staff worked with SANDAG to prepare traffic forecasts for the Base Year 2007, Existing General Plan, and the future land use and roadway networks for the proposed General Plan Update and project alternatives. The traffic modeling process utilized the SANDAG Series 10 Regional Forecast model, assuming development as forecast for the year 2030 in the incorporated areas in the County, along with build-out of the proposed General Plan land use map or the proposed alternative land use maps for the unincorporated County land. The larger, more general Series 10 regional Traffic Analysis Zones (TAZs) were subdivided into smaller units/zones in the unincorporated area in order to ensure the accuracy and validity of the traffic forecasts. Forecast vehicle miles traveled (VMT), required lane miles, and average daily traffic (ADT) are outputs of the transportation modeling process, with planned land uses by type and location being the key inputs. VMT, lane miles, and ADT are related because they are all outputs of the same modeling processes. These outputs do not depend on each other; all are dependent on the model inputs. Therefore, all three model outputs were considered separately in the Impact Analysis of DEIR Section 2.15.3.1, and the conclusions in this section are based on the results on the SANDAG model, not a relationship between ADT, lane miles, and VMT.

O7-22 Alternatives to the proposed project are included and analyzed in DEIR Section 4.0, Alternatives. The DEIR determined that when compared to the proposed project, the Hybrid Map Alternative would result in a total of 318,658 fewer VMT; the Draft Land Use Map would result in approximately 331,236 fewer VMT; and the Environmentally Superior Alternative would result in approximately 841,776 fewer VMT. The only alternative that was found to result in increased VMT, when compared to proposed project, was the No Project Alternative. The No Project Alternative was estimated to result in approximately 3,007,573 additional VMT than the proposed project.

O7-23 This comment raises the following questions: 1) are any of the impacted lane miles on freeways; 2) how many analyzed roadway segments involve lane miles close to

Responses to Letter O 7, Move San Diego (cont.)

freeways; and 3) what are the potential impacts of traffic from freeways backing up at County intersections?

Regarding the first question, the referenced 128 roadway lane miles includes State highway and Mobility Element roadways only, as stated in the quote from the "Projected Roadway Network Performance" subheading of DEIR Section 2.15.3.1, Issue 1: Unincorporated County Traffic and LOS Standards. In response to the second question, the primary intent of the traffic analysis was to identify roadways which would operate at substandard level of service (LOS). The quantity of deficient lane miles located close to freeways has not been specifically calculated, nor would this information be relevant to the analysis. The DEIR determined impacts to traffic operations throughout the unincorporated County of San Diego, regardless of proximity to freeways. Regarding the third question, specific impacts of traffic from freeways backing up at County intersections have not been addressed. The Traffic and Circulation Assessment prepared by Wilson & Company, and included as Appendix G to the DEIR, was conducted at a programmatic level and was intended to develop classifications for County Mobility Element roadways and assess total forecasted daily demand that would result from build-out of the General Plan Update relative to available roadway capacities. Future developments under the General Plan Update would require individual traffic impact studies to assess potential impacts on specific intersection peak hour operations in the vicinity of freeway locations. Refer to response to comment O7-18 for additional information regarding the programmatic traffic analysis.

Comment Letter O 8, Mussey Grade Road Alliance

MUSSEY GRADE ROAD ALLIANCE

"Preserving Historic Mussey Grade"

P.O. Box 683
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Board of Directors:
Diane Conklin, Spokesperson
Carol Levin, Treasurer
Joseph Mitchell, Secretary
Joanne Gamble, Member
Rick Morgal, Member

August 31, 2009

BY EMAIL AND FAX

Mr. Eric Gibson
Director
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Re: Comments Regarding the Draft Environmental Impact Report on the Proposed General Plan Update

Dear Mr. Gibson,

O8-1. The Mussey Grade Road Alliance is a community-based organization dedicated to the preservation and protection of Mussey Grade Road and environs in Ramona, California. The Alliance, formed in 1999, has participated in much discussion over the years with the County of San Diego and others concerning development projects and environmental impacts on Ramona.

O8-2. With regard to the County of San Diego (County) General Plan Update (Plan) and the Draft Environmental Impact Report (DEIR), a major concern of the Alliance centers on the overall development model used as the underlying assumption for the growth of the unincorporated town of Ramona over the next decades, estimated in the DEIR for Ramona to total 83,719 persons.[1] The model is apparently based on the idea, not shared

[1] General Plan Update, Draft Environmental Report, Chapter 2.16, p. 55, "Wastewater districts that would serve the largest populations and increases in housing units under implementation of the General Plan Update include…..Ramona MWD (27,273 housing units and 83,719 persons)." One major problem in trying to understand the DEIR is the widely varying numbers for housing units and population. For example, the above information seems contradictory to the housing unit increase for Ramona of 52.5 percent, Chapter 1, p. 1-29, which itself is different from the 51.7 Percent Change in Housing Units (2008-Build Out), Chapter 1, p. 1-43, and representing 6,208 New Housing Units Accommodated by the General Plan Update, and when added to present housing would bring the total number at Build-Out to 18,205.

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-2. cont.

by all Ramonans themselves and certainly not shared by the Alliance, that the Ramona Community Planning Area should itself "share" in the projected growth of population predicted for the County of San Diego.[2]

Unfortunately, the model is divorced from actual reality on-the-ground, including the already existing difficulty of wildland fire protection in San Diego County's backcountry (made up of unincorporated communities) during catastrophic fires and specifically in Ramona,[3] and the lack of any guarantee of water supplies to accommodate the 83,719 people the County suggests live here in the future.[4] But the problem at the heart of the Plan, and exposed repeatedly in the DEIR, is more than a litany of issues to be mitigated, or overridden, as the case may be.

O8-3.

Rather, it seems to the Alliance that the County, in taking more than 10 years to come up with a new general plan, missed the proverbial boat. Today it is not the same as the late 1990s. Between now and then the unthinkable happened: the County of San Diego, California and the nation itself, is facing the greatest financial collapse since the Great Depression, including a real estate collapse both locally and nationally of unprecedented proportions. And, the issue of global warming and its effects, virtually unknown generally in the County until recently, while germane to planning is left hanging in the DEIR.

In the chapter of the DEIR devoted exclusively to Global Climate Change, the DEIR states, "CEQA gives a lead agency the discretion to determine the significance of environmental impacts identified in its CEQA documents. ***The County of San Diego has not yet established guidelines for determining significance for climate change in order for the proposed General Plan Update to not conflict with the goals and strategies of AB 32, (sic) the Plan needs to reduce GHG emissions to 1990 levels by 2020.***"[5] (Emphasis added)

O8-4.

However, the forward planning for the reduction in GHG emissions <u>is not</u> achieved in the DEIR. As the DEIR states in Chapter 2.17 Global Climate Change, at 2.17.7.2, Issue 2: Effect of Global Climate Change on the General Plan Update:

"Climate change impacts that would be most relevant to the unincorporated County, and the proposed General Plan Update, include effects on water supply, wildfires, energy needs and impacts to public health. The proposed General Plan policies and mitigation measures discussion above, in addition to compliance with application

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Deciphering a DEIR may not be an everyday experience, however the document should be easy to understand in order for the public to comprehend its meaning and be able to meaningfully comment on the DEIR.

[2] See 'http://www.sdcounty.ca.gov/dplu/gpupdate/draftgp.html#CommunityandSubregionalPlans, Overview, "The General Plan Update would reduce the growth that the current general plan would allow by 15 percent. But it would still allow 168,000 to 198,000 more people to live in the unincorporated communities that now house roughly 491,800 people."

[3] Indeed, the Ramona Municipal Water District points out in Comment 24, page 5, attached to its August 17, 2009 letter to you that "The existing water system in Ramona was not designed to meet current Fire Code. The water supply systems are currently deficient in water storage, pipeline capacity and the ability to meet fire flow requirements under the current Code."

[4] As noted by the District in its August 17, 2009 letter, "...the draft EIR only assumes that groundwater capacity will exist for future developments within the CWA." (Comment 102)

[5] Chapter 2.17 at 2.17.3.1 Issue 1: Compliance with AB 32; Guidelines for Determination of Significance, p. 2.17-12.

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-4. cont.

regulations such as the CAA, Lieberman-Warner Climate Security Act, CARB standards, Title 24 standards, Executive Order S-3-05, AB 32, Executive Order S-01-07, SB 97, SB 1368, SB 1078, APCE standards and existing County programs and policies would mitigate the potential direct and cumulative impact of global climate change. ***However, as with Issue 1, addressing the adverse effect of climate change requires action at all levels of government. Because the County must depend on action taken by these other entities, impacts would remain significant and unavoidable, and the project's contribution would be cumulatively considerable."***

O8-5.

This buck passing is so obvious as to be an insult to backcountry communities designated by the Plan to receive huge population increases at a time when such increases, by the DEIR's own admission, would exacerbate the problems of securing water supplies during continuing, prolonged drought and the increasing frequency of catastrophic wildland fires that originate in the unincorporated areas.[6] **The inability to mitigate considerable and cumulative impacts of the Plan in the DEIR is an unavoidable Significant Impact and should be labelled, analysed and addressed as such**.

O8-6.

The main problem of the lack of true analysis in the DEIR regarding the inability of the County to mitigate the global warming impacts of the Plan stems from the booster's mentality of the County, which has misplaced its development aspirations on the worn out adage: Build it and they will come.

In fact, San Diego County has seen population decreases rather than increases in recent years.[7] Even if there is no net loss of population in the County, the growth rate can be far less than predicted. Instead of the 1,000,000 more people popularly predicted to come to San Diego County to live between 2000 and 2020 (the original name for the General Plan 2020, as it was then called), San Diego County gained less than 200,000 from 2000 to 2008 – hardly the rate of growth expected in some quarters.[8]

O8-7.

Who is to say that the population forecasts used by the County in its Plan will hold up under the changing circumstances that already have impacted the County? Why, indeed, should whole areas of the backcountry be subjected to an unprecedented planned densification at the very time that planning needs to conform to tomorrow's realities, including reduction of greenhouse gases? As the DEIR states, it is recognized that under California law, the state is committed to reducing greenhouse gas emissions to 1990 levels by 2020 and then reducing 80% below 1990 levels by 2050. Currently, California generates approximately 500 million metric tons of CO2 equivalent, significantly above 1990 levels. To achieve the 2020 target, California must reduce current emissions by at least 25%. This reduction also must meaningfully include the General Plan Update and the DEIR. Where once sprawl development – the dragging of suburban areas to rural communities, gobbling up tracks of land and fuelled by massive road building and

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[6] For a particularly terrifying account of what is in store for San Diego County in 2050, see the discussion on Climate, Water Supply and Wildfires in Chapter 2.17, pp. 2.17-23-24. On a personal note, as I write this the County is experiencing one of its pre-Santa Ana temperature spikes, drying out the land in a familiar repetition of the past. In a month or so all eyes will be turned toward the east, anticipating the winds and the potential of another devastating fire season.

[7] "County Suffers Rare Population Exodus", by Lori Weisberg, San Diego Union Tribune, March 16, 2006, http://territorieswest.com/pdfs/sandiego.pdf

[8] http://quickfacts.census.gov/qfd/states/06/06073.html

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-7. cont. automobile use – was the desirable development model, that model is being re-examined in light of today's exigencies.[9]

In short, the County is planning for yesterday. As a result of this short-sighted and unwise approach, the DEIR, which is based on the Plan, has so many serious problems it is difficult to imagine it will pass CEQA muster. Insofar as Ramona is concerned, while there is ample evidence in the DEIR of the myriad of problems that are unsolved and unsolvable, in this comment letter the Alliance would like to focus on the

O8-8. August 17th letter provided to the Department of Planning and Land Use by the Ramona Municipal Water District (District). The Alliance supports the District's objections to the DEIR and the District's request for inclusion of Significant Impacts not included to date in the DEIR, as well as how those impacts would be mitigated. It should be noted that members of the Alliance are also customers of the Ramona Municipal Water District. As customers of the District, we object to impacts to us that may result from an incomplete and deficient DEIR.

Based on the analysis of the District, the Alliance believes that the DEIR, as written, is materially deficient and must, at a minimum, be revised to include Significant Impacts and mitigation for those impacts that are not included in the report. In addition to

O8-9. the specific comments, below, the Alliance notes that the District has had these same concerns for an extended period of time as can be seen in the January comments of the Ramona Community Planning Group, which addresses some of these same issues.[10] Evidently, these issues have not been resolved.

In its 19-page analysis[11] attached to its comment letter,[12] the District lists nine instances of issues deemed a Significant Impact to the District and sums up the impacts in the letter, discussed below. In that 19-page analysis the District states over and over that it cannot handle the growth imposed on Ramona by the County in its Plan and DEIR, specifically in the District's own service area. For example, Comment 45 on page 8 states that "The RMWD Santa Maria Sewer Service Ara cannot meet current population demands let alone the 2020 and beyond population and housing projected based on the

O8-10. wet weather storage capacity and remaining spray field areas required to meeting Regional Water Quality Control Board's requirement for guaranteed disposal sites." Again, in Comment 42 on page 9, that District states that the additional 27,273 housing units in the DEIR planned for Ramona is a 57% increase in the service area, which is in itself a Significant Impact. In Comment 43, the District asks to be added to the list of wastewater district that have a greater number of allocated EDUs than available EDUs, "indicating insufficient facilities to service the community at buildout…"

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[9] Brown Announces Landmark Global Warming Settlement, August 21, 2007, News Release, Office of the Attorney General, http://ag.ca.gov/newsalerts/release.php?id=1453& To date, the Attorney General has submitted formal comments, under the California Environmental Quality Act (CEQA), to San Bernardino, **San Diego**, Sacramento, Orange County, Merced, Kern, Fresno, San Joaquin, Contra Costa, Yuba, Richmond, and San Jose.

[10] January 29, 2009 letter of the Ramona Community Planning Group; Re: SAN DIEGO COUNTY DRAFT GENERAL PLAN – COMMENTS. The letter addresses various Plan "Goals" including Maintenance of Adequate Service; Adequacy of Water Supply, Sewer Facilities and Alternate Sewage Disposal Systems.

[11] RMWD Comments to General Plan Update Draft EIR

[12] August 17, 2009 letter of the Ramona Municipal Water District; SUBJECT: SAN DIEGO COUNTY GENERAL PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – RAMONA MUNICIPAL WATER DISTRICT COMMENTS

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-11. It seems that no one at DPLU is listening to the Ramona Municipal Water District.

Other comments by the District that caught the attention of the Alliance:

- The DEIR has not confirmed that the infrastructure has capacity to service the additional development called for in the Plan because the infrastructure was never sized to accommodate water and sewer demands project by the Plan (Comment 1)
- Ramona's infrastructure cannot handle the 52.2 percent increase in housing units at build-out for Ramona (Comment 5)
- Major Use Permits should not be approved without a complete analysis of existing infrastructure capacity and ability to serve the demands of the project (Comment 6)
- Public facilities and services in Ramona cannot support expansion without a reduction of services to other residents (Comment 62)
- Discretionary projects have historically gone through the County's CEQA and review process prior to ever approaching water agencies to determine if water service is feasible (Comment 79 in reference to suggested changes to USS-4.3 Implement Policy I-84)

O8-12.

- Without investigating the long term sustainability of groundwater supplies within the CWA (County Water Authority) boundaries or a policy restricting groundwater consumption within CWA boundaries, the draft EIR only assumes that groundwater capacity will exist for future developments within the CWA (Comment 102).
- In Chapter 2.16, page 55 of the draft EIR, it says "Ramona MWD (27,273 housing units and 83,719 persons)" We are assuming that the County believes that 27,273 housing units will be connected to the RMWD which is significantly higher than the 7,118 EDUs listed in this section of the Community Plan. The 7,118 value is only parcels within the Santa Maria Sewer Service Area (SMSSA) and does not include parcels outside of the SMSSA.

As a result of the Alliance review of the DEIR and the District's comment letter, the Alliance:

- Supports the District's #1 objection to the DEIR which details that the Santa Maria Sewer Service Area (SMSSA) can only support 1,400 more housing units and that the SMSSA does not have adequate capacity for the 4,087 housing units connected today, much less adding some 7,000 estimated additional units determined from projections in the General Plan Update that would apparently would need to be absorbed by the District. The reason stated by the District is the "lack of land for effluent disposal". The Alliance supports the District's conclusion that without more land for spray fields and wet weather storage the number of house units in the General Plan should be reduced to 1,400.

O8-13.

O8-14.

- Supports the District's description of the limitations of the existing potable water system, which would not be able to service 1,900 of the approximately

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-14. cont.

8,600 housing unit total suggested in the General Plan Update. According to the District, the expansion of the District's infrastructure would need to include new water treatment plants, pump stations, pipelines and potentially significant modifications to the County Water Authority supply pipelines. Again the District has told DPLU that it does not believe "the land for all of these facilities is available and if it is the financing may not be feasible". The lack of land for expanded facilities and the potential lack of financing are Significant Impacts and the DEIR should be revised to include an analysis of each of these Significant Impacts and provide adequate mitigation measures.

O8-15.

- The Alliance supports the District's request for specific mitigation for the District regarding impacts to the region's wastewater facilities. The DEIR should be revised to categorize impacts to the District's wastewater facilities as Significant Impacts and should include an analysis of each of these Significant Impacts and provide mitigation for the District in the DEIR.

O8-16.

- The Alliance also agrees with the District that there exists an increasing trend for groundwater use in Ramona, as the cost of imported water rises. The DEIR ground water analysis, as reported in the District's August 17th letter, "assumes that development within the San Diego County Water Authority (SDCWA) service area will be supplied with imported water and groundwater impacts will be minimized." This assumption ignores the potential growth in future groundwater use and the continuing drought conditions in the County of San Diego as well as the State of California. The potential use of existing groundwater supplies for future projected growth is a Significant Impact and the DEIR should be revised to include an analysis of this Significant Impact and provide adequate mitigation measures.

O8-17.

The Alliance does not agree with the District that land set aside by the County of San Diego as open space preserves, park lands and natural habitat under the Multiple Species Conservation Program (MSCP), should be considered for "dual use" to allow for the discharge of effluent. Neither should "open space" dedicated by developers in their development plans to comply with current law, be used as a method to discharge effluent. The discharge of sewage wastes is inimical to the core value of preserving open space, park lands and habitat and cannot be considered an option.

O8-18.

The DEIR needs considerable revision with regard to the above-mentioned matters. There are serious deficiencies in the DEIR with regard to issues that are intrinsically connected to the future capacity of the District under the proposed General Plan Update and its projected growth for the unincorporated town of Ramona. These deficiencies must be addressed by the County of San Diego such that the growth projected in the General Plan Update does unduly or unfairly burden either the District or its customers.

O8-19.

One remedy to avoid unduly or unfairly burdening the District and Ramona residents is to lower the projected growth rate to *be in line with actual conditions.* The Alliance believes, as a result of the problems highlighted by the District, that the growth projected for Ramona in the General Plan Update is unrealistic and that the Significant Impacts, discussed above, may not be able to be adequately mitigated. Therefore, the Alliance recommends that the County of San Diego ***reduce the figure for projected***

Comment Letter O 8, Mussey Grade Road Alliance (cont.)

O8-19. cont.

dwelling units in the Ramona Community Plan Area to 1,400 in order to ensure that the General Plan Update does not burden the District, its customers and present and future Ramona residents with problems arising from the General Plan Update, and which were foreseeable at the time the DEIR was issued and were timely brought to your attention.

Regards,

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cc: Supervisor Dianne Jacob, District 2
Mussey Grade Road Alliance Board of Directors

Responses to Letter O 8, Mussey Grade Road Alliance

O8-1 The County acknowledges the information about Mussey Grade Road Alliance.

O8-2 In response to this comment it is noted that the DEIR Tables 2.16-1 and 2.16-4 forecast a build-out population of 83,719 persons for the Ramona Municipal Water District, a 65 percent increase over 2004 population. The County confirmed that these figures were reported in error. The correct build-out population forecast for the District is 68,897 persons, or a 36 percent increase over the 2004 population. The DEIR tables have been revised with the correct information.

O8-3 The County does not agree with this comment overall. The comment seems to suggest that the project would increase population or housing capacity. However, the build-out population in the unincorporated areas of the County would be nearly 110,000 more persons under the existing General Plan when compared to the proposed General Plan Update project. The proposed project is more realistic than the existing Plan and takes into consideration various constraints such as those mentioned in the comment.

The comment goes on to describe economic and climate change issues. However, it does not include specific issues or recommendations for the project or the CEQA document. Therefore, a more thorough response cannot be provided.

O8-4 This section is a restatement of text within DEIR Section 2.7, Global Climate Change. As discussed in responses to comment O1-20 and S1-13, the conclusion in this section has been revised to "mitigated to a less than significant level."

O8-5 The County does not agree with this comment. The quoted portion of the DEIR is a summary of the conclusions for the section that has since been revised due to the County's commitment to achieving the AB 32 target. Chapter 2.17 of the DEIR lists the numerous policies and measures that the County is proposing to adopt that relate to climate change impacts.

O8-6 The County has developed a population forecast for General Plan Update using the best available information. The County's forecast is similar to that predicted by SANDAG, particularly in terms of housing units. Based on the best available population estimates as well as existing conditions data, the County has prepared a Land Use Map that reduces density/housing when compared to the existing General Plan Update. Therefore, this comment is not at variance with the project or the DEIR.

O8-7 With the General Plan Update, the County is proposing to decrease allowed density in the backcountry areas where there are physical constraints and lack of infrastructure or services. While the County cannot guarantee that forecasts or plans will meet expectations under changing circumstances, it is appropriate to conduct a comprehensive update of the County's plans using the best available information.

The Comment goes on to describe greenhouse gas emission reduction goals for California, but does not appear to raise a significant issue related to the DEIR. Therefore, no further response is provided.

Responses to Letter O 8, Mussey Grade Road Alliance (cont.)

O8-8 This comment refers to Ramona Municipal Water District comments (Comment Letter L3) to support the claim that the DEIR is incomplete and deficient. The County does not agree with this comment. Responses to the Ramona Municipal Water District comments are provided in responses L3-2 through L3-114.

O8-9 This comment refers to Ramona Municipal Water District comments (Comment Letter L3) as well as previous comments from the Ramona Planning Group to support the claim that the DEIR should include significant impacts and mitigation. However, the comment does not specify a particular issue or section to be revised. Without additional detail, a more thorough response cannot be provided.

O8-10 This comment refers to specific Ramona Municipal Water District (RMWD) comments. The County addressed these specific issues as follows:

- Comment 45 — refer to response L3-51;
- Comment 42 — refer to response L3-48;
- Comment 43 — refer to response L3-49.

O8-11 The County does not agree with this comment. In response to the letter received from the RMWD (L3), the County and District representatives have held meetings and continued dialogue to discuss and resolve issues.

O8-12 This comment reiterates comments provided in the RMWD letter. These specific comments have been addressed as follows:

- The comment states that the DEIR has not confirmed the infrastructure has capacity to service the additional development called for in the Plan. Please refer to response to comment L3-7. See also responses to comments L3-3, L3-13, L3-22.
- The comment states that Ramona's infrastructure cannot handle the increase in housing units. Please refer to response L3-11.
- The comment states that Major Use Permits should not be approved without a complete analysis of infrastructure capacity and ability to serve the demands of the project. Please refer to response L3-12.
- The comment states that public facilities and services in Ramona cannot support expansion without a reduction of services to other residents. Please refer to response L3-68.
- The comment states that Discretionary projects have gone through the County's CEQA and review process prior to approaching water agencies to determine if service is feasible. Please refer to Response L3-85.
- The comment states that the DEIR only assumes groundwater capacity will exist for future developments within the County Water Authority (CWA) without investigating sustainability of groundwater supplies within the CWA boundary. Please refer to response L3-108. See also response O3-5.

Responses to Letter O 8, Mussey Grade Road Alliance (cont.)

- The last part of this comment appears to be referring to the projected housing in the RMWD service area that would be accommodated by the General Plan Update, as was also cited in RMWD comment L3-52. It should be noted that there was a discrepancy in the DEIR and only 14,174 homes are forecast rather than 27,273. See response to RMWD comment L3-13 for additional discussion on this issue. The comment further notes that the draft Ramona Community Plan has 7,118 as the estimated number of equivalent dwelling units (EDU's); however, this lower number pertains only to the Santa Maria Sewer Service Area within the district. Therefore, no changes to the draft Ramona Community Plan were necessary.

O8-13 This comment expresses concerns raised in the RMWD comment letter that the Santa Maria Sewer Service Area can only support 1,400 more homes. This issue has been addressed in the County's responses to RMWD letter comments L3-11 through L3-13.

O8-14 This comment reiterates the issues raised by the RMWD concerning lack of land for expanded facilities and lack of financing. Responses are provided to these issues in the responses to comments L3-11 through L3-13.

O8-15 The DEIR recognizes in Section 2.16.3.5 that potential impacts regarding Adequate Wastewater Facilities would be significant. Within this section, a detailed analysis of these significant impacts is already provided. In addition, mitigation measures to address this issue are provided in Sections 2.16.6.1 and 2.16.6.5 of the DEIR. Since these issues were already addressed, no changes to the DEIR were necessary.

O8-16 The County does not agree with this comment. This issue is addressed in response to comment L3-5.

O8-17 The comment states an opinion that the County will consider. No further response is necessary.

O8-18 The County acknowledges that some revisions are necessary to the DEIR to address certain issues raised by the RMWD, as discussed in responses to comments L3-4, L3-13, L3-30, L3-34, L3-38, L3-43 through L3-48, and L3-54. However, the County does not agree that there are serious deficiencies in the DEIR or that considerable revision is necessary.

O8-19 The County does not concur that the potential for growth in the Ramona planning area should be limited to 1,400 housing units. It should be noted that the RMWD service area does not cover the entire planning area and therefore service area and planning area capacity will not match. However, the County is aware of the concerns that RMWD has expressed and will be coordinating further with the District to evaluate their issues.

Comment Letter O 9, Rancho Santa Fe Association

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August 31, 2009

Mr. Jeff Murphy
County of San Diego
Department of Planning and Land Use
General Plan Update
5201 Ruffin Road, Suite B
San Diego, CA 92123

COMMENTS ON THE DRAFT EIR FOR THE GENERAL PLAN UPDATE

Dear Mr. Murphy,

O9-1. The Rancho Santa Fe Association ("Association") appreciates this opportunity to comment on the Draft General Plan and the Draft Environmental Impact Report. In our review of the two documents, the Association has identified several areas of concern that are either within, or that may impact the Covenant area of Rancho Santa Fe.

All references in this letter to the County's responses to Association comments are to the Association's previous comment letter dated January 8, 2009.

Mandatory versus Permissive Language

O9-2. In most cases, the Association continues to oppose the use of mandatory language in proposed general plan polices, which use words like "*require*", "*avoid*" and "*prohibit*". This type of language is equivalent to using the word "*shall*", as opposed to the word "*should*". In the County's response to our previous comment letter, staff quoted a sentence from the *State of California General Plan Guidelines ("Guidelines")* as follows:

> *"It is better to adopt no policy than to adopt a policy with no backbone."*

However, the entire paragraph from the *Guidelines* reads as follows:

DPLU - PPCC

Comment Letter O 9, Rancho Santa Fe Association (cont.)

O9-2. cont.

> "*When writing policies, be aware of the difference between "shall" and "should". "Shall" indicates an unequivocal directive. "Should" signifies a less rigid directive, to be honored in the absence of compelling or contravening considerations. Use of the word "should" to give the impression of more commitment than actually intended is a common but unacceptable practice. It is better to adopt no policy than to adopt a policy with no backbone."*

When read in the context of the entire paragraph, the *Guidelines* recommend that the word *"shall"* (or its equivalent) be used to convey an absolute directive and that the word *"should"* (or its equivalent) be used to provide a directive that is to be honored unless there is some compelling reason to do otherwise. The *Guidelines* clearly do not mandate the use of *"shall"* over *"should"*.

O9-3.

Given that general plans control growth and development for decades into the future, some potential land use conflicts are simply unforeseeable. Therefore, words like *"shall"* should only be used where conditions are certain not to change. For example, it would be appropriate to have an absolute prohibition for development in dam inundation areas or on an active fault. But in most other cases, providing a less rigid directive, with the same degree of enforceability, is a more prudent course of action and would be less likely to create an internal conflict between general plan policies.

The Association again urges the County to use the word *"should"* (or its equivalent) wherever circumstances or conditions may be subject to change in the future.

<u>Village Limit Lines</u>

The County's response to our previous comments regarding a Village Limit Line states that a:

O9-4.

> *"Village Limit Line is intended to be implemented on a community by community basis as defined in individual community plans."*

Therefore, if described as such in the San Dieguito Community Plan, a Village Limit Line could circumscribe only village densities, or extend into adjacent and contiguous semi-rural areas. Furthermore, a Village Limit Line could simply be used to differentiate between village and semi-rural design standards and not be used to limit sewer availability outside village areas (although this appears to conflict with LU-14.4).

O9-5.

County staff's stated flexibility to define the purpose of a Village Limit Line on a community by community basis has reduced our level of concern regarding the purpose of a Village Limit Line. The Association appreciates the clarification by County staff and urges a corresponding change to LU-14.4.

Comment Letter O 9, Rancho Santa Fe Association (cont.)

Mixed Use Designation

County staff provided the following traffic impact evaluation assumptions in response to our previous comments about maximum FAR of 1.3 and maximum residential density of 30 dwelling units per acre in the Mixed Use Designation:

O9-6. *"Mixed-use areas are considered 100% impacted by the EIR. Traffic impacts were evaluated assuming 50/50 residential / general commercial development, where residential densities were assumed to be VR-10.9 du/acre."*

County staff also added footnote "d" to Table LU-1 stating:

"This (FAR of 1.3 and Density of 30 du/acre) denotes the upper range for each component, but there is no expectation that this would be achieved when each component is applied in the same area."

O9-7. The Association continues to oppose the maximum non-residential intensity of 1.3 FAR and the maximum residential density of 30 dwelling units per acre because they are too high and are not compatible with the Village of Rancho Santa Fe or the surrounding areas. Furthermore, such intensity or density cannot physically be constructed with a height limit of 35' and surface parking requirements. If 30 dwelling units per acre is included in Mixed Use Designation in part, to satisfy Housing Element requirements, then the DEIR also needs to analyze the physical limitations of actually being able to build to this density (or even to 80% of this density) unless subsequent changes are made to increase height limits in the Zoning Ordinance and reduce surface parking requirements. Such analysis should include impacts to community character, aesthetics and parking.

O9-8.

O9-9. Based on the County responses noted above, the DEIR only analyzes residential density at 10.9 dwelling units per acre for 50% of the areas in the Mixed Use Designation, with the assumption that the remaining 50% would be developed as General Commercial. However, according to the description of the Mixed Use Designation in the Land Use Element, mixed use areas could be developed with a much higher percentage of commercial use as there is no proposed ratio of commercial to residential.

Therefore, the DEIR significantly underestimates the "worst case" trip generation rates for Mixed Use Designations. While the Association supports mixed uses and the Mixed Use Designation in the Village of Rancho Santa Fe, the maximum allowed land uses are too intense. Both the FAR and density need to be reduced.

Comment Letter O 9, Rancho Santa Fe Association (cont.)

Water Supply

Pages 3-35 through 3-37 of the GP provide considerable background on water availability and future water supply in light of the 2007 U.S. District Court ruling on the Delta Smelt, which severely limited water supplies from the State Water Project. This reduction in water supply has been exacerbated by delays in bringing alternative sources of water online (e.g., Poseidon's desalination facility in Carlsbad) and by protracted drought conditions. The DEIR contains a similar discussion on page 2.16-47 and states that:

> *"…it is unlikely that the supply and demand projections provided in the MWD, SDCWA and SDCWA member district's 2005 UWMPs accurately portray 2009 water conditions in the unincorporated County."*

O9-10. Simply put, the GP and DEIR both acknowledge that water supplies are likely to be inadequate to serve the growth contemplated by the GP update.

Policy LU-13.1 requires coordination of water infrastructure planning with land use planning and the corresponding Mitigation Measure USS-4.7 also requires coordination of water supply planning with land use planning. While such coordination occurred around 2005, given the significant change in circumstances in 2007, reliance on an adequate water supply as described in the 2005 UWMPs appears to be highly speculative.

The Association understands the difficulty of coordinating long-range land planning with planning for future water supplies. However, the DEIR does not appear to adequately analyze the potential impacts of growth with an inadequate water supply and the corresponding reduction in the current level of services (e.g., future Stage 3 or Stage 4 water restrictions) for the existing population and development. Finally, any reduction in existing service levels, such as water

O9-11. rationing, would be inconsistent with Policy LU-12.2.

Extension of Sewer Systems

Policy LU14.4 on page 3-39 states:

> *"Prohibit sewer facilities that would induce unplanned growth. Require*

O9-12. *sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map."*

The Association agrees with the portion of policy LU14.4 shown above. However the Association strongly disagrees with the remaining portion of the policy as follows:

Comment Letter O 9, Rancho Santa Fe Association (cont.)

"Sewer systems and services shall not be extended beyond Village boundaries (or extant Urban Limit Lines) except when necessary for public health, safety and welfare."

In general, sewer systems and services should not be used as growth control mechanisms. Regulating growth is most properly the function of the Land Use Map and Land Use Element policies.

Existing development outside of the Village area but within the Covenant is served by a combination of septic and sewer. As written, this policy would preclude a sewer extension for future subdivisions outside of the Village area, even when the proposed subdivision is consistent with the land use designation.

There are several circumstances where extension of sewer facilities would be beneficial. First, for all areas within the Covenant, aesthetics are of paramount concern. The use of sewer where available, leads to better subdivision design and siting of single family dwellings and any ancillary structures. This is because the size and location for siting leach fields are no longer one of the primary drivers for site planning purposes. Secondly, the DEIR states on page 2.16-39, that in soil conditions which are favorable for leach fields, 90-99 percent of the leachates reach the water table. In order to address this issue, the RWQCB has issued a waiver of waste discharge requirements to County DEH. Finally, although conservation subdivisions would not be allowed in Covenant areas, several mitigation measures in the DEIR (Agr-1.3, Bio-1.1, Haz-4.4) are tied to the development of a conservation subdivision program. However, sewer service is required in order to implement a conservation subdivision in semi-rural areas.

O9-12. cont.

A conventional septic system and leach field requires a minimum lot size of over one acre. Furthermore, because alternative septic systems have not been approved for general use by the RWQCB, reliance on alternative septic systems is highly speculative. So in semi-rural areas, without a revision to LU14.4 to allow sewer extensions outside of Village areas, the minimum lot size will be in excess of one acre. In light of the physical limitations on minimum lot sizes presented by septic systems, conservation subdivisions cannot be fully implemented and the corresponding mitigation measures would not fully mitigate development impacts. Thus DEIR fails to adequately analyze the impacts to open space and agricultural lands, preservation of special status species and fire prevention.

Therefore, the Association strongly recommends that the prohibition on extension of sewer lines beyond Village boundaries (health, safety and welfare reasons are inadequate) be removed.

Comment Letter O 9, Rancho Santa Fe Association (cont.)

Scenic Highways

O9-13. Table 2.1-2 on page 2.1-65 of the DEIR incorrectly lists *"El Escondido"* as a Second Priority Scenic Route. *"El Escondido"* is unknown to the Association and does not appear to exist. The correct road segment is *"Paseo Delicias"*. Please revise the table accordingly.

Transportation and Traffic

O9-14. Section 2.15.2.3 on page 2.15-14 of the DEIR lists local regulations, standards and ordinances related to roadway design and funding programs. However, the County's Community Right-of-Way Development Standards ("Standards") for the San Dieguito Planning area is not listed. The Standards were adopted by the Board of Supervisors and supersede the County's Public Road Standards with respect to design of the parkway area. The intent of the Standards is to "preserve the rural character of the region".

O9-15. The Standards directly impact the visual aesthetics of Mobility Element roadways, community character and pedestrian travel routes (sidewalks) and their relationship to the new public road classifications in the Mobility Element needs to be analyzed. Therefore, the DEIR is deficient in this area because it lacks any analysis of potential impacts to the rural character of the Covenant and Covenant roadways. Please add an analysis section to the DEIR to address this issue.

Fire Protection Services

O9-16. County staff provided the following response to our previous question about the provision of funding for operational and maintenance costs for fire protection services so as not to degrade existing service levels:

> *"Implementation of a Melo Roos is being considered for ongoing operation and maintenance."*

In order to be consistent with policy LU-12.2 and S-6.5, there needs to be a corresponding mitigation measure in section 2.13.3.1 of the DEIR, which would allow for implementation of Melo Roos programs.

O9-17. As with our previous comment, travel times are not the appropriate measurement for fire protection services. Table S-1 on page 7-10 of the GP includes varying purpose statements related to travel times. For example, the purpose of a 5 minute travel time is to help contain a fire to its room of origin. However, if 5 minutes is the appropriate travel time before flashover, the table does not account for the reflex time, which would typically add 2-5 minutes to the travel time. Conversely, if flashover would not occur for up to ten minutes, then some assumption appears to be present in Table S-1.

Comment Letter O 9, Rancho Santa Fe Association (cont.)

The DEIR does not include any analysis of how travel times alone (as opposed to response times) will achieve the purposes set forth in Table S-1.

Conclusion

O9-17. cont. Many of the policies in the proposed General Plan will be of great benefit to the Association and its members. We appreciate the opportunity to work with the County on development of the GP and for the opportunity to comment on the Draft General Plan.

The Association urges the County to consider and adopt our comments by making changes to the GP and the DEIR. We look forward to reviewing the revisions to the General Plan Elements and the EIR.

Sincerely,

Ivan Holler, Planning Director
Rancho Santa Fe Association

Cc: Pete Smith, Association Manager
Bill Horn, Supervisor

Responses to Letter O 9, Rancho Santa Fe Association

O9-1 This provides introductory remarks for which a response is not required.

O9-2 This comment focuses on the wording of the draft General Plan update and does not address the adequacy of the DEIR. In addition, the County does not agree with the commenter's interpretation of the State Guidelines. The guidelines do not recommend the use of "should." Rather it attempts to explain the differences between the use of "should" and "shall" and why the use of "should" is problematic in a General Plan. Earlier in the Guidelines, it is stated, "A policy is a specific statement that guides decision-making. It indicates a commitment of the local legislative body to a particular course of action." The guidelines explain that the use of "should" can give the impression of more commitment than actually intended and is "a common and unaccepted practice."

The County does agree that the Guidelines do not mandate the use of "shall" over "should." The County has avoided the use of should, not necessarily because of the Guidelines, but because it desires a General Plan that is clear on its intent and avoids debate during application. This approach has also been supported by a number of stakeholders and commenters on the General Plan Update who have indicated that they desire clear and firm commitments to certain policies and actions. See also responses to comments O3-9 and G7-2.

In order to better explain the intent of the wording of policies in the General Plan Update, and how they can be interpreted in the future, the following section has been added to the Introduction to the General Plan Update.

"The policies contained within this General Plan were written to be a clear statement of policy but also to allow flexibility when it comes to implementation. Policies cannot be applied independently; rather, implementation of the policies must be balanced with one another and will address details such as how and when the policy is applied and any relevant exceptions. For example, a policy to conserve open space is not a mandate for preservation of 100 percent of the existing undeveloped land in the County. It must be balanced with other policies that allow development and other uses of the land. In this case, implementation of the policy in new developments will be achieved through regulations such as the Resource Protection Ordinance, Biological Mitigation Ordinance, and California Environmental Quality Act, which will guide to what degree open space, must be conserved."

O9-3 This comment does not address the adequacy of the DEIR. The County appreciates the commenter's concern for future conflicts due to unforeseeable circumstances. To respond to such circumstances, the County's preference would be to address such a conflict at the time it is identified. State law allows for General Plan Amendments and the County intends to implement a process to facilitate "maintenance" amendments that are necessary to "clean up" or address such problems as they arise (see measure 1.2.1.A General Plan Review from the draft Implementation Plan). Therefore, the County does not agree with the use of "should" wherever circumstances or conditions may be subject to change. This approach would result in a General Plan and is less clear and whose implementation is open to greater debate.

Responses to Letter O 9, Rancho Santa Fe Association (cont.)

O9-4 This comment is on the concept of Village Boundaries in the draft General Plan and does not address the adequacy of the DEIR. The commenter is correct in that draft General Plan Policy LU-14.4, Sewer Facilities, limits the extension to sewer systems and services when a Village Boundary or Urban Limit Line, which may be included in an applicable community plan. However, the draft General Plan also indicates that the use of a Village Boundary or Urban Limit Line is optional. If the Association is concerned with its implementation, the County urges that the Association coordinate with the County and San Dieguito Community Planning Group in the preparation of the Community Plan to address its concern. The County does not agree that this would be in conflict with Policy LU-14.4 Sewer Facilities since the Village Limit Line is just one tool to "prohibit sewer facilities that would induce unplanned growth." See also response to comment O9-12 below regarding changes made to Policy LU-14.4.

O9-5 This comment does not address the adequacy of the DEIR. Please refer to responses to comments O9-4 and O9-12.

O9-6 The County would like to provide further clarification on a previous response to comment which stated that, in the General Plan Update traffic forecast model mixed-use areas were evaluated as 50 percent residential and 50 percent commercial land uses. This is true for most mixed-use areas, with the exception of the mixed use area in Rancho Santa Fe, which was evaluated as 100 percent commercial. This change was based on existing conditions in the village where the mixed use area is primarily commercial.

O9-7 This comment does not address the adequacy of the DEIR. The County concurs that to achieve a floor area ratio (FAR) of 1.3 and a density of 30 dwelling units per acre could be difficult in many areas of the unincorporated County, and has made revisions to both the Land Use Framework on page 3-9 and the San Dieguito Community Plan. The Land Use Framework has been changed to use an FAR of 0.7, with the exception that if off-site or other parking is available the FAR can be up to 1.3. Additionally, the County has worked with the commenter and the San Dieguito Community Planning Group to add the policy that establishes an FAR of 0.7 and a residential density of 10.9 as the maximum allowed within the Covenant of Rancho Santa Fe.

O9-8 The County does not concur that the DEIR needs to analyze the physical limitations of actually being able to build at a density of 30 dwelling units per acre. The County acknowledges that this density is probably not achievable in most areas of the unincorporated area due to parking requirements and height limit restriction limitations. The General Plan designation will not supersede these restrictions.

O9-9 As stated above in the County's response to comment O9-6, the General Plan Update traffic model evaluated the mixed-use area in Rancho Santa Fe as 100 percent commercial land uses; therefore, the County does not concur that the DEIR underestimates the worst case trip generation rates. Also, as stated previously in the response to comment O9-7, there have been amendments to both the Floor Area Ratio in the Land Use Element, as well as a maximum FAR of 0.7 and residential

Responses to Letter O 9, Rancho Santa Fe Association (cont.)

density of 10.9 applied for Village Core Mixed Use in the San Dieguito Community Plan.

O9-10 The County agrees with the first part of this comment which paraphrases the draft Land Use Element and quotes page 2.16-47 of the DEIR. The comment notes that reliance on the 2005 Urban Water Management Plan (UWMP) is speculative. This statement is not at variance with the DEIR; Section 2.16.3.4 of the DEIR draws a similar conclusion. The comment also points out Policy LU-13.1 and mitigation measure USS-4.7; however, it is not clear from the comment if changes to these components are recommended. The comment further states that the DEIR does "not appear to adequately analyze the impacts of growth with an inadequate water supply and the corresponding reduction in the current level of services (i.e., future stage 3 or stage 4 water restrictions) for the existing population and development."' The County does not agree with this assertion. The DEIR includes detailed analysis of potential water supply impacts associated with the project and concludes that the impacts would be significant and unavoidable. In addition, there is no substantial evidence to conclude that the General Plan Update would result in significant impacts to the existing population with regard to levels of service for water. It should also be noted that potential changes to current levels of service is not a suggested analysis within CEQA Guidelines and this issue would be considered speculative in the context of this DEIR.

O9-11 Draft General Plan Policy LU-12.2, Maintenance of Adequate Services, requires that developers mitigate for their project's impacts to service levels for existing residents and businesses. It does not require any type of compensation for service level changes initiated by public utility agencies such as water rationing measures conducted by water agencies. Therefore, no conflict would occur.

O9-12 This comment pertains to draft General Plan Policy LU-14.4, Sewer Facilities, and does not address the adequacy of the EIR. The draft policy has been revised as follows:

LU-14.4 Sewer Facilities. Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond <u>either</u> Village boundaries ~~(~~or extant Urban Limit Lines~~)~~<u>, whichever is more restrictive,</u> except<u>:</u>

- ~~w~~<u>W</u>hen necessary for public health, safety, or welfare.
- <u>When within existing sewer district boundaries; or</u>
- <u>Where specifically allowed in the Community Plan.</u>

With this revision, the County believes the concerns raised in the comment would no longer be an issue.

Responses to Letter O 9, Rancho Santa Fe Association (cont.)

O9-13 Table 2.1-2 in the DEIR and table COS-1 of the Conservation and Open Space Element have been revised to change "El Escondido" to "Paseo Delicias" as recommended.

O9-14 DEIR Section 2.15.2.3 Local (Regulatory Framework) has been amended with the addition of the following paragraph which describes Community Right-of-Way Development Standards, as recommended:

"County Community Right-of-Way Development Standards Board of Supervisors Policy J-36, adopted December 1989, provides a procedure by which communities can deviate from the established County Public Road Standards, and replace or augment them with standards tailored to their community. The Community Right-of Way Development Standards provide alternative right-of-way regulatory standards within the road right-of-way that supersede the County Public Road Standards. The purpose of these Standards is to ensure that the road right-of-way is designed to better enhance and retain the character of individual communities while maintaining the safety of the roadway. Community Right-of-Way Development Standards have been prepared for the communities of Borrego Springs, Fallbrook, Julian, and San Dieguito."

O9-15 The County does not agree that the DEIR is deficient because it lacks analysis of potential impacts to rural character due to the new Mobility Element road classifications. The DEIR determines that under Issue 3: Visual Character or Quality, impacts resulting from the General Plan Update would remain "significant and unavoidable because the character of some communities will change as they continue to grow."

However, DEIR Section 2.1.2.3 Local (Regulatory Framework) has been amended with the additional text that describes the Community Right-of-Way Development Standards, since these standards would help to retain the rural character of the communities where they are applied. Added text is provided below.

"County Community Right-of-Way Development Standards Board of Supervisors Policy J-36, adopted December 1989, provides a procedure by which communities can deviate from the established County Public Road Standards, and replace or augment them with standards tailored to their community. The Community Right-of Way Development Standards provide alternative right-of-way regulatory standards within the road right-of-way that supersede the County Public Road Standards. The purpose of these Standards is to ensure that the road right-of-way is designed to better enhance and retain the character of individual communities while maintaining the safety of the roadway. Community Right-of-Way Development Standards have been prepared for the communities of Borrego Springs, Fallbrook, Julian, and San Dieguito."

In addition, mitigation measure AES-3.2 concerning the Community Right-of-Way Development Standards has been added to Section 2.1.6.3 Issue 3: Visual Character or Quality, as follows:

Responses to Letter O 9, Rancho Santa Fe Association (cont.)

"Implement existing and prepare new community right-of-way development standards, as appropriate, that supplement the County road standards in order to recognize the unique constraints and character of different communities."

O9-16 2.13.6.1 Issue 1: Fire Protection Services has been amended with a new mitigation measure Pub-1.9 to establish an impact fee program or Community Facilities District for all new development (see also draft Implementation Plan Measure 6.2.3.C Fair Share Contribution), as recommended:

"Implement procedures to ensure new development projects fund their fair share toward fire services facilities including the development of a long-term financing mechanism, such as an impact fee program or community facilities development, as appropriate. Large development projects are required to provide their fair share contribution to fire services either by providing additional funds and/or development of infrastructure."

O9-17 The clarifying text for travel time, under draft Safety Element Policy S-6.4, Fire Protection Services for Development, has been amended with language that acknowledges that reflex time is not included in Table S-1. The additional text is provided below:

"Travel time is based on standards published by the National Fire Protection Association. Travel time does not represent total response time, which is calculated by adding the travel time to the call processing time and to the turnout/reflex time. Generally, the call processing and turnout/reflex time would add between two to three minutes to the travel time. It is not known if any county has formally adopted NFPA 1710 and/or 1720 as a standard. Total Response Time (NFPA 1710/1720) is calculated as time the Public Safety Answering Point (PSAP) receives the emergency call, transfers it to fire communications, the alarm is processed and transmitted to responders, responders "turnout", plus travel time to the scene to initiate action. The use of response time for determining adequate service is problematic in the unincorporated County because it is subjective and varies from department to department, station to station and work shift to work shift. Reflex time (the amount of time from when the call is received by the station to when the engine leaves the station) can vary from one to three minutes. The use of travel time, as calculated by using NFPA 1142, allows us to be consistent across the County in determining adequate response, regardless of the district."

Comment Letter O 10, Rural Economic Action League (REAL)

Rural Economic Action League
1259 Dewey Place
Campo, CA 91906

Date: 8-30-09

To: **Mr. Devon Muto**
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd., Suite B
San Diego, CA 921123

Subject: Comments on the "Draft Environmental Impact Report (EIR)" and associated documents. DPLU Environmental Log No. 02-ZA-001

Submitted by: Larry Johnson for the **Rural Economic Action League (REAL)**. Tel (619) 478-5566. This letter contains contributions from many communities in the Mountain Empire area.

General comments overall

1. The EIR is overall very well done with specific comments noted in sections below. This has been a long, laborious, difficult and divisive process. It will be good to get it over with so all of us can live with the new General Plan Update and it's revised Policies.
2. In our opinion the rural economy is scaled and adapted to our rural life-style, personal preferences, rate of growth and will grow accordingly and not suffer unduly due to the General Plan Update.
3. Land values should stabilize and increase as the current economic crisis abates. In our opinion, a gradual increase will be the best and not to the inflated levels we saw before the recent economic downturn.
4. The Mountain Empire is a very unique area with some of the same problems as the more urban areas but also with many unique issues that result from our rural, mountainous location with a large exposure to the US/Mexico Border.
5. We support the comments submitted by the Pine Valley Planning Group, the Boulevard Planning Group, the Descanso Planning Group and the Potrero Community Planning Group.

O10-1.

Specific EIR Area comments

2.1 Aesthetics

O10-2. The aesthetics section of the General Plan EIR included a number of programs to enhance and protect our backcountry communities. There is also a strong emphasis on night skies, scenic highways, scenic vistas and visual resources and the need to preserve these features. These are all very important areas and we appreciate their inclusion in the EIR. However, we need to preserve our night skies not only surrounding our observatories, but

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

also in our backcountry. **The terms and wordings such as "potentially significant", "significant", "reasonable", and "substantial" are not specific enough and can easily be misinterpreted.**

O10-2. cont.

2.1.1.4 Dark Skies

O10-3. **Page 2.1-10** The San Diego Astronomy Association's Tierra Del Sol Observatory should be protected and included. The only missing criteria is its proximity to the Pacific Ocean. This should not eliminate the Tierra Del Sol Observatory.

2.2 Agricultural Resources

This is a well-written section of the EIR and contains a large amount of data. It demonstrates that the County of San Diego is very diversified in what agricultural enterprises operate in what part of the County. The wide range of climatic conditions

O10-4. allows a wide variety of products to be produced in the County. It also makes it clear that water is a crucial component for those products. In the Mountain Empire, almost all agricultural efforts are supported by groundwater or whatever precipitation falls in the winter wet season.

We find that the letter submitted by the Potrero Community Planning Group, addressing Agriculture, dated August 13, 2009, covers most of our concerns. We therefore support those comments and attach a copy of that letter to this set of comments.

2.4 Biological Resources

This section describes important wildlife protection goals. We do have some important comments on various portions of this section that follow below.

2.4.4 Cumulative Impact Analysis

As Supervisor Dianne Jacob put it, "we need to recognize our saturation point...and consider a forever plan ."

O10-5. The lack of understanding of cumulative impacts are exactly what has escalated global climate change to its current stage. The health of plant and animal wildlife and the canary in a coalmine are one in the same. They reflect their immediate environment. It's time to stop pushing the environmental envelope. How can an environmental and biological resource policy be written without an MSCP plan for the North and East County? How can long-term protection be put into place for sensitive natural communities without a comprehensive NCCP for the entire Southern California region? Even though it appears that the County intends to provide wildlife protection mechanisms in the future, untold damage can be done by the allowable development in the General Plan Update. There is no guarantee that these policies will be in effect and coincide with the implementation of the GPU.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

2.4.4.1 Issue 1: Special Status Plant and Wildlife Species
15, 617 acres of wildlife habitat in the Mountain Empire Subregion will be impacted by the implementation of the General Plan Update.

O10-6. The policies and mitigation measures in the General Plan Update claim to minimize the proposed project's potentially significant impact associated with special status species and their habitats. But implementation of the General Plan Update would allow land uses and development to occur in areas outside of adopted regional conservation plans; resulting in direct, indirect, and cumulative impacts to sensitive, or special status species. The County has determined that additional mitigation measures that would fully reduce impacts to below a level of significance would be infeasible. Infeasible?

2.4.4.2 Issue 2: Riparian Habitat and Other Sensitive Natural Communities

O10-7. Degradation of water quality, drawdown of the groundwater table and modified stream flow are not sufficiently addressed in the General Plan Update. The EIR repeatedly points out the "significant and unavoidable" impact to riparian vegetation that will be caused by "full build-out"; as well as the significant impacts to groundwater supply and recharge. These direct hydrological effects are obviously not acceptable. The County needs to rethink their plan to accommodate growth at the expense of our wildlife and their habitat.

O10-8. There are many examples of alluvial valleys with normal high groundwater levels, which have existed for hundreds of years, that supplies sufficient water to the root zone of established grasses and native plants for a year-round supply of grazing for cattle and wildlife. The Biological studies and Policies must work hand-in-hand with Hydrology Policies to protect this type of resource. The Hydrology does not adequately protect these resources and does rely on Biological Policies to complete this protection. In addition to the benefit to cattle and wildlife, these resources are of great importance to the scenic value of the area and it's contribution to continued tourist attraction.

2.4.4.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

O10-9. How is the County addressing the issue of the border fence and its impact on wildlife corridors? This is not just about sensitive species. Common wildlife species' populations can also be adversely affected by disruption of movement corridors, linkages, or nursery sites.

O10-10. It appears that Land Use Policies support protection of critical and sensitive biological resources and long-term sustainability of the natural environment by assigning low-density or low-intensity land use designations to certain areas. Policy LU-10.2 requires development in semi-rural and rural areas to respect and conserve the unique natural features, preserve rural character, avoid sensitive environmental resources and encourage contiguous open space areas that protect wildlife habitat and corridors. There is no mention of the general plan amendments, zoning variances or CSP clustering plans that are often applied to new development. These mechanisms show no respect for the natural resources that are the essence of our rural character. Instead they reflect the assumption by Special Interest Groups that they have the right to profit despite the irreparable

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-10. cont. damage to San Diego's rare, threatened and endangered plant and animal species and their habitat.

"Mitigation" – the action of reducing the **severity** or **painfulness** of something.

The General Plan Update will cause severe damage to our biological resources. Mitigation does not reduce damage to the wildlife habitat it "takes". It destroys one habitat to "save" another.

O10-11.

Open space will always possess intangible values that are above and beyond any calculation of monetary values.

Where is our "saturation point"?

2.8 Hydrology and Water Quality

This section is a very good overview and survey of the conditions and status of the water services and supply sources in San Diego County. We do have some important comments on various portions of this section that follow below.

1. In **2.8.3.2**, first paragraph; it seems that for all aquifer types the general rule for a significant impact to a groundwater aquifer is that there can not be a "net deficit in aquifer volume or a lowering of the local groundwater table level". Then there is a special case for fractured rock aquifers defined in **50 Percent Reduction of Groundwater in Storage**. The 50 % reduction is well defined with "soil moisture balance" and averaging over 34 years of data. It states that a potentially significant impact would exist if the "…storage within a basin was reduced to a level of 50 percent or less of maximum theoretical storage as a result of groundwater extraction."

O10-12.

   a. Key point; "…*groundwater extraction…* " needs to be defined as water removed from the aquifer by <u>natural and man-made processes.</u>
   b. Key point; for the general case of a significant impact if a "net deficit in aquifer volume or a lowering of the local groundwater table level" is reached. This needs to be much better defined to include seasonal variations, dependent flora and fauna and how the reference level is established for the water table.

O10-13.

2. **In 2.8.6.2**, under **General Plan Update Policies; Policy LU-8.1**; the policy requires that densities be consistent with the <u>long-term sustainability</u> of groundwater supplies in groundwater dependent areas. This is good. However, I see no mechanism set forth to accomplish this.

O10-14.

   a. In Appendix D, the Groundwater Study, section 2.2.3 Climate Change, it references several articles on Climate Change which make statements about the Western US and about California in general. None focus on San Diego County as the Groundwater Study does. There is research that notes

O10-15.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-15. cont. that Southern Calif. and San Diego County will be hotter and dryer than the State in general.

O10-16. b. Key Point; the effect on evapotranspiration by Climate Change is not estimated or corrected for in the Groundwater Study.

O10-17. c. Key Point; the effect on precipitation by Climate Change is not estimated or corrected for in the Groundwater Study.

O10-18. d. Key Point; the combined effect on groundwater recharge due to changes in evapotranspiration and precipitation are not estimated or corrected for in the Groundwater Study.

O10-19. e. Key Conclusion; Policy LU-8.1 must be expanded to take the above adverse effects into consideration when trying to adjust densities to maintain long-term sustainability of groundwater supplies in groundwater dependent areas.

3. In **2.8.6.2**, under **General Plan Update Policies**; **Policy LU-8.2**; "in areas without current overdraft groundwater conditions, prohibit new groundwater

O10-20. dependent development where overdraft conditions are foreseeable"

a. Key point; "*…where overdraft conditions are foreseeable…*" needs to be defined much better.

The next statement then defines an overdraft condition as; " A groundwater basin is considered in an overdraft condition when, during average conditions over a number of years, the amount of water being withdrawn from the basin exceeds the amount of water that recharges the basin".

b. Key point; Defining an overdraft condition is not nearly as simple as this statement would lead you to believe.

i. First, a reference level for the water table over time needs to be established for each site of interest. Data such as what was used for the 30 year set to compute the new Rainfall Map might be used or the well monitoring data currently being done in the County.

ii. Then, a more precise definition similar to the one above needs to be established for an overdraft condition.

O10-21. iii. Then, it must be recognized that an overdraft condition will still exist even if the recharge becomes positive but the aquifer has not recovered to the original reference level. This point is very important. It prevents an aquifer from being depleted in steps of first overdraft, then a period of stability at a lower level, followed by another overdraft period and etc. It must be recognized as in overdraft until it returns to the established reference level for a reasonable period. (Jim Bennett will understand this.)

iv. The above definition is nowhere close to being good enough.

v. This is a critical need in light of the threat posed by Climate Change and the expansion proposed development of the East County that is groundwater dependent.

O10-22. Key point; "*…amount of water being withdrawn…*" needs to be defined as water withdrawn from the aquifer by natural and man-made processes.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

2.9 Land Use

We have reviewed this section and support it with no additional comments.

2.10 Mineral Resources

This section is focused on protecting the sand and gravel deposits that occur in San Diego County for present and future uses. There is much more to protect than just the sand and gravel resource. I will highlight some of the key points below. O10-23.

1. It encourages the recycling of old construction material as a means of reducing the demand for new mining sites.
2. It also recognizes the fact that the longer transport of the material, the higher the cost.
3. It makes no mention of the effect on greenhouse gas (GHG) emissions on long transport trips that is also a cost to the environment.
4. We support the concept of **COS-10.9**, which would establish an Overlay Zone for MRZ-2 areas. This would help protect known sand and gravel areas close to the urban areas where the product is needed most.
5. In the Summary on 2.10.3.2 on page 18, it notes, "While existing Country policies and regulations and proposed General Plan Update goals and policies are intended to reduce impacts associated with mineral resource recovery sites, specific measures that implement these policies and regulations are proposed to ensure that the intended environmental protections are achieved."
    a. It should be noted that mining and restoring a sand & gravel source West of the County Water Authority (CWA) line is very different from doing the same thing in the groundwater dependent areas of the East County East of the CWA.
    b. In the groundwater dependent areas the main source of the sand and gravel is in creek beds, alluvial basins and valleys. These are the main storage aquifers for the area and the volume of water they store is very dependent on the quantity of alluvium present. O10-24.
    c. When a source is mined in this area, all the rules followed, and the area reclaimed after many years, there has been a significant decrease in the storage capacity for groundwater, probably a lowering of the water table and probably an increase of the evapotranspiration of what water was left. So, mining in a groundwater dependent area not only has all the problems of a site West of the CWA, it has many more dealing with groundwater and the local users of the aquifer.

We **do not** support **COS-6 & COS-8** for streamlining and specific permits for sand and gravel mines East of the CWA. They make more sense West of the CWA. O10-25.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

2.12 Population and Housing

This section gives a good overview for San Diego County of the population and housing history, current status and projections for the future. The following are some comments about specific areas.

1. In **2.12.2.2, State Housing Element Law** there are several stated commitments. Among the topics and issues that must be included in the Housing Element of a General Plan are:
   a. Conserve and improve the condition of affordable housing stock
   b. Identify actual and potential governmental and non-governmental constraints that could potentially impede the maintenance, improvement and development of housing for all income groups.
   c. A statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the improvement, maintenance, and development of housing.

O10-26.

2. The EIR makes no mention of the fact that the GPU Housing Element contains almost none of this material, aside from a statement of intent to do these things. There are no "quantified objectives, financial resources, and scheduled programs for the improvement, maintenance, and development of housing," in the GPU Housing Element, nor can it be honestly said that there are no "potential governmental and non-governmental constraints that could potentially impeded the maintenance, improvement and development of housing for all income groups." It is insufficient simply to say (page 2.12-13) that all the codes employed "are not considered to be undue constraints to housing production." The EIR offers no studies, either subjective or objective, to support this statement.

O10-27.

For example, the access requirement adopted by the county in its new Consolidated Fire Code will virtually shut down homebuilding on thousands of parcels and subdivision proposals, even those proposed for the largest lots. Instead of looking at defensibility, the code applies a one-size-fits-all access standard that cannot be met by most parcels that are a certain number of feet from a county or state maintained road – and one that may not even be of value on large parcels with good clearance. The county has made this problem worse yet by downgrading almost every road in the backcountry.

O10-28.

O10-29.

This is only one of many laws that may or may not support public health and safety, but which most assuredly places "undue constraints to housing production." The EIR's failure to fully study this portion of the Housing Element is a serious insufficiency and should be corrected.

O10-30.

3. In **2.12.4.1, Issue 1: Population Growth,** the last sentence of the first paragraph notes; "Therefore, the proposed project, in combination with the identified cumulative projects, would not contribute to a significant cumulative impact." Some large proposed projects in the Mountain Empire are considered in the EIR

O10-31.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-31. cont.

to have no significant impact, allegedly because they would be expected to comply with the densities applied to those lands under the GPU. But these projects, many of which are "pipelined," are proposed in the old general plan densities and, in many cases, seek to exceed even those. These are many times the densities proposed under the GPU and have good prospects for being approved. Some would, on a single project, take their host communities well over their projected population growth targets even without counting construction on other lands in those communities

O10-32.

If the Board of Supervisors is unwilling to conclusively disallow non-conforming densities in the 148 projects listed in Table 1-11, then their impacts should be considered in the EIR and the EIR conclusion is unjustified

4. In **2.12.4.2, Issue 2: Displacement of Housing**, There are some large proposed projects in the Mountain Empire that are not included in the GPU EIR, allegedly because they would be expected to comply with the densities applied to those lands under the GPU. Yet the applications call for housing, and in some cases commercial, in far greater densities and numbers than are called for in the GPU. This creates a potential impact that the EIR neither acknowledges, nor mitigates.

O10-33.

O10-34.

Either the BOS must declare at outset that no density exceptions will be made for the four pages of projects listed in Table 1-11, or else the EIR should consider the impacts of those projects. In the case of Campo, and possibly others, this higher density housing would unquestionably displace population from areas such as Lake Morena Village and central Campo where the GPU's all-too-weak implementation plan fails to support the timely revitalization of a fast-declining cluster of existing high density housing.

O10-35.

The contents of the GPU housing element do not support the finding that the GPU "would not contribute to a significant cumulative impact."

O10-36.

Furthermore, not mentioned at all in this document is the impact of the failure of county staff to follow through on a Board of supervisors' directive to preserve density on multi-family parcels where multiple homes are legally located on single parcels. This failure will ultimately result in displacement of homes and residents when existing homes are lost in a fire or other disaster. Since this was not studied in the EIR, nor addressed in the GPU, this is an unknown impact that should be properly quantified and addressed in the EIR and GPU.

2.13 Public Services

County Service Areas (CSA) Page 2.13-5

O10-37.

San Diego Rural Fire Protection District currently does not have the authority to adopt a fire code of provide official response to planning and building projects. This is not acceptable. The San Diego Rural Fire Protection District has a unique area in which it is

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-37. cont.

familiar and knowledgeable. The unincorporated, rural communities in San Diego County are unique and should not be treated as the incorporated county nor subject to the same rules and regulations on fire code of planning and building projects. The San Diego Rural Fire Protection District has the knowledge and should have the authority to create and adapt the codes to be relevant for the unincorporated rural area of San Diego County. If the San Diego Rural Fire Protection District is not an acceptable agency for this endeavor, another fire agency should be formed which is familiar and knowledgeable with the rural communities and their fire needs and how these communities can best protect themselves in a fire situation where fire response time could be more than 20 minutes as per table 2.13-14.

2.15 Transportation and Traffic

This section is very important to the Mountain Empire because there are only a few public main roads in the area. This makes the private road system especially important because there are many homes that are far off the public roads and access to their homes is by a long private road.

O10-38.

1. In **2.15.2.3 Local, San Diego County Private Road Standards, page 15**, notes, "Levels of service are not established for private roads. Minimum design and construction requirements, however, are established based upon the projected ADT volume on the road." This is fine for new roads being developed but there are many existing private roads, which provide access to existing homes, and that right of access needs to be recognized and preserved.
    a. A comment pertaining to this and also the **General Plan Update, Chapter 4 on Mobility Element, page 4-5 on Private Roads**; the inclusion of information that private roads and their rights of way are not maintained by the County and are not available for general public use is appreciated.

O10-39.

2. In **2.15.2.1 Federal, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)** it states in part "… while giving state and local transportation decision makes (sic: makers) more flexibility for solving transportation problems in their communities." This allows flexibility for the County for our unique circumstances along the US Border and in the mountains.
    a. Another comment pertaining to this and also the **General Plan Update, Chapter 4 on the Mobility Element, page 4-7**; flexible road standards that reflect community character with no curbs and gutters is also appreciated.

O10-40.

3. In **2.15.1.1, Level of Service, (LOS),** the "LOS is established based on the driver's perspective." This would seem tome to make this a rather arbitrary tool subject to manipulation. "Safety is an important concern but, typically, is not included in the measures that establish service levels". So, a deadly road is given the same LOS as a safe road with the same conditions?

O10-41.

4. In **2.15.1.1, County Roadway Segment LOS Standards and Thresholds;** "Table 2.15-3 presents the current roadway segment capacity and LOS standards,

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-41. cont.

as derived from the currently adopted County of San Diego Public Road Standards (DPW 1999). These standards were used for the analysis of existing conditions of unincorporated County roadways". Here we seem to find a report that is 10 years old, (or much older if this study follows the patterns of other County studies and gets adopted years after the statistics are gathered), that is being used to determine the planning for the next 20 to 30 years.

5. In **2.15.1.1, Traffic Conditions and Trends**; "VMT" (vehicle miles traveled) "is a measurement of the total miles traveled by all motor vehicles in an area for a specified time period".

O10-42.

"Of all trips taken by transportation modes, the average trip length is 6 miles." What? Where does this figure come from?

O10-43.

"Work travel, as measured in VMT, compromises 26 percent of all highway travel, while non-work travel makes up 74 percent of travel on the region's highways". This must come from San Diego Public Road Standards (DPW 1999). We would have to question these figures and see the study.

O10-44.

"Work trips tend to be longer than non-work trips. In 2007, work trips averaged 11.9 miles in length compared tom 5.7 miles for the non-work trips". This must be weighted heavily from the denser communities closer to San Diego such as the Ramona CPA. 11.9 miles doesn't even get most of us out of the Desert, Mountain Empire, North Mountain or even the Central Mountain Subregions. Some drive 60 miles a day into San Diego and 60 back, 320 days a year. This commute is not uncommon.

6. In **2.15.1.1, Metropolitan Transit Authority (MTS);** the "MTS offers over 85 bus routes throughout its service area, …". Most MTS service in the Mountain Empire, and we suspect elsewhere, has been scaled back or eliminated. MTS maintains some routes only by appointment. The bus will drive by you and leave you standing there if you haven't called ahead. This whole area needs to be modified to reflect reality not just the intention.

O10-45.

7. In **2.15.1.1, Rural Road Safety**, it notes; "Additionally, the rural fatality rate per 100 million VMT is more than twice that of urban areas". Yet "Safety is an important concern but, typically, is not included in the measures that establish service levels".

O10-46.

8. In **2.15.3.1, County of San Diego Consolidated Fire Code (CFC);** "Road standard requirements for emergency vehicles specify a minimum 12-foot paved lane or 24-foot travelway". Not said in here is the additional requirement for 20-feet of cleared space beyond each side of the lane or travelway. This additional requirement brings the 12-foot road up to 52-foot and the unpaved to 64-foot. With this and the additional requirement to remove gates (and let the cattle roam free, the illegal migrants and drug traffickers travel freely) even minor lot splits are denied.

O10-47.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

9. In **2.15.3.1, Projected Vehicle Miles of Travel (VMT);** "VMT data used to evaluate existing conditions and the proposed project was based upon information provided by SANDAG". We see a great deal of support from SANDAG in the EIR General Plan Update. Copies of these studies would make this document more complete. "..eastern communities would result in 3,018,152 VMT.." seems to be a very specific guess.

O10-48.

10. A general statement about Appendix E, page E-2; this table shows that there is a plan to make State Route 188 from Tecate, MX to the junction with State Route 94 a six (6) lane road and to make State Route 94 from Jamul to Buckman Springs Road a four (4) lane road. It states that this section is already a four-lane road but it is not, it is a 2-lane road.

O10-49.

    a. We do not want State Route 94 from Jamul to Buckman Springs Road to become a four (4) road. This does not help maintain the rural character of the mountains or of a scenic country road.

O10-50.

    b. State Route 188 could use some improvement but not to a six lane road.

O10-51.

11. In **2.15.6.4 Issue 4; Emergency Access, Policy M-3.3 Multiple Ingress and Egress**; with the concerns about the border in our Mountain Empire region, (i.e.: smuggling of drugs, and people) we feel gates are necessary. Most community plans in our Mountain Empire area state that secondary access roads should have "Fire access routes that are properly located, authorized, and secured to avoid the increase of unauthorized access to private property."

O10-52.

In summary, we have a network of existing private (legacy) roads that vary in width and maintenance level that provide access to citizens existing homes and these are very important. We face the multiple issues of the risk of wild fires, high winds, floods, illegal immigrants trespassing, load cars with illegals and or drugs driving at high speed on isolated roads, the possibility of armed traffickers and or terrorist that cross our local international border and present a threat to the local security forces and the local public, the more isolated a home, the more the threat. However, these citizens have chosen to live in these locations and find the benefits outweigh the problems. The owners of existing homes should not be further burdened by refusal of fire protection, or a more rigorous interpretation of the new Consolidated Fire Code, or the inability to establish suitable parcel sizes for existing homes. New homes and or developments in these areas are a different issue.

O10-53.

2.16 Utilities and Service Systems

This is a good general coverage on the water needs and planning for most of the area West of the CWA.

O10-54.

1. It fails to mention anything about Climate Change and it's possible effect on all the systems, especially the groundwater areas in the East County.

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-55. In **2.16.3.4, Groundwater Dependent Water Districts**, there should be a thorough discussion and reference to Policies that will be implemented to help cope with the problem.

2.17 Global Climate Change

This section is very well researched and written. It is true that we don't know precisely how severe events will be and we are rapidly learning more about the very complex environment we live in. However, this section points out many of the highly likely consequences of the effects of Climate Change.

1. In **2.17.3.2**, under **Climate**, this statement is made about San Diego County "…but interior areas, where the greatest population growth would occur, would experience the greatest temperature increase." And later, "Experts generally conclude that rainfall will continue to vary widely from year to year, leaving San Diego County highly vulnerable to drought." O10-56.
    a. Key Point; the temperature is expected to get hotter in the interior and more likely to have more droughts and that is where we are groundwater dependent.
    b. Key conclusion; this information firmly supports the need to expand Policy LU-8.1 to take these adverse effects into consideration when trying to maintain long-term sustainability of groundwater supplied in groundwater dependent areas. The evapotranspiration, precipitation and the resulting groundwater recharge will be adversely affected and should be compensated for **before** it happens.
2. In **2.17.3.2**, under **Wildfires**, we concur completely. The statement that "As a result of climate change, we can expect higher spring temperatures, scorching summers, drier vegetation, and longer fire seasons." O10-57.
    a. Key point; these very conditions are severe on the watersheds and if a wildfire does occur, the watershed is adversely affected.

Summary

We thank you for your efforts to bring this process to a successful completion quickly. O10-58. We are sure that there will be much "fine tuning" needed to make the new General Plan work well. It needs to have some flexibility built in because "one size shoe does not fit all."

Copies to:

Eric Gibson, San Diego County, Director, DPLU
Jim Bennett, San Diego County DPLU
Eric Lardy, San Diego County DPLU
Donna Tisdale, Boulevard Planning Group

Comment Letter O 10, Rural Economic Action League (REAL) (cont.)

Michael Sterns, Descanso Planning Group
Carl Meyer, Potrero Community Planning Group
Vern Denham, Pine Valley Planning Group
Warren Larkin, Pine Valley Planning Group
William Pape, Jacumba Community Sponsor Group

Responses to Letter O 10, Rural Economic Action League (REAL)

O10-1 The County appreciates the positive comments on the DEIR and acknowledges the support for the comments submitted by the Descanso, Pine Valley, Boulevard, and Potrero Planning Groups.

O10-2 The County agrees that dark skies throughout the backcountry are important, not just around the observatories. This issue is not at variance with the existing content of the DEIR. The impact analysis provided in DEIR Section 2.1.3.4 addresses impacts to dark skies in general, such as skyglow, light trespass, and community character effects within those Community Planning areas that identify dark skies as an important resource. The potential impacts to the observatories are noted in this same section as a particular concern.

The County does not agree that the wording used in the analysis is inappropriate or easily misinterpreted. The language cited in this comment are terms used throughout the CEQA Statutes and Guidelines. As such, they are frequently used by lead agencies and all have rather specific meaning when used in the context of a CEQA document.

O10-3 The County appreciates this comment and agrees that the Tierra Del Sol private observation site in the community of Boulevard is a locally important area for dark skies. The importance of this area is described within the proposed Mountain Empire Subregional Plan under the Boulevard Subregional Group Area. Within this draft Community Plan, Goal LU-3.1 and Policies LU-3.1.1 and LU-3.1.2 address protection of the observatory and the surrounding dark skies.

The County does not agree that Tierra Del Sol should be included in the discussion of high-quality astronomical research sites. However, the DEIR has been revised to include this site under Section 2.1.3.4 in the discussion of lighting within CPAs and Subregions as follows:

"Several CPAs and Subregions have identified dark skies as part of their community character, including those with a Zone A. These CPA and Subregions are the Alpine CPA, Bonsall CPA, Central Mountain Subregion, Crest/Dehesa/Harbison Canyon/Granite Hills CPA, Desert Subregion, Fallbrook CPA, Jamul/Dulzura CPA, Mountain Empire Subregion, North County Metro Subregion, North Mountain Subregion, and Valley Center CPA. Of particular note is the Tierra Del Sol Observation Site within the Subregion of Mountain Empire and more specifically within the Boulevard planning area. There is an on-going effort to protect the aesthetic and scientific value of this area from light pollution. As described above in Section 2.1.3.3, Issue 3, General Plan Update goals and policies would be implemented to maintain community character, including dark sky communities."

O10-4 The County appreciates the positive comments concerning the Agricultural Resources section of the DEIR. Responses have been prepared to the Potrero Community Planning Group comment letter dated August 13, 2009. See responses to comments C10-2 through C10-8 and C10-12 addressing agricultural issues.

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-5 The specific point of this comment in relation to the cumulative biological analysis in the DEIR is not clear. The County is actively developing Multiple Species Conservation Program (MSCP) Plans for North County and East County. Therefore, the County agrees that region-wide NCCP implementation is important and necessary. The comment is not at variance with the existing content of the DEIR.

O10-6 The issues raised in this comment are not at variance with the DEIR. Section 2.4.6.1 of the document explains why impacts are considered to be significant and unavoidable and why the mitigation needed to reduce impacts to below a level of significant is considered infeasible pursuant to CEQA. The allowance of development in areas outside of adopted habitat conservation plans is not something new that is proposed by the General Plan Update. Such development is allowed to occur now in San Diego County and throughout California.

O10-7 The comment claims that degradation of water quality, drawdown of the groundwater table, and modified stream flow are not sufficiently addressed in the General Plan Update. Yet these issues are addressed in the draft Land Use, Conservation and Open Space, and Safety Elements. Please see Goals LU-8, LU-13, COS-4, and COS-5, as well as Policies LU-5.3, LU-6.8, LU-8.1, LU-8.2, LU-8.3, LU-16.1, COS-4.1, COS-4.4, COS-4.4, COS-5.3, COS-5.5, and S-10.6. Nonetheless, impacts associated with these issues are expected and, therefore, are addressed within the DEIR under Biological Resources and Hydrology and Water Quality. As noted in the comment, some of the impacts are significant and unavoidable. These conclusions are appropriate given the types of impacts, their potential occurrences within the large area covered by the County's General Plan, as well as the uses allowed by right on private property under the General Plan Update. The proposed mitigation measures in the DEIR will substantially reduce such impacts associated with the project. However, considering all the past, present, and foreseeable future projects in the region, cumulative biological impacts will still be at a level of significance until the North County and East County MSCP Plans are adopted. Adoption of these plans will establish assurances that the many diverse habitat types, including riparian habitat, will be preserved in proportion to losses throughout the County.

O10-8 The County agrees with this comment and the issues discussed are not at variance with the DEIR.

O10-9 The border fence is a project of the federal government and not a component of the General Plan Update.

O10-10 General Plan Amendments and Zoning Variances would not be part of this project. The Conservation Subdivision Program (CSP) is part of the project and qualifies as mitigation for potential impacts from land uses. The CSP would take into account sensitive environmental resources and require avoidance or minimize impacts for future subdivisions.

O10-11 This comment contains statements of opinion that do not require a response.

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-12 The words "net deficit in aquifer volume or lowering of the local groundwater table level" (which is suggested to be revised) is part of the State CEQA Guidelines, and the County has no authority to change it. The 50 percent Reduction of Storage Guideline is one of several guidelines the County utilizes in the evaluation of significant effects. The County disagrees that groundwater extraction needs to be better defined.

The term groundwater extraction refers to actual pumping from man-made processes. The man-made processes are what are being proposed by development applications and therefore those effects are what are being evaluated. Natural processes are indirectly accounted for separately in water balance calculations, but are not considered groundwater extraction. As an example, phreatophyte consumption is technically considered to be groundwater evapotranspiration, and groundwater discharge between various basins is considered as inflow or outflow (not groundwater extraction). Please read Page 4 and 5 of Appendix D of the General Plan Update Groundwater Study, which provides a discussion of how the water balance indirectly considers natural processes.

O10-13 The County of San Diego Guidelines for Determining Significance – Groundwater Resources and Biological Resources provide the details of how to determine whether a proposed project will have a significant impact to groundwater resources. Through application of the Guidelines, the issues raised in this comment are considered and addressed in the DEIR to the extent they are known on a programmatic level based on data available.

O10-14 The mechanism to establish long-term sustainability of groundwater supplies is through application of the County Groundwater Ordinance which has density and site-specific regulations. Application of the County Guidelines for Determining Significance – Groundwater Resources is also a mechanism used by the County for discretionary projects. See also Implementation Plan measures 5.2.1.A through 5.2.1.D.

O10-15 The General Plan Update and DEIR plan for and address reasonably foreseeable future conditions. As discussed in Section 2.3.2 of the General Plan Update Groundwater Study, climate change and its impacts to groundwater resources is inevitably uncertain. There are dozens of publications each year with estimates on future precipitation trends and there is no consensus on future trends. There are publications that indicate San Diego and Southern California may be drier and there are publications that point to a wetter future. Due to the speculative nature of the potential effects of climate change on groundwater resources, the General Plan Update Groundwater Study does not assess potential impacts from climate change on groundwater resources. As was stated in the study, it is essential that the County continue to follow closely the work of climate scientists as continued research will likely shed light on the many uncertainties between climate change and its potential effects on local groundwater supplies.

O10-16 As stated in response to comment O10-15, due to the speculative nature of potential effects of climate change on groundwater resources, the study does not assess

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

potential impacts from climate change on groundwater resources (including changes in evapotranspiration).

O10-17 As stated in response to comment O10-15, due to the speculative nature of potential effects of climate change on groundwater resources, the study does not assess potential impacts from climate change on groundwater resources (including changes in precipitation).

O10-18 As stated in response to comment O10-15, due to the speculative nature of potential effects of climate change on groundwater resources, the study does not assess potential impacts from climate change on groundwater resources (including combined effect of groundwater recharge due to changes of evapotranspiration or precipitation).

O10-19 As stated in response to comment O10-15, due to the speculative nature of potential effects of climate change on groundwater resources, Policy LU-8.1 will not address climate change in consideration of long-term sustainability of groundwater supplies.

O10-20 In response, the County has changed Policy LU-8.2 to read as follows: "In areas without current overdraft groundwater conditions, evaluate new groundwater dependent development to assure a sustainable long-term supply of groundwater is available that will not adversely impact existing groundwater users." This will occur by applying the County Groundwater Ordinance, the County Guidelines for Determining Significance – Groundwater Resources, and other applicable regulations to future groundwater dependent development projects.

O10-21 The County agrees that determining whether a specific area is truly in an overdraft condition is not a simple process. However, the definition is an official definition as taken from the California Department of Water Resources, and is a good general definition for overdraft. The specifics of declaring an area to be in an overdraft condition involve a detailed process. The County appreciates this comment and the information provided.

O10-22 The dynamics of natural versus man-made processes are too detailed to be discussed within a policy level document such as the General Plan or EIR. In Section 3.1 of the County Guidelines for Determining Significance – Groundwater Resources, further details are provided in regard to the definition of overdraft which would consider elements other than just pumping, such as groundwater discharge to wetlands or streams.

O10-23 The County agrees that importation of mineral resources into the County increases greenhouse gas emissions. However, the CEQA guidelines for Mineral Resources are rather specific and do not address these issues. Greenhouse gas (GHG) emissions are discussed separately in Section 2.17 of the DEIR. Policy COS-10.7 Recycling of Debris has been added as a policy under DEIR Section 2.17.6.1 and draft Implementation Plan measure 5.4.2.B to further address compliance with AB 32. Recycling Salvaged Aggregate has been included as mitigation measure CC-1.19 in this DEIR section. On-road transportation is listed as the single largest

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

contributor to greenhouse gas emissions in San Diego County. While not specifically mentioned, truck trips from importation of mineral resources is a contributor to the overall GHG emissions from on-road transportation. This was not mentioned in the DEIR as this is at a project level impact whereas the DEIR is addressing climate change on a region-wide basis.

The County acknowledges the support for the establishment of an overlay zone for MRZ-2 areas.

O10-24 The County disagrees that mining and restoration are "very different" on one side of the CWA line versus the other due to groundwater resource issues. This is only one issue in the mining process and is covered in the discretionary process through application of the County Groundwater Ordinance and County of San Diego CEQA Guidelines for Determining Significance – Groundwater Resources. While not mentioned in the DEIR, the Groundwater Ordinance requires a mining project to address the valid concerns of permanent aquifer depletion and whether other local users of the aquifer would be impacted. The following required Groundwater Ordinance finding for projects using greater than 20 acre-feet of groundwater per year must be made: "that groundwater resources are adequate to meet the groundwater demands of both the project and the groundwater basin if the basin were developed to the maximum density and intensity permitted by the General Plan."

O10-25 It appears that the commenter meant to cite draft General Plan Policies COS-10.6, Conservation of Construction Aggregate, and 10.8, New Mining Facilities, which are related to the permitting process for mining projects. The County supports streamlining of the regulatory processes for mining permits in all available and compatible areas. Therefore, the County does not agree with this comment. See also response to comment O10-24 above.

O10-26 The County has prepared detailed evaluation, included in the Housing Element Background Report, of its existing housing resources, housing programs, government constraints to housing development and specific Goals, Policies and Implementation Programs for housing Development. Specific comments related to the adequacy of these programs are not included in the comment, and therefore, a more thorough response cannot be provided with regard to the Housing Element. The DEIR follows CEQA Guidelines, which recommend evaluation of environmental impacts associated with population growth and displacement of people or housing. Therefore, detailed discussion of Section 65580 of the Government Code is not included.

O10-27 The quantified objectives, financial resources, and scheduled programs are all included in the Housing Element Background Report, put out for public review with the General Plan Update. It is available on the County Website at http://www.sdcounty.ca.gov/dplu/gpupdate/docs/draftgp/h_appendix.pdf. It has also been turned into the State of California, Department of Housing and Community Development, for review in three separate 60 day review cycles, where the County has been working to resolve issues identified by the State of California, and has

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

been receiving iteratively shorter letters of concerns with the Element. The statement from Page 2.12-13 cited in this comment is an interpretation of the California Building Standards Code and does not make any conclusions regarding the proposed Housing Element of the General Plan Update. Therefore, no studies are needed in support of the statement.

O10-28 This comment raises an issue with the County Consolidated Fire Code and does not raise an issue with the DEIR; therefore, this comment does not raise a significant environmental issue for which a response is required. The commenter appears to be discussing the potential impacts caused by the implementation of the state/county dead-end road requirements on new development projects. It needs to be clarified that the requirements on the maximum length of a dead-end road are outlined under the California Code of Regulations Section 1273.09. These state regulations are copied verbatim and placed in the recently adopted 2009 Consolidated Fire Code. The County Code is not more restrictive than the state on this issue.

O10-29 The County does not concur that the proposed classifications for Mobility Element (ME) roads under the General Plan Update, which reflect a reduced capacity when compared to the existing General Plan, would preclude development in the backcountry. Although the capacity for many of these roads has been reduced under the General Plan Update, the ME roads are forecast to operate at an acceptable level of service. Additionally, the designation of regional roads under the Mobility Element is a separate issue from the dead end road length issue addressed in the previous comment.

O10-30 The County does not agree with this comment. The purpose of the EIR is to evaluate and disclose the project's potential adverse effects on the environment. Potential constraints to housing production are not a CEQA issue.

O10-31 The County acknowledges that some projects in the cumulative projects list may themselves include housing/density beyond what is proposed for the General Plan Update. Yet, that does not constitute substantial evidence that they would cumulatively induce substantial population growth beyond state and regional projections. As such, the County has determined that impacts would not be cumulatively considerable.

O10-32 The County does not agree with this comment. While the pending projects in Table 1-11 may include additional densities, their approvals are not a foregone conclusion and their inclusion as part of the proposed project would not be appropriate. See also response to comment G5-15.

O10-33 The County acknowledges that some large projects proposed in Mountain Empire may not comply with densities proposed by the General Plan Update. However, those projects would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Therefore, the conclusion in DEIR Section 2.12.4.2 is correct in that impacts would not be cumulatively considerable.

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-34 The County does not agree with this comment. While the pending projects in Table 1-11 may include additional densities, their approvals are not a foregone conclusion and their inclusion as part of the proposed project would not be appropriate. See also response to comment G5-15. In addition, the claim that such projects would cause displacement of people in other communities is highly speculative and not supported by evidence.

O10-35 This comment is unsubstantiated and does not contain sufficient detail or explanation to which a more thorough response can be provided.

O10-36 The County does not agree that this is an environmental issue associated with the proposed project that should be evaluated in the EIR. The following response is provided to clarify the issue and the County's position. The County of San Diego has endeavored, as a part of its 2009 legislative priorities, to assist owners of multiple legal non-conforming units on one parcel in the event of a disaster. In areas where the County has been notified that multiple houses exist, the General Plan Update land use map includes appropriate densities to accommodate eventual subdivision of the properties.

O10-37 This comment cites the fact that the San Diego Rural Fire Protection District (SDRFPD) does not have authority to create and adopt fire codes for planning and building projects. This comment does not raise a significant environmental issue related to the project since the authority assigned to fire districts is not decided under the General Plan. It should be noted that County planning staff and SDRFPD staff jointly review new discretionary development projects and as partners identify issues and possible solutions to fire and emergency service issues. Because SDRFPD is the fire authority having jurisdiction, deference is often given to SDRFPD on their recommendations.

O10-38 The County appreciates the comment and recognizes that existing private roads already exist to provide access to existing development. The Private Road Standards would apply when discretionary projects require the construction of new roads or the improvement of existing private roads.

O10-39 The County acknowledges that the Road Standards are also intended to permit modifications that would allow roads with or without curbs and gutters to be compatible with the desired character of individual communities.

O10-40 LOS is generally intended as a tool to determine the necessary capacity of a road to determine the appropriate number of travel and turn lanes. Road safety issues, such as sight distances, turn radii as compared to design speed, pavement textures, etc., are dictated by the road design. The County Road Standards, along with road and highway design manuals control how roads are designed to ensure they address safety considerations.

O10-41 Although the LOS thresholds identified in the Public Road Standards are ten years old, they are still acceptable for use today and are more affected by the type of roads than the age of the standards. Under the General Plan Update the thresholds have

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

been expanded to better account for road improvements such as turn and passing lanes and raised medians.

O10-42 The statement cited in this comment (DEIR Section 2.15.1.1 Traffic Conditions and Trends) that the average trip length is six miles was taken from Page 3-5 of the 2007 SANDAG 2030 Regional Transportation Plan (RTP). This figure is based on travel patterns for the region rather than just the unincorporated County.

The RTP is available at the following link:
http://www.sandag.org/programs/transportation/comprehensive_transportation_projects/2030rtp/2007rtp_3_final.pdf

O10-43 The statement that work travel comprises 26 percent of all highway travel and non-work travel makes up 74 percent has also been taken from the 2007 SANDAG 2030 Regional Transportation Plan (see response to comment O10-42 above).

O10-44 The County acknowledges that the 2007 average for work trips of 11.9 miles, which also is taken from the 2007 SANDAG 2030 Regional Transportation Plan (see responses to comments O10-42 and O10-43 above) is based on regional travel patterns and is not consistent with travel patterns in backcountry areas of the unincorporated County.

O10-45 The severely limited bus services in the backcountry are identified in the preceding paragraph under the "Bus and Rail Services" paragraph of Section 2.15.1.1:

"Bus and rail services in the unincorporated area are primarily provided to the more densely populated communities in the western portion of the County, while bus and rail service is severely limited in backcountry areas."

O10-46 The County does not concur that road safety should be considered when establishing level of service measures. Road design is more important to road safety. Roads are generally safer at LOS F because the large amount of traffic congestion requires very low travel speeds, which result in safer, but less efficient, roads.

O10-47 This comment concerns the County Consolidated Fire Code and does not address the adequacy of the DEIR or the draft General Plan; therefore, a response has not been provided.

O10-48 The estimated totals for vehicle miles traveled was derived by SANDAG staff from the General Plan Update traffic model that is primarily used to determine level of service for the road network. The VMT is based on the model output. The "Projected Vehicle Miles of Travel" section of DEIR Section 2.15.3.1 has been amended to note that this information was derived from the General Plan Update traffic forecast model.

Responses to Letter O 10, Rural Economic Action League (REAL) (cont.)

O10-49 In Appendix E, the existing number of lanes for SR-94 in Mountain Empire has been changed to correctly reflect that this road is currently only two lanes, rather than the four lanes previously shown.

O10-50 Appendix E has been changed to correctly reflect that SR-94 is proposed to be a two-lane road from the Jamul boundary to Buckman Springs Road.

O10-51 Appendix E has been changed to correctly reflect that SR-188 is proposed to be a four-lane road from SR-94 to Tecate, Mexico.

O10-52 This comment appears to express concerns that General Plan Update Mobility Element Policy M-3.3 would preclude the use of gates for fire apparatus access roads and secondary access routes. This is not the case as gates would be acceptable as long as they were in compliance with the County Consolidated Fire Code.

O10-53 This comment concerns the County Consolidated Fire Code and does not address the adequacy of the General Plan Update or the DEIR; therefore, a response has not been provided.

O10-54 The County does not concur with this comment which raises concerns that DEIR Section 2.16 Utilities and Service Systems fails to mention climate change and its possible effect on all systems. Climate change is addressed in a separate section of the DEIR (Subchapter 2.17). The purpose of Section 2.16 is to address the proposed project's impact on the environment with regard to provision of utilities and service systems rather than the impact from climate change.

O10-55 This comment states that DEIR Section 2.16.34 Groundwater Dependent Water Districts should have a "thorough discussion and reference to policies that will be implemented to help cope with the problem." The discussion and policies are provided in DEIR Section 2.16.6.4.

O10-56 The County appreciates the comment, but does not concur that it is necessary to expand General Plan Update Land Use Element Policy LU-8.1 to incorporate the adverse effects of climate change to the long-term sustainability of groundwater supplies. Policy LU-8.1 already "requires" land use designations consistent with the "long-term sustainability" of groundwater supplies. This long-term sustainability would include any impacts associated with climate change.

O10-57 The County appreciates the comment that the reviewer concurs with DEIR Section 2.17.3.2. Since the comment is not at variance with the DEIR, no further response is provided.

O10-58 This comment expressed appreciation for the County's efforts to complete the General Plan Update and the County recognizes that continued fine-tuning of the project will be necessary.

Comment Letter O 11, San Diego County Archaeological Society, Inc.

San Diego County Archaeological Society, Inc.

Environmental Review Committee

26 August 2009

To: Mr. Devon Muto
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, California 92123-1666

Subject: Draft Environmental Impact Report and Draft General Plan
San Diego County General Plan Update
Log No. 02-ZA-001

Dear Mr. Muto:

O11-1. I have reviewed the cultural resources aspects of the subject DEIR and Draft General Plan on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the documents, we have the following comments:

Draft General Plan Update

O11-2. We note a number of changes that have been made to the draft that was circulated late last year. For those dealing with cultural resources, they are appropriate improvements and we appreciate their having been made.

O11-3. Regarding Policy COS-7.4, as noted in our letter of 29 December 2009, the citation of SB-18 needs to be made more specific as the number SB-18 is reused.

O11-4. In the Context portion of the Parks and Recreation section, the Preserves bullet correctly acknowledges that preserves can protect cultural and historical resources. Accordingly, we would suggest that the last sentence be expanded to say "…see also Policy COS-1 and related policies in the Biological Resources, Cultural Resources and Historical Resources sections".

O11-5. Similarly, we suggest the wording of Policy COS-21.3 be expanded to also include cultural landscapes as well as natural landscapes. It would also be appropriate for Park Design to consider and include cultural and historical resources, as the example in the accompanying photo (Rancho Guajome) exemplifies.

Comment Letter O 11, San Diego County Archaeological Society, Inc. (cont.)

General Plan Update DEIR

O11-6. We noted a minor typographical error in the second paragraph of Section 2.5.1.1, on page 2.5-2. The last sentence should read "Historic resources refer to the built environment…" The current text says "build" instead of "built".

O11-7. The first paragraph on page 2.5-6 refers to the C.W. Harris Site Archaeological District as having been placed on the National Register. To our knowledge, the District has been determined eligible for listing but has not been formally listed.

O11-8. The first paragraph on page 2.5-8 states that there is only one historic district in the unincorporated area of the county. In fact, there are two others in the historic property listing posted on the County's website, at http://www.sdcounty.ca.gov/dplu/4Historic/main.html. The Mataguay Historic District had an H Designator applied via REZ91-023, and the Glen Abbey Memorial Park is, in fact, also a district and also has an H Designator.

O11-9. On page 2.5-9, the first paragraph misspells Hubert Howe Bancroft's name as "Huber". The paragraph also states that the Rock House was made a National Historic Landmark in 1958. Per the San Diego Historical Society's website, at https://www.sandiegohistory.org/societies/springvalley/ranchhouse.htm, it was made a California State Historic Landmark in that year. And in the next paragraph, "Penasquitos" should be "Peñasquitos", and the name "Rancho de los Peñasquitos".

O11-10. On page 2.5-15, in the last paragraph, Glen Abbey Memorial Park should be added to the list of cemeteries listed as historic.

O11-11. On page 2.5-21, while the Resource Protection ordinance does, in fact, refer to certification by the Society of Professional Archaeologists, , it may be worth noting that the criterion now is membership in the Register of Professional Archaeologists. And the discussion of the Zoning Ordinance refers to "County Historic/Archaeological Landmark District", which appears to be a incorrect title.

O11-12. On page 2.5-25, the last sentence of the first paragraph is a bit garbled. Suggested replacement wording is "In addition, some resources exist within the unincorporated County that are historically significant but have not yet been designated."

O11-13. In Section 2.5.6.1, on page 2.5-36, the discussion of Policy COS-8.1 and the mitigation measures proposed omit explicit wording that would address preserving historic structures from being destroyed by what are now ministerial demolition permits. The County needs to address this problem, as well as demolition by neglect. Further, we suggest that penalties for demolition without proper permits should be strengthened to at least equal the cost of reconstruction plus what proper investigation and documentation would have cost. This would be comparable to the Cultural Impact Fee for activities that damage archaeological sites, which is included in the 2006 County *Report Format and Content Requirements* for cultural resources.

O11-14. Table 2.5-2, Significant Historical Sites, omits the Thing Brothers Store site in Tecate. While the structure was destroyed by the 2007 wildfires (after years of demolition by neglect), the property may contain significant historical archaeological resources and would retain the H

Comment Letter O 11, San Diego County Archaeological Society, Inc. (cont.)

O11-14. cont. Designator. Table 2.5-2 is also missing various other properties on the San Diego County Historic Property Listing on the County's website, as cited above. Please update the table so that it adequately conveys the breadth of the existing historic listing.

O11-15. SDCAS appreciates the opportunity to participate in the public review of the Draft General Plan Update and the Draft General Plan EIR.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

Responses to Letter O 11, San Diego County Archaeological Society, Inc.

O11-1 This comment provides an introduction to the comments that are addressed in responses to comments O11-2 through O11-15.

O11-2 The County acknowledges this comment supporting the recent changes made to the General Plan Update.

O11-3 The County agrees and has expanded draft General Plan Policy COS-7.4, Consultation with Affected Communities, to add: "The County is required by law, Senate Bill 18 Protection of Traditional Tribal Cultural Places (SB-18), to consult with the appropriate tribes for projects that may result in major land use decisions including General Plans, General Plan Amendments, Specific Plans and Specific Plan Amendment. In addition to these types of permits, it is County policy to consult with the appropriate tribes on all other projects that contain or are likely to contain, archaeological resources."

O11-4 Under Context in the Park and Recreation section of the draft General Plan Conservation and Open Space Element, the following text has been added to clarify that the policies under biological and cultural resources are also related to open space:

"In addition to the Park and Recreation goals and policies concerning Open Space, see also goals and policies under the Biological Resources and Cultural Resources sections in this Element."

O11-5 The County has revised Policy COS-21.3, Park Design, of the draft General Plan Conservation Element as follows:

"COS 21.3 Park Design. Design parks that reflect community character and identity, incorporate local natural and cultural landscapes and features, and consider the surrounding land uses and urban form and cultural and historic resources."

O11-6 The County appreciates this comment and has made the recommended revision to DEIR Section 2.5.1.1.

O11-7 The County agrees with the comment: The Harris Site CA-SDI-149 has been determined to be eligible for the National Register as a Code 2S1: Determined eligible for separate listing by the Keeper. DEIR Section 2.5.1.1, under the subheading "Significant Prehistoric Site," has been revised as follows:

"The C.W. Harris Site Archaeological District is one of the most significant archaeological sites in the western U.S. and has been ~~placed on the NRHP~~determined eligible for listing on the National Register of Historic Places (NRHP)."

O11-8 The County concurs with the comment and has revised the text in DEIR Section 2.5.1.1 under subheading "Historic Resources Surveys" as follows:

Responses to Letter O 11, San Diego County Archaeological Society, Inc. (cont.)

"~~One~~ Three designated historic districts exist~~s~~ in unincorporated County, the Camp Lockett in Campo, the Mataguay Historic District, and the Glen Abbey Memorial Park in Bonita."

O11-9 The County concurs and the recommended revisions were made within DEIR Section 2.5.1.1. The Bancroft Ranch House was designated as a California Historic Landmark No. 626 in 1958. There is a rock house on the property that is not a part of the Landmark. As such, this section of the DEIR was revised to clarify that it was the Ranch House that was designated, not the rock house.

O11-10 The County agrees with this comment. The provided information was added to DEIR Section 2.5.1.3.

O11-11 The County agrees with this comment. As such, corrections were made to DEIR Section 2.5.2.3 under paragraphs Resource Protection Ordinance and Zoning Ordinance.

O11-12 The County agrees with this comment. The suggested revision has been made to DEIR Section 2.5.3.1 as follows:

"In addition, some resources exist within the unincorporated County that are ~~eligible to be~~ historically significant but have not yet been designated."

O11-13 The County agrees that review of potentially historic resources can be conducted to further prevent significant impacts. Two mitigation measures have been added to DEIR Sections 2.5.6.1 and 7.2.5.1. See response to comment O15-2 below for additional information on this issue.

The County does not agree that it needs to address "demolition by neglect" or unpermitted demolition as part of the General Plan Update project. See response to comment O15-11 for additional information on this issue.

O11-14 The County agrees with this comment. Several County-approved historic landmark properties were omitted from Table 2.5-2. This table has been updated to reflect the current listing of historic properties.

O11-15 This comment provides concluding statements for which a response is not required.

Comment Letter O 12, San Diego County Taxpayers Association

San Diego County Taxpayers Association

Targeting Waste • Promoting Efficiency

110 West C Street, Suite 714, San Diego, CA 92101 • P: (619) 234-6423 • F: (619) 234-7403 • www.sdcta.org

August 28, 2009

Mr. Devon Muto
Chief, Department of Planning and Land Use
County of San Diego DPLU
5201 Ruffin Road, Suite B
San Diego, CA 92123

Re: Comments on the General Plan Update draft EIR

Dear Mr. Muto:

O12-1. The San Diego County Taxpayers Association is a nonprofit, nonpartisan organization dedicated to promoting accountable, cost-effective, and efficient government. We have several concerns with components of the Draft General Plan Update that impact the financial and environmental future of the County that we would like addressed within the Environmental Impact Report. They include the following:

O12-2. 1. **Inconsistency with SANDAG's Growth Forecast**: SANDAG's Preliminary 2050 Regional Growth Forecast shows that the region will continue to see an increase in population, which will in turn create an ongoing demand for housing units. SANDAG recognizes this and anticipates that the region will only have 84% of the available housing units available for its population. This is of significant concern since the General Plan Update drastically reduces density in much of the undeveloped area that could house much of this anticipated increase in population.

O12-3. 2. **Public Maintenance of Land:** With conservation-mandated proposals, questions arise concerning the public and private maintenance of that land. Without incentives in place to encourage developers to provide land as mitigation and maintain it privately themselves, how does the County anticipate it can financially accomplish this goal?

O12-4. 3. **Additional Pressure Exerted on Infrastructure and Schools:** Lowering densities in areas currently not developed may achieve conservation goals. However, increasing densities in areas with higher densities have other consequences such as traffic and pressure on existing schools and infrastructure.

O12-5. 4. **Property Values and Property Taxes Negatively Impacted:** The General Plan update does not take into account economic impact, which is especially critical when further restricting land use. Reduction in the General Plan-designated densities can lower property values. This is of concern since many use their land as equity. There are parts of the "backcountry" that have had their densities reduced ten times from the existing General Plan

Comment Letter O 12, San Diego County Taxpayers Association (cont.)

O12-5. cont. to the "update." In addition to lowering property values, property tax revenue may also be negatively impacted. The County might be cutting itself off from future property tax revenue that could occur from developments and land sales. Additionally, restricting land development can be an impediment to economic growth.

O12-6. 5. **Inconsistency with the MSCP and General Plan:** The Multiple Species Conservation Program and the General Plan may have results contrary to the goals of both. Since the MSCP requires a specifically designated portion of mitigation land, and the General Plan requires lowering of densities, land may not be there for mitigation—which will ultimately require the County to enter the business of purchasing land *and* maintaining it.

O12-7. 6. **Limits Tax Revenue From Transregional Commuters:** There are many people that are considered transregional commuters—people who work in San Diego but live in Mexico, Riverside County, and Imperial County. By limiting future housing, the County is limiting the ability to draw in their tax dollars if they elect to live closer to work—which may occur if gas prices escalate again.

O12-8. As previously stated, these are all elements that we believe are critical to the financial and environmental health of the County, and SDCTA would like each matter addressed. Please do not hesitate to contact us if you have any questions or concerns. I can be contacted at 619-234-6423 or via email at joanne@sdcta.org.

Thank you in advance.

Sincerely,

JoAnne Golden
Policy Analyst

Responses to Letter O 12, San Diego County Taxpayers Association

O12-1 This comment is an introduction to comments O12-2 through O12-8 below.

O12-2 The County works closely with SANDAG planners and demographers regarding regional planning and population projections. The SANDAG 2050 forecasts are in the process of development. Of the 450,000 units SANDAG anticipates are needed in the region by 2050, 380,000 are accommodated in the General Plan Update and existing General Plans of the Incorporated Jurisdictions. SANDAG anticipates that the remaining 70,000 units will be accommodated through forecasted growth in specific cities through collaboration with those cities. As a result, the forecasts indicate that the General Plan Update will have sufficient capacity for the region's growth well beyond 2030.

O12-3 The County understands this concern and has been developing a multitude of ways to address it. Land-owner stewardship of private open space has been successful in establishing and maintaining small preserves within a larger open space network. This was verified by County staff through tracking and monitoring of previous projects. Public open space areas can be maintained and managed through a variety of methods including use of grant funds, formation of open space districts, partnerships with other agencies, and use of management agreements with private conservancies.

O12-4 The County agrees with this comment. These issues as they relate to adverse effects on the environment are addressed within the DEIR (see Sections 2.13, 2.15, and 2.16).

O12-5 Social and economic effects need not be considered in an EIR (see CEQA Guidelines Section 15064(e)). Outside of the DEIR, the County has considered the economic impacts of the General Plan Update and County staff continues to evaluate economic and financial considerations associated with the proposed project. Research to date suggests that there will be limited adverse economic impacts as a result of the General Plan Update.

Effects on property values are not environmental issues that require analysis in a CEQA document. Due to the numerous factors that affect property values, it is difficult to quantify what effect the General Plan Update will have on them. There is general agreement that a reduction in density from the General Plan Update on a property will potentially reduce its value, but research suggests that the effects may not be perceptible in most cases due to the following factors: planned densities are maximums and seldom achieved, thereby resulting in discounted valuations; the entitlement process can be costly and contains uncertainties further discounting valuations; many properties contain significant constraints such as steep slopes which reduce values; radical changes in market values over the past several years mask trends; limited land sales data is available for comparative analysis; and many appraisers, speculators, and brokers have been accounting for General Plan Update changes for several years.

The issue of property tax revenue is also not an environmental issue that would be analyzed in the CEQA document. It should also be noted that property tax

Responses to Letter O 12, San Diego County Taxpayers Association (cont.)

assessments are not determined the same way as purchase appraisals. Rather, the tax assessments are more closely related to original purchase price due to Proposition 13. Even considering the current downturn in the economy, property values have increased significantly over the past ten years; and this increase in value would only have resulted in increased tax revenues if the properties changed ownership during this period.

O12-6 The County appreciates and acknowledges this comment. This comment, however, raises a concern with regard to the implementation of the MSCP and is not related to an environmental issue pursuant to CEQA. Nonetheless, the following response is offered to address the potential issue of MSCP and General Plan Consistency.

