



Carlsbad  
Los Angeles  
Phoenix

July 28, 2014

Sent via U.S. Mail, Email: [Mark.Slovick@sdcountry.ca.gov](mailto:Mark.Slovick@sdcountry.ca.gov),  
[jon@accretive-investments.com](mailto:jon@accretive-investments.com), [amoore@nmalawfirm.com](mailto:amoore@nmalawfirm.com)  
and Fax (858) 694-2555

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

Anne Moore, Esq.  
Norton Moore & Adams  
525 "B" Street, Suite 1500  
San Diego, CA 92101

Jon Rilling  
Lilac Hills Ranch  
32444 Birdsong Drive  
Escondido, CA 92026

Re: **Lilac Hills Ranch Project – Objection to Draft REIR**  
Specific Objection = Proposed Widening of Mountain Ridge Road

Dear Messrs. Slovick & Rilling & Mrs. Moore:

I have been retained by Frederick and Rebecca Knox, owners of the real property located at 9678 Circle R Drive, Escondido, CA [APN: 129-390-18-00] (the "Knox Property"). Enclosed herewith is a letter dated July 2, 2014, from Lilac Hills Ranch to the Knoxes. The gist of letter is to provide an update regarding Lilac Hills Ranch's proposed widening of Mountain Ridge Road and converting it into a public road.

Please accept this letter as the Knoxes' objection to the Lilac Hills Ranch Revised Draft Environmental Impact Report ("RDEIR"). The Knoxes' objection to the RDEIR is specific to the proposals to widen Mountain Ridge Road and/or convert it from a private road to a public road.

Please contact me with any questions.

Sincerely,

**GALUPPO & BLAKE**



STEVEN W. BLAKE

SWB/rmn  
Encl.

cc: Fred Knox (via e-mail)

# Lilac Hills Ranch

July 2, 2014

Frederick & Rebecca Knox  
23160 Mora Glen Dr  
Los Altos, CA 94024

*VIA CERTIFIED MAIL*

*RE: Lilac Hills Ranch Update*

Dear Frederick & Rebecca,

I am writing to provide you with an update of the Lilac Hills Ranch proposal and share some important information about your community.

On June 12, the County of San Diego released the Revised Draft Environmental Impact Report (RDEIR) for a 45-day public review period. All the documents, including a two-page reader's guide to help summarize the changes, can be found at:

[http://www.sdcountry.ca.gov/pds/regulatory/docs/LILAC\\_HILLS\\_RANCH/LILAC-HILLS-RANCH.html](http://www.sdcountry.ca.gov/pds/regulatory/docs/LILAC_HILLS_RANCH/LILAC-HILLS-RANCH.html).

In response to the public review period last summer and feedback from residents, community members and stakeholders, we made several changes to the project, including adding road alternatives for West Lilac Road and Mountain Ridge Road. However, we are continuing to plan the land just north of your neighborhood as a gated neighborhood for senior citizens. We believe that this will generate the lowest impact on you, your neighbors and on the road we share, Mountain Ridge Road.

One of the road alternatives, which was discussed at the county meeting on June 17, was the proposal for the future condition of Mountain Ridge Road. The following information provides a summary and background on this new alternative.

## MOUNTAIN RIDGE ROAD

In its current condition, Mountain Ridge Road is a 40 foot wide, private road easement, as shown on the attached Exhibit "A". You will note that because the road is private, it is not a separate public right-of-way, as are public roads. Rather, the road area is part of the legal parcels owned by many of the property owners adjacent to the road and exists as an easement across those owners' properties. The paved portion is approximately 20 foot wide, with a five- to ten foot graded shoulder on each side.

## Proposed Project

Our project would widen the paved portion of Mountain Ridge Road by four feet to provide a 24 foot wide, paved, private residential road within the existing 40 foot wide easement that benefits the southern 80 acres of Lilac Hills Ranch. Our plan provides internal gates so that all project traffic is restricted from using Mountain Ridge Road, except those residents living within the southern 80 acres.

July 2, 2014  
Page 2 of 3

### **New Alternative Provided in the RDEIR**

In consideration of comments on the prior Draft Environmental Impact Report circulated last July, a project alternative for the future condition of Mountain Ridge Road was added, the Mountain Ridge Fire Station Alternative. This alternative provides an option that could be considered by the County of San Diego as part of final approvals. The alternative plan includes the following new features:

1. A two-acre fire station site in the southern portion of Phase 5, on the east side of Mountain Ridge Road, north of your neighborhood.
2. The removal of any proposed gates crossing Mountain Ridge Road and Lilac Hills Ranch Road.
3. The reclassification of Mountain Ridge Road to a Public Rural Residential Collector (Road).

### **Public Rural Residential Road**

As part of this alternative, Mountain Ridge Road would become a public road (rather than its current classification as a private road). The road will remain in the same location (except as Mountain Ridge approaches Circle R Drive) and the areas within the adjoining property owners' lots currently subject to the road easement would be purchased and placed into a new public right-of-way for the road. Approximately 25,511 square feet of the right-of-way required would be purchased from you. In some cases, the land area required to accommodate the road improvements will extend beyond the current road easement area. It will require a slope easement of approximately 29,947 square feet (limits of grading shown on the enclosed Exhibit "B").

As a public road, Mountain Ridge Road would be owned and maintained by the County of San Diego, reducing the ownership risk of the current owners. To help explain the proposal, we have attached an aerial map with the limits of both the public and private road designs relative to your property. All road designs take into account three main factors that determine the ultimate configuration: width, grade, and design speed. The RDEIR studied the following public road design for Mountain Ridge:

The paved road surface, which is currently only 20 feet wide, would increase to 28 feet wide by widening each travel lane by two feet and adding two foot paved shoulders on each side. Six foot parkways will be added to each side (which are non-paved areas on the side of a road that could accommodate walking or jogging paths). Improvements to the intersection alignment of Mountain Ridge Road at the intersection with Circle R Drive making it more perpendicular. These road improvements will be based upon a 30 mph design speed. For complete details, see page 11 of the RDEIR, Appendix V-2, Traffic Impact Study.

**No homes or structures would be impacted under this scenario or any other scenario.**

### **The Public Road Process**

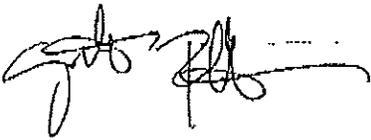
The existing 40 foot wide private road easement for Mountain Ridge extends from Lilac Hills Ranch to Circle R Drive, a distance of approximately 2600 feet. Currently, it is our understanding that the Circle R Estates HOA is responsible for all maintenance and upkeep of the road and have exposure to liability

July 2, 2014  
Page 3 of 3

(as do the individual property owners that own the land subject to the road easement). If the Public Road Alternative were selected, each property owner subject to the road easement would have that area purchased at fair market value and a public road would convert their ownership area into a public right-of-way, which would transfer the responsibility for maintenance and liability to the County of San Diego.

Please feel free to contact me at (858) 345-3644 to schedule a convenient time to meet and I would be happy to sit down with you and review this information in more detail.

Sincerely,



Jon Rilling  
Project Manager  
Vice President  
Lilac Hills Ranch

Enclosure: Exhibit "A"  
Exhibit "B"

**3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (IM),  
 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-010  
 (STP), HLP XX-XXX, SCH 2012061100  
 ENVIRONMENTAL LOG NO.: 3910 12-02-003 (ER)  
 DRAFT REVISED EIR PUBLIC REVIEW PERIOD  
 June 12, 2014 through July 28, 2014**

**DRAFT EIR COMMENT SHEET**

Tuesday, June 17, 2014  
 COUNTY OF SAN DIEGO  
 Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123

**WRITTEN COMMENT FORM**

*See next page*

(Attach additional pages as needed)

**MAIL, FAX or E-MAIL FORMS TO:**

Mark Slovick  
 County of San Diego  
 Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123  
 FAX #: (619) 694-3373  
 e-mail: [Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)

  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
*Koppenhaver*  
 Print Name \_\_\_\_\_  
*3863 Somers Ct*  
 Address \_\_\_\_\_  
*Fullbrook ca 92028*  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
*760-731-1163*  
 Phone Number \_\_\_\_\_

**COMMENTS MUST BE RECEIVED BY 4:00 PM, JULY 28, 2014**

Comment page regarding Lilac community  
7/29/14

1. Please explain how the report addresses how a high urban density project complies with the General plan of an agricultural environment?
2. Please explain how the plan mandates compliance with standard FMZ throughout the project for ?
3. Please explain how you will gain access to private roads for easements in a fire emergency?
4. How do you plan on mandating access to private roads during an fire emergency?
5. Did the owners to the properties agree to allowing public access for possibly over 1,4000 occupants?
6. Please give the time required to accomplish blasting and the length of time required to do removal and placement of fills?
7. Explain how specifically the road expansions will be funded by Cal Trans to make the roads safe for cyclists?
8. Explain how the project allows for aerial spraying in the pre existing agricultural areas in a urban dense development while still allowing for sustainable farming.
9. Has anyone done studies on the weight the Lilac bridge will support in the event of gridlock loading of cars, animal and possessions during an evacuation? What is the maximum continuous amount of weight the bridge will support?

## Slovick, Mark

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**From:** Patty <kyranlis@yahoo.com>  
**Sent:** Sunday, July 27, 2014 4:01 PM  
**To:** Slovick, Mark; Blackson, Kristin  
**Subject:** LHR DEIR

Mr: Mark Slovick,

Roads:

I am against the LHR project based on many things, this is just another one of them. Please take the time to consider my objections. I know myself and many of my neighbors and area residents are opposed to this project being approved on the basis of all our safety. As you know, in 2007 and 2008 we had tragic fires in the area. Valley Center experienced tragic loses of life and homes. We are all aware of this danger and know that the roads exiting W. Lilac at that time were clogged and fortunately people were not in imminent danger although under evacuation orders for several days. Many people expressed the relief that they were able to get out while others could only pray that the fire would not come that far. If a huge project such as this is put into the combination, there will surely be many losses of life and property. It is a nightmare to even consider how this could happen. The roads out here are narrow and windy. There is no place to go around, and there is little possibility of improving the roads to a level that could handle a mass evacuation. It will be clogged enough just with daily traffic.

The Applicant does not have legal right of way to use either Covey Ln or Mountain Ridge Rd. These are private roads and not maintained by the county at the present time. If the county allows this project to illegally use these roads for their project, they will not only be subject to lawsuits but to moral issues as well. Why should current residents have to pay for roads for these for profit developers? Our taxes will be impacted as well as our quality of life. How many lives will the county be responsible for losing by making a developer happy and making them rich? Please do not put us in danger with traffic nightmares and fire evacuation disasters.

The bridge over I15 cannot be improved without extreme expense and it should not be up to us to pay for it.

Question: How can we get out of here if we are all evacuated? How can we safely travel these winding roads with a huge influx of traffic? Please reply with your answer.

Patricia LaChapelle  
9684 Covey Lane  
Escondido, Ca. 92026  
760 644 3281

Patty

## Slovick, Mark

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**From:** Patty <kyranlis@yahoo.com>  
**Sent:** Monday, July 28, 2014 10:22 AM  
**To:** Slovick, Mark; Blackson, Kristin  
**Subject:** LHR DEIR-questions

Mark Slovick, Kristin Blackson:

I have some questions regarding the DEIR for Lilac Hills Ranch project. I would like to know how we can be sure that the infrastructure will be built after Accretive sells off the rest of the project? The first phase does not include a lot of the infrastructure promised in the subsequent phases. I have been to their other project in San Elijo Hills and I see that even though the project has grown enormously and there are a multitude of developments, there is still unfinished projects in the core of the project. Housing everywhere, but in the "town center" there is a huge blight of undeveloped property which is walled off with green screening. This is blight in the core of that project. How do we know that the same thing will not happen with this project and that the infrastructure will be completed? The matter of the waste disposal is very disconcerting. Can you tell me how the sewage will be efficiently, odorless, and safely transported out of the project with 300 homes? Where will this sewage be stored prior to its removal? How can the County staff reasonably expect this to be even a possibility? The sewage is not the only infrastructure problem this project has. The roads are also a huge concern. Trucking sewage out daily or however often that is to happen is the beginning of a huge problem for these roads. They are not built for that kind of traffic. The school busses are not even allowed to traverse some of W. Lilac. Trailers and Motorhomes cannot traverse parts of it safely. How will added heavily loaded trucks get through the roads without creating a huge safety issue for all? Please consider these and many other objections will looking at this proposed project.

This is just the beginning of the questions about the infrastructure that is proposed to be built to take care of this project. I do not want my tax dollars to go to enable Accretive to pocket a huge profit from this ill conceived plan.

Thank You,  
Patricia LaChapelle  
760 644 3281

## Slovick, Mark

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**From:** Patty <kyranlis@yahoo.com>  
**Sent:** Sunday, July 27, 2014 3:10 PM  
**To:** Slovick, Mark  
**Subject:** Comments to LHR DEIR

Dear Mr. Mark Slovick,

Please consider these issues very carefully while studying the feasibility of LHR development. I have lived in this area for 35 years and have seen a lot of things grow and change. You have not lived long enough to see the changes. However, change happens and planning and careful consideration must be given to the results of those changes. I object to the building of this development. It has many issues that do not coincide with the General Plan or the plan for Valley Center.

Question 1. What is the purpose of the General Plan?

Question 2. Why was so much time and resource dollars spent on revising the General Plan if it means nothing?

The previous General Plan did not call for this kind of development and these developers knew that, but still want to come in and do what they can to fill their pockets. The General Plan does not call for spot growth or urban sprawl. These principles are being completely ignored.

Patricia LaChapelle, homeowner and long time resident  
9684 Covey Lane  
Escondido, Cal 92026

## Slovick, Mark

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**From:** Patty <kyranlis@yahoo.com>  
**Sent:** Sunday, July 27, 2014 3:35 PM  
**To:** Slovick, Mark; Blackson, Kristin  
**Subject:** LHR DEIR

Mr. Slovick:

I am a concerned citizen of Valley Center area. As a flower grower, I am definitely aware of the water problems occurring in many places in California and the other parts of the country. To build a massive project like this will require a great deal of water usage for many, many years to come. The false advertising and statements in the application referring this as a "green" community bears a lot more study, definition, and consideration. The term is used rather loosely by these developers in order to make their project sound more desirable. Putting this kind of growth in this area is definitely not in keeping with the principles of "green" as used in today's terminology referring to the environment. It does not comply with the General Plan for this area. It is incompatible with the current environment in the area. Much precious land and habitat will be destroyed by huge earth moving machines in order to accommodate these greedy developers who will never come back to the area or certainly will not nor do they live in this area. The water is going to be a problem for generations until man can figure out a way to provide it endlessly. Just calling yourself a "green community" does not take away the numbers of people, toilets, pools, landscaping needs that will be generated with this kind of urban sprawl. I was not aware that it was within the county's scope of duties to enable developers to fill their coffers at the expense of the population that will be affected by it. Please consider this, and my many other objections when looking at this project. Why was this project ever even considered anyway? It defies all that makes sense as well as official documents.

P. LaChapelle  
9684 Covey Lane  
Escondido, Ca 92026

## Slovick, Mark

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**From:** Robert Marnett <marnett1@att.net>  
**Sent:** Sunday, July 27, 2014 2:20 PM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Ranch

Dear Sir,

We strongly urge that the rezoning of the Lilac Farms development be rejected and the original plan for 110 homes be retained. The builder will still make plenty of money building 110 homes instead of 1750.

The rural nature of the area will be destroyed by such a large development. In addition, the traffic on West Lilac will far exceed its designed capacity.

Please don't let the county's need for tax dollars be the primary reason for a change in zoning.

If you are looking for tax revenue, try Vessels Ranch which is paying only \$563 per year for a \$55M property!

Regards,

Robert & Lisa Marnett  
32723 Ranchos Ladera Rd  
Bonsall, CA 92003

## Slovick, Mark

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**From:** Laura Martino <lpmartino710@gmail.com>  
**Sent:** Tuesday, July 08, 2014 7:24 AM  
**To:** Slovick, Mark  
**Subject:** Lilac Development

We moved to W. Lilac Road in 1997 as an alternative to moving out of state in search of privacy and quiet country living. I don't understand how this unincorporated area of San Diego County can get forced into this development plan.

Please tell me what more can be done to fight it.

Sincerely,  
Laura Martino

## Slovick, Mark

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**From:** Martino, Gary J <gjmartino@westdevllc.com>  
**Sent:** Wednesday, July 23, 2014 7:41 AM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Ranch

Mr. Slovick,

I am sure by now you have received your share of emails regarding this proposed development so I will keep this brief and to the point.

My family has lived in the area for 15 years now and the main reason we moved here was the beautiful surroundings and serenity. Even to this day when people come to our home for the first time they comment on how beautiful the area is and how calming it feels. We have always felt proud to live on West Lilac Rd. and even though my commute is 40 miles each way it is worth the drive every day to come home to such a unique place.

The concern I have for this proposed development is two-fold.

First what seems to be the developers complete disregard for what plans and zoning are put in place. The area was meant to be agriculture and light housing with larger lots. We all know developers are in the business to make money, nothing more. This group can try to disguise this as a "green" project but we all know it is anything but that. Adding this many homes and businesses and a school into our area will forever change the country like setting. I have no interest in a Starbucks near my home, I moved here to get away from that. Why destroy an area? Money. Nothing more. There is no other benefit to this group of developers other than to put money in their pocket.

Second, the recent Highway fire by the 395 showed us how vulnerable we are to fire. It was only 1.5 miles from our home and it closed the 395 at West Lilac that day. I was lucky enough to make it home that day before things were too bad but I did witness something I have never seen before.

Because of the road closure West Lilac eastbound was complete bumper to bumper gridlock. Cars from the 395 that were originally headed north were turning on to West Lilac with nowhere to go. I could not get out of my driveway for at least an hour or more that day. Then my thought turned to the possibility of Lilac Hills Ranch. With all those additional people potentially living here what would happen in case of a fire? We live in an old growth area that at some point will burn. Even with additional roads to leave the new development it will still turn into a nightmare, much the same as what San Elijo Hills residents found out recently. I found it interesting in the developers report how they state that this development will actually help to minimize fire risk by removing the existing brush and fuel. Going back to my previous point I find it funny that this green project is removing native vegetation and destroying agricultural land and now it is a good thing because it minimizes fire danger. Adding a few thousand people to our area will be devastating in a fire.

So in closing I hope in some small way this makes a difference. I know it is a bit selfish to say I don't want to see this project move forward but I love where I live, I moved here because of it, and I have stayed here for 15 years enjoying this gorgeous area. Please help us keep it that way.

Thank you,

Gary Martino

Slovick, Mark

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**From:** Ruth Mattes <ruthmattes48@gmail.com>  
**Sent:** Wednesday, June 25, 2014 5:39 PM  
**To:** Slovic, Mark  
**Subject:** Comment on Proposed Lilac Hills Ranch Project

June 25, 2014

Draft EIR Comment Sheet

Dear Mark Slovic,

I was in attendance at your informative June 17<sup>th</sup>, 2014 meeting in the Valley Center Library.

I am **STRONGLY OPPOSED** to the proposed Lilac Hills Ranch Project for the following reasons:

- **FIRE DANGER** INCREASED CRITICALLY, as the recent unexpected 2014 Spring fires proved. This area was hostage to fires to the north and south on I-15 making escape deadly.
- 
- **TRAFFIC** INCREASED, as studies have shown which impacts on FIRE SATEY, PUBLIC SAFETY and POLLUTION. **INSUFFICIENT ROADS!!**
- **WATER** TAXED beyond our already strained resources.
- 
- **CRIME** INDEX INCREASED from increased traffic to the area.
- 
- **ENVIRONMENT** impacted negatively, excessive blasting and earth movement.
- 
- **SENIOR COMPLEX**??? NOT near any hospital or senior services!

Have we learned nothing from LA (where developers have run out of lucrative spaces to build) or even closer, Temecula??? Their roads are choked daily killing the "ideal San Diego" experience.

This project creates a deadly fire trap to all surrounding residents. **We DO NOT need it.**

Sincerely,

**Ruth Mattes**

**29667 Circle R Greens Drive**

**Escondido, CA 92026**

**760-421-9564**

**[ruthmattes48@gmail.com](mailto:ruthmattes48@gmail.com)**

3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM),  
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(STP), HLP XX-XXX, SCH 2012061100  
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DRAFT EIR COMMENT SHEET

Tuesday, June 17, 2014  
COUNTY OF SAN DIEGO  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

WRITTEN COMMENT FORM

I am sending this to you because I  
am very upset about this. We have  
lived on W. Lilac for over 10 years  
and we moved here because of  
the quite mess over our neighbor hood  
If there was a fire in this  
neighbor hood which we personally  
have had to evacuate 3 times

(Attach additional pages as needed)

Patricia M. McComb  
Signature Date

PATRICIA M. MCOMB  
Print Name

9479 W. LILAC RD  
Address

ESCONDIDO CA 92026  
City State Zip Code

619-857-8873  
Phone Number

MAIL, FAX or E-MAIL FORMS TO:

Mark Slovick  
County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
FAX # (858) 594-3373  
e-mail: [Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)

COMMENTS MUST BE RECEIVED BY 4:00 PM, JULY 28, 2014

we may not be able to get (2)  
our families and animals out in  
time. Our street can not handle  
the traffic that you plan to  
bring to our street. This is  
the only street we have in and  
out. We have jobs and need  
to have access to the freeway.  
I hope you take into account  
our concerns which are very  
real.

We were also told when we  
moved here there was only  
suppose to be 1 house per 2  
acres we had to abide by that  
so should you. I don't think  
politics should be able to come  
in here and change the laws  
to accomodate builders.  
I hope you take into account  
the people in this neighbor  
hood before you make your  
decisions.

Thank You Pat McComb

# Approaching a state shift in Earth's biosphere

Anthony D. Barnosky<sup>1,2,3</sup>, Elizabeth A. Hadly<sup>4</sup>, Jordi Bascompte<sup>5</sup>, Eric L. Berlow<sup>6</sup>, James H. Brown<sup>7</sup>, Mikael Fortelius<sup>8</sup>, Wayne M. Getz<sup>9</sup>, John Harte<sup>9,10</sup>, Alan Hastings<sup>11</sup>, Pablo A. Marquet<sup>12,13,14,15</sup>, Neo D. Martinez<sup>16</sup>, Arne Mooers<sup>17</sup>, Peter Roopnarine<sup>18</sup>, Geerat Vermeij<sup>19</sup>, John W. Williams<sup>20</sup>, Rosemary Gillespie<sup>9</sup>, Justin Kitzes<sup>9</sup>, Charles Marshall<sup>1,2</sup>, Nicholas Matzke<sup>1</sup>, David P. Mindell<sup>21</sup>, Eloy Revilla<sup>22</sup> & Adam B. Smith<sup>23</sup>

**Localized ecological systems are known to shift abruptly and irreversibly from one state to another when they are forced across critical thresholds. Here we review evidence that the global ecosystem as a whole can react in the same way and is approaching a planetary-scale critical transition as a result of human influence. The plausibility of a planetary-scale 'tipping point' highlights the need to improve biological forecasting by detecting early warning signs of critical transitions on global as well as local scales, and by detecting feedbacks that promote such transitions. It is also necessary to address root causes of how humans are forcing biological changes.**

Humans now dominate Earth, changing it in ways that threaten its ability to sustain us and other species<sup>1–3</sup>. This realization has led to a growing interest in forecasting biological responses on all scales from local to global<sup>4–7</sup>.

However, most biological forecasting now depends on projecting recent trends into the future assuming various environmental pressures<sup>5</sup>, or on using species distribution models to predict how climatic changes may alter presently observed geographic ranges<sup>8,9</sup>. Present work recognizes that relying solely on such approaches will be insufficient to characterize fully the range of likely biological changes in the future, especially because complex interactions, feedbacks and their hard-to-predict effects are not taken into account<sup>6,8–11</sup>.

Particularly important are recent demonstrations that 'critical transitions' caused by threshold effects are likely<sup>12</sup>. Critical transitions lead to state shifts, which abruptly override trends and produce unanticipated biotic effects. Although most previous work on threshold-induced state shifts has been theoretical or concerned with critical transitions in localized ecological systems over short time spans<sup>12–14</sup>, planetary-scale critical transitions that operate over centuries or millennia have also been postulated<sup>3,12,15–18</sup>. Here we summarize evidence that such planetary-scale critical transitions have occurred previously in the biosphere, albeit rarely, and that humans are now forcing another such transition, with the potential to transform Earth rapidly and irreversibly into a state unknown in human experience.

Two conclusions emerge. First, to minimize biological surprises that would adversely impact humanity, it is essential to improve biological forecasting by anticipating critical transitions that can emerge on a planetary scale and understanding how such global forcings cause local changes. Second, as was also concluded in previous work, to prevent a global-scale state shift, or at least to guide it as best we can, it will be

necessary to address the root causes of human-driven global change and to improve our management of biodiversity and ecosystem services<sup>3,15–17,19</sup>.

## Basics of state shift theory

It is now well documented that biological systems on many scales can shift rapidly from an existing state to a radically different state<sup>12</sup>. Biological 'states' are neither steady nor in equilibrium; rather, they are characterized by a defined range of deviations from a mean condition over a prescribed period of time. The shift from one state to another can be caused by either a 'threshold' or 'sledgehammer' effect. State shifts resulting from threshold effects can be difficult to anticipate, because the critical threshold is reached as incremental changes accumulate and the threshold value generally is not known in advance. By contrast, a state shift caused by a sledgehammer effect—for example the clearing of a forest using a bulldozer—comes as no surprise. In both cases, the state shift is relatively abrupt and leads to new mean conditions outside the range of fluctuation evident in the previous state.

Threshold-induced state shifts, or critical transitions, can result from 'fold bifurcations' and can show hysteresis<sup>12</sup>. The net effect is that once a critical transition occurs, it is extremely difficult or even impossible for the system to return to its previous state. Critical transitions can also result from more complex bifurcations, which have a different character from fold bifurcations but which also lead to irreversible changes<sup>20</sup>.

Recent theoretical work suggests that state shifts due to fold bifurcations are probably preceded by general phenomena that can be characterized mathematically: a deceleration in recovery from perturbations ('critical slowing down'), an increase in variance in the pattern of within-state fluctuations, an increase in autocorrelation between fluctuations, an increase in asymmetry of fluctuations and rapid back-and-forth shifts ('flickering') between states<sup>12,14,18</sup>. These phenomena can theoretically be

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assessed within any temporally and spatially bounded system. Although such assessment is not yet straightforward<sup>12,18,20</sup>, critical transitions and in some cases their warning signs have become evident in diverse biological investigations<sup>21</sup>, for example in assessing the dynamics of disease outbreaks<sup>22,23</sup>, populations<sup>14</sup> and lake ecosystems<sup>12,13</sup>. Impending state shifts can also sometimes be determined by parameterizing relatively simple models<sup>20,21</sup>.

In the context of forecasting biological change, the realization that critical transitions and state shifts can occur on the global scale<sup>3,12,15–18</sup>, as well as on smaller scales, is of great importance. One key question is how to recognize a global-scale state shift. Another is whether global-scale state shifts are the cumulative result of many smaller-scale events that originate in local systems or instead require global-level forcings that emerge on the planetary scale and then percolate downwards to cause changes in local systems. Examining past global-scale state shifts provides useful insights into both of these issues.

### Hallmarks of global-scale state shifts

Earth's biosphere has undergone state shifts in the past, over various (usually very long) timescales, and therefore can do so in the future (Box 1). One of the fastest planetary state shifts, and the most recent, was the transition from the last glacial to the present interglacial condition<sup>12,18</sup>, which occurred over millennia<sup>24</sup>. Glacial conditions had prevailed for ~100,000 yr. Then, within ~3,300 yr, punctuated by episodes of abrupt, decadal-scale climatic oscillations, full interglacial conditions were attained. Most of the biotic change—which included extinctions, altered diversity patterns and new community compositions—occurred within a period of 1,600 yr beginning ~12,900 yr ago. The ensuing interglacial state that we live in now has prevailed for the past ~11,000 yr.

Occurring on longer timescales are events such as at least four of the 'Big Five' mass extinctions<sup>25</sup>, each of which represents a critical transition that spanned several tens of thousands to 2,000,000 yr and changed the course of life's evolution with respect to what had been normal for the previous tens of millions of years. Planetary state shifts can also substantially increase biodiversity, as occurred for example at the 'Cambrian explosion'<sup>26</sup>, but such transitions require tens of millions of years, timescales that are not meaningful for forecasting biological changes that may occur over the next few human generations (Box 1).

Despite their different timescales, past critical transitions occur very quickly relative to their bracketing states: for the examples discussed here, the transitions took less than ~5% of the time the previous state had lasted (Box 1). The biotic hallmark for each state change was, during the critical transition, pronounced change in global, regional and local assemblages of species. Previously dominant species diminished or went extinct, new consumers became important both locally and globally, formerly rare organisms proliferated, food webs were modified, geographic ranges reconfigured and resulted in new biological communities, and evolution was initiated in new directions. For example, at the Cambrian explosion large, mobile predators became part of the food chain for the first time. Following the K/T extinction, mammalian herbivores replaced large archosaur herbivores. And at the last glacial–interglacial transition, megafaunal biomass switched from being dominated by many species to being dominated by *Homo sapiens* and our domesticated species<sup>27</sup>.

All of the global-scale state shifts noted above coincided with global-scale forcings that modified the atmosphere, oceans and climate (Box 1). These examples suggest that past global-scale state shifts required global-scale forcings, which in turn initiated lower-level state changes that local controls do not override. Thus, critical aspects of biological forecasting are to understand whether present global forcings are of a magnitude sufficient to trigger a global-scale critical transition, and to ascertain the extent of lower-level state changes that these global forcings have already caused or are likely to cause.

### Present global-scale forcings

Global-scale forcing mechanisms today are human population growth with attendant resource consumption<sup>3</sup>, habitat transformation and

#### BOX 1

## Past planetary-scale critical transitions and state shifts

**Last glacial–interglacial transition**<sup>18,24</sup>. The critical transition was a rapid warm–cold–warm fluctuation in climate between 14,300 and 11,000 yr ago, and the most pronounced biotic changes occurred between 12,900 and 11,300 yr ago<sup>24,27,30,54</sup>.

The major biotic changes were the extinction of about half of the species of large-bodied mammals, several species of large birds and reptiles, and a few species of small animals<sup>30</sup>; a significant decrease in local and regional biodiversity as geographic ranges shifted individually, which also resulted in novel species assemblages<sup>37,49,53,54</sup>; and a global increase in human biomass and spread of humans to all continents<sup>27</sup>.

