

COMMENTS

RESPONSES

Ehsan, Beth

From: Colin Black <Colin.Black@kratosdefense.com>
Sent: Monday, June 15, 2015 12:58 PM
To: Cox, Greg; Jacob, Dianne; Roberts, Dave; Ron-Roberts; Horn, Bill; Sibbet, David; Ehsan, Beth; Loy, Maggie A; Blackson, Kristin; Wardlaw, Mark
Cc: douglas.dill@att.net; bruce.bettyliska@gmail.com; Fitzpatrick, Lisa; efhgtc@gmail.com
Subject: Valiano Draft EIR
Signed By: colin.black@kratosdefense.com

Dear Ms. Ehsan:

First, I want to thank you and your colleagues at Planning and Development Services for all the time and work you've put into reviewing the Valiano project. It really means a great deal to our community and appreciate that you are giving it the due diligence it deserves. My name is Colin Black and I've lived on Elfin Forest Road, in Elfin Forest for a year now. We were attracted to this area due to its tranquility

As you know, the project, as proposed, threatens to destroy the wonderful community we are part of and that has existed, undisturbed for over 125 years. It is a unique and special place in San Diego County, the last of its kind west of the 15, I'm afraid. I am taking the opportunity to provide my comments on the Draft EIR for this project in the hopes that the developer will seek to follow the vision of the General Plan and that of the Community.

The following are my major concerns with the project:

- General Plan Update: In the 2000s, the County staff and many members of our community (upwards of 60+ over many many meetings) collaborated on the General Plan Update and it was decided that our community should take "our share of density" to accommodate the growth that SD County would experience over the next 20 years. This is where the Community Development Model was implemented where our share of this density would form part of a denser village and then the density would feather outwards away from the village limit line, in order to protect the rural nature and the values of our community. We agreed with this compromise. This project violates that compromise and it violates the Community Development Model as it creates higher density outside the village core after the "feathering out" has occurred. This is significant.
Harmony Grove Village: Then came New Urban West proposing a massive development. We worked with them over several years to come up with a project that fits in with the Community Development Model and our community plan previously elaborated with County Staff. It fulfilled our obligation to accept our fair share of density and growth in San Diego County. We played fair because that is who we are. We are not NIMBYS who reject any and all application. HGV is a clear example of that. AND, it maintained the Community Development model by keeping density in "the village" and feathering out with lower density the further you get away from the village. In fact, the lots to the north of HGV right next to Valiano's proposed area, are large lots (some as big as 10-20 acres), as are virtually every surrounding property to Valiano. The majority of the properties are 1 acre or more. So Valiano violates the word AND the spirit of our community plan and the compromise we made by clustering houses closely together in very high density clusters. To approve this increase in density would be a slap in the

AD-1 Thank you for your introductory comments. This comment indicates that the Project would threaten to destroy the community (character); please note that the EIR analysis does not come to the same conclusion. Your hope for the developer to follow the vision of the General Plan is hereby included as part of the record and made available to the decision makers prior to a final decision on the proposed Project.

AD-2 Thank you for your participation in the General Plan Update process. The comment is correct that the Proposed Project would increase density compared to the existing General Plan designation. A General Plan may be modified if appropriate engineering, design and environmental review are completed, appropriate findings can be made, and the Board of Supervisors approves a General Plan Amendment (GPA). During deliberations on the Project, the Board of Supervisors will consider whether or not to approve a GPA. The Project as proposed would not move forward if the GPA is not approved. See Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis and Responses I-3 and I-4 regarding the Project consistency with the Community Development Model.

AD-3 The Harmony Grove Village project was found to be consistent with the Community Development Model when it was approved. The HGV lots that immediately abut the Project site range from 0.63 to 1.94 acres in size, and do not include the 10 to 20 acre lot sizes mentioned in the comment. See Response K-11b regarding lot sizes along Country Club Drive north of Mt. Whitney Drive that are under 1 acre. Along Mt. Whitney Road immediately north of proposed Neighborhood 5, each of the 10 abutting lots also is less than an acre. Other lots of less than 1 acre are located along Hill Valley Drive, Surrey Lane, Eden Valley Lane and

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AD-3  
cont.

Calico Lane. The lots outside Harmony Grove Village in the Eden Valley and Harmony Grove valleys generally range from 0.33 to 1.0 acre in size (with some lots being much larger). Denser residential subdivisions east of Country Club Drive in the City of Escondido are much smaller; with up to approximately eight houses an acre. Even without Harmony Grove Village, which does provide denser village uses, there is a wide variety of lot sizing within the Project viewshed. See Response AD-2 of this letter regarding the importance of a GPA. See Response U-2a regarding the clustered, or consolidated, nature of the development and the related blocks of open space that result.

The County appreciates the effort that citizens put into community plan updates. The voices of community members are extremely important as they are knowledgeable of the community and experience life on a daily basis within the community. California law, however, allows private property owners to propose uses of their property that vary from projections in an existing plan in a discretionary application. The decision-maker must consider the proposal with appropriate findings, engineering, design and environmental review. If there are unmitigated impacts, CEQA requires that the project must also have overriding benefits for the community.

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- AD-3 cont. face to the community and, frankly, would destroy any trust our community (and many others) have in our County administration.
- AD-4
- **NC17:** This property had already received an up zone from SR2 to SR1. Then they came back in front of the BOS to ask for yet another up zone to SR0.5. This time, the BOS denied them for the reasons mentioned above: it violates the CDM, this community has already accepted its fair share and it violates the spirit of the agreement we made with county during the general plan process. Now, they are trying a third time to get an up zone. Nothing has changed on the ground since it was rejected the last time. The same logic applies and BOS should not approve this up zone for the same reasons as before.
  - **Community Plan:** Our community plan calls for a rural community with rural zoning and rural environment. The applicant claims it is a semi-rural development and claim to have rural themes. If houses tightly clustered together, with 1000 foot walls, 20 feet high, manufactured slopes, street lights, fencing and gates and cul-de-sacs can be defined as rural, I think they are looking at the wrong dictionary. Please, look “rural” up in the dictionary. Valