Letter C1r

DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001 (GPA),PDS2012-3810-12-001 (SP)

Water Quality Standards and Related Requirements

We have reviewed the Specific Plan, DEIR and supporting technical studies for the proposed Accretive Lilac Hills Ranch 1746 Dwelling unit + 90,000 sq. ft. Commercial + School + Senior Congregate Care Facility, and have the following comments and questions regarding Water Quality impacts and mitigation measures. C1r-1

Water Quality Standards and Requirements

The DEIR concludes under **Issue 1: Water Quality Standards and Requirements** in Chapter 3.0 "Environmental Effects Found Not to be Significant" as follows:

"Through these design features, including the use of permeable pavers, the project would not result in the violation of any water quality standards or waste discharge requirements. Impacts associated with this issue would be **less than significant**."

We strongly disagree with this finding and conclude that there is **high likelihood of potentially significant and unmitigable impacts.** C1r-2

Offsite Pipeline Routes/Pipeline Right of Way

I have performed an analysis of the preferred route (Alternate 3) for the offsite sewer and recycled water pipelines. Accretive Investments **does not have legal** right-of-way easement rights to transport recycled water or sewer pipelines across the route depicted in Figure 3-4 *"Offsite Sewer Collection System."*

Please see attachment "A" hereto, a July 8, 2013 Valley Center Municipal Water District (VCMWD) to M. Jackson letter **confirming that VCMWD has inadequate legal easements** along the route analyzed (Alternate 3).

In light of this fundamental problem, further due diligence is necessary to determine first of all whether the project can actually be built and secondly whether it will be able to utilize even the most basic mitigation measures that would ordinarily be required.

The DEIR should answer the following questions:

1. What verifiable legal rights of way, if any, do VCMWD and Accretive have for any of the proposed sewer and recycled water transport routes indicated?
   Information Required – Please Geo locate on a map **all** of the easement documents across a map of Assessor Parcel Numbers tracing **all offsite** routes for sewer and recycled water pipelines identified in Figures 3-2 and 3-4.
2. If it is confirmed that VCMWD and/or Accretive do not have full legal right-of-way for the proposed pipelines, how does Accretive intend to acquire rights? Please note the VCMWD response in Attachment A with respect to the use of Eminent Domain. Also, there are no property owners that we are aware of who are willing to grant the needed easement rights. C1r-3

C

C1r-1 Introductory comment is acknowledged. Please see detailed responses below.

C1r-2 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. The FEIR is adequate and fully addresses the water quality impacts associated with the proposed project as discussed in subchapter 3.1.3 and the Hydromodification Management Plan (Appendix U3). The impact analysis and significance conclusions presented in the FEIR are based upon and supported by substantial evidence, including the technical analyses provided as appendices to the FEIR. The design for the current Implementing Tentative Map (TM) (and all future Implementing TMs) will conform to all current SUSMPs, and hydromodification and drainage attenuation requirements in the County of San Diego. These reports demonstrated that the proposed development has adequate mitigation facilities to address water quality, hydromodification, and 100-year peak runoff volume attenuation.

C1r-3 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. See Global: Easements (Covey Lane and Mountain Ridge Roads) included in the introduction to these responses to comments. The additional information requested for routes for sewer and water pipelines is outside the scope of the required analysis. The alternatives for off-site routes for sewer and water pipelines are identified in the Wastewater Management Report (Appendix S of the FEIR).

Where the project proposes to co-locate multiple utility lines, there are combined total of 40 feet in width of utility and road easements. As shown in Figures 3-4A through 3-4C of Appendix S of the FEIR there is adequate spacing for all utility pipes within the right-of-way.

3. Background – nearly all of the VCMWD easements cited by Landmark Engineering for the project are 20 foot easements. Question – How does Accretive propose to co-locate Sewer, Water, and Recycled Water pipelines within the 20 foot easement and comply with all codes and regulations?

C1r-3 cont.

Use of the existing Lower Moosa Water Reclamation Facility (LMWRF)

The study assesses potential use of the LMRWF for a series of alternatives that range from interim processing of all sewage during initial phases of the project, to installing a scalping plant on-site within the Lilac Hills Ranch Subdivision and transporting sludge to LMRWF for solids treatment.

The LMRWF entered operation service in 1974 and provides disinfected secondary treatment of reclaimed water only. Water treated to this standard can be applied to no other beneficial use other than percolation back into groundwater aquifers.

In 1996 the County of San Diego approved a Major Use Permit and the Regional Water Quality Control Board (RWQCB) approved a permit to double LMWRF capacity to 1.0 Million Gallons/Day (MGD) of influent. This capacity has not been added, nor to the best of our understanding have final permits from other Governmental Agencies been approved to implement this expansion.

C1r-4

Question 4). Please list all permits required by agency and agency contact information for all permits not currently granted to VCMWD that enable expansion of the LMWRF from 0.5 MGD to 1.0 MGD capacity. It appears in fact that expansion will not occur for a variety of reasons. Please explain.

If LMWRF were to be expanded, it is likely that State and Regional Agencies will require upgrading the entire LMWRF to Title 22 tertiary water treatment standards so that the recycled water could be beneficially used for specific limited uses. These uses would need to be compliant with Title 22 level water and could not further degrade the water quality of the San Luis Rey Basin 903 watershed, either for biological or Total Dissolved Solids (TDS) point or non-point sources.

The current capacity of LMRWF is 0.5 MGD of sewage influent treatment and is presently at 0.35 MGD average reclaimed secondary treated water.

The present ground water percolation pond capacity is 0.44 MGD.

The present capacity of LMWRF allows addition of a maximum of 450 Equivalent Dwelling Units (EDU's) until secondary percolation ponds are at full permit capacity. See Graph below:

C1r-5

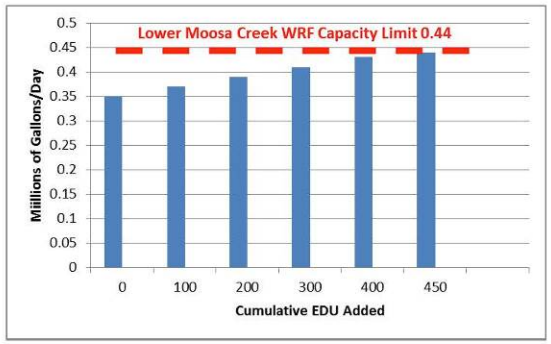
C1r-4 The Lower Moosa Water Reclamation Facility is approved to be expanded up to the facility's existing capacity of 1.0 MGD to provide service to its current service area independent of the project. VCMWD would resolve issues relating to this expansion, including upgrades to the plant for reclamation if needed. VCMWD will determine how to serve the proposed project. Multiple options for providing wastewater treatment, including on-site facilities, have been identified in subchapter 3.1.7 of the FEIR, some of which do not rely upon expansion of the Lower Moosa Water Reclamation Facility to its planned capacity. As discussed at FEIR subchapter 3.1.7.2 two options for wastewater treatment for the project would not require increased capacity for the Lower Moosa Water Reclamation Facility as such treatment would occur on-site.

The FEIR subchapter 3.1.7 was revised to match language of revised sewer study regarding project sewer service, and details of the possible use of the Lower Moosa Water Reclamation Facility. (Pages 4-1 through 4-15 of Appendix S to the FEIR).

It is acknowledged that all the permits and issues listed would need to be addressed by VCMWD to enable the expansion of the Lower Moosa Water Reclamation Facility, without the project. VCMWD is the appropriate agency to provide the permit list and contacts requested in this comment.

C1r-5 It is acknowledged that all the permits and issues listed would need to be addressed by VCMWD to enable the expansion of the Lower Moosa Water Reclamation Facility as a possible wastewater treatment option for the project. If these permits cannot be obtained to the satisfaction of the regulatory agencies then the project would proceed with one of the other methods for treatment and disposal of wastewater as directed by VCMWD. Any expansion at the Lower Moosa Water Reclamation Facility beyond its current capacity would include the addition of tertiary treatment facilities to allow for recycled water use as a means of effluent disposal. As discussed at FEIR subchapter 3.1.7.2 two options for wastewater treatment for the project would not require increased capacity for the Lower Moosa Water Reclamation Facility as such treatment would occur on-site.

VCMWD is the appropriate agency to provide the permit list and contacts requested in this comment.



C1r-5 cont.

Question 5): It is our understanding that the Regional Water Quality Control Board (RWQCB) may not allow an expansion to the current 0.44 MGD limit on the percolation ponds. Is this correct? In your response, please provide details of current Basin and Sub Basin capacity, present Surface and Groundwater Quality (detail of TDS by element, heavy metals, and biological organisms) for relevant Basins and Sub Basins. Please provide RWQCB's detailed analysis of concerns on any proposed expansion of the LMWRF percolation pond capacity for additional disposal of secondary disinfected recycled water beyond the current 0.44 MGD cap.

C1r-6

Question 6) Assuming the 0.44 MGD percolation pond limit, only 450 maximum EDU of influent can be added to LMWRF. Question: What is the current number of EDU's of outstanding applications for land development permits + EDU's from permits granted but not yet built from the existing LMWRF service area? For example Castle Creek Condos, Welk Resorts, and Champagne RV Park are current processing discretionary permits for the addition of 260 EDU within the current LMWRF service area. Please tabulate all other outstanding EDU's from pending discretionary permits and list the total. This analysis is also appropriate under the cumulative impacts section of the DEIR.

C1r-7

Question 7).What is the estimated schedule duration (in months) to obtain permits, design, construct, and operationally check out the upgraded capacity and water quality of LMWRF at 1.0 MGD with Title 22 tertiary treatment quality level for the entire LMWRF facilitiy? To be realistic, please include a range of durations with a 75% confidence level using a *"Risk +" (a standard Critical Path Method software package)* Monte Carlo simulation.

C1r-8

Question 8) Does VCMWD own enough real estate at the current LMWRF site to host 1.0 MGD and Title 22 tertiary treatment quality level capability? If not, can VCMWD obtain adequate land without use of Eminent Domain?

<u>The Maturity of Project Waste Water Treatment Design is at Concept Level at a time when it should be at Critical Design Review (review of point design with an assessment of related Environmental Impacts)</u>

C1r-9

C1r -6 The current RWQCB permit limit is 0.44 MGD. This limit pertains to the capacity of the percolation ponds. The future expansions of the plant will likely be tertiary treatment and disposal expansion beyond 0.44 MGD will not likely be percolation ponds so the percolation pond disposal limit is not applicable to expansion capacity. Expansion of the plant would be done by VCMWD. The RWQCB would provide comments, concerns, and guidance when they receive an application package and begin their process. Also, as discussed at FEIR subchapter 3.1.7.2 two options for wastewater treatment for the project would not require increased capacity for the Lower Moosa Water Reclamation Facility as such treatment would occur on-site.