The pre-transition global state was a glacial stage that lasted about 100,000 yr and the post-transition global state is an interglacial that Earth has been in for approximately 11,000 yr. The global forcings were orbitally induced, cyclic variations in solar insolation that caused rapid global warming. Direct and indirect effects of humans probably contributed to extinctions of megafauna and subsequent ecological restructuring.

**'Big Five' mass extinctions**<sup>25</sup>. The respective critical transitions ended at ~443,000,000, ~359,000,000, ~251,000,000, ~200,000,000 and ~65,000,000 yr ago. They are each thought to have taken at most 2,000,000 yr to complete but could have been much shorter; the limitations of geological dating preclude more precision. The most recent transition (the K/T extinction, which occurred at the end of the Cretaceous period) may have been the catastrophic result of a bolide impact, and could have occurred on a timescale as short as a human lifetime.

The major biotic changes were the extinction of at least 75% of Earth's species; a major reorganization of global and local ecosystems as previously rare lifeforms gained evolutionary dominance; and the return to pre-extinction levels of biodiversity over hundreds of thousands to millions of years.

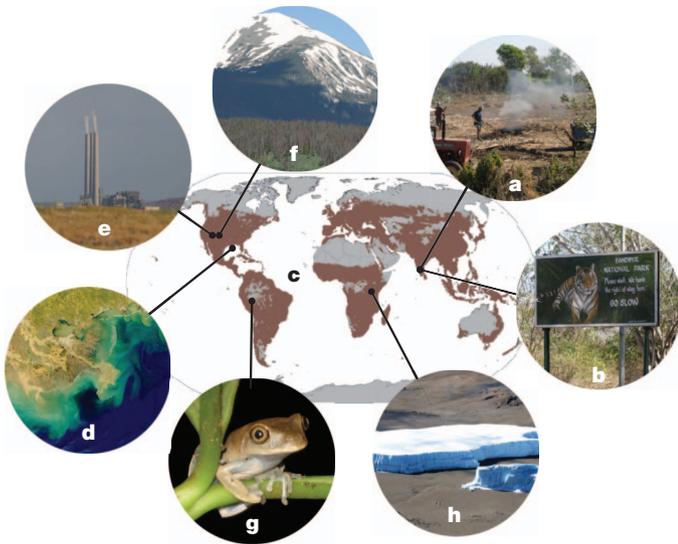
The pre- and post-transition global states lasted ~50,000,000–100,000,000 yr. We are now 65,000,000 yr into the present state on this scale, in an era known as the Cenozoic or the Age of Mammals. The global forcings all corresponded to unusual climate changes and shifts in ocean and atmospheric chemistry, especially in concentrations of carbon dioxide and, in one case, hydrogen sulphide. Intense volcanic activity seems to have been important at some extinction events. A bolide impact is well documented as a cause of the K/T event and has been postulated as a cause of some of the others.

**Cambrian explosion**<sup>26,81</sup>. The critical transition began ~540,000,000 yr ago and lasted about 30,000,000 yr.

The major biotic changes were evolutionary innovations resulting in all phyla known today; a conversion of the global ecosystem from one based almost solely on microbes to one based on complex, multicellular life; and diversity increased, but on a timescale that is far too long to be meaningful in predicting the biotic future over human generations.

The pre-transition global state lasted ~2,000,000,000 yr and was characterized by primary lifeforms consisting of prokaryotic and eukaryotic microbes. The post-transition global state is about 540,000,000 yr old and ongoing. The global forcings were the increase of atmospheric oxygen to levels sufficient for the metabolic processes required to sustain complex, multicellular life, and evolutionary innovations that included large size, predation and complex locomotion.

fragmentation<sup>3</sup>, energy production and consumption<sup>28,29</sup>, and climate change<sup>3,18</sup>. All of these far exceed, in both rate and magnitude, the forcings evident at the most recent global-scale state shift, the last glacial–interglacial transition (Box 1), which is a particularly relevant benchmark for comparison given that the two global-scale forcings at that time—climate change



**Figure 1 | Drivers of a potential planetary-scale critical transition.**

**a**, Humans locally transform and fragment landscapes. **b**, Adjacent areas still harbouring natural landscapes undergo indirect changes. **c**, Anthropogenic local state shifts accumulate to transform a high percentage of Earth's surface drastically; brown colouring indicates the approximately 40% of terrestrial ecosystems that have now been transformed to agricultural landscapes, as explained in ref. 34. **d**, Global-scale forcings emerge from accumulated local human impacts, for example dead zones in the oceans from run-off of agricultural pollutants. **e**, Changes in atmospheric and ocean chemistry from the release of greenhouse gases as fossil fuels are burned. **f–h**, Global-scale forcings emerge to cause ecological changes even in areas that are far from human population concentrations. **f**, Beetle-killed conifer forests (brown trees) triggered by seasonal changes in temperature observed over the past five decades. **g**, Reservoirs of biodiversity, such as tropical rainforests, are projected to lose many species as global climate change causes local changes in temperature and precipitation, exacerbating other threats already causing abnormally high extinction rates. In the case of amphibians, this threat is the human-facilitated spread of chytrid fungus. **h**, Glaciers on Mount Kilimanjaro, which remained large throughout the past 11,000 yr, are now melting quickly, a global trend that in many parts of the world threatens the water supplies of major population centres. As increasing human populations directly transform more and more of Earth's surface, such changes driven by emergent global-scale forcings increase drastically, in turn causing state shifts in ecosystems that are not directly used by people. Photo credits: E.A.H. and A.D.B. (**a–c, e–h**); NASA (**d**).

and human population growth<sup>27,30</sup>—are also primary forcings today. During the last glacial–interglacial transition, however, these were probably separate, yet coincidental, forcings. Today conditions are very different because global-scale forcings including (but not limited to) climate change have emerged as a direct result of human activities.

Human population growth and per-capita consumption rate underlie all of the other present drivers of global change. The growth in the human population now (~77,000,000 people per year) is three orders of magnitude higher than the average yearly growth from ~10,000–400 yr ago (~67,000 people per year), and the human population has nearly quadrupled just in the past century<sup>31–33</sup>. The most conservative estimates suggest that the population will grow from its present value, 7,000,000,000, to 9,000,000,000 by 2045<sup>31</sup> and to 9,500,000,000 by 2050<sup>31,33</sup>.

As a result of human activities, direct local-scale forcings have accumulated to the extent that indirect, global-scale forcings of biological change have now emerged. Direct forcing includes the conversion of ~43% of Earth's land to agricultural or urban landscapes, with much of the remaining natural landscapes networked with roads<sup>1,2,34,35</sup>. This exceeds the physical transformation that occurred at the last global-scale critical transition, when ~30% of Earth's surface went from being covered by glacial ice to being ice free.

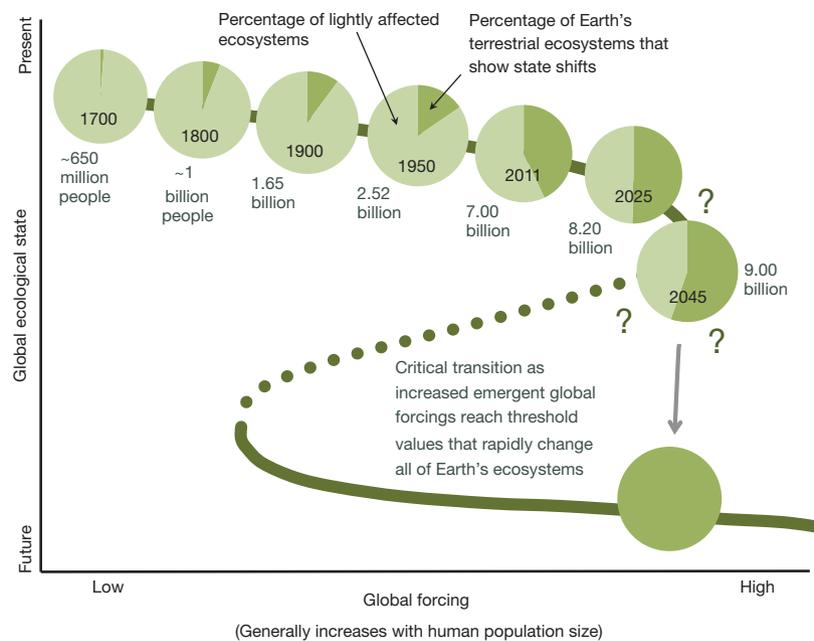
The indirect global-scale forcings that have emerged from human activities include drastic modification of how energy flows through the

global ecosystem. An inordinate amount of energy now is routed through one species, *Homo sapiens*. Humans commandeer ~20–40% of global net primary productivity<sup>1,2,35</sup> (NPP) and decrease overall NPP through habitat degradation. Increasing NPP regionally through atmospheric and agricultural deposition of nutrients (for example nitrogen and phosphorus) does not make up the shortfall<sup>2</sup>. Second, through the release of energy formerly stored in fossil fuels, humans have substantially increased the energy ultimately available to power the global ecosystem. That addition does not offset entirely the human appropriation of NPP, because the vast majority of that 'extra' energy is used to support humans and their domesticates, the sum of which comprises large-animal biomass that is far beyond that typical of pre-industrial times<sup>27</sup>. A decrease in this extra energy budget, which is inevitable if alternatives do not compensate for depleted fossil fuels, is likely to impact human health and economies severely<sup>28</sup>, and also to diminish biodiversity<sup>27</sup>, the latter because even more NPP would have to be appropriated by humans, leaving less for other species<sup>36</sup>.

By-products of altering the global energy budget are major modifications to the atmosphere and oceans. Burning fossil fuels has increased atmospheric CO<sub>2</sub> concentrations by more than a third (~35%) with respect to pre-industrial levels, with consequent climatic disruptions that include a higher rate of global warming than occurred at the last global-scale state shift<sup>37</sup>. Higher CO<sub>2</sub> concentrations have also caused the ocean rapidly to become more acidic, evident as a decrease in pH by ~0.05 in the past two decades<sup>38</sup>. In addition, pollutants from agricultural run-off and urban areas have radically changed how nutrients cycle through large swaths of marine areas<sup>16</sup>.

Already observable biotic responses include vast 'dead zones' in the near-shore marine realm<sup>39</sup>, as well as the replacement of >40% of Earth's formerly biodiverse land areas with landscapes that contain only a few species of crop plants, domestic animals and humans<sup>3,40</sup>. Worldwide shifts in species ranges, phenology and abundances are concordant with ongoing climate change and habitat transformation<sup>41</sup>. Novel communities are becoming widespread as introduced, invasive and agricultural species integrate into many ecosystems<sup>42</sup>. Not all community modification is leading to species reductions; on local and regional scales, plant diversity has been increasing, owing to anthropogenic introductions<sup>42</sup>, counter to the overall trend of global species loss<sup>5,43</sup>. However, it is unknown whether increased diversity in such locales will persist or will eventually decrease as a result of species interactions that play out over time. Recent and projected<sup>5,44</sup> extinction rates of vertebrates far exceed empirically derived background rates<sup>25</sup>. In addition, many plants, vertebrates and invertebrates have markedly reduced their geographic ranges and abundances to the extent that they are at risk of extinction<sup>43</sup>. Removal of keystone species worldwide, especially large predators at upper trophic levels, has exacerbated changes caused by less direct impacts, leading to increasingly simplified and less stable ecological networks<sup>39,45,46</sup>.

Looking towards the year 2100, models forecast that pressures on biota will continue to increase. The co-opting of resources and energy use by humans will continue to increase as the global population reaches 9,500,000,000 people (by 2050), and effects will be greatly exacerbated if per capita resource use also increases. Projections for 2100 range from a population low of 6,200,000,000 (requiring a substantial decline in fertility rates) to 10,100,000,000 (requiring continued decline of fertility in countries that still have fertility above replacement level) to 27,000,000,000 (if fertility remains at 2005–2010 levels; this population size is not thought to be supportable; ref. 31). Rapid climate change shows no signs of slowing. Modelling suggests that for ~30% of Earth, the speed at which plant species will have to migrate to keep pace with projected climate change is greater than their dispersal rate when Earth last shifted from a glacial to an interglacial climate<sup>47</sup>, and that dispersal will be thwarted by highly fragmented landscapes. Climates found at present on 10–48% of the planet are projected to disappear within a century, and climates that contemporary organisms have never experienced are likely to cover 12–39% of Earth<sup>48</sup>. The mean global temperature by 2070 (or possibly a few decades earlier) will be higher than it has been since the human species evolved.



**Figure 2 | Quantifying land use as one method of anticipating a planetary state shift.** The trajectory of the green line represents a fold bifurcation with hysteresis<sup>12</sup>. At each time point, light green represents the fraction of Earth's land that probably has dynamics within the limits characteristic of the past 11,000 yr. Dark green indicates the fraction of terrestrial ecosystems that have unarguably undergone drastic state changes; these are minimum values because they count only agricultural and urban lands. The percentages of such transformed lands in 2011 come from refs 1, 34, 35, and when divided by 7,000,000,000 (the present global human population) yield a value of approximately 2.27 acres (0.92 ha) of transformed land for each person. That value was used to estimate the amount of transformed land that probably existed in the years 1800, 1900 and 1950, and

### Expecting the unexpected

The magnitudes of both local-scale direct forcing and emergent global-scale forcing are much greater than those that characterized the last global-scale state shift, and are not expected to decline any time soon. Therefore, the plausibility of a future planetary state shift seems high, even though considerable uncertainty remains about whether it is inevitable and, if so, how far in the future it may be. The clear potential for a planetary-scale state shift greatly complicates biotic forecasting efforts, because by their nature state shifts contain surprises. Nevertheless, some general expectations can be gleaned from the natural experiments provided by past global-scale state shifts. On the timescale most relevant to biological forecasting today, biotic effects observed in the shift from the last glacial to the present interglacial (Box 1) included many extinctions<sup>30,49–51</sup>; drastic changes in species distributions, abundances and diversity; and the emergence of novel communities<sup>49,50,52–54</sup>. New patterns of gene flow triggered new evolutionary trajectories<sup>55–58</sup>, but the time since then has not been long enough for evolution to compensate for extinctions.

At a minimum, these kinds of effects would be expected from a global-scale state shift forced by present drivers, not only in human-dominated regions but also in remote regions not now heavily occupied by humans (Fig. 1); indeed, such changes are already under way (see above<sup>5,25,39,41–44</sup>). Given that it takes hundreds of thousands to millions of years for evolution to build diversity back up to pre-crash levels after major extinction episodes<sup>25</sup>, increased rates of extinction are of particular concern, especially because global and regional diversity today is generally lower than it was 20,000 yr ago as a result of the last planetary state shift<sup>37,50,51,54,59</sup>. This large-scale loss of diversity is not overridden by historical increases in plant species richness in many locales, owing to human-transported species homogenizing the world's biota<sup>42</sup>. Possible too are substantial losses of ecosystem services required to sustain the human population<sup>60</sup>. Still unknown is the extent to which human-caused increases in certain ecosystem services—such as growing food—balances the loss of 'natural' ecosystem services,

which would exist in 2025 and 2045 assuming conservative population growth and that resource use does not become any more efficient. Population estimates are from refs 31–33. An estimate of 0.68 transformed acres (0.28 ha) per capita (approximately that for India today) was used for the year 1700, assuming a lesser effect on the global landscape before the industrial revolution. Question marks emphasize that at present we still do not know how much land would have to be directly transformed by humans before a planetary state shift was imminent, but landscape-scale studies and theory suggest that the critical threshold may lie between 50 and 90% (although it could be even lower owing to synergies between emergent global forcings). See the main text for further explanation. Billion, 10<sup>9</sup>.

many of which already are trending in dangerous directions as a result of overuse, pollutants and climate change<sup>3,16</sup>. Examples include the collapse of cod and other fisheries<sup>45,61,62</sup>; loss of millions of square kilometres of conifer forests due to climate-induced bark-beetle outbreaks<sup>63</sup>; loss of carbon sequestration by forest clearing<sup>60</sup>; and regional losses of agricultural productivity from desertification or detrimental land-use practices<sup>1,35</sup>. Although the ultimate effects of changing biodiversity and species compositions are still unknown, if critical thresholds of diminishing returns in ecosystem services were reached over large areas and at the same time global demands increased (as will happen if the population increases by 2,000,000,000 within about three decades), widespread social unrest, economic instability and loss of human life could result<sup>64</sup>.

### Towards improved biological forecasting and monitoring

In view of potential impacts on humanity, a key need in biological forecasting is the development of ways to anticipate a global critical transition, ideally in time to do something about it<sup>65</sup>. It is possible to imagine qualitative aspects of a planetary state shift given present human impacts (Fig. 1), but criteria that would indicate exactly how close we might be to a planetary-scale critical transition remain elusive. Three approaches should prove helpful in defining useful benchmarks and tracking progression towards them.

### Tracking global-scale changes

The first approach acknowledges the fact that local-scale state changes—whether they result from sledgehammer or threshold effects—trigger critical transitions over regions larger than the directly affected area, as has been shown both empirically and theoretically<sup>66–70</sup>. On the landscape scale, tipping points in undisturbed patches are empirically evident when 50–90% of the surrounding patches are disturbed. Simulations indicate that critical transitions become much more likely when the probability of connection of any two nodes in a network (ecological or otherwise) drops

below ~59% (refs 66–70). More generally, dense human populations, roads and infrastructure, and land transformation are known to cause ecological changes outside the areas that have actually undergone sled-gehammer state changes<sup>68</sup>. Translating these principles to the planetary scale would imply that once a sufficient proportion of Earth's ecosystems have undergone transformation, the remainder can change rapidly (Fig. 2), especially because emergent, larger-scale forcings (for instance changes in atmospheric and ocean chemistry, nutrient and energy cycling, pollution and so on) multiply and interact to exacerbate local forcings<sup>21</sup> (Fig. 1). It is still unknown, however, what percentage of Earth's ecosystems actually have to be transformed to new states by the direct action of humans for rapid state changes to be triggered in remaining 'natural' systems. That percentage may be knowable only in retrospect, but, judging from landscape-scale observations and simulations<sup>66–70</sup>, it can reasonably be expected to be as low as 50% (ref. <sup>68</sup>), or even lower if the interaction effects of many local ecosystem transformations cause sufficiently large global-scale forcings to emerge.

In that context, continued efforts to track global-scale changes by remote sensing and other techniques will be essential in assessing how close we are to tipping the balance towards an Earth where most ecosystems are directly altered by people. This is relatively straightforward for land and it has already been demonstrated that at least 43% of Earth's terrestrial ecosystems have undergone wholesale transformation<sup>1,2,34,40</sup>, on average equating to ~2.27 transformed acres (0.92 ha) per capita for the present human population. Assuming that this average rate of land transformation per capita does not change, 50% of Earth's land will have undergone state shifts when the global population reaches 8,200,000,000, which is estimated to occur by the year 2025<sup>31</sup>. Under the same land-use assumption and according to only slightly less conservative population growth models, 70% of Earth's land could be shifted to human use (if the population reaches 11,500,000,000) by 2060<sup>31</sup>.

Assessing the percentage change to new states in marine systems, and the direct human footprint on the oceans, is much more challenging, but available data suggest widespread effects<sup>38,39</sup>. More precise quantification of ecosystem state shifts in the oceans is an important task, to the extent that ocean ecosystems cover most of the planet.

### Tracking local-scale changes caused by global forcings

The second approach is the direct monitoring of biological change in local study systems caused by external forcing. Such monitoring will be vital, particularly where the human footprint is thought to be small. Observing unusual changes in such areas, as has occurred recently in Yellowstone Park, USA, which has been protected since 1872<sup>71</sup>, and in many remote watersheds<sup>72</sup>, would indicate that larger-scale forcings<sup>38,73</sup> are influencing local ecological processes.

A key problem has been how to recognize 'unusual' change, because biological systems are dynamic and shifting baselines have given rise to many different definitions of 'normal', each of which can be specified as unusual within a given temporal context. However, identifying signals of a global-scale state shift in any local system demands a temporal context that includes at least a few centuries or millennia, to encompass the range of ecological variation that would be considered normal over the entire ~11,000-yr duration of the present interglacial period. Identifying unusual biotic changes on that scale has recently become possible through several different approaches, which are united by their focus on integrating spatial and temporal information (Box 2). Breakthroughs include characterizing ecosystems using taxon-independent metrics that can be tracked with palaeontological data through pre-anthropogenic times and then compared with present conditions and monitored into the future; recognizing macro-ecological patterns that indicate disturbed systems; combining phylochronologic and phylogeographic information to trace population dynamics over several millennia; and assessing the structure and stability of ecological networks using theoretical and empirical methods. Because all of these approaches benefit from time series data, long-term monitoring efforts

## BOX 2

### Integrating spatio-temporal data on large scales to detect planetary state shifts

- Palaeontology uses historical, fossil and geological information to calibrate normal levels of fluctuation in biodiversity, species composition and abundance<sup>80</sup>, food webs<sup>82</sup>, ecomorphology<sup>83</sup>, extinction<sup>25</sup> and so on. Recent work shows that some lightly populated ecosystems still operate within bounds that would be considered normal for the present interglacial period, but that others have been disturbed<sup>80</sup>.
- Macroecology provides quantitative ways to identify when a particular ecosystem has unusual characteristics in such metrics as the species–area relationship, species abundance distributions, spatial aggregation patterns<sup>84,85</sup>, the distribution of metabolic rates over individuals in a community<sup>85,86</sup>, the inverse power-law relation between abundance and body size<sup>87</sup>, and the distribution of linkages across species in a trophic network<sup>88</sup>. Recent advances in formalizing the maximum entropy (MaxEnt) theory of ecology<sup>85,86</sup> provide a theoretical means of accurately predicting such patterns in undisturbed ecosystems; significant departures from the predictions of MaxEnt probably indicate disturbed systems<sup>85</sup>.
- Population biology uses life history, abundance, genetics and numerical modelling to assess population dynamics and viability. Recent advances in obtaining ancient DNA from samples several thousand years old, plus newly developed analytical models that take into account temporal (phylochronologic) as well as spatial (phylogeographic) patterning, increase power in testing whether genetic patterning on the modern landscape deviates significantly from patterns that arise on the scale of centuries to millennia<sup>10,89</sup>.
- Ecological network theory regards ecosystems as complex networks of species connected by different interactions. Recent work identifies persistent and stabilizing characteristics of networks on different geographic and temporal scales<sup>81,82</sup> (both current and palaeontological), such as consumer–resource body size ratios<sup>90</sup>, allometric scaling effects<sup>91</sup> and skewed distributions for connectivity<sup>81,92,93</sup> and interaction strengths<sup>94–96</sup>. Alteration in such characteristics signals perturbation of the normal network structure. Theoretical work also is revealing where information about species-specific traits such as body size<sup>46,90,91</sup>, trophic generality<sup>91</sup>, trophic uniqueness<sup>97</sup>, non-trophic interactions<sup>98</sup> and phylogenetic information<sup>99</sup> may help predict when ecosystem services degrade as networks destabilize<sup>46,100</sup> and disassemble<sup>97</sup>.

and existing palaeontological and natural history museum collections will become particularly valuable<sup>74</sup>.

### Synergy and feedbacks

Thresholds leading to critical transitions are often crossed when forcings are magnified by the synergistic interaction of seemingly independent processes or through feedback loops<sup>3,16</sup>. Given that several global-scale forcings are at work today, understanding how they may combine to magnify biological change is a key challenge<sup>3,15–17</sup>. For example, rapid climate change combined with highly fragmented species ranges can be expected to magnify the potential for ecosystem collapse, and wholesale landscape changes may in turn influence the biology of oceans.

Feedback loops also occur among seemingly discrete systems that operate at different levels of the biological hierarchy<sup>6,8,37</sup> (genotype, phenotype, populations, species distributions, species interactions and so on). The net effect is that a biological forcing applied on one scale can cause a critical transition to occur on another scale. Examples include inadvertent, anthropogenic selection for younger maturation of individual cod as a result of heavy fishing pressure<sup>61</sup>; population crashes due

to decreased genetic diversity<sup>75</sup>; mismatch in the phenology of flowering and pollination resulting from interaction of genetic factors, temperature, photoperiod and/or precipitation<sup>76</sup>; and cascades of ecological changes triggered by the removal of top predators<sup>62</sup>. In most cases, these 'scale-jumping' effects, and the mechanisms that drive them, have become apparent only in hindsight, but even so they take on critical importance in revealing interaction effects that can now be incorporated into the next generation of biological forecasts.

Finally, because the global-scale ecosystem comprises many smaller-scale, spatially bounded complex systems (for instance the community within a given physiographic region), each of which overlaps and interacts with others, state shifts of the small-scale components can propagate to cause a state shift of the entire system<sup>21</sup>. Our understanding of complexity at this level can be increased by tracking changes within many different ecosystems in a parallel fashion, from landscape-scale studies of state-shifts<sup>12,21</sup> and from theoretical work that is under way<sup>20</sup>. Potential interactions between overlapping complex systems, however, are proving difficult to characterize mathematically, especially when the systems under study are not well known and are heterogeneous<sup>20</sup>. Nevertheless, one possibility emerging from such work is that long-term transient behaviours, where sudden changes in dynamics can occur after periods of relative stasis even in the absence of outside forces, may be pervasive at the ecosystem level<sup>20</sup>, somewhat analogously to delayed metapopulation collapse as a result of extinction debt<sup>77</sup>. This potential 'lag-time' effect makes it all the more critical rapidly to address, where possible, global-scale forcings that can push the entire biosphere towards a critical transition.

## Guiding the biotic future

Humans have already changed the biosphere substantially, so much so that some argue for recognizing the time in which we live as a new geologic epoch, the Anthropocene<sup>3,16,78</sup>. Comparison of the present extent of planetary change with that characterizing past global-scale state shifts, and the enormous global forcings we continue to exert, suggests that another global-scale state shift is highly plausible within decades to centuries, if it has not already been initiated.

As a result, the biological resources we take for granted at present may be subject to rapid and unpredictable transformations within a few human generations. Anticipating biological surprises on global as well as local scales, therefore, has become especially crucial to guiding the future of the global ecosystem and human societies. Guidance will require not only scientific work that foretells, and ideally helps to avoid<sup>65</sup>, negative effects of critical transitions, but also society's willingness to incorporate expectations of biological instability<sup>64</sup> into strategies for maintaining human well-being.

Diminishing the range of biological surprises resulting from bottom-up (local-to-global) and top-down (global-to-local) forcings, postponing their effects and, in the optimal case, averting a planetary-scale critical transition demands global cooperation to stem current global-scale anthropogenic forcings<sup>3,15–17,19</sup>. This will require reducing world population growth<sup>31</sup> and per-capita resource use; rapidly increasing the proportion of the world's energy budget that is supplied by sources other than fossil fuels while also becoming more efficient in using fossil fuels when they provide the only option<sup>79</sup>; increasing the efficiency of existing means of food production and distribution instead of converting new areas<sup>34</sup> or relying on wild species<sup>39</sup> to feed people; and enhancing efforts to manage as reservoirs of biodiversity and ecosystem services, both in the terrestrial<sup>80</sup> and marine realms<sup>39</sup>, the parts of Earth's surface that are not already dominated by humans. These are admittedly huge tasks, but are vital if the goal of science and society is to steer the biosphere towards conditions we desire, rather than those that are thrust upon us unwittingly.

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## Slovick, Mark

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**From:** mmliles@aol.com  
**Sent:** Friday, July 25, 2014 4:11 PM  
**To:** Mark.slovick@sdcounty.ca.gov.  
**Subject:** Lila Hills Development  
**Attachments:** nature11018.pdf

July 25, 2014

Mr. Mark Slovick  
San Diego County Department of Planning and Development Services  
5510 Overland Ave., Suite310  
San Diego, CA 92123  
[Mark.slovick@sdcounty.ca.gov](mailto:Mark.slovick@sdcounty.ca.gov).

Dear Mr. Slovick,

I see no changes in the EIR of the Lilac Hills development that counter any of the arguments I made in my letter to you dated August 17, 2013. So I am sending that letter again, with changes as substantive as the changes to the EIR—that is not substantive at all.

Accretive Investments' claim that their proposed Lilac Hills development of 1746 residential units, 90,000 square feet of commercial meets Leadership in Energy and Environmental Design (LEED) **continues to be** Orwellian double-speak. The first principle of LEED is to build on urban (brown) sites where infrastructure is in place. It is also Orwellian double-speak to claim that this project, that will blast over four million cubic yard of earth, will leave the natural topography in place.

This project **continues to be** a slap in the face to the Valley Center Community Planning Group, an elected body that spend countless volunteer hours developing their blueprint for future development in Valley Center.

I am **again** attaching an article from the June 7, 2012, issue of Nature. Simply put, the authors of this article believe that the entire world ecosystem might be close to the point where it will be damaged beyond the point where it can repair itself. There are many examples of where this damage has happened on a local scale. Easter Island is a prime example. The unchecked exploitation of Easter Island's forest of Palms and plentiful supply of fresh water turned it into a desert island. Now, I am not suggesting that this one project, Lilac Hills, will tip the balance and ruin the planet's web of life. But if this project is passed, it will set a precedent for man more such "villages" replacing prime agricultural land, and natural habitat. Don't allow such a precedent to be set.

Sincerely,

Margaret McCown Liles

## Slovick, Mark

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**From:** Alan Miller <alanmillercabinets@gmail.com>  
**Sent:** Thursday, July 24, 2014 8:44 PM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Project

As a resident of Bonsall on West Lilac Road I would like to voice my opposition to this project. I feel the impact of the increased traffic alone on West Lilac Road is reason enough to deny approval of the project. I feel many cars that would be west bound toward highway 76 would be traveling along West Lilac Road all the way to highway 76. This will impact about 6 miles of winding country road that was not designed for that kind of traffic. PLEASE DO NOT APPROVE THIS PROJECT!!!!  
ALAN MILLER

## Slovick, Mark

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**From:** Debb Mirr <dbbmrr@live.com>  
**Sent:** Thursday, July 24, 2014 9:36 AM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Ranch Development

Hello,

My concerns over the development of this community is WATER!

They will need water to grade the land, water for landscaping, water for flushing toilets, doing dishes, showers, etc., etc.

California's drought warrants conservation of water resources. 1700 homes on this site? maybe 170 we could handle, but 1700, that is crazy.

I live off of the Old Hwy and Via Urner Way. They would have to put a stop light at this intersection, cars now coming barreling down the road to enter on the 15 freeway. This is a county rural area that in my opinion should be kept that way.