It is true that the MSCP Implementing Agreement (IA) obligates the County to set aside a minimum of 101,268 acres of conservation. As noted in the IA, these lands shall be conserved through phased implementation of the MSCP which includes a combination of the following: (1) lands that were already preserved when the MSCP was adopted; (2) federal, state, and local acquisitions; and (3) application of the Biological Mitigation Ordinance (BMO). Based on annual monitoring reports, the County continues to be on schedule to meet this minimum preservation goal. The comment appears to suggest that the General Plan Update would result in lower densities when compared to the existing General Plan, and therefore, less mitigation land would be obtained through BMO compliance. Under this reasoning, there would be a shortage of preserve lands generated from option #3 above, which would increase the burden on federal, state and local agencies per option #2.

While the project does propose less density overall when compared to the existing General Plan, it is also focusing density in the western portion of the unincorporated County, away from the East County and Backcountry communities. Since the MSCP is located in the southwest part of the County's jurisdiction, densities within the MSCP Subarea Plan boundary overall will not be substantially different under the General Plan Update. In response to this comment, County staff evaluated the difference using the County GIS application and found that the proposed project's capacity has 3,166 fewer housing units in the MSCP when compared to the existing General Plan. This decrease is not expected to hinder the County in reaching the conservation obligation established in the IA. In addition, the proposed densities are more compatible with MSCP designations. When comparing the MSCP plan with the General Plan proposals, the majority of the areas identified as sensitive habitat are either already designated with lower densities under the existing General Plan or are proposed for lower densities. In most cases this lower density is the result of a combination of factors such as service availability, access and terrain in addition to habitat values. As such, the assembly of the preserve system may actually be timelier and less costly under the General Plan Update. The County anticipates that the proposed project will make it easier for land to be acquired by private developers as mitigation and by public agencies in order to meet the preserve needs. It should also be noted that the County entered into "the business of purchasing land and maintaining it," many years ago and continues to do so as a matter of policy in addition to meeting MSCP obligations.

Responses to Letter O 12, San Diego County Taxpayers Association (cont.)

O12-7 This comment pertains to changes in tax revenue and does not raise a significant environmental issue pursuant to CEQA. Moreover, the County does not agree that it is limiting future housing because SANDAG has projected sufficient capacity well beyond 2030. The General Plan Update utilizes solid planning principles that will lead to real cost benefits in terms of reducing infrastructure, demand on public services, and associated long-term maintenance.

O12-8 This comment provides concluding statements for which a response is not required.

Comment Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter

SAN DIEGO REGIONAL CHAMBER OF COMMERCE

San Diego Regional Economic Development Corporation

BIA BUILDING INDUSTRY ASSOCIATION OF SAN DIEGO COUNTY

August 31, 2009

Mr. Devon Muto
Chief, Advance Planning
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
Mail Station: O-650
San Diego, CA 92123

Re: **Comments to Draft General Plan Update Environmental Impact Report**

Dear Mr. Muto:

This letter is on behalf of the San Diego Regional Chamber of Commerce (Chamber), the San Diego Regional Economic Development Corporation (EDC), and the Building Industry Association of San Diego County (BIA). Thank you for this opportunity to provide comments on the Draft General Plan Environmental Impact Report (DEIR).

O13-1. We appreciate the extraordinary effort the County has undergone to prepare the General Plan Update as well as many of the associated documents. We will submit a letter commenting on the General Plan Update itself, and its various policies and goals, within the next month. This letter focuses on our comments on the Draft EIR. We may have additional comments as we continue our review of the voluminous documents and, if so, will present those to you as the project moves toward its public hearings.

Project Description

Page 1-14, Section 1.8.1 Community Plan Updates *"Under the proposed project, existing community plans would be updated for consistency with the General Plan Update elements by removing outdated policies, goals, conditions, and any information that is inconsistent with the updated General Plan."*

O13-2. Land Use Policies LU-1.10, LU-2.2, LU-3.2, LU-3.3, LU-6.3, LU-6.4, LU-9.8, and LU-9.12 address many of the core goals and objectives of the General Plan Update as outlined in the Project Description, including the assignment of land uses, housing densities and types, smart growth planning objectives (walkable neighborhoods, Villages), and conservation subdivisions. However, these land use policies defer their application and, therefore, their validity to the either the Community Plans or a community

Comment Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

O13-2. cont. character consistency determination. At best, these policies are circular (deferring applicability to Community Plans which themselves are to be consistent with the General Plan—see statement above), and, at worst, for the purposes of CEQA analysis, they are undefined as the Community Plans have not been comprehensively updated, community character and its relationship to the implementation of these policies is not defined, and there is no way of determining to what extent, if any, these policies will be implemented.

O13-3.

O13-4. However, they serve as the foundation of the General Plan project description. They are part of the key implementing tools of General Plan but they are effectively neutralized. Consequently, the Project Description of the General Plan is called into question. Short of removing the deference of applicability to the Community Plans and community character consistency, the DEIR must analyze the impacts of not implementing these policies, including but not limited to, any associated increases in impacts to land use, traffic, GHG emissions, biological resources, and agriculture.

O13-5.

Economic Development

O13-6. We note that although the County has prepared a comprehensive General Plan Update, and an associated Implementation Plan, it has not prepared an Economic Development Strategy or an economic analysis of the Proposed Land Use Map and General Plan Policy Framework (General Plan Elements, Goals and Policies). Although the need for balancing open space preservation with economic vitality is mentioned several times in both the Project Objectives and the project description, we were unable to find any discussion of the factors that will create economic vitality or any discussion of how such vitality can be achieved in the DEIR. Preservation of open space and community character are referenced throughout, but economic vitality, employment and a jobs/housing balance are not included in the discussion or analysis.

O13-7. The DEIR states that "employment opportunities and associated housing demand would be developed consistent with each other," yet there is little evidence to support that conclusion. For example, in Tecate there are proposed large increases in commercial and industrial uses without a corresponding increase in housing. The DEIR has failed to do any analysis of the amount of employment that could be accommodated in each planning area given a certain population or amount of housing.

O13-8. The DEIR also fails to address job creation on Tribal Lands and the associated need for housing in the communities surrounding these lands. The lack of housing planned in these communities is inconsistent with the purpose and intent of SB375 to achieve a jobs/housing balance within and around communities. It is also inconsistent with the Project as described. Without the provision of adequate housing for existing and planned employment in and around unincorporated communities, this will lead to significantly larger traffic impacts as people commute to and from these job centers to the western areas of the County. These impacts need to be analyzed the DEIR.

O13-9.

Comment Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

O13-10. While socio-economic analysis does not necessarily need to appear in the DEIR, except to the extent it will result in an environmental impact, we believe it is essential for long-term planning that the County take Economic Development into consideration.

O13-11. Moreover, there is no supporting evidence to show how the project objectives of achieving economic vitality, employment and a healthy economy are met through implementation of the Project. With the substantial downzoning proposed for much of the communities East of the County Water Authority Boundary, and without a jobs/housing balance in these communities, there is the potential for socio-economic decline in these communities which could lead to physical impacts ("blight"), unsustainable non-residential land uses (jobs/housing imbalance), and larger traffic and greenhouse gas impacts. These impacts need to be analyzed by the DEIR.

O13-12. That lack of any Economic Development Strategy makes it difficult to judge how well the Project meets certain Project Objectives. For example, the DEIR lists one of the objectives as to "[r]einforce the vitality, local economy … employment … opportunities." There is little evidence, such as an economic analysis of the Land Use Map and General Plan Policy Framework, to support a conclusion that the Project helps either the local economy or employment opportunities which, of course, is of major concern to our organizations.

Consistent Project Description

O13-13. The DEIR also lacks a consistent project description. While Section 1.8 of the DEIR includes an extensive list of project components, the analysis in Chapter 2 of the DEIR does not include analysis of the impacts of implementation of each of those components. It also is unclear how the DEIR is treating the community and subregional plans.

O13-14. At least some of the community plans are being amended as part of the General Plan Update process, yet details on the proposed amendments and associated amended land use maps and land use policies are not provided to the reader nor analyzed in the DEIR for their consistency with the General Plan. For example, the Biology section does not provide an analysis of the amount of each vegetation type that will be affected by the proposed project in each community plan area.

O13-15. A consistent project description is an essential element of an adequate EIR. *See, e.g., County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 197, 139 Cal. Rptr. 396.

Vague and/or Unclear Policies Used As Mitigation

O13-16. We also found certain policies in the General Plan Update to be vague and to lack clear implementation strategies. In addition, there are numerous policies that appear to establish objectives so broad as to be difficult if not impossible to implement. We believe it essential for the General Plan policies to be clear, concise and objective, and for the mitigation measures and mitigating policies to avoid using highly subjective terminology, or to be open to interpretation. Rather, the language in both the General Plan policies and the mitigation measures should be easily interpreted and able to be consistently applied.

Comment Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

Accuracy of Population and Housing Unit Forecasts

O13-17. Another of our concerns with the adequacy of the analysis in the DEIR centers on the County's decision to modify the SANDAG population forecast by inclusion of County-specific "constraints" to population and housing, which may result in an inequitable distribution of the region's population and housing. Moreover, we question the decision to increase the number of people per household in the assumptions. This a

O13-18. highly speculative conclusion that cannot serve as the basis for planning housing capacity.

O13-19. It is vitally important for the County to ensure that there is a sufficient supply of housing to meet planned employment uses and the SANDAG projections for population growth in the unincorporated area. Neglecting to do so forces employees to commute outside the County or between unincorporated areas and incorporated areas. Without adequate housing stock near work, employers cannot recruit sufficient numbers of employees, jeopardizing the planned employment and commercial uses for unincorporated communities. Severely downzoning the vast majority of the County means even less opportunity for those who work in the eastern portion of the County to live near work. Housing is an essential component to job recruitment and job retention for all businesses, and we are concerned that the General Plan Update fails to provide

O13-20. sufficient housing, especially when the densities in the plan are subject to a multitude of policies likely to reduce the amount of housing ultimately approved or which lack validity resulting from their deference to undefined thresholds like community character or to Community Plans which have yet to be updated.

Conservation Subdivision, Smart Growth Land Use Policies as Mitigation

Several of the community planning groups have made it clear that they will not accept the densities or allow the use of planning tools such as conservation subdivisions necessary to accommodate the RHNA projections. For example, the following language is proposed for certain Community Plan Updates as listed:

O13-21. **Descanso:** "*Discourage Clustered Development Projects and Conservation Subdivisions within the community of Descanso.*"

Crest/Dehesa/Harbinson Canyon/Granite Hills: "*Restrict development with residential clustering from utilizing lots less than one arce net, while requiring the development to provide imported water.*"

Fallbrook: "*Require a minimum lost of one gross acre in the Semi-Rural and Rural Lands Categories.*"

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O13-21. cont.

Some of the County's communities are proposing to eliminate densities of 15 dwelling units or higher which the State has said are necessary to meet affordable housing requirements. On a cumulative basis, this makes it increasingly likely that the County's General Plan will not be able to provide adequate housing to accommodate the County's proposed population level of 678,000, and certainly not the higher number of 768,000 estimated by SANDAG. This will lead to growth pressures on neighboring jurisdictions and neighboring Counties, making the County's General Plan inconsistent with the requirements of SB 375.

Improper Deferral

O13-22.

The DEIR also improperly defers analysis of the impacts of reasonably foreseeable upgrades and facilities that will be required due to the growth that is anticipated by the General Plan Update. Although the DEIR is only required to review the Project at a programmatic level, nonetheless analysis of reasonably foreseeable significant environmental impacts should not be deferred to a later stage of review to avoid addressing those impacts in this DEIR. *See* 14 Cal. Code Regs. § 15152(b). The DEIR should include standards or performance criteria governing the mitigation measures to be included in later, project-specific EIRs. For example, the DEIR should provide

O13-23.

information about the ability of the various water and wastewater agencies and suppliers to provide service, and about the status of each agency's infrastructure, and the ability of each to support the growth anticipated by the Project.

O13-24.

It is unclear from the DEIR what proportion of new development is anticipated to be served by septic or other wastewater disposal systems, for example. Section 2.16.3.1 the DEIR states that "Implementation of the proposed General Plan Update would direct the majority of the anticipated population growth within the unincorporated County into the western portion of the County…the demand for wastewater treatment would potentially increase … an increase in waste water demand would require the need for new or expanded facilities." Yet any discussion of the reasonably foreseeable impacts from such facilities is deferred to future environmental review. Each water and wastewater agency is left with the task of assessing infrastructure needs and conducting subsequent CEQA review for those upgrades.

O13-25.

Instead, the DEIR should (1) explain why formulation of the specific mitigation measures following future study is appropriate under the circumstances, (2) commit itself to mitigation through appropriate conditions, (3) provide a list of mitigation alternatives to be considered, analyzed and possibly incorporated into the mitigation plan, and (4) use independent performance standards to supplement regulatory agency approval of the mitigation plan.

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O13-25. cont.

In a recent case, *Sierra Club v. City of Tulare* (2009) Case No. 08-228122 (Exhibit A) the Court overturned the City of Tulare's 2030 General Plan Update for similar inadequacies stating that "[t]he City admits that it was required to identify feasible and "fully enforceable" mitigation measures. However, the city ignores CEQA's prohibition against deferral of the formulation measures unless it can be shown that practical considerations prevent formulations of mitigation measures, in which case the agency can satisfy CEQA by (1) committing to eventually devising such measures, and (2) articulate specific performance criteria at the time of project approval…." *See also San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal. App. 4th 645, 670).

Traffic Impacts

O13-26.

The DEIR's conclusion that there is no feasible mitigation available to mitigate the impacts of traffic on numerous road segments, and hence the decision to allow those road segments to remain significant and unmitigated, is not adequately supported. This conflicts with the objective of the General Plan Update road network as expressed in Section 1.7.1.3 of the DEIR -- to develop a road network that is adequately correlated with planned land uses. It hardly seems "adequately correlated" for the roads to be unable to meet the forecasted demand. Moreover, there is not substantial evidence to support the conclusion that mitigation is infeasible. No peak hour analysis was conducted to confirm the impacts themselves, and no specific information has been provided as to why the mitigation would be infeasible. For example, the DEIR broadly states that there are constraints such as biological resources that preclude the road widening that would at least partially mitigate the impacts, but there is no supporting information detailing what habitat is in the area that would be impacted by the road improvements, or why impacts to such habitat would be infeasible to mitigate.

O13-27.

O13-28.

Similarly, there is no discussion of whether alternative roads can be constructed nearby to alleviate some of the traffic on the impacted roadway, or if the flexible road design standards that are promoted in other policies in the General Plan Update can be used to accomplish the improvement in a way that can at least partially mitigate the impact.

O13-29.

Another way in which traffic on failing road segments could potentially be mitigated, but which is not mentioned in the DEIR, is through an alternative land use pattern – one that would allow sustainable mixed-use communities rather than implementing severe downzoning in the northern and eastern portions of the County. There are areas in the County in which job centers and employment exist but an inadequate housing supply generates interregional and inter-community commuting. Rather than exacerbating the situation by making it even more difficult to develop homes near these job centers, the DEIR should analyze whether at least some traffic impacts could be avoided, and greenhouse gas emissions reduced, by allowing semi-rural or even village densities in additional locations in the County in an effort to achieve the jobs/housing balance expressed in the project description.

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Public Infrastructure

"Policy LU-14.4 Sewer Facilities. Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond Village boundaries (or extant Urban Limit Lines) except when necessary for public health, safety, or welfare to preserve open space or serve civic facilities."

O13-30. The County's limitations on the expansion of infrastructure, such as sewer facilities, will severely limit the effectiveness of a key implementing tool, the conservation subdivision. The conservation subdivision is a major component of the mitigation strategy of DEIR, however limited infrastructure expansion will preclude the use of this tool, thereby making the DEIR environmental assessment inaccurate.

Climate Change

Section 2.17.3.2 contains a speculative set of possible effects of global warming on the County. From the information presented in the document, it appears that these effects

O13-31. could occur whether there is further growth or not, and whether the proposed project is adopted and implemented, or not. This section does not analyze the impacts of the proposed project on the predicted global warming trend, making it impossible for any reader or decision-maker to form an educated opinion about whether this proposed project will even have an impact.

O13-32. The climate change analysis also assumes complete build-out of the General Plan, including the hundreds of thousands of acres of rural lands that are highly unlikely to be completely built-out, regardless of their zoning, within the planning horizon of the General Plan, making the climate change analysis speculative.

A Reasonable Range of Alternatives

O13-33. The DEIR also fails, in our opinion, to consider a reasonable range of alternatives. Instead, it analyzes only a few, limited variations of one land use pattern – focusing 80% of development West of the County Water Authority Boundary and dramatically downzoning the Northern and Eastern portions of the unincorporated area. A

O13-34. reasonable range of alternatives would have included at least one alternative that considered increasing density in villages and semi-rural lands, in conjunction with the proposed conservation and environmental protection policies, in appropriate locations in the Northern and Eastern portions of the County.

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O13-35. Furthermore, the conclusion that downzoning the more rural areas of the County is necessary to avoid or reduce environmental impacts ignores basic constraints to the development of rural lands and the historical absorption rate of rural lands. In short, it is not a valid conclusion that downzoning rural lands is necessary to avoid larger environmental impacts. This invalid conclusion is based on the assumption that these lands will experience build-out in their entirety within the planning horizon of the General Plan, which is not supported by any evidence. To the contrary, the very slow

O13-36. absorption rate of rural lands should serve as the basis for determining the real contribution these lands would make to housing supply within the General Plan's planning horizon, a fraction of their planned density.

O13-37. Lastly, it does not appear that any effort was made to explore future opportunities for sustainable, mixed-use communities in areas not adjacent to existing village-type development, and certainly there is no alternative which discusses the impacts and benefits associated with developing new sustainable mixed-use communities in strategic locations outside of already-established communities. There is no evidence

O13-38. supporting the conclusion that expansion of existing infrastructure outside of the western areas of the County that already are developed would be infeasible in all circumstances, or to support the conclusion that additional village nodes of development cannot exist in areas outside of the County Water Authority boundary.

Conclusion

O13-39. In conclusion, key elements of the General Plan Policy Framework as mitigation for environmental impacts are inadequate as their implementation is subject to community group support and inclusion in Community Plan Updates. The Project as defined cannot be implemented under the current policy framework. The General Plan policy framework and map do not account for economic considerations. The conclusion that roads must be allowed to fail is not valid or supported by sufficient evidence. The EIR fails to account for the additional environmental impacts that may occur as a result of restrictions on conservation subdivisions, higher density, smart-growth development and expansion of infrastructure. And the EIR fails to analyze a reasonable range of Project Alternatives.

O13-40. We will have additional comments in a separate letter on the goals and policies of the General Plan Update. In the meantime, we appreciate the opportunity to participate in this very important review process and to help the County strike the ideal balance between the unincorporated area's competing land use interests. In light of the importance of this process and the significance of the proposed changes set forth in the General Plan Update and its DEIR, we urge you to take the time necessary to fully consider the input from all of the interested stakeholders, and to make the changes necessary to strike that difficult balancing of interests.

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O13-40. cont. Thank you for taking the Chamber, EDC and BIA's review of and recommendations on the General Plan Update DEIR under consideration. We look forward to your responses to our comments and to working with you in completing a General Plan that properly guides anticipated growth over the next 30 years.

Very truly yours,

Ruben Barrales
Chief Executive Officer
San Diego Regional Chamber of Commerce

Andrew Poat
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Scott C. Molloy
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cc: Chandra Wallar, Deputy Chief Administrative Officer
Eric Gibson, Director of Planning & Land Use
Jeff Murphy, Deputy Director

Responses to Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter

O13-1 This comment provides an introduction to comments O13-2 through O13-40 below.

O13-2 The County disagrees that the application of policies contained in the General Plan Update will be deferred to the community and subregional plans. Section 2.9.2.2, Local [Regulations], of the DEIR states: "The policies and programs contained in a community or subregional plan, which must be consistent with the General Plan, are intended to provide long-term guidance and stability in implementing the goals of the plan." Updated community plans must be consistent with the proposed project. The General Plan Update, if adopted, would serve as the land use policy framework for the entire unincorporated County. The General Plan Update provides programmatic guidelines for development in the entire unincorporated County and allows community plans to establish specific guidelines to implement the policies of the General Plan Update that are appropriate for their community. All future development in the unincorporated County would be required to comply with the policies of the General Plan Update, in addition to those identified in the applicable community plan. Therefore, the General Plan Update does not defer implementation of its policies. Refer to response to Building Industry Association comment G3-32 for additional information.

O13-3 The County does not agree with this comment. Updated community plans are included as a project component of the General Plan Update and analyzed as part of the DEIR. The draft updated community and subregional plans were circulated for public review and comment during the same time period and at the same public locations as the revised Draft General Plan Update and DEIR, including electronically on the internet at: http://www.sdcounty.ca.gov/dplu/gpupdate/draftgp.html#CommunityandSubregionalPlans. The relationship between the community plan updates and the implementation of the General Plan Update policies can be determined by reviewing these publicly available documents.

O13-4 The County agrees that the General Plan Update policies are the foundation for the DEIR project description. However, the County does not agree that the DEIR project description is called into question because the General Plan Update policies are "neutralized." As discussed in the response to comment O13-2, all future development in the unincorporated County would be required to comply with the policies of the General Plan Update. Community plans may provide more specific guidelines to implement the General Plan Update policies in each community. Therefore, the General Plan Update policies are not neutralized.

O13-5 The County has reviewed the proposed General Plan Update and does not agree that there is a conflict between the general policies and the Community Plans. Community plans contain goals and policies that will guide implementation of General Plan goals and policies in order to respond to community-specific issues. In addition, the County disagrees that the DEIR should analyze the impacts of not implementing the General Plan Update policies as part of the proposed project impact analysis. CEQA Guidelines Section 15126 states: "All phases of a project

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must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation." Therefore, the General Plan Update policies, as part of the proposed project, must be analyzed in the DEIR. However, DEIR Section 4.5, Analysis of the No Project Alternative, does analyze the impacts of not implementing the policies proposed by the General Plan Update. This section addresses the following issue areas: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems and climate change.

O13-6 The County does not concur that the General Plan Update should include an Economic Development Strategy or an economic analysis of the proposed Land Use Map and General Plan Policy Framework. The General Plan Update was meant to provide the framework to achieve this goal of a sustainable economy. Many of the policies within the Land Use Element, Conservation and Open Space Element, Housing Element, and Mobility Element were written with economic sustainability in mind. The County is not convinced that a county-wide economic strategy or analysis would be beneficial to the General Plan Update process given the substantial community differences. However, there is interest in conducting a community-by-community analysis that would accompany the comprehensive Community Plan updates that are planned to follow the General Plan Update approval process if there is sufficient funding and public interest.

The County does not agree that economic vitality should be within the DEIR discussion or analysis of the project. Social and economic effects need not be considered in an EIR. See CEQA Guidelines section 15064(e).

O13-7 The cited statement in this comment was included in DEIR Section 3.1.2 which discussed potential growth inducing impacts of the project. The County does not agree that the General Plan Update Land Use Map does not balance employment opportunities with housing demand. When preparing the draft General Plan Update, the County has endeavored to achieve a reasonable jobs/housing balance. A study was conducted by Economic Research Associates in 2005 which looked at jobs, retail, and population under General Plan Update and found that suitable ratios resulted. This report is available at http://www.sdcounty.ca.gov/dplu/docs/bos_may05_report.pdf. The comment also identifies Tecate as an example of where increases to commercial and industrial designations were applied to the Land Use Map without supporting housing. In Tecate, the intent is to create a unique community that is integrated with Tecate Mexico rather than one planned without consideration of the existing and planned land uses on the Mexican side of the border. A special study area is being identified in the community plan to explore the opportunity for commercial and industrial support uses within Tecate USA that would be focused entirely on the residents and businesses located in Tecate Mexico.

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O13-8 The County does not agree that job growth on tribal lands was not addressed. The County considered available information from tribes on anticipated development for their lands. Those projects have been included as cumulative projects in the DEIR. This information has also been provided to SANDAG for inclusion in the 2050 forecast. Therefore, job and housing projection within the 2050 forecast account for tribal development and job growth. Early in the General Plan Update planning process, the County made a conscious decision to focus development in accordance with the Community Development Model (Guiding Principle #2), which meant that rural lands around tribal reservations would remain rural. The County finds that housing to serve tribal lands is best located on the tribal lands themselves or in the County's existing villages. The County does not have land use authority on tribal lands; however, coordination efforts between the tribes and the County are welcome in order to maximize the jobs-to-housing balance on tribal lands.

O13-9 The County disagrees that the General Plan Update does not provide for adequate housing for existing and planned employment in and around the unincorporated County, and that the DEIR fails to analyze these impacts. A jobs-housing balance is a social consideration that is outside the scope of the DEIR. As stated in Section 15131 of the State CEQA Guidelines, economic or social effects of a project shall not be treated as significant effects on the environment. As proposed, the General Plan Update would accommodate the County's fair share of regional housing needs based on projected growth. The Department of Planning and Land Use (DPLU) has further reviewed and evaluated the draft General Plan Update and continues to find that it meets Regional Housing Needs Allocation (RHNA) requirements and accommodates a fair share of SANDAG's estimated need of 300,000 housing units region-wide by 2030. Both SANDAG and the California Department of Housing and Community Development are in support of how the County has addressed these issues and accommodated growth in the General Plan Update.

O13-10 The County agrees that sound economic development strategies and policies are needed for a sustainable economy. The General Plan Update was meant to provide the framework to achieve this goal. Many of the policies within the Land Use Element, Conservation and Open Space Element, Housing Element, and Mobility Element were written with economic sustainability in mind.

O13-11 The connection between the objectives of the project and the implementation of the project will be better clarified in the mandatory findings and the Board of Supervisor's decision. The DEIR was written in a manner that would objectively disclose and analyze the potential environmental impacts of the project and propose mitigation. The County disagrees that socio-economic analysis needs to be conducted to show the impacts of the density reductions to properties east of the County Water Authority (CWA) boundary. Unless it is related to an impact on the physical environment (based on existing conditions), a social or economic impact is not a significant effect. Without some evidence of physical change, CEQA does not require analysis of economic impacts from a proposed project. There have been no physical changes

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identified which would be caused by the proposed project in the areas of the County east of the CWA boundary.

O13-12 The County acknowledges and appreciates this comment. Ultimately, the Board of Supervisors must determine how the County can best meet its objectives. Mandatory findings will be prepared along with a recommendation to the Board that discusses these issues. It should also be noted that the information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O13-13 The County does not agree with this comment. The DEIR analysis includes the components of the project described in DEIR Section 1.8. The DEIR contains a programmatic assessment of the impacts resulting from all components of the project. Section 1.8 describes the Community Plan updates, along with implementing regulations and ordinances of the General Plan Update. The impacts associated with the Community Plan updates are similar to those associated with the proposed land use map, road network, and General Plan text. Regulatory and ordinance revisions are typically discussed as mitigation measures.

O13-14 The County has amended the DEIR Project Description Section 1.8.1 to clarify which Community Plans are being comprehensively updated with the General Plan Update. The Community Plan updates are not proposing any additional changes to Land Use Map that would need to be analyzed as physical impacts on the environment. The DEIR analysis incorporates these updates since they are based on the General Plan Update Land Use Map and their goals and policies are consistent with the goals and policies of the draft General Plan.

O13-15 The County does not agree that the DEIR does not provide an analysis of each vegetation type that will be impacted by community planning area. That information is provided in Table C-3 of Appendix C: Biological Resources Tables to the General Plan Update DEIR.

O13-16 The County does not agree that the General Plan Update policies are vague, or too broad, or that they lack clear implementation strategies. The comment notes that these are concerns associated with “certain policies” but does not give examples or recommended revisions. As such, the comment lacks sufficient detail to which a more thorough response can be provided.

O13-17 The County does not concur that County population forecasting is not consistent with population forecasts conducted by SANDAG. Early in the General Plan Update planning process, the County developed a population model that relied upon specific information that the County has and derives from experience as a local land use authority. The model has also allowed the County to evaluate and compare Land Use alternatives, with the same sets of criteria, throughout the process without the cost of an outside agency. The population numbers have been coordinated with SANDAG, and the future units established by both the County's and SANDAG's

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population models are within a reasonable range. The claim that this analysis could somehow result in an inequitable population distribution is illogical and unsubstantiated.

O13-18 The County does not agree with this comment. The comment seems to suggest that the County's population forecast model increased the persons per household (PPH) ratio. However, the County has kept this ratio the same through the General Plan Update process. In fact, SANDAG increased the PPH ratio in its forecast and lowered Vacancy Rates (Series 11 provided in 2004). This is why SANDAG had a higher population forecast coupled with a lower number of dwelling units.

O13-19 The County acknowledges the importance of providing a sufficient amount of housing to meet planned employment needs and to accommodate SANDAG's population forecasts. There is no evidence shown to support the claim that the County of San Diego is not providing an adequate amount of housing.

O13-20 The County disagrees that the General Plan Update does not provide a sufficient amount of housing for those who work in the eastern part of the County to live near their places of work. In preparing the draft General Plan Update, the County has endeavored to achieve a reasonable jobs/housing balance. The comment appears to cite the fact that the General Plan Update reduces densities overall when compared to the existing General Plan as the evidence that there will not be a sufficient amount of housing for the jobs in East County. However, when compared to existing conditions, backcountry communities will still have the potential for growth increases of 50 to 100 percent. The relatively few major employment centers located within the unincorporated communities will still have more than adequate housing potential. Therefore, there is no reason to conclude that a sufficient supply of housing would not be available to provide opportunities for people to live near work.

O13-21 The County acknowledges that the Conservation Subdivision Program has faced significant resistance from community planning and sponsor groups. The draft Community Plans that were circulated for public review in July 2009 continue to be refined. However, it should be noted that the lack of sewer in many areas requires minimum lot sizes of one acre or larger. Regardless, even a one-acre parcel size will enable clustering in designations of Semi-Rural 2 or lower densities. Conservation subdivisions will be allowed in all parts of the County and cannot be prohibited by community plans. Therefore, conservation subdivisions would be allowable and feasible in most of the Semi-Rural and all of the Rural Lands Regional Categories. The proposed project would allocate nearly 89 percent of all privately-owned lands under these two Regional Categories. As a result, there is no reason to conclude than one-acre minimum lot sizes will substantially affect projected housing.

O13-22 The County disagrees that the DEIR improperly defers analysis of the impacts of reasonably foreseeable upgrades and facilities that will be required due to growth associated with the General Plan Update. For example, the DEIR analyzes the potential impacts to wastewater treatment requirements that would result from build-

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out of the General Plan Update land uses at a programmatic level and proposes programmatic mitigation measures for the provision of wastewater treatment under the General Plan Update. Specifically, mitigation measure USS-1.2 requires the implementation and revision of Board Policy 1-84 to ensure adequate availability of sewer/sanitation service for development projects that require it.

O13-23 The County does not agree with this comment. Although standards and performance criteria are needed for some subject areas such as Utilities and Service Systems, these are dynamic issues that are not going to be resolved in the program EIR for the project. In actuality, the water and wastewater districts must provide status updates based partly on the land use map alternative that is adopted by the Board of Supervisors along with information provided by other land use authorities. However, the DEIR still provides information on these districts to the extent that it is available (See DEIR Sections 2.16.1.1, 2.16.1.2, 2.16.3.1, and 2.16.3.4).

O13-24 The DEIR Section cited in this comment (2.16.3.1) was focused on addressing the issue of whether or not the project would exceed the wastewater treatment requirements of the RWQCB. The County finds that the analysis provides an appropriate programmatic overview of this issue, including specific examples of impacted areas. It is not clear from the comment what the scope and extent is of the additional impact analysis being requested. Physical impacts on the environment from these facilities are included in the development impacts that are analyzed throughout Chapter 2 of the DEIR. Yet, project-level impacts proposed by water or wastewater districts would still be analyzed in greater detail within CEQA documents prepared by those agencies.

O13-25 This comment seems to suggest that the County develop a mitigation plan that water and sewer agencies follow for infrastructure upgrades. This would be an extremely difficult undertaking given the variety of possible projects that a water or sewer agency might undertake and the varying conditions that may apply throughout the unincorporated area. Such projects are also not within the jurisdictional purview of the County, and the serving agency will be the lead agency for purposes of CEQA. Therefore, the County does not agree with this comment and no revisions to the DEIR have been made.

Further, the cited case does not seem relevant in this situation. The County has provided appropriate and fully enforceable mitigation measures for the exceedance of wastewater treatment requirements of the RWQCB (See USS-1.1 through USS-1.3). To further propose mitigation measures for specific infrastructure projects outside the control of the County would be both speculative and unreasonable.

O13-26 It should be clarified that the DEIR conclusion is not that there is “no feasible mitigation” for impacts associated with the identified road segments. The conclusion is that the application of all feasible mitigation measures would not reduce the impacts to a level below significant (e.g., to Levels of Service D or better). Proposed mitigation is listed in DEIR Section 2.15.6.1 under subheadings “General Plan

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Policies" and "Mitigation Measures." The County acknowledges that many road segments have been accepted to operate at a level of service (LOS) E/F, but the County disagrees that this means that the road network does not meet the project objective to develop a road network that is adequately correlated with planned land uses. While the Board of Supervisors will determine what does and does not meet project objectives, the objectives go beyond just providing a road network that meets forecasted volumes of traffic. Other issues to consider are how the size and speed of a road will correlate to land uses, especially in semi-rural and rural areas where a four-lane road could dramatically change community character. Another consideration would be whether mature native vegetation along the roadway would be lost due to the need to widen a road. Therefore, in many instances, the County has made a conscience decision to accept a lower forecasted LOS rather than increase travel lanes that are based on full build-out conditions and regionally applied average trip generation standards.

O13-27 The County concurs that for County roads a daily rather than a peak-hour traffic assessment was conducted for the DEIR. This is consistent with the basis for the County road classifications that are based on the maximum capacity, roadway geometrics, and average daily traffic (ADT) volumes. Conversely, the assessment of State highways and freeways was based on a peak-hour analysis to be consistent with Caltrans road planning methods.

DEIR Appendix I, Impacted Roadway Segment and Supporting Rationale for Levels of Service (LOS) E and F Level Acceptance, provides specific rationale for each road segment where LOS E and F is being accepted. The draft Mobility Element is designed to provide an appropriate transportation network that correlates with the proposed land use pattern. This Element includes policies that ensure the road network will not be over built or over planned. While the General Plan Update will likely result in a number of road segments where LOS E and F are planned to be accepted, it is only because analysis has shown that the costs and impacts associated with widening would outweigh the benefits.

O13-28 This comment states that there is no discussion of whether alternative roads can be constructed nearby to alleviate traffic deficiencies, such as alternate parallel routes. Many alternatives were evaluated during the planning process which determined the Board-Endorsed Network. These alternatives are described in Attachment D of the report to the August 2, 2006 Board of Supervisors hearing concerning proposed changes to the Circulation Element Road Network. This report is located on the County website at the following: http://www.sdcounty.ca.gov/dplu/docs/pc_jul06_d.pdf. Also see DEIR Section 4.1.1 for additional discussion on road network alternatives.

In addition, the flexible road design standards were instrumental is reducing the need to widen many roads to four lanes. This is evidenced by the many roads with classifications that incorporate improvement options such as raised medians and turn and passing lanes.

Responses to Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

O13-29 The County appreciates this recommendation but does not agree that additional densities in backcountry areas, above those identified on the Referral Map, would constitute a reduction in environmental impacts. A wide range of alternatives are discussed in Chapter 4 of the DEIR, including alternatives with higher density or intensity. Ultimately, the Board of Supervisors will determine which alternative will best meet the County's objectives. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O13-30 The comment claims that Policy LU-14.4 would preclude the use of the conservation subdivision as a mitigation/implementation tool. However, no reasoning or evidence is presented to support the claim. As such, the County does not agree with the comment.

O13-31 The potential effects of global warming included in Section 2.17.3.2, Issue 2: Potential Effects of Global Climate Change on the General Plan Update, are from the San Diego Foundation's Regional Focus 2050 Working Paper and Technical Assessment, which explored what the San Diego region would be like in the year 2050 if current climate change trends continue. CEQA Guidelines Section 15148 refers to citations and states the "Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR." Therefore, the information contained in Section 2.17.3.2, Issue 2: Potential Effects of Global Climate Change on the General Plan Update, is not speculative, it was obtained from a reputable information source. The San Diego Foundation's Regional Focus 2050 Working Paper and Technical Assessment is the only comprehensive San Diego-specific assessment of climate change impacts available.