C1r-7 The 1996 EIR includes a Preliminary Design Report for the LMWRF to expand to 1.0 mgd to accommodate the LMWRF service area. Expansion of the LMWRF service area will occur independent of the proposed project. Expansion above 0.44 mgd will require the addition of Title 22 tertiary treatment facilities to recycle wastewater flow greater than 0.44 mgd. Use of the LMWRF by the proposed project will be at the discretion of the VCMWD. As previously noted, should the Lower Moosa Water Reclamation Facility not have sufficient capacity, one of the other alternatives examined in FEIR subchapter 3.1.7 would be used to ensure wastewater treatment was available.

C1r-8 Depending on the type of project and the method of construction, it is likely that an upgrade would take between 24 and 36 months to complete under the purview of VCMWD, although it is speculative to provide a schedule given that no potential expansion project is defined and given uncertainties about regulatory processing matters.

The requested Monte Carlo simulation is not needed; sewer service can be provided. The project has a service availability form from the VCMWD (see FEIR Appendix R) and have analyzed on-site wastewater treatment options at FEIR subchapter 3.1.7.

C1r-9 The existing Lower Moosa Water Reclamation Facility site can accommodate approximately 1 MGD of tertiary treatment. Should VCMWD decide to expand the plant, they would determine if additional land is needed and whether eminent domain would be used. Also, as

Question 9+). Please refer to Attachment B – VCMWD and Accretive Investments Inc. Pre Development Agreement. Question: As of July 8, 2013 the VCMWD Board has approved this agreement. This agreement lists a set of phased steps that result in a point design solution for the Accretive Lilac Hills Ranch Water and Waste Water solutions. Has Accretive approved this agreement and what are the consequences under the agreement if Accretive does not have sufficient easement rights? What is the current status of the point design solution?

C1r-10

Required Beneficial Uses of Recycled Water within the Subdivision's Boundaries

It is a policy of the VCMWD for a Major Subdivision to beneficially use the treated recycled water from sewage legally and beneficially within the Subdivision boundaries to offset the use of imported potable water.

C1r-11

Question 10). To what specific Title 22 Standards will this Project's waste water be treated? "We will tell you at a later phase" is not an acceptable answer. Please answer the question directly and unambiguously, to allow Environmental Impact to be measured and feasible mitigation measures to be identified.

C1r-12

Question 11). What is the basis of the three set points in Table 5-1? Please identify these areas and geo-locate them on a map.

The proposed Project urban density of housing and commercial uses yields at most 104 acres that are identified as total non–developed land within the total 608 Project acreage. Of these 104 acres, some are in Clean Water Act Section 404 wetlands and seasonal stream beds. Table 5-1 below from the Waste Water Management Alternatives Study arbitrarily distributes 300 acre feet over three hypothetical cases: 99.9 acres, 85.7 acres, and 74.9 acres at rates of 3, 3.5, and 4 AFY/acre. There is no substantiation for these set points. Table 5-1 from Accretive's Waste Water Management of Alternatives Study is below:

TABLE 5-1
POTENTIAL ACREAGE TO BENEFIT FROM RECYCLED WATER

Irrigation Application Rates	Lilac Hills Ranch Acreage (based on 300 AFY)	Additional Acreage (based on 57 AFY)
at 3 feet per acre	99.9 acres	19.1 acres
at 3.5 feet per acre	85.7 acres	16.4 acres
at 4 feet per acre	74.9 acres	14.3 acres

For reference purposes, 3.25 AFY/acre is the average rainfall that Seattle, Washington receives on an annual basis. Normal rainfall for this area of San Diego is 1.25 AFY/acre. Added together, 4.5 AFY/acre is proposed as being reclaimed on fewer than 100 acres.

Is the project proposing growing rice on all land not covered in concrete (or permeable pavers)? Is the Project disposing of recycled water with point and non-point source additives into the Section 404 waters?

C1r-13

Question 12). Please Geo locate on a map specific uses for recycled water by use type and

C1r-14

C1r-9 (cont.)

discussed at FEIR subchapter 3.1.7.2 two options for wastewater treatment for the project would not require increased capacity for the Lower Moosa Water Reclamation Facility as such treatment would occur on-site. Further, design issues as raised by the commenter are speculative given that no potential Lower Moosa Water Reclamation Facility expansion project is presently defined or proposed.

C1r-10 The applicant has approved the agreement referenced by the commenter. The project applicant is working with the VCMWD to develop water and sewer plans for the project. These plans will be completed in accordance with the development needs. As previously noted, FEIR subchapters 1.2.1.7 and 3.1.7.2 have been revised to clarify that additional alternative routes for sewer lines have been considered and analyzed.

Please see Global Response: Easements (Covey Lane and Mountain Ridge Roads).

There are no present design plans for possible expansion of the Lower Moosa Water Reclamation Facility related to service of the project.

C1r-11 The project proposes to beneficially reuse recycled water on the project pursuant to requirements of the VCMWD.

C1r-12 The project proposes to use tertiary-treated effluent (Title 22) for reuse on the project site pursuant to requirements of the VCMWD.

C1r-13 Table 5-1 is an arithmetic illustration of how the area needed for application of reclaimed water changes depending on the rate of application. VCMWD would ultimately determine how much reclaimed water would be used within the project site and how much would be used elsewhere. We have proposed storage on-site for unused reclaimed water.

The recycled water application rates will be in accordance with the County of San Diego guidelines for the appropriate plant material. Turf requires 4 acre-feet per acre per year which is the high-end of the irrigation application scale and ornamental landscaping requires approximately 3 acre-feet per acre per year. The developed areas would include over 111 acres of open space such as parks, slopes, and common open space, all of which would be landscaped. The

annual recycled water usage volume the total of 300 AFY used on the entire 608 acre project. If agricultural uses are indicated, specify the crop and the monthly irrigation cycles. C1r-14 cont.

Question 13). Please Geo locate on a map specific uses for recycled water by use type and annual recycled water usage volume the total of 57 AFY used **offsite** from the project. If agricultural, park land, or other recreational uses are indicated, specify the use, the monthly irrigation cycles, and if applicable, the crop. Since this recycled water is property of VCMWD and not Accretive, please indicate whether this proposed offsite use is acceptable to VCMWD. C1r-15

Question 14). Effective Rainwater Harvesting on Residential Units relies on fastidious and universal maintenance of rain gutter debris. Please re-run a total of two sensitivity calculations as part of the Hydro Modification Analyses with a 50% hard failure of rainwater harvesting and storage on residential units due to lack of scheduled maintenance (352-176 = 176 EDU participating in rainwater harvesting and storage) and a second case of 100% hard failure of rainwater harvesting and storage on residential units due to lack of scheduled maintenance (0 EDU participating in rainwater harvesting and storage). C1r-16

Question 15). The Hydro Modification Study results assume 100% non-hardscape use of potential landscape areas of residential lots besides the house slab, diminutive patio and driveway. Please run two excursions of 15% and 30% conversion of "landscaped permeable residential landscape areas" to impermeable hardscape. There are a variety of likely real life scenarios that will generate this condition that include storage sheds, additional decking and walkways, etc. C1r-17

Question 16). Please cumulatively analyze the results of Questions 15 and 16 together. C1r-18

Reliance on Permeable Pavers in Streets Design and Construction

The Hydro Modification Plan states that the baseline state for analysis is to have 23 acres (1.002 Million square feet) of Private Roads paved with permeable pavers to permit this dense urban development 608 acre to percolate into the soils. This equates to nearly 4% of the total area of the Project covered with permeable paver surface on internal circulation roads.

The San Diego Consolidated Fire Code together with its reference to Acceptable Road Surfaces is contained in Attachment C. There is no specific mention of concrete pavers (either permeable or impermeable) being an acceptable road surface in the Consolidate Fire Code. However, there is a requirement that all road surfaces bear the weight of a 75,000 Fire Engine without road failure. C1r-19

Question 17) What specific permeable paver product was Accretive planning to use for this Project? On what other San Diego County projects has this material been used in similar (1 million sq. ft. or larger) roads designed to Public Road standards? Is the material acceptable to the Department of Public Works for Public Road Standard usage as well as being compliant with the Consolidated Fire Code?

Question18+). The notional usage of permeable pavers on streets designed to Public Standards depicts a 25 foot wide paved surface with 6 inches of aggregate in two courses with 24 inches of No. 2 Stone underlayment for a total of 30 inches of aggregate and rock base. The 23 acres of permeable paving equates to approximately 40,075 linear feet of 25 foot wide paved road surface. The requirement for 30 inches of Road Base equates to approximately 92,766 cubic yards of aggregate and stone. Is this calculation correct? The 92,766 cubic yards is over 2% of C1r-20

C1r-13 (cont.)

Specific Plan would guide development throughout the many years needed to construct the project. As such, the detailed information requested would not be available until detailed plans are developed in the future.

Recycled water use on the project will conform to all applicable state, federal, and local guidelines relating to possible discharges, if any, to Section 404 waters.

C1r-14 The comment does not raise a specific environmental issue within the meaning of CEQA. At this stage of the project, the level of detail requested by the commenter is normal for final planning and design of the project. As the project progresses, more specific information will be available.

C1r-15 The comment does not raise a specific environmental issue within the meaning of CEQA. At this stage of the project, the level of detail requested by the commenter is normal for final planning and design of the project. As the project progresses, more specific information will be available.

The recycled water irrigation needs of the project are anticipated to exceed the recycled water available.

C1r-16 As explained at subchapter 3.1.3 of the FEIR, rain water harvesting on residential units is proposed only as a supplement to use of three hydromodification mitigation ponds or detentions basins as the primary means to mitigate impacts for project-related storm water discharges. As presented in the Major SWMP for Lilac Hills Ranch – Implementing TM, Attachment I, the potential total rain barrel volume is 0.2 acre-feet, which is just a fraction of the capacity of the detention basins. If this alternative were utilized, the proposed rain barrels would not be a significant component of the required on-site detention facilities. The impact of a very small fractional decrease in storage volume offset would not have a high likelihood of potentially significant impact.

C1r-16 (cont.)
Furthermore, the rain barrels were not modeled into the hydro-modification analysis, thus, the calculations presented in the report essentially anticipated a 100 percent hard failure. This is a worst case analysis.