The environment impact to this community would be devastating. There is an observatory on Palomar Mountain, they recommend turning off lights at night, I can only imagine how many lights would be burning into the night and illuminating the skies above. I moved to this area because it is dark at night, peaceful and quiet, and I would appreciate any effort to keep it this way.

Sincerely

Debra Mirr

[debramirr@gmail.com](mailto:debramirr@gmail.com)

760 749 6162

## Slovick, Mark

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**From:** Claire Murray <ckmurray8@gmail.com>  
**Sent:** Sunday, July 27, 2014 11:12 PM  
**To:** Slovick, Mark  
**Subject:** Concerning: Lilac Hills Ranch Development DEIR

Mark Slovick,

My home, which my husband and I purchased and have lived in for almost three decades, is located on W. Lilac Rd., directly across the street from the first phase of the proposed the 1700 home, Lilac Hills Ranch. I am a strong supporter of appropriately planned growth in our county, as well as the GP2020. I have a deep concern about this proposed development.

My concern is for the safety of all who live in the area of my residence, who have only one possible route for evacuating our area in the event of a wildfire spreading from the north or east, toward our community. That route consists of driving toward the bridge that spans I-15 on W. Lilac Rd., crossing that narrow bridge to the intersection of W. Lilac Rd. and Old Highway 395, and hopefully reaching a safe route to I-15. There have been many ideas suggested for making that drive possible, but none of them have addressed the problem of what people will encounter once, and if, they have arrived at the narrow bridge. I have personally evacuated three times in recent years, once under orders to do so by a deputy sheriff at my door. Trust me, I will never again wait for an order to leave, because when I arrived at the bridge, the bridge was filled with vehicles. Please tell me how additional traffic, created by an immense housing development, between my home and that bridge to safety, will not add further danger, possibly costing lives, as people must choose to either abandon their vehicles to escape the fire, or sit in their cars to burn to death? Even the first phase of Lilac Hills Ranch's project (300+homes, if approved) would add too many vehicles to this dangerous situation.

My deepest hope is that the officials of San Diego County will protect me as they have promised. Also, are county officials willing to accept responsibility, should someone lose their life due to approval of the Lilac Hills Ranch project?

Claire Murray  
Mailing address:  
9076 W. Lilac Rd.  
Escondido, CA 92026  
[ckmurray8@gmail.com](mailto:ckmurray8@gmail.com)

## Slovick, Mark

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**From:** Claire Murray <ckmurray8@gmail.com>  
**Sent:** Monday, July 28, 2014 10:11 AM  
**To:** Slovick, Mark  
**Subject:** Response to the DEIR for the proposed Lilac Hills Ranch development

Mark Slovick,

I read the following statement in the DEIR for the proposed Lilac Hills Ranch development near my home at 9076 W. Lilac Rd.

*"If an on-site plant is used, the initial development within the Lilac Hills Ranch Community may be provided sewer service by trucking of sewage from a collection point on-site to an existing wastewater treatment plant. This is necessary due to the fact that a minimum flow is needed to operate a water reclamation facility. This will only be used for on-site treatment alternatives. For an on-site permanent water reclamation facility, trucking would be required for up to the first 100 homes (approximately three truck trips per day) to allow for a sufficient minimum flow to operate the facility. For a smaller on-site interim water reclamation facility the number may be reduced to as few as 25 homes. In either case, as soon as sufficient flows are available, trucking operators will cease."*

Please consider the effect the above proposal would have on the quality of life of those who will live both within the development and those who live nearby. Exactly where would the sewage be stored before transfer to the trucks? How would odors and spills be prevented? What if, after those first 100 homes are sold, nobody else will purchase a home there? Would I be subjected to life within a few yards of untreated sewage being trucked past my home three times, daily? What would happen to the property value of my home, should I find it impossible to remain in my home?

The county would not have approved the construction of my home, which is located only a few yards from Phase I of the proposed development, without a septic system ready to function, fully. I respectfully suggest that all citizens should be treated fairly by the county and a developer should not be granted approval of even one home, without compliance with existing building codes. I wonder if in the event of a septic system failure at my home, if the county would allow me to store sewage and truck it out at my convenience?

Thank you for considering my comments,

Claire Murray  
9076 W. Lilac Rd.  
Escondido, CA 92026

## Slovick, Mark

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**From:** linda@glnelson.com  
**Sent:** Friday, July 11, 2014 10:43 AM  
**To:** Slovick, Mark  
**Subject:** LILAC HILLS RANCH

July 11, 2014

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

e-mail: [Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)

RE: Lilac Hills Ranch

As a homeowner in the community that is adversely impacted, I am strongly opposed to the above project for the following reasons:

1. Taking our private road (Mountain Ridge) using Eminent Domaine is a misuse and abuse of power. Eminent Domaine is reserved for the greater benefit of all parties. This project is exclusively for the monetary profit benefit of a few developers and investors. Eminent Domaine does not apply for the greater benefit for all the people that currently live in Escondido and Valley Center. Taking our private road will seriously and adversely affects the property owners that currently live along this private road.
2. There is no existing infrastructure to support 1600+ homes in the area designated by the developers. This includes utilities, fire protection, adequate roads for ingress/egress, schools etc. It would be years before adequate infrastructure could be built. This puts current property owners, such as myself and my neighbors in harms way. Our existing fire department/emergency departments can only adequately handle occasional traffic accidents and occasional house/brush fires. A great concern to me and my neighbors is a major wild fire. Lives can potentially be lost in the event that a mass evacuation becomes necessary. There is a potential for this type situation at our current population levels without adding the proposed development of 1600+ of additional home owners and businesses in the proposed area. Circle R and Mountain Ridge Roads are not and will never be adequate to allow potentially thousands of vehicles to exit the area. In addition it is not wide enough to allow for adequate oversized fire equipment to enter the area with vehicles exiting at the same time.

Mountain Ridge is a two lane private road that belongs to the people that chose to purchase property in this rural setting. As a whole we do not give our permission to Lilac Hills Ranch to allow them to use our road for their development. We do not want our lives disrupted with added traffic, noise and pollution created by this unwanted development. This is a farming area, not meant for dense housing and businesses. We do not deserve to have our house values plummet with the creation of low cost, dense housing conditions within a short distance from our houses. Each and every one of us homeowners chose to live in this rural area and do not want "change" forced upon us for the profits of this developer who will not even be living here.

3. Circle R is not adequate to accommodate the added burden for thousands of additional vehicle trips due

to the added traffic created by this development. Circle R can not accommodate a mass evacuation due to fire/earthquake or other natural disasters. Large trucks and construction vehicles were not meant to travel this road in order to build tract housing.

4. A dense, low cost housing community will bring in a certain amount of people that have criminal intent. This can not be avoided, nor should it be swept aside as defined as "progress". By allowing this community to be built you are potentially bring harm and endangering the well being and safety of the current residents that reside in this area.

Please use common sense when considering the uses for this very rural/farming area. This is not high density housing terrain territory. The ingress and egress roads are not adequate to support this development. Millions of tons of dirt will have to be moved in order to build housing tracts. This is NOT in keeping with the natural topography of this land. There can be many more adverse situations created by this dense housing development that may not be evident until such a major project is built out. Please stop this nonsense that will only benefit the financial advancement of the developer at the expense of us hardworking, tax paying individuals that care about our property and the use of the land surrounding us.

Thank you for the opportunity to voice my opinion.

Sincerely,

Linda M Nelson  
9755 Megan Terrace  
Escondido, CA 92026

760 751-1958

## Slovick, Mark

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**From:** TJPainter1@aol.com  
**Sent:** Wednesday, June 18, 2014 9:32 AM  
**To:** Slovick, Mark  
**Subject:** Valley Center Development

More traffic. More pollution. More congestion. More demand for water. Less open space. Less natural habitat. Lower quality of life.

Question your own involvement.

# LAW OFFICES OF WESLEY W. PELTZER

A PROFESSIONAL CORPORATION  
751 RANCHEROS DRIVE, SUITE 4  
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August 19, 2013

## Via E-Mail

Mark Slovick  
Planning and Development Services  
County of San Diego  
5510 Overland Avenue  
San Diego, CA 92123

Re: *Comments on Lilac Hills Ranch Draft EIR*

Dear Mr. Slovick:

We represent the Pardee family who owns two properties directly adjoining the Lilac Hills Ranch specific plan. These are the 79-acre Covey Farms property located on the south side of Covey Lane adjoining the Lilac Hills Ranch specific plan area and the 40-acre Circle R property that abuts the Lilac Hills Ranch specific plan area at the southern end on Mountain Ridge Road. Please accept this letter as our official comments on the Draft EIR (the "DEIR"). For the reasons noted in this letter, we have concluded that the Lilac Hills Ranch project violates both the County General Plan and the Valley Center and Bonsall Community Plans prohibiting approval of the project. We have also concluded that the Draft EIR violates the California Environmental Quality Act ("CEQA") and omits vital information and a proper analysis of environmental impacts requiring recirculation of the Draft EIR.

## I.

### THE PROJECT

The Lilac Hills Ranch specific plan consists of 90,000 square feet of commercial uses, a 50 room country inn, 746 residential units, a senior community center, a group residential and care facility, a dementia care facility, a recycling facility, a water reclamation facility, a new fire station and a church. (DEIR pp. S-1, 1-8). The project's density is 2.9 dwelling units to the acre. (DEIR p. 1-2).

The project includes construction over ten years. (DEIR p. S-3). The project results in significant and unmitigable visual, air quality, traffic and noise impacts. (DEIR p. S-5).

The current general plan designation for the site permits 110 residential units and mandates the preservation of 257 acres of the site in open space. (DEIR p. S-7). Accordingly, the project exceeds the permitted density by 1,646 residential units, an increase of 1587% of the permitted density for the project area. The project will result in 4 million cubic yards of grading and blasting for 45 days. (DEIR pp. 1-26, 1-28).

## II.

### THE DRAFT DEIR FAILS TO ADEQUATELY ANALYZE LAND USE IMPACTS

The Draft EIR concludes that the project is consistent with the County general plan and land use impacts are less than significant. (DEIR p. 3-65). The Draft EIR also concludes the project is consistent with the Valley Center Community Plan and the Bonsall Community Plan. (DEIR pp. 3-66, 3-67).

The Draft EIR correctly concedes that the project would have a significant land use impact if it would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. (DEIR p. 3-64).

Numerous provisions of the Draft EIR recognize that the project is not consistent with the County general plan. The Draft EIR expressly states the project proposes "land uses and densities *not consistent* with the adopted General Plan". (DEIR p. 3-64). The Draft EIR also acknowledges that the project is designated semi-rural 4 in the Valley Center Community Plan "which permits one housing unit per 4, 8, or 16 gross acres, dependent on slope". (DEIR p. 3-56). The DEIR likewise concedes that the semi-rural 10 designation on the site permits "one unit per 10 or 20 gross acres, dependent on slope within the VCP area". (Id. p. 3-56).

The DEIR notes that the current General Plan designation for the site permits only 110 single-family dwelling units and would require the preservation of 257 acres of the site as open space. (DEIR p. S-7). The DEIR concedes that semi-rural lands are appropriate only for "lower density residential neighborhoods, recreation areas, agricultural operations and related commercial uses that support rural communities". The Land Use Element of the County General Plan specifically notes that: "The Community Development Model directs the highest intensities and greatest mix of uses to Village areas, while directing lower-intensity uses, such as estate-style residential lots and agricultural operations, to Semi-Rural areas". (Land Use Element p. 3-6).

The Lilac Hills Ranch project is not consistent with the County Zoning Ordinance either. The existing zoning for the site is A-70 in the Valley Center community planning area and rural residential in the Bonsall community planning area. (DEIR p. 3-58). Both of these designations require a minimum lot size of 2 acres. (Lilac Hills Ranch Specific Plan p. 1-10). By contract, the Lilac Hills Ranch project proposes a density of approximately 2.9 dwelling units per acre. (DEIR p. 1-2). This density is clearly inconsistent with the densities in both the A-70 and rural residential zones. The A-70 zoning designation states unequivocally that it is "intended to create and preserve areas intended primarily for agricultural crop production". Permitted uses in the A-70 zone are family residential, essential services, fire protection services, and agriculture. (Zoning Ordinance § 2702). The high density residential units, the 90,000 square feet of commercial uses, the 50 room inn, the group residential care facility, the dementia care facility and the church are not permitted in this zone.

The rural residential zoning designation states unequivocally that it "would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are

desired". Permitted uses in this zone are limited to family residential, essential services, fire protection services, and agricultural uses. (Zoning Ordinance § 2182). Like the A-70 zone, this zone does not permit the 90,000 square feet of commercial uses, the 50 room inn, the senior community center, the group residential care facility, the dementia care facility or the church. None of these are permitted uses in this zone.

The Lilac Hills Ranch project is also clearly inconsistent with the Valley Center Community Plan ("VCCP"). The VCCP unequivocally declares it "is a rural community, and the intent of the Community Plan is to maintain the rural character of the Planning Area". (VCCP p. 4). The VCCP mandates that the rural character be preserved by focusing population growth solely in the communities' existing in the north and south Village areas and "by limiting Village Residential densities to these areas". (Id. p. 7). The VCCP expressly prohibits commercial development "by containing commercial uses in the Cole Grade Road and Valley Center Road area and the Mira de Valley Road and Valley Center Road area". (Id. p. 13). The primary goal of the VCCP is the preservation and enhancement of existing and future agricultural uses in the Valley Center Community Plan. (VCCP p. 14). The VCCP also requires "that the road system function at a service level no worse than "C" at peak hours as development occurs". (Id. p. 52). The traffic section of the DEIR notes numerous roadways, highways, and intersections operating at failing "E" and "F" conditions both from project traffic and cumulative traffic which includes East Vista Way (E and F), West Lilac Road (F), Camino del Rey (E), Gopher Canyon Road (F), Pankey Road (F), Lilac Road (E), Cole Grade Road (E), the SR 76-Old River Road intersection (F), the Old Highway 395/SR 76 interchange (F), the I-15 south and northbound ramps at Highway 395 (F), the Old Highway 395/Circle R interchange (F), and the failing I-15 freeway from the Riverside boundary to El Norte Parkway (F).

The project is also clearly inconsistent with the Bonsall Community Plan ("BCP"). The Bonsall Community Plan unequivocally states it is to "preserve and enhance the rural character of Bonsall through the protection of agriculture, estate lots, ridgelines and the communities' natural resources". The BCP notes that the Bonsall area consists primarily of low-density estate type residential and agricultural uses. Developed residential areas throughout Bonsall consist primarily of low density, estate type lots, many of which are combined with agricultural uses. This type of development, as well as the rolling hill and valley topography of the area, gives Bonsall its rural atmosphere. (BCP pp. 3, 6). The BCP contains an express agricultural goal to "protect and encourage existing and future agriculture/horticulture as a prominent land use throughout the Bonsall area". The BCP mandates that agricultural uses and land suitable for agricultural usage "should be protected from land uses which may be incompatible with agriculture". Nothing in the BCP remotely supports a density of 2.9 dwelling units to the acre or the destruction of 384 acres of existing agriculture on the Lilac Hills Ranch site. (DEIR p. 2.4-4).

The Land Use Section of the DEIR fails to acknowledge the project conflicts with the implementation of the San Diego RAQS creating a significant and unmitigable air quality impact as acknowledged in the air quality section of the DEIR. (DEIR pp. S-10, S-12).

Stated succinctly, the Lilac Hills Ranch specific plan clearly violates the County General Plan, the VCCP, the BCP, the County Zoning Ordinance and the current RAQS resulting in a

significant and unmitigable land use impact. Numerous EIRs have been declared inadequate for failure to properly analyze both project and cumulative impacts. (*San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4<sup>th</sup> 645 [EIR inadequate for failing to adequately analyze groundwater impacts, traffic impacts, air impacts and impacts on biological resources]; *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4<sup>th</sup> 1428 [EIR inadequate for failing to adequately analyze air quality impacts]; *Gray v. County of Madera* (2008) 167 Cal.App.4<sup>th</sup> 1099 [EIR inadequate for failing to adequately analyze project's impacts on noise levels].) The Land Use Section of the DEIR needs to be rewritten to fully disclose the significant and unmitigable land use impacts not disclosed in the DEIR and the DEIR needs to be recirculated.

### III.

#### **THE PROJECT PHYSICALLY DIVIDES THE ESTABLISHED VALLEY CENTER AND BONSALL COMMUNITIES RESULTING IN A SIGNIFICANT LAND USE IMPACT**

The DEIR contains one paragraph concluding that the project would not significantly disrupt or divide an established community because there is no established community on the project site. (DEIR p. 3-120). No effort is made in this section to evaluate the impacts of the project on the established Valley Center and Bonsall communities. A review of these communities and statements in the DEIR clearly demonstrate the project will physically divide and alter the established rural residential and agricultural uses throughout Valley Center and Bonsall resulting in a significant and unmitigable land use impact.

The DEIR acknowledges that the VCCP area is characterized by "its agricultural activities and its predominance of estate residential development". (DEIR p. 3-63). The DEIR also acknowledges the intent of the VCCP is to "maintain the rural character of the Planning Area". (Id. p. 3-63). The DEIR notes that development in the Bonsall area has resulted in the predominance of "low density estate type residential lots and agricultural land uses". The DEIR admits that agriculture is a "key factor in Bonsall's rural community character". (Id. p. 3-63). The DEIR further acknowledges that the area surrounding the site is "characterized by its agricultural and residential land uses". (Id. p. 3-64). As noted previously, the VCCP unequivocally states that commercial uses are not permitted except in the existing Village Residential areas, which does not include the project site. The VCCP unequivocally mandates that the rural character be preserved by focusing population growth in the communities' north and south Village areas, and by limiting Village Residential densities to these areas. (VCCP p. 7). Introducing 1,746 residential units, 90,000 square feet of commercial uses, a senior community center, a group residential and group care facility, and a dementia care facility is clearly and unequivocally inconsistent with the low density residential uses and extensive agricultural uses that exist in both Valley Center and Bonsall. In fact, the DEIR itself acknowledges that the project site presently includes 384 acres of existing agricultural uses consisting of orchards, vineyards and row crops. (DEIR p. 2.4-4). The DEIR also acknowledges that areas around the project site are all agricultural related. (DEIR pp. 1-31, 2.4-4). In fact, agricultural uses totally surround the project site as shown on Figure 1-21 of the DEIR. Introducing 1,746 residences, 90,000 square feet of commercial, office, and retail, a 50 room country inn, a senior community center, a group residential and group care facility, and a

dementia care facility in this agricultural and rural residential community unquestionably divides the community resulting in a significant and unmitigable land use impact. Direct and indirect significant effects of a project must be identified and described in the DEIR. (CEQA Guidelines § 15126.2(a)). The failure to do so renders the DEIR fatally defective. (*Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3d 818, 829).

#### IV.

#### THE NOISE SECTION OF THE DRAFT EIR IS ALSO FLAWED

The Noise Section of the DEIR concludes that the project will result in significant noise impacts but then purports to adopt mitigation in the form of subsequent noise studies of blasting and materials, an acoustical study to demonstrate noise levels are below 45 CNEL within all residences, an acoustical study of the mechanical equipment, an acoustical study of the commercial land use plan which identifies noise sources and equipment, an acoustical analysis of dog parks, an acoustical analysis of the water reclamation facility, an acoustical analysis of the recycling facility and the preparation of a blasting and monitoring plan concluding the subsequent studies will mitigate these noise impacts. However, since none of these significant noise studies have been done the results of them are unknown and there is no evidence whatsoever demonstrating that any of these significant noise impacts can actually be mitigated. Where there are significant environmental impacts of a project, an EIR cannot defer mitigation planning. Deferral of the specifics of mitigation is permissible where the local entity commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan. On the other hand, an agency goes too far when it simply requires the project applicant to obtain a report and then comply with any recommendation that may be made in the report. (*Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4<sup>th</sup> 1261, 1275; *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4<sup>th</sup> 777, 793-794 [mitigation of construction interference from noise, supply depots, and vehicle staging areas was inadequate because it did no more than require a report be prepared and followed and allowed approval by a county department without setting any standards]; *San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4<sup>th</sup> 645, 671 [same]).

The Noise Section of the DEIR concludes that noise impacts from these facilities are significant without mitigation. The DEIR notes that noise generated by construction activities for the project exceed County standards. (DEIR p. 2.8-10). Impulse noise from the project also exceeds County noise standards. (Id. p. 2.8-10). Noise levels from the HVAC equipment exceed the County noise limit of 50 decibels within 450 feet of the source and are significant. (DEIR p. 2.8-11). The non-emergency electrical generators could exceed County noise standards and create a significant impact. (DEIR p. 2.8-12). Noise generated from parking lot activities is a significant impact. (DEIR p. 2.8-12). Noise from the loading docks during the night time would exceed the County standard for 200 feet from the loading docks and result in a significant impact. (DEIR p. 2.8-13). Noise impacts from the dog park are significant. (DEIR p. 2.8-13). Noise from the water reclamation facility is significant. (DEIR p. 2.8-14). Noise from the recycling facility is significant. (DEIR p. 2.8-15). Construction of the Miller fire station on site generates 81 decibels at 50 feet if the properties are occupied and results in a significant impact. (DEIR p. 2.8-17). The rock crushing exceeds 60 decibels 2000 feet from the rock crushing and

results in a significant impact. (DEIR p. 2.8-18). Damage to nearby residences may occur from blasting which is a significant impact. (DEIR p. 2.8-19).

The DEIR concedes that no blasting study has been done but concludes this is a significant impact. (DEIR p. 2.8-20). However, the DEIR defers a noise analysis of the blasting and materials until a building permit is issued and claims this mitigates the impact. (DEIR p. 2.8-20). An acoustical study to demonstrate the noise levels are below 45 CNEL within all residences and 50 CNEL for schools, churches, and other facilities on site is likewise deferred and treated as adequate mitigation. (DEIR p. 2.8-27). The preparation of an acoustical study of the mechanical equipment is also deferred until a building permit and is treated as adequate mitigation. (DEIR p. 2.8-27). An acoustical study to demonstrate that the commercial land use plans and their noise sources will not exceed County noise levels is deferred until a building permit is issued. (Id. 2.8-27). An acoustical analysis of the dog parks, the water reclamation facility, and the recycling facility are all deferred until a building permit is issued and treated as adequate mitigation. (DEIR pp. 2.8-27, 2.8-28). The deferral of these critical acoustical studies needed to demonstrate the noise impacts of sources already treated as significant in the DEIR is prohibited by CEQA as noted by the prior cases. Each of these noise impacts must therefore be treated as significant and unmitigable unless these noise studies are completed and provided as part of revisions to, and recirculation of the DEIR demonstrating these impacts are no longer significant.

The Noise Section of the DEIR is also defective because it relies exclusively on the County's noise standards without evaluating the significant noise impacts caused by the project when compared to existing ambient noise levels. The DEIR documents that ambient noise levels in the project area are presently 34 to 52 decibels. (DEIR p. 2.8-4). Table 2.8-4 showing on-site future noise levels shows these noise levels rising as high as 62 CNEL, an increase of 28 decibels over existing ambient conditions. (DEIR p. 2.8-34). Similarly, Table 2.8-6 demonstrates that future off-site noise levels will rise to the mid 50s to 62 CNEL at a number of sensitive resources located off-site. (DEIR p. 2.8-37). This reflects an increase of approximating 23 decibels at many existing off-site noise sensitive receptors. The CEQA guidelines for noise recognize that "an activity which may not be significant in an urban area may be significant in a rural area". (CEQA Guidelines § 15064(b)). CEQA cases have held that the failure to properly evaluate significant increases in noise levels even if they do not exceed a noise standard does not comply with CEQA. (*Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 881-882 [citizen's personal observations about excessive noise was substantial evidence that the impact may be significant and should be assessed in an EIR, even though the noise level did not exceed general planning standards]; *Berkeley Keep Jets Over The Bay Committee v. Board of Port Commissions of the City of Oakland* (2001) 91 Cal.App.4<sup>th</sup> 1344, 1381 [EIR vacated where it contained a fixed standard CNEL of 65 decibels but did not consider the particulars of the different areas impacted by the project]). The Noise Section of the DEIR needs to contain a proper analysis of the significant increase in noise levels caused by the project over ambient conditions and whether these result in a significant noise impact whether or not they expressly exceed the County noise standard.

The DEIR admits that traffic noise level increases on Covey Lane and Lilac Hills Ranch Road combined results in a 16 decibel increase and a cumulatively significant noise impact.

(DEIR p. 2.8-22). However, the Noise Section of the DEIR contains no analysis whatsoever of the number of sensitive receptors including residences impacted by this increase or the level of noise they will experience. The Noise Section of the DEIR needs to be revised to properly address this issue.

To mitigate for traffic noise impacts, the Noise Section of the DEIR proposes a 6-foot sound wall along West Lilac Road and a wing wall for all properties fronting Main Street. (DEIR p. 2.8-26). However, there is no discussion in the DEIR about environmental impacts of installing these two walls on adjoining uses (including visual impacts, loss of driveways and impacts on land uses) and proposes no mitigation for any of these impacts. The DEIR needs to be revised to evaluate the environmental impacts of these two extensive walls that are being proposed as noise mitigation.

V.

**THE FIRE IMPACT ANALYSIS IS INADEQUATE AND  
FIRE IMPACTS ARE SIGNIFICANT AND UNMITIGABLE**

The Fire Section of the DEIR fails to acknowledge or address significant fire issues raised by the Deer Springs Fire Protection District ("DSFPD") in multiple letters submitted on June 12, 2012, March 5, 2013 and August 9, 2013. Although the DEIR proposes to utilize the Miller fire station as its primary fire station (DEIR pp. 2.7-29, 2.7-30), the DSFPD has repeatedly stated that the Developer's proposal to utilize the Miller fire station as the primary fire station is unacceptable. The DSFPD has also repeatedly stated that a new fire station located on the site or off site might be acceptable following completion of an evaluation of suitable sites and a modeling of response times that also evaluates roadway modifications necessary to accommodate each option. (DSFPD Letter August 9, 2013). The DSFPD has noted that the Miller station is manned by only two personnel and not three personnel that is the standard for DSFPD and that the Miller station is non-paramedic level facility year round which does not provide any emergency medical services. The DSFPD has also made it clear that any new fire station would have to meet a five minute response time not only for the project but also for other residents of the District. At this juncture, no fire station has been approved for the project and the project is not in compliance with the requirements of DSFPD. This results in a significant and unmitigable fire impact and not no significant impacts as claimed in the DEIR. (DEIR p. 2.7-30).

In addition, in its January 12, 2012 letter the DSFPD noted that all north/south and east/west roads must be public and meet all public road standards. The DEIR clearly establishes that the north/south and east/west roads included as part of the project are private, not public, and none of them are proposed to be improved to public road standards. The Lilac Hills Ranch specific plan expressly states that "all of the roads within the Community will be private roads". (LHR Specific Plan p. II-23). Figure 24 of the specific plan expressly shows that all of the north/south roads through the project site and Covey Lane running east to west are private and that gates will actually be installed at Covey Lane and Mountain Ridge Road prohibiting entrance to the project site. In addition, the June 12, 2012 DSFPD letter notes that all backbone roads must be completed prior to the issuance of building permits and all roads must be

constructed prior to the delivery of combustibles including the proposed north/south road that will link West Lilac Road to Circle R Drive. The fire protection plan for the project does not meet this requirement since it proposes installation of these roads in phases as shown on Figure 14 of the specific plan.

In its March 5, 2013 letter the DSFPD noted that all fuel modification zones must have "a minimum of 100 feet throughout". The current fire protection plan for the project does not meet this requirement since a number of areas of the project site do not meet the 100-foot standard as shown on Figure 1-6 of the DEIR. Figure 1-6 of the DEIR indicates that there are a number of areas on the project site that will not meet the 100-foot fire buffer mandated by the County Fire Code. Section 4707.2(a) of the County Fire Code expressly requires that any building or structure in a hazardous fire area "shall maintain a fuel modification zone within 100 feet of the building or structure". The DEIR acknowledges the failure of the project to meet this 100-foot setback standard "could represent a significant impact". (DEIR p. 2.7-25). However, the fire section of the DEIR simply ignores this significant impact in concluding at the end that no significant fire impacts will occur.

We also note that the June 12, 2012 letter from the DSFPD states that it needs more detailed information regarding the types, sizes and uses of structures within the project for a full evaluation of the impacts on the District's response capabilities. The DSFPD noted that the developer had failed to provide any specific information regarding these structures which will make all-hazard response planning "impossible". The lack of this information prevents a proper analysis of the risk of structural fires and the ability of the DSFPD to contain them. The DEIR recognizes that AB 2447 "requires the legislative body of a County to deny approval of a Tentative Map for development, or a parcel map for development, if the project is in a SRA or a very high fire hazard sensitivity zone. The exception to AB 2447 includes projects that obtain written verification from each fire protection agency having jurisdiction over the project site or provide written verification that there would be sufficient structural fire protection or the structures created by the project". (DEIR p. 3-77). The DEIR states that portions of the project site are within a very high fire hazard zone. (DEIR p. 2.7-11). The failure of Lilac Hills Ranch to provide the DSFPD with detailed information about all structures proposed so that a proper analysis of structural fires can be completed clearly bars approval of the project pursuant to AB 2447.

Viewed collectively, the comments of the DSFPD demonstrate the project does not meet numerous fire requirements of the District or the Fire Code resulting in significant and unmitigable fire impacts. The fire section of the DEIR needs to be extensively revised to address these deficiencies and to demonstrate compliance with the requirements of the DSFPD.

## VI.

### **THE AGRICULTURAL SECTION OF THE DEIR UNDERSTATES AGRICULTURAL IMPACTS WHICH ARE SIGNIFICANT AND UNMITIGABLE**

The agricultural section of the DEIR claims that no significant agricultural impacts will occur from the project. (DEIR pp. 2.4-25, 2.4-26). However, the agricultural standards used to

determine significance in the agricultural section of the DEIR fails to correctly state the standards for agricultural resource impacts contained in Appendix G of the CEQA Guidelines. Appendix G specifies that a project would have a significant agricultural impact if: (1) it converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use; (2) it conflicts with existing zoning for an agricultural use, or a Williamson Act contract; or (3) it involves other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to nonagricultural use. Judged by these correct significance standards, the agricultural impacts of the project are clearly significant and unmitigable.

