

LETTER

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<p>CHAPTER 3: ENVIRONMENTAL EFFECTS FOUND NOT TO BE SIGNIFICANT 33</p>	
<p><b>3.1.6 Recreation</b></p> <p>Because the Project is located within the Valley Center Parks and Recreation District boundaries, at recordation of the final map for phase three which includes the Irrevocable Offer to Dedicate a public park within the Lilac Hills Ranch project, it seems more reasonable for the applicant to dedicate all 13.5 acres of park land to The Valley Center Park &amp; Recreation Special District rather than the County Parks and Recreation Department. And, any funds that the HOA would make available for maintenance of that park should also be channeled through the Valley Center Parks &amp; Recreation District.</p> <p><b>3.1.7.2 Analysis of Project Impacts and Determination of Significance – Waste Water Treatment Systems</b></p> <p>The County has proposed four Sewer and Reclaimed Water Pipeline Routes in public and 'proposed' public rights of way. Three appear infeasible. The ROW is questionable and Significant Impacts and Mitigation were not identified for Alternative 4.</p> <p>A SIGNIFICANT UNMITIGATED IMPACT IS CAUSED BY THE PROJECT'S CONSTRUCTION OF SEWER AND RECYCLED WATER IN PUBLIC RIGHT OF WAY</p> <p>The County's statement below from Chapter 1, Introduction and Objectives page 1-26 is inaccurate in two areas:</p> <p><i>"As detailed in the Wastewater Alternatives Report, all sewer line alternatives would be located entirely within existing improved/graded roadways, within public right-of-way and/or VCMWD easements and there would be adequate spacing available within the existing trenches in each of those routes to fit all required sewer service lines. No new trenching outside the existing right of way would be required."</i></p> <p>This statement is inaccurate as follows:</p> <p>1). Only the Alternate 4 pipeline route potentially has legal right of way for construction. Alternates 1, 2, and 3 are infeasible because the Project factually does not have legal right of way to construct Sewer and Recycled Water Pipelines on route Alternates 1, 2, and 3.</p> <p>2). Even Alternate 4 has the need for pipeline improvements outside the existing right of way. The Project proposes running sewer and recycled water pipeline along a future County right of way grant for a currently non-existent Covey Lane Public Road.</p> <p>It is questionable whether the County is accurate in representing that Alternate 4 is feasible. Please refer to RDEIR Appendix S – Waste Water Management Alternatives- Figure 3-4 B Covey Lane Utility Cross Section. The pipeline route</p>	<p>C1e-109 The comment raises an issue that does not relate to any physical effect on the environment. Either the proposed project HOA-maintained park proposal, County Parks and Recreation or the Valley Center Parks and Recreation Department maintenance of the parks would result in adequate maintenance of parks. 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 Draft FEIR, no further response is required.</p> <p>C1e-110 We refer the commenter to subchapter 1.2.1.7 of the FEIR which describes the alternative routes for off-site wastewater transmission lines, in the event that an on-site wastewater treatment facility is not selected. Also the FEIR (subchapter 3.1.7.1.) described several alternatives for treatment of wastewater, both on and offsite as requested by VCMWD. The FEIR also includes alternative off-site routes for wastewater transmission lines. The project applicant would implement one of the options for wastewater treatment as approved by the VCMWD, which would include both on-site and off-site options. VCMWD has conceptually approved the Wastewater Management Report for Lilac Hills Ranch which provides additional information about all treatment options.</p> <p>The comment states that the County has failed to identify significant impacts and mitigation for "Alternative 4" which is one of the off-site options. This comment is referencing a fourth pipeline route added to the analysis of possible sewer and reclaimed water lines in response to comments received by the public, See Appendix S of the FEIR, Wastewater Management Alternatives Report. This fourth alternative utilizes private easements and IODs that benefit the project along Covey Lane and public road rights-of-way along West Lilac Road and Circle R Drive, in which the VCMWD has statutory rights under Public Utilities Code sections 12808 and 10101 to use any public right-of-way for the installation of water and sewer system improvements and facilities to reach the Lower Moosa Wastewater Treatment Facility. This alternative does not have any new impacts to undisturbed land because the pipeline would be located entirely within the existing public roadway. FEIR subchapters 1.2.1.7 and 3.1.7.2 has have been revised to clarify that additional alternative routes for sewer lines have been considered and analyzed.</p>