C1r-17 The comment expresses the opinion of the commenter. For the Implementing TM, the impervious areas projected for each lot included the conceptual house footprint, driveway, back patio, and associated walkways around the house. The hydromodification model assumed the typical two-story single-family home to have a 1,500-square-foot footprint and 500-square-foot impervious driveway, walkways, and patios. Today, the most common decking materials are either wood or composite planks, these planks typically have a space between them to allow runoff to drip to the soil underneath, thus, the decks are not impervious. The suggested scenario where every homeowner would build additional impervious areas covering 15 percent to 30 percent of their limited yard space is not a reasonable assumption. In recent years, the use of interlocking pavers as a landscaping element has proliferated in both older homes and new construction. It is far more likely that many of these new homeowners would elect to employ this landscape material for their walkways and patios thus further reducing the potential impervious area of each lot.

C1r-18 The comment does not raise a specific environmental issue within the meaning of CEQA. Please refer to response to comments C1r-15 and C1r-16 above.

C1r-19 The project design does not rely on permeable pavers in roadways. The current street design reflects the traditional asphalt concrete black tops. The permeable pavers were only discussed as a potential alternative to the traditional black top pavement. The Implementing TM SWMP, hydromodification, hydrology report, and Master TM hydrology report clearly state that these permeable pavers are not being proposed as part of this project. However, it must be clarified that the pavers are not designed to allow storm water to percolate into the soils. Per the typical paver sections presented in the above-mentioned reports, an impermeable liner is to be installed at the bottom of the subbase material with a perforated pipe sloped to drain to the closest storm drain.

C1r-19 (cont.)

The structural design of permeable interlocking concrete pavers (PICPs) is developed from the AASHTO's flexible pavement design method and is outlined in ASCE Standard 58-10: Structural Design of Interlocking Concrete Pavement for Municipal Streets and Roadways. Research studies have shown that the load distribution and failure modes of an interlocking concrete pavement (ICP) are similar to those of other flexible pavement systems (i.e. Asphalt). Load distribution and transfer of loads through the surface and base in PICP is similar to flexible pavement with consideration to the stress-dependent nature of the base/subbase aggregates. Therefore, PICP can be characterized as a flexible pavement system and 1993 AASHTO design methods can be applied to it using the applicable layer coefficients.

Pavers and the base material can be specified and installed to satisfy specific fire engine weight requirements.

As discussed, permeable pavers were only discussed as a potential alternative to the proposed traditional AC black tops. This project does not propose the employment of permeable pavers at this time.

the total project grading estimate of 4.000,000 cubic yards. The total project commits to no import or export of fill material. How is this possible? Will there be an on-site rock crushing plant with all of its Environmental Impact crushing on-site mined rock? What will be the air quality impacts associated with the delivery and application of these quantities of materials? C1r-20 cont.

Question 19). The Schematics in the Hydro modification Study did not display in the PDF file that the County posted on the web site. Please provide legible, readable copies of these important figures and extend the Public Review period for another 45 days after release of this information to compensate for this deficiency. C1r-21

Question 20). The County's Consultant uses the term Low Impact Development (LID) frequently in the Hydro Modification Study. How is this DENSE URBAN development in sensitive surface and ground water basins LOW IMPACT?

Overall, the ratio of impervious soil to undisturbed soils and natural drainage is grossly low. Using the unusually expensive technique of very large scale usage of permeable pavers, Accretive has put forward an unpersuasive and quite marginal "paper" argument that only appears to achieve ANALYTICAL COMPLIANCE.

Accretive's Hydro Modification Design relies on fastidious and grossly overly optimistic maintenance of rainwater harvesting and storage practices by residents as well as naive projections on residents' post construction expansion of hardscape footprints on residential lots.

As the requested sensitivity analyses will show, this project will have major significant Environmental impacts to surface and ground water quality and quantities. C1r-22

Storm Water Management Plans (SWMP)

Accretive's SWMP for the Tentative Master Map and Implementing Tentative Map contain conflicting information and are inconsistent with key values in the Hydro Modification Management Plan. C1r-23

Storm Water Management Plan for Master Tentative Map (entire 608 acre Project)

Questions 21 – 23) Please refer to Attachment D – Please answer each of the Questions on Storm Water Management Plan for Master Tentative Map (total Project).

Question 24). In addition to Questions 21-23, it should be noted that the level of detail contained in the Storm Water Management Plan for Master Tentative Map is grossly inadequate to measure Environmental Impact. Please provide a current, accurate and complete study that comprehensively provides an accurate and realistic Storm Water Management design for the entire 608 acre project and quantitatively analyzes compliance with all Storm water Management laws and regulations. This follow-up work is necessary because of the demonstrated incompleteness, inaccuracy and naïve assertions put forward to date by the applicant. Deferral of further due diligence would be tantamount to failing to identify very significant environment impacts. C1r-24

C1r-20 The base material required for pavement construction in general is not considered fill material, and was not included in conceptual grading calculations for this project. The import/export fill material only refers to soil (dirt). Like asphalt for the traditional street pavement and plywood for the house construction, the required base material would be imported from off-site supplies. All aspect of the proposed construction will be governed by all applicable environmental regulations.

As described in FEIR subchapter 1.2.1.10, a mobile, temporary rock-crushing machine would be used on-site, as needed, for periods of less than 30 days. FEIR subchapter 2.2.4 states that construction emissions are projected to exceed the applicable SLTs for PM_{10} and NO_X. Mitigation is provided in FEIR subchapter 2.2.5 for grading and construction air quality emissions. Mitigation measure M-AQ-4 specifically addresses rock crushing and requires that the following measure shall be implemented to reduce PM_{10} and $PM_{2.5}$ emissions levels during rock crushing days.

Any permit conditions for crushing equipment shall be followed. Material shall be pre-watered prior to loading into the crusher as required to comply with permit and opacity emission limits. The crusher's emissions opacity shall be monitored once every 30 days of operation and opacity limit of 20 percent as average over a six-minute period shall be maintained. Water shall be applied to crushed material to prevent dust plumes. Implementation of these mitigation measures would reduce construction-related emissions to below the SLTs. Therefore, direct construction emissions would be a less than significant impact to regional air quality.

C1r-21 The hydromodification exhibits are very large and require substantial time to download. These exhibits have been and still are available on the County's website. Additionally, printed copies of all the technical documents were available at the County P&DS office and local libraries in Fallbrook, Vista, and Valley Center.

C1r-22 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. According to the Environmental Protection Agency, "LID can be applied to new development, redevelopment, or as retrofits to existing development. LID has been adapted to a range of land uses from high density ultra-urban (DENSE URBAN) settings to low density development". Based on the Drainage Management Area analysis

C1r-22 (cont.)

presented in the Implementing and Master TM SWMPs, the proposed project conforms to the current County of San Diego Low Impact Development design standards as outlined in the current SUSMP.

As explained in subchapter 3.1.3 of the FEIR and the Hydromodification Management Plan (FEIR Appendix U3), the project's primary mitigation element for project-related storm water discharges is the installation and permanent maintenance of three hydromodification mitigation ponds or detention basins. The Hydromodification Management Plan, Storm Water Management Plan, and Preliminary Drainage Studies prepared for the project determined that the proposed detention basins alone will reduce the storm water runoff from the site to be at or less than the pre-development conditions.

Additionally, the project design is in compliance with the current National Pollution Discharge Elimination System permit and SUSMP requirements which will ensure that the project will not cause any additional negative hydrological or water quality impacts to downstream properties and facilities.

C1r-23 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. The Master TM divides the 608-acre property into 10 super lots leaving the existing agricultural operation on them undisturbed until such time as construction is proposed. The future dwelling units and improvements on these 10 lots will be approved by successive individual implementing TMs. With each of these successive Implementing TMs, a detailed, specific SWMP, which addresses the future mitigation requirements of the Implementing TMs, will be prepared. That is why the numbers between the Master TM SWMP and Implementing TM SWMP do not match. The first Implementing TM SWMP only addresses the development on the most northerly 114.9 acres of the site.

Please see response to comment AO-24, as well as response to comment C1r -24 below.

C1r-24 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. As explained in subchapter 3.1.3 of the FEIR and the Hydromodification Management Plan (FEIR Appendix U3), the project's primary mitigation element for project-related storm water discharges is the installation and permanent maintenance of three hydromodification mitigation ponds or detention basins. The Hydromodification Management Plan, Storm Water Management Plan and Preliminary Drainage Studies prepared for the project determined that the proposed detention basins alone will reduce the storm water runoff from the site to be at or less than the pre-development conditions. Additionally, the project design is in compliance with the current National Pollution Discharge Elimination System permit and SUSMP requirements which will ensure that the project will not cause any additional negative hydrological or water quality impacts to downstream properties and facilities.

The Master TM does not propose any dwelling units, commercial development, automotive repair shop, restaurants, hillside development, parking lots, or retail gasoline outlets. Hillside Development greater than 5,000 square feet should not be highlighted since the Master TM does not propose additional impervious area on-site. The only new pavement areas proposed with the Master TM is associated with the off-site road widening. The project site is not located in an Environmentally Sensitive Areas (ESAs) according to the County of San Diego SUSMP. As mentioned above, the Master TM simply subdivides the project into ten lots that will retain their existing agricultural operations.

For the Master TM, the estimated amount of on-site disturbed acreage is 504 acres – all the areas outside of the proposed biological open space is considered disturbed or potentially disturbed even though the actual grading footprint of the project is only 440 acres.

C1r-24 (cont.)

The total impervious area before construction was measured from available topographic survey and Google Earth images. It included all paved roads and streets, all dirt paths and dirt roads that are used for farm equipment access, all existing homes, buildings, green houses and other structures with visible roofs, and all brown areas immediately adjacent to roadways and agricultural lands that can be used for farm equipment and vehicle access and parking. The dirt paths and roads and other vehicular accessible areas are considered impervious because they are highly compacted by the heavy farm equipment and vehicle traffic.

No additional on-site pavement and structures are proposed for the Master TM. The total impervious area (including roof tops) after construction would be approximately the same (except for off-site road widening) as before construction since no on-site construction is proposed within the Master TM boundary. The off-site public road improvements would consist of the widening of existing roadways with additional rights-of-way and pavement. The additional pavement for the proposed off-site roadway improvements is approximately 1 acre; thus, the total impervious area after construction is 72 acres, 1 acre more than that prior to construction. Consequently, the percent impervious after construction would also be slightly more than that of the before construction.