The DEIR demonstrates that the project will convert both Unique Farmland and Farmland of Statewide Importance to non-agricultural use. Table 2.4-2 of the DEIR expressly shows that the site currently includes 329.2 acres of Unique Farmland and 36.2 acres of Farmland of Statewide Importance. (DEIR p. 2.4-5). Collectively, this totals 365.4 acres of existing Unique Farmland and Farmland of Statewide Importance that will be lost as a result of the project. In addition, the DEIR acknowledges that an agricultural impact is significant if it proposes a non-agricultural use within one-quarter mile of an existing agricultural operation. (DEIR p. 2.4-12). The DEIR expressly states that the site presently includes 384 acres of existing agricultural uses consisting of orchards, vineyards, and row crops. (DEIR p. 2.4-4). This is clearly a significant agricultural impact since the project proposes an intensive residential and commercial project directly on the site itself where 384 acres of existing agricultural uses and 365.4 acres of important farmland will be destroyed.

The project also clearly conflicts with the existing zoning designating agricultural uses in both the A-70 and Rural Residential zones. The A-70 zone specifically indicates it is "intended to create and preserve areas intended primarily for agricultural crop production". (Zoning Ordinance § 2700). Most of the project site is designated A-70. In a similar fashion the rural residential zone expressly states it is "intended to create and enhance residential areas where agricultural use compatible with a dominant, permanent residential use is desired". (Zoning Ordinance § 2180). The project clearly conflicts with both of these existing zoning designations resulting in a significant agricultural impact.

The CEQA Guidelines also recognize that an agricultural impact is significant if the project could individually or cumulatively result in the loss of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural uses. As noted previously, the project results in the direct loss of 384 acres of existing agricultural uses to non-agricultural uses. Based on the correct agricultural significance standards, the project meets every one of them and clearly has a significant and unmitigable agricultural impact.

The cumulative agricultural impact analysis is flawed since it fails to consider cumulative impacts from the loss of agriculture documented in the County's General Plan in combination with the incremental loss of the project and other planned development on the area. The EIR adopted for GP 2020 specifically concluded that implementation of the General Plan "would result in the potential conversion of 55,963 acres of agricultural resources to non-agricultural land uses resulting in a significant and unmitigable agricultural impact. (GP 2020 EIR p. S-7). The agricultural section of the DEIR concedes that the project in combination with other

development in the area will result in the loss of 1,052 acres of Important Farmland. (DEIR p. 2.4-22). Collectively this results in the loss of 57,015 acres of agricultural resources to non-agricultural uses, which is clearly a cumulatively significant and unmitigable agricultural impact as determined in the County's own EIR for GP 2020.

## VII.

### **THE PROJECT IS GROWTH INDUCING RESULTING IN A SIGNIFICANT GROWTH-INDUCING IMPACT**

The DEIR acknowledges that the project would result in approximately 5,135 residences at build-out. (DEIR p. 3-80). By contract, the 110 residential units permitted under the existing General Plan would result in a population of about 120 to 360 residents. (DEIR p. 1-38). The population increase caused by the project itself is clearly growth-inducing. If allowed to proceed, the project will in essence add another 4,805 people to an area where they are not permitted under the current General Plan. The CEQA Guidelines expressly recognize that a project is growth-inducing if it "could foster economic or *population growth*, or the construction of additional housing, either directly or indirectly, in the surrounding environment". (CEQA Guidelines § 15126.2(d)). The project is also growth inducing since it adds an additional 1,636 residential dwellings to the area, more than 90,000 square feet of commercial uses that do not currently exist and will include a 50 room country inn, a 300,000 square foot 200 bed group care facility (DEIR p. 1-6), and a 12 acre site suitable for a K-8 school (DEIR p. 1-7). All of these are significant growth-inducing impacts of the project itself without even considering the growth-inducing impacts of adding a new fire station which will serve all residents of the DSFPD and the water reclamation facility that can be used to irrigate all "areas or uses consistent with the VCMWD regulations". (DEIR p. 1-9). These are clearly significant growth-inducing impacts of the project and the failure to recognize them in the DEIR renders the DEIR fatally defective.

## VIII.

### **SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR FOR GP 2020 AND THE OMISSION OF OTHER PLANNED PROJECTS RESULT IN SIGNIFICANT CUMULATIVE IMPACTS NOT RECOGNIZED IN THE PROJECT DEIR**

As a preliminary matter the cumulative section of the DEIR fails to address numerous significant and unmitigable cumulative impacts fully documented in the GP 2020 EIR. Specifically, the General Plan EIR recognized that implementation of the General Plan would result in the conversion of 55,963 acres of agricultural resources to non-agricultural land uses resulting in a significant and unmitigable agricultural impact. Any addition to that loss would also be clearly significant and unmitigable. Similarly, the GP 2020 EIR recognized that implementation of the General Plan would redirect high density growth into areas containing agricultural resources causing an indirect conversion of agricultural resources to non-agricultural uses resulting in a significant and unmitigable agricultural impact. (GP 2020 EIR p. S-7). The GP 2020 EIR also recognized that the General Plan would result in a cumulatively considerable net increase in pollutants for the San Diego Air Basin listed as non-attainment resulting in a significant and unmitigable air quality impact. (Id. p. S-8). The GP 2020 EIR also recognized

that implementation of the General Plan would result in land uses that allow residential, commercial, and industrial development in areas that are prone to wildland fires that would expose people or structures to a significant risk of loss, injury, or death involving wildland fires and a significant and unmitigable fire impact. (Id. p. S-13). It also stated that implementation of the General Plan would contribute pollutants that would significantly degrade water quality and in some instances exasperate existing surface and groundwater pollution conditions in the unincorporated County resulting in a significant and unmitigable water quality impact. (Id. p. S-14). The GP 2020 EIR found that implementation of the General Plan update would permanently increase ambient noise along roadways resulting in a significant and unmitigable noise impact. (Id. p. S-16). It also determined that implementation of the General Plan Update would result in a total of 158 deficient roadway segments throughout the unincorporated County (approximately 32 State highway segments and 125 Mobility Element segments) resulting in a significant and unmitigable traffic impact. Finally, it concluded that greenhouse gas emissions would increase by 7.1 MMT CO<sub>2</sub>e representing an increase of 24% over 2006 levels and a 36% increase from estimated 1990 levels resulting in a significant and unmitigable global climate change impact. (Id. p. S-20). Cumulative conditions caused by the project and other planned development must be considered in addition to these significant and unmitigable impacts already noted in the GP 2020 EIR and the cumulative analysis section needs to be extensively revised to consider them.

The second major flaw in the cumulative analysis is its failure to evaluate and discuss the significant and insignificant impacts of the other projects identified in the cumulative analysis and omitted from the cumulative analysis so that their cumulative impacts are appropriately analyzed in the DEIR. Noticeably absent from the cumulative analysis is a discussion of the significant and insignificant impacts of the Merriam Mountains project located on the western side of I-15 near Deer Springs Road which includes 1,162 additional dwelling units as noted as map key 105 on Table 1-6. Utilizing the SANDAG standard of 12 ADT per resident, this project alone would result in 13,944 average daily trips without even considering the commercial and office-professional uses also permitted as part of its project. An EIR previously prepared for the Merriam Mountains project concluded it would result in significant and unmitigable traffic impacts on numerous roads within the County road system and it would create air quality impacts that were significant and unmitigable. The list of cumulative projects also omits an action taken by the Board of Supervisors to permit approximately 1,456 acres of land adjoining the Lilac Hills Ranch project to be changed from an SR-4 to an SR-2 designation. These were formerly shown as property owner requests VC 7, 9, 11, 20A, 20B, 54, 60, 61, and 66 which are not included in the cumulative project list. The Board of Supervisors' action will result in an additional 720 residential dwellings being permitted in the area adjoining Lilac Hills Ranch which result in an additional 8,736 average daily trips on local and area roads also impacted by the Lilac Hills Ranch project. The cumulative impacts of this project must be included in the cumulative project list and properly evaluated given its close proximity to the Lilac Hills Ranch project and the fact it will result in an additional 8,736 average daily trips based on SANDAG's use of 12 daily trips per resident.

Given the omission of significant impacts caused by the County's General Plan, lack of any evaluation of the significant cumulative impacts from the Merriam Mountains project, and the omission of the impacts from the 720 residential dwellings adjoining Lilac Hills Ranch, the

DEIR needs to be extensively revised to incorporate the significant and cumulative impacts acknowledged in GP 2020 and to include a proper analysis of the cumulative impact of these other projects. The DEIR then needs to be recirculated for public review.

IX.

**THE PROJECT IS NOT CONSISTENT WITH THE COUNTY  
GENERAL PLAN OR THE VALLEY CENTER OR BONSALE  
COMMUNITY PLANS REQUIRING DENIAL OF THE PROJECT**

As noted previously, the DEIR repeatedly admits the project is not in compliance with the County General Plan. The DEIR declares unequivocally: "The project proposes land uses and densities that are not consistent with the adopted General Plan Land Use Element Regional Category of Semi-Rural and the adopted land use designation of Semi-Rural SR-4 (VCCP Land Use Map) and Semi-Rural SR-10 (BCP Land Use Map)". (DEIR p. 3-64). In fact, the DEIR concedes that the project would be consistent with the General Plan only if the General Plan Amendment is approved which "would result in the project being consistent with the General Plan". (Id. p. 3-64). In multiple places the DEIR readily concedes that the current General Plan permits only 110 single-family dwelling units on the project site and not the 1,748 residential units and numerous commercial uses being proposed. (DEIR pp. S-7, 4-13). In numerous places the DEIR also admits the semi-rural designation for the site is appropriate only for "lower density residential neighborhoods, recreational areas, agricultural operations and related commercial uses that support rural communities". (Id. p. 3-56).

The general plan consistency doctrine has been described as the lynch pin of California's land use and development laws. It is the principle which infuses the concept of planned growth with the force of law. (*Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4<sup>th</sup> 342, 355.) The project's express inconsistency with the San Diego County General Plan and its elements renders it invalid and unlawful. An EIR must be consistent with the governing general plan to be valid. (*Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4<sup>th</sup> 777, 782; Government Code § 65454 ["No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan."]). "A county cannot articulate a policy in its general plan and then approve a conflicting project". (*Endangered Habitats, supra* p. 789).

X.

**THE PROJECT LACKS SEWER AND RECYCLED EASEMENTS  
AND EASEMENT RIGHTS TO MOUNTAIN RIDGE ROAD  
NECESSARY TO APPROVE THE TENTATIVE MAP**

Chicago Title Company's forth amended title report on the project dated August 30, 2012 establishes that Lilac Hills Ranch has no legal rights to use the southern 2500 feet of Mountain Ridge Road as access for its project. Figure 1-7 of the DEIR clearly states the project plans to improve Mountain Ridge Road to private road standards to Circle R Road. Section 81.402 of the County's subdivision ordinance specifies that no tentative map shall be approved unless the map

and its proposed conditions satisfy the following requirements: "(j) Where it is necessary to extend a road beyond the boundaries of a subdivision to provide adequate circulation or fire protection for residents of the subdivision, the subdivider *shall acquire* the necessary easement at the subdivider's expense." Thus, the failure of the applicant to secure this easement requires the County to deny the tentative map.

The Valley Center Municipal Water District also wrote a letter on July 8, 2013 clearly establishing that VCMWD does not have sewer or recycled water easement rights for either the Covey Lane parcels or Mountain Ridge Road where the sewer and recycled water pipelines need to be placed. In its letter, the VCMWD declared that it "does not presently have sewer or recycled water easement rights across the Covey Lane parcels or the West side of Mountain Ridge private road from the Lilac Hills Subdivision Boundary to the Circle R Public Road". In addition, the VCMWD noted that it lacked "sewer easement rights for the southern approximately 1260 feet to connect to Circle R public road". Section 81.402(n) of the County's subdivision ordinance clearly mandates the subdivider to provide these easements or the County must deny the tentative map. Section 81.402(n) states that no tentative map shall be approved unless "where the Director DPW determines it is necessary to extend a sewer system beyond the boundaries of the subdivision, the subdivider *shall acquire and provide* all necessary easements and rights-of-way to accommodate the sewer system extension". Since Lilac Hills Ranch has failed to secure any of these easements the tentative map must be denied.

We note additionally that the developer has submitted a design exception to the County for Mountain Ridge Road acknowledging that based on its current design requirements the road would "have to be completely rebuilt" and vertical curves would have to be lengthened considerably "which would result in some existing driveways no longer being accessible". These driveways would need to be "redesigned and rebuilt". The new road "would require permission to grade from multiple neighbors" which will not likely be granted and the cost to "reconstruct this entire road and many large retaining walls would be prohibitive". By doing so, the developer has conceded it cannot construct Mountain Ridge Road to County design standards and the road construction will cut off existing driveways creating significant impacts to Mountain Ridge Road residents. This needs to be discussed and evaluated in the DEIR as a traffic safety issue and as an impact to existing residential owners in the area.

## XI.

### **THERE IS INADEQUATE SIGHT DISTANCE AT THE MOUNTAIN RIDGE AND CIRCLE R INTERSECTION**

On June 25, 2013 Landmark Consulting submitted a sight distance analysis at the West Lilac Road and Covey Lane intersection. This report determined the sight distance of 480 feet was necessary to comply with County requirements. This report indicated the maximum line of sight distance currently looking south on West Lilac Road was 330 feet assuming no clearing or grading is completed. The report indicated that in order to secure adequate sight distance at this intersection a clear space easement with grading rights would need to be secured from a neighboring owner on Assessor's Parcel No. 129-190-44. The consent of that owner to grant these additional grading rights has not been granted. Consequently, at this juncture the sight

Mark Slovick  
August 19, 2013  
Page 14

distance at the intersection of West Lilac Road and Covey Lane is inadequate resulting in a significant and unmitigable traffic safety impact. This needs to be recognized in the DEIR.

## XII.

### THE PROJECT VIOLATES THE COUNTY'S PUBLIC ROAD STANDARDS

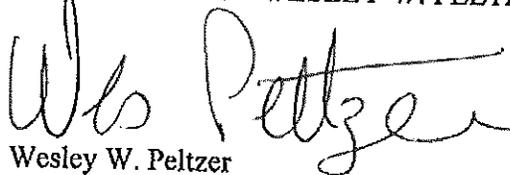
A review of Figure 1-7 of the DEIR demonstrates the Lilac Hills Ranch project is proposing only two public roads consisting of West Lilac Road and a small portion of Covey Lane to West Lilac Road. All of the rest of the roads being proposed are private roads which prohibit access to members of the public and to neighboring property owners except in the event of an emergency requiring evacuation of residents where the gates "would be put in an open position allowing surrounding residents to use Lilac Hills Ranch roads". (DEIR pp. S-2, S-3). The proposal of private roads both inside and outside the development clearly violates numerous County policies requiring the roads be public as noted in our December 19, 2012 letter to the County. We are providing a copy of this December 19, 2012 letter as Attachment "1". Please ensure responses are provided to all of the comments contained in the attached December 19, 2012 letter. The project as currently proposed clearly violates a number of County policies requiring the roads be public and not private. The failure to disclose this in the DEIR renders the DEIR defective and violates a number of County policies requiring the roads to be public and not private.

Stated succinctly, the DEIR is clearly inadequate and must be extensively revised to comply with CEQA. The DEIR admits the project is not consistent with the existing Land Use Element of the County General Plan requiring denial of the project under settled precedent. Finally, it is apparent that the project lacks critical access, water, and sewer easements necessary to construct the project which requires denial of the project under the County's subdivision ordinance. The project also violates County standards requiring the roads to be public, not private. **Given the DEIR's deficiencies and the additional new information required to be analyzed, revisions to the Draft EIR are required and recirculation is mandated.**

If you have any questions concerning any of these comments please contact the undersigned at your convenience. We appreciate the opportunity to comment upon the DEIR.

Sincerely,

LAW OFFICES OF WESLEY W. PELTZER



Wesley W. Peltzer

WWP:cm  
Encl.  
cc: Jim Pardee

LAW OFFICES OF WESLEY W. PELTZER

A PROFESSIONAL CORPORATION  
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SAN MARCOS, CALIFORNIA 92069  
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FAX (760) 744-8259  
E-MAIL: WWPELTZER@AOL.COM

December 19, 2012

Via E-Mail

Mark Slovick  
Planning and Development Services  
County of San Diego  
5510 Overland Avenue  
San Diego, CA 92123

Jarrett Ramaiya  
Planning and Development Services  
County of San Diego  
5510 Overland Avenue  
San Diego, CA 92123

Re: *Comments on Lilac Hills Ranch Specific Plan and Road System*

Dear Mr. Slovick and Mr. Ramaiya:

We represent the Pardee family who owns two properties directly adjoining the Accretive specific plan area. These are the 79-acre Covey Farms property located on the south side of Covey Lane adjoining the Accretive specific plan area and the 40-acre Circle R property that abuts the Accretive specific plan area at the southern end of the Accretive project on Mountain Ridge Road. After reviewing the Lilac Hills Ranch Specific Plan we have some very significant concerns about its impacts on area roads in combination with the recent action by the Board of Supervisors to permit approximately 1,456 acres of land in this area to be changed to a SR-2 designation as part of the County sponsored general plan amendment and the failure of the Accretive specific plan to adhere to a number of County standards and policies contained in the Valley Center Community Plan that mandate the Accretive roads be public and not private as currently proposed and that its road system accommodate other anticipated development in the area. We are requesting that all of the Accretive roads be public roads in accordance with these established standards and that this road system be designed to accommodate other known development in the area. As currently proposed, the Accretive road system land locks a number of other parcels in the area slated for development and fails to provide both existing development and planned development with a safe means of access in the event of a fire.

The Lilac Hills Ranch specific plan permits 1,746 dwelling units with a density of 2.9 dwelling units per acre and 75,000 square feet of commercial retail uses. (Lilac Hills Ranch Specific Plan p. 1-3). Based on SANDAG's guide for vehicular traffic generation rates the Lilac Hills Ranch project would generate 29,952 average daily trips based on 12 trips for each residence and 120 trips for every 1,000 square feet of retail space per the SANDAG guide to vehicular traffic generation rates. As you know, the Board of Supervisors recently approved a County sponsored general plan amendment for property owners that permits an additional 2,863 residences over those originally approved in GP 2020. This additional 2,863 residences will generate an additional 34,356 average daily trips based on a trip generation of 12 trips per day per residence. Collectively, the Lilac Hills Ranch specific plan and the density changes endorsed by the Board of Supervisors for GP 2020 will add 64,308 average daily trips to area roads. This very substantial increase in average daily trips needs to be evaluated carefully in the traffic study

ATTACHMENT 1

Mark Slovick  
Jarrett Ramaiya  
December 19, 2012  
Page 2

for Lilac Hills Ranch. The recent action taken by the Board of Supervisors authorized a change to about 1,456 acres of land in the area around Lilac Hills Ranch from SR-4 to SR-2 which would permit an additional 728 dwelling units in the area surrounding the Lilac Hills Ranch project. These 728 dwelling units will generate an additional 8,736 average daily trips on roads surrounding the Lilac Hills Ranch project based upon SANDAG vehicle generation rates. A number of the area roads surrounding the Lilac Hills Ranch are in a substandard condition since they were never designed to accommodate growth of this magnitude.

A review of the Lilac Hills Ranch specific plan indicates it is currently proposing only two public roads on-site which are West Lilac Road and Street Z located on the northern portion of the Accretive site. (Specific Plan pp. III-3 through III-5). All of the other on-site roads are proposed as private roads with no accommodation of public traffic or traffic from other existing and planned development in this area. This is a recipe for disaster both in terms of traffic flow and fire issues. In fact, the Lilac Hills Ranch specific plan currently proposes the senior center area be gated with guard gates at both Covey Lane and Mountain Ridge Road which would completely prohibit through traffic. A number of properties south of Covey Lane surrounding Lilac Hills Ranch would have no means of access except those properties abutting Covey Lane that presently have access on Covey Lane. Similarly, all of the properties that exist or are being developed south of Mountain Ridge Road would have only one means of access which is south on Mountain Ridge Road. In the event a fire blocked Covey Lane or Mountain Ridge Road both existing and planned development around the project site would be in serious danger in the event of a fire.

The County's major subdivision standards, the County's public road standards and key policies in the Valley Center Community Plan clearly mandate that all roads within Lilac Hills Ranch be public. Section 81.402 of the San Diego County Code on major subdivisions specifically addresses when public roads must be dedicated to County standards. Section 81.402(a) mandates that all property to be subdivided that is designated as Village Residential 2.9 in the County General Plan "shall provide access by public roads dedicated in accordance with the San Diego County Standards" (Section 81.402(a)(1)) except "if the Director DPW determines the roads will ultimately serve no more than an estimated 100 ADT or will not feasibly provide a current or future connection to another public road or another subdivision". (Section 81.402(a)(2)). Since the Lilac Hills Ranch project would generate 29,952 daily trips it is clearly required to provide public roads dedicated in accordance with San Diego County standards per Section 81.402(a)(1). In a similar fashion, Section 81.402(e) provides that "where the property is to be subdivided is located in an area identified in the County General Plan Land Use Element as a commercial or industrial designation, streets providing on-site and off-site access shall be dedicated in accordance with San Diego County Standards". 75,000 square feet of commercial retail uses are proposed as part of the Lilac Hills Ranch project requiring these roads to be public. Finally, Section 81.402(f) provides in pertinent part that: "where the property to be subdivided abuts property that could be further subdivided under the density allowed by the General Plan or could feasibly provide access to a property that could be further subdivided, the subdivider shall provide an analysis of the public road system within the proposed subdivision and that road system shall, where feasible and practical, be public and be designed so as to extend roads to the boundaries of the property to provide through access from the

Mark Slovick  
Jarrett Ramaiya  
December 19, 2012  
Page 3

**subdivision to existing or future offsite roads, with a goal of improving circulation in the vicinity".** All of these subdivision standards mandate that the Lilac Hills Ranch roads be public.

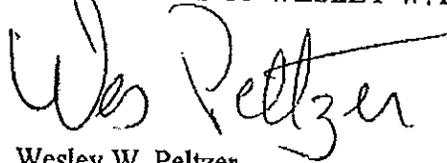
A review of the County public road standards also dictates that the Lilac Hills Ranch roads be public. Section 3.4 of the County's public road standards state that "where land abutting an existing road is to be developed, the developer shall dedicate any necessary additional right-of-way and improve such road, including traffic signal improvements and modifications, traffic control devices, and drainage improvements, to conform to these Standards". The project abuts Covey Lane and Mountain Ridge Road. This section of the County's public road standards also mandates that the Lilac Hills Ranch roads that connect to Covey Lane and Mountain Ridge Road be public.

There are adopted standards in the Valley Center Community Plan that also require the Lilac Hills Ranch roads be public. The mobility policies contained in the Valley Center Community Plan include Policy 12 (p. 53) which provides: "Access in a new subdivision shall be carefully examined. Where a clear circulation need which benefits the overall community can be demonstrated, *public roads consistent with the Department of Public Works policies shall be dedicated and constructed.* Where appropriate, future subdivisions shall be required to access public roads via at least two separate access points". Collectively, all of these policies mandate that the Lilac Hills Ranch roads be public. Please also note that policies adopted in the Valley Center Community Plan require that "the road system function at a service level no worse than "C" at peak hours as development occurs". (Policy 9 p. 52). We are requesting that the traffic studies for this project be required to evaluate the road systems both on-site and off-site in accordance with the "C" level of service mandated by the Valley Center Community Plan.

We are not currently opponents of the Lilac Hills Ranch project but we do want to ensure its road system is designed in a manner that meets the LOS C standard contained in the Valley Center Community Plan and the project provides public roads in accordance with adopted County standards. That is critically necessary for both proper traffic flow and fire safety. We appreciate the opportunity to comment on this specific plan.

Sincerely,

LAW OFFICES OF WESLEY W. PELTZER



Wesley W. Peltzer

WWP:cm

cc: Jim Pardee



**DEER SPRINGS FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS MEETING**

**JUNE 11, 2014**

**2:00 P.M.**

**MINUTES**

**1. CALL TO ORDER, ROLL CALL**

President Geiser - Present

Vice-President Tebbs – Present

Secretary/Treasurer Osby – Present

Director Slaughter-Present

Director Sealey – Present

Also present –Legal Counsel and District Administrator Liz Heaton

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by President Geiser.

**3. ADOPTION OF AGENDA**

Director Tebbs moved to adopt the agenda, Director Slaughter seconded the motion. **Motion approved; 5-0, 5 Ayes; 0 Noes; 0 Absent; 0 Abstain.**

**4. PUBLIC COMMENTS PERIOD-None**

**5. CONSENT CALENDAR**

1) Approval of Minutes –May 14, 2014

2) Acceptance of May Finance Report-CA. Bank & Trust, General, Capital/Reserve, and Mitigation accounts.

3) Acceptance of May Monthly Mercy Medical Transports

Director Tebbs moved to adopt the consent calendar, Director Sealey seconded the motion. **Motion approved; 5-0, 5 Ayes; 0 Noes; 0 Absent; 0 Abstain**

## 6. COMMITTEE REPORTS

- a. Lilac Hills Ranch Development-Directors Geiser and Slaughter. Chief Amestoy submitted the FPP with no demand or influence in regards to Mountain Ridge Road improvements. The Board of Directors and guest request a copy of the correspondence sent to the County regarding the FPP. The revised REIR has been released to the public and is available for review on the County website. The Board of Directors will comment on the revised REIR by due date of July 28, 2014. Director Geiser will request from Chief Amestoy his comments and present at the July meeting. The Board of Directors continues to reiterate we cannot meet the 5 minute response time per the General Plan and will service the project within their ability. The developer continues to reference Miller Station, this is a State station not a District station. In the General Plan it states fire stations must be staffed year-round, publicly supported, and committed to providing service. These do not include stations that are not obligated by law to automatically respond to an incident.

Director Sealey made a motion for our legal counsel to provide definition with respect to the levels of service per the General Plan; 1. What does it mean to be committed to providing service? 2. What does it mean to not be obligated by law to respond to an incident? Director Tebbs seconded the motion. **Motion approved; 3-2, 3 Ayes; 2 Noes, Directors Osby and Slaughter; 0 Absent; 0 Abstain**

- b. Review of Bylaws-Directors Sealey and Tebbs-Revise Article 6

Director Sealey presented to the Board a copy of Article 6 with revisions and Policy G01, Chief Duties and Responsibilities and G02, District Administrator Duties and Responsibilities for review. These policies will be presented at the July meeting for discussion and approval. Director Sealey made a motion to adopt Article 6 of the Bylaws as revised and presented; Director Osby seconded the motion, **Motion Approved 5-0, 5 Ayes; 0 Noes, 0 Absent; 0 Abstain.**

- c. District Annual Report FY 2014/2015- No report

- d. Deer Springs Fire Vegetation/Public Nuisance Abatement Program-Directors Osby and Slaughter

The Board of Directors agreed to delete the reference to the \$25.00 fee from Ordinance 2002-03; Section 5.

7. **CHIEF'S REPORT**- No verbal report, Chief Amestoy was on vacation. A copy of this report is available in the District Office.

8. **FIRE SAFE COUNCIL REPORT**- A chipping day is scheduled for July 9, for high risk area. Please contact Craig Cook for more information.

## 9. UNFINISHED BUSINESS

- a. Final Budget FY 2014/2015 Approval

Director Slaughter made a motion to approve FY 2014/2015 Final Budget; Director Tebbs seconded the motion, **Motion Approved 5-0, 5 Ayes; 0 Noes, 0 Absent; 0 Abstain.**

- b. Emergency Access Easement for the District-David Bright & Robert Fougner-No Report

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 11, DIVISION OF PLANNING  
4050 TAYLOR ST, M.S. 240  
SAN DIEGO, CA 92110  
PHONE (619) 688-6960  
FAX (619) 688-4299  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

June 24, 2014

Mr. Mark Slovick  
County of San Diego  
5201 Ruffin Road, Suite B  
San Diego, CA 92026

11-SD-15  
PM 43.28  
Lilac Hills Ranch Revised EIR

Dear Mr. Slovick:

The California Department of Transportation (Caltrans) has reviewed the Lilac Hills Ranch Draft Revised Environmental Impact Report (DREIR), located near Interstate 15 (I-15). Caltrans does not agree with the following statements identified for the mitigation measures within Caltrans jurisdiction:

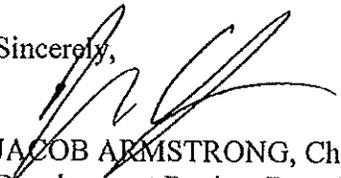
M-TR-2, 3: Language was added in the revised EIR that the applicant or designee would be required to install traffic signals at the I-15/Gopher Canyon Road intersection, or Caltrans would agree to install signals provided funding by the applicant equivalent to the cost of installation. It should be noted that Caltrans would most likely not be involved in installing direct impact mitigation for a land development regardless of it being funded by others.

Caltrans does not agree with mitigation language throughout the EIR, whereby mitigation is determined to be infeasible and would remain significant and unavoidable because the impacts are within the jurisdiction of Caltrans, or there is no project, fund or program to contribute fair-share for cumulative impacts. It is the Lead Agency's responsibility to determine and disclose under CEQA the feasibility of implementing a mitigation measure. Stating that Caltrans does not have an identified project at a location identified to have an impact as justification for not mitigating does not meet the intent of CEQA. Furthermore, Caltrans does have a mechanism or program to collect fair-share contributions for cumulative impacts on Caltrans facilities.

June 24, 2014  
Mark Slovik  
Lilac Hills Ranch Revised EIR

If you have any questions, please contact Marisa Hampton at (619) 688-6954.

Sincerely,



JACOB ARMSTRONG, Chief  
Development Review Branch

**Pine, James**

**From:** Mead, Mark C  
**Sent:** Monday, May 20, 2013 4:12 PM  
**To:** Slovick, Mark  
**Cc:** Anzures, Claudia F  
**Subject:** FW: Miller Station, Lilac Hills Ranch project - Official Response

See Cal Fire's response below. So much for asking a list of questions.

**Confidentiality Notice:** This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain information protected by the attorney-client privilege, the attorney work product doctrine or other applicable privileges or confidentiality laws or regulations. If you are not the intended recipient, you may not review, use, copy, disclose or distribute this message or any of the information contained in this message to anyone. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

*Mark C. Mead, Senior Deputy  
Office of County Counsel  
1600 Pacific Highway, Room 355  
San Diego, CA 92101-2469  
E-mail: [mark.mead@sdcounty.ca.gov](mailto:mark.mead@sdcounty.ca.gov)  
Phone: (619) 531-4891; Fax: (619) 531-6005*

*S/W  
V. 5/20*

**From:** Eck, Paul@CALFIRE (<mailto:Paul.Eck@fire.ca.gov>)  
**Sent:** Monday, May 20, 2013 3:52 PM  
**To:** Mead, Mark C  
**Cc:** Porter, Thomas@CALFIRE  
**Subject:** Miller Station, Lilac Hills Ranch project - Official Response

Mark:

I've got your official response from CAL FIRE:

Dear Mr. Mead,

CAL FIRE will not provide full time Fire and EMS coverage for the Lilac Hills Ranch project.