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	<p>C1e-110 (cont.)</p> <p>The comment states that a significant unmitigated impact is caused by the project's construction of sewer and recycled water in the public right of way. The comment states generally that there will be a significant unmitigated impact caused by the project's construction of sewer and recycled water in the public right of way but does not state what that impact will be or what it is related to. Therefore, no more specific response can be provided or is required. Refer to responses provided below for additional details.</p> <p>C1e-111</p> <p>The comment states that Wastewater Treatment Alternates 1, 2 and 3 are infeasible because the project does not have legal right-of-way to construct sewer and recycled water pipelines within any of those routes.</p> <p>Subchapter 3.1.7 of the FEIR and the Wastewater Alternative Study, (Appendix S), describe four alternative routes for wastewater transmission lines to connect to the Moosa Water Reclamation Facility. Each of these options follow improved existing roadways located entirely within either public right-of-way, IOD, or existing easements. In order for the project to utilize options 1, 2, and 3, additional rights may be needed. As a result, a fourth option was examined as described in response to comment C1e-11 above. Subchapter 1.2.1.7 and 3.1.7.1 was revised to describe the four options. Option 4 could be used for the installation of off-site pipelines connecting to the off-site Lower Moosa Treatment Plant; any of the options could be pursued at the request of the District. Locating the pipeline along a public road right of way is consistent with VCMWD Administrative Regulations Sec. 200.4 provides that under normal circumstances, sewer and water lines are to be located in a maintained roadway. However, VCMWD Administrative Regulations Sec. 200.3[d] provides that properties requiring an offsite line extension that do not have adequate easements to extend water lines may petition the VCMWD Board of Directors to initiate proceedings to acquire the easements through eminent domain. Ultimately it is in the discretion of the Board of Directors to decide whether to initiate proceedings to acquire the easements. California law also grants local public agencies the ability to impose conditions on private development requiring the construction of public improvements located within land not owned by the developer. (See Government Code Section 66462.5.) Therefore, options are feasible.</p>
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<p>depicted in the drawing does not have legal rights for sewer and recycled water for westerly access parcel across APN 129-010-81 beyond the westerly boundary of APN 129-010-69. Please discuss how legal access of this route is feasible.</p> <p>Also, please enumerate the legal basis of the right of the Project to run sewer and recycled water pipelines from the eastern boundary of APN 128-290-84 to the centerline of West Lilac as depicted in Figure 3-4 B Covey Lane Utility Cross Section.</p> <p>EVEN IF the County can demonstrate legal right of way to construct sewer and recycled water pipeline Alternate 4, there remain two unaddressed Significant Issues – Impact of Pipeline Construction, and Impact of total consumption of right of way.</p> <p><b>Impact of Pipeline Construction</b> - The construction of Alternate 4 will cause a Significant and Unmitigated Impact by disrupting traffic flows and limiting access of Emergency Responders on West Lilac Road, Covey Lane Private Road, (proposed) Covey Lane Public Road, and Circle R Drive for an extended period of time – likely to be months. Based on the current configuration of these roads, construction of these pipelines will create a Hazard for months.</p> <p><b>Impact of total consumption of right of way</b> - Pipeline Alternate 4 creates another Significant and Unmitigated Impact. The placement of sewer and recycled water pipeline effectively consumes the total right of way available on West Lilac Road and Circle R Drive Public Roads for much of the route to Lower Moosa Treatment facility. There is no remaining room for any future underground utility.</p> <p>The only effective mitigation for this Significant Impact would be acquisition of additional right of way by the Project or County.</p> <p><b>Include these Significant Impacts in RDEIR Chapter 2 and remove Waste Water Treatment Systems from Chapter 3.</b></p>		<p>C1e-112 cont. The comment states that Alternative 4 has the need for pipeline improvements outside the existing right of way over the IOD portion of Covey Lane. Please refer to Global Response: Easements (Covey Lane and Mountain Ridge Roads) with respect to Covey Lane and the ability for the County to accept an IOD granted for this segment of Covey Lane. See response to comment I51g-11. See also Global Response: Off-site Improvements – Environmental Analysis and Easement Summary Table.</p> <p>C1e-113 See Global Response: Easements (Covey Lane and Mountain Ridge Roads) and Off-site Improvements – Environmental Analysis and Easement Summary Table.</p> <p>C1e-114 The comment states that Alternative 4 will cause a significant and unmitigated impact by disrupting traffic flows and limiting access of emergency responders on West Lilac Road, Covey Land private Road (proposed) Covey Lane public road, and Circle R Drive for an extended period of time-months.</p> <p>Chapter 11 of the Traffic Impact Study (Appendix E), analyzed the potential traffic impacts associated with the project. Project construction was phased over a period of 8 to 10 years with Phase D plus construction traffic assumed as the worst case scenario. Table 11.1 displays the assumed construction related vehicle trip generation. As shown in Table 11.1 the worst case scenario (Phase D plus Construction) would generate a total of 13,473 daily trips. Project impacts for both Phase D and Phase E (project buildout) were discussed in Chapter 5 of the TIS. The TIS concluded that no additional (to Phase E) impacts associated with construction related traffic would occur to the study area roadway network.</p> <p>C1e-115 Water, recycled water, and wastewater pipelines shall be installed to all applicable local, state, and federal requirements including but not limited to VCMWD's specific requirements and the State Health Department requirements for pipeline separation. Access to public right-of-way by a public agency occurs on a first-come-first-serve basis. That being said, pipeline final design includes coordination with other underground facilities to avoid conflict during construction.</p>
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	<p>C1e-115 (cont.) The comment states that Alternative 4 would have a significant unmitigated impact because it would consume all of the right of way available on these roadways with no remaining room for others. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. 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 Draft FEIR, no further response is required.</p> <p>C1e-116 The comment expresses the opinions of the commentator only. 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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