Storm Water Management Plan for Implementing Tentative Map (First Phase 114.9 Acres and 352 EDU)

C1r-24 cont.

Questions 25 – 27) Please refer to Attachment E – Please answer each of the Questions on Storm Water Management Plan for Master Tentative Map (total Project). Also, please explain if the Applicant and/or the County consider this project a "Priority Project" under MS-4 Policy and what the reasons are.

C1r-25

Question 28). Please provide a current, accurate, and complete estimate of impervious surfaces that will be created by the full build out of the entire proposed 608 acre project by element: Roof tops, housing and commercial pads, impervious streets, parking lots, residential hardscape, commercial hardscape, etc. Please geo locate these areas on a Project Map.

Accretive cites General Plan Goal 5.2 – Conservation of Open Space – Minimize Impervious Surfaces as a rationale for impact reduction of their proposed project. The full text of Goal COS 5.2 is below:

COS-5.2 Minimizing Impervious Surfaces. Require development to minimize the use of impervious surfaces.

It is tortured logic to argue that taking greenfield agricultural and semi rural estate land and introducing a dense urban environment that develops 504 of the 608 acres, adding 83 acres of road and 68 acres of manufactured slopes is consistent with this policy.

On the contrary, it is inconsistent with this Goal. Please discuss this inconsistency

C1r-26

Summary

There are multiple and major questions that need to be addressed as a result of the deficiencies of the DEIR. It is respectfully submitted that the DEIR be revised and then re-noticed for public comment. Thereafter there can be an orderly and focused comment period leading up to the issuance of a final EIR.

C1r-27

There are simply too many changes and additions to be made to the existing document to try and "fix" the problems through responses to comments.

Attachment A – July 8, 2013 VCMWD to Jackson letter
Attachment B - VCMWD and Accretive Investments Inc. Pre-Development Agreement

Attachment C- San Diego County Consolidated Fire Code Acceptable Road Surfaces

Attachment D – Questions on Storm Water Management Plan for Master Tentative Map (total Project)

Attachment E – Questions on Storm Water Management Plan for Implementing Tentative Map (first phase – 114.9 acres/352 EDU)

C1r-28

C1r-25 See response to comment C1r-24 above relating to the hydromodification analysis and study for the project. Also, the Implementing TM does not propose any commercial areas, automotive repair shops, restaurants, parking lots, or retail gasoline outlets. The Implementing TM is not located in an Environmentally Sensitive Areas (ESAs) according to the County of San Diego SUSMP.

As presented in the Implementing TM SWMP, this project is a "priority project." However, all of the proposed on-site storm drain would be private; therefore, this project is not covered under MS-4 Policy (i.e., MS-4 only pertains to publically maintained storm drain). Total impervious area (including roof tops) before construction is 12.04 acres, in agreement with the HMP report for the Implementing TM project. Total impervious area (including roof tops) after construction would be 38.09 acres, in agreement with the HMP report for the Implementing TM project. According to the current County of San Diego SUSMP, the total required Intergraded Management Practices (IMP) area for this 38.09 acres impervious area is 1.52 acres.

The Implementing TM currently proposes a total of 3.55 acres of IMP. Much of the proposed IMP areas are temporary and located within later phases of the overall development. The future phases of the development would incorporate these IMPs into the overall design and analysis. Therefore, these IMPs could expand or contract or be relocated to facilitate the future requirements of the overall project.

The Implementing TM has adequate IMP capacity to handle any probable minor changes to the design and layout as the project evolves during final engineering. Calculated percent impervious before construction is 10.5 percent for the Implementing TM project. Calculated percent impervious after construction would be 33.1 percent for the Implementing TM project. This is a current, accurate and complete listing of intended land uses for the first phase – 114.9 acres/352 equivalent dwelling units (EDU).

Only residential development is proposed for this Implementing TM. For attached residential development, an "Oxygen Demanding Substance" is defined as a potential pollutant because landscaping is proposed on-site.

C1r-25 (cont.)

Oil and grease are not potential pollutants because there are no uncovered parking areas proposed; however, it is an anticipated pollutant for the detached residential development. Bacteria and viruses are potential pollutants; however, they are anticipated under the detached residential development category.

For streets, highways, and freeways, nutrients are a potential pollutant because landscaping is proposed along the parkways. It is also an anticipated pollutant under both of the detached and attached residential development as well as hillside development. Oxygen demanding substances, including solvents, is also an anticipated pollutant under both the detached residential and hillside developments. In summary, even though there are some potential pollutants under each individual category, the overlapping indicates that all the listed pollutants are anticipated for this project.

C1r-26 The current, accurate, and complete specific estimates of impervious surfaces were calculated only for the first 114.9 acres of the Implementing TM in the hydromodification report. The final build-out design for the project site is only at the conceptual planning stage; therefore, any specific estimation or calculation on the impervious areas at project buildout would not be current, accurate, and complete at this stage. Successive Implementing TMs would provide these accurate, complete numbers and required water quality measures would be incorporated into subsequent phases of the project consistent with applicable regulations.

The overall project (i.e., Master TM) proposes to conserve approximately 104 acres of natural land and 20.8 acres of agricultural land undisturbed. Further, project design elements include greenbelt buffer areas, agricultural buffer areas, other open space areas, and parks in addition to preserved natural open space. The project proposes all privately maintained roadways on-site conform to the current County of San Diego Private Road standards. These privately maintained roadways would have reduced pavement width to minimize impervious surfaces that satisfies the COS-5.2 requirement to minimize the use of impervious surfaces.

VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

July 8, 2013
(Revised from original letter dated July 2, 2013)

Mark Jackson
9550 Covey Lane
Escondido, CA 92026

Dear Mr. Jackson;

We enjoyed meeting with you on Friday, June 28, 2013 concerning the Lilac Hills Ranch Project. During our meeting, you asked a number of questions to which we have provided the answers as follows:

Question: "*The Developer has indicated his intent to run sewer force mains on three offsite routes for which I believe the District does not have easement rights to place sewer lines in. The information and my assessment are below.*

Route	APN's	Easement Doc.	Dimensions	VCMWD right
Covey Lane Parcels	128-290-76 and 128-290-77	1968-155521	20' Easement	Water Only

Route	APN's	Easement Doc.	Dimensions	VCMWD right
West Side of Mountain Ridge – SBDN boundary to Circle R	Various North approx. 1320'	1965-214916	20' Easement	Water Only
	Various South approx. 1260'	1965-206816	20' Easement	Water Only

Route	APN's	Easement Doc.	Dimensions	VCMWD right
East Side of Mountain Ridge – SBDN boundary to Circle R	Various North approx. 1320'	1992-0253368	20' Easement	Water and Sewer
	Various South approx. 1260'	1965-214912	20' Easement	Water Only

Am I correct?"

Answer: VCMWD 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.

29300 Valley Center Road • P.O. Box 67 • Valley Center, CA 92082
(760) 735-4500 • FAX (760) 749-6478 • TDD (760) 749-2665 • www.valleycenterwater.org • e-mail vcwater@valleycenterwater.org

C1r-26 (cont.)

The project proposes extensive park land, green belts, landscaped buffer strips along roadways to minimize interconnected impervious areas. The project at built-out would have a maximum overall development footprint approximately 484 acres - not 504 acres. As detailed in the attached GPAR, the project is consistent with the goals of COS-5.2 and the County of San Diego storm water management principles.

C1r-27 CEQA requires recirculation if significant new information is added to the document after public review, per the definitions of "significant new information" in Section 15088.5(a)(1) through (4). The County finds that the new information added to the FEIR regarding water quality does not meet the definitions of significant new information requiring recirculation. The FEIR water quality section has not been modified in a way that recirculation of the document is necessary.

C1r-28 The comment expresses the opinion of the commenter and does not raise a specific environmental issue within the meaning of CEQA. Each letter referenced in this comment is attached to the FEIR, with corresponding responses.

On the East side of Mountain Ridge private road, VCMWD lacks sewer easement rights for the southern approx. 1260 feet to connect to Circle R public road.

In order for Accretive to use these routes for sewer and/or recycled water routes, additional rights will need to be secured from existing property owners for the selected route.

Question: (Added for revised letter of 7/8/13) "*Since the Developer does not have easement rights for sewer on the Mountain Ridge route indicated in their Waste Water Management Alternative studies, does VCMWD have powers to acquire the rights via Eminent Domain?*"

Answer: (Added for revised letter of 7/8/13) VCMWD does have the Power of Eminent Domain and has used it on limited occasions for its own projects. California law does provide that at the governing board's discretion a public agency can acquire easements or property by eminent domain for facilities that the agency has required on behalf of private developers at the full expense of the developer. Using eminent domain to acquire property or easements has an intrinsically controversial nature which would certainly be amplified by the prospect of using the easement being acquired on behalf of a private interest. It is likely that the Board would require the developer to clearly document and demonstrate that it has made a significant effort to acquire the required easement through private means and/or that the developer has explored all reasonable alternatives or alternative routes before it would even entertain using its eminent domain powers to acquire these rights of way. ***Ultimately it is not mandatory for the Board to use its powers of eminent domain to acquire easements for private development interests.***

Question: "*What are the Pipeline horizontal separation requirements for placement of Potable Water, Recycled Water, and Sewer lines?*"

Answer: Typically, sewer must be separated by 10 feet from a potable water line. Sewer and Recycled Water must be separated from each other by 5 horizontal feet to allow access for pipeline maintenance and repair. Separation requirements for water/sewer lines may be decreased to 4-feet using special construction materials and placing the sewer line below the waterline. In extremely rare cases, the Department of Health may allow new sewer lines 1-foot from potable waterlines. However, due to operational and maintenance access needs, VCMWD would only allow less than 5-feet of separation between potable/non-potable lines if no other feasible alternative were available.

By using special construction materials and with special approval from the Department of Health Services, VCMWD understands that sewer and recycled water may be placed within the same trench using special construction materials and placement of the lines at different depths. VCMWD would review the separation of the non-potable lines in terms of access for pipeline maintenance and repair. Please refer to the attached

Figures 1 and 2 of the Department of Health Services Guidance Memo dated April 14, 2003 for more information.

Question: *"What is the wet weather recycled water retention on-site storage requirement?"*

Answer: Typically, 84 days of estimated average 24 hour recycled water generation storage is required. This can vary depending upon the ratio of irrigation area to recycled water produced. The final determination is made by the San Diego Regional Water Quality Control Board.