Thank you for contacting CAL FIRE on this issue.

Respectfully,  
Paul S. Eck  
Senior Counsel  
Dept. of Forestry and Fire Protection  
Office of the State Fire Marshal  
HQ Sacramento

Direct: (916) 653-0922  
Mobile: (916) 531-2483  
[Paul.Eck@Fire.CA.Gov](mailto:Paul.Eck@Fire.CA.Gov)

# LAW OFFICES OF WESLEY W. PELTZER

Wesley W. Peltzer, Attorney at Law

81273 Andalusia

La Quinta, CA 92253-8220

Tel. No. (760)771-2300

Email: [WWPeltzer@aol.com](mailto:WWPeltzer@aol.com)

July 25, 2014

Sent Via EMAIL & OVERNIGHT MAIL

Mark Slovick  
Planning & Development Services  
County of San Diego  
5510 Overland Ave.  
San Diego, CA 92123

Re: Comments on Lilac Hills Ranch Revised Draft EIR

Dear Mr. Slovick:

We represent the Pardee family and entities they own pertaining to two properties directly adjoining the Lilac Hills Ranch specific plan as noted in our comment letter of August 19, 2013. These are the 79-acre Covey Farms property located on the south side of Covey Lane adjoining the Lilac Hills Ranch specific plan area and the 40-acre Circle R property that abuts the Lilac Hills Ranch specific plan area at the southern end of Mountain Ridge Road. Both of these properties have been in active agricultural operations for many years and are located directly adjacent the Lilac Hills Ranch project. Please accept this letter as our official comments on the Revised Draft EIR (the "RDEIR"). For reasons noted in this letter, and in our prior comment letters, we have concluded that the Lilac Hills Ranch Project violates both the County General Plan and the Valley Center and Bonsall Community Plans prohibiting approval of the project. We have also concluded that the RDEIR violates the California Environmental Quality Act ("CEQA") and omits vital information and a proper analysis of environmental impacts requiring recirculation of the RDEIR.

## I. THE PROJECT

The Lilac Hills Ranch specific plan consist of 90,000 square feet of commercial uses, a 50 room country inn, 1746 dwelling units, a senior community center, a group residential and care facility, a dementia care facility, a recycling facility, a water reclamation facility, a potentially new fire station, and a school. (RDEIR pp. 1-1, 1-2). The project's density is 2.9 dwelling units to the acre. (RDEIR p. 1-1).

The project includes construction over 20 years. (RDEIR p. 2.3-18). The project results in significant and unmitigable visual, air quality, traffic, and noise impacts. (RDEIR p. S-5).

The current general plan designation for the site permits 110 residential units and mandates the preservation of 257 acres of the site in open space. (RDEIR p. S-7). Clearly, the project exceeds the permitted density by 1646 residential units, an increase of 1587% of the permitted density for the project area. The project will result in 4 million tons of grading at the rate of 50,000 tons per day. (RDEIR p. 2.2-20). The traffic section of the RDEIR acknowledges both the project and cumulative projects will result in significant and unmitigable impacts to numerous area roadways, intersections, and all of I-15 between Riverside County and Highway 78 which will operate in gridlock LOS F traffic conditions all the way from the Riverside County boundary to Highway 78. (RDEIR pp.2.3-2 through 2.3-5). No mitigation is being offered for any of the impacts to any CalTrans facilities based on claims that CalTrans has no program for mitigation of cumulative impacts when CalTrans has said otherwise.

We provided you with a comment letter on December 19, 2012 explaining why the Lilac Hills Ranch project fails to comply with numerous County standards on public roads for which we received no response. We sent you another comment letter on August 19, 2013 noting the project's inconsistency with the County General Plan and the Valley Center and Bonsall Community Plans and its violations of CEQA for which we also received no response. The RDEIR does not address any of the issues raised in this letter. We are providing you with another copy of both the December 19, 2012 and August 19, 2013 letter and requesting a specific response to each of our comments in both letters which are incorporated herein by reference. As you are undoubtedly aware, the County is required to respond to all comments on the RDEIR.

The RDEIR continues to conclude the land use impacts associated with the project are not significant because a General Plan Amendment might be approved which would result in the project being consistent with the General Plan. (RDEIR p. 3-87). However, in that very same paragraph of the RDEIR it states that "The project proposes land uses and densities that are not consistent with the adopted General Plan Land Use Element Regional Category of Semi Rural or the adopted land use designation of Semi Rural." (RDEIR p. 3-87). In fact, the RDEIR now includes a General Plan Consistency Alternative which acknowledges that the current County General Plan permits only 110 single-family dwelling units on this site and requires the preservation of 257 acres of the 608 acre site as open space. (RDEIR p. S-7). The analysis of this General Plan Consistency Alternative acknowledges that it would result in reduced visual impacts, it would reduce significant and unavoidable air quality impacts, and it would reduce significant and unavoidable traffic impacts to less than significant. (RDEIR p. S-7). As part of the CEQA Guidelines an EIR is required to discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. (CEQA Guidelines §15125(d)). CEQA cases have uniformly held that the applicable plan to be evaluated is the plan that has already been adopted and not some future plan. (Chaparral Greens v. City of Chula Vista (1996) 50 Cal.App.4th 1134, 1145, fn2). The failure of the RDEIR to properly analyze the project based on its consistency with the adopted County General Plan and the adopted Valley Center and Bonsall Community Plans and not the possible General Plan Amendment violates

CEQA and has resulted in a RDEIR that understates land use impacts which are clearly significant and unmitigable based upon the adopted County General Plan, and the adopted Valley Center and Bonsall Community Plans as noted in our August 19, 2013 letter to you. The RDEIR concedes inconsistencies between the project and the adopted General Plan.

**II.**  
**THE FIRE IMPACTS ANALYSIS IS INADEQUATE AND FIRE IMPACTS ARE SIGNIFICANT AND UNMITIGABLE**

The RDEIR acknowledges that the project does not comply with the Consolidated Fire Code requirement of a fire buffer of 100 feet from all residences. In fact, Figure 1-6 of the RDEIR shows that the northern, central and southern portions of the project site include fire buffers from residences ranging from 50 to 90 feet, far short of the 100 foot fire buffer from residences mandated by §96-1.4907.2 of the Consolidated Fire Code. (Figure 1-6; RDEIR p. 2.7-25). The RDEIR acknowledges this could represent a significant impact. (RDEIR p. 2.7-26). The Deer Springs Fire Protection District (DSFPD) which is the Fire District having jurisdiction over the project has not accepted this reduction in the fire buffer areas which therefore requires compliance with the 100 foot fire buffer from all residences mandated by the Consolidated Fire Code. This results in a significant and unmitigable fire impact not disclosed or discussed in the RDEIR.

The RDEIR states that the maximum emergency response time for the project is 5 minutes. (RDEIR p. 2.7-33). The RDEIR acknowledges that the DSFPD identified Fire Station 11 as the primary fire station to serve the project. (RDEIR p. 2.7-33). The fire section of the RDEIR admits that response times from Station 11 to the project site are 6-7.5 minutes (RDEIR p. 2.7-34), well in excess of the 5 minute response time permitted and Figure 2.7-2 of the RDEIR actually indicates response times of 8.5 to 9.4 minutes are necessary from Station 11 to the furthest structures in Phase III of the project. These clearly exceed the 5 minute response time mandated by the County's Public Safety Element (Table S-1) requiring denial of the project and a finding that the project's fire impacts are significant and unmitigable. The failure of the RDEIR to disclose and discuss these significant and unmitigable fire impacts violates CEQA.

The fire section of the RDEIR relies on the Miller Station and four other options provided to assert compliance with the 5 minute emergency response time. (RDEIR pp. 2.7-33, 2.7-35). However, the DSFPD has repeatedly indicated that none of these options are viable or acceptable to it and that it would not accept the Miller Station in lieu of Station 11 to serve the project.

We are providing you with this letter the June 11, 2014 minutes of the DSFPD expressly stating they cannot meet the 5 minute response time and would not accept the Miller Station as one of the fire station options since it is not a DSFPD station and it is not staffed year-round. With this letter, we are also providing you with an e-mail from Cal Fire who is currently staffing the Miller Station on a part-time basis dated May 20, 2013 unequivocally stating that Cal Fire will not provide full time fire or EMS coverage for the Lilac Hills Ranch Project. In fact, the DSFPD's own studies have indicated that all of the options offered in the fire section of the RDEIR were flawed since they could not recover adequate fees from property taxes to fund them and it would

require a shifting of fire services from Station 11 which is currently the best station to serve the rest of the District.

The Evacuation Plan (Appendix K) provided for the project evaluates only evacuations to ensure the safe and efficient evacuation of residents and guests within the project area as stated in RDEIR. (RDEIR p. 2.7-36). No information has been provided in the RDEIR or the Evacuation Plan evaluating the ability to adequately evacuate the many existing residents, agricultural and other users surrounding the project site and their ability to evacuate safely in the event of a fire. The RDEIR needs to provide an analysis of the ability of area residents to evacuate safely since no information has been provided on this in the RDEIR. The failure to include this information violates CEQA.

### III.

#### **THE ABILITY OF THE PROJECT TO USE MOUNTAIN RIDGE ROAD FOR ACCESS AND EMERGENCY ACCESS**

Mark Jackson received an attachment from the County which is enclosed as part of his July 22, 2014 comments on the RDEIR obtained from the County which clearly indicates that 32 offsite parcels must grant rights of way for the project to use Mountain Ridge Road for any of the project's proposed uses. As noted in the RDEIR, the project is currently proposing to use Mountain Ridge Road for access to its senior facilities in Phase 5 and as emergency access. (RDEIR p. 1-12) Please provide us with any evidence the project has secured all access rights it needs to use Mountain Ridge Road for any purpose. If there is no evidence that the project has secured all easement rights it needs to use Mountain Ridge Road, the RDEIR needs to be revised to disclose this and project impacts must be reevaluated based upon the fact the project could not use Mountain Ridge Road as access or emergency access. Please provide a full evaluation of this issue and any support you have for it in response to this comment.

### IV.

#### **IMPACTS TO AREA RESIDENTS AND OTHERS WITHIN THE PROJECT AREA NEED TO BE EVALUATED IN THE RDEIR FOR THE REQUIRED OFF-SITE IMPROVEMENTS AND LAND ACQUISITIONS**

The RDEIR does not contain any analysis of impacts to existing residential users, agricultural users, or other businesses in the area caused by the required off-site improvements for the project or the acquisitions or takings for them. As noted in the RDEIR, these off-site improvement include the widening of West Lilac Road west to the Maxwell Memorial Bridge, the construction of improvements to Lilac Hills Ranch Road, the widening of Covey Lane from 28 feet to 40 feet, 3800 feet of improvements from the southern project boundary to a connection with Circle R Drive from Mountain Ridge Road, and the paving of Rodriguez Road 24 feet from Lilac Hills Ranch Road to Covey Lane as well as significant water, sewer and drainage improvements. (RDEIR pp. 1-12 through 1-17; 1-22 through 1-27). Various provisions of the RDEIR also indicate that the County will take land if necessary, for these off-site improvements and the acquisitions. The RDEIR needs to contain a full analysis of all impacts associated with these off-site road improvements to existing owners and their current uses. In addition, the RDEIR needs

to disclose the number of owners affected by any land acquisitions or takings needed for the off-site improvements, the total acreage of the required acquisitions or takings for the off-site improvements and how this would impact existing uses on these parcels. Please provide a detailed response on these issues which includes a full analysis of all environmental impacts to area residents associated with the required off-site improvements and acquisitions and an analysis of the number of owners affected and the total acreage needed for any acquisitions or takings of private land and all environmental impacts to these owners from the acquisitions or takings.

V.

**THE AGRICULTURAL SECTION OF THE RDEIR UNDERSTATES AGRICULTURAL IMPACTS WHICH ARE SIGNIFICANT AND UNMITIGABLE**

We discussed the understated agricultural impacts and the fact they were significant and unmitigable in our August 19, 2013 letter which is attached. None of these issues have been addressed in the RDEIR. The RDEIR continues to conclude that significant agricultural impacts have been fully mitigated both individually and cumulatively. (RDEIR p. 2.4-31).

As you know, the CEQA Guidelines Appendix G specifically provides that a project will have a significant agricultural impact if it converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a nonagricultural use or if it could individually or cumulatively result in the loss of Farmland to nonagricultural uses. The County's own significant standards for Agricultural Resources also recognize these CEQA standards. (County's Guidelines for Determining Significance Agricultural Resources p. 1). The RDEIR specifically notes that the project site contains 293 existing acres of orchard crops. (RDEIR p. 2.4-4). The RDEIR contains no analysis of impacts to the existing 293 acres of orchard crops on site. The RDEIR also acknowledges that the site presently contains 36.2 acres of Farmland of Statewide Importance and 329.2 acres of Unique Farmland. (Table 2.4-2; RDEIR p. 2.4-5). Table 2.4-6 shows that the project will directly impact 329.2 acres of Unique Farmland and 36.2 of Farmland of Statewide Importance resulting in a direct loss of 365.4 acres of both Prime Farmland and Unique Farmland as a result of the project. In fact, the RDEIR acknowledges that the project will result in a loss of 511.7 acres of existing farmland on the project site representing 54 percent of the cumulative total of Important Farmland in the area. (RDEIR p. 2.4-24). This loss of 511.7 acres of existing farmland as a result of the project is a significant agricultural impact caused by the project not disclosed in the RDEIR.

We also note that the agricultural section of the RDEIR has failed to adequately evaluate cumulative impacts to agricultural resources in the area. Figure 2.4-8 shows that the cumulative projects evaluated in the surrounding area contained only 7 surrounding projects in a few areas around the site. (Figure 2.4-8). This cumulative evaluation did not consider the 1347 acres of mixed use orchards within one mile of the site, row crops within one mile of the project site, or the 306 acres of nurseries and greenhouses located within one mile of the project site acknowledged in the RDEIR. (RDEIR pp. 2.4-8, 2.4-9).

The agricultural analysis contained in the RDEIR addresses only compatibility with neighboring agricultural uses and the project and does not evaluate at all impacts to any of the neighboring agricultural uses caused by the project's construction activities. The agricultural section of the RDEIR merely discusses consistency of uses proposed for the project with the neighboring agricultural uses and proposes a 50 foot buffer only to address potential use inconsistencies. (RDEIR pp. 2.4-17 through 2.4-21). The agricultural section of the RDEIR contains no evaluation or discussion of impacts to these adjoining agricultural uses caused by project construction activities over 20 years. Please provide a detailed analysis of environmental impacts to these neighboring agricultural uses caused by the project's construction activities over 20 years. The failure to include this information in the RDEIR omits vital information rendering the RDEIR fatally defective.

In addition, the agricultural section of the RDEIR fails to disclose or consider cumulative impacts from the loss of agriculture documented in the County's General Plan in combination with the incremental loss caused by the project and other planned development in the area. The RDEIR states that the project in combination with other planned projects will result in impacts to 943.5 acres of Important Farmland. (RDEIR p. 2.4-24). The EIR adopted for GP 2020 specifically concluded that implementation of the General Plan "would result in the potential conversion of 55,963 acres of agricultural resources to non-agricultural land uses resulting in a significant and unmitigable agricultural impact." (GP 2020 EIR p. S-7). The loss of an additional 511 acres of existing agriculture on the project site and 943.5 acres in the cumulative study area clearly results in a significant and unmitigable cumulative agricultural impact based on the County's own EIR for GP 2020. No mitigation is offered in the RDEIR for this loss of agricultural lands on the project site either individually or cumulatively. The only mitigation offered is for the on-site loss of 43.8 acres of soils of Prime or Statewide Importance. (RDEIR pp. 2.4-27, 28).

## VI.

### **THE TRAFFIC SECTION OF THE RDEIR FAILS TO ADEQUATELY EVALUATE TRAFFIC IMPACTS FROM CONSTRUCTION ACTIVITIES, SIGNIFICANT AND UNMITIGABLE TRAFFIC IMPACTS ARE NOT PROPERLY MITIGATED AND CUMULATIVE TRAFFIC IMPACTS ARE UNDERSTATED**

The traffic section of the RDEIR indicates that construction activities will result in 13,473 daily trips. (RDEIR p.2.3-18). It also indicates that project construction is expected to be phased over 20 years. (RDEIR p. 2.3-18).

Simple math indicates that these construction activities will result in 4,917,645 construction trips during a year (13,473 daily trips x 365 days = 4,917,645 annual construction trips) and 98,352,900 construction trips over the 20 year project construction period. There is no analysis contained in the RDEIR about impacts on area residents or other uses caused by constructions trips of this magnitude over any period of time. Please provide a full analysis of impacts to area residents caused by 4,917,645 construction trips per year.

In order to conclude that construction traffic impacts are less than significant, the RDEIR indicates that a traffic control plan would be completed at some undefined period in the future to

manage construction traffic. (RDEIR p. 2.3-18). No such traffic control plan has been provided as part of the RDEIR and there is no discussion in it about how 13,473 daily construction trips for 20 years can be adequately mitigated. Please provide a detailed evaluation of construction traffic impacts for 20 years and provide an evaluation of how these construction trips can be adequately mitigated. Requiring a subsequent undefined traffic control plan is not adequate mitigation under established CEQA case law. A number of California CEQA cases have expressly held that mitigation measures requiring a project applicant to obtain a subsequent report and then comply with any recommendations is legally defective mitigation. (Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261, 1275 [mitigation requiring project applicant to obtain a subsequent biology report and then comply with recommendations legally deficient]; Endangered Habitats League, Inc. v. County of Orange (2005) 131 Cal.App.4th 773, 793-794 [mitigation of construction interference from noise, supply depots, and vehicle staging areas was inadequate because it did not require anything more than a report be prepared and filed and obtain approval by county department without setting any standards]).

The traffic section of RDEIR states that the project will result in significant and unmitigable impacts to the I-15 SB ramps at the Gopher Canyon Road intersection for which no mitigation is offered and that the project will result in significant and unmitigated cumulative impacts to 9 roadway segments and 11 intersections. (RDEIR pp.2.3-39 through 2.3-41). The RDEIR also indicates that 8 segments of the I-15 freeway will operate at LOS F from the Riverside County boundary to Highway 78. (RDEIR pp. 2.3-41, 42). The RDEIR determines that no mitigation is feasible for any freeway or CalTrans facilities to mitigate for these cumulative impacts. However, on June 24, 2014 CalTrans wrote a letter to Mark Slovick expressly indicating it does not agree with the mitigation language throughout the EIR where mitigation was determined to be infeasible and would remain significant and unavoidable because the impacts are within the jurisdiction of CalTrans and CalTrans further expressly stated that it does have a mechanism to collect fair-share contributions for cumulative impacts on CalTrans facilities. The traffic section of the RDEIR needs to be extensively revised to require fair-share contributions from the project for cumulative impacts to all CalTrans facilities in accordance with the June 24, 2014 CalTrans letter. We are providing you with a copy of the June 24, 2014 CalTrans letter with this letter. In addition the County should require fair share contributions for County roads impacted by the project instead of determining the project has no obligation on County roads impacted by the project because it exceeds the project's fair share contribution.

The revised traffic impact study indicates cumulative traffic impacts added by Valley Center property owner requests 11, 20A, 20B, 54, 61, and 66, adding 261 units. (TIS p. 5). We were present when the Board of Supervisors took the action to permit a General Plan Amendment allowing an additional 720 residential dwelling units in the Valley Center area joining the Lilac Hills Ranch project as noted in our August 19, 2013 letter to you. The authorization of this General Plan Amendment for the Valley Center properties extended far beyond property owner requests 11, 20A, 20B, 54, 61, and 66 and will result in an additional 720 residential units, not 261 as stated in the cumulative section of the traffic analysis. Utilizing the SANDAG standard of 12 ADT per dwelling, these additional trips in the Valley Center area will add an additional 8736 average daily trips, which is well in excess of the property owner requests analyzed in the cumulative traffic section of the RDEIR. In addition, at the same time the Board of Supervisors

authorized a General Plan Amendment for a large number of Bonsall properties located directly across the I-15 freeway from the Lilac Hills Ranch project which have not been evaluated at all in the cumulative traffic analysis. The cumulative traffic analysis needs to be revised to show the correct number of residential units authorized by the Board for the property owner General Plan Amendments in both the Valley Center and Bonsall areas and the cumulative traffic analysis needs to be revised to reflect this substantial increase in cumulative trips.

Title 6.1 of the Traffic Impact Study contains a list of cumulative projects but there is no information in the traffic study or the RDEIR about the total number of ADT assigned to each of these cumulative projects. Please provide specific information on the ADT assigned to each of the cumulative projects for the revised traffic study and the cumulative projects and ADT for each of them used in the air quality analysis.

## **VII.**

### **AIR QUALITY IS NOT ADEQUATELY ANALYZED**

The air quality analysis assumed only 7 years of construction activities as indicated in the RDEIR. (RDEIR p. 2.2-11). However, as noted previously the traffic section of the RDEIR in fact indicates that construction activities will occur for 20 years. (RDEIR p. 2.3-18). The air quality section of the RDEIR needs to be revised to analyze air quality impacts associated with construction activities over 20 and not 7 years.

The CO hot spot analysis considered only the signalized intersections on SR-76/Old River Road, SR-76/Olive Hill Road and over Highway 395/SR-76. (RDEIR p. 2.2-24). However, the traffic section of the RDEIR notes that signalized intersections will also occur at the I-15 SB ramp/Gopher Canyon Road, the I-15 NB ramp/Gopher Canyon Road, Old Highway 395/West Lilac Road and Old Highway 395/Circle R Drive. (RDEIR p. 2.3-2). Since all of these additional intersections will add traffic from the project and cumulative projects exceeding a 2000 trip increase all of them need to be evaluated in the CO hot spot analysis. Failure to include this analysis in the RDEIR renders the EIR legally deficient.

Where an EIR fails to provide the agency decision-makers and the public with all relevant information regarding the project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient and the agency's decision must be set aside. (Santiago County Water District v. County of Orange (1981) 118 Cal.App.3d 8181, 829; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 712). We hereby incorporate the deficiencies in the RDEIR noted by Mark Jackson, the Valley Center Planning Group, the Bonsall Planning Group, the Endangered Habitat League, Kevin K. Johnson and others responding to the RDEIR.

## **VIII.**

### **CUMULATIVE IMPACT IN THE RDEIR ARE SIGNIFICANTLY UNDERSTATED IN LIGHT OF SIGNIFICANT CUMULATIVE IMPACTS ALREADY IDENTIFIED IN THE COUNTY'S EIR FOR ADOPTED GP 2020**

The RDEIR continues to significantly understate cumulative impacts in multiple areas fully documented in the General Plan 2020 EIR previously adopted by the County. Specifically, the County's own General Plan 2020 EIR recognizes implementation of the adopted General Plan would result in the conversion of 55,960 acres of agricultural resources to non-agricultural uses resulting in a significant and unmitigable agricultural impact. In addition that loss would also be clearly significant and unmitigable. (GP 2020 EIR p. S-7). Similarly, the EIR for GP 2020 recognized that implementation of the General Plan would redirect high density growth in the areas containing agricultural resources causing an indirect conversion of agricultural resources to non-agricultural uses resulting in a significant and unmitigable indirect agricultural impact. (GP 2020 EIR p. S-7). The GP 2020 EIR also recognized that the General Plan would result in a cumulatively considerable net increase in pollutants for the San Diego Air Basin listed as non-attainment resulting in a significant and unmitigable air quality impact. (Id p. S-8).

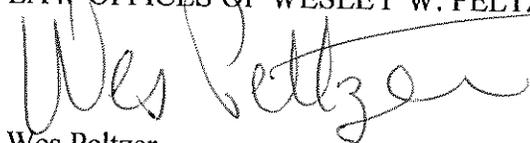
The GP 2020 EIR also recognized that implementation of the General Plan would result in land uses that allow residential, commercial, and industrial development in areas that are prone to wildland fires that would expose people or structures to a significant risk of loss, injury or death involving wildland fires and a significant and unmitigable fire impact. (Id p. S-13). It also determined that implementation of the General Plan would contribute pollutants that would significantly degrade water quality and in some instances exasperate existing surface and ground water pollution conditions in the unincorporated County resulting in a significant and unmitigable water quality impact. (Id p. S-14). The GP 2020 EIR found that implementation of the General Plan would permanently increase ambient noise levels along County roadways resulting in a significant and unmitigable noise impact. (Id p. S-16). It also determined that implementation of the General Plan would result in a total of 158 deficient roadway segments throughout the unincorporated County (approximately 32 State highway segments and 125 Mobility Element segments) resulting in a significant and unmitigable traffic impact. Finally, it concluded that greenhouse gas emissions would increase by 7.1 MMT CO<sub>2</sub>e representing an increase of 24% over 2006 levels and a 36% increase from estimated 1990 levels resulting in a significant and unmitigable global climate change impact. (Id p. S-20).

None of the significant and unmitigable impacts recognized in the County's own EIR for GP 2020 have been recognized or discussed at all in the RDEIR. Obviously, under CEQA any increase to these already significant and unmitigable impacts fully acknowledged in the County's own GP 2020 EIR would result in a cumulatively significant impact in all of these areas. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 718 [EIR defective since it failed to recognize additional air emissions resulting in significant cumulative air impacts since existing air emission impacts were already significant]. Los Angeles Unified School District v. City of Los Angeles (1997) 58 Cal.App.4th 1019 [EIR defective for failure to recognize additions to noise by the project were cumulatively significant in light of the already serious noise problem]. Gray v. County of Madera (2008) 167 Cal.App.4th 1009 [Same]). The failure to acknowledge these significant and unmitigable impacts that already exist based on adopted GP 2020 and to include it in the RDEIR significantly understates cumulative impacts and results in a fatally defective EIR. Please include a copy of the EIR for GP 2020 in the record of these proceedings.

We are providing you with a copy of our August 19, 2013 letter commenting on the EIR and our prior December 19, 2012 letter. Please provide a response to all comments provided in this letter as well as our prior letters. Thank you for providing us with the opportunity to comment on the RDEIR.

Sincerely,

LAW OFFICES OF WESLEY W. PELTZER

A handwritten signature in cursive script that reads "Wes Peltzer". The signature is written in black ink and is positioned below the typed name.

Wes Peltzer

C:\H\CLIENTS\Pardee\LetterSlovikRDEIR.doc

## Slovick, Mark

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**From:** Annie Ryan DiMeglio <annierd614@gmail.com>  
**Sent:** Monday, July 28, 2014 12:18 PM  
**To:** Slovick, Mark  
**Subject:** Comments for new DEIR

Hello Mark,

I'm sure all issues that I could discuss here have been stated and restated over and over. All of them extremely important and real to all of us who live in the target zone of Accretive.

I won't go into all of them again, here, but please count me in as agreeing with all the facts and details that my neighbors have sent in.

One issue that I haven't seen much discussion on is those of us who have horses and other livestock animals. NO discussion has been proposed on this issue from what I can see and it is a very critical and important one! Evacuating with trailers full of horses and livestock is very time consuming and scary, not being able to get out is one of our biggest fears! Allowing all the extra traffic could mean devastation to us horse people on a much larger scale!

What really brought it home was the recent fire activity, specifically the fire on the hill behind the mobile home park off of Old Hwy 395, between the 76 and West Lilac.

I live 2.3 miles east of the bridge off of West Lilac, East on Covey lane. Covey Lane is a puney, quiet road with NO EXIT on either end. During that fire Old Hwy 395 was closed off at the bridge at West Lilac. People who had exited the freeway (15) because it was also closed were searching, searching, searching for a way to get out. Hundreds of cars came up and down our little roads only to hit dead ends where they had to turn around creating MORE TRAFFIC JAMS.....ON OUR LITTLE TINY DEAD END ROAD!!

My husband, myself and our neighbors watched in disbelief as a steady stream of cars, for hours on end, came up our road. All I could think about was if I HAD TO GET OUT I COULDN'T!! I have 8 horses, my next door neighbor has 2, another neighbor has 2 and numerous other neighbors have several, all within a few blocks of West Lilac!!

So, perhaps this issue of large animal evacuation can be brought up as well. It is definitely a huge issue which little attention has been paid! Many of us were drawn and sold on the Valley Center area because we are horse people and Valley Center was APPARENTLY horse savvy and horse friendly. Allowing this new development which will hamper our evacuation roads beyond measure is INSANITY!!

Thank you for your attention to this matter, it really could be a matter of life & death for both humans and horses.

Annie Ryan-Di Meglio  
10115 Covey Lane  
Escondido, CA 92026

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**Annie**

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*Love is the absence of judgment.....Dalai Lama*



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FOR  
SPEED

## Slovick, Mark

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**From:** Floann Sannipoli <fmsannipoli@gmail.com>  
**Sent:** Friday, July 25, 2014 5:15 PM  
**To:** Slovick, Mark  
**Cc:** Floann Sannipoli  
**Subject:** Lilan Hills Ranch REIR : 3800 12-001(GPA), 3810 12-001 (SP), 3100 5571 (TM), 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-018 (STP), HLP XX-XXX, SCH 2012061100  
**Attachments:** freeway fire.jpg

To: County of San Diego  
Planning and Development Services

Water. Roads. Fire.

### WATER

Our natural resources for water are not in huge supply these days. No news there! They haven't been for years. What makes anyone think water is all of a sudden going to be available in great quantities anytime soon?

As a rural home owner who has in the past been asked to conserve, and who currently is watching the surrounding countryside become a virtual wasteland of tree skeletons from un-watered groves I marvel at the County even considering a development of this size in such a dry brush area which is already straining from lack of resources (water).

How is this possible? Can one County entity actually ask farmers and homeowners to conserve on water while another branch in the County is considering approval of density housing in that same area? In some cases even on the same parcel numbers! Please answer this in a way that makes sense!

### ROADS

We already know the WEST TRIANGLE (West Lilac Rd., Castle Creek and Old 395) have some of the County's oldest and underdeveloped roads in existence. They are curvy, narrow, with out bike lanes, often edging up to sliced granite bedrock on one side and sheer 60 plus foot drops on the other, without room for width expansion. How on earth does the County intend to deal with the increase of road traffic under these conditions?