Not all CEQA issues have to be analyzed from the perspective of whether the project itself would cause the adverse effect. In some instances, subject areas are analyzed to determine whether the project would place people in a harmful environment. For example, under the Hazards Section of CEQA Guidelines Appendix G, recommended questions include whether the project would be located on a hazardous materials site or within vicinity of an airport. This is similar to the type of issue analyzed in Section 2.17.3.2, which looks at how climate change may affect the population and housing planned for under the General Plan Update. As stated under the Summary heading in Section 2.17.3.2, climate change impacts that would be most relevant to the unincorporated County are the effects on water supply, wildfires, energy needs, and impacts to public health. Conversely, the question of what effect the project may have on global climate change is discussed in Section 2.17.3.1 of the DEIR.

O13-32 The climate change analysis is based on a forecasted build-out of the General Plan Update Land Use Map which is consistent with SANDAG forecasts. The forecast does account for numerous constraints and the fact that not all density on every property will be built. While the Land Use Map may never fully be built-out, basing

Responses to Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

the analysis on a forecasted build-out provides a conservative approach to ensure that all appropriate impacts are considered. It also follows standard forecasting methodology and includes the best information available. Therefore, the County disagrees that this causes the analysis to be speculative.

O13-33 The County disagrees with the comment. The DEIR does discuss alternatives that would not concentrate development in the western portion of the County: the Backcountry Development Alternative and the No Project Alternative. The Backcountry Development Alternative is discussed in DEIR Section 4.1.1, Alternatives Considered but Rejected. Higher intensity development in the backcountry would not feasibly accomplish most project objectives, nor would it reduce environmental impacts. Therefore, this alternative was rejected from consideration. Additionally, the existing General Plan land use map is analyzed as the No Project Alternative in DEIR Section 4.5, Analysis of the No Project Alternative. This alternative has higher densities in the northern and eastern areas of the County than the proposed project. Therefore, two alternatives that would accommodate higher intensity growth in the backcountry were considered in the DEIR and the analysis of an additional alternative is not warranted.

O13-34 It appears that this comment is referring to a scenario similar to the Village Intensification Alternative discussed in Section 4.1.1 of the DEIR. For the reasons discussed in the DEIR, it was determined that this alternative was not appropriate for further analysis.

O13-35 The County agrees that there are numerous approaches to reducing environmental impacts other than reducing density. In fact, the DEIR includes numerous measures beyond reducing density to address environmental impacts. However, the County does not agree that it is incorrect to conclude that higher densities will result in more physical impacts to the land. All evidence from historic development in the County demonstrates otherwise.

O13-36 While the DEIR analysis is based on a forecasted build-out of the General Plan Land Use Map, the forecast does account for numerous constraints including the assumption that some properties will not achieve their maximum planned density. As a result, the County finds that its forecast is a conservative but suitable representation of the potential development that the General Plan Update would accommodate. It is also in alignment with SANDAG forecasts which also account for constraints and market forces.

O13-37 The County disagrees that no efforts have been made to explore opportunities for sustainable mixed-use communities outside existing village type development. For example, the General Plan Update is proposing new mixed-use villages in Fallbrook and Valley Center. Opportunities for additional mixed-use communities were not explored further because it would represent a scenario outside the range of reasonable alternatives identified by the Board of Supervisors.

Responses to Letter O 13, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation, and the Building Industry Association of San Diego County Joint Letter (cont.)

O13-38 The County disagrees that the DEIR makes any conclusions that expansion of infrastructure outside the western areas of the County would be infeasible in all circumstances or that additional village nodes of development cannot exist outside the County Water Authority boundary. In DEIR Section 4.1.1 Alternatives Considered but Rejected under the heading Backcountry Development Alternative, the DEIR concludes that additional higher density development in the backcountry would "produce additional burdens on infrastructure capacities since infrastructure is less available." This is not the same as saying it is infeasible. The County also disagrees that it has taken the position that additional village nodes of development cannot exist in areas outside the CWA boundary. The County has been coordinating to establish village patterns of development in both Tecate and Jacumba.

O13-39 This comment summarizes the issues addressed above. Responses to these issues were also addressed above; therefore, the responses are not repeated here.

O13-40 The County appreciates the comment and is committed to conducting a transparent planning process for the General Plan Update that fully considers the comments from all stakeholders.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR)

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Re: Draft Environmental Impact Report for the San Diego County General Plan Update

Dear Mr. Muto:

O14-1. We submit this letter on behalf of Save Our Forest and Ranchlands "(SOFAR") to express our grave concerns about the proposed update of the San Diego County General Plan ("proposed Plan" or "GPU") and the draft environmental impact report ("DEIR") for the GPU. Although we have only conducted a preliminary review of the DEIR, we find that it fails to comply with state law, as it flatly contravenes several core requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, section 15000 et seq.) ("CEQA Guidelines").

O14-2. Moreover, the Plan veers wildly from its purported objective of sustainability as it calls for the vast majority of growth over the next twenty years to be low density and scattered throughout the County's rural lands.

O14-3. This letter addresses only a few of the egregious problems in the proposed Plan and the DEIR. Upon more detailed review of both documents, SOFAR intends to submit additional commentary.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

I. Introduction

O14-3. cont. The County touts its proposed Plan as a "sustainable growth model" that facilitates efficient development near infrastructure and services, while respecting sensitive natural resources and protection of existing community character in its extensive rural and semi-rural communities. DEIR at 1-1 and Draft GPU at 1-2. Yet, our review of the proposed GPU finds that the County's approach to land use planning falls far short of established principles of sustainable urban planning. Rather than direct that the County's future development should occur within or immediately adjacent to existing cities or other urban areas, the overall intent of the proposed Plan is to encourage development around existing unincorporated communities. Moreover, the vast majority (90%) of the County's private lands would be developed at relatively low densities.

O14-4. The County's General Plan update process is a critically important planning exercise. While some jurisdictions update their plans every ten years or so, San Diego County's land use planning process appears to be stagnate. The current General Plan for the unincorporated County has not been comprehensively updated for 30 years (since 1979) and this GPU has been in the works for twelve years.[1] DEIR at 1-5. Given the County's apparent inability to move its planning process forward, it seems obvious that this Plan, once adopted, could be in place for the foreseeable future.

O14-5. At the same time, so much is at stake. The climate change crisis alone mandates a dramatic refocus on the County's business-as-usual approach. While the GPU and the DEIR discuss climate change, the Plan appears to have been drafted without any real commitment to tackling this ecological crisis. For example, the proposed GPU provides the County with the opportunity to direct growth to the cities and selected unincorporated communities that have infrastructure and services to accommodate future development. Directing growth to urban areas has numerous benefits in that it reduces energy consumption, reduces road and infrastructure costs, reduces vehicles miles traveled and greenhouse gas emissions, preserves the County's farmland, open space, and plant and wildlife habitat, and protects water quality and quantity. Unfortunately, the proposed Plan fails to provide such direction, instead offering a proposal that will result in uncontrolled sprawl and haphazard development patterns. In many instances, the proposed Plan weakens the protections afforded by the existing General Plan. Indeed, as evidenced by the *twenty-four* admitted significant unavoidable impacts that would result from

O14-6. adoption of the proposed GPU, the Plan will create long term environmental damage, affecting residents and future generations throughout the region.

II. The Proposed GPU Takes the County's Land Use In the Wrong Direction.

O14-7. The proposed GPU takes a fundamentally different approach than the existing General Plan in terms of directing where development should occur. Whereas the existing General Plan identified the overall goal of the Regional Land Use Element as directing growth to

[1] The General Plan Update was initiated in December 1997. DEIR at 1-21.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

O14-7. cont. areas within or adjacent to existing urban areas (Existing Land Use Element at II-2), it appears the intent of the proposed General Plan is to focus development in and around existing unincorporated communities. Proposed Land Use Element at 3-2.

Thus, rather than clearly guide development toward the existing 18 incorporated cities within the County, the proposed General Plan takes a far more laissez-faire approach as the following language demonstrates: "[t]hough considerable growth in the region is likely to gravitate toward existing urbanized areas to facilitate access to jobs and services and reduce vehicle commutes and gasoline consumption, demand for development in unincorporated County areas is anticipated to continue as available lands within urbanized areas diminish and residents choose to live in a rural environment." Proposed GPU at 2-6. The proposed Plan goes on to state that "[a]s growth continues in the region, a reasonable share will be accommodated in the unincorporated County provided that it sustains the natural setting, characteristics, and qualities that distinguish the County, its communities, and rural places as special places to live." *Id.* at 2-7. The DEIR for the GPU confirms that the County's planning areas that are currently relatively undeveloped are proposed to experience "the greatest amount of growth." DEIR at 1-28. Moreover, this development would be decentralized and low density since "most of the growth under the General Plan Update would be designated as semi-rural residential [1 unit/0.5 acre to 1 unit/20 acres]and rural land [1 unit/20 acre to 1 unit per 160 acres], with some village residential." *Id.*

O14-8.

While the proposed Plan recognizes that low-density, large-parcel development patterns cause impacts on environmental resources and increase the costs of providing community infrastructure and services (*see* proposed Plan at 2-7), the County nonetheless makes no concerted attempt to direct the growth to existing cities. This approach to land use development is the polar opposite of established smart growth principles and is certainly not sustainable.

A. The Elimination of Certain Regional Categories From the Existing General Plan Poses an Alarming Threat to the County's Environmental Resources.

O14-9.

Proposed changes in the County's approach to its regional land use categories have disturbing implications. The Plan's proposed replacement of eight regional categories with three categories poses an array of problems including the elimination of the protective provisions afforded by certain of the regional categories. For example, the elimination of the categories "Current Urban Development Area" and "Future Urban Development Area" demonstrates a marked lack of commitment on the County to direct future development to urban locations or to develop at urban intensities and densities. Moreover, by erasing the category "Environmentally Constrained Area" or "ECA" from the proposed Plan, San Diego would lose protections for its environmentally sensitive lands including floodplains, lagoons, agricultural preserves, areas containing rare and endangered plant and animal species, and private land-holdings within the

O14-10.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Cleveland National Forest. *See* Existing Land Use Element at II-12.[2] As Tables 1 and 2 below show, the proposed regional category "Rural Lands," would afford the most environmental protection of the three proposed regional categories but provides no where near the same level of projection currently afforded by the ECA regional category. The Rural Lands category does not have the same intent of protecting the County's rapidly diminishing environmental resources. Indeed, the proposed GPU specifically acknowledges the potential for very-low density development to occur on Rural Lands. *See* proposed Land Use Element at 3-8.

O14-10. cont.

Table 1: Existing Land Use Element Regional Categories

Regional Categories	Description
Current Urban Development Area	Includes those lands to which near-term development should be directed. Existing LUE at II-6.
Future Urban Development Area	Lands that will ultimately be developed at urban densities but which should be held in reserve for at least 5 years. Existing LUE at II-7.
Estate Development Area	Combines agricultural and low density residential uses. Parcels sizes 2 to 20 acres. Existing LUE at II-8.
Rural Development Area	Includes much of the privately owned properties outside the service boundaries of the County Water Authority. Mostly agricultural or unimproved lands. Parcel sizes of 4 to 20 acres or larger. Existing LUE at II-9.
Country Towns	Small historically established retail/residential areas serving surrounding low density rural areas. Clearly removed from existing and projected urban areas. Parcel size 1 acre. Existing LUE at II-10.

[2] The ECA includes all private land-holdings as defined in subsection (b) of designation (23) as amended by the Forest Conservation Initiative within the Cleveland National Forest outside Country Towns. Existing Land Use Element at II-12.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Country Residential Development Area	Includes those areas that are not intended for intense urban development as allowed by the Country Towns and Current Urban Development Area but are more densely settled than lands in the Estate Development Area. 70% of parcels shall be less than 2 acres in size. Existing LUE at II-11.
Environmentally Constrained Areas	Includes floodplains, lagoons, areas containing rare and endangered plant and animal species and private land holdings. Existing LUE at II-12.
Special Study Areas	Areas in which development is restricted pending reviews, studies or annexation to County Water Authority. Existing LUE at II-12.

Table 2: Proposed Land Use Element Regional Categories

O14-10. cont.

REGIONAL CATEGORY	DESCRIPTION
Village	Functions as the center of community planning areas. Reflects a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment, transit. Typically anchored by a Town Center. Proposed LUE at 3-8
Semi-rural	Appropriate for lower-density residential neighborhoods, recreation areas, agricultural operations, and related commercial uses. Often function as a transition between the Village and Rural Lands. Proposed LUE at 3-8

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

O14-10. cont.

Rural	Large open space and very-low density private and publicly owned lands that provide for agriculture, resource production, recreation … Rural lands are not appropriate for intensive residential or commercial uses. Proposed LUE at 3-9.

B. The Proposed Approach to Land Use Designations Would Also Result in Unsustainable Development and Lack of Environmental Protection.

In comparison to the existing General Plan, the proposed General Plan's land use designations show a continuing or even escalating trend toward low-density, decentralized land uses and a lack of commitment toward the protection of environmental resources. Indeed, as Table 3 shows, the vast majority (90%) of County private lands would be developed at rural and rural residential densities. While it would make sense to allow for some amount of low density development in the County, the proposed Plan makes an insufficient attempt to encourage compact land use development. Sound urban planning principles dictate that the County should first determine the amount of projected growth that could be accommodated within existing cities and urban areas and then direct growth to those locations first. If the County proceeds with the proposed GPU as it is currently drafted, it will be making a conscious decision to reject smart growth and sustainable land uses.

O14-11.

Table 3: Land Use Designations For Privately Owned Lands

Land Use designation	Percentage of unincorporated private land	Density
Rural residential	62.06%	1 unit/20 ac —> 1 unit per 160
Semi-rural residential	27.04%	1 unit/0.5 ac —> 1 unit/20 ac
Specific Plan area	5.23%	
Village residential	4.83%	2 units/ac —> 30 units/ac
Commercial	0.48%	
Industrial	0.35%	

Proposed Land Use Element at 3-10.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Moreover, whereas the existing Land Use Element contains several designations with the specific intent of acknowledging and protecting the County's environmental and agricultural resources, the proposed Land Use Element would eliminate many protective land use designations. For example, the existing Land Use Element includes two agricultural land use designations (#19: Intensive Agriculture) and (#20: General Agriculture), yet the proposed Land Use Element contains *no* agricultural land use designation. *See* Existing Land Use Element at II-22 through II-25 and Proposed Land Element Table LU-1 at 3-11. Rather than protect these resources with every viable tool, the proposed GPU merely looks to the Rural Lands designation to preserve agricultural areas. *See* proposed LUE at 3-13. Yet this designation would not ensure the protection of agricultural lands inasmuch as it would allow from 1 dwelling unit per 20 acres to 1 dwelling unit per 160 acres. While 160 acres may be a sufficient size to allow for viable agriculture, 20 acre parcels would undermine agricultural use and promote sprawling ranchette development. The County also proposes to rescind Board of Supervisor Policy I-38 (Agricultural Preserve) for most land that is not currently under a Williamson Act Contract. DEIR at 1-4 and 1-14. Removing this policy would likely have profound implications, both because it sends the message that the County is not committed to the preservation of farmlands and because the Agricultural Preserve designation applies to so much land (more than 300,000 acres) throughout the unincorporated County. DEIR at 1-14.

O14-12.

O14-13.

III. The DEIR's Analysis of Alternatives to the Proposed General Plan Update is Inadequate.

As discussed above, the proposed Plan will shape growth in San Diego County for decades to come. Determining which policies become a part of the Plan is likely to be one of the most important decisions the Board of Supervisors will make. It is thus crucially important that the Board and the public have all of the available information before it.

This DEIR, of course, is the main vehicle for that information. And at the "core of an EIR" lies the analysis of alternatives. *Citizens of Goleta Valley*, 52 Cal. 3d at 564. "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process . . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the environmental consequences of action by their public officials." *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 404. An EIR therefore must analyze a reasonable range of alternatives to the proposed project. *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal. App. 3d 433, 443-45. A reasonable alternative is one that would feasibly attain most of the project's basic objectives while avoiding or substantially lessening the project's significant impacts. *See* Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a).

O14-14.

Each of the DEIR's alternatives provide only nominal relief from the extensive environmental impacts that would be caused by implementation of the proposed GPU. For example, the proposed Plan would result in a 60 percent increase in vehicle miles traveled ("VMT") compared to existing conditions. DEIR at 2.15-19. While the Hybrid Alternative

O14-15.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

O14-15. cont.

would result in a total of 318,658 fewer VMT than the proposed Plan, this alternative would nonetheless still result in an astonishing *25,000,000* total VMT. *Id.* at 4-30. With this staggering increase in VMT, it comes as no surprise that the Hybrid alternative's (as well as the other Project alternatives') contribution toward global climate change would be significant and unavoidable. In addition, about 175,000 acres of special status plant and wildlife habitat would be lost as a result of the proposed Project. *Id.* at 2.4-1. The Hybrid alternative would be only marginally better as it would result in more than 150,000 acres of direct impacts to species. *Id.* at 4-13. Moreover, the alternatives as well as the proposed Plan's impact on agricultural lands would be significant and unavoidable. *Id.* at S-7. Thus, neither the Project nor any of the alternatives would result in a sustainable San Diego upon build out of the Plan.

O14-16.

The DEIR completely ignores the only truly sustainable land use alternative. A city-centered alternative in which growth is directed to areas inside, or immediately adjacent to, the limits of the County's 18 incorporated cities would substantially reduce the Plan's environmental impacts. A city-centered alternative makes sense from a transportation efficiency perspective since it would reduce the massive increase in VMT that would accompany the proposed GPU. As the DEIR itself explains, a mix of land uses within close proximity to one another and requiring less driving distance can result in a reduction in VMT. *Id.* at 2.15-19. In fact, the San Diego Association of Governments ("SANDAG") has been evaluating the feasibility of accommodating the County's projected population increases within existing urban areas and cities for purposes of developing alternatives for the next iteration of the Regional Transportation Plan. To this end, SANDAG developed a series of infill proposals for increased density in transit investment areas. These studies indicate that all of the County's projected growth can be accommodated within urban areas.

A city-centered alternative offers other environmental benefits as well. It would reduce emissions from vehicles, importantly including greenhouse gases. An alternative that results in city-centered development would also protect the County's agricultural resources, the backcountry, result in more efficient infrastructure and public services and ease the demand on the region's water supplies.

IV. The DEIR Inadequately Analyzes and Mitigates the General Plan's Contribution to Climate Change.

O14-17.

The DEIR acknowledges that annual carbon dioxide equivalent emissions ("CO_2e") under the GPU would increase by 7.1 million metric tons ("MMT") without incorporation of any GHG-reducing policies or mitigation measures. *Id.* Although the DEIR recognizes that implementation of the proposed Plan would contribute to global warming through increased emissions of greenhouse gases (at 2.17-22), the document fails to recognize the severity and extent of the looming climate change crisis or the role that the proposed GPU, if implemented, would play. In addition, the DEIR fails to provide sufficient mitigation for climate change impacts.

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

A. The General Plan and DEIR Must Recognize that Uncontrolled, Sprawling Growth Undermines State Greenhouse Gas Reduction Goals.

Reducing GHG emissions—rather than merely restraining their growth—is essential in light of the Legislature's enactment of AB 32, the California Global Warming Solutions Act. As the DEIR acknowledges, AB 32 requires that California's GHG emissions be reduced to 1990 levels by 2020. The DEIR appropriately acknowledges that by contributing to, rather than reducing, the County's and California's overall emissions, the proposed Plan will have a significant environmental impact. But this acknowledgment is insufficient: the DEIR is entirely wrong when it concludes that this impact is unavoidable. San Diego County has the
O14-18. ability to create and adopt a General Plan that advances the goals of AB 32, and this is the moment for it to do so.

Like every other urbanizing region, San Diego County is at a critical crossroads. It can take the "business as usual" approach embodied in the current GPU proposal, allowing or even encouraging decentralized land use development that creates sprawling communities and increases auto travel. Or it can make the decision to grow in a sustainable manner. The Legislature and the people of California have decided that this state must move toward sustainable growth. San Diego County's insistence on working against this goal is unjustifiable. Sound urban planning principles—as well as diminishing oil supplies and the looming global warming crisis—dictate that the primary way to substantially reduce vehicular use is by promoting city-centered growth and significantly expanding transit infrastructure and services.

B. The DEIR's Approach to Climate Change Mitigation Is Deficient.

The DEIR relies on vague and unenforceable mitigation measures to mitigate its significant contribution to global warming. CEQA requires more. "The purpose of an environmental impact report is . . . to list ways in which the significant effects of such a project
O14-19. might be minimized . . . ." CEQA § 21061. The Supreme Court has described mitigation as part of the "core" of an EIR. *Citizens of Goleta Valley*, 52 Cal. 3d at 564. It is important to note that the DEIR's obligation to identify mitigation is not diminished even if no available mitigation would reduce the impact all the way to a less-than-significant level. Any measure that will reduce the severity of the impact is still useful, and still must be identified and analyzed. *Cf. Santiago County Water Dist. v. Orange County* (1981) 118 Cal. App. 3d 818, 831.

Many of the DEIR's measures are vague, flexible and unenforceable such as
O14-20. "coordinate with APCD, SDG&E , and the California Center For Sustainable Energy *to research and possibly develop a mitigation credit program*" and "work with SANDAG to achieve regional goals in reducing GHG emissions associated with land use and transportation." DEIR at 2.17-30 (emphasis added). Other measures appear to bear no direct relationship to GHG reduction such as "[d]evelop and implement a County Operations Water Conservation Program."
O14-21. *Id.* at 2.17-32. While this measure and others like it relating to the potential implementation of recycling programs and minimizing potential wildfire risks constitute a good first step toward

Comment Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

O14-21. cont. sound urban planning, they fall far short of the types of measures necessary to effectively curb GHG emissions. As such the DEIR provides inadequate commitment to substantive, enforceable climate change mitigation and protection, and fails to provide mechanisms to ensure that climate change mitigation will evolve, as appropriate, while enduring across the twenty year General Plan lifespan.

O14-22. The DEIR does include a mitigation measure calling for the preparation of a Climate Change Action Plan. *Id.* at 2.17-29 (measure CC-1.2). We applaud the County for its decision to include emission reduction targets pertaining to emissions from County operations and community emissions. Yet, in light of the phenomenal increase in GHG emissions that would accompany build out of the GPU, the County must make some attempt at identifying the types of measures that would be put in place to achieve a 17 % reduction in emissions from County operations and a 9% reductions in community emissions from by 2020. California courts have determined that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79. In essence, we can find no evidence that the County is seriously committed to offsetting the substantial increase in GHG emissions that would result from implementation of the General Plan.

O14-23.

O14-24. Additional actions to reduce GHG emissions have been demonstrated to be feasible evidenced by their adoption by other jurisdictions in California. San Diego County should consider adopting all feasible mitigation measures using the powers the County has to enact ordinances and control development characteristics to reduce GHG emissions.

V. Conclusion

O14-25. We appreciate the opportunity to comment on the proposed General Plan Update. We request that the County consider carefully the issues raised in this letter and revise the proposed General Plan and DEIR accordingly.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

for

Laurel L. Impett, AICP,
Urban Planner

cc: Duncan McFetridge, SOFAR

Responses to Letter O 14, Save Our Forest and Ranchlands (SOFAR)

O14-1 The County appreciates the commenter review of the DEIR. The County does not agree that the DEIR fails to comply with State law or is inconsistent with CEQA.

O14-2 The County disagrees with the suggestion that the proposed project deviates from its objectives or with the statement that the majority of growth will be in low density designations with scattered development. Approximately 80 percent of the future growth will be accommodated within the County Water Authority boundary, with growth in that area directed to villages. Policies and regulations such as the Conservation Subdivision Program will discourage scattered development.

O14-3 The County notes that it is not an "urban" jurisdiction so urban planning which often focuses on transit, high density, and employment sectors is not applicable to most areas of the County. Contrary to the commenter's statement, the County has increased planned growth in areas near cities, transit, and more urbanized area. However, these areas are limited in the unincorporated area and the County has no land use jurisdiction over the cities themselves. The County agrees that most private lands will receive low density designations. In fact, the majority of these lands will have densities of 1 dwelling unit per 20, 40, or 80 acres. These very low density designations will reduce growth and impacts on land resulting in a sustainable development pattern for the County.

O14-4 This comment does not raise a significant environmental issue for which a response is required.

O14-5 The County does not agree that it can direct its share of growth to the cities. SANDAG growth forecasts for the region are based on the land use plans of all the jurisdictions in the County. The capacity for growth in the region in other jurisdictions is already accounted for. Additionally, because of the model dynamics, forecasted growth fills the incorporated cities before the unincorporated County. In all of the recent SANDAG forecasts, including the draft 2050 forecast, there was no residual capacity for growth in any of the incorporated cities. Therefore, it is impossible to direct more growth to the cities as they have no additional capacity for growth. See also response to comment S1-18.

Selected unincorporated communities that have infrastructure and services have been appropriately targeted for growth under the proposed project. In addition, every effort has been made to reduce sprawl and haphazard development patterns, thereby reducing costs, energy consumption, and emissions and protecting farmland, open space, habitat, and water quality and quantity. When compared to the existing General Plan, the proposed project substantially reduces sprawl and potential environmental impacts.

O14-6 The County acknowledges that the proposed project would result in twenty-four significant unavoidable impacts. This is because the DEIR evaluated potential impacts of the project compared to existing conditions on the ground using relatively low thresholds of significance. This approach was meant to fulfill the purpose and intent of CEQA documents, including full disclosure and analysis of potential adverse environmental effects. It should be noted that the DEIR also concluded that of the 81

Responses to Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

topic areas evaluated, the existing General Plan would result in greater impacts in 58 of the environmental subject areas. Therefore, the County does not agree that the proposed project weakens environmental protections when compared to the existing General Plan.

O14-7 Both the existing General Plan and the proposed General Plan Update focus new growth in and adjacent to urbanized areas. The difference between the General Plan strategies is more apparent outside the urbanized areas. The existing Plan generally allows semi-rural patterns of development private lands outside urban areas with the exception of those areas subject to the Forest Conservation Initiative (40-acre minimum lot size is required). In contrast, the General Plan Update retains 62 percent of private lands as rural residential where further subdivision of the land is severally limited. In exchange for the limited development in these rural areas, the proposed project focuses new growth around Smart Growth Opportunity Areas (SGOA) in accordance with the SANDAG Regional Comprehensive Plan (RCP).

O14-8 The County does not agree with this comment, which has selected statements within the General Plan Update text and DEIR and presented them out of context. With regard to cited sections from Pages 2-6 and 2-7 of the proposed General Plan text, the comment does not appear to be raising an environmental issue. Moreover, the section cited also goes on to state: "The County will implement this guiding principle by planning and facilitating housing in and adjacent to existing and planned villages."

With regard to the language cited from the DEIR (Section 1.13.3), the statements pertaining to areas with the "greatest amount of growth" are described by comparing existing conditions to build-out with the understanding that undeveloped areas receiving any growth would show a higher percentage of development increase than areas that are already developed but targeted for higher densities. While the General Plan Update does allow semi-rural development, generally within and adjacent to similar existing patterns of development, these areas represent a much smaller portion of the County than under the existing General Plan. Sixty-two percent of private lands would retain their rural character and limit further subdivision under the proposed project. See also responses to comments O14-5 and S1-18.

O14-9 The County does not agree with this comment. The comment appears to claim that the number of regional categories or the titles of the categories are relevant to where urban intensities and densities are located. There is no substantiation of this claim within the comment. The proposed new categories and the language included in the General Plan Update provide equivalent protection for resources. The County has provided an unambiguous land use map that illustrates where density/intensity is proposed and where low growth or no growth is proposed. In addition, the General Plan Update text describes the regional categories and spells out the County's commitment to sustainable growth.

O14-10 The County acknowledges this comment, but does not concur that the General Plan Update will lose protections for its environmentally sensitive land with the elimination of the Environmentally Constrained Area (ECA) Regional Category. Generally, the proposed project applies Rural Lands designations to areas currently under the ECA

Responses to Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Regional category in the existing Plan. Rural Lands designations typically require a similar or lower density than ECA designations. In addition, the goals and policies of the General Plan Update are more restrictive toward development on lands with physical and environmental constraints than the goals and policies of the existing General Plan.

O14-11 This comment states that, in comparison to the existing General Plan, the proposed General Plan's land use designations show a continuing or even escalating trend toward low-density, decentralized land uses and a lack of commitment toward the protection of natural resources. The County acknowledges that approximately 90 percent of the private lands would be designated at semi-rural and rural densities, but the County contends that these designations primarily recognize existing parcelization and would result in fewer additional housing units than the existing General Plan.

The comment further states that the County should first determine the amount of projected growth that could be accommodated within existing cities and urban areas and direct the growth to those locations first. The County does not have the ability to direct growth to cities because it has no land use authority there. See also responses to comments O14-5, O14-8, and S1-18. What the General Plan Update accomplishes is that it directs growth into, and adjacent to, the more urbanized areas of the unincorporated County and to the smart growth opportunity areas consistent with the SANDAG Regional Comprehensive Plan. The amount of growth is consistent with SANDAG forecasts of future housing needs for the unincorporated areas of the County.

O14-12 The comment states that the proposed Land Use Element would not protect agricultural resources since it is eliminating the two agricultural land use designations in the existing General Plan. The County does not agree with this comment. The existing designations establish minimum parcel sizes and densities of either two, four, or eight acres or ten or forty acres, while allowing clustering in certain circumstances. The actual uses allowed are established by the Zoning Ordinance. While, the proposed project eliminates these agricultural designations, it assigns appropriate densities for agricultural lands and allows clustering by-right. As with the existing General Plan, the actual uses are regulated by the Zoning Ordinance. Therefore, the primary difference between the existing Plan and the proposed Plan is that the General Plan Update provides more flexibility in that it allows clustering by right and offers greater flexibility for the densities assigned. The County does not agree that 20-acre lot sizes “promote sprawling ranchette development.” In San Diego County, 77 percent of operating farmers live on their farms. It is most likely that agriculture will occur, and be maintained, on contiguous lands that permit single family residential uses. Additionally, in San Diego County, at least 10 contiguous acres supports a wide variety of agricultural uses (p. 32 – County of San Diego LARA Model).

O14-13 The lands now covered by the Agricultural Preserve (Board of Supervisors Policy I-38), but not under Williamson Contracts, are currently not farmed. Further, land-owners are not currently applying under Policy I-38, to designate their property as an

Responses to Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Agricultural Preserve. Therefore, lands now covered by Policy I-38, for the purpose of preserving the land for either agricultural production or open space, are not conforming to those specified land uses. At this time, Policy I-38 is not fulfilling the goal of preserving land for agricultural production, unless the land is covered by a Williamson Act Contract.

O14-14 The comment cites relevant case law and regulations. It contains no comment and no response is necessary.

O14-15 The County does not agree with this comment. The comment cites that there will be a 60 percent increase in vehicle miles traveled (VMT); however, it should be noted that these impacts are estimated from the existing condition to build-out of the General Plan Update and prior to application of mitigation measures. Similarly, the alternatives analyzed in the DEIR are also described in terms of potential impacts prior to mitigation. When compared to the No-Project Alternative (existing General Plan), the Referral Map or other alternatives would substantially reduce the estimated VMT even before mitigation. When compared to the existing General Plan, the proposed project will result in a reduction of at least 3,000,000 daily VMT. This equates to a reduction of 550,000 metric tons of CO2 emissions per year. It should also be noted that the No-Project Alternative does not include any mitigating measures.

With regard to the conclusion that the General Plan Update's contribution toward global climate change would be significant and unavoidable, as discussed in responses to comments O1-20 and S1-13, the conclusions in the DEIR related to climate change impacts have been revised to be mitigated to a less than significant level. As explained in Section 2.17.3.1 of the DEIR, the determination of significance is based on whether or not greenhouse gas (GHG) emissions will be reduced to 1990 levels by 2020 pursuant to AB 32. With the General Plan Update and the proposed mitigation measures, the County is committing to meeting this requirement.

The comment goes on to state that the proposed project would impact about 175,000 acres of special status plant and wildlife habitat. Yet this is an estimate within the DEIR of total habitat impacts county-wide at build-out of the project prior to mitigation and without definitive information regarding how much of the habitat supports special status species. Likewise, the 157,139 acres estimated to be impacted under the Hybrid Map alternative is a quantification of potential direct and indirect impacts prior to implementation of mitigation.

With regard to the agricultural issue raised in the comment, the proposed project and alternatives would also substantially reduce the amount of land converted to non-agricultural uses when compared to the No-Project Alternative. Despite the considerable improvement and the mitigating measures proposed, impacts would be considered to be significant and unavoidable due to the low threshold of significance maintained by the County: "would the project convert San Diego County Agricultural Resources (including, but not limited to, Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance, pursuant to the FMMP of the California Resources Agency), or other agricultural resources, to non-agricultural use?" Given

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this determination of significance, and given that the County's General Plan allows many by-right uses that cannot prohibit conversion of agriculture on private lands, the conclusion that impacts are potentially significant and unavoidable is appropriate for the CEQA document. The County does not agree that neither the proposed project nor the alternatives would result in a sustainable San Diego. The commenter does not provide factual evidence to support this claim.

O14-16 The County concurs that a city-centered alternative would promote smart growth concepts and potentially reduce VMT. However, an alternative that would completely focus future growth in the cities is unrealistic, infeasible, and would not meet project objectives. See also responses to comments O14-5, O14-8, O14-11, and S1-18.

O14-17 The County does not agree with this comment. Impacts associated with climate change are adequately discussed and a thorough review of mitigation measures has been provided. See also response to comment O14-15 above.

O14-18 The County believes that the draft General Plan and DEIR is consistent with the intent of this comment. The General Plan Update as proposed would support achievement of AB 32 and as explained in responses to comments O1-20 and S1-13, the conclusions in the DEIR related to climate change impacts have been revised to be mitigated to a less than significant level due to the County's commitment as part of the General Plan Update. See also responses to comments O14-5, O14-8, O14-11, O14-16, O14-17, S1-4 and S1-18.

O14-19 The County does not agree with the first sentence of this comment. However, the County concurs with the cited requirements of CEQA and finds that the DEIR complies with these provisions. As discussed in responses to comments O1-20 and S1-13, the conclusions in the DEIR related to climate change impacts have been revised to be mitigated to a less than significant level due to the County's commitment as part of the General Plan Update. Additionally, the DEIR includes all feasible mitigation measures to reduce climate change impacts. See also responses to comments G5-45, S1-13 and S1-24.

O14-20 The County does not agree that the quoted measures are vague or unenforceable. They are a clear commitment of action that the County will undertake. The County agrees that there is flexibility in these measures. Such flexibility is appropriate in this case as the measures are related to interjurisdictional coordination and programs that the County does not have exclusive control over. See also responses to comments O14-19, G5-45, S1-24, and S1-25.

O14-21 The County does not agree with this comment. Water conservation is considered an essential GHG reduction measure for California where 19% of all electricity demand and 32% of non- generation natural gas demand is related to water use. This is critical in Southern California where transmitting water over long distances results in increased energy use. The County disagrees that the DEIR has not identified sufficient measures or that it does not provide a mechanism to continue addressing climate change. The project's 160 policies and measures, along with the proposed

Responses to Letter O 14, Save Our Forest and Ranchlands (SOFAR) (cont.)

Climate Action Plan, demonstrate the County's commitment to climate change mitigation.

O14-22 With adoption of the General Plan Update and the corresponding mitigation measures and policies, the County will be on track to meet its reduction goals. See also responses to comments O14-15, S1-4 and S1-13.

O14-23 The proposed project includes feasible and clearly defined mitigation measures to address GHG emissions and climate change (DEIR Section 2.17.6.1 and draft Implementation Plan). See also responses to comments O14-19, O14-20, G5-45, S1-24 and S1-25.

O14-24 The County has reviewed and considered programs adopted by other jurisdictions and those recommended by various agencies. Those considered reasonable and feasible for the County of San Diego and in alignment with the project objectives have been included. The County welcomes suggestions regarding additional feasible mitigation measures that may be included in the Final EIR or Climate Action Plan.