Question: *"I understand that VCMWD and Accretive have entered into a phased agreement that defines the steps to incrementally evaluate Water and Wastewater services. Could a copy be provided?"*

Answer: The agreement, which was approved by our Board, but yet unsigned by Accretive, is attached for your review.

Subsequent to our meeting on Friday, June 28, 2013, you posed additional questions via an e-mail sent later that day. Those questions and our responses are as follows:

Question: *"Did I understand you correctly that all recycled water (tertiary treated to Title 22 standards) generated by the Development must be used on-site for appropriate purposes (park and common area irrigation, agricultural irrigation, etc.)? Key concept being 'on-site'. Could Accretive sell the recycled water to Welk Resorts and Castle Creek Country Club for golf course irrigation? Or must they use the water within their 608 acre project?"*

Answer: The project will be required to provide secure, long-term suitable beneficial use areas for the recycled water to off-set potable use within the project limits. Typically these areas are properties that may utilize recycled water on a long-term basis in place of potable water such as parks, agricultural land, and landscaped areas. The beneficial use areas may be within or outside the limits of the project. Accretive may not sell recycled water; VCMWD will own all recycled water generated from the project and will own and operate the recycled water transmission and distribution systems. Prospective recycled water users include on-site parks, landscaping, and agricultural areas and off-site agricultural and landscaped areas fronting the recycled lines.

Question: *"Could you please provide contact information for the appropriate individual at the San Diego Regional Water Quality Board to discuss Lilac Hills Ranch water quality issues?"*

Answer: The RWQCB contact is as follows:

Fisayo Osibodu
WRC Engineer
Southern California Regional Water Quality Control Board
San Diego Region
(858) 637-5594

If you have additional questions or require additional information, please feel free to contact us at your earliest convenience.

Sincerely;

Dennis Williams,
Project Manager/Deputy Eng. Dept. Director

Attachments
(*Please see attachments sent with original letter dated July 2, 2013)*

PRE-DEVELOPEMENT AGREEMENT BETWEEN THE VALLEY CENTER MUNICIPAL WATER DISTRICT AND ACCRETIVE INVESTMENTS, INC.

This agreement is made and entered into as of _____ , 2013 by and between the VALLEY CENTER MUNICIPAL WATER DISTRICT (hereinafter referred to as the "VCMWD"), a public agency operating under the Municipal Water District Law of 1911, Water Code § 71000 et seq., and ACCRETIVE INVESTMENTS, INC. (hereinafter referred to as "Accretive"). VCMWD and Accretive are referred to collectively as "Parties". This agreement replaces the previous Pre-Development Agreement by and between the parties dated October 15, 2012.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

A. Accretive manages entities that either own or have options to purchase 608 acres of land within the jurisdictional boundaries of VCMWD described in Exhibit "A," which is attached hereto and by reference made a part hereof.

B. Accretive proposes to develop the land described in Exhibit "A" as a mixed use pedestrian oriented community entitled Lilac Hills Ranch Community ("Proposed Development"), as further described in Exhibit "B." Accretive intends to obtain VCMWD approval of the required planning, design and construction documents required to provide a water, wastewater and recycled water system to serve the Proposed Development. In addition to requiring various land use approvals from the County of San Diego, the Proposed Development requires a Water Supply Assessment and Verification Report and Waste Discharge Modifications related to the water, wastewater and recycled water system to be provided by VCMWD, which necessitate VCMWD staff review and approval by VCMWD's Board of Directors ("Board of Directors").

C. Accretive understands and agrees that the processing of the Proposed Development shall be subject to rules, regulations, ordinances, standards and specifications, as established by the Board of Directors of the Valley Center Municipal Water District with respect to those matters within its jurisdiction.

D. The Parties understand that this "Pre-Development Agreement" is meant to set forth a general understanding between the Parties as provided herein and further described in the attached Exhibit "C" – Conditions of Preliminary Conceptual Approval – Lilac Hills Ranch. These conditions will be subject to further refinement and clarification as more details are developed for each development phase.

E. The conditions for the review and approval of the water, wastewater and recycled water system that is directly needed to serve the Proposed Development (said system is referred to herein as the "Proposal") are generally as follows:

1. Accretive shall pay all costs and fees directly associated with the Proposal, including but not limited to reimbursing VCMWD for actual expenses incurred by VCMWD in processing the Proposal application, filing fees, staff time, and any changes in such processing / filing fee schedules approved by the Board of Directors in accordance with the law, that may occur during the processing of the Proposal by VCMWD. The Parties acknowledge that consultants and other professionals may be need in the processing and review of the Proposal and that the Parties will negotiate the costs and other related matters associated with consultants when and if required.

2. The Parties acknowledge that the Proposed Development is within the service area boundary of VCMWD. Further, VCMWD acknowledges that it has the authority to supply water, wastewater and recycled water service to the Proposed Development in accordance with its policies, and regulations adopted by the Board of Directors in accordance with and as allowed by state law. Accretive agrees to comply with such policies, and regulations.

3. VCMWD shall facilitate all aspects of the planning, environmental evaluation, design, and construction of any new or expanded facilities that may be needed to solely service the Proposal, in the manner proscribed in the various related polices, and regulations adopted by the Board of Directors in accordance with and as allowed by state law.

4. The Parties acknowledge that a facility plan for the Proposed Development along with other related documents and agreements may be required for the Proposal. The Parties agree to diligently cooperate in the preparation of such documents as needed for the Proposed Development.

5. Accretive agrees to coordinate with and assist VCMWD on all documents, studies, and plans for the Proposal, and other requirements related to said documents that may be imposed by or required by the State Department of Water Resources, Regional Water Quality Control Board, County of San Diego, San Diego County Water Authority, Metropolitan Water District or other agency having jurisdiction concerning the Proposal.

7. Accretive shall, at its own expense and with counsel selected by VCMWD and Accretive, fully defend, indemnify and hold harmless VCMWD, its officials, officers, employees and agents (collectively "Indemnified Parties") from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any kind, including attorneys' fees (collectively "Liabilities") arising out of or in any way related to this Agreement, the Water Supply Assessment and Verification Report, California Environmental Quality Act certifications or any other actions or matters related to the Proposed Development or the Proposal. Accretive' s indemnification obligation shall include, without limitation, actions to attack, review, set aside, void or annul any approval by VCMWD of this Agreement, the Water Supply Assessment, CEQA documents, or any other discretionary approvals, actions or matters related to the Proposed Development or the Proposal or in furtherance thereof. VCMWD shall promptly notify Accretive of any such claim, action or proceeding and shall cooperate fully in the defense of such claim, action or proceeding. In the event Accretive

determines it may not be in its best interest to proceed with the litigation or to preserve such approvals, VCMWD agrees to reasonably consider Accretive's concerns in determining whether to proceed with such legal action. Accretive hereby waives any potential claim it might otherwise assert against VCMWD for any suspension actions relating to the Water Supply Assessment and Verification Report, CEQA documents, or any actions or matters related thereto or in furtherance thereof made in good faith, resulting from the carrying out of this Indemnification Agreement. Accretive' s obligations under this Section shall not be limited or otherwise restricted or confined by the presence or absence of any policy of insurance or self-insurance held by VCMWD or Accretive.

F. Laws, Venue, and Attorneys' Fees. This agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this agreement, the action shall be brought in a state or federal court situated in the County of San Diego, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, as determined by the court.

NOW IN WITNESS WHEREOF, the parties have executed this agreement as of the date first written above.

VALLEY CENTER MUNICIPAL WATER DISTRCT

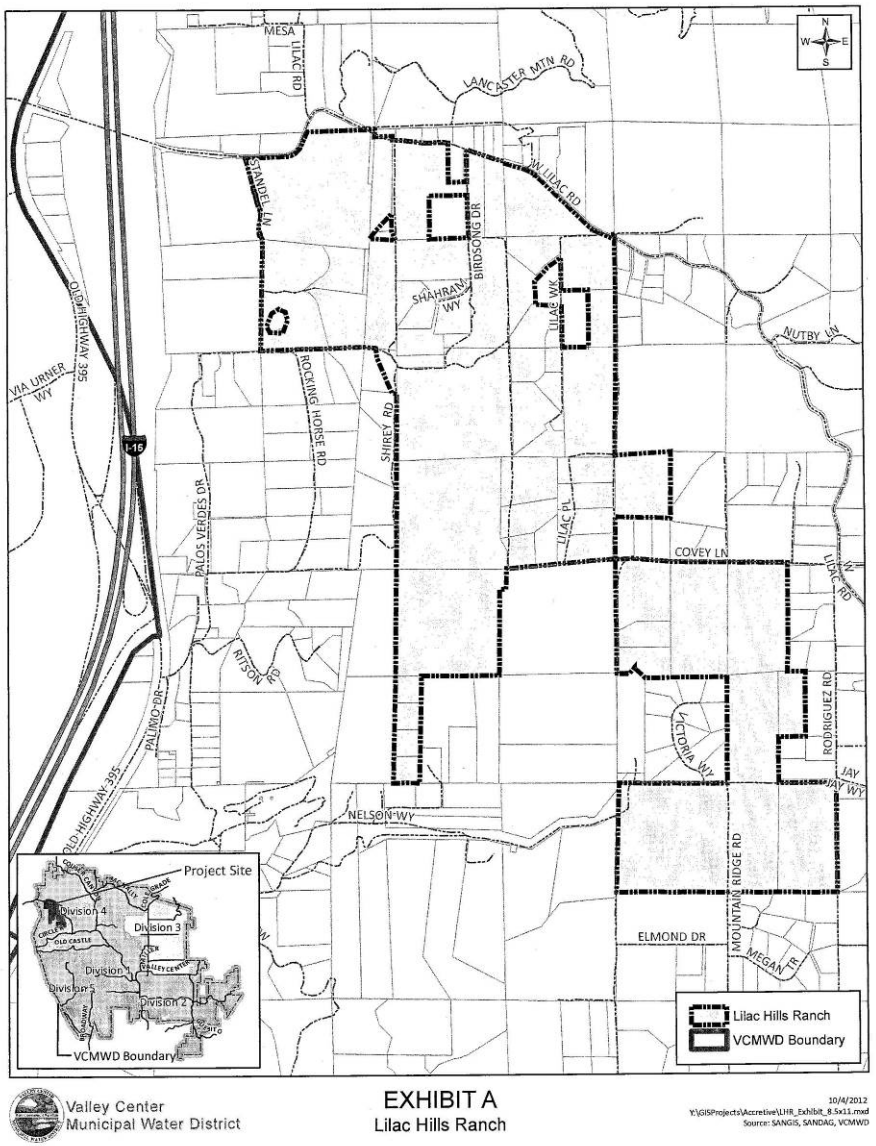
_____
Gary Arant, General Manager

ACCRETIVE INVESTMENTS, INC.