And then there is the Lilac Bridge, a two lane wonder which functions beautifully at the current capacity. Add 3,000 (or even HALF THAT!) more cars....and now we have bottleneck, backed up traffic on narrow, curvy roads...a recipe no doubt for one accident after another. How does the County intend to ensure the safety of every driver (not to mention bicyclists of which we have hundreds!)) under these conditions?

### FIRE!

This last May I was caught on the I-15 going North to home during one of the many fires in North County. Because of freeway closer (Fallbrook Fire) I was stuck on the I-15 between Deer Springs Rd. and Gopher Canyon Rd. for over 2 hours. This was the "normal" traffic flow of that time of day, but because of road closure we were given detour through ONE LANE!!! Fortunately the fire never hit the freeway in this particular fire (the next day proved otherwise), and people eventually got to where they were going. Mind you, this section of road should normally take a few minutes of travel time, yet I was there for over 2 hours. Had there been more traffic (1,500 -3,000 more due to this proposed development) trying to get off, I suppose that number would have escalated to 3 hours.

My point is that with all the Temecula and further northern cities traveling the I-15 corridor everyday, all day, we cannot add in one large leapfrog development 3,000 more cars without adding lanes to the freeway, without adding more exits and unrams, without adding an ulterior exit route from THEIR SITE of Lilac Hills Ranch! And this cannot be done WITHOUT taking away private property, i.e. eminent domain.

So what is the County's intention on this?

My three concerns:

WATER (where is it coming from and at whose expense? And don't say at the developer's expense...when water gets used, we are all affected!)

ROADS (three and four lane Lilac Hills Ranch roads emptying onto West Lilac and Castle Creek...at whose expense? Again, when cars travel on the road it affects us all!)

FIRE! (The last BIG fire in this area was in 1970 - Gopher Canyon Fire. That spells 44 years of unburned DRY brush. Given the road situation, it spells disaster and death.) Is the County willing to place all of those living in this area at risk? For what? \$\$\$? I want an answer!

As a reminder I would like to share a photo of a fire on the I-15 a few years back and how things went awry because people could not get through...Please see attachment...

*floann sannipoli*  
*9542 COVEY LANE ESCONDIDO, CA 92026*  
*760-731-2116*

3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (IM),  
3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-018  
(STP), HLP XX-XXX, SCH 2012061100  
ENVIRONMENTAL LOG NO.: 3910 12-02-003 (ER)  
DRAFT REVISED EIR PUBLIC REVIEW PERIOD  
June 12, 2014 through July 28, 2014

DRAFT EIR COMMENT SHEET

Tuesday, June 17, 2014  
COUNTY OF SAN DIEGO  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

WRITTEN COMMENT FORM

SEE NEXT PAGE

(Attach additional pages as needed)

  
Signature 7/28/14  
Date

STEFANO SEVIGNY  
Print Name

3863 SUMAC CT.  
Address

FALLBROOK CA 92028  
City State Zip Code

760-828-8564  
Phone Number

MAIL, FAX or E-MAIL FORMS TO:

Mark Slovick  
County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
FAX #: (858) 694-3373  
e-mail: [Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)

COMMENTS MUST BE RECEIVED BY 4:00 PM, JULY 28, 2014

Comments

7/28/14

1. Please explain how the report addresses how a high urban density project complies with the General plan of an agricultural environment?
2. Please explain how the plan mandates compliance with standard FMZ throughout the project for ?
3. Please explain how you will gain access to private roads for easements in a fire emergency?
4. How do you plan on mandating access to private roads during an fire emergency?
5. Did the owners to the properties agree to allowing public access for possibly over 1,4000 occupants?
6. Please give the time required to accomplish blasting and the length of time required to do removal and placement of fills?
7. Explain how specifically the road expansions will be funded by Cal Trans to make the roads safe for cyclists?
8. Explain how the project allows for aerial spraying in the pre existing agricultural areas in a urban dense development while still allowing for sustainable farming.
9. Has anyone done studies on the weight the Lilac bridge will support in the event of gridlock loading of cars, animal and possessions during an evacuation? What is the maximum continuous amount of weight the bridge will support?

3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM),  
 3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-008  
 (STP), HLP XX-XXX, SCH 2012061100  
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DRAFT EIR COMMENT SHEET

Tuesday, June 17, 2014  
 COUNTY OF SAN DIEGO  
 Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123

WRITTEN COMMENT FORM

Please read  
 following page

(Attach additional pages as needed)

MAIL, FAX or E-MAIL FORMS TO:

Mark Slovick  
 County of San Diego  
 Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123  
 FAX #: (619) 694-3373  
 e-mail: [Mark.Slovick@sdcounty.ca.gov](mailto:Mark.Slovick@sdcounty.ca.gov)

*Isabella Sevigny*  
 Signature Date  
 Isabella Sevigny  
 Print Name  
 3863 Sumner Ct  
 Address  
 Escondido, CA 92028  
 City State Zip Code  
 760 419-1210  
 Phone Number

COMMENTS MUST BE RECEIVED BY 4:00 PM, JULY 23, 2014

**Comment page regarding Lilac community  
7/23/14**

1. Please explain how the report addresses how a high urban density project complies with the General plan of an agricultural environment?
2. Please explain how the plan mandates compliance with standard FMZ throughout the project for ?
3. Please explain how you will gain access to private roads for easements in a fire emergency?
4. How do you plan on mandating access to private roads during an fire emergency?
5. Did the owners to the properties agree to allowing public access for possibly over 1,4000 occupants?
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## Slovick, Mark

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**From:** Jan Shuttleworth <jsfiredog@live.com>  
**Sent:** Monday, July 28, 2014 11:49 AM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Ranch DEIR

Dear. Mr. Slovick,

I know that you are probably getting multiple letters of residents expressing their concern over this project. I appreciate the fact that you read and will take into consideration the major issues with this project. I will make this short and sweet as I assume there are many more letters to read.

I have lived at 31354 Rodriguez Rd Escondido for over 10 years. I did my share of apartment, condo and tract housing. I am now retired and choose this area because of the calm surreal environment it provides. This project has too many flaws to list. The increase of traffic and congestions on these existing roads should be enough to halt it. Also heard that sewage may have to be trucked out of the area. Are you kidding me???? This should have been a red flag that this project is poorly designed from the beginning. I have attended numerous planning committee meetings and neighborhood meetings and I can't think of a single person that lives in the proposed area that supports the size of the development in this area. This developer has somebody in their back pocket otherwise anybody with common sense can see that this is absolutely the wrong area for this project. Allowing this developer to modify the GP2020 for such a poorly planned project in the first place will only benefit the developer, no one else.

Public safety should be the concern of the San Diego Planning group, Board of Supervisors and the Planning Commission. It is apparent that it is the least of their concerns. I have a lot of experience with public service and safety. I worked at Deer Springs Fire Protection District in the early 80's as a Firefighter before it became Cal Fire. I retired from San Diego City Fire Department as a Firefighter Paramedic. Combined service of almost 30 years. This area is not meant for the density proposed. As it is now we could use more fire stations. This is a recipe for disaster if a fast moving vegetation fire goes through this area. I guarantee lives will be lost.

On top of everything else current residents will most likely see increases in property taxes, decrease in property value, and an increase in water rates. Again I can't stress enough the valid concerns we have. Please reconsider changing the GP2020. Now is the time to step up and just say no to this deep pocket developer.

Thank you in advance for consideration in this matter.

Jan Shuttleworth  
31354 Rodriguez Rd  
Escondido, CA 92026  
619-454-6099

July 28,2014  
County of San Diego  
Planning and Development Services  
Re: Lilac Hills Ranch Project

Dennis & Jeanne Simmons  
10034 Covey Lane  
Escondido Ca 92026

To Whom It May Concern:

I am writing this letter to express my opposition the Lilac Hills Ranch Project due to several factors that should reasonablyA project that is well designed with the area and topography preclude this project to be approved.

I moved into this area from Encinitas in March of this year to be able to enjoy space and views from my new home and the gardening space afforded by the size of my property. I was unaware of this project until I saw a sign posted at the Old 395 and West Lilac Road interchange. After contacting Mark Slovik I was directed to the web page where I would be able to access the plans of the project.

I was disappointed after I had read and reread the project outlines, the general plan, traffic plan, grading plan and the various mitigations and numerous exceptions requested by the developer to make the project would mesh with the rural character of the area as it is.

The impact to the current residents from the traffic plan alone is enough to disapprove this project. West Lilac Road east bound from Old 395 to Covey Lane is a substandard light collector with NO intermittent turn lanes, little or no shoulders and a dangerous at best bike lane. With marginal "improvements" limited to the proposed round a bouts, which were called unfeasible by the independent engineer hired for peer review, to eliminating the north shoulder altogether and having a "conceptual parkway and bike lane" on the south side do nothing to improve traffic circulation in this area.

The size and concept of this project is completely contrary to the County of San Diego's own General Plan and screams leap frog development where building "town center" style projects near the area considered the center of each area. This is neither near the town center of Valley Center or Bonsall. The idea that this would improve the value of life in this area is a hollow chant, it would instead degrade the quality and peace now enjoyed with five times or more of the current traffic load on the current substandard roads that this project would feed onto.

A project that is well planned and designed to fit in with the nature and topography of the area taken into consideration would not need to request exceptions from dozens of State, County and Local Development plans and guidelines. It would not have to fight "hostile" residents to make minimal improvements to a roadway that will still be substandard, not serve the purpose nor help the residential, commercial, bike or equestrian traffic that exists now. It would not eliminate or endanger what is considered to be Crucial California Agricultural Land, would not eliminate endangered species habitat and it would certainly not be built in a Critical Fire Danger Area where drought is a way of life.

The road and traffic plan are unacceptable.

The degradation to agricultural and endangered species land is not acceptable.

The impact on already strained infrastructure is unacceptable even with the proposed improvements (in twenty years) is unacceptable.

I respectfully request that the Planning and Land use Committee reject this proposal for what it is, sprawl.

I respectfully request the members of the Board of Supervisors reject this proposal for completely ignoring the General Plan and the work done by them and by their staff to put it in place.

Dennis & Jeanne Simmons

## Slovick, Mark

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**From:** templarstansmith <templarstansmith@hotmail.com>  
**Sent:** Wednesday, June 18, 2014 10:21 AM  
**To:** Slovick, Mark  
**Cc:** chev stan smith  
**Subject:** Lilac Hills Ranch

Hello Mark:

Ive been following the subject proposal for some time and am impressed with the sustainable aspects of the housing being offered -- especially the provisions for the 468 SFR senior's homes -a low impact-on-the-land solution. This meets society's responsibility to meet housing needs for its citizens in a "green" way. Both older and younger generations (who could occupy the urban homes vacated by the seniors) will benefit while reducing net carbon emissions through less commuting.

Sincerely Yours,  
Dr. Stanley Smith, DBA  
Rural Land Economist

Johnson Sedlack

ATTORNEYS AT LAW

Raymond W. Johnson, Esq., AICP, LEED GA 26785 Camino Seco, Temecula, CA 92590  
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Abigail A. Smith, Esq.  
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Kim.JSLaw@gmail.com  
Kendall.JSLaw@gmail.com  
Telephone: (951) 506-9925  
Facsimile: (951) 506-9725

County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 130  
San Diego, CA 92123  
Mark.Slovick@sdcounty.ca.gov

**VIA E-MAIL**

**Re: LILAC HILLS RANCH SPECIFIC PLAN DRAFT REVISED EIR (SCH NO. 2012061100)**

To the County of San Diego:

The following comments are submitted on behalf of concerned residents and environmental groups regarding the Draft Revised Environmental Impact Report (RDEIR) for the Lilac Hills Ranch Specific Plan Project.

The conclusions of the RDEIR are not supported by substantial evidence and additional mitigation is required, for at least the following reasons:

**I. Land Use Impacts**

The Project represents a dramatic change in land use intensities than those contemplated by the recently adopted County General Plan. The site is currently zoned agriculture and rural residential. The Project proposes to change land use designations to allow for General Commercial in the "town center" areas and Urban Residential in the residential areas. In turn, high-density residential development as well as commercial uses will be allowed. Such a marked change to the land use designations and the resulting development constitutes a significant land use impact. Available mitigation includes a reduction in the proposed densities of the project. The fact that the applicant desires a certain amount of development does not override the significant land use impacts associated with the Project.

The General Plan is described on the County's website, as follows:

This document is the first comprehensive update of the San Diego County General Plan since 1978 and is the result of the collective efforts of elected and appointed officials, community groups, individuals, and agencies who spent countless hours developing a framework for the future growth and development of the unincorporated areas of the County. This document replaces the previous General Plan and is based on a set of guiding principles designed to protect the County's unique and diverse natural resources and maintain the character of its

rural and semi-rural communities. It reflects an environmentally sustainable approach to planning that balances the need for adequate infrastructure, housing, and economic vitality, while maintaining and preserving each unique community within the County, agricultural areas, and extensive open space.

The General Plan directs future growth in the unincorporated areas of the County with a projected capacity that will accommodate more than 232,300 existing and future homes. This growth is targeted to occur primarily in the western portions of the unincorporated County where there is the opportunity for additional development. Compared to the previous General Plan, this update reduces housing capacity by 15 percent and shifts 20 percent of future growth from eastern backcountry areas to western communities. **This change reflects the County's commitment to 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. The General Plan provides a renewed basis for the County's diverse communities to develop Community Plans that are specific to and reflective of their unique character and environment consistent with the County's vision for its future. (emphasis added)

The Project is antithetical to the General Plan where it does not further the goal of sustainable growth. It locates a high density residential development away from other development.

The Project also conflicts with the specific policies of the County's General Plan including, but not limited to, General Plan Policy LU-1.2 which prohibits leap-frog development. The text of this policy is, as follows:

LU-1.2 Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED-Neighborhood Development Certification or an equivalent. 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. (emphasis added)

The Project qualifies as such a prohibited development where it proposes a high-density development among rural and agricultural uses and away from employment and regional commercial centers as well as other "villages." Moreover, the Project is not a LEED-ND development, in that, among other things, it does not constitute a smart-growth development; nor will the Project obtain such a LEED certification according to the RDEIR and the Specific Plan.

The Project additionally conflicts with GOAL LU-2: "Maintenance of the County's Rural Character. Conservation and enhancement of the unincorporated County's varied communities, rural setting, and character." The Project conflicts with GOAL LU-7: "Agricultural Conservation. A land use plan that retains and protects farming and agriculture as beneficial resources that contribute to the County's rural character." The Project conflicts with policy LU-7.1: Agricultural

Land Development. Protect agricultural lands with lower-density land use designations that support continued agricultural operations.

The General Plan states for “villages and town centers,” “[c]ompatibility should be directed through the Community Plan, where the community’s character is defined in greater detail, and the Zoning Ordinance. Because Village development will occur as infill or redevelopment, compatibility takes on a greater scope, accounting for the immediately surrounding area as well as the overall character of the Village.” (emphasis added) The Project *conflicts* with the relevant community plans in terms of zoning and goals and policies for the development of the area. Specifically, the community plans already designate certain areas for “village” development; the Project seeks to add another “village” designation to accommodate the intensity of development proposes. The Project further does not satisfy or promote the goals and policies relative to the Villages and Town Center development model set forth in the General Plan. While describing itself as a “village” development, the Project is not infill or redevelopment of an existing site; nor is it new development near *existing villages*, as described in the General Plan.

The General Plan further has policies for commercial development:

LU 11.3 Pedestrian-Oriented Commercial Centers: Encourage the development of commercial centers in compact, walkable configurations in Village centers that locate parking in the rear or on the side of the parcel, use transparent storefronts with active retail street-fronting uses, minimize setbacks, and *discourage “strip” commercial development*. “Strip” commercial development consists of automobile-oriented commercial development with the buildings set back from the street to accommodate parking between the building and street.

LU 11.5 Large-Format Retail Stores: Allow large-format retail uses, typically referred to as “big box stores,” *only where the scale of the use and design is compatible with the surrounding areas*. Large-format retail typically means retail stores with floor plans that are larger than 65,000 sq. ft. (emphasis added)

The Specific Plan does not appear to prohibit strip malls or “big box” stores which would not be compatible with surrounding areas, and which would certainly undercut the “town center” development concept.

The Project does not also propose office development “in proximity to housing” in line with LU 11.6 Office Development: Locate new office development complexes within Village areas where services are available, in proximity to housing, and along primary vehicular arterials (ideally with transit access) with internal vehicular and pedestrian linkages that integrate the new development into the multi-modal transportation network where feasible.

Next, the Valley Center Community Plan and the Bonsall Community Plan specifically seek through their respective goals and policies to retain the rural and agricultural character of the area. Despite the proposed land use amendments, the Project conflicts with numerous policies of these applicable land use plans. This is a significant impact of the Project. The finding of consistency with these plans is not, and cannot, be made.

In total, the finding of “no significance” in the area of land use impacts is not supported, and the proposed amendments to the various land use plans do not resolve the environmental effects associated with the amendments.

## **II. Visual Resources**

Mitigation Measure M-V-2 is impermissibly uncertain where it calls for a delay of the construction of each phase of development to allow for the landscaping from the previous phase to “mature.” Neither the terms “delay” nor “mature” are defined; and it is not certain that such a delay can even be effective. We submit that incorporating more mature landscaping at the outset would alleviate visual impacts.

A further mitigation measure for visual impacts could include limiting the height of buildings. As proposed, the project proposes buildings 35-feet in height.

Also, would not a restriction on the hours and/or days of construction also minimize visual impacts during construction? The RDEIR discloses that impacts are significant in part because of “night-time lighting” during construction. The construction ordinance permits construction until 7 p.m. Limiting the hours of construction to daylight hours during winter months would lessen impacts.

Lastly, the RDEIR does not discuss cumulative lighting impacts from the Project together with other planned projects.

## **III. Schools**

The RDEIR concludes that the Project would generate the need for new schools due to the Project’s student population. The RDEIR further concludes that with the project capacity at existing schools would be exceeded. Other school facilities might need to be expanded or re-opened to accommodate the Project’s students. This must be deemed a significant impact of the Project. The Specific Plan sets aside land for the construction of a school but states that this school may not be built, or may be a charter or private school. To the extent that student capacity at area schools is exceeded when and until a school is built, the impacts must be deemed significant.

Moreover, the RDEIR repeatedly references the construction and operation of the school to address other impact areas and to bolster the notion of the “smart growth” development concept, particularly in support of the idea that the Project reduces vehicle miles traveled due to the provision of the school. Since the school may not be built, it is not appropriate to claim that the existence of the school will lessen other impacts. When and until the school is built, residents and students will be forced to drive to other areas outside the Project boundaries.

## **IV. Growth Inducement**

The Project plainly has the potential for significant growth-inducing impacts where it brings housing, infrastructure and roadways to an underserved or otherwise undeveloped area. As such, it creates the potential for new development.

The RDEIR claims on Page 1-49 that the Project could be growth-inducing but the potential impacts are too speculative because the specific projects are unknown at this time, and that “growth-inducing features of the project would be evaluated at the time future projects are identified and processed.” It is only at the cumulative or broad level that growth-inducing impacts may be realistically assessed for a project that proposes the comprehensive development of the planning area. The Project will bring infrastructure and roadway expansions to the area as well as substantial population growth to the otherwise rural community (See p. 3-171 “The project would introduce a new village consisting of new infrastructure, including roadways, water supply systems, and utilities...”). The growth-inducing effects of the project must be deemed a significant project impact at this time.

## V. Air Quality

Operational air quality impacts are significant due in large part due to mobile emissions. The Project is predominately single-family residential in nature, with limited commercial and mixed use development. As the Project is heavily weighted in favor of residential uses, it does not create a jobs-housing balance, and, therefore, should be expected to generate significant operational mobile emissions. Page 54 of the Air Quality Technical Report concludes that the Project will result in significant air emissions for ROG, CO, and PM10 for all phases beginning with Scenario C. By full build-out, the project will vastly exceed thresholds of significance. The REIR speaks as if these air quality effects are a foregone conclusion. The Project could be redesigned to allow for a more mixed-used development concept with greater emphasis on office or light industrial uses to reduce miles traveled by residents, and therefore reduce significant operational air quality emissions. Notably, no office/professional or limited industrial land use designations are sought for the project (although the Specific Plan apparently foresees some single-tenant office uses).

The Project proposes only two mitigation measures for operational air quality impacts. First, these measures are uncertain as the informational materials will be provided to “consumers” prior to operation of individual phases. Hence these materials and/or website information would be provided to homeowners or lessees at the outset of the Project but not necessarily to subsequent owners. Second, we submit there are numerous mitigation measures available to reduce air quality impacts which must be adopted for the Project:

- All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.\*

- Install catalytic converters on gasoline-powered equipment.\*
- Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.\*
- Utilize only electrical equipment for landscape maintenance.\*
- Prohibit idling of trucks for periods exceeding three minutes.\*
- Provide electrical vehicle (“EV”) and compressed natural gas (“CNG”) vehicles in any vehicle fleets.\*
- Install EV charging facilities for a minimum of 10% of all parking spaces.\*
- Install a CNG fueling facility.\*
- Provide preferential parking locations for EVs and CNG vehicles.\*
- Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.\*
- Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species.\*
- Plant Low-OFP, native, drought-resistant, tree and shrub species. Consider roadside, sidewalk, and driveway shading.\*
- Orient 75 percent or more of buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.\*
- Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.\*
- Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.\*
- Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.\*
- Provide a complimentary cordless electric lawnmower to each residential buyer.
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.\*
- Provide preferential parking for carpool/vanpool vehicles.\*
- Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.\*
- Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.\*
- Provide direct safe, direct bicycle access to adjacent bicycle routes.\*
- Connect bicycle lanes/paths to city-wide network.\*
- Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.\*
- Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.\*
- Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees.

- All buildings shall be constructed to LEED Gold standards.\*
- Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.\*
- Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.\*
- Install an ozone destruction catalyst on all air conditioning systems.\*
- All Project buildings must be constructed to allow for easy, cost-effective installation of solar energy systems in the future, using “solar ready” features such as, clear access without obstructions (chimneys, heating and plumbing vents, etc.); designing the roof framing to support the addition of solar panels; and installation of electrical conduit to accept solar electric system wiring.
- Purchase only green/ renewable power from the electric company.\*
- Install solar water heating systems to generate all hot water requirements.\*
- Use non-potable water for all landscaping.

(\* Would reduce impacts to GHGs as well)

Conclusions regarding air quality impacts during construction are based on assumptions that project design features are requirements of the project. These design features must be made a requirement of the project through enforceable mitigation measures.

The Air Quality Technical Report indicates that a large reduction in emissions in the areas of PM 10 and PM 2.5 are taken due to project mitigation. It is not clear that the mitigation measures proposed would reduce, to this great extent, the emissions so that emissions can be determined to be less than significant. It is also not clear that the trip lengths described by the RDEIR are realistic and appropriate given the substantial distance from the Project site to major employment centers.

Construction impacts are deemed significant when in viewed in conjunction with the operational phases of the project. As impacts are significant on a cumulative basis, we submit there are numerous additional construction mitigation measures which must be adopted for construction air quality:

- Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
- Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (eg. Install wheel shakers, wheel washers, and limit site access.)
- All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Pave all construction roads.
- Pave all construction access roads at least 100 feet on to the site from the main road.
- The maximum vehicle speeds on unpaved roads shall be 15 mph.
- Limit fugitive dust sources to 20 percent capacity.

- Require a dust control plan for earthmoving operations.
- When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- All streets shall be swept at least once a day using street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
- Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
- Extend grading period sufficiently to reduce air quality impacts below a level of significance.
- The simultaneous disturbance of the site shall be limited to five acres per day.
- Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particles.
- Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
- Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
- Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
- A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.
- Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.\*
- Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
- Require high pressure injectors on diesel construction equipment.\*
- Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.\*
- Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.\*
- Utilize only CARB certified equipment for construction activities.\*
- The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.\*
- Restrict engine size of construction equipment to the minimum practical size.\*
- Use electric construction equipment where technically feasible.\*
- Substitute gasoline-powered for diesel-powered construction equipment.\*
- Require use of alternatively fueled construction equipment, using, e.g., compressed

- natural gas, liquefied natural gas, propane, or biodiesel.\*
- Use methanol-fueled pile drivers.\*
- Install catalytic converters on gasoline-powered equipment.\*
- Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
- Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.\*
- All forklifts shall be electric or natural gas powered.\*
- Suspend use of all construction equipment operations during second stage smog alerts.\*
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.\*
- Provide dedicated turn lanes for movement of construction trucks and equipment on-and off-site.\*
- Reroute construction trucks away from congested streets and sensitive receptor areas.\*
- The applicant shall be required to solicit bids that include use of energy and fuel efficient fleets.
- Configure construction parking to minimize traffic interference.\*
- Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.\*
- Minimize construction worker trips by requiring carpooling and providing for lunch onsite.\*
- Provide shuttle service to food service establishments/commercial areas for the construction crew.\*
- Provide shuttle service to transit stations/multimodal centers for the construction crew.\*

Finally, does the construction air quality analysis account for all off-site trips including the 100 material delivery truck trips and 260 employee commute trips disclosed at RDEIR p. 2.8-17? All truck and employee construction trips must be accounted for in the analysis.

## **VI. GHGs**

Despite resulting in significant operational air quality impacts, the RDEIR remarkably finds that GHG impacts are less than significant and that *no* mitigation measures for GHG impacts are necessary. These conclusions are not supported.

Firstly, reductions in GHG construction emissions by 33% were taken. It is not clear that such a large emissions reduction is appropriate based on the available information.

With regard to operational emissions, the GHG analysis states that trip lengths were calculated based on default model numbers based on the type of trip, for instance, "home to work." It is not clear that the "home to work" trip lengths is accurate or realistic for this project. In reality, most workers will travel much farther to employment centers than the average 8.95 miles stated in the RDEIR. Two of the closest urban areas with employment centers are Escondido and San Marcos, both more than 15 miles from the project; Rancho Bernardo, Poway, and San Diego are much farther and could more realistically be assumed to be the major employment centers that would serve the Project. The Project itself does not propose office or light industrial development thereby providing employment opportunities for residents. A reasonable alternative would include greater emphasis on employment-generating uses for project residents.

GHG emissions must be deemed significant. Firstly, the Project represents a new source of GHGs and will result in a *mitigated* total of approximately 33,000 MTCO<sub>2</sub>e. This represents a new source of GHG impacts and mitigation is required (*i.e.*, the "bright line" test). Second, impacts must be deemed significant under the "performance standard." The claim that emissions are less-than-significant because they are reduced by 18% over the "unmitigated" scenario gives a false impression of the Project's impacts. For instance, the largest reduction is taken for "area source" emissions: the GHG analysis accounts for a 33% reduction in the area of "area" source emissions for using natural gas fireplaces and the "elimination" of wood burning fire places. Thus the "unmitigated" scenario was calculated using wood burning fireplaces. This is illusory where wood fireplaces are not the baseline scenario; that is, the Project compares itself against a version of the project with more harmful features in order to claim an environmental benefit. This is not a fair assessment of the Project's environmental impact (indeed, wood burning fireplaces are now illegal in Los Angeles, Orange, Riverside, San Bernardino and Riverside counties; the EPA meanwhile is currently considering imposing regulations on wood burning fireplaces). In other words, this is a reduction of GHG impacts on paper only. A 33% reduction due to the "elimination" of wood burning fireplaces allows the Project achieve the 18% reduction necessary to meet the "performance threshold" standard. However, this calculation of impacts is not appropriate. Anything less than comparison of the project from a proper "business as usual" scenario is unacceptable.

The reductions credited in the area of "vehicle miles traveled" are also illusory. The Project proposes predominately a residential development with limited retail and service-based commercial uses. The Project does not provide a meaningful opportunity to reduce vehicle miles traveled by proposing office and light industrial uses. Moreover, as noted above, the school may not be developed; if it is not, residents with children will have to drive farther to school and students will not necessarily be able to walk to school, also increasing emissions.

In total, the assumptions in the GHG analysis are illusory and unfounded. If the assumptions are tailored in a more realistic fashion, GHG impacts are likely above the "performance threshold" standard.

Impacts must also be deemed significant pursuant to the CEQA Guidelines thresholds of significance. Existing emissions are calculated at roughly 563 MTCO<sub>2</sub>e; the Project's emissions are calculated at approximately 33,000 MTCO<sub>2</sub>e. This is a significant impact.

Impacts must also be deemed significant in that the Project does not support or further County General Plan policies relative to emissions reductions. The Project does not locate development near or within *existing* development as provided in County General Policies. The commercial uses are limited in nature and do not create opportunities for employment for residents; the school may not be developed, as repeatedly stated in the EIR; and, besides the parks, there are seemingly no other “civic” uses. The Project is not consistent with regulations in that it does not provide *diverse* opportunities for *jobs*, housing and services, *and is not supportive of mass transit*. The low-income housing may also not become a reality, and it is not clear that the low income residents will have employment opportunities close to home, in order to eliminate vehicle trips. The Project conflicts with and undermines County policies to reduce vehicle miles traveled. As such, per the threshold of significance, GHG impacts are significant.

Finally, the design features which allegedly lessen GHG emissions are not requirements of the project as they are not adopted as enforceable mitigation measures. In fact, the GHG analysis states, in Section 8.3.2, that the design features may be eliminated and the applicant may, as an alternative, “study” whether other methods would be equally effective. All GHG Reducing Specific Plan policies and design features must be made enforceable requirements of the Project in order to claim their environmental benefits.

## **VII. Agricultural Resources**

The proposed mitigation for agricultural impacts is uncertain and unenforceable. For instance, the measures states that the applicant shall be given the option to implement one of three measures, or a combination of two or three measures, in order to mitigate direct impacts due to the loss of Prime Farmland or Farmland of Statewide Importance. The RDEIR also relies on this measure for significant cumulative impacts due to the loss of farmland. This measure is impermissibly uncertain where the applicant may chose a conservation easement either within the cumulative project area or a location approved by the Director of P&DS. Thus, decisions about agricultural mitigation may be made at some future date, and the measure allows the applicant to “piece-meal” the mitigation; arguably, the contiguous nature of agricultural lands should be maintained in order to provide effective mitigation.

Agricultural zoning conflicts is a significant project impact. (Issue 2, p. 2.4-13) The current zoning is Limited Agriculture. There are potentially significant agricultural impacts as the project site is adjacent to Agricultural Preserve No. 88. This creates land use conflicts pursuant to the adopted threshold of significance.

Also, for the same reason that impacts relative to the placement of a park, institutional, and age-restricted uses near existing agricultural uses may result in the conversion of farmland to non-agricultural uses, the placement of a school near these agricultural uses must also be found to be a significant impact of the project. The school use is within 1,000 feet of the agricultural operations and must be deemed a significant impact of the project.

