

Letter A3



Deer Springs Fire Protection District

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July 28, 2014

Mark Slovick, Project Planner
County of San Diego
Planning and Development Services
5510 Overland Ave. Rm. 310
San Diego, CA 92123

RE: DEIR for Lilac Hills Ranch

Mr. Slovick,

This letter will serve as the public comments of the Deer Springs Fire Protection District in response to EIR for the proposed Lilac Hills Ranch Development.

The position of the Deer Springs Fire Protection District in regards to this project is that while the District has the capacity and intent to serve the project, it is not possible for the District to respond to the proposed development within the 5 minute response time required under the general plan. This has been a point of long discussion between the District, the County, and the applicant. Many different options for provision of service in the project area have been proposed, and all have been unacceptable from the District's perspective.

A3-1

The primary problem is that the District is stuck between plans that build excess response capacity at a tremendous ongoing cost to the District, or compromising service to existing residents in order to serve the new project. Neither of these approaches is to the advantage of the District in the long run. The District cannot accept any response option that requires a fourth fire station in the District due to the cost of ongoing operations. The projected ongoing revenue at build out falls short of providing for the full cost of staffing, equipment, administration, and maintenance of an additional facility. The District does not feel that it is in the interest of the District to levy a special assessment or CFD on the development in order to offset these costs, as the district already has one of the highest rates of assessment for fire services in the county. Providing a substantially different service to new residents of the District (through the use of reserve firefighters, lesser staffing, or some other approach to service delivery) is similarly unacceptable because it would require a disparate level of service for the same assessed cost as existing residents. These basic issues have led to the response options as put forth by the applicant to be viewed as wholly unacceptable to the District.

A3-2

A3-3

A3-1 The comment states that DSFPD has the capacity and intends on serving the project; however it is not possible for the District to respond within the 5-minute travel time required under the General Plan and none of the options for providing service to the project within a 5-minute travel time are acceptable to the District. It is important to point out that the County General Plan Policy is based on a 5-minute "travel time" rather than overall "response time" that the DSFPD referenced. With respect to the District's ability to respond within 5 minutes, the 5-minute "travel time" standard arises from General Plan Policy S-6.4. The General Plan EIR (Chapter 7, page 7-10, S-6.4) states that "response time" is the result of adding "call processing/dispatch time" plus "turnout/reflex time" that together are assumed to be 2-3 minutes. The travel time standard is intended to (1) help ensure development occurs in areas with adequate fire protection and/or (2) help improve fire services in areas with inadequate coverage by requiring mitigation (Policy S-6.4). Compliance with this policy is analyzed under subchapter 2.7.2.3 of the FEIR, the FPP, and the Fire Response Capabilities Assessment, prepared by Dudek and Hunt, dated May 24, 2014, (Capabilities Assessment; an appendix to the Specific Plan.) Four options were identified that would allow the project to receive fire and emergency services within the 5-minute "travel time" standard set forth in the General Plan. With respect to the DSFPD statement that none of the options are acceptable to the District, the County acknowledges that as of July 28, 2014, the Options have not been acceptable to the District. However, the Board of Supervisors will make the final determination regarding consistency with Policy S-6.4 and to condition the project in a manner that would ensure compliance with this policy if the project is approved. Any of the four Options would require DSFPD's participation and cooperation to implement. In any event DSFPD is required to provide fire services to the project. The District determined that adequate services could be provided to the project by the District due to a number of factors, including that the travel time from the closest fully staffed fire station, Miller Station, to the furthest structure within the project would be within 5 minutes (FEIR, subchapter 2.7.2.3 and FPP Section 4.1, page 31.) As the comment does not raise any specific issue regarding the analysis, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. Please see Global Response: Fire and Medical Services for a thorough discussion regarding this topic.

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RESPONSE

	<p>A3-2 The comment states that the District cannot accept any response option that involves a fourth fire station due to the cost of ongoing operations of a fourth station nor would the District want to compromise service to existing residents in order to serve the project.</p> <p>The comment did not explain how service to existing residents would be compromised by serving the project and provides no information to substantiate this comment. DSFPD has the existing capacity to respond to expected calls to the District at build-out of this project. The FEIR analyzed the impact of the project with respect to the capacity of DSFPD and CAL FIRE to provide the fire services to the community. Subchapter 2.7.2.4 of the FEIR determined that both agencies would continue to have adequate capacity to provide fire services to the community even at full build-out of the project. (See also Capabilities Assessment, Section 4.0.) Therefore, the FEIR adequately disclosed the impacts of the increase in population from the project on emergency services levels in the area.</p> <p>Please see the Global Response: Fire and Medical Services for a breakdown of the cost and funding of the additional facility described in the four options.</p> <p>A3-3 This comment states that the options are not acceptable to the District because the options would result in a substantially different level of service to the residents of the project than what is being provided to the current residents of the District.</p> <p>Another issue that has been raised by DSFPD is that there would be a disparity between the services the residents of the project would receive, as opposed to the services that the existing residents would receive. This is not the standard set forth in the General Plan Policy S-6.4. New development is not obligated to provide services equal to those received by others in the District nor is new development required to upgrade the services of existing residents in the District. This would go beyond any standard that is presently required by the County for new development projects and would be legally impermissible. Furthermore, the District may establish service zones to provide different levels of service or raise additional revenues in specific areas of the District. Health and Safety Code, Section 13950 et seq. See also Global Response: Fire and Medical Services.</p>
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RESPONSE