_____
R. Randy Goodson, CEO

LETTER

RESPONSE



Valley Center Municipal Water District

EXHIBIT A

Lilac Hills Ranch

10/4/2012
Y:\GISProjects\Accretive\LHR_Exhibit_8.5x11.mxd
Source: SANGIS, SANDAG, VCMWD

Exhibit A

Lilac Hills Ranch Assessor Parcel Numbers

No.	APN	No.	APN
1	127-072-20	31	128-290-72
2	127-072-14	32	128-290-07
3	127-072-38	33	128-290-51
4	127-072-46	34	128-290-09
5	127-072-47	35	128-290-10
6	127-072-41	36	128-290-11
7	127-072-40	37	128-290-58
8	128-440-01	38	128-290-54
9	128-280-42	39	128-290-59
10	128-280-46	40	128-290-60
11	128-440-21	41	128-290-61
12	128-440-20	42	128-290-55
13	128-440-17	43	128-290-56
14	128-440-18	44	128-290-57
15	128-440-19	45	128-290-75
16	128-440-03	46	129-010-62
17	128-440-22	47	129-010-76
18	128-440-14	48	129-010-75
19	128-440-15	49	129-010-73
20	128-440-06	50	129-010-74
21	128-440-05	51	129-010-69
22	128-440-23	52	129-010-70
23	128-440-02	53	129-010-71
24	128-280-27	54	129-010-72
25	128-280-10	55	129-010-68
26	128-280-37	56	129-011-15
27	128-290-74	57	129-011-16
28	128-290-69	58	129-300-09
29	128-290-70	59	129-300-10
30	128-290-71		

EXHIBIT "B"

Project Description

The Lilac Hills Ranch community (also referred herein as "Community") proposes the development of a 608-acre mixed use pedestrian oriented sustainable community within the unincorporated area of San Diego County designed to meet the environmental standards of the LEED 2009-ND or an equivalent program. A portion of the land is within the Bonsall Community Planning Area and a portion is within the Valley Center Community Planning Area as shown in Figure 1 - Regional Location Map. The proposed Specific Plan includes a residential component consisting of 1,746 dwelling units which equates to an overall density of 2.9 dwelling units per acre (du/ac) over the entire 608-acres. The planning areas with higher densities are located in the Village Center and in the Phase 3 Neighborhood Center. The Village Center and two smaller Neighborhood Centers also permit 75,000 square feet of retail commercial-mixed uses, and Phases 4 and 5 include a 172-acre Senior Citizen Neighborhood component which includes: market rate, age restricted residential housing (a total of 468 dwelling units included in the 1,746 dwelling units above), and Group Residential and Congregate Care living facilities (both non-residential dwelling units). The Community will retain and promote agriculture uses in the project's open space system. Existing agricultural uses in the biological open space will be allowed to continue, and some existing and new agricultural uses, both on an interim and permanent basis will also be permitted in certain other development areas. The Community also includes an active park system with a minimum of 12 public and private parks, public trails, and a school site. Also, proposed within the Community are a Recycling Facility; a wastewater treatment and reclamation facility; and other supporting infrastructure.

Discretionary approvals submitted concurrently with the Specific Plan include a General Plan Amendment, Rezone, two Tentative Maps (which include the Vacation of two Open Space easements), a Site Plan for the Implementing Tentative Map, and a Major Use Permit for the wastewater treatment and reclamation facility.

Residential Component: This Specific Plan proposes a residential community with a maximum of 1,746 homes as shown in Figure 9 - Proposed Community Plan Land Use Designations. All of the areas designated for single family detached residential development on the Valley Center Community Plan Map are included on 568.8-acres, and the Commercial-Mixed Use/Multi-Family uses are grouped on three separate parcels totaling 39.2-acres. The single family area is designated VR 2.5 and is zoned RU reflecting the density obtained by dividing the 1,400 single family lots by 568.8-acres. There are single family residential areas in each of the five project phases.

The Village Center and two smaller Neighborhood Centers (31.9-acres) allow commercial,

mixed use and multi-family uses (including a total of 346 dwelling units), and are designated Village Core-Mixed Use and zoned with the C34 (Commercial-Residential) Use Regulation as shown on Figure 11 - Proposed Zoning. The overall gross density of these three areas based on the proposed development plan is 8.8-units per acre (346 dwelling units divided by 39.2-acres).

Commercial and Mixed Use: The Community contains 3 diverse Neighborhood Assets which are comprised of a 30.8-acre mixed-use commercial Village Center, in the northern portion of the Community and, two Neighborhood Centers, which are activity nodes located in the central and southerly portions of the Community. They have been specifically located to meet the standard for "walkable communities" by locating essential neighborhood commercial services within one-half-mile of all of the residential uses.

School Site: An 11.2-acre school site is proposed within the Specific Plan project area that will serve the Community.

Recycling Facility (RF): A Recycling Facility will be provided on-site per Section 6970-b of the Zoning Ordinance. The purpose of this facility is to provide waste recycling for project residents. Per the county Zoning Ordinance (2341), a Site Plan is required for this use.

On-site Wastewater Treatment Plant and Reclamation Facility (WTPRF): A Major Use Permit has been processed concurrently with the Specific Plan to provide treatment of effluent generated within the Community area. Implementation of the Major Use Permit or alternative treatment options will be determined by the Valley Center Municipal Water District.

Other Facilities and Uses: Additional elements of the proposed Community include public community, neighborhood and pocket parks; multi-use trails; pathways, bike paths and bike lanes; active orchards and other agricultural uses; associated community facilities such as a private recreation facility, community center, information center, Country Inn, and supporting infrastructure; as well as permanent preservation of biological open space. A complete age restricted neighborhood for seniors and an Assisted Living Facility which includes both a Group Residential Care facility, and a Senior Center are included with single family residential uses.

The Community is located in an area of agricultural uses together with existing residential and commercial uses. The Community will be designed in accordance with the guidelines, set forth in this Specific Plan. Community design features include landscaping throughout the Community, screening of the WTPRF and RF and lighting restrictions.

The proposed Community includes utilization of existing water wells at the discretion of the VCMWD. The Community will construct on-site drainage facilities, including water quality treatment and hydromodification basins, to protect against sedimentation resulting from storm water runoff. The system includes Site Design, Source Control and Treatment, Best Management Practices, as well as Low Impact Development measures such as rain water harvesting for each

single family home. The Community will be developed to meet all applicable County Code requirements in regard to the provision of solar facilities.

Grading is expected to take place in a number of phases over a period of years. The Specific Plan text includes a phasing plan for the development of the Community's component parts which would be coordinated with the level of available services, including roads, water, wastewater, and park services.

Primary access to the Community will be provided via West Lilac Road, which connects to Old Highway 395 to the west of the Community. The proposed circulation plan for the Community includes both on-and off-site road improvements. Additional access will be provided via Covey Lane, Rodriguez Road and Mountain Ridge Road as described in Section III.

The Community is within the Valley Center Municipal Water District ("VCMWD"). Groundwater may be used as a secondary source of irrigation for orchards and common area landscaping during drier and hotter periods of the year when authorized by the VCMWD.

EXHIBIT "C"

CONDITIONS FOR PRELIMINARY CONCEPT APPROVAL – LILAC HILLS RANCH

The Lilac Hills Ranch Community a multi-phased - mixed use development consisting of 1,746 new units and 16 existing home sites which will remain as part of the community, as indicated in the attached Table 1 – Lilac Hills Ranch Community (the "Project"). A Master Tentative Map (TM No. 5571 RPL-1) covering the entire project has been prepared and submitted to the County for approval. Subsequent Implementing Tentative Maps and Final Maps will be prepared for each project phase for approval by the County. The project is presently processing the Master Tentative Map and the Implementing Tentative Map for the first (northernmost) phase of the project.

In addition to the new development, the Developer will provide facilities for water and wastewater service to six (6) "perimeter" parcels which are not a part of the Project but are within or adjacent to the Project Boundary. Assessor's parcel numbers for these "perimeter" parcels are provided in Table 2. The "perimeter" parcels currently receive water service from the District, but would be provided wastewater capacity by the Developer.

The combined area of the Project and the "perimeter" parcels is referred to as the LHR (Lilac Hills Ranch) Service Area and is summarized in Table 3.

The intent of this preliminary concept approval is to examine the major issues related to providing service to the Project and to provide direction for completion of the facility planning documents for each development phase, as designated in each subsequent Implementing Tentative Map. A more detailed evaluation and review of specific facilities proposed for the development will be provided once the facility planning documents, tentative maps and environmental review documents have been completed.

Two documents, one entitled "*Wastewater Management Alternatives for the Lilac Hills Ranch Community*" dated May 28, 2013 and the other "*Water Service for the Lilac Hills Ranch Community in the Valley Center Municipal Water District*" dated May 28, 2013, were prepared and submitted by Dexter Wilson Engineering, Inc. for District review. These documents describe the Project and the proposed water, wastewater and recycled water service requirements, design criteria and proposed offsite facilities needed to service the development.

Preliminary Terms and Conditions for Concept Approval – The following is a summary of the preliminary terms and conditions for concept approval for the development. These terms and conditions will provide the basis for amending the current preliminary development agreement with Accretive.

- **General Conditions**
    - All water, wastewater and recycled water facilities to be dedicated to the District for ownership and maintenance shall be designed and constructed in accordance with the District's operational requirements, standard specifications, policies and directives at no cost to the District.

- Preliminary design reports shall be submitted for the initial development phase and each following phase for further Board conceptual approval and preparation of District Facilities Agreements for the proposed improvements. Each preliminary design report shall include the remaining overall facility requirements and any modifications to the prior phasing plans.

- Developer shall maintain or relocate access to all existing District facilities with the Project, including but not limited to West Reservoir Site and existing pipelines.

- **Water Supply**

  - The Developer has prepared and obtained Board approval of a Water Supply Assessment and Verification Report for entire project (Table 1 - Lilac Hills Ranch Community).

  - The Project is served primarily from the District's Country Club Zone which lacks sufficient reservoir redundancy to the serve the project. The Developer shall construct sufficient redundant reservoir capacity within the zone to serve the Project as part of the initial development phase, at no cost to the District.

  - To provide the redundancy, several facility improvement alternatives located within the existing Country Club Reservoir and Old Country Club Reservoir sites are being evaluated, for selection and approval by District. Should an acceptable alternative for redundant capacity not be available within the existing reservoir sites, the Developer shall fund additional studies and environmental documents as necessary to evaluate additional offsite alternatives.