## **VIII. Noise**

The conclusions of the RDEIR relative to noise impacts are unsupported and further analysis and mitigation is required.

Noise mitigation measures, particularly M-N-3 through M-N-7, are impermissibly deferred and not certain of lessening impacts below significance thresholds. Mitigation is based on the preparation of future acoustical studies and requirements that the studies identify future “mitigation measures” to comply with the applicable noise standards. Under CEQA case law, the deferral of mitigation in this manner is only appropriate where there are practical reasons why mitigation cannot be formulated at the time of project approval, and when specific performance standards are outlined. The Project does not satisfy these standards for mitigation deferral.

Section 2.8.6.1 mentions with respect to M-N-1 that a 6-foot high wall and site specific design and design features would be implemented but these are not mandatory mitigation measures. As to M-N-2, impacts are significant because, although certain possibilities for mitigation are laid out, these are not enforceable standards. As to M-N-10, the study of rock crushing noise levels is deferred to a later date; thus, it is not certain that a 350-foot setback is adequate to protect existing residences.

As to Impact N-3, this measure is not shown to be infeasible but, perhaps, less desirable. All feasible mitigation measures must be adopted for significant project impacts.

Phases of construction activities such as grading and blasting must be made requirements of the Project through enforceable mitigation measures. If construction activities overlap, impacts could be far worse than anticipated.

The RDEIR notes that future residences within the project site could be located as close as 50 feet from active construction and that noise levels could be as high as 88 dbA during “peak construction activity.” The RDEIR claims that these noise levels will be “sporadic” and states that impacts will be less than significant *if* construction would occur in increments of approximately 10 acres. The finding of no significance in this area is not supported (see, p. 2.8-25 [Impact N-11 only pertains to construction near existing on-site properties]). Noise levels to on-site, future residences are shown to exceed applicable noise standards and the “temporary” nature of these impacts is neither demonstrated nor a justification of a finding of less-than-significant. Also, there is no seemingly no requirement that construction occur in 10 acres or less increments.

Available mitigation for noise impacts includes limiting construction to Monday-Friday, to lessen impacts to on-site residences. Other available noise mitigation include:

- Where technically feasible, utilize only electrical construction equipment.
- During construction, the contractor shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
- Provide a “windows closed” condition requiring a means of mechanical ventilation (e.g., air conditioning) for all buildings.
- Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings and/or require the installation of double-paned windows.
- Ban heavy trucks near vibration sensitive uses.

- To minimize or eliminate motor-derived noise from construction equipment, contractors shall utilize construction equipment that either uses electricity or alternative fuels (such as natural gas or propane) where technically feasible.

## **IX. Traffic**

Conclusions regarding traffic impacts are not supported and further analysis and mitigation is required. For instance, it is not shown that the types of trips and trip lengths described are accurate.

Regarding public transit issues, the Project purports to achieve County goals of furthering public transit opportunities and access but the analysis assumes that adequate public transit exists to service the Project. This is not shown to be accurate.

Traffic mitigation measures are uncertain, unenforceable and improperly deferred. For instance, the RDEIR does not adequately explain why mitigation for Impact TR-12 is considered infeasible. The mitigation described for both TR-12 and TR-16 (M-TR-7) is confusing and does not explain why the mitigation described, if any, is infeasible.

As to Impact TR-20, could not the Project be conditioned to pay the relevant fair share fees, when, and if, a fee-based program is established? As the Project will be constructed in phases over the next 10 years, it is reasonable to assume that new transportation programs may be formulated in that time period. Similarly as to Impacts TR-30 through TR-37, the Project should be conditioned to provide fair share mitigation when a program becomes available and/or to continually consult with Caltrans regarding available mitigation programs.

## **X. Water Supply**

The RDEIR concludes that adequate water supply exists for the Project from the purveyor, but do predictions about adequate water supply include the Project?

Will the Project employ recycled water?

## **XI. Population and Housing**

The RDEIR glosses over this impact area, noting that impacts to population and housing were deemed less than significant at the Initial Study phase.

The CEQA Guidelines, Appendix G state that a project will have significant population and housing impacts if it will (a) induce substantial population growth in an area either directly or indirectly; (b) displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or (c) displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. The RDEIR discusses only subsection (c). However, impacts are potentially significant under subsection (a). The Project proposes to bring thousands homes and residents as well as infrastructure and roadway improvements to a rural area, thereby creating the potential to induce substantial population growth on a direct and indirect basis. Furthermore, the number of projected residents could not easily be ascertained from the RDEIR. Is

July 28, 2014  
County of San Diego

the project consistent with population projections in relevant land use and planning documents? If not, this, too, is a significant project impact.

As a related matter, the RDEIR does not contain a meaningful discussion of regional project effects due to the Project.

## **XII. Alternatives**

The RDEIR evaluates two development alternatives in addition to the Project, which, arguably, does not constitute a “reasonable” range of project alternatives as required by CEQA. The RDEIR considers two “no-project” alternatives and a General Plan Consistent Alternative. This later alternative is derivative of the No-Project/Legal Lot Alternative, where both develop the land according to the existing General Plan Designation of Semi-Rural (while the General Plan Consistent Alternative would yield double the number of lots, 110 versus 49 under the Legal Lot Alternative). Like the No-Project Alternatives, the General Plan Consistent Alternative would not meet basic project objectives. Only *two* alternatives would meet “basic” project objectives which include a “mixed use” development concept.

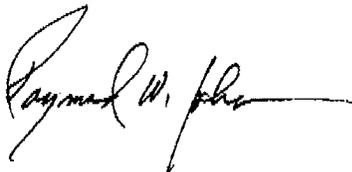
The RDEIR nonetheless concludes that the General Plan Consistent Alternative is the “environmentally superior alternative.” A more appropriate environmentally superior alternative is the Reduced Intensity Alternative which is shown to be environmentally superior in the areas of at least air quality and traffic *and* which would meet basic project objectives. Thus, absent findings of infeasibility, the Reduced Intensity Alternative must be adopted.

Finally, we note that a statement of overriding considerations is not appropriate until all alternatives and mitigation measures have been determined to be infeasible based on substantial evidence in the record. This would include a finding that the Reduced Intensity Alternative is infeasible for technical, legal and/or financial reasons based on evidence in the record.

## **XIII. Conclusion**

Thank you for your consideration of the above comments in your preparation of the Final EIR and as you review the scope and direction of the proposed project.

Sincerely,



Raymond W. Johnson  
JOHNSON & SEDLACK

**Slovick, Mark**

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**From:** Larry S <thunderjet100@gmail.com>  
**Sent:** Sunday, July 27, 2014 9:28 AM  
**To:** Slovick, Mark  
**Subject:** Comments for LILAC HILLS RANCH, Environmental Log No. 3910 12-02-003  
**Attachments:** Hello Mark Slovick.tmd

Hello Mark,

In case you cannot open the attached, I have included it below.

Thank you.

**LILAC HILLS RANCH**  
**3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM),**  
**3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-018**  
**(STP), HLP XX-XXX, SCH 212061100**  
**ENVIRONMENTAL LOG NO.: 3910 12-02-003 (ER)**  
**DRAFT REVISED EIR PUBLIC REVIEW PERIOD**  
**June 12, 2014 through July 28, 2014**

**DRAFT EIR COMMENT SHEET**

Tuesday, June 17, 2014

COUNTY OF SAN DIEGO

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

## WRITTEN COMMENT FORM

I believe this response is a waste of time as this is just a formality or hurdle for Accretive to clear. There is an overwhelming opposition to this proposed project in the area that it is to be built. I have not talked to one person in the area of the proposed project who is not opposed to it and this goes back to when the project was first announced years ago. The only people to benefit from this project will be Accretive and the supervisor or supervisors that are keeping this plan alive. The support for this project can be determined by following the money trail from Accretive, if that concealed trail can be determined. There is no logical reason to support this project.

I will state a few of the most obvious reasons not to allow this proposed development.

1. **THIS IS A CLEAR VIOLATION OF ZONING LAWS.** Why do we have zoning laws unless it only applies to homeowners and not large developers that can have the law changed to exempt them for their benefit. The residents in the area of the proposed project adamantly oppose the project.
2. **FIRE EVACUATION DANGER.** There was a fire a couple of months ago at highway 15 and 76. Highway 15 was closed to northbound travel. Also the bridge on West Lilac road can only support one lane of traffic even if West Lilac Rd. were widened. With the proposed population density of this project there will be gridlock at the most critical time.
3. **WATER SHORTAGE.** We all know California is in a severe drought situation and more people will use more water. Accretive has addressed this with spin. The water needed for this high density housing project will be a simple case of robbing Peter to pay Paul.

Larry Stainbrook 7-27-2014

10038 Covey Lane

Escondido, CA 92026

760-749-6984



**Slovick, Mark**

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**From:** Larry Evie <evielarry@gmail.com>  
**Sent:** Sunday, July 27, 2014 9:22 AM  
**To:** Slovic, Mark  
**Subject:** LILAC HLLS RANCH, Comment Sheet, Environmental Log No. 3910 12-02-003 (ER)  
**Attachments:** Lilac Hills Ranch protest 7-2014.tmd

Hello Mark,

In case you cannot read the attached, my response is in the body of this email.

**LILAC HILLS RANCH**

**3800 12-001 (GPA), 3810 12-001 (SP), 3100 5571 (TM),**

**3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-018**

**(STP), HLP XX-XXX, SCH 212061100**

**ENVIRONMENTAL LOG NO.: 3910 12-02-003 (ER)**

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**June 12, 2014 through July 28, 2014**

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Tuesday, June 17, 2014

COUNTY OF SAN DIEGO

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

## WRITTEN COMMENT FORM

Why does the Board approve a General Plan and make zoning laws if a company willing to pay can have them changed for it's own benefit, not for the benefit of the community? The Plan, which was approved in 2011 by the Board of Supervisors, was written to "provide clear, unified framework for community development and conservation" and as " a consistent framework for land use and development decisions consistent with an established community vision". The Lilac Hills Ranch Planned Community is not in the public interest of the County and is not in agreement with the community vision.

Lilac Hills Ranch is not in agreement with the County of San Diego General Plan in many ways: housing density, increasing the use of fossil fuels and their elimination into the air, destroying environmental preservation and more.

How many times does the North County constituents have to say "no" to housing that has higher density than the zoned two acre minimum? No matter what Accretive Investments, Inc. states will be done to alleviate the traffic density, to ensure safe evacuation in case of a fire or other emergency, the proposed high density population can not ensure as much or more safety to current residents. There are two roads west to the freeway and a third road which goes to Valley Center, these are the evacuation routes.

Greenhouse gas emissions cannot be lowered by building Lilac Hills Ranch. A walkability community may be feasible closer to urban areas but not in rural areas. This walkability community will not provide enough jobs for the residents and there is no public transit which can provide transportations to the jobs needed to support the "walkability" community. "Bike to work" is not feasible due to the distance to jobs and the terrain. People moving to Lilac Hills Ranch will have to drive to work, thereby emitting more gas emissions.

We are in a severe drought, to which there is no end in sight, and the County is planning to build more housing in an area where the agriculture community needs the water.

Please, Board of Supervisors, do not think that Bill Horn is working in this community's best interest or for what this community wants. The Newland Sierra Project ( aka Miriam Mountains) is another example of his ignoring and continuing to bring before the Board projects his constituents have said over and over that they do not want. As shown by the last election, he was narrowly defeated. Since this is his last term, he has nothing to lose by ignoring his constituents.

Thank you.

Evelyn Stainbrook 7-27-2014

10038 Covey Lane

Escondido, CA 92026

760-749-6984

July 14, 2014

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

re: Accretive Group's Lilac Hills Ranch Development

I must begin by saying that I find it unfathomable that we are even continuing to discuss the Accretive Group's development - now politically renamed "Lilac Hills Ranch". I expected it to be killed when first presented. My family and I have lived in this area for over 25 years. When we outgrew our first area home on Covey Lane, off West Lilac, and searched for a replacement, we considered moving into Valley Center for the "conveniences" of a short trip to schools, churches, ball fields, libraries, gas stations, and markets. We researched the growth plans and ultimately decided that the convenience of living in town was outweighed by the solitude of remaining in our agricultural area where the county had dedicated itself to maintaining increasingly large parcels and limited growth - in writing, no less. We bought a flower farm on West Lilac Road and continue to endure the hardship of having to plan ahead to secure fuel or necessities in neighboring cities before heading home or having our children ride the bus for an hour to get to and from school. It is a sacrifice but it's worth it. The choice was a conscious one. People live in VC proper because they choose NOT to live "without". They want the market, dry cleaner, library, gas station. We do not.

Now we are told that our long range planning for our future was futile because it has been trumped by a Developer's short term plan to turn a profit. After the county spent many years and million of dollars to create the "General Plan", they are now willing to scrap it in favor of the monies that will be generated by allowing Accretive corporation to profit from their ill conceived purchase of tracts of unincorporated land. But, first, the Developer must convince the San Diego County "planners" to make extensive zoning changes. Their operating plan reads like a military mission:

1. Buy up agriculturally zoned land from individuals who accept the unsolicited offer to purchase their property during an economic down turn.
2. Attempt to convince the neighbors and the Valley Center Community Planning group that they will not be impacted by the destruction of hundreds of acres of relatively open land. Failing this...
3. Move on to the residents of Valley Center Proper (who reconsider the growth that has been planned for their town center) and slant the story to become one of knights in armor swooping down to save the residents from the approved growth plan by magically relocating it in someone else's backyard. Ignore the fact that this was not Accretive's actual intent nor will it make a difference in whether Valley Center expands or not. If Accretive had been able to acquire acreage in the middle of Valley Center proper, it would be using these same sales tactics to convince your board to let them put their huge development off Cole Grade Road instead of along small winding West Lilac Road.
4. Convince the county that the local planning group is negligent in some regard and should be overruled.
5. Now include politicians eager for an expanded tax and voter base and – voilà – somehow putting the cart before the horse seems like a coup rather than a critical blunder in investment strategy.

On a very personal note, our lifestyle will change drastically. We had planned to retire on this farm, but now are making alternate arrangements if construction on this monstrosity progresses. We can't and won't live with the noise, the horrific traffic, the loss of horse trails, or the increased danger to our property and person that will come with Lilac Hills. We envision roads congested to the point that every trip will resemble the ones when we get stuck behind a school bus, a trash truck, or a flock of bicyclists or are met head-on by a vehicle attempting to pass on a narrow two-lane road. The I-15 backup will be like Temecula's. While I'm sure we'll have a grocery store nearby, we won't have the peaceful quiet, the wildlife, the endless view of groves, or the dark night sky. We'll have to live with the increase in fire danger and regulations that will make it almost impossible to continue to farm in this area (think burn permits, aerial pest control, and water availability). We will be forced off of our land to find a new place for our children and grandchildren to visit even after having done everything right in terms of decision making. This nightmare has shattered my confidence in San Diego county governments' willingness to protect its constituents from big business.

On a more positive note, looking toward the immediate future, if this Development does move ahead, there will be nothing to stop us and our neighbors from splitting our land into much smaller parcels and selling them off to the highest bidder because the county will have, effectively, thrown all of their careful planning out of the window and opened the door to unrestricted growth. This fact should always be in the back of your mind when listening to area land owners who support Lilac Hills Ranch. Or better yet, we could sell to the next Big Developer -and there will be a next- who will put in another planned community, shopping mall, warehouse, manufacturer, or other nuisance. But next time it will be in Your backyard because ours will be gone. You can anticipate that the legal challenges to anything that remains of the General Plan will begin almost immediately.

Make no mistake - Lilac Hills is not pitching anything that will reduce growth in VC, but only trying to turn a huge profit. Even with LHR, the town of Valley Center's fate is sealed. It will still see growth (after all it's surrounded by huge Las Vegas style casinos and THAT part of the plan hasn't changed), but now there will be a whole city next door! An oasis-type tribute to Developers. It doesn't matter what they call this Development – it's wrong to reward them with a profit for making assumptive business decisions and then expecting San Diego county officials to roll over, play dead, and accept the fact that big business/government and greed trumps individual property owners. Do the only acceptable thing. Do what should have been done when first presented with Accretive's proposal. Support county planning and zoning. Prove that you cannot be cajoled, intimidated, and bribed into trashing years of research and long range planning. Show that you take seriously the responsibility to protect OUR rights. Say NO to this development and YES to those who trusted you.

Please listen to us. Help us. Retain the character of San Diego County's agricultural communities.

Carole and Ed Sullivan and Family  
10057 West Lilac Road  
Escondido, CA 92026  
760-749-6360

cc: Valley Center Community Planning Group

8975-201 Lawrence Welk Drive  
Escondido, CA 92026

July 21, 2014

Mr. Mark Slovick, Project Manager  
County of San Diego  
Planning & Development Services  
5510 Overland Ave., Suite 310  
San Diego, Ca. 92123

RE: Lilac Hills Ranch Project

Dear Mr. Slovick:

I am a resident of Champaign Village, which lies just south of the proposed Lilac Hills Ranch Project. I echo many of the negative comments and points others have made in regard to the development of the Project. However, to me one point has not been emphasized enough, and that is the lack of sufficient fire escape routes in this area. I speak from my personal experience.

My wife and I received the reverse 911 call to evacuate our home early in the morning in October, 2007, as the result of the Witch Creek Fire heading west from Valley Center towards I-15. It took us an hour to get out of Champaign Village driveway and up to Deer Springs Road! I am not exaggerating, and I am still emotionally charged over that experience! It was an experience I wish you and the Lilac Hills Ranch developers could have experienced - - - unable to move on old Highway 395, road clogged with vehicles, including hundreds of horse trailers, inching your way along with thousands of others, hopping to make it to the freeway and escape the danger, only to reach Deer Springs Road and find residents from the Deer Springs area also trying to escape via their only route, and all of us reaching the same single lane I-15 overpass with traffic lights still operating with computer controls ignoring the plight of us thousands trying to flee! It was a nightmare, and one I trust I will not have to face again.

The issue is there are woefully few exits out of this area given the topography, population density, and non-existing alternative routes. Adding a large number of new residents will only exacerbate this situation, and create the absolute potential for a human tragedy. And this situation will not be "mitigated" with additional signal lights, left or right turn protected lanes, and the like. In fact, adding traffic lights only makes the log jams worse with us honest citizens waiting for the appropriate green light to proceed, with fires licking at our heels!

Seriously Mark, I cannot believe anyone who experienced the Witch Creek Fire evacuation would approve that Evacuation Plan that is attached as the Project's Exhibit K. It indicates all those people will attempt to escape via two minor roads which were clogged to a standstill during a previous emergency. I know this sounds emotional, but honestly, the developers and approving authority individuals like you will be responsible for the loss of lives that will come if the Project is approved as proposed, and another wild fire occurs like we have had and will no doubt experience again.

Sincerely,



Robert L. Suttie

## Slovick, Mark

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**From:** Alma Tindall <amactindall@gmail.com>  
**Sent:** Sunday, July 27, 2014 6:37 PM  
**To:** Slovick, Mark  
**Subject:** Lilac Hills Ranch development

Dear Mr. Slovick:

I am against the proposed development of Lilac Hills Ranch. Below are my concerns and those of many residents of this beautiful valley.

- 1.- Where will we get the water for this big development? We are currently in a drought situation as we have been for many years and it is not improving. How will this project help with our water problems?
- 2.- The roads are windy and narrow. They cannot handle more traffic safely. For the safety of all current residents in the area, this project should be denied. The roads cannot be improved enough to make it safe or feasible for the present or future traffic needs.
- 3.- In our fire prone area, current residents and certainly not 3 thousand more will be able to get out of harms way when a firestorm occurs anywhere in this entire region. VC has already had deaths and injuries related to evacuation. Please do not put us all in danger.
- 4.- This project does not follow the General Plan. Why have one if it is only for some and not all? These developers do not and will not ever live in this area and have no vested interest in keeping it a pleasant rural agricultural community and safe place to live.
- 5.- The General Plan was devised at huge taxpayer expense and enormous amount of hours before it was approved by the county Supervisors only to be immediately dismantled by greedy developers.
- 6.- There is no infrastructure for this development and they will not be going to supply adequate infrastructure for the long term growth after they start building cookie cutter track houses all in a row. How is this developer going to insure that we have the proper infrastructure to handle this development which is the size of the city of Del Mar?

In short, we don't want this development, period. It will destroy what remains of a once pristine place to live. Water, Traffic, Schools and fire safety are just a few of the issues that are of concern to most of the residents of Valley Center.

William and Alma Tindall  
30411 Dendy Sky Lane  
Valley Center, CA 92082

## Slovick, Mark

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**From:** Lyn Townsend <lynrtownsend@gmail.com>  
**Sent:** Monday, June 16, 2014 7:59 PM  
**To:** Slovic, Mark  
**Cc:** Eric Townsend Esq; Sara Townsend Biologist  
**Subject:** Comments on the Draft REIR - Project Name - Lilac Hills Ranch.

**Importance:** High

To:  
PLANNING & DEVELOPMENT SERVICES 5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123

I am a West Lilac Road resident whose property abuts the furthest northeast corner of the proposed accretive development. I am hereby sending this comment to the address above per the PDS Notice dated 12Jun2014.

In regard to Appendix K - Evacuation Plan

([http://www.sdcounty.ca.gov/pds/regulatory/docs/LILAC\\_HILLS\\_RANCH/LILAC-HILLS-RANCH.html](http://www.sdcounty.ca.gov/pds/regulatory/docs/LILAC_HILLS_RANCH/LILAC-HILLS-RANCH.html)),

my comment concerns fire coming abruptly from the southeast or the south, residents will push out chaotically and en masse in vehicles onto West Lilac Road heading west. Education efforts and "ready, set, go" rationale for the full build-out population cannot be relied on for an orderly sequenced evacuation. Upon seeing smoke and fire from the southeast and south, residents will drive like hell creating a bottleneck on the West Lilac bridge which is only a 2 lane bridge that is about 40 years old. A local long term bicyclist talked to a bridge inspector several years ago who was examining the bridge. The inspector stated the bridge has been pushed to the furthest extent on its support caps due to small earthquakes over the past several decades. The potential bottleneck of cars, their weight, an aging bridge and a severe fast moving fire (like those within 2 miles of my house last month, May 2014) could spell disaster for area residents. Although native brushy habitats are highly flammable, avocado/citrus groves and intermixed weedy/brushy areas can rapidly preheat and carry fire quickly to adjacent flammable fuels. The need for a direct evacuation route west to US 395 or a new 4 lane bridge to replace the existing 2 lane bridge could partially mitigate potential human loss of life. Even the existing low density population may overtax the capacity of the bridge during a chaotic evacuation. We've been lucky so far, but I do not think "luck" should be included in the justification to go forward with this development.

Mr. Lyn Townsend, Forest Ecologist, B.s., M.s.  
9430 West Lilac Road  
Escondido, CA 92026  
Cell 360.903.8756

3800 12-001 (GPA), 3810 12-001 (SF), 3100 5571 (1M),  
3100 5572 (TM), 3600 12-003 (REZ), 3300 12-005 (MUP), 3500 12-018  
(STP), HLP XX-XXX, SCH 2012061100  
ENVIRONMENTAL LOG NO.: 3910 12-02-003 (ER)  
DRAFT REVISED EIR PUBLIC REVIEW PERIOD  
June 12, 2014 through July 28, 2014

DRAFT EIR COMMENT SHEET

Tuesday, June 17, 2014

COUNTY OF SAN DIEGO

Planning & Development Services  
5510 Overland Avenue, Suite 310

San Diego, CA 92123

WRITTEN COMMENT FORM

We do not want the traffic and  
congestion from this proposed project.  
Also the values of the houses in this  
area will significantly drop. Especially,  
because people purchased their homes  
with a country atmosphere many home  
owners and renter will be robbed of the  
rolling hillside views and be upset.

(Attach additional pages as needed)

MAIL, FAX or E-MAIL FORMS TO:

Mark Slovick  
County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123  
FAX #: (858) 694-3373  
e-mail: Mark.Slovick@sdccounty.ca.gov

COMMENTS MUST BE RECEIVED BY 4:00 PM, JULY 28, 2014

Signature MB Date 7/28/14  
Print Name Adriane Bliss-Williams  
Address 31832 Rocking Horse Road  
City Escondido CA State CA Zip Code 92026  
Phone Number 760 802 5985

## Slovick, Mark

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**From:** Administrator <kyranlis@gmail.com>  
**Sent:** Monday, July 28, 2014 3:42 PM  
**To:** Slovick, Mark  
**Subject:** Comments

Dear Mr. Slovick,

I am strongly opposed to the Lilac Hills Ranch Development. The General Plan does not support that and it is not part of the plan for Valley Center. The Planning group in Valley Center has worked hard with some others developers to establish and desirable downtown core for Valley Center. They have drawn up a north and south village which will provide needed housing for the town. It is in keeping with the General Plan and the vision for the area. The infrastructure will grow out from the downtown there is established infrastructure. The schools, churches, post office, stores and other amenities will be located there in the downtown core of town. There is no need for housing out in the edges of town and spot development. This is categorized as urban sprawl.

The roadways near and around this proposed development cannot handle that kind of traffic. I have studied the traffic reports and information concerning the roads. There is no capability of widening those roads enough to safely handle the additional traffic. Accretive has no right of way on the roads they are preparing in 4 and 5 phases for entering and exiting the development. I will not give up my easement for them or will I pay more taxes to enable them. The developer does not live in this area and never will. He will not look back at the damage caused while counting his bank account.

The W. Lilac bridge cannot be widened and will require a rebuild or another bridge to accommodate the traffic generated from this kind of dense housing.

The roads will be clogged and lives will be in jeopardy if there is a necessity to evacuate as there was in 2007, 2008, and a recent fire earlier this year. School busses and large trucks cannot pass on parts of W. Lilac and Circle R Drive. The school busses are not even allowed on parts of W. Lilac. Valley Center had loss of life and serious injuries a few years back in a fire. How many lives will you put in jeopardy just to fatten the wallet of this developer?

Trucking of effluent from 300 homes would require up to 9 trips a day of a heavy truck. Where will this sewage be stored while waiting for trucks to take it away? That is not a feasible suggestion for many reasons. Can you promise it will be odorless, safe, and sanitary? I had to get a septic system put in when I built my house. If these development cannot qualify for septic systems for each house, then it is reasonable to assume the homes cannot be built.

Can you promise that the infrastructure that is part of the other phases will actually be built and maintained properly? If the first phase is built and the economy falls apart and there is no more building then what happens to the infrastructure included in the subsequent phases? Accretive will sell those phases off to other buyers, if in fact, there are other builders that can and will buy and develop the infrastructure as presented currently. This is a gamble at best. Can you gamble the lives of the current residents or that western side of Valley Center for the sake of this developer?

I have lived in this area for over 35 years and I have seen changes come. Change is expected, but it is expected to be 2+acre lots per dwelling and not condensed lego type houses. If I am not mistaken, that is the purpose of the General Plan. It insures that there will be proper growth and not urban sprawl. It is designed for all the people living there and not some out of town greedy developer who doesn't want to pay for the infrastructure needed to sustain that kind of housing.

Please consider my comments and do the right thing for all the people that the county is supposed to be working for. Please deny this project as it is the wrong idea in the wrong place.

Thank you for your time.

Nutritia Wilson  
Countryside Pools  
PO Box 529, Bonsall, Ca 92003

**From:** Don Wood [<mailto:dwood8@cox.net>]

**Sent:** Friday, June 20, 2014 2:05 PM

**To:** Slovic, Mark

**Cc:** Horn, Bill; Jacob, Dianne; Cox, Greg; Roberts, Ron; Giametta, Salvatore; McClain, Tim

**Subject:** Please post this article to your public comments file on the proposed Lilac Hills Ranch sprawl development project

<http://www.citylab.com/design/2013/09/sprawl-still-sprawl-even-if-its-green/6756/>

Don Wood  
4539 Lee Avenue  
La Mesa, CA. 91941  
619-463-9035  
[Dwood8@cox.net](mailto:Dwood8@cox.net)



# Sprawl Is Still Sprawl, Even If It's 'Green'

The most sustainable development in the wrong location will create more environmental problems than it will solve.

KAID BENFIELD |  @Kaid\_at\_NRDC | Sep 3, 2013 |  17 Comments

Image



Does the lead photo with this article look like a good place to put over 1,700 new homes on a little over 600 acres? What if I told you it was working agricultural land in a remote location 45 miles north of San Diego and 61 miles south of San Bernardino, California? What if I added that the developer is doing everything it can to make the project green? Those are the questions currently facing San Diego County authorities.

### **The environmental importance of development location**

Unfortunately for the proposed project's sponsor, the most significant factor in determining the environmental impacts of real estate development is the project's location. Even the greenest development in the wrong location will create more environmental problems than it will solve. Of course, that doesn't stop developers' and architects' green puffery. Heck, they may even be well-intentioned, trying to do the greenest internal design on a site whose non-green location cannot be overcome. But trying to green a project doesn't make wishes come true.

I've written about this sort of thing multiple times, criticizing a purported "net zero" energy-efficient development in Illinois that is totally automobile-dependent, and pointing out that higher density, though generally an asset to green performance, won't cure locational problems. I've criticized the American Institute of Architects and even the U.S. Green Building Council for undervaluing location in their green awards programs. (At least USGBC has taken a major positive step by adopting LEED for Neighborhood Development, a certification program that rewards good locations along with other green features. More about LEED-ND later in this article.)

Development locations far from existing cities and towns cause substantial environmental problems, disrupting agricultural lands and natural ecosystems; requiring the spread of resource-consuming infrastructure, including new road capacity that brings more runoff-causing pavement to watersheds; attracting ancillary sprawling development nearby; and causing major transportation impacts.

I can't over-stress that last point: On average, we use more energy and emit more carbon getting to and from a building than does the building itself. Peer-reviewed research published by the federal EPA shows that even green homes

in conventional suburban locations use more energy and emit more carbon than non-green homes in transit-served city neighborhoods. The problem only gets worse when the development is located beyond suburbia on truly rural land. Indeed, the most exhaustive research I know on how land use affects travel behavior found that location – measured by, among other things, the distance from the regional center – is by far the most significant determinant of how much household driving will occur, over time, from a given location.

Simply put, green sprawl is still sprawl.

### "An I-15 sustainable community"

This brings me to a proposed "I-15 sustainable community" (the developer's tagline) some 45 miles north of San Diego and 61 miles south of San Bernardino, California. I'm tempted to say that the site is in the middle of nowhere, but that's not quite fair. It is more accurate to say that it is decidedly rural, home to working orchards, cropland and rangeland on rolling terrain near Lancaster, Pala, and Weaver Mountains near the north edge of San Diego County. There are scattered rural residential enclaves and a few small, newer suburban developments within a few miles.