Because of this, the applicant has viewed their best option for meeting general plan compliance with respect to response times is to use the CAL FIRE Miller Fire Station as their primary fire station. To clarify the District's relationship with CAL FIRE and the Miller Fire Station, it should be pointed out that the District has a cooperative agreement with CAL FIRE for staffing and dispatch services, and by virtue of that agreement does routinely utilize the Miller Fire Station for response to the area that is encompassed by the proposed development. However, Miller Fire Station is not a part of the District, receives no funding or control from the District, and is not capable of response compliant with the internal standards of the District. For this reason, our current operations require that responses from the Miller Station must always be augmented by District apparatus. The CAL FIRE station exists for response to wildland fires in the State Responsibility Areas (SRA) in and around the area, not as a primary responder for a more suburban setting as might exist subsequent to the proposed project being constructed. The District is the Fire Authority Having Jurisdiction (FAHJ) for all other responses. The internal standards of the District require response from a Type 1 engine with Paramedic capability. This is the standard received throughout the district today, and will be the standard going forward. The Miller Fire Station does not meet these standards. The position of CAL FIRE has been that the use of Miller as the primary fire station would be an inappropriate use of their resources.

A3-4

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The County of San Diego has an agreement with CAL FIRE that keeps the Miller Fire Station open during the "off season" known as an "Amador Agreement". This agreement is between CAL FIRE and the County, and is separate from any requirements internal to the District. It does not change the mission, purpose or capabilities of the Station.

A3-7

Because the District is not able to find an acceptable option for the provision of service in compliance with the General Plan response time requirement, it was decided that should the County accept the use of the Miller Station as meeting the intent of the General Plan, the District would respond to the development under our own response time standards which would result in response times of 7 to 9 minutes within the project. This is reflected in the Fire Protection Plan dated June 6th 2014 beginning on page 30. This should not be interpreted as an endorsement of the use of the Miller Fire Station for the purpose of emergency travel time by the District, but rather a statement of the practical reality of how response to the project will work should it be approved.

A3-8

A3-9

Sincerely,

Chris Amestoy
Fire Chief
Deer Springs Fire Protection District

A3-4 The comment restates information contained in the FEIR, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

A3-5 The comment states that Miller Station is not a part of the District, receives no funding or control from the District, and is not capable of response compliant with the internal standards of the District. For this reason the District would require that a response from Miller be augmented by the District. In addition, CAL FIRE exists for response to wildland fires in the SRA and not as a primary responder for a more urban setting.

It is acknowledged that Miller Station is not a part of the District, receives no funding or control from the District, and may not have the same operating internal standards as the District. However, the Fire Chief responsible for the operations of both Miller Station and the District is the same CAL FIRE Unit Chief. Miller Station, currently operated by CAL FIRE, has operated within the District for many years, providing response to all types of emergency calls (Table 7 of the Capabilities Assessment, Table 6 of the FPP page 25, and Appendix K to the FPP.) See also Global Response: Fire and Medical Services.

A3-6 The comment states that the District has an internal standard of responding with a Type 1 engine with paramedic capability which Miller Station does not meet. In addition, the position of CAL FIRE has been that the use of Miller Station as the primary fire station would be an inappropriate use of their resources.

With respect to the feasibility of the four options, please see Global Response: Fire and Medical Services.

With respect to the comment that the District has an internal standard of responding with a Type 1 engine with paramedic capability, it should be noted that the response time standards of Policy S-6.4 is not based upon the internal standards of a particular fire district regarding the type of engine they deem appropriate to use. Policy S-6.4 is a county-wide standard that is applied universally for new development to demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1.

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	<p>A3-7 The comment states the County has an agreement with CAL FIRE that keeps the Miller Station open during the off season, known as an Amador Agreement. But that the District is not a party to this agreement and does not change CAL FIRE's mission.</p> <p>It is acknowledged that the District is not a party to the current Amador Agreement. Please see response to comment A3-6 above and the Global Response: Fire and Medical Services.</p> <p>A3-8 This comment states that should the County accept the use of the Miller Station as meeting the intent of the General Plan, the District would respond to development under its own response time standards of 7 to 9 minutes.</p> <p>Please refer to the Global Response: Fire and Medical Services for a thorough discussion regarding this topic.</p> <p>A3-9 The County acknowledges the opinion of the commentator. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.</p>
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