  - District will consider crediting an appropriate portion of the cost of providing the redundant reservoir system for the Project toward the Project's meter capacity charges.

  - A minor portion of the Project is served from the West Zone. A redundant supply from the Country Club zone via one or more pressure regulating stations shall be provided.

- **Water Distribution**

  - The Developers will be responsible for the design, construction and dedication to the District of all water distribution facilities required for domestic water service and fire protection for the project.

  - Any existing water transmission mains traversing the Project shall be protected in place, to the District's satisfaction, without adverse grading or improvements in the easement that would restrict access. If this cannot be accomplished, the main shall be relocated, at the Developer's expense, to roadways planned within the development.

- All water services for this development would have automatic remote real-time meter reading capabilities. The Developer shall provide additional data collection and communication facilities as may be required to automatically read the meters.
- Individual water service meters shall be provided for each single family and multi-family residential unit, including the individual units within a townhouse, condominium or apartment complex.

- **Wastewater Collection**
  - The wastewater collection system is proposed as a gravity system with multiple lift stations as determined by topography.
  - Collection system would be sized for full build out of the Lilac Hills Ranch Project in multiple phases.
  - The list of parcels for which the Developer shall provide capacity (i.e., wastewater service area) are provided in the attached tables. No areas outside the LHR Service Area would be served.
  - Wastewater service capacity to these parcels would be based on the properties current land use designations. One of the parcels is the existing Miller fire station on the south side of West Lilac Road.
  - The Developer shall be responsible for the cost of facilities required to provide these parcels with wastewater capacity, including, but not limited to treatment capacity, capacity in the gravity collection system, and a connection to the gravity collection system.
  - The Developer shall provide supporting documentation (e.g., agreement) to the District which memorializes the arrangement between the Developer and the parcel owner as to the party responsible for the improvements needed within the individual parcel to abandon the existing septic system, pursuit of County permits for the onsite work, and payment of connection and application fees for service from the District.
  - Additionally, the Developer shall provide supporting documentation that the parcel has agreed to accept wastewater service and the resulting monthly wastewater water service charges from the District. The property owners shall process the normal applications for wastewater service with the District to become District customers.
  -

- **Wastewater Treatment Capacity**
  - The LHR Service Area is not currently within the service area of the District's Lower Moosa Canyon Water Reclamation Facility (Moosa) Service Area. The District does not currently have wastewater capacity to serve the LHR Service Area. Capacity for the LHR Service Area shall be designed and constructed by the Developer, at no cost to the District.

- Wastewater capacity for the LHR Service Area would be constructed in multiple phases, acceptable to the District, as required to meet the build-out needs of the service area.
- Wastewater Expansion Phases for the LHR Service Area shall be constructed, in conjunction with service requirements for the Moosa Service Area, within the existing Moosa site up to its maximum site capacity, not to exceed 1.0 mgd as set forth in the 1996 MUP Modification.
- Once maximum site capacity at Moosa is reached, additional capacity as required for the balance of the Moosa Service Area and the LHR Service Area would be provided by construction of one or more expansion phases at a satellite water reclamation facility site located within the Project, with the solids (waste activated sludge) pumped to Moosa for processing.
- Available permanent capacity at Moosa for the LHR Service Area shall be limited to the excess Moosa site capacity above that needed for the current Moosa Service Area.
- With the initial phase of development, property within the Project of sufficient acreage to construct a water reclamation facility for the full capacity requirements of the LHR Service Area shall be dedicated to the District.
- The Developer shall fund preparation of a Waste Discharge Report, and other studies as required, to modify the District's Waste Discharge Permit for the Lower Moosa Canyon WRF and future satellite WRF to include the capacity required for the LHR Service Area.
- The Developer shall fund preparation of feasibility studies and funding applications as needed to obtain State and/or Federal funding for water reclamation facilities to serve the expanded Moosa Service, including the LHR Service Area, which would directly or indirectly benefit the Project.

- **Recycled Water Facilities**
  - The Developer shall prepare a recycled water study identifying the facilities needed to distribute and utilize the recycled water generated by the Project
  - The study shall include transmission main, seasonal and operational storage, beneficial use, and retrofit requirements needed for the full build out of Project.
  - With the initial phase of development, seasonal and operational storage site(s), acceptable to the District, of sufficient size and configuration to accommodate the proposed development shall be dedicated to the District.
- **Beneficial Reuse Areas**
  - The Developer shall identify and provide permanent irrigation areas sufficient for the beneficial use of the treated effluent generated by the proposed project.

- The Developer shall utilize recycled water within the proposed project, to the greatest extent possible, for all appropriate irrigation purposes in lieu of imported potable water.
- Recycled water shall not be used within the single family lots.
- One entity shall be established for the purpose of receiving and applying the recycled water in accordance with all recycled water regulations
- If the irrigation areas within the project are not sufficient to utilize all the recycled water generated by the project, the Developer shall provide a plan, acceptable to the District that demonstrates how the balance of the recycled water will be put to beneficial use on a permanent basis and how the facilities and sites, if required, needed to implement the plan would be funded.

- **Funding Provisions**
  - All facilities and sites required for the Project shall be provided by the developers at no cost to the District.
  - At the Developer(s) expense, the District will assist, as appropriate, in acquiring any State and Federal funding that may be available to finance or fund the required improvements.
  - The reclamation studies prepared for funding applications shall include the available and planned treated effluent from the Moosa Service area for submittal to the Bureau of Reclamation for Title XVI funding and the State Water Resources Control Board for SRF funding.

TABLE 1

LILAC HILLS RANCH COMMUNITY

Land Use	Planning Areas	Net	Dwelling Units/Square Feet (SF)	Zoning
Single-Family Detached	SFD 1-8	165.4	903	RU
Single-Family Detached - Senior Citizen Community (Age-Restricted Units)	SFS 1-6	75.9	468	RU
Single-Family Attached	SFA 1-3	7.9	164	C34
Group Residential/Care	GR	6.5	N/A	RU
Commercial and Mixed-Use	C1-5	14.1	161/ 130,000 sf	C34
Country Inn	C1	1.2	50	C34
Senior Center	P11	3.3	N/A	RU
K-8 School Site	S	12.0	N/A	RU
Institutional Use	I	10.7	N/A	RU
Public Park	P10	12.0	N/A	RU
Private Parks	P 1-9 and within the Senior Citizen Neighborhood P-12 – 15	11.8	N/A	RU
Private Recreation	PR	2.0	N/A	C34
Biological Open Space	OS	102.7	N/A	RU
Common Areas and Manufactured Slopes	--	18.8	N/A	RU
Roads	--	75.2	N/A	RU
Water Reclamation Facility	WR	83.3	N/A	RU
Recycling Facility/Trail	RF	2.4	N/A	RU
Detention Basins	DB	0.6	N/A	C34
SUBTOTAL		**608**	**1,746**	

Existing Dwelling Units to Remain

APN	Address	Acreage	EDU	Zoning
128-280-27	9151 W. Lilac Rd.	-	1	SR-4
128-290-07	9153 W. Lilac Rd.	-	1	SR-4
128-440-02	32444 Birdsong Dr	-	1	SR-4
128-290-74	32236 Shirey Rd.	-	1	SR-10
128-280-42	9007 West Lilac Road	-	1	SR-4
128-290-69	9419 West Lilac Road	-	1	SR-4
128-440-14	9553 Lilac Walk	-	1	SR-4
128-440-06	9383 West Lilac Road	-	1	SR-4
128-280-37	9307 West Lilac Road	-	1	SR-4
128-440-05	9381 West Lilac Road	-	1	SR-4
128-440-22	9435 West Lilac Road	-	1	SR-4
128-280-10	9167 West Lilac Road	-	1	SR-4
127-072-38	8709 West Lilac Road	-	1	SR-10
128-290-09	9431 West Lilac Road	-	1	SR-4
129-010-68	9883 West Lilac Road	-	1	SR-4
129-300-09	00000 Rodriguez Road	-	1	SR-4
SUBTOTAL EXISTING HOMESITES	-	-	16	
TOTAL	-	**608**	**1,762**	

SR-4 is 1 unit per 4 acres, SR-10 is 1 units per 10 acres

TABLE 2

EXISTING PARCELS WITHIN PROJECT PERIMETER

APN	Owner	Acreage	EDU	Zoning
128-440-07	Sheffer	3.27	1	SR-4
128-440-11	Mariscal	5.00	1	SR-4
128-280-56	Salm	5.57	1	SR-4
128-280-28	State of California – CALFIRE	1.90	4	Public
128-280-43	Hernandez	0.56	1	SR-4
128-280-44	Gomez	0.76	1	SR-4
TOTAL	-	**17.06**	**9**	-

SR-4 is 1 unit per 4 acres

TABLE 3

LILAC HILLS RANCH SERVICE AREA

Grouping	Acreage	EDUs
Lilac Hills Ranch Community		
New Development	-	1,746
Existing Homesites to Remain	-	16
Subtotal	608	1,762
Perimeter Parcels	17.06	9
TOTAL	**625.06**	**1,771**

From Page 27 of 73 COUNTY OF SAN DIEGO 2011 CONSOLIDATED FIRE CODE 4th Edition

Sec. 503.2.3.1 Surfacing materials. The minimum surfacing materials required for fire apparatus access roads shall vary with the slope of the roadway as follows:

0-10% Slope	4" Decomposed Granite
11-15% Slope	2" Asphaltic Concrete
16-20% Slope	3" Asphaltic Concrete

The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual. A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided that slopes over 15% have a deep broom finish perpendicular to the direction of travel to enhance traction.

Sec. 503.2.3 Surface. Fire apparatus access road shall be designed and maintained to support the imposed loads of fire apparatus (not less than 75,000 lbs. unless authorized by the FAHJ) and shall be provided with an approved paved surface so as to provide all-weather driving capabilities. The paving and sub-base shall be installed to the standards specified in Section I-M of the County of San Diego Off-street Parking Design Manual. A residential driveway constructed of 3½" Portland cement concrete may be installed on any slope up to 20% provided that slopes over 15% have a deep broom finish perpendicular to the direction of travel or other approvel surface to enhance traction.