The proposal's [draft environmental impact report](#) describes the setting this way:

The project site is generally characterized by agricultural lands and gently rolling knolls, with steeper hillsides and ridges running north and south along the western edge. Existing land uses in the surrounding area include residential dwellings that range from suburban to semi-rural densities, along with agricultural uses and vacant lands.

What the site is not is a good place to put 1,746 new homes at an average density of 2.9 units per acre.

Perhaps that is why it is illegal under current law, which zones the land for agricultural use. That is also its designation in the county's general plan, recently adopted after more than a decade of deliberation. The developer is seeking to change the zoning and to change the plan to accommodate the development.

The developer's argument for the proposal, to be called [Lilac Hills Ranch](#), is that it will be internally walkable, with amenities within a 10-minute reach of most residents; that it will cluster development so as to maintain green space; that it

will utilize green technology in building design; and that it will create "a neighborhood grounded in traditional small-town values embracing 21st century design and sustainability."

To be honest, that sounds pretty nice if it were located adjacent to existing development instead of leapfrogging across vacant land. But it isn't; I took a look at some numbers. Because the site is unusually shaped and mostly open land, it is hard to find a point within it that is cataloged in searchable databases. So I picked a spot on the north edge of the site on West Valley Road, the main access to the site from I-15, and ran it through some calculators.

### Location by the numbers

Google Maps says the north side of the project is 14 miles from San Marcos, the nearest town with significant employment, 16 miles from downtown Escondido, and 22 miles from Rancho Bernardo. As noted, it is 45 miles from downtown San Diego. We're talking about very long work commutes. There is no transit nearby and, even under the best of circumstances, unlikely to be any future transit that would go conveniently from the development to San Diego County's scattered work sites.



My spot's Walk Score was 2. Pretty low, eh? Walk Score basically measures how close a site is to shops and conveniences. Ideally, it finds walkable locations with ratings above 60 or so that have things within walking distance. The average Walk Score for Escondido is 51. For San Diego city, the average Walk Score is 56. The average in Los Angeles is 66. A Walk Score of 2 means that this

site is not near much, to say the least.

I also ran it through the Abogo calculator maintained by the Center for Neighborhood Technology, which displays driving rates and costs, along with emissions data, for given locations. The average household in the general vicinity of the proposed development emits 1.02 metric tons of carbon dioxide each month just from transportation. This is 46 percent above that of the San Diego region as a whole.

The developer apparently ~~wishes~~ believes that Lilac Hills Ranch would actually reduce greenhouse gas emissions by up to 40 percent compared to a "business-as-usual" scenario, mostly because of the project's internal walkability and planned commercial spaces that would absorb trips that otherwise would be made outside the project. Nothing in the literature of transportation research suggests that would be the case.

First, let's parse what "business as usual" means. What the developer is really claiming is that the project would reduce emissions compared to an even more sprawling development in the same location. The developer is not claiming, nor could it, that the project would reduce emissions below the average for the metropolitan region or even below the amount that would be experienced in an alternative site closer to Escondido or San Diego. As noted above, the most exhaustive research on the subject (Professors Ewing and Cervero's epic "Travel and the Built Environment," published in the Journal of the American Planning Association) found that proximity to downtown and other major destinations, not internal design, was the most significant factor in determining driving rates. ("Almost any development in a central location is likely to generate less automobile travel than the best-designed, compact, mixed-use development in a remote location," write the scholars.)

Look, this proposal basically would replace working agricultural land with a commuter suburb, albeit with some very nice internal amenities for its residents.



Dan Silver, MD, executive director of the Endangered Habitats League, summed the League's position in a letter to the San Diego County planning office, which is apparently reviewing the proposal:

This project would create a commuter-based 'bedroom' community in an agricultural portion of Valley Center. It would shred the consensus reached for the Valley Center community as part of the historic General Plan Update, just adopted in 2011. No compelling planning rationale or deficit in housing capacity is present to justify this proposed amendment.

The League is not alone in its criticisms. The Valley Center Planning Group voted 11-1 to send a scathing critique of the proposal to the planning office, according to [an article by David Ross](#) published last month on the local news site Valley Road Runner. If anything, the Planning Group's language was even stronger than that of the Endangered Habitats League, reports Ross:

Key take-aways from the response the Planning Group approved Monday night:

- The project is leapfrogging and therefore contrary to the good planning principles upon which the General Plan Update was based. It plops urban building densities into a rural agricultural area without appropriate existing infrastructure. **A much better project alternative than any proposed is within the Downtown Escondido Specific Plan Area**, says the review.
- In most major areas of the project, the rationale presented by the applicant is going to change the General Plan requirements to be aligned with what it wants to do. According to the group, this defeats the efforts by all who participated in the 12-year-long, \$18 million county General Plan Update project that was approved by the Board of Supervisors only two years ago.

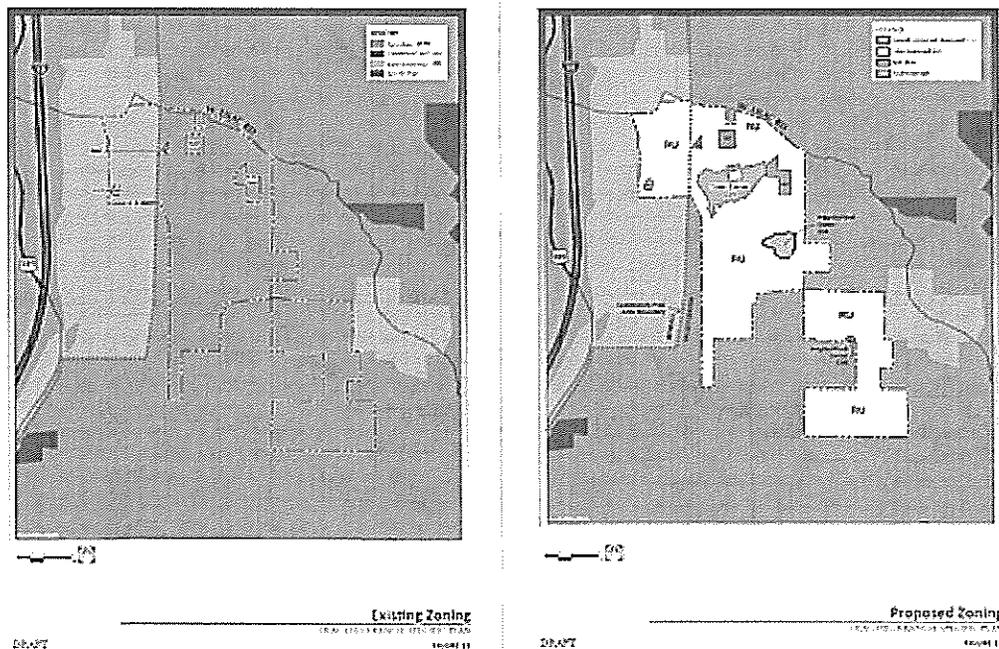
It seems to me that the planning office should be encouraging green revitalization and redevelopment within cities and towns, and encouraging the addition of new green features to existing suburbs. In some cases, it might be reasonable to review even a new mega-project such as this one if it were not only green but also adjacent and connected to existing development. But, assuming the worst, what's the point of having a planning office if it approves leapfrog development that violates its own plan?

### **The project, LEED-ND, and California planning law**

Adding rhetorical insult to environmental injury, a document prepared in support of the development asserts that the proposal is "designed to meet the environmental standards of" LEED for Neighborhood Development, the voluntary green rating system mentioned at the top of this article. (See our Citizen's Guide.) Seriously? Then file an application and get a certification that proves it. Heck, you could at least apply to the US Green Building Council, which administers LEED-ND, for a "prerequisite review" that for a fraction of the cost and time of full certification will determine whether you meet the rock-bottom minimum locational standards of the system.

Given the serious doubts raised about this proposal, if I were a planning official for San Diego County I would politely ask that the developer do just that as a condition of further discussion of any zoning change or planning amendment. Speaking for myself, my informal opinion based on about a dozen painful hours of reviewing planning documents in this case is that there is not a snowball's chance in hell that this proposal qualifies for LEED-ND certification or even that it would pass the minimum prerequisites to be considered.

For one thing, LEED-ND requires a minimum average density of seven dwellings per acre, not the 2.9 at issue here. For another, the LEED-ND locational prerequisite is generous, but not generous enough to let this project slip through. (I should know, because I was its principal author.) To be considered, a project must qualify as (1) infill; (2) adjacent and connected to a minimum amount of previous development; (3) served by existing or fully committed minimum transit service; or (4) surrounded by a minimum number of specified, pre-existing "neighborhood assets" within walking distance. In other words, a project can't be smack in the middle of rural land at a long distance from existing development. Well, it can be, but it won't – and shouldn't – qualify for green certification under LEED-ND.



Current agricultural zoning (left) and proposed change to "residential urban" (right)

Finally, in 2008 California passed what many of us believed at the time to be

landmark legislation ("SB 375") requiring that each metropolitan area in the state, including San Diego County, develop specific, long-range land use and transportation planning documents that meet assigned targets for reducing emissions of greenhouse gases from transportation. A lot of people in the state, including my NRDC colleague Amanda Eaken, worked long and hard to ensure that the new law would be fair to developers and municipalities as well as protective of the environment. They succeeded at that, and won the support of a broad range of nonprofit and commercial interests.

Basically, each metro area must develop a "Sustainable Communities Strategy" as part of its transportation plan. The SCS must anticipate population growth and housing needs and allocate them to areas within the region that can accept them consistent with the law's environmental aims. The state's Air Resources Board must review and certify that the plans are adequate to meet their emissions-reduction targets. Municipalities are expected to conform to the regional plans, and transportation funding and development approval benefits flow to the priority growth areas.

The whole point of SB375 was to encourage development within or close to existing development and existing city and town infrastructure. (And, no, contrary to the developer's assertions here, being close to an Interstate highway is not what the framers had in mind when they spoke of existing city and town infrastructure.)

The Sustainable Communities Strategy for San Diego County, crafted by the San Diego Association of Governments and adopted two years ago, was built on the premise that the county's general land use plan would remain in place. As a result, this development not only challenges the plan; it also flies in the face of all the hard work and good faith that went into the region's Sustainable Communities Strategy pursuant to SB375. This should matter, not just a little but a lot. As far as I could tell from the documents I reviewed, the SCS isn't even mentioned.

The bottom line: in another place, this might be a great green development, though I would want to improve its design for better walkable density and transit access. Its on-site premises do appear to have some merit to them. But this location is so, so wrong that it negates what might otherwise be the

development's environmental assets. It's a shame because, in the end, the development basically amounts to little more than pretty sprawl.

This post originally appeared on the NRDC's [Switchboard](#) blog, an Atlantic partner site.

## About the Author



Kaid Benfield is the director of the Sustainable Communities and Smart Growth program at the Natural Resources Defense Council, co-founder of the LEED for Neighborhood Development rating system, and co-founder of Smart Growth America. [MORE](#)

[ALL POSTS](#) | [@Kaid\\_at\\_NRDC](#)

July 24, 2014

Mark Slovick  
County of San Diego Planning and Development Services  
5510 Overland Ave., suite 310  
San Diego, Ca. 92123

re: Public comments for the Lilac Hills REIR

Dear Mr. Slovick,

I believe the only option that should be considered is the one that sticks with current zoning and requires any development to follow the General Plan as it currently exists. I understand that some variances will and should be given on individual properties because of harm that was created especially when zoning was changed and adversely affected an individual owner and his ability to complete plans for his property that had been based on then current zoning.

Let's be clear, Lilac Hills Ranch in no way falls into that category.

The General Plan has provided for the housing needs for the foreseeable future. Valley Center has chosen to follow current stated goals of providing areas for growth, particularly higher density growth, near existing infrastructure. Planners across the country have recognized this need. As you move away from existing infrastructure, density decreases. That makes this development inappropriate and unnecessary, and since it is unnecessary, no special considerations should be given. Lilac Hills Ranch has requested so many variances, it is difficult to keep count. Some of the special requests now include the condemnation and taking of other people's property. And this for the sole benefit of a developer who is stuck because his main and only logical access has been eliminated.

When Accretive started acquiring land for this venture, I believe the county had a proposed road 3A on the map which gave some basis for some sort of development around that road because it gave direct access to Old 395, close to ramps for both north and south bound I-15. Most of the reason for road 3A was for an evacuation route for residents of Valley Center. No improvement has been made to benefit those resident's ability to escape the next wildfire and 3A was removed from the map for future planning. If we are to believe our County Officials, we live in wildfire country and it is not "if" but "when" the next one comes through. Putting new road blocks along two evacuation routes for those residents would be not only irresponsible but bordering on criminal. You need to consider the ramifications of people burning to death while trying to escape a wildfire that the County knew was coming and yet further hindered the ability of it's residents to escape. You told us that the County owns this plan. Is this really what you are trying to do. With no additional routes, you are going to add over six thousand cars a day onto existing roads that barely handle current capacity without an emergency evacuation. Please explain how you intend to safely handle the traffic flow on the existing roads and how you suggest people escape the next fire.

Also, please note that use of Mountain Ridge Road would have to involve the taking by Eminent Domain of my property and many others because this developer does not have legal rights to use that road without severely overburdening the very limited easements he possesses. I have

no intention of voluntarily selling my property for that use. Please explain how any property impacted by the Eminent Domain process, will be affected by the possibility of being reduced below the current zoning of a minimum of two acres.

It appears that much of this REIR is based on “facts” from the Dudek report and the RECON report. Since the reports were commissioned by Accretive, it is not surprising that they are biased and avoid any facts that would look bad for their client.

Dudek has blatantly left out one of the four requirements for a fire station to meet the designation of “closest fire station” because that requirement takes away the option of the fire station they want to use to meet the requirements in the General Plan. I believe you will discover, if you haven’t already, that Cal Fire wants no part of taking on that obligation. The Dudek report is extremely misleading in it’s designation of Station 15, sometimes calling it Deer Springs station 15. There is no Deer Springs station 15. This kind of false information should not be allowed to exist in the REIR. If this false information is allowed to remain in this report, it will cause decision makers to decide these important matters based on incorrect information. Anyone reading this report will assume fire protection is not an issue when it is actually a very big issue.

The RECON report is very fond of declaring the effects of construction and road grading on other people as “less than significant “. Just one example that affects me personally found on page 7, last paragraph. My house is located 45 feet from the centerline of construction. That should put grading within 20 feet of my house. But I’m not to worry because due to the magic of the laws of the right triangle, the average distance from my house to the grading activity is 150 feet therefore “less than significant”. Of course the fact that I can’t leave my house for the entire process is probably “less than significant” also. By the law of the right triangle, I guess you could throw two baseballs, one hits me in the head but the other misses by ten feet, no harm because the average was five feet away. Seriously, Is this the logic you will use to determine the actual effects on the residents who moved here for the rural uncrowded atmosphere.

Due to the lack of clarity and the confusing manner in which this report is drafted and the manner in which the findings are presented (or not presented), I appeal to the County to review this report carefully.

First, in order to put this analysis in perspective, The RECON “**Mountain Ridge Road Fire Station Alternative - Noise Analysis** dated May 16,2014 was prepared to identify and document potential noise and vibration impacts related to the existing Mountain Ridge Road community, the majority of whom live in Circle R Estates . Circle R Estates is located along a 1,200 foot section of Mountain Ridge Road which runs south from the LHR project’s southern boundary, along Megan Terrace and Adams Ct., to the top of the steep hill south of Megan (“the Circle R Community.”)

This report is mandated by law, County policy and CEQA as one of the key reports required in response to the County’s Mountain Ridge Road Fire Station Alternative. This report will be used by the County as part of the **Condemnation and Eminent Domain Process** (the “Recon Condemnation Report”). The County is proposing to take private property from 30 or more individuals to convert Mountain Ridge Road from a private road to a Public Road.

Condemnation proceedings are a very complex and tightly regulated process which requires all parties to adhere to the highest ethical standards to maintain the integrity of the process.

To convert Mountain Ridge Road from a Private Road to a Public Road is a very complex and major construction project. More than 16 excavators, graders, front end loaders and other similar construction related equipment will be required. More than ten thousand trucks loaded with fill and asphalt will be required. As noted in the report, after completion traffic will increase from 160 trips per day to more than 3,000 - an increase of greater than 2,000%.

As part of the Condemnation process, RECON was hired by Accretive, the Lilac Hills Ranch Project Developer, to:

1. Determine and quantify the significance to the Circle R Community and Mountain Ridge Road residents of the construction noise resulting from the construction of the public roadway and whether the construction noise impact complies with County Standards. The measurement used to quantify the noise impact of construction activities is dB(A). According to Recon on page 6 of the Recon Condemnation Report:
  - a. "The County has well-defined [construction noise] Noise Ordinance that covers construction noise and prohibits noise levels in excess of 75 dB(A) L [average] for an 8 hour period; and
  - b. Construction noise is **"measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received."**
2. Determine the "direct impact" to the "existing conditions" of the increased noise resulting from converting Mountain Ridge Road Private to Mountain Ridge Public Road. In this case, the existing condition for Mountain Ridge Road Private is 160 average daily trips per day and upon conversion of the road to Mountain Ridge Road Public, the traffic would be 3,410 average daily trips a day. The "direct impact" is measured by the "delta" --- or the increase in noise - between the noise generated by existing use of the road (160 average daily trips a day) compared to the proposed use of the road 3,410 average daily trips a day.

The noise measurement to determine the impact of traffic noise is CNEL (Community Noise Equivalent Level). According to the County Noise Standards - Table 2 - on page 5 of the Recon Condemnation Report, **noise from traffic is measured at the exterior areas used by the homeowner and guests as an outdoor living area such as pools, patios, outdoor sitting areas as well as gardens and landscaped areas.** In addition, the Circle R Community is a "Home Owners Association" which provides and maintains "group open space" for the exclusive use of its residents and their guests. This group open space includes private gated roads (Megan Terrace and Adams Ct.) that are for the exclusive and private use of the HOA residents and guests. **These private areas are routinely used by residents as a pedestrian walkway, especially for families with children as well as families with baby carriages.**

3. Determine the traffic "noise contours" along Mountain Ridge Road for the proposed traffic on Mountain Ridge Public to determine if they comply with County's 60 CNEL standard. Noise contours (essentially visually representations of the traffic noise) are shown in noise reports as a Figure of an aerial photograph or detailed drawing that has the noise contours shown. As an example, in the areas where noise levels are 70 CNEL, those areas are highlighted in Orange. In areas where noise levels are 65 CNEL, those areas are shown in yellow. In areas here noise levels are 60 CNEL, those levels are shown in green. Also, a noise analysis report should provide a "Traffic Noise Prediction Model" which provides a summary of the specific details of the traffic noise

calculations including the specific number of feet (such as 48 feet) to a specific noise contour (65 db)

The Recon Condemnation Report is required to be a “Stand Alone Report” for use by the County as part of the Condemnation process. The Condemnation Process requires that an EIR be prepared for use by the County before it condemns private property. That is why new reports were prepared for a variety of impacts related to the Mountain Ridge Road Fire Alternative;, including traffic (1800 plus pages); Greenhouse Gas Emissions; Air Quality and of course, noise.

**The Recon Report must contain and summarize all the information that is being discussed and relied upon for the Condemnation Action.** Recon may not reference tables from reports that have not been prepared specifically for the Mountain Ridge Road Fire Station Alternative, such as reports have been prepared for exceptions requests to the General Plan or Specific Plan.

The Recon Condemnation Report must contain all backup required for: determining significant impacts; **understanding what significant thresholds** are used for each impact category; **gauge potential impacts against existing physical conditions**; **provide the technical information required to support the documents findings**; **provide a clear line of reasoning in its conclusion related to impacts**, their level of significance and the **level of mitigation that would be archived by proposed mitigation measures.**

To further understand how flawed the Recon Noise Condemnation report is, it is important to have a general understanding from a “rule-of-thumb” perspective of noise and its impact.

First, the County’s Report Format and Content Requirements for Noise include a statement that a “doubling of sound energy” is considered a significant impact a “documented noise site.” A doubling of sound energy is equivalent to a 3 dB(A) increase. A document noisy site is a location with NSLU that currently exceeds 60dB(A) CNEL. This comment should have been in the Recon report but was not.

For noise generated by construction activities from a single noise source, such as an excavator, construction, the noise level will drop by 6 dB for every doubling of the distance. Thus:

1. If an excavator’s rated noise level factor is 85 dB(A) at 50 feet away from the source, at 100 feet away from the source (which is a doubling of the 50 feet) that noise level will drop by 6 dB to 79 dB and at 200 feet (a doubling again of the distance) the noise level will drop another 6 dB to 73 dB.

**Inversely, for the same front end loaded rated at 85 dB at 50 feet away from the source, for every “halving” of the distance to the source, the noise level will increase 6 dB. Thus at 25 feet away from the excavator, the sound will increase by 6 dB to 91 dB - at 12.5 feet from the source the sound will increase 6 dB to 97 dB and if the excavator was located 6.25 feet from the source, it would be deafening at 97 dB.**

Sound is logarithmic. To use a general rule of thumb to help understand the impact of increased or decreased sound levels a 3 dB increase in sound is considered to be just a noticeable difference. A 6 dB increase in sound is easily noticeable and a 10 dB increase in sound is Significant.

**As an example, a 10 dB increase in sound would be equivalent to the difference between a washing machine and a gas powered leaf blower.**

Also, sound is cumulative. At a construction site, as a general rule of thumb, for every increase in the number of pieces of equipment being used, there is a cumulative impact. If 2 excavators are operating at a construction site, the sound level will increase by 3 db. If 2 excavator's and 2 backhoe's are operating at the site (4 pieces of equipment) the sound level will increase by a total of 6dB. If eight pieces of construction equipment are operating at a construction site, the cumulative effect would be another 3 dB increase to 9dB.

Finally, the last important item about noise to understand is that it travels along the line of sight. If you can see a noise source and there is no mass (such as a wall) between you and the noise source, you will receive the full impact of that noise. Mass impedes --- or put another way- reduces noise. If there is wall between you and the noise source, it will impede the sound. However, if you are on a hill looking down onto the noise source behind a wall, there will be no impediment as you have a clear line of sight. The number of failures with this report is almost incomprehensible; so let's just start with the most significant.

The most significant failure pertains to the location of the noise receptors for modeling purposes that all of the traffic noise analysis uses for modeling. **THERE IS NO INFORMATION AS TO WHERE RECON LOCATED THEIR NOISE RECEPTORS.**

Incomprehensibly, RECON used dots on a map to show the location of their noise receptors. EACH DOT covers an area of almost 100 feet. Recon provided no explanation or documentation that would allow the public to understand their methodology. As noted above, RECON was to measure the impact to the community of traffic noise to an **exterior noise sensitive** area. Almost every home within the Circle R Community has outdoor living areas that face west, towards the sunset. The best example of the absurdly with which Recon position its noise sensors is shown on Figure 4, noise sensor R-150, my home. I have a formal patio with table and chairs on the west side of the house, less than 15 feet from Mountain Ridge Road. I have also fenced in my yard for a play area for my grandchildren that is located 12 feet from Mountain Ridge Road. Yet, Recon located the R-150 sensor on the east side of the home, behind the mass of the house ignoring the County Code for calculating noise impacts; ignoring CEQA requirements; and ignoring the defensibility and sensibility required for calculating noise impacts to a community whose property is the subject of proposed Condemnation proceedings by the County. As discussed, the integrity of the Condemnation process is of significant importance.

But, Recon further complicates a review of the locations of their exterior noise receptors by placing a "dot" that is over 100 feet wide on top of the homes where the noise receptors are located. In the case of noise receptor R-150, that means that the noise receptor could be more than 150 feet from the road even though the exterior noise areas (**what the County calls NSLU - Noise Sensitive Land Use**) at this home are less than 20 feet.

So, the next logical step is to attempt to recreate or determine where the exact placement of the noise receptors are. There is nothing in the Recon Condemnation Report that discusses the methodology used for the placement of noise receptors .

In **Attachment 1** to the Recon Condemnation Report, Recon does provide some limited details on 107 noise receptors providing X & Y coordinates. Just to be clear, that is information on 107 noise receptors, **BUT NOT ONE OF THE NOISE RECEPTORS SHOWN ON FIGURE R 4 OF THEIR REPORT FOR THE HOMES ON MOUNTAIN RIDGE ROAD IS INCLUDED. NOT ONE.**

Ok....so the next logical step is to try and understand what Attachment 1 of the Recon Condemnation Report is to see if the data can be further backtracked. But, Attachment 1 of their report is **NOT MENTIONED AT ALL IN THEIR REPORT.**

So we continue the search. We start with a review of the LHR May 13<sup>th</sup> Recon Report for the LHR project. No mention or discussion whatsoever of the locations of noise monitors located off the project site other than a similar figure to Figure 4 of the Recon Condemnation report.

We expand the search to all Recon reports within the REIR in an attempt to develop further information about the **specific location** of where off-site noise receptors are located as well as a discussion on the **methodology used for determining where to place off-site noise receptors**. **THE RESULT WAS THE INFORMATION WAS NOT TO BE FOUND** that provided any information for the off-site noise monitors other than the APN Lot Numbers.

1. The report states, "Detailed plans with proposed roadway elevation were available for this alternative" for use with modeling. Also the authors have access to aerial and satellite imagery for use in their report. Please provide a copy of the detailed plans with proposed roadway elevations that were used for this alternative.
2. Please provide a figure and conceptual plan for the construction as discussed on page 6 of the report. As stated on page 6, construction would occur along 0.6 miles of Mountain Ridge Road and **"occur over approximately 20 acres with a daily disturbance of 5 acres."** As the entire Mountain Ridge off-site 40 foot private easement is 2.8 acres, please provide details and a map showing the balance of the 20 acres that will be impacted. This is critical in being able to accurately determine the noise impact to the neighborhood. Also, as referenced in the report, work will be conducted in an "average linear working distance of 300 feet" that will impact 5 acres. For each 300 foot work section, please provide details as to the type of work noise generating work activities that will be conducted and a map showing the extent of the daily disturbance.
3. On page 7, the report states that with the "exception of the residence located 31013 Mountain Ridge Road," my residence, all physical residences are located more than 150 feet from the roadway. This is not accurate. There is a residence located on the west side of Mountain Ridge, opposite Adams Ct, that is within 50 feet of the existing road easement. Also no noise monitoring was done for this home. Please explain in detail and correct the report as required.
4. Figure 4 of the report shows a Mountain Ridge Road Buffer on 150 feet. Nowhere in the report is the Mountain Ridge Road Buffer zone defined. Please define what this buffer zone is, the significance of this buffer zone and how this buffer zone relates determining whether this project conforms to Noise standards.
5. An updated Figure 4 without the red buffer zone needs to be provided showing the CNEL noise contours. All noise contours were covered by the red buffer zone. It is impossible to determine the impact to the community without detailed noise contours. Also, as this is an existing residential community, noise contours lines must be provided in smaller increments. An increase of 3 dB in noise results in an increase of 23% in loudness perception. This Figure should be redone in increments of 3dB.
6. According to page 6 of the report, the County has well-defined Noise Ordinance that covers construction noise levels in excess of 75dB. The report also notes that is "unlawful for any person to operate or cause construction equipment to be operated" that exceeds an average sound level at the boundary line of the property where the noise source is located or on any occupied property where noise is being received. This report discusses various 150 foot zones and draws conclusions that impacts would

be less than significant. This needs to be clarified to conform to County standards. Please provide the following details:

- What are the noise levels at the boundary line of each property (by APN) for each lot on Mountain Ridge Road and any other property in direct sightline during grading as well as subsequent construction.
  - What are the noise levels at the boundary line of each property (by APN) for 12,000 or so trucks that will be required to transport fill for this project.
  - What are the noise levels at the boundary line of each noise receptor identified in Figure 4.
7. Table 2 - Noise Standards - on page 5 of the report provide a detailed description of “exterior noise levels” including the methodology for defining exterior noise levels. In conformity with Table 2, please summarize in detail and provide a figure for exterior noise for each noise receiver noted in Figure 4 as well as each exterior noise level for every residence along Mountain Ridge Road and within direct sightline. All of these homes have exterior areas (such as patios, pools, gardens, etc.) that are provided for private usable open space. Please describe in detail the noise impact to the community.
  8. Figure 4 of the report shows a number of noise receivers, such as R-120 and R-150. Nowhere in the report is the location of the receivers provided. For each of the noise receivers noted in Figure 4, please provide specific details on where the noise receivers are located and how the location of those receivers was determined to be in a noise sensitive area used by homeowners for their exterior living such as gardens, walkways, patios, fenced in play areas, etc.
  9. On page 13 of the report, the authors note that the change in noise levels along Mountain Ridge Road would change “**depending on the shielding or lack of shielding provided for the proposed grading for Mountain Ridge Road.**” Please discuss in detail all types of shielding that may be provided for Mountain Ridge Road, including a detail description of the type of shielding, which sections of the road may have shielding and the visual impacts of the shielding.
  10. Table 7 on page 13 notes the changes in cumulative operational noise level along Mountain Ridge Road between the proposed project and alternative based on average daily traffic volumes for the project and alternative as shown in Table 4. Please discuss in detail all factors that impact this calculation. Also, please discuss specifically how the proposed project noise levels for receiver 120 would be less (-4) than the alternative and receiver 150 would be less (2 dB) than the alternative despite an increase in traffic of more than 3,000 car trips a day.
  11. As the proposed alternative includes a road that will be in parts elevated more than 20 feet above the current grade, the noise levels will be increased due to the height of the road, the impact of prevailing winds, and the lack of any mass surrounding the road to dampen sound. Please discuss in detail these and any other impacts because of the road design and provide a detailed summary of all mitigation alternatives.
  12. Please provide details on the current modeled (no project) Noise Levels for all receivers shown in Figure 4.

13. Please provide details on the actual project noise levels that have been determined along any portion (off-site or on-site) of Mountain Ridge Road.

There is no way a development of this size should be allowed to impact the current residents and roads in this very rural area and further risk their lives when the next fire comes. If you own this report, I hope you think long and hard about what you are doing to the current residents and what you would be doing to anyone naive enough to buy a home with inadequate escape access.

Lilac Hills Ranch is not necessary and is contrary to any current philosophy on where to locate high density development. The access to the property has changed drastically from what they thought it was when they started, forcing drastic impact on surrounding neighbors and roads. Accretive is scrambling now to find any way to keep this project alive. Do not help them at our expense.

Respectfully,

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