O14-25 This comment provides concluding statements for which a response is not required.

Comment Letter O 15, Save Our Heritage Organization (SOHO)

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August 31, 2009

Devon Muto, Chief of Advanced Planning
Department of Planning and Land Use
County of San Diego
via email: gpupdate.DPLU@sdcounty.ca.gov

Subject: San Diego County General Plan Update Draft EIR

Dear Chief Muto:

O15-1. These comments on the treatment of cultural and historic resources in the San Diego County General Plan Update Draft EIR are submitted on behalf of Save Our Heritage Organisation (SOHO). As I noted to you in a letter earlier this year, the updated General Plan should include feasible provisions at a programmatic level that will reasonably protect the County's unique resources in the upcoming decade. SOHO Executive Director Bruce Coons and I appreciated meeting with County planners earlier this month to discuss these concerns.

O15-2. Despite our written request, the Draft EIR fails to adequately identify feasible mitigations for the increasing pressure on historic resources caused by anticipated intensive new development in its historic town centers. The EIR should incorporate feasible programmatic mitigations for impacts to historic and cultural resources. Its conclusion that impacts are mitigated to a level of insignificance is unsupportable if demolition permits remain ministerial, as discussed further below.

O15-3. **Discretionary Demolition Review**: The EIR should review the County's system of ministerial demolition permits. While historic research and surveys are very valuable and should continue to expand, even more important is the development of a process that will allow the County some discretion in issuing demolition permits or alteration permits to significant historic properties.

Comment Letter O 15, Save Our Heritage Organization (SOHO) (cont.)

O15-4. Do the EIR consultants agree that the County's failure to allow such discretion is very rare in California, where other jurisdictions recognize that historic resources are important assets that benefit all of the people in the state? Isn't it true that clean water and air and wildlife and plant habitat are protected on private property and that historic and cultural resources warrant protection for the same reasons?

O15-5. Please amend the EIR to consider mitigation measures that include discretionary review of proposals to demolish or substantially alter properties meeting the CEQA definition of historic or cultural resources, so that feasible mitigations and alternatives may be imposed for projects that would otherwise cause significant impacts. If not, please explain why not.

O15-6. Without such discretionary review and the ability to impose feasible mitigation measures and alternatives, isn't the EIR's conclusion at section 2.5.7 (that impacts to historic and cultural resources may be mitigated to a level of insignificance —simply by increased identification and encouragement of preservation in section 2.5.6) unsupported? If not, why not?

O15-7. Isn't it feasible to develop a policy and program for discretionary review and mitigation of projects that propose substantial alteration or demolition of qualified historic resources of value to the County and its residents? Isn't it true that almost all other jurisdictions in California have such discretionary policies and programs for historic resources?

O15-8. The EIR should discuss a 50-year threshold of review for consideration of mitigation of projects affecting historic resources, consistent with the CEQA Guidelines and the requirements of the California Register of Historical Resources and the National Register of Historic Places.

O15-9. The EIR should include mitigation requiring review of all projects affecting potential historic resources, including demolition permits, by qualified staff and/or the Historic Site Board to ensure compliance with the appropriate *Secretary of the Interior's Standards* for the contemplated project affecting the resource; *i.e.* rehabilitation, restoration, reconstruction etc.

O15-10. **Consultation:** The EIR should discuss and include as mitigation for any project affecting a potential cultural resource a process for consultation with individuals and groups with expertise for purposes of determining the significance of the resource. These individuals and groups should include but are not limited to historical societies, preservation groups, Native American groups, and

Comment Letter O 15, Save Our Heritage Organization (SOHO) (cont.)

O15-10. cont. knowledgeable local individuals.

Penalties: As part of a policy requiring discretionary review and mitigation of projects threatening the significance of historic resources, the EIR should discuss and include the imposition of penalties as mitigation for the unlawful demolition of cultural resources without permits. The EIR should consider a

O15-11. mitigation measure levying a fine equal to the cost of reproducing the resource as determined by a qualified preservation architect. Fines could be used for restoration/reconstruction of the resource or, if not feasible, should go into a fund administered by the HSB to benefit historic preservation projects. The various options should be discussed in the EIR.

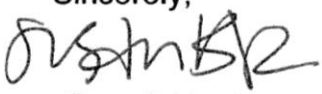
Survey: As part of the general plan update process, the EIR should

O15-12. include a survey of the County unincorporated area to identify potential historic resources to aid in the planning process for future development and for disaster response planning.

O15-13. Please revise the EIR as requested, and recirculate for public and agency comment.

Thank you for the opportunity to comment.

Sincerely,



Susan Brandt-Hawley

cc: Bob Citrano, AICP, robertcitrano@sdcounty.ca.gov
Gail Wright, gailwright@sdcounty.ca.gov
SOHO

Responses to Letter O 15, Save Our Heritage Organization (SOHO)

O15-1 This comment provides an introduction to the comments that are addressed in responses to Comments O15-2 through O15-13.

O15-2 The County acknowledges this comment. Demolition Permits and Building Permits are ministerial when they are proposed as allowed uses within a given zone. To further prevent potentially significant impacts to historic and cultural resources, the following mitigation measures have been added to DEIR Sections 2.5.6.1 and 7.2.5.1:

Cul-1.7 Identify potentially historic structures within the County and enter the information in the Department of Planning and Land Use property database. Identification will occur by compiling information from all available sources (e.g., County surveys, Historic Site Board, information received from SOHO and community planning groups, information from other jurisdictions, etc.) and shall be updated at least every five years.

Cul-1.8 Revise the Resource Protection Ordinance (RPO) to apply to the demolition or alteration of identified significant historic structures.

O15-3 In response to this comment, the County proposes to create a review system along with supporting regulations which will identify historic buildings as part of the building or demolition permit process. See additional mitigation measures Cul-1.7 and Cul-1.8 as noted in response to comment O15-2 above.

O15-4 Research by County staff has shown that, while almost all cities and counties within California have some form of Local Register where significant historical properties are listed, there were varying levels of commitment to identifying and screening for unidentified historic structures during the application process. The County is committed to protecting historic and cultural resources in much the same way that clean water and biological resources are protected (See County of San Diego Resource Protection Ordinance).

O15-5 Please refer to responses to comments O15-2 and O15-3 above.

O15-6 While the County as lead agency still finds that the DEIR conclusions are valid, it has added additional mitigation measures in response to the commenter's concerns. See response to comment O15-2 above.

O15-7 The County agrees that it is feasible to have a policy for review of ministerial applications when a potentially significant structure may be altered or demolished (refer to responses to comments O15-2 and O15-3). The County does not agree that almost all other jurisdictions in California have this level of review (see response to comment O15-4).

O15-8 The County agrees with the comment that the 50-year threshold should be discussed. The following paragraph has been added to the EIR Section 2.5.3.1 under Guidelines for Determination of Significance:

Responses to Letter O 15, Save Our Heritage Organization (SOHO) (cont.)

The County of San Diego Ordinance No.9493, Section V (d) (2) (Types of Historical Resources and Criteria for Listing in the San Diego County Register of Historical Resources) states that one of the criteria for historical listing is "historical resources achieving significance within the past fifty (50) years." However, the County's Significance Guidelines states that "A resource less than fifty (50) years old may be considered if it can be determined that sufficient time has passed to understand its historical importance.

In addition, Section 2.5.3.1 (Summary) has been revised with the addition of the following sentence.

The County has a 50-year threshold to review for consideration of mitigation for projects affecting historic resources to ensure their consistency with CEQA Guidelines and the requirements of the California Register of Historic Resources and the National Register of Historic Places.

O15-9 Please refer to responses to comments O15-2 and O15-3 above.

O15-10 In response to this comment, the following mitigation measure has been added to DEIR Sections 2.5.6.2 and 7.2.5.2:

Cul-2.6 Protect significant cultural resources by facilitating the identification and acquisition of important resources through regional coordination with agencies, and institutions, such as the South Coast Information Center (SCIC) and consultation with the Native American Heritage Commission (NAHC) and local tribal governments, including SB-18 review, while maintaining the confidentiality of sensitive cultural information.

O15-11 The County does not agree that this recommendation is necessary or appropriate. The County investigates any known or reported case of land use or building code violation within its authority. As part of the investigation, the County attempts to determine forensically whether or not any historic or cultural resources have been adversely affected; and if so, require mitigation. A monetary fine may serve as mitigation only if it clearly serves to mitigate the adverse effect. It should be noted that any damage, unlawful or otherwise, of historic or cultural resources that does not involve building code or land-use violations would be outside the jurisdiction of the County. Moreover, since the General Plan Update project is not proposing unlawful demolition of historic or cultural resources, the request made in this comment is not justified.

O15-12 The County agrees with the importance of surveying to identify potential historic resources, but does not agree that the General Plan Update project necessitates a process to survey the entire unincorporated area. This recommendation is not feasible and is not warranted. It should be noted that the proposed project would substantially reduce potential impacts to historic and cultural resources when compared to the No Project Alternative.

Responses to Letter O 15, Save Our Heritage Organization (SOHO) (cont.)

In addition, several community surveys already exist that identify historic properties and alert County staff to the presence of potential historic or cultural resources prior to development. The County also uses the CHRIS database to screen sites for potential impacts as part of discretionary review. While it may not be feasible to evaluate all un-surveyed areas in the unincorporated County at this time, the County plans to participate in additional surveying efforts through available grants and as part of discretionary project reviews.

O15-13 Some revisions to the DEIR, the draft General Plan and the draft Implementation Plan document will be made based on the above comments. However, the County does not agree that recirculation of the DEIR is necessary pursuant to CEQA statutes and guidelines.

Comment Letter O 16, Save Our Rural Economy (SORE)

S.O.R.E.
(Save Our Rural Economy)
P.O. Box 455
Campo, CA 91906
(619) 478-1023

August 28, 2009

Devon Muto
County of San Diego DPLU
5201 Ruffin Road, Suite B
San Diego, California 92123

HAND DELIVERED
&
US MAIL

Re: Comments on the General Plan Update Draft EIR

Dear Mr. Muto:

O16-1. Please accept this letter in response from Save Our Rural Economy (SORE) to the County of San Diego's Draft Environmental Impact Report for the General Plan Update.

In Chapter 2.9 Land Use of the Draft EIR, impacts of the General Plan Update are analyzed according to three CEQA guidelines: 1) If it would physically divide an established community; 2) If it would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental impact; or 3) If it would conflict with any applicable HCP or NCCP. It is this second guideline on which I would like to focus.

O16-2. Page 2.9-29 and 2.9-30 of the Draft EIR recount the objectives of the SANDAG Regional Comprehensive Plan (RCP) and how the General Plan Update fits within it. As stated on page 2.9-29, the RCP *"takes into account build out of the existing general plans prepared for the unincorporated County and each of the incorporated cities and forecasts future population and number of housing units for the entire County."* Based on this, I do not agree with the assessment that the General Plan Update would be consistent with the RCP.

The General Plan Update will significantly reduce the development potential currently accounted for in the existing General Plan for East San Diego County. As such, build out in these areas will be considerably lower than planned for by SANDAG.

O16-3. Page 2.9-30 goes on to state that the *"General Plan Update is also consistent with the SANDAG regional growth projections that are identified in the RCP."*

The General Plan Update represents a 15 percent reduction in housing for the unincorporated areas of San Diego County – equivalent to 33,000 housing units. Given

Comment Letter O 16, Save Our Rural Economy (SORE) (cont.)

O16-3. cont. this stark reality, it is irresponsible and incorrect to state the General Plan Update is consistent with the RCP.

O16-4. The density down-zoning provisions applied by the General Plan Update to East County will leave San Diego ill-equipped to meet future population demands. The prohibition on

O16-5. development in East County will push development westward and exasperate already constrained resources. The General Plan Update should support regional plans for

O16-6. continued growth and prosperity – not hamper economic productivity.

O16-7. As it appears impacts of the General Plan Update on applicable land use plans, policies, or regulations were not fully and adequately analyzed, we request this analysis be revised to indicate the General Plan Update's inconsistency with the RCP and propose adequate mitigation measures for the loss of 15 percent of the County's housing.

O16-8. DPLU has confirmed that the County has not undertaken and will not be undertaking any examination or study of the economic impacts the proposed down-zoning from the current 4 acre density designation to densities of 20, 40, 80 and 160 acres for much of the unincorporated areas of the County for the stated reason that such a study is not required under CEQA. Although CEQA may not specifically require economic impact analysis, it is essential and there is precedent that such an analysis is appropriate and necessary when foreseeable consequences include blight and deterioration of affected communities or parts thereof. Additionally, the density down-zoning as proposed it the

O16-9. GPU will strip value from affected properties and is contrary to the spoken will of San Diego voters.

O16-10. Many of the assumptions and data that the GPU is based upon are generic and have not been adequately vetted against additional layers of regulatory constraints that affect the specific interpretation, which leads to faulty conclusions in the EIR. On paper the

O16-11. GPU matches SANDAG 2030 population projections and the EIR accepts these projections as accurate. It appears these projections may be as much as 50% off which would result in two potential negative environmental impacts: (1) the exportation of

O16-12. housing to adjacent counties (Riverside and Imperial) with attendant traffic and carbon footprint; and (2) the transfer of significant population density from rural areas east of the County Water Authority Line (CWAL) to unincorporated areas west of the CWAL, which will overburden the infrastructure and resources of these affected communities.

O16-13. The GPU and EIR essentially ignore federal trust lands. Therefore, the EIR fails to address or even consider impacts the GPU will have on federal trust lands (Tribal), or Tribal impacts on surrounding communities. We believe these impacts would be significant and should be included in an appropriate and proper EIR analysis.

O16-14. Furthermore we believe that the carrying capacity of the land after implementation of the proposed GPU with respect to meeting population targets is significantly overestimated. In certain specific areas of unincorporated east County San Diego where lot by lot

Comment Letter O 16, Save Our Rural Economy (SORE) (cont.)

O16-14. cont. analysis has been undertaken, the County's estimates have been found to be at least double the carrying capacity for said lands.

O16-15. The EIR specifically targets the reduction of carbon emissions by generally assuming that County residents commute from rural to urban centers for employment, but the EIR fails to account for the thousands of commuters that are currently forced to travel from urban to rural areas for employment due to the lack of adequate housing and amenities in the rural areas they serve (homeland security, educators, health care providers, community service providers, Indian gaming, etc.).

O16-16. Large parts of unincorporated east San Diego have been identified as potential sites for the development of renewable energy alternatives. Neither the GPU or EIR recognize this renewable energy element and both fail to consider their potential environmental impacts.

O16-17. The EIR states that the "General Plan Update will focus population growth in the western areas of the County where infrastructure and services are available in order to reduce the potential for growth in the eastern areas". However, the dramatic down-zoning provisions and inflexible village boundary borders as proposed in the GPU constitute abandonment by the County of the existing rural communities particularly by effectively eliminating any future development essential for these communities to become or continue to be self sustaining. Should the GPU be implemented, as proposed, it is inevitable that only two or three of these more established rural

O16-18. communities will be able to sustain themselves. The remainder are at risk of economic stagnation. Furthermore, critical components of sustainable communities like healthcare, education and community services will be adversely affected in ways that

O16-19. will make these rural communities a further tax burden on the more affluent coastal communities. Additionally, the EIR fails to provide for utilization of existing infrastructure and resources in rural east San Diego County, which are currently underutilized in many

O16-20. of these rural areas,

O16-21. SORE has spent the past year meeting with stakeholders and individuals throughout the County and believe we have come up with a reasonable remedy for the shortcomings in the General Plan Update. We request and look forward to sitting down with DPLU and working out a roadmap to getting this General Plan Update completed for the benefit of everyone.

Thank you for the opportunity to comment.

Sincerely,

Rich Volker
Chairman

Randy Lenac
President

Responses to Letter O 16, Save Our Rural Economy (SORE)

O16-1 This comment is introductory in nature and does not raise a significant environmental issue for which a response is required.

O16-2 This comment appears to imply that because the SANDAG Regional Comprehensive Plan (RCP) population forecasts are based on existing General Plans, the proposed project is not consistent with the RCP. While the County would agree that the RCP population forecasts are no longer the most current as more recent forecasts have been prepared by SANDAG, the County disagrees that the General Plan Update is not consistent with the RCP. The forecasts in the RCP are substantially based on General Plan Update draft Land Use Map. The following excerpt can be found on page 41 of the : "*This forecast is based on economic and demographic factors that are influenced by the currently adopted land use plans and policies of the 18 cities, and the most recent information from the County of San Diego's General Plan Update (GP2020) for the unincorporated area.*" DEIR Section 2.9.3.2, Issue 2: Conflicts with Land Use Plans, Policies, and Regulations, has been revised to reflect that the RCP takes into account "*the most recent information from the County's General Plan Update*" rather that from the existing General Plan.

For reference, SANDAG's RCP can be accessed at: http://www.sandag.org/programs/land_use_and_regional_growth/comprehensive_land_use_and_regional_growth_projects/RCP/rcp_final_complete.pdf

O16-3 The County does not agree with this comment. While it is true that the General Plan Update proposes fewer overall housing units when compared to the existing General Plan, it is not inconsistent with SANDAG's forecast. The SANDAG population forecasts have been coordinated with the County, and the future units established by both the County's and SANDAG's population models are within a reasonable range. Therefore, the land use scenario used in SANDAG's population forecast model is based on the General Plan Update Land Use Map. It should also be noted that the RCP does not suggest that growth should take place in low density areas where the General Plan Update reduces population densities. On the contrary, the RCP promotes smart growth near jobs, housing and transit and reduces land consumption in rural and agricultural areas, as stated in the following excerpt from the RCP Vision Chapter:

"*Smart growth means developing the region in a way that creates communities with more housing and transportation choices, better access to jobs, more public spaces, and more open space preservation. Smart growth more closely links jobs and housing, provides more urban public facilities like parks and police stations, makes our neighborhoods more walkable, and places more jobs and housing near transit. It reduces land consumption in our rural and agricultural areas and spurs reinvestment in our existing communities. Together, sustainability and smart growth form the philosophical foundation of the Regional Comprehensive Plan.*"

O16-4 The County does not agree with this comment. There is no evidence shown to support the claim that the County General Plan Update is not providing an adequate amount of housing in the eastern portions of the unincorporated County to meet future population demands. As shown in the response to comment O16-2 above, the

Responses to Letter O 16, Save Our Rural Economy (SORE) (cont.)

General Plan Update is consistent with future population projections. Based on the vision of the SANDAG RCP, population demand is more appropriately met when provided in smart growth patterns of development close to housing, jobs, and public facilities.

O16-5 The County does not agree with this comment. The General Plan Update does not prohibit development in the County or anywhere in the unincorporated area. The comment also states that the General Plan Update will "exasperate already constrained resources" in the western portions of the County. The County concurs that the growth associated with the General Plan Update will require additional investments in infrastructure, wherever the growth occurs, but the County contends that infrastructure can be provided more efficiently in the western portions of the county. The County has determined that public costs and impacts are greater when providing infrastructure and services in rural areas outside of the San Diego County Water Authority (CWA) boundary.

O16-6 It is not clear from this comment which regional plans that the General Plan Update does not support. The General Plan Update is consistent with the SANDAG Regional Comprehensive Plan, along with the SANDAG population forecasts. In addition, the General Plan Update DEIR Section 2.9.3.2, Issue 2: Conflicts with Land Use Plans, Policies, and Regulations, evaluates and concludes that the General Plan Update was not in conflict with the following plans that address all or portions of the unincorporated county: 2030 Regional Transportation Plan, Congestion Management Program, San Diego Basin Plan, Airport Land Use Compatibility Plans, San Diego County Regional Air Quality Strategy, and other adopted land use plans for the region. In addition, the commenter does not provide any evidence to substantiate the claim that the proposed project would "hamper economic activity." Therefore, the County disagrees with the assertion that the General Plan Update does not support regional plans and that it hampers economic productivity.

O16-7 The County does not agree with this comment. Please refer to responses to comments O16-1 and O16-2 above. In addition, the County does not agree with the request for mitigation measures for the perceived loss of 15 percent of housing when compared to the existing General Plan. This request is not consistent with the plan-to-ground analysis established in the DEIR and is also not related to environmental impacts pursuant to CEQA.

O16-8 The comment incorrectly presents the County's position. The County has studied the economic effects of the General Plan Update and continues to evaluate economic considerations. The County maintains that these considerations are not appropriate in the DEIR (CEQA Guidelines section 15064(e)). The County is not opposed to additional economic analysis of the proposed project. However, studies are time-consuming, costly, and can be extremely subjective. Any analyses should not be based on a perceived change in housing potential due to an existing General Plan established in 1979, but on realistic foreseeable residential development. In addition, for a full understanding of economic consequences economic assessments should not only include costs related to development/infrastructure, but also those costs associated with natural resources.

Responses to Letter O 16, Save Our Rural Economy (SORE) (cont.)

Based on extensive and detailed analyses, the County maintains that the lower densities being proposed by the General Plan Update are more appropriate than the densities allowed under the existing General Plan because the proposed densities better reflect physical topographical constraints, groundwater resource constraints, limited access, and lack of infrastructure and services. In addition, as discussed in response to Comment O16-5 above, it is less economically feasible to provide infrastructure and services in rural areas like the backcountry.

O16-9 The ability to subdivide one's property is one of several factors to consider when assessing property values. However, other important factors include the availability of the land, the cost to subdivide it, its physical location in relation to jobs, services, and infrastructure, and the amount of land being valued. The General Plan Update does not propose densities that would substantially reduce the ability to subdivide when physical constraints are considered, such as lack of groundwater resources, limited access, and lack of infrastructure and services, as discussed in the response to comment O16-8 above. The County does not agree that the General Plan Update is contrary to the spoken will of the voters. There is no substantial evidence to support this claim.

O16-10 The County does not agree with this comment. The comment is a general criticism of the assumptions and data used in the DEIR. Without more specific examples or supportive evidence for the claim, the County cannot provide a thorough response. Therefore, no changes to the DEIR have been made as a result of this comment.

O16-11 This comment states that while the DEIR has determined that the General Plan Update is consistent with SANDAG population projections, these projections could still be more than 50 percent off, which would result in potential negative impacts. The County's population model takes into account many constraints to development, and is within a reasonable range of SANDAG's forecast of the same alternative (SERIES 11). The assertion that the County's population model is 50% off is unsubstantiated. Furthermore, the County expects the next population projections completed by SANDAG, series 12, to be better reflections of the County of San Diego's forecast, as shown in the General Plan Update.

O16-12 The County disagrees that the General Plan Update will result in significant unmet population demands, since the population forecasts in the Update are consistent with SANDAG's regional projections, as discussed more fully in the response to comment O16-11 above. Moreover, the DEIR evaluates the potential environmental effects of the proposed project on the existing environment. The comment appears to be calling for an environmental impact analysis of potential future changes or events that are not reasonably foreseeable but are speculative in nature. The County disagrees that such analysis is warranted.

O16-13 The County does not agree that the General Plan Update and DEIR ignore tribal lands. In addition, the County does not agree that the DEIR fails to address or consider impacts to tribal lands, or impacts from tribal projects. The County considered available information in or around April 2008 from tribes on anticipated

Responses to Letter O 16, Save Our Rural Economy (SORE) (cont.)

development for their lands. Those projects have been included as cumulative projects in the DEIR. This information has also been provided to SANDAG for inclusion in the 2050 forecast. Early in the General Plan Update planning process, the County made a conscious decision to focus development in accordance with the Community Development Model (Guiding Principle #2), which meant that rural lands around tribal reservations would remain rural. Potential environmental impacts of the General Plan Update on tribal lands or other jurisdictional lands were included in the DEIR impact analyses and all feasible mitigation measures have been incorporated.

O16-14 While the County would agree that all areas of the County may not be able to achieve the density proposed by the General Plan Update land use map, the County does not agree with the assertion made by this comment. The County has openly met with any groups that have requested to better understand the population model, as well as its acknowledged limitations as a regional model. In addition to the assigned density, the population model forecasts take into account areas with existing development, areas reserved for public right-of-way, and areas with physical and environmental constraints. The physical and environmental constraints considered by the population forecast model include steep slopes, wetlands, floodplains, sensitive habitat, habitat preserves, the Alquist-Priolo Earthquake Fault Zone, other hazard zones, Multiple Species Conservation Program pre-approved mitigation areas, and groundwater-dependency.

O16-15 The County does not agree with this comment. The DEIR did analyze vehicle miles traveled (VMT) based on the proposed land use maps and it did take into account long distance commutes (urban and rural). Therefore, no changes to the DEIR are necessary as a result of this comment.

O16-16 The County agrees that the DEIR did not evaluate specific impacts of renewable energy alternatives to potential sites in the backcountry. The General Plan Update DEIR is programmatic in nature and is not intended to evaluate potential specific projects. These impacts would be evaluated either as specific permitted facilities or as General Plan Update implementation measures that facilitate the provision of renewable energy facilities, such as the Meteorological Testing Facility Ordinance or the Wind Energy Zoning Ordinance Update.

O16-17 Because the County understands that local knowledge of an area is essential, the County worked closely with planning and sponsor groups in development of the land use maps and village boundaries. As a result, the proposed land use maps closely reflect the preferences of these groups. Therefore, the County disagrees that the reduction of densities in these communities has effectively eliminated future development essential to their self-sustainability. There are ample opportunities for both residential and employment growth in the backcountry; however, the overall growth potential has been reduced when compared to the existing General Plan and more focused in specific areas.

O16-18 While this comment implies that some rural communities are at risk of economic stagnation, specific references are not provided. As discussed in the response to comment O16-17, the County would like to reiterate that the land use maps were

Responses to Letter O 16, Save Our Rural Economy (SORE) (cont.)

developed in coordination with community planning and sponsor groups, which are comprised of residents in the communities that are knowledgeable about their communities.

O16-19 The County does not agree that the General Plan Update will adversely affect healthcare, education, and community services in rural communities. The comment does not provide substantial evidence to support this claim.

O16-20 The County does not understand the meaning and intention of this comment and, therefore, is unable to respond.

O16-21 The County appreciates SORE's efforts to work through issues with the General Plan Update. County staff has previously met with SORE representatives and has opened a continued dialogue with the representatives in an attempt to resolve disagreements on the project.

Comment Letter O 17, Valley Center Town Council (VCTC)

VALLEY CENTER TOWN COUNCIL (VCTC) Draft EIR Response

To: Devon Muto, Chief, Advanced Planning, Department of Planning and Land Use (DPLU)

From: Valley Center Town Council (VCTC)
P.O. Box 2431
Valley Center, CA 92082-2431
email: ValleyCenterTownCouncil@live.com

Re: Response to Draft Environmental Report (DEIR) for the General Plan Update (GPU)

Date: August 31, 2009

The Valley Center Town Council is pleased to forward a response to the GPU DEIR.

Who we are: An ad-hoc group of concerned citizens, some of whom are previous planning group members and current subcommittee members, who no longer feel that the Valley Center Community Planning Group (VCCPG) is representing the best interests of the community. We are dedicated to working with the County and developers to obtain and sustain the best cost effective quality of life, rural atmosphere, and safety for all residents of the Valley Center Planning Area.

The following founding members recently addressed the County Board of Supervisors:

Nancy Layne- former VCCPG member, realtor
Larry Glavinic- former VCCPG member/chair, current Circulation SC member, EE, property manager
Anne Geinzer- Circulation SC Secretary, GPU SC member, retired Civil Service Computer Engineer

We value our agricultural history and wildlife and wish to preserve as many groves, equestrian facilities, and wild-lands as possible. We are supporters of **intelligent growth**, realizing that the majority of high density housing belongs near existing major arterial roads and infrastructure capable of supporting such growth

O17-1.

We support 2 -3 grocery stores, drug stores, restaurants, home building supply stores, feed stores, nurseries, and an eastern valley equestrian facility.

We oppose the efforts of the VC Design Review Board (DRB) and the VCCPG to halt and/or delay the building of such critical Village Center components, and their publicly stated desire to "erect roadblocks to development". We feel that the long delay, in some cases exceeding 10 years, in building essential community improvements is causing more travel mileage on existing narrow winding sub-standard unsafe roads, green-house gas emissions, and adverse effects on traffic patterns in adjacent areas.

Because of the target population and lack of infrastructure in Valley Center, we support the creation of a third village in the Old 395-West Lilac corridor .This would provide the tax base and TIF assessments with which to create a solution to catastrophic road failure in emergency evacuations. Additionally, this solution promotes sustainability and reduces costs by locating growth near existing infrastructure. We feel that the VCCPG plan to reduce the housing densities in the North and South Villages is compatible with this relocation of density and recommend that this be adopted along with the placement of a third village. It would also decrease the traffic on our unsafe rural roads.

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

We strongly insist that, outside of the 3 villages, the community would best be served by adopting the Environmentally Superior Map for all semi-rural and rural areas. That would ensure the long term financial viability of existing agricultural uses by allowing 20, 40, and 80 acre parcels. It would also protect the multiple species wildlife corridors and canyons that bisect our hanging mesa. It would reduce the light pollution effect on Palomar Observatory and decrease the threat to human life in critical very high danger wildfire urban interface areas.

The VCTC makes the following recommendations to DPLU:

1 Adopt the VCTC-Recommended Project Alternative for the Valley Center Planning Area and recommend it to the Board of Supervisors (BOS).

2 Adopt a third village, and reduce the acreage and density of housing in the Northern and Southern Villages.

3 Incorporate VCTC-Recommended Modifications to the GPU Mobility Element.

O17-1. cont.

4 Incorporate the VCTC additional recommended road projects into the GPU Mobility Element.

5 Support the VCTC-endorsed build-out population goal of 32,000 people for Valley Center.

The attached **Valley Center Town Council Draft EIR Report** addresses each of these recommendations.

We look forward to discussing our recommendations with you and your staff. As you know, the community of Valley Center is at a pivotal moment in its growth and the VCTC members have spent many hours and much effort on these recommendations. Please contact Nancy Layne 858.361.8713 with any questions you might have. We look forward to working with you to implement these recommendations and to supporting the resulting EIR and GPU before the Board of Supervisors.

Thank you for the opportunity to comment on the revisions to the Draft General Plan and the Draft Environmental Impact Report.

Sincerely,

The Valley Center Town Council

Nancy Layne Anne Geinzer Larry Glavinic

Crawford Meeks

Cc: Eric Gibson, DPLU Director of Planning and Land Use
Devon Muto, DPLU Chief of Advanced Planning

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Executive Summary of VCTC comments to
DRAFT Environmental Impact Report (EIR) REPORT & revised General Plan

Background –
Valley Center (VC) is a community of 55,225 acres or 94 square miles located just east of I-15 with almost 95% of this area within the CWA boundary. It has been an agriculture area which is fast disappearing. Currently, VC is surrounded by casinos which are rapidly growing and the long -term impacts are unknown. The existing commercial, albeit small, is located about 12 miles east of I-15. VC has few public roads and very little intra community connectivity. Wildfires of 2003 and 2007 demonstrated VC's vulnerability in times of disaster. Normal circulation conditions are close to failure. By 2030 the housing stock is to increase by 108% (see EIR 1.13.3 Growth Accommodated by GPU) which emphasis VC's move to a bedroom community in a remote rural area.

O17-2.

Our comments will focus on 5 areas not adequately covered in the Draft EIR/GPU:

1. **Critical road network deficiencies, both in the GPU and EIR.**
2. **Siting additional population close to existing infrastructure.**
3. **Greater community consensus on a balanced plan for VC.**
4. **Identification of future transportation corridors.**
5. **EIR Appendix L "Areas of Difference" – former referrals**

1. Critical road network deficiencies in the GPU -quote Page 4-11 …. "The road network will not meet the desired level of service standard (LOS D) or about 10% of all county roads and state highways." On page 4-13 to 4-14 of the GPU table M.2.1 lists the acceptable criteria for Marginally Deficient roads at LOS E/F. VCTC believes none of these criteria have any merit and are not acceptable to the community of VC. The EIR continues to list unfounded rationale for Mountain Meadows/Mirar de Valle, Lilac Road, Valley Center Road and Woods Valley. Further, the argument is flawed because it assumes that 2 NEW ROADS will be built to help distribute traffic. The fact of the matter is for the mobility for VC to improve two (2) new east-west roads must be built, i.e., Mirar de Valle to I-15 and Road 3/3A. Our view is building these roads must be a precursor to any acceptable mobility plan for VC. Lastly, when the county identifies a deficient road segment, it needs to produce a 'Deficiency Plan' to address and measure the issue. No such plan is currently available for public review.

O17-3.

For a sound GPU to be advanced, it is our understanding that the proposed update to the General Plan (GP) must balance all 6 elements. We believe the Land Use, Mobility/Transportation, and Public Safety in particular are not balanced in VC. The criteria outlined in M2.1 have not been met in the case of VC, i.e., the assertion that these LOS E/F are 'marginal deficiencies'. We believe the deficiencies are major, due to lack of available alternative routes, which require increased driving, cause negative environmental impact and result in undue wear and tear on existing roads.

O17-4.

Should the County implement the draft GPU; blockages will occur. In sum, public safety will be impacted. First responders such as fire and law enforcement will not be able to achieve reasonable Travel Time goals. Note the location of fire stations on North Lake Wohlford Road, Lilac Road and the planned fire station for Cole Grade Road. Generally, to get anywhere in VC you must drive through the Lilac Road or Cole Grade Road intersections off VC Road since few alternatives are available or planned in the future. Thus the principle goal of the Public Safety Element to protect lives, the environment, and property cannot be achieved. The recent closure of the new four (4) lane VC Road due to an accident illustrates the extent of our vulnerability. We already experience blockages on the 2 lane roads that characterize our existing circulation system. VC is now a bedroom community with little local employment, resulting in the vast majority of the current population commuting to work. Further, there is a large amount of casino and desert traffic which passes through VC. *VCTC supports commercial development to create more local jobs, addressing the impact of these transient users and reducing traffic on our few public roads.*

O17-5.

O17-6.

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-7. See Draft EIR Report Section 2.15.3, Transportation and Traffic summary of impacts. VCTC has addressed these in our attached mobility element matrix. We find 5 of the 6 to be incorrect, in that they *are* significant.

O17-8. The draft GPU lacks emergency secondary exit routes to existing dead-end roads which will be critical when we experience another wildfire. By increasing population, the Draft GP creates more choke points in what is already a fragile situation. Of the 89% deficiencies located in Northwestern communities of the country, VC suffers 23%, a disproportionate burden (Wilson & Company report, appendix G). We have many neighborhoods with no secondary access which are listed in the attached Draft EIR Report.

O17-9. VCTC has proposed additional local public roads to alleviate a significant number of these high risk evacuation areas and the requirements for increased population. (See attachment 2, labeled Additional Circulation Roads) Proposed modifications to the Valley Center Mobility Element Network which reduce the cost and increase the circulation and safety of VC's roads.(See attachment 1, labeled VCTC Mobility Element)

2. Siting additional population close to existing infrastructure.

1.3 Project Objectives

1. Promote sustainability by locating new development near existing infrastructure, services, and jobs.

and

9. Minimize public costs for infrastructure and services and correlating timing with new development."

O17-10. Until the SANDAG simulated traffic modeling computer runs were made public, no one had any idea how under-sized the road network was. This was exacerbated by the fact that the VCCPG appeared to want to develop around the old historic small villages 12 miles east of I-15. To the County's credit they finally added many additional key circulation links. However, it became clear when we absorb our required population increase, which is roughly double our current population, the road network will show four (4) significant failures.

There appear to be 3 remedies:

1. To increase the capacity and number of roads.
2. Reduce population projection and land use intensity
3. Relocate some of the future population closer to existing infrastructure.

The first choice would most likely have a gross negative impact on the existing community character and be counter productive to the greenhouse gas reduction objectives. The second alternative is flawed because it is subjective. In light of the stated EIR project objectives 1 and 9 above, the solution appears to be an adjustment and relocation of the Land Use designations for VC planning area. This includes downsizing the current draft Land Uses around the proposed two eastern Villages and the creation of a western Village close to existing infrastructure with sufficient commercial, industrial, and residential to be sustainable. Siting local schools in the western portion of VC so that children will not be required to be bussed into eastern VC also decreases infrastructure impact.