Reference: Page 12 of County of San Diego Off-street Parking Design Manual (June 1985)

12 M. PAVING THICKNESS SCHEDULE AND DETAILS.

Except for zones subject to the Agricultural Use Regulations, and the S-87 Use Regulations, all parking spaces, loading spaces and driveways serving them shall be hard surfaced with a minimum of 1.5" of hot or cold mixed bituminous surfacing or 3.5" of portland cement concrete; provided, however, that parking spaces and driveways accessory to one-family and two-family dwellings need not be surfaced with a more durable type of surfacing than that which exists on the street which provides access to the lot or building site upon which such dwelling is located. Required surfacing shall be placed on a suitably prepared base. Within the desert areas of the North Mountain, Mountain Empire and Desert Subregional Plan areas, 4 inches of decomposed granite or suitable alternate material may be approved by the Director of Planning in lieu of more durable paving on residential driveways.

REQUIRED THICKNESS OF A/C AND SUBBASE*			
Existing Soil Classifications	Residential General Parking for Autos Serving Not More Than 4 Spaces	Multi-Family Commercial Store Frontage Parking	Commercial Heavy Duty Truck Loading and Parking
GOOD TO EXCELLENT BASE Decomposed granite, well graded sands and gravels which retain load supporting capacity when wet.	2" A/C on existing soil	3" A/C on existing soil	3" A/C on 5" aggregate base or 4" A/C on aggregate base or 5" A/C on existing soil
MEDIUM BASE Silty sands and sand gravels containing moderate amounts of clay and fine silt. Retains moderate amount of firmness under adverse moisture conditions.	2" A/C on 6" of decomposed granite base or 3" A/C on 3" aggregate base or 4" on existing soil	3" A/C on 5" aggregate bare or 4" A/C on 3" aggregate base or 5" on existing soil	3" A/C on 7" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil
POOR BASE Soils having appreciable amounts of clay and fine silt. Soils become quite soft and plastic when wet.	3" A/C on 5.5" aggregate base or 5" A/C on existing soil	3" A/C on 8" aggregate base or 4" A/C on 5.5" aggregate base or 6" A/C on existing soil	3" A/C on 12" aggregate base or 4" A/C on 10.5" aggregate base or 8" A/C on existing soil

*This paving thickness design for A/C paving shall be used unless a pavement design by a registered civil engineer

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 1 of 3

Question 21 –Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment E - Storm Water Management Plan for Implementing Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan.

STEP 1

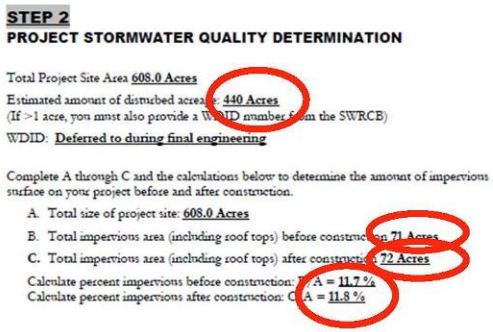
PRIORITY DEVELOPMENT PROJECT DETERMINATION

TABLE 1: IS THE PROJECT IN ANY OF THESE CATEGORIES?

Yes ☐	No ☒	A	**Housing subdivisions of 10 or more dwelling units.** Examples: single-family homes, multi-family homes, condominiums, and apartments.
Yes ☐	No ☒	B	**Commercial—greater than one acre.** Any development other than heavy industry or residential. Examples: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.
Yes ☐	No ☒	C	**Heavy industry—greater than one acre.** Examples: manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).
Yes ☐	No ☒	D	**Automotive repair shops.** A facility categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539.
Yes ☐	No ☒	E	**Restaurants.** Any facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirements and hydromodification requirements.
Yes ☐	No ☒	F	**Hillside development greater than 5,000 square feet.** Any development that creates 5,000 square feet of impervious surface and is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.
Yes ☐	No ☒	G	**Environmentally Sensitive Areas (ESAs).** All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
Yes ☐	No ☒	H	**Parking lots 5,000 square feet or more** or with 15 or more parking spaces and potentially exposed to urban runoff.
Yes ☒	No ☐	I	**Street, roads, highways, and freeways.** Any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.
Yes ☐	No ☒	J	**Retail Gasoline Outlets (RGOs)** that are: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 2 of 3

Question 22 –Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment E - Storm Water Management Plan for Implementing Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan



STEP 2

PROJECT STORMWATER QUALITY DETERMINATION

Total Project Site Area 608.0 Acres

Estimated amount of disturbed area: 440 Acres

(If >1 acre, you must also provide a WDID number from the SWRCB)

WDID: Deferred to during final engineering

Complete A through C and the calculations below to determine the amount of impervious surface on your project before and after construction.

A. Total size of project site: 608.0 Acres

B. Total impervious area (including roof tops) before construction: 71 Acres

C. Total impervious area (including roof tops) after construction: 72 Acres

Calculate percent impervious before construction: B ÷ A = 11.7 %

Calculate percent impervious after construction: C ÷ A = 11.8 %

Attachment D – Storm Water Management Plan for Master Tentative Map (total 608 Acre Project) – Page 3 of 3

Question 23 – a) Is this a current, accurate and complete listing of intended land uses for the entire 608 acre Project? b). Please Geo locate these land uses on a map and indicate their relative footprint in acreage for residential and square footage for commercial. c) Expand and comprehensively explain each of the "potential" footnotes with data.

TABLE 6: ANTICIPATED AND POTENTIAL POLLUTANTS GENERATED BY LAND USE TYPE

	General Pollutant Categories								
PDP Categories	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash & Debris	Oxygen Demanding Substances	Oil & Grease	Bacteria & Viruses	Pesticides
Detached Residential Development	X	X			X	X	X	X	X
Attached Residential Development	X	X			X	P(1)	P(2)	P	X
Commercial Development 1 acre or greater	P(1)	P(1)		P(2)	X	P(5)	X	P(3)	P(5)
Heavy industry /industrial development	X		X	X	X	X	X		
Automotive Repair Shops			X	X(4)(5)	X		X		
Restaurants					X	X	X	X	
Hillside Development >5,000 ft²	X	X			X	X	X		X
Parking Lots	P(1)	P(1)	X		X	P(1)	X		P(1)
Retail Gasoline Outlets			X	X	X	X	X		
Streets, Highways & Freeways	X	P(1)	X	X(4)	X	P(5)	X		

X = anticipated
P = potential
(1) A potential pollutant if landscaping exists on-site.
(2) A potential pollutant if the project includes uncovered parking areas.
(3) A potential pollutant if land use involves food or animal waste products.
(4) Including petroleum hydrocarbons.
(5) Including solvents.

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 1 of 3

Question 25 – Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment D - Storm Water Management Plan for Master Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan

STEP 1

PRIORITY DEVELOPMENT PROJECT DETERMINATION

TABLE 1: IS THE PROJECT IN ANY OF THESE CATEGORIES?

Yes	No		
☒	☐	A	**Housing subdivisions of 10 or more dwelling units.** Examples: single-family homes, multi-family homes, condominiums, and apartments.
☐	☒	B	**Commercial—greater than one acre.** Any development other than heavy industry or residential. Examples: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.
☐	☒	C	**Heavy industry—greater than one acre.** Examples: manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).
☐	☒	D	**Automotive repair shops.** A facility categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539.
☐	☒	E	**Restaurants.** Any facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirements and hydromodification requirements.
☒	☐	F	**Hillside development greater than 5,000 square feet.** Any development that creates 5,000 square feet of impervious surface and is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.
☐	☒	G	**Environmentally Sensitive Areas (ESAs).** All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
☐	☐	H	**Parking lots 5,000 square feet or more** or with 15 or more parking spaces and potentially exposed to urban runoff.
☒	☐	I	**Street, roads, highways, and freeways.** Any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.
☐	☐	J	**Retail Gasoline Outlets (RGOs)** that are: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 2 of 3

Question 26 – Justify each of your answers for each of the indicated areas (red circles), in light of contradictory information in Attachment D - Storm Water Management Plan for Master Tentative Map and Table 6 on Page 3 of 3 in this Attachment, and the Hydro Modification Management Plan

STEP 2
PROJECT STORMWATER QUALITY DETERMINATION

Total Project Site Area 114.9 Acres

Estimated amount of disturbed acreage: 112.3 Acres
(If >1 acre, you must also provide a WDID number from the SWRCB)

WDID: Deferred to during final engineering

Complete A through C and the calculations below to determine the amount of impervious surface on your project before and after construction.

A. Total size of project site: 114.9 Acres

B. Total impervious area (including roof tops) before construction: 11.6 Acres

C. Total impervious area (including roof tops) after construction: 28.3 Acres

Calculate percent impervious before construction: C/A = 10.1%

Calculate percent impervious after construction: C/A = 24.6%

From Hydro Modification Impervious Area after Construction:

EDU	Basin/Sub Basin	Acreage
282	903/100	11.65
38	903/200	1.57
32	903/300	1.32
Sub total Added impervious		14.54
Existing impervious		11.60
Total		26.14

Attachment E – Storm Water Management Plan for Implementing Tentative Map (114.9 Acre/352 EDU First Phase) – Page 3 of 3

Question 27 – a) Is this a current, accurate and complete listing of intended land uses for the first phase – 114.9 acre/352 EDU ? b). Please Geo locate these land uses on a map and indicate their relative footprint in acreage for residential and square footage for commercial. c) Expand and comprehensively explain each of the "potential" footnotes with data.

TABLE 6: ANTICIPATED AND POTENTIAL POLLUTANTS GENERATED BY LAND USE TYPE

	General Pollutant Categories								
PDP Categories	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash & Debris	Oxygen Demanding Substances	Oil & Grease	Bacteria & Viruses	Pesticides
Detached Residential Development	X	X			X	X	X	X	X
Attached Residential Development	X	X			X	P(1)	P(2)	P	X
Commercial Development 1 acre or greater	P(1)	P(1)		P(2)	X	P(5)	X	P(3)	P(5)
Heavy industry /industrial development	X		X	X	X	X	X		
Automotive Repair Shops			X	X(4,5)	X		X		
Restaurants					X	X	X	X	
Hillside Development >5,000 ft²	X	X			X	X	X		X
Parking Lots	P(1)	P(1)	X		X	P(1)	X		P(1)
Retail Gasoline Outlets			X	X	X	X	X		
Streets, Highways & Freeways	X	P(1)	X	X(4)	X	P(5)	X		

X = anticipated
P = potential
(1) A potential pollutant if landscaping exists on-site.
(2) A potential pollutant if the project includes uncovered parking areas.
(3) A potential pollutant if land use involves food or animal waste products.
(4) Including petroleum hydrocarbons.
(5) Including solvents.