3. Greater community consensus on a balanced plan for VC

O17-11. Page 4-5, GPU (Reduce Development/No Build), states "alternatives that are evaluated are based on population targets that were developed by community groups and endorsed by the BOS."

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-11. cont. To balance the plan at least three options are available:

O17-12. a. Enhance the road network to support the Draft EIR/GPU, by expanding capacity, changing road classification on Mirar De Valle Rd as seen on attached Valley Center Mobility Element Network (GPU)

O17-13. b. Relocate proposed increased population so that the road network will work and rework Land Use to remain consistent with the Environmentally Superior Map.

O17-14. c. Add a western village (Special Study Area) close to I-15 where infrastructure exists, thus reducing overall infrastructure costs, impacts to the road network issues in the Eastern villages and preserving community character.

The concept of "Special Study Areas" is only found in the Introduction section of the Update. Since the Introduction is not adopted as a part of the Update the Special Study Area concept would not be a part of the official framework in the Land Use Element. If there is no supporting policy in the Land Use Element how would the community in Valley Center be able to study the "Western Village" as a special study area? How can we be expected to deal with the issue of too much density being planned in our two existing Villages? We believe the Update should provide communities with a policy that allows for the creation of special study areas to further plan and define the unique issues of a particular community within the County. Please add a policy to allow the use of Special Study Areas.

O17-15. **Identification of future transportation corridors**

The GPU has little circulation growth mechanism beyond mass transit which is counter-productive to the existing non-concentrated communities which have existed in VC for 50 years. No allowance is given for new technology which might co-locate and use existing corridors and/or be scalable and easily connected to new technologies in existing corridors.

EIR Appendix L "Areas of Difference" – former referrals (partial list)

O17-16. a. EIR VC3 pages 22-10 to 22-12. The property is located where a new east-west road is planned from the high school to 'Road 3' identified on the GPU Appendix 'Mobility Element Network' page 86, ID number 23 'West Oak Glen Road, segment: New Road 3 to Cole Grade Road a local public road.

O17-17. b. EIR VC10 & VC11 pages 22-36 to 22-43. The properties are located close to the alignment of the new 'Road 3' identified on the GPU Appendix 'Mobility Element Network' page 82, ID number 3 'New Road 3' segment: Old Highway 395 to Cole Grade Road a 2.2C Light Collector. Further this might be a good location for a western village.

O17-18. c. EIR VC25 pages 22-96 to 22-99. The property has historically been a commercial use. C-4 is the proper use.

O17-19. **In sum, if sustainability, sensitivity to the environment and cost effectiveness are the project objectives for the DRAFT EIR/GPU, we believe the prudent cost effective solution would be to create a western village for VC. There are already existing support services available and Public Safety travel time goals can be met.**

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Valley Center Town Council Draft EIR Report

O17-20. In Valley Center, we have a problem with too much density being planned in our Villages, which are located 12 miles from I-15 and are without adequate services and infrastructure. We support studying a third village, termed the "Western Village" which could be evaluated with the designation of this area as a Special Study Area. We also believe that reducing density in the northern and southern villages of Valley Center and relocating those units further west, along proposed Mobility Element road 3 and I-15 would greatly improve the LOS to the Mobility Element roads in Valley Center. However we are concerned that the Draft General Plan (Update) and Draft EIR (DEIR) prevent the Valley Center Community from considering this important land use alternative. Therefore, we believe the following changes should be made to the Update and DEIR:

Draft General Plan Chapter 1: Introduction

O17-21. The concept of "Special Study Areas" is only found in the Introduction section of the Update. Since the Introduction is not adopted as a part of the Update the Special Study Area concept would not be a part of the official framework in the Land Use Element. If there is no supporting policy in the Land Use Element how would the community in Valley Center be able to study the "Western Village" as a special study area? How can we be expected to deal with the issue of too much density being planned in our two existing Villages? We believe the Update should provide communities with a policy that allows for the creation of special study areas to further plan and define the unique issues of a particular community within the County. Please add a policy to allow the use of Special Study Areas.

Draft General Plan Chapter 3: Land Use Element

We are greatly concerned that a number of key policies in the Update prevent the Board of Supervisors from being able to respond to the future concerns of the community because of the inflexible language of the Update's policies.

O17-22. The use of mandatory language in the following Land Use Policies would preclude changes to be made even for legitimate and compelling reasons where the County is unable to initiate a comprehensive update. Therefore we request the following changes be made:

1. Policy LU-1.2 should be revised as follows:

~~Avoid~~ General Plan and Specific Plan amendments requiring a change to the Regional Categories Map <u>should generally be avoided.</u> ~~unless the changes are part of a County-initiated comprehensive General Plan Update.~~

2. Policy LU-1.4 should be revised as follows:

~~Prohibit leapfrog~~ <u>Leapfrog</u> development which is inconsistent with the Community Development Model and Community Plans <u>should generally be prohibited.</u> For purposes of this policy, leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries.

O17-23. We understand that leapfrog development is generally not desirable. However, higher densities in certain areas that are in close proximity to freeways or state highways may be appropriate at some point in future and may help improve the level of service on Mobility Element roads.

Establishing an absolute restriction limits the discretionary powers of the Board of Supervisors and community groups in addressing future community concerns.

O17-24. 3. Policy LU-14.4 should be revised as follows:

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-24. cont.

Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond Village boundaries (or extant Urban Limit Lines) except when necessary for public health, safety, welfare, or the creation of self-sustaining new villages where infrastructure is already available or will resolve mobility issues.

EIR Project Impacts

Adoption of the EIR Project (Referral) land use map for Valley Center will have a significant impact for the following reasons:

O17-25.

- Designates 90.7 acres of General Commercial (C1) in the north Village and 67.7 in the south Village
- Designates 49 acres of Village Residential 15 dwellings units per acre (VR 15) in the north Village and 10 acres of VR 15 in the south Village
- Expands the north and south Villages' acreage to 1391 acres, extending east on Fruitvale past Cole Grade Road
- Adds 2862 additional housing units in the north and south Villages
- Adds population of 8,228 to north and south Villages
- Degrades visual character and quality of the community
- Unable to provide wastewater treatment for Project population
- Impedes ability to meet adequate water supply
- Increases loss of habitat and other sensitive natural communities
- Restricts wildlife corridors
- Increases danger from wildland fires
- Results in a Level of Service (LOS) E/F for thirteen road segments and 24.7 miles of roads
- Increases light pollution in a Zone A for Palomar Observatory due to extensive town center
- Converts existing agriculture resources to non-agriculture uses through changes in land use designations
- Indirectly converts agriculture resources to non-agriculture from land use conflicts with new development
- Reduces air quality
- Reduces water quality standards and requirement
- Reduces groundwater supplies and recharge
- Permanently increases ambient noise levels
- Decreases school services
- Negatively impacts adjacent cities traffic and LOS standards
- Decreases rural road safety
- Unable to comply with AB 32
- Increases effect of global climate change on new residents from the proposed project

Likelihood of Project Impacts Occurring

O17-26.

There is a reasonable expectation that undeveloped properties in Valley Center would be developed to whatever GPU map is approved. Development activity in Valley Center has been on the increase, even in the slow economy. Valley Center currently has 15 active large projects filed with the county, developing 2772 acres. These projects plan to build 3629 residential units and 166,000 commercial square feet. Some are reflected in the GPU while many are filed as Specific Plan and General Plan Amendments. The EIR states that 'Valley Center is anticipated to at least double in population and experience a 90 percent or greater increase in housing units from 2008 to build-out. These planning areas are relatively undeveloped; therefore, even a minimal amount of growth in these areas would result in a large percentage increase as compared to existing conditions

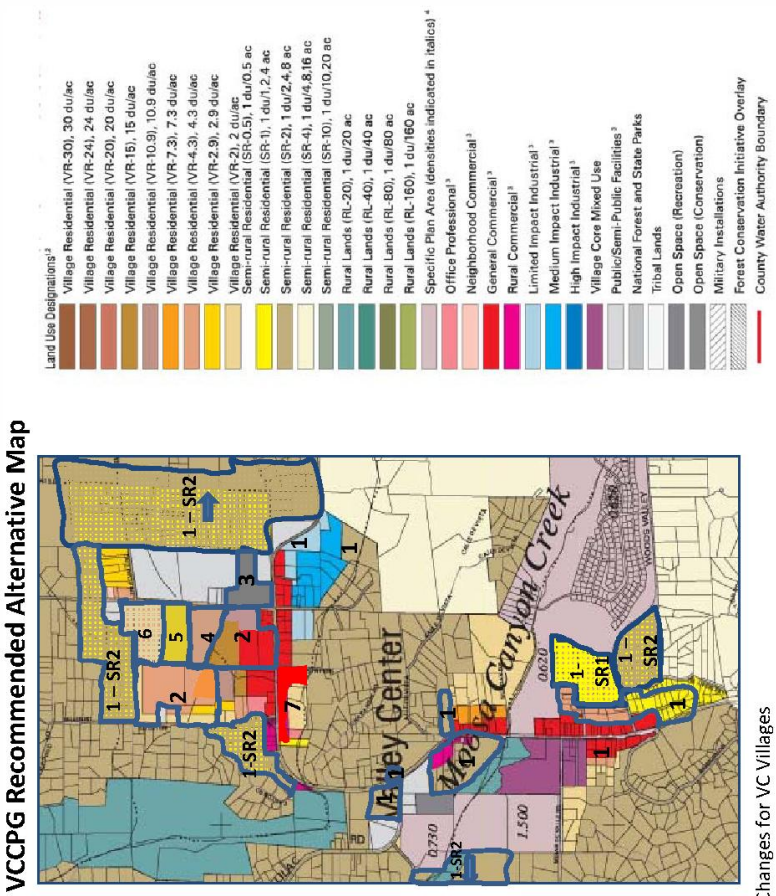
VCTC - Recommended Project Alternative

O17-27.

The County of San Diego's EIR study of the GPU does not sufficiently mitigate the significant impacts of the Project, particularly in the Land Use, Mobility, and Public Safety elements. The VCTC requests that the county accept the VCTC - Recommended Project Alternative Map for Valley Center in the GPU.

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-27. cont.



Differences between Village maps

1. 3/2009 VCCPG adoption of Recommended Land Use Designation Changes for VC Villages
   - Environmentally Superior map for Villages as baseline
   - Change residential land use to match currently developed use
2. Weston properties – matches yield for commercial/residential per developer. Property to be developed with specific plan. Average density 7.3
3. Current ball fields and future park – change from Public/Semi Public to Open Space Recreation.
4. Feather density from highest in Weston development north to library from 7.3 to 4.3 du/ac
5. Feather density from highest in Weston development north to library from 4.3 to 2.9 du/ac
6. Feather density from highest in Weston development north to library from 4.3 to .2 du/ac
7. Developer requests C-1 on south side of VC Road instead of Rural Commercial

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Inside the North and South Villages

- For all already developed parcels within the (extended) Village areas, change the land use designation to match the current land use.
- Ensure that all parcels in the Villages are designated with a minimum of their current density. (No down-zoning in the Villages.)
- To ensure continued consideration as Smart Growth Opportunity Area, keep an average of 10.9 dwelling units per acre parcels within the Smart Growth Opportunity Areas in the Villages.

O17-27. cont.

- For pipelined and "in process" projects in the Villages, show their proposed land use designations.
- Adjust densities in the south Village such that a driver entering Valley Center from the south on Valley Center Road does not see a "sea of high density terracotta roofs."

Illustration 1 shows the EIR Project (Referral Map) and VCTC - Recommended Project Alternative Map for inside the North and South Villages. Additional recommendations include:

- The north Village developers asked for the removal of the Mixed Use designation in the north village and re-determined the designations as shown in Illustration 1.
- Ground-truthing or representing developed parcels as such for Public Space.
- Reducing undeveloped densities in the north Village.

Additional Western Village

O17-28.

- Create a new Special Study Area in the Old 395/W.Lilac Road corridor of approximately 800 acres in the previous location of SPA 3A
- Mix commercial, industrial, and residential land uses in the SSA.
- Provide road segment 3A and staging area for VC trails network

Outside the Villages

O17-29.

Adoption of the Environmentally Superior Use Map outside the Villages increases the rural land use designation throughout Valley Center and reduces the amount of acreage for Commercial and the Village designations. We recommend that the current land use designations in the following areas remain unchanged by the adoption of the Environmentally Superior Map.

1 Circle R condos on Old Castle Road VR 20.
2 Bates Nut Farm on Woods Valley Road Rural Commercial.
3 Two parcels across from the Middle School on North Lake Wohlford Road Rural Commercial.

VCTC - Recommended Alternative Project Impacts

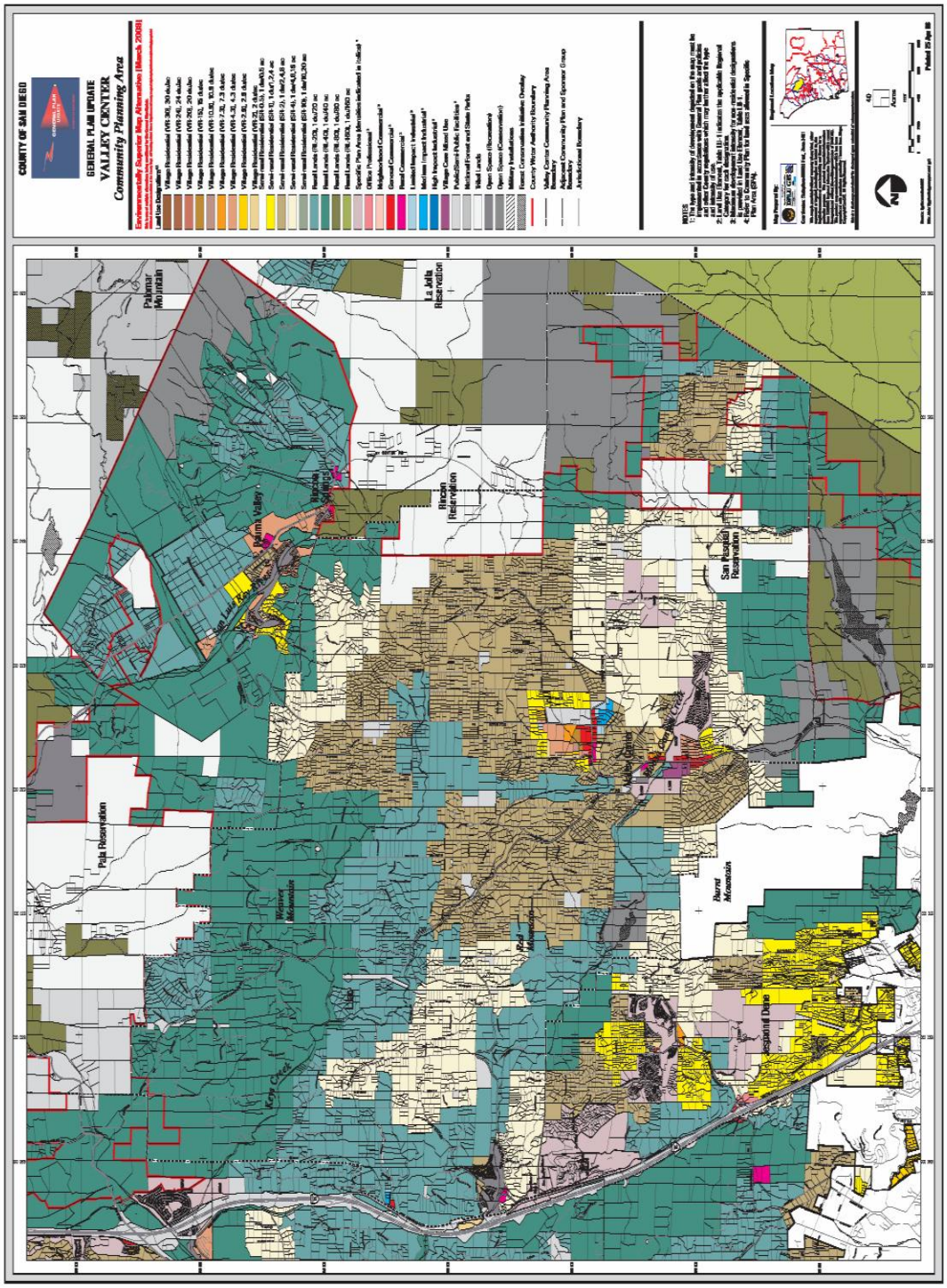
O17-30.

Adoption of the VCTC – Recommended Alternative Project will reduce the impacts of the GPU in the following areas:

- Designates 20.9 acres of Village Residential 15 dwellings units per acre (VR 15) in the north Village and 0 acres of VR 15 in the south Village
- Designates 30 acres of VR 15 in the Western Village
- Designates 63 acres of General Commercial (C1) in the north Village and 58.2 in the south Village
- Designates 30 acres of C1 in the West Village
- Keeps the north and south Villages' acreage to 1019 acres, stopping at the Primary School east on Fruitvale past Cole Grade Road
- Adds 1,215 additional housing units to the north and south Villages
- Adds population of 3,663 to north and south Villages
- Results in a Level of Service (LOS) E/F for 3 road segments and 5.9 lane miles
- Preserves MSCP wildlife corridors and agricultural parcels sized to be commercially viable in the future

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-29. cont.



Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Table 1: EIR Project with the VCTC – Recommended Alternative Project Comparison

	EIR Project	VCTC – Rec'd Project	Difference
VR 15 acreage N/S Villages	64	20.9	-43.1 acres
VR 15 acreage West Village		30	+30 acres
C 1 acreage N/S Villages	158.4	121.2	-37.2 acres
C 1 acreage West Village		30	+30 acres
Village acreage N/S Villages	1391	1000	-391 acres
Village acreage West Village		400	+400 acres
N/S Village housing units*	2662	1215	-1647 housing units
West Village housing units*		1200	+1200 housing units
N/S Village population*	7428	3663	-4065 population
West Village population*		2830	+ 2830 population
LOS E/F road segments	13	3	-10 road segments
LOS E/F lane miles	24.7	9.2	-15.2 lane miles

*Calculations are estimated

O17-31.

In addition, the VCTC - Recommended Alternative Project supports the following GPU Goals and Policies and EIR Mitigation Measures better than any of the EIR study alternatives:

Villages

- Policy LU-1.6: Village Expansion.
- Policy LU 14.2: Wastewater Disposal.
- Policy LU 14.4. Sewer Facilities:
- Policy LU 18.1: Compatibility of Civic Uses with Community Character.
- Policy LU 18.2: Co-location of Civic Uses.
- Policy LU 21.2: Location of Parks:
- Policy S-9.4: Development in Villages.
- Policy COS-13.2: Palomar and Mount Laguna.
- Policy COS-14.1: Land Use Development Form.
- Policy COS-14.2: Villages and Rural Villages.
- Policy H-1.3: Housing near Public Services.
- Policy LU-5.1: Reduction of Vehicle Trips within Communities. Policy LU12.2:

O17-32.

Semi-Rural/Rural

- Mitigation Measure AES-1.1.
- Policy LU-6.1: Environmental Sustainability.
- Policy LU-6.3: Conservation-Oriented Project Design.
- Policy H-2.1: Development That Respects Community Character.
- Policy LU-1.4: Leapfrog Development.
- Policy LU-2.2: Development Densities and Lot Sizes.
- Policy LU-6.4: Sustainable Subdivision Design.

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Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-32. cont.

- Policy LU-6.10: Protection from Wildfires and Un-mitigatable Hazards.
- Policy LU-8.1: Density Relationship to Groundwater Sustainability.
- Policy S-3.4: Service Availability.
- Policy S-9.2: Development in Floodplains.
- Policy S-9.3: Development in Flood Hazard Areas.
- Policy LU-10.4: Commercial and Industrial Development.
- Policy LU-11.8: Permitted Secondary Uses.
- Policy M-1.1: Prioritized Travel within Community Planning Areas.
- Policy M-1.2: Interconnected Road Network.
- Policy M-1.3: Treatment of High-Volume Roadways.
- Policy M-2.1: Level of Service Criteria.
- Policy M-2.2: Access to Mobility Element Designated Roads.
- Policy M-2.3: Environmentally Sensitive Road Design.
- Policy M-3.3: Multiple Ingress and Egress.
- Policy M-3.5: Access Roads.

VCTC Mobility Element Draft EIR Comments

In reviewing the Mobility Element, we have noticed that there are several discrepancies and inconsistencies which could lead to misinformation and invalid results. This is especially cause for concern in Valley Center given the threat of wildfires, the need for viable evacuation, emergency response, and the topographically constrained environment. The following comments address our concerns.

O17-33. The Roadway Segment Daily Capacity and Level of Service (LOS) Standards (Table 2.15-19 in the EIR and Table 2.4 in Appendix G to the EIR) do not match the SANDAG traffic model lookup tables with respect to 1) classifications and capacities used by SANDAG, and 2) design speeds.

1. The EIR has fewer roadway classifications than what was actually modeled by SANDAG. The EIR lists four classifications under 4 lane roadways (4.1A, 4.1B, 4.2A, and 4.2B) while SANDAG lists eight (4.1A, 4.1B, 4.2A, 4.2B, 4.3A, 4.4A, 4.4B, and 4.4C – sometimes the 4.4 is referenced as 4.3 by SANDAG). EIR Appendix G Table 2.4 (prepared by Wilson & Company) has a footnote that states:
   "The LOS thresholds for Mobility Element road classifications reflect those in place when EIR traffic modeling was conducted. Some LOS thresholds are subject to change with the revision to the County Public Road Standards (The Standards). However, the 2009 revisions to The Standards will not change the LOS D operation threshold of any road classification. The standard of LOS D for mobility Element Roads and the LOS D operation thresholds were adopted by the Board of Supervisors."
   O17-34. If the SANDAG 4.3 and 4.4 classifications are changed to reflect 4.1 or 4.2 classifications, then the aforementioned footnote is inaccurate because the LOS D threshold for a 4.4C does not match any of the 4.1 or 4.2 classifications. This means that there will be LOS errors on some 4 lane roadways unless the SANDAG model runs are redone with correct classifications and LOS D thresholds to ensure accurate results.

2. Design speeds contribute the ultimate roadway capacity. If the EIR design speeds do not match the SANDAG traffic model design speeds, then the loading of the traffic network and roadway capacity will be affected. For example, the EIR listed speeds and SANDAG model speeds by classification are as follows:
   O17-35.

Classification	EIR mph	SANDAG mph	Difference in mph
6.1	65	60	5
6.2	65	51	14
4.1A, 4.1B	55	50	5
4.2A, 4.2B	40	45	5

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-35. cont. As shown above in the small sample set of only 6 and 4 lanes roadways, the difference in speeds are all different. These errors in EIR reported speeds and what has been modeled need to match, otherwise the EIR findings can be in error. The SANDAG model runs need to be redone with the correct speeds coded within the model.

O17-36. 3. The EIR omits the reporting of LOS on Local Public Roads (LPR). Some of these roads are circulation element roads (i.e. within the Mobility Element there are proposed classification for some of the LPR roads). Does this practice set precedence that if adopted, future traffic studies will not be required to analyze Local Public Roads even though some will be circulation element roads? How will a determination of potential impact occur?

O17-37. 4. The SANDAG LOS plots identify the roadway volumes as an adjusted volume. The SANDAG traffic model generates unadjusted and adjusted volumes. It is not clear which volumes are used to generate the color coded plots. If the plots show adjusted volumes on the links but represent the LOS from unadjusted volumes, then the EIR is misleading the public with the actual LOS vs. the reported LOS.

O17-38. 5. Trip generation for the mixed-use land use category assigns 50% of the generation to residential and 50% to commercial. This is inconsistent with the Land Use element, which has no ratio requirement, which if allocated the wrong way, could pose significant problems.

O17-39. 6. There is an inconsistency between the text found on pages 4-13 and 4-14 of the Update and Table 2.15-28 in the DEIR. Table 2.15-28 still provides that "the community willing to accept a lower LOS" is a legitimate criterion to be considered in accepting a LOS of E/F on certain roadways. Even if a community may be willing to accept a lower LOS there may be instances where this would be in appropriate and dangerous.

O17-40. 7. Policy M-1.2 would require an interconnected public road network with multiple connections that improve efficiency…and provide both primary and secondary access/egress routes that support emergency services during fire and other emergencies. Such a policy is vital and appropriate, especially with respect to the public safety aspects. Wildfires historically travel from east to west as they are driven by Santa Ana winds. All of the recent catastrophic fires from 2003 and 2007 were wind driven events and burned from the eastern parts of the County towards the more populated areas in the west. Therefore, even though a community may be willing to accept a lower LOS, such a concession involving westerly egress routes may be inappropriate at best and be dangerous at worst. Therefore, the removal of "community willing to accept a lower LOS" as a primary potential improvement option in the text box on pages 4-13 and 4-14 of the GP is appropriate. However, this is inconsistent with Table 2.15-28 in the DEIR.

O17-41. In conclusion, capacity cannot be resolved by a reduction of density because this conflicts with the planned increase in population. Furthermore, any changes in density will require new traffic model runs for all scenarios. Thus, new model runs are needed to show the results with the correct ADT thresholds or with new densities. Lastly, these points show that the EIR is built on significant calculation errors which could create significant discrepancies and flawed results.

O17-42. Section 2.15.6.1 of the DEIR, identifies several infeasible mitigation measures with respect to accepting a lower LOS on certain Mobility Element roads. The criteria include Marginal Deficiencies, Town Center Impacts, Regional Connectivity and Impacts to Environmental or Cultural Resources.

Appendix I adds Community Consensus as a rationale for accepting a lower LOS as does Table 2.15-28. However, Community Consensus (e.g., the preference of the Community Planning Group) is not described as a rationale in the GP, and where a decision to accept a lower LOS was based on Community Consensus, the DEIR needs to describe and analyze potential impacts to travel times and emergency

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-42. cont. ingress and egress so that the public can evaluate such trade-offs. In addition, there is no explanation as to how the community's willingness to accept a lower LOS is to be determined. How would the County measure acceptance? This creates an ambiguous criteria that is open to interpretation and speculation

O17-43. Finally, Table 2.15-28 includes "Land Use Modifications" as a possible option to resolve deficiencies to the Mobility Element road network. However, the DEIR fails to analyze "Land Use Modifications" as either an infeasible mitigation measure or potential mitigation measure. Therefore, the DEIR should analyze "Land Use Modifications" as mitigation to resolve Mobility Element road deficiencies in Valley Center. Specifically, the DEIR should evaluate the impacts/benefits of reducing density in the northern and southern villages of Valley Center and relocating those units further west, along proposed Mobility Element road 3. The public would then be able to evaluate potential LOS improvements to Mobility Element roads (i.e. Valley Center Road, Cole Grade Road, Mirar de Valle).

O17-44. **Rural road safety**: VCTC recommends that the GPU address the following Mobility Elements Roads as high priority roads to be improved to reduce dangerous conditions as shown in the table below.

CHP Accident data on Mobility Element Roads the VCCPG and GPU Subcommittee does not want to widen due to context sensitivity or potential growth encouragement.

Road	Design safety issues	Deaths	Injuries	Property Damage	Other Notations
Lake Wohlford	Narrow lanes, no bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Terrain cliffs/embankments Sharp vertical /horizontal curves No left/right turn pockets	5	266	142	Traffic increased drastically by Casino traffic routed by Map Quest/Google to Valley View/Rincon/ Pauma to use this route from all points south and south west.
West Lilac/Lilac	Narrow lanes, no bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Terrain/cliffs/banks Sharp vertical /horizontal curves No left/right turn pockets No guard rails on cliff sides	13	319	194	GPU Subcommittee, most of the Circulation Subcommittee, and the VCCPG wants to make West Lilac (the most unsafe segment due to orientation, narrow shoulders and no guard-rails) the west attachment of New Road 3 to I-15. Sharp curves make average speed 15MPH
Old Castle	Narrow lanes, no bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Terrain cliffs/embankments Sharp vertical /horizontal curves No left/right turn pockets	3	127	63	West end of only current route to I-15 north of Escondido VCTC supports requirement for 8' paved shoulders with intermittent turn pockets

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-44. cont.

Woods Valley	Narrow lanes, no bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Sharp vertical /horizontal curves No left/right turn pockets Embankments at road edges	0	51	32	Route from Paradise Mountain Road to Valley Center Road
Cole Grade Road	No bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Very few left/right turn pockets Embankments at road edges Steep grades	8	239	130	VCCPG, GPU do not want to widen road as the County has designed it to be. Road will gridlock periodically at build-out. VCTC Supports 4.1A from VC Road to Pauma Heights
Valley Center Road East of Cole Grade	No bike lanes Narrow paved shoulders, narrow DG shoulders Restricted sight lines at intersections No left/right turn pockets	12	616	313	Additional east-west routes proposed in VCTC Additional Mobility Roads Chart
Miller Road	No bike lanes Narrow paved shoulders, narrow DG shoulders Restricted sight lines at intersections No left/right turn pockets Embankments at road edges	0	44	35	VCCPG wants to designate as scenic to prevent paved shoulders and loss of "character". VCTC DOES NOT AGREE
Paradise Mountain Road	Narrow lanes, no bike lanes No paved shoulders, narrow DG shoulders Restricted sight lines at intersections Very few left/right turn pockets Embankments at road edges Steep grades Sharp vertical /horizontal curves Dead-end road	1	18	23	Dead end road, no fire evacuation route. History of fire damage, directly in WUI VCTC supports any additional development provide alternate access

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Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Emergency Access and Egress: VCTC disagrees with the DEIR assessment that the project has insignificant effect on this element. Valley Center has an overabundance of insufficient access roads and doubling the population will result in serious threats to human safety and life.

Insufficient access occurs as a result of an incomplete or not fully interconnected roadway network, such as inadequate roadway widths, turning radii, dead end or gated roads, one-way roads, single ingress and egress routes, or other factors.

The lack of a comprehensive network can result in severe traffic congestion or blocked sole routes of ingress that limit the responsiveness of emergency vehicles or trap residents trying to flee during an emergency. In addition, inadequate roadway widths and turning radii can make it difficult for personnel to maneuver rescue equipment in an emergency.

Dead end and one-way roads and traffic can impair emergency access and cause delays in response if a wrong turn is taken.

Gated communities, which are popular in the unincorporated areas, can also obstruct access for emergency vehicles and obstruct egress routes for residents fleeing in the event of an emergency such as a fire.

Private roads also have the potential to impair emergency access. Private roads are often unpaved and poorly maintained, which poses risks to public safety, especially in high wildfire hazard areas.

Dirt roads, or roads with potholes, may cause damage to fire apparatus vehicles and/or impede an emergency vehicle from accessing a site. Dirt roads pose additional safety concerns by having dust obstruct the view of evacuees during a firestorm, which can cause vehicles to drive off the road or into the fire, as demonstrated in the October 2003 wildfires in San Diego County. This problem is compounded in areas with existing populations that have only one point of access.

O17-45.

Valley Center was developed by parcel split and most side roads off major roads, such Cole Grade, Lilac, Old Castle, Valley Center Road, and Anthony are cul de sacs or dead end roads. They are too numerous to list below, so only roads of considerable length, or fire danger exposure are listed in the table below.

The dead end road issue in Valley Center is of such magnitude that a list of roads having 2 access/egress routes or un-gated routes would be much shorter and would fit on a single column of a single sheet.

VC has few public roads and very little intra community connectivity. Wildfires of 2003 and 2007 demonstrated VC's vulnerability in times of disaster.

Valley Center Roads with Access/Egress Problems

Roadway width	Turning radii	Dead end/Gated	Single access/egress	Fire Danger Area	Dirt
W Lilac Rd	Almost all VC Rds			West Lilac	
Keys Creek				Keys Creek	
Anthony		Anthony	Anthony	Anthony	
Mirar de Valle		Mirar de Valle	Mirar de Valle	Valle/Valley View Ranch	
		Banbury	Banbury	Banbury	
		Ridge Ranch	Ridge Ranch	Ridge Ranch	
		Betsworth	Betsworth	Betsworth	
		Via Piedra	Via Piedra	Via Piedra	
		Palos Tierra	Palos Tierra	Palos Tierra	
		Stonegate	Stonegate	Stonegate	

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Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

Cool water Ranch		CoolWater Ranch	CoolWater Ranch	CoolWater Ranch	x
Calle de vista		Calle de Vista	Calle de Vista	Calle de Vista	x
Paradise Mtn		Paradise Mountain	Paradise Mountain	Paradise Mountain	x
		Covey Lane	Covey Lane	Covey Lane	
		S. Cole Grade	S. Cole Grade	So Cole Grade	x
		Turtle Rock	Turtle Rock	Turtle Rock	x
Hilldale		Hilldale	Hilldale	Hilldale	x
Cool Valley Ranch		Cool Valley Ranch	Cool Valley Ranch	Cool Valley	x
Tyler		Tyler Road	Tyler Road	Tyler Road	x
		Pauma Heights	Pauma Heights	Pauma Heights	
Wilkes Rd		Wilkes Rd	Wilkes Rd.	Wilkes Rd	
Sierra Rojo		Sierra Rojo	Sierra Rojo	Sierra Rojo	
Yellow Brick		Yellow Brick Road		Yellow Brick	x
		Oak Glen		Oak Glen/ VCHS	x
Cobb Lane		Cobb Lane			x
Far Away Place		Far always place			x
		Ava Lane			
		Wilhite			x
Star dust		Star Dust			
Hill Crest		Hillcreat		VCHS	x
Nikki Lane		Nikki Lane		VCHS	x
Mesa Verde		Mesa Verde	Mesa Crest	Mesa Verde	x
Mesa Crest		Mesa Crest		Mesa Crest	
Castle Creat		Castle Crest	Road Runner Ridge	West lilac	
Spearhead Trail		SpearHead Trail			x
Rolling Hills		Rolling Hills		West lilac	

O17-45. cont.

VCTC Mobility Element Recommendations: The VCTC consists of several members of the VCCPG Circulation Subcommittee and former VCCPG members who have been residents of Valley Center for over 20 years. As such, we have a in depth ground-level knowledge of Valley Centers unique terrain, wildfire patterns, traffic patterns, and accident history on which to base the recommendations you will find in Attachment 1 (VCTC Mobility Element Network) and Attachment 2 (Additional Circulation Roads).

All changes and additions have been evaluated to increase emergency access, improve evacuation routes, increase alternative local traffic circulation potential, reduce local trip mileage, and reduce heavy traffic volumes resulting from our historical development patterns.

Also submitted is the Revised Mobility Element Map .pdf file which has the VCTC recommended revisions drawn and denoted.

O17-46.

Additional VCTC Concerns not covered by the DEIR: The VCTC has concerns that the GPU will not result in essential services and commercial development occurring in a timely manner. To the County's credit, all of our concerns, except for one, are not their fault.

We see development in all of Valley Center impeded by several factors:

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-46. cont.

1. Design Review Board (DRB) Guidelines: Antiquated, over-restrictive, document that limits design, restricts parking availability, and mandates Town Center design that is not southwestern in context.
2. Historically long delays resulting from overzealous application of the standards by the DRB and the demanded redesigns for even minor projects that have resulted in delays exceeding 5 years and costs exceeding $1.5 M.
3. The VCCPG is on record as promoting road failure as a method of opposing any growth. Several SPAs have been delayed 10 years or more by the DRB and VCCPG calling for redesigns, new requirements, additional amenities, etc.

O17-47.

4. The institution of the commercial business TIF was a business "breaker" in the rural parts of the County. The huge fees discourage attempting to obtain the MUP in the first place. It is entirely counter-productive to place the heaviest burden on businesses to make road improvements in the remote rural areas. It is predominately the housing industry that brings in ADTs that cause more road congestion. Preschools, markets, gas stations, restaurants, and drug stores (as examples) do not attract new regional drivers to an area. In fact, they reduce the local road congestion on the main roads leading out of the rural community. Local drivers in small isolated communities do not have to travel as far and are able to come from all compass points to a central location (reducing the load on all roads) without having to exit to one of the three larger communities that border us. These essential services primarily serve the local residents of the rural community. In the case of Valley Center, we are on the top of a hanging mesa surrounded by mountains and canyons. Residents from Escondido, San Marcos, Vista, and Temecula do not venture into our town for essential services. The TIFs on our local businesses is an unfair burden that should have been shared equitably with the housing builders who generate new ADT's for our roads. The county needs to revisit TIFs as a way to fund road improvements. Our rural areas will continue to suffer economically (no new businesses nor essential services) and with growing traffic woes if we unfairly burden businesses to finance new roads. The residents of these rural communities deserve the same essential services all other communities take for granted. The county needs to be equitable in sharing these TIF burdens on the developers who bring in new ADTs from housing. The regional portion of the TIF should be eliminated for essential businesses and services within rural areas and redistributed to the actual buildings that generate the local and regional demand on our road systems.

O17-48.

VCTC would appreciate any actions the County can take to allow Valley Center to grow in an intelligent manner.

VCTC wishes to thank the Board of Supervisors, the DPLU, and the DPW for their consideration of our DEIR recommendations.

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-49.

Attachment 1: VCTC Mobility Element Network Recommendations

ME Id #	Road segment	Special Circumstances	Planned GPU Designation	Design Speed	Comprehensive ADTs (in thousands)	Environmental ADTs (in thousands)	Current Road ROW width	Planned ROW width	Land Use Designation	Bikeway Designation	SC EIR Recommendati
1 - Couser Caynon	Boundary to Lilac Rd	Reduce shoulder to 5'	LPR	40	5.9-6.6	4.7-3.8	23-27'	52'	R	S	
2	**West Lilac** Boundary to Circle R	8' Paved shoulders reqd	2.2E	40	7.4-6.2	7.5-6.1	24'	64'	R	S	
	Circle R to Lilac Rd	8' Paved shoulders reqd	2.2E	40	2.1-1.8	.5-1.6	24'	64'	R	S	
3	**New Road** Old 395 to West Lilac		2.2C	40	18.1-11.5	2.3-0	0	64-78'	SR/R		
	West Lilac to Lilac		2.2C	40	15.6-13.4	6.1-6.2	0	64-78'	SR/R		
	Lilac to Cole Grade	~~Align Ceel Valley with Hilldale at Cole Grade~~ Align with W. Oak Glen	2.2C	40	11-6.5	6.6-5.1	0	64-78'	SR/R		
4 - Circle R	Old 395 to West Lilac		2.2E	40	4.7-1.5	5.1-1.3	25'	64'	SR/R	L	
5 - Old Castle Rd	Old 395 to Lilac Rd	8'Paved Shoulders required	2.2D	40	12.4-5.2	12.3-4.9	30'	88'	SR/R	S	
6	**Lilac** Boundary to West Lilac		LPR	40	3.3-4.3	2.8-3.3	22'	64'	R	S	
	West Lilac to Old Castle	8' Paved shoulders reqd	2.2E	40	10-8.2	6.4-6.6	22'	64'	R	S	
	Old Castle to Anthony	Raised Medians	2.1D	45	8.6-12.9	9.3-10.6	27'	84'	SR	S	
	Anthony to New Rd 19	Intermittent turn lanes	4.1B Major	55	20.5	17.1	28-37'	84-98'	Sr	S	
	New Rd 19 to VC Rd	Accepted LOS E/F	4.2A Blvd	40		31.1	37'	92-106'	V	S	
7 - Cool Valley	Cole Grade to Villa Sierra	~~Align Hilldale @ Cole Grade~~	2.2C	40	1.9-1.1	1.8-.9	26'	64'	SR	R	
8 - Villa Sierra	Cool Valley to Mac Tan Cool Valley to Pauma Heights via Little Quail and New Road		2.2C	30	1.1-2.4	.9-2.1	15-20'	64'	SR		
9 - Mac Tan	Villa Sierra to VC Rd		2.2E	30	2-3.2	1.7-1.5	20-32'	64'	SR	R	
10	**Miller** VC Rd to New Road 11	Intermittent turn lanes	2.3B	35	2.2	2.1	28'	68-82'	V	R	

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-49. cont.

ME Id #	Road segment	Special Circumstances	Planned GPU Designation	Design Speed	Comprehensive ADTs (in thousands)	Environmental ADTs (in thousands)	Current Road ROW width	Planned ROW width	Land Use Designation	Bikeway Designation	SC EIR Recommendati
	New Road 11 to Cole Grade		2.2E	30	4.2	3.3	28'	64'	SR	R	
	Cole Grade to Villa Sierra		2.2E	30	1.2-.1	.8-.1	16'	64'	SR		
	11 - New Road 11 Miller to Cole Grade Rd (south of Misty Oak)	Intermittent turn lanes	2.3B	35	1.6-1.1	.8	0	68-82'	V		
	12 - Fruitvale Cole Grade to boundary	Align Fruitvale with New Road 11 @ CG, extend existing road east to Sunset and remove gate at Yellow Brick	2.2C	40	5.1-2.5	4.5-2.2	24-48'	64-78'	SR	L	
13	**Cole Grade** New Road 14 to VC Rd	Continuous turn lane	2.2B	40	12.9	13.4	28'	78'	V		
	VC to Horse Creek	Raised Median	4.2A Blvd	40	20.3-15.2	19-12.8	64'	92-106'	V	L	
	Horse Creek to Pauma Heights/W. Oak Glen	Raised Median	4.1A Major	55	17-13.8	14.1-12.5	28'	84-98'	SR	L	
	~~Cool Valley to Pauma Hghts~~	~~Raised Median~~	~~2.1A~~	45	7	6.4	28-64'	74'	SR	L	
	Pauma Heights to McNally	Intermittent turn lanes	2.1C	45	10.5	8.7	25'	60-74'	SR	L	
	McNally to boundary		2.2E	40	10.1-8.9	8.7	28'	64'	SR	L	
	14 - New Road 14 VC @ Miller south to VC Rd at New Road 15	Raised Median	2.3A	35	4.6-12.9	3.8-13.4	0	82'	V		
	15 - New Road 15 VC Rd @ New Rd 14 to Cool Valley Rd		Local Public Rd	30	3.0-.2	1.6-.1	0	48'	SR		
16	**VC Road** S Boundary to Wood Valley	Raised Median	4.1A Major	55	28.8	24.3	78'	98'	R	L	
	Woods Valley to Lilac	Raised Median	4.2A Blvd	40	19.1-29.9	13.7-21.5	72'	106'	V	L	
	Lilac to Miller	Raised Median	4.1A Major	55	39.8-38.3	36-35.1	72'	98'	V	L	

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-49. cont.

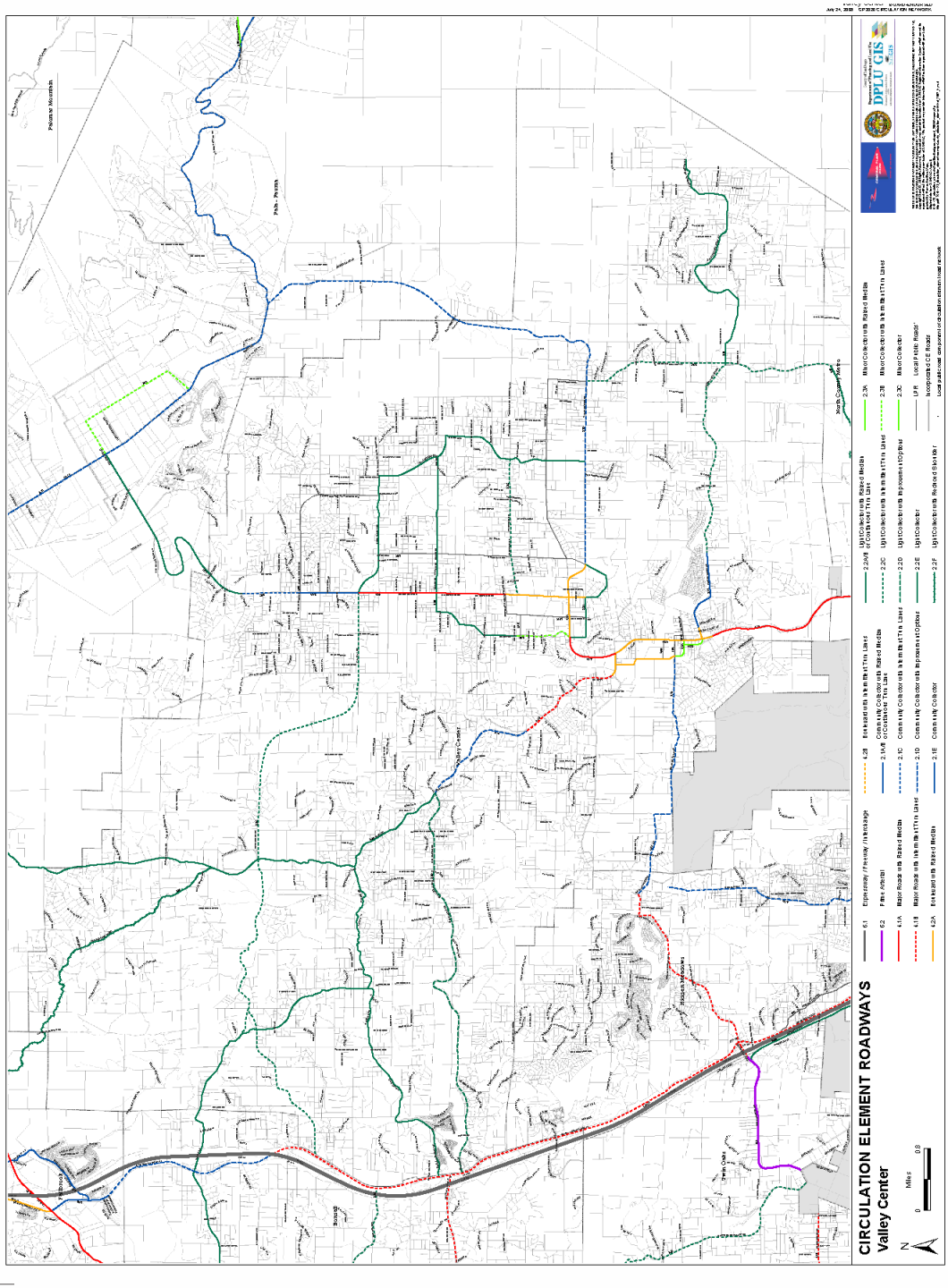
ME Id #	Road segment	Special Circumstances	Planned GPU Designation	Design Speed	Comprehensive ADTs (in thousands)	Environmental ADTs (in thousands)	Current Road ROW width	Planned ROW width	Land Use Designation	Bikeway Designation	SC EIR Recommendati
	Miller to New Rds 14/15	Raised Median	4.2A Blvd	40	37.1-22.7	33.7-16	72'	106'	V	L	
	New Rds 14/15 to Boundary	Raised Median	2.1D	45	18.8-15.4	17-14.6	30-36'	84'	SR	L	
17 - New Road 17 New Rd 14 to New Rd 11 thru N Village			Local Public Rd	30	14-1.1	11-1.1	0	48'	V		
18	**Mirar de Valle** W Boundary to New Rd 19	Raised Median	4.2D	45	20.9-27	19.2-26.9	20-64'	84'	SR		
	New Rd 19 to VC Rd		2.2A	30	7.7	6.9	0	48'	V		
19	**New Road 19** Mirar de V to Lilac between dairy and Orchard Run	Intermittent turn lanes	4.2B Blvd	40	33.3-26.2	32.4-27.1	0	92-106	V		
	Mirar de Valle to Woods Valley	Raised median	2.2A	35	6.1	6.8	0	82'	V		
20	**Woods Valley** VC to Oakmont	Raised Median and Right turn lanes	2.1A	45	17.3	14.7	50-57'	74'	V	R	
	Oakmont to Lake Wohlford	Intermittent turn lanes	2.2C	40	17.5-10.4	14.5-9.3	26'	64-78'	SR	R	
21- Lake Wohlford Rd Boundary to VC rd		Intermittent turn lanes	2.2C	40	7.9-5.7	8-4.4	25'	64-78'	SR	R	
22 - Paradise Mountain Rd Lake Wohlford to Hellhole			2.2E	40	8.6-7.5	6.5-5.4	21-46'	64'	SR	R	
23 - West Oak Glen New Road 3 to Cole Grade			2.2D	30	7.8-5.3	4.8-3.3	28'	48'	SR	R	

Bikeway Designations :
S – sign
L – Lane is minimum 5 ' in shoulder if parking restrictions is approved
R – Route is 8' in shoulder, may be reduced to 4' in constrained areas.

Table 1 in County Road Standards lists ADT level for each Circulation Element Road

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-49. cont.



Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-50.

Attachment 2: Additional Circulation Roads

1. Yellow Brick Road Vesper Rd. to north end	Reduced paved shoulder 5' RR Stds.	LPR or 2.2E	Provides additional N-S route to reduce load on Cole Grade, safer access at WUI edge	Possible TIF funding, public safety (Fire evacuation) grant money
2. Thundernut Lane VC Rd to Vesper	Reduced paved shoulder 5' RR Stds.	LPR or 2.2E	Provides connection for Yellow Brick, Vesper, Fruitvale, Cool Valley at N Lake Wohlford Signal	Possible TIF funding, public safety (Fire evacuation) grant money
3. Callejo Feliz Terrace/ Callejo Feliz Yellow Brick to Cool Valley	Reduced paved shoulder 5' RR Stds.	LPR	Improve road width, provide central tie point to new road to Pauma Heights	Possible TIF funding, public safety (Fire evacuation) grant money
4. Miller Way to Dermid Rd	Reduced paved shoulder 5' RR Stds.	2.2c or LPR	Provides connection from Anthony Road to Cole Grade, provides emergency access, reduces traffic on VC Road	Mitigation for Segal Ranch development, provides west escape route alternative as required by new WUI standards.
5. Wilkes Road Old Castle to Betsworth/Mirar de Valle	Reduced paved shoulder 5' RR Stds.	LPR	Provides western access from Betsworth to Old Castle and Mirar de Valle, reduces traffic on VC Road.	Mitigation for future development in the area, TIF fees
6. New Road West Cool Valley Road	Reduced paved shoulder 5' RR Stds.	LPR	Provides emergency access from new CG fire station	Mitigation for Segal Ranch development, provides west escape route alternative as required by new WUI standards. Joins Anthony to Cole Grade at existing Cool Valley traffic signal
7. Anthony Road Lilac Rd. to Road 3 (5' shoulders) Align with Mesa Crest	Reduced paved shoulder 5' RR Stds.	LPR	Improves road width and straightens curvilinear areas. Provides emergency access, reduces traffic on Cole Grade and VC Road	Possible TIF funding, public safety (Fire evacuation) grant money
8. Little Quail Run. Extend 250 yds north	Reduced paved shoulder 5' RR Stds.	LPR	Improves road width Provides emergency access, reduces traffic on Cole Grade	
9. N. Saddleback	Reduced paved shoulder 5' RR Stds.	LPR	Improves road width Provides emergency access, reduces traffic on Cole Grade	

Comment Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-50. cont.

10. New Road Connect Little Quail, N.Saddleback, and Pauma Heights at water tower	Reduced paved shoulder 5' RR Stds.	2.2C	Provides emergency access, reduces traffic on Cole Grade	
11. Vesper Road	8' paved shoulders RR Stds.	2.2C	Provides emergency access, reduces traffic on Cole Grade &VC Rd	Mitigation for future development in the area, TIF fees
12. Betsworth Road	8' paved shoulders	LPR	Provides emergency access, reduces traffic on Lilac &VC Rd	Mitigation for future development in the area, TIF fees
13. New Roads	Reduced paved shoulder 5' RR Stds	LPR	Provides emergency access, reduces traffic on Lilac &VC Rd	Mitigation for future development in the area, TIF fees
14. Hilltop Drive	Reduced paved shoulder 5' RR Stds	LPR	Improves circulation at VCHS	
15. Willow View Lane	Reduced paved shoulder 5' RR Stds	LPR	Improves circulation at VCHS	
16. Pauma Heights Road Cole Grade to beyond Curran	8' paved shoulders, RR stds	2.2D	Provides emergency access, reduces traffic on Cole Grade	Mitigation for future development in the area, TIF fees
Curran Ct to extents	Reduced paved shoulder 5' RR Stds	LPR		

Notes:

1. These roads are identified on the Mobility Network Map by square text boxes with the road number above
2. These roads all either improve traffic flow and pattern or mitigate Public Safety issues with emergency response times and evacuation routes.

Responses to Letter O 17, Valley Center Town Council (VCTC)

O17-1 This comment is an introduction to the comments being provided, along with a description of the Valley Center Town Council and a summary of general recommendations that are discussed in more detail in the remainder of the letter. Therefore, specific responses are provided in responses to comments O17-3 to O17-48 below.

O17-2 This comment provides background information on Valley Center and summarizes the five comments on the General Plan Update draft General Plan and DEIR. Specific responses to these five comments are provided in responses to comments O17-3 to O17-48 below.

O17-3 The County disagrees with this comment. DEIR Section 4.1.1, Alternatives Considered but Rejected, identifies an alternative that would construct a roadway network with sufficient capacity to result in every Mobility Element roadway segment operating at Level of Service (LOS) D or better. As described in this section under the heading Full Road Network Capacity Alternative:

"This alternative, which would require increasing the capacity of the road network, was considered but rejected because it would result in wider roads that would have the potential to significantly impact rural community character, require demolition of existing patterns of development where there is insufficient right-of-way to widen roads, impede bicycle or pedestrian safety, impact significant biological and cultural resources, such as habitat, wetlands, MSCP preserves, wildlife movement, historic landmarks, stands of mature trees, and significant archaeological sites."

Based upon the above information, this alternative was rejected because it would substantially increase the majority of significant environmental impacts identified for the proposed project, with the exception of traffic. Where levels of service (LOS) E and F are planned to be accepted, it is only because analysis has shown that the costs and impacts associated with widening would outweigh the benefits. The County has determined that the high cost-to-benefit ratio makes the noted improvements infeasible. The County further coordinated with the Valley Center Community Planning Group when identifying which roads in Valley Center would be accepted to operate at LOS E/F. The Valley Center Community Planning Group supports this approach for the selected segments.

O17-4 This comment asserts that the General Plan Update Mobility Element for Valley Center fails to balance land use, mobility, and safety concerns because roads have been accepted to operate at level of service (LOS) E/F. The County acknowledges that Appendix I, Rationale for Accepting Roadways with Level of Service E/F, provides rationale for accepting Mirar de Valle Road, portions of Valley Center Road, portions of Lilac Road, and a portion of Woods Valley Road at a LOS of E or F. These road segments were forecast to operate at LOS E/F based on full build-out of the General Plan Referral Land Use Map. The County contends that the General Plan Elements can be balanced while accepting some roads to operate at a LOS E/F. The General Plan Update establishes multiple roads and enhances connectivity throughout Valley Center to offer a choice of travel routes rather than widen certain roads in Valley Center to four lanes. Also, while non-residential trip generation rates

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

used by the SANDAG traffic model are based on countywide averages, they are weighted toward the urbanized areas of the county since that is where nearly all of the data has been derived from. Therefore, in most instances the traffic model overstates the number of commercial trips that would be generated in the unincorporated county because County Floor Area Ratios and parking requirements would not allow development as intense as the SANDAG rates assume. Finally, the traffic model is based on average daily traffic volumes; however, throughout most of the day the roads would operate at an acceptable LOS. It is only during brief peak periods that congestion is likely to occur. Therefore, upon more detailed examination, the County disagrees that the Mobility Element is not balanced with the Land Use and Safety Elements.

The County also disagrees that the draft Mobility Element network fails to meet the criteria outlined in draft Land Use Element Policy M-2.1 due to the assertion that the road segments operating at LOS E/F are marginal deficiencies. In Valley Center, this assertion is only made for Lilac Road, which operates at LOS F for a short segment from New Road 19 to Valley Center Road. The Mobility Element traffic forecast model does not take into account intersection improvements, such as right turn lanes, which could relieve the congestion on this segment. In addition, both Mirar de Valle Road and New Road 3 offer alternative routes to Lilac Road.

The County further disagrees that the LOS deficiencies in Valley Center "results in a lack of available routes." The proposed Mobility Element network for Valley Center includes several new roads that improve connectivity and provide alternate routes for the community. These routes are shown on Figure M-A-23 and the accompanying matrix provided in the Mobility Element Network Appendix to the draft General Plan. They include the following:

- New Road 3 connecting Cole Grade Road with Old Highway 395;
- New Road 11 providing an additional connection between Cole Grade and Miller Roads
- New Road 14 providing a southern bypass to Valley Center Road from Miller Road to east of Cole Grade Road
- New Road 15 providing an alternate route to Cole Grade Road between Valley Center and Cool Valley Roads;
- New Road 19, a parallel route to Valley Center Road between Lilac and Woods Valley Roads; and
- Mirar de Valle Road (on the current Circulation Element) which would provide an additional connection of Valley Center Road to the Interstate 15 south of Old Castle/Lilac Roads.

O17-5 The County does not agree that the General Plan Update road network will impact public safety or that fire responders will not be able to achieve a reasonable travel time. County Public Road Standards require road shoulders or road design that would allow emergency vehicles to get around areas of road congestion, when necessary (see also response to comment O17-4 above).

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-6 The County acknowledges that Valley Center is currently a bedroom community where many residents commute to employment centers in more urbanized areas. The proposed project land use map recommends additional commercial and employment opportunities that would reduce the need to travel to more urban areas for employment and many services. This will relieve traffic congestion of roads providing access into and out of Valley Center. In addition, much of the casino traffic is during non-peak hours and does not always contribute to increased road congestion.

O17-7 It is not clear from this comment or from the Mobility Element matrix attached to the comment letter which Transportation and Traffic issues are being addressed or how the commenter's determinations are at variance with the DEIR. The assertion in the comment is inconsistent with Table S-1, Summary of Project Impacts, which determines that all six issues would be significant and that three of the six Transportation and Traffic issues would result in "Significant and Unavoidable Impacts."

O17-8 This comment states that the draft General Plan Update does not provide sufficient emergency secondary exit routes to existing dead-end roads. The County acknowledges that the General Plan Update Mobility Element road network does not include a complete network of local public and emergency access roads. This is not the function of the Mobility Element. Local public and emergency access roads are more appropriately identified in community plans or other implementing documents, such as road master plans; however, the draft Mobility Element network does identify several essential new local public road connections as discussed in response to comment O17-4 above.

O17-9 This comment identifies additional local public roads that are provided as Attachment 2 to the comment letter, along with a reference to Attachment 1, which proposes modifications to the Mobility Element. As discussed in the response to comment O17-8 above, local public roads are more appropriately addressed in community plans; therefore, this information should be considered during the current update to the Valley Center Community Plan. A response to the proposed modifications to the Mobility Element network is provided as response to comment O17-49 below.

O17-10 This comment proposes relocating land use density for the Valley Center Community Planning Area from the two Villages proposed by the General Plan Update to a new western village with sufficient commercial, industrial, and residential to be sustainable. The inclusion of a new village in the western portion of Valley Center is not included on any of the land use alternatives analyzed by the DEIR; therefore, it is beyond the reasonable range of alternatives identified for the DEIR. As a result, the proposed land use modification would require significant revisions to the General Plan Update and the DEIR, which would delay the adoption of the General Plan Update by one to two years. The County does not support a significant change to the project this late in the planning process and would recommend that the proposed western village be considered outside of the General Plan Update.

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-11 This comment introduces three alternatives to create a more balanced plan for Valley Center. These alternatives will be discussed in responses to comments O17-12 through O17-14 below.

O17-12 The comment proposes expanding the capacity on Mirar de Valle Road in the General Plan Update Mobility Element. The County acknowledges that the DEIR traffic model forecasts Mirar de Valle Road to operate at LOS E/F. Staff has recommended a two-lane classification for Mirar de Valle because that is consistent with the recommendation of the Valley Center Planning Group, the elected representatives of the community, and because when a four lane alternative for the road was modeled earlier in the General Plan Update planning process, the road still operated at LOS E/F. It appears that any widening would draw more traffic and congestion than the road can accommodate because it is the most direct route to the Interstate 15. The County is proposing to retain the road at two lanes and better disperse traffic along other routes. For example, the traffic model forecasts for the Referral Map (the most intensely developed land use alternative) road network show that there is sufficient capacity on Valley Center Road south of Woods Valley Road to accommodate the excess traffic on Mirar de Valle Road. Therefore, if traffic congestion occurs on Mirar de Valle Road, drivers will have an alternative to get to the Interstate 15 that is not congested. As such, Mirar de Valle is more appropriately designated as a two-lane road.

O17-13 This comment letter will be part of the Final EIR; therefore, the commenter's preference for the Environmentally Superior Map is documented and this information will be made available to the County Board of Supervisors. The County Board of Supervisors has the approval authority for the proposed project and will consider all information in the Final EIR and related documents before making a decision on the project.

See also response to comment O17-10 above.

O17-14 The County does not agree with the proposal to add a Western Village as discussed in the response to comment O17-10 above.

O17-15 The County is not clear on what this comment is inferring and is not aware of what is being referred to as "new technology which might co-locate and use existing corridors and/or be scalable and easily connected to new technologies in existing corridors." Therefore, no response is provided.

O17-16 DEIR Appendix L, Project Alternatives Area of Difference (AOD), in particular VC3, has been amended to reflect that a new fire station and new east-west road are proposed near the subject AOD.

O17-17 DEIR Appendix L, Project Alternatives Area of Difference (AOD), in particular VC10, has been amended to reflect that a new east-west road is proposed near the subject AOD. See response to comment O17-10 for a response to the recommendation for using this parcel as part of a new Western village.

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-18 The County concurs that this property has historically had Rural Commercial uses and the Referral Map (proposed project) assigns a Rural Commercial designation for this parcel. As discussed in response to comment O17-13 above, the County Board of Supervisors has the approval authority for the proposed project and will consider all information in the Final EIR and related documents before making a decision on the project.

O17-19 This comment reiterates the commenter's support for a Western Village in Valley center. See response to comment O17-10 above.

O17-20 This comment reiterates its support for a Western Village and recommends specific changes to the Draft General Plan. Staff's responses to the recommended changes are provided in responses to comments O17-21 through O17-24 below.

O17-21 This comment recommends a policy that would allow for the creation of Special Study Area. The County is not opposed to special study areas and is coordinating with the Tecate Sponsor Group to plan a special study area in the Tecate Sponsor Group Area. A policy is not required to plan and implement special study areas; therefore, the County disagrees that a new policy needs be added to the Draft General Plan; however, the commenter should coordinate with the Valley Center Community Planning Group to include a Special Study Area in the Valley Center Community Plan Update, if appropriate.

O17-22 The County disagrees with the recommended revisions to draft General Plan Policy LU-1.2, Regional Categories Map Amendments. The comment implies that the mandatory language of the policy would preclude changes to be made to the General Plan, outside of a comprehensive update. The County supports the language of the policy as written because it clearly shows the intent to minimize changes to Regional Categories. The County disagrees that the use of the word "avoid" would preclude future amendments to the General Plan. State law allows for General Plan Amendments and the County intends to implement a process to facilitate "maintenance" amendments that are necessary to "clean up" or address such problems as they arise (see also measure 1.2.1.A General Plan Review from the draft Implementation Plan).

O17-23 The County disagrees with the recommended revisions to draft General Plan Policy LU-1.4, Leapfrog Development. The comment implies that the mandatory language of the policy would preclude appropriate leapfrog development; however, the policy is only intended to prohibit leapfrog development when it is not consistent with community plans. Therefore, if leapfrog development is desired in the future, it could be pursued further once identified in the Community Plan.

O17-24 The County does not agree that draft General Plan Policy LU-14.4, Sewer Facilities, should be amended to allow sewer extensions for the creation of self-sustaining new villages. If new villages are appropriate they will be identified in the Community Plan, which would include an extension of the Village boundary. Therefore, the extension of sewer facilities should only occur in accordance with the policy as currently written.

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

O17-25 This comment appears to combine specific planning issues related to Valley Center with environmental impacts from the DEIR that were determined to be potentially significant for the General Plan Update as a whole. The County does not agree with the assertions in this comment or the manner in which they are presented. Most of the bulleted phrases in this comment are erroneous when compared to the actual conclusions in the CEQA document. The County refers the reader to the guidelines provided in the DEIR for determining significance for these subject areas, and the detailed discussions provided for environmental impacts that would be potentially significant.

O17-26 The County appreciates the comment and recognizes that a significant level of development is likely to occur in the future. As a result, the impacts evaluated by the DEIR are based on full build-out of each land use map alternative.

O17-27 The County appreciates the level of effort that went into review of the land use map by the Valley Center Town Council (VCTC). This comment letter, which includes these land use recommendations for inside the villages, will become part of the Final EIR that will be available to the Board of Supervisors, who will make the ultimate decision for which land use map to adopt, as discussed in response to comment O17-13.

O17-28 Road Segment 3A is included in the proposed project. The County does not agree with the other suggested changes in this comment. See also response to comment O17-10.

O17-29 Refer to response to comment O17-27 above.

O17-30 The County appreciates the additional rationale that the Valley Center Town Council (VCTC) has provided in support of the VCTC-preferred land use alternative. Refer to response to comment O17-27 above.

O17-31 The County acknowledges the differences between the Valley Center Town Council-preferred land use alternative as compared to the proposed project, the Referral Map (see also response to comment O17-30 above).

O17-32 This comment lists General Plan Update policies and mitigation measures and argues that the Valley Center Town Council (VCTC) recommendation would better support them. While the VCTC recommendation is not part of the proposed project or analyzed alternatives, ultimately the Board of Supervisors must determine how the County can best meet its goals, policies and objectives. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O17-33 The County acknowledges that there are differences between the DEIR roadway classifications and the lookup tables on the SANDAG traffic model maps. The differences in the SANDAG lookup tables were coordinated with the County and are meant to provide more variables in the County DEIR traffic model to reflect actual

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

conditions and variations in road improvements. For example, although the County Road Standards identify maximum design speed, there are instances where this design speed may not be able to be achieved, such as when the intersection spacing is short or the road has a lot of side friction. Therefore, the SANDAG lookup tables include road classifications with a variety of travel speeds, whereas the Standards only provide the maximum design speed.

O17-34 The County acknowledges that the SANDAG lookup tables identify a greater variety of thresholds for level of service (LOS) D for four-lane roads. Again, as with the response to comment O17-33 above, these differences are meant to better reflect actual conditions for existing roads. For example, the County Road Standards provide only two improvement options for the Major and Boulevard classifications (raised median or intermittent turn lanes). The SANDAG lookup tables provide thresholds for additional conditions, such as a continuous turn lane or a one-way two lane road.

O17-35 This comment points out a difference in design speeds shown in the General Plan Update DEIR Road Standards and the speeds in the SANDAG traffic model. These differences were explained in the response to comment O17-34. In addition, the SANDAG traffic model is based on travel speed and the County Road Standards are based on design speeds. These two are not the same and that is why the differences appear.

O17-36 The County acknowledges that the Mobility Element network includes local public roads in some instances, and the level of service (LOS) for these roads is not reported. This is explained in the County Road Network section of the Mobility Element under the Road Classifications heading.

"Local public roads are normally not included in the Mobility Element network, but are depicted with the network for informational purposes when they provide continuity between two Mobility Element roads, especially those that would operate at an unacceptable level of service without the local public roads. Local public roads are also depicted in areas that are currently undeveloped but planned in a future development area. Right-of-way should be reserved for these roads for local ingress/egress and non-motorized uses until subsequent planning efforts in the area determine specific locations of the local public road network. The basic criteria for depicting local public roads in the Mobility Element are provided in the County's Public Road Standards."

Although shown on the Mobility Element network, these roads are still considered to be local public roads and would be subject to all the conditions as detailed in the County Public Road Standards. Future traffic studies would still be required.

O17-37 The adjusted volumes depicted on the plots are the same adjusted volumes used by SANDAG to calculate the level of service (LOS).

O17-38 The County acknowledges that trip generation rates for undeveloped areas proposed for the Village Core Mixed Use land use designation assume a 50-50 mix between

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

commercial and multi-family residential uses. This was applied because the mix of the future development is unknown. The County does not agree that using this assumed mix for the traffic model is inconsistent with the Land Use Element. It is meant to provide a reasonable scenario when the actual future mix is unknown. The County also does not agree that this assumed 50-50 mix "could pose significant problems." Generally, the traffic model is overly conservative when applying trip generation rates of 694 average daily trips per acre of General Commercial land uses. This trip generation rate was derived primarily from commercial uses in more urbanized areas with more intensive patterns of development. Therefore, the County would contend that any underestimation in the amount of commercial land uses in the Mixed Use designation is compensated for by this General Commercial trip generation rate that is used. (See also response to comment O17-4)

O17-39 The County has deleted Table 2.15-28, Criteria for Accepting LOS E/F Roads, from the DEIR. This table was included in error, and was from a prior draft of the General Plan Update which has since been revised and deleted (refer to response to comment O17-43 below). The new table does not include "community willing to accept a lower LOS" as part of the criteria. These revisions provide clarifying text and do not result in any new significant environmental impacts.

O17-40 The County agrees and has removed "community willing to accept a lower LOS" as part of the criteria for accepting roads at LOS E/F.

O17-41 The County disagrees that reductions in density will not improve the level of service (LOS) on County roadways, but does concur that to fully resolve road deficiencies, reductions in density alone is insufficient. The County also disagrees that new traffic model runs are necessary due to inconsistencies in LOS thresholds, as explained in response to comment O17-34 above. For the purposes of the DEIR, the County contends that the traffic model adequately evaluates the LOS for the project alternatives. Nevertheless, the County does intend to rerun the traffic model using the land use map that is endorsed by the County Planning Commission, prior to seeking adoption of the General Plan Update from the Board of Supervisors.

O17-42 The County agrees with the comment that community consensus is not included in DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, but is included in Appendix I, Impacted Roadway Segment and Supporting Rationale for LOS E/F Level Acceptance. In addition, community consensus is never identified as the primary criteria for accepting a road segment with LOS E and F. The primary criteria are identified in DEIR Section 2.15.6.1, but community consensus is also identified in Appendix I when appropriate. This is merely to document when the proposal to accept LOS E and F is consistent with community preferences.

O17-43 The County has replaced Table 2.15-28, Criteria for Accepting LOS E/F Roads, from the DEIR with the criteria that accompanies draft General Plan Policy M-2.1, Level of Service Criteria. This table was included in error, and was from a prior draft of the General Plan Update which has since been revised. Refer to DEIR Section 2.15.6.1, Issue 1: Unincorporated County Traffic and LOS Standards, under the heading, Infeasible Mitigation Measures, and Appendix I of the DEIR, Impacted Roadway

Responses to Letter O 17, Valley Center Town Council (VCTC) (cont.)

Segment and Supporting Rationale for LOS E/F Level Acceptance, for information related to infeasible roadway mitigation measures. These sections no longer include the wording "land use modifications." Therefore, the analysis requested in the comment is unnecessary. These revisions provide clarifying text and do not result in any new significant environmental impacts.

O17-44 The County appreciates the commenter's assessment of Valley Center roads in regard to rural road safety and where the Valley Center Town Council's (VCTC) recommendations differ from those of the Valley Center Community Planning Group (VCCPG). The County disagrees that specific deficiencies in road conditions are appropriate to address in a General Plan Mobility Element. These should be addressed in a capital improvements plan. The County recommends that the VCTC coordinate with the VCCPG and update their priorities for road improvements and submit these revised priorities to the County Department of Public Works.

O17-45 The County appreciates the Valley Center Town Council's assessment of road emergency access and egress conditions on Valley Center roads. As discussed in the response to comment O17-8 above, this information is more appropriately addressed in the Valley Center Community Plan. Staff recommends that the Valley Center Town Council coordinate with the Valley Center Community Planning Group in the ongoing efforts to update the Valley Center Community Plan.

O17-46 The County acknowledges the differences the Valley Center Town Council has with the Valley Center Community Planning Group and Design Review Board; however, this comment does not raise a significant environmental issue for which a response is required.

O17-47 The County appreciates the comment concerning the Transportation Impact Fee (TIF) program, which is a mitigation measure of the General Plan Update DEIR. How the fees are actually assessed does not raise a significant environmental issue for which a response in required.

O17-48 This is a concluding comment that does not require a response.

O17-49 The County appreciates the level of effort that went into review and the recommendations made by the Valley Center Town Council on the Valley Center Mobility Element road network. Ultimately, the Board of Supervisors will determine the Mobility Element road network that is adopted. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.

O17-50 As discussed in the response to comment O17-8, the additional circulation roads identified in Attachment 2 are more appropriately identified in the Valley Center Community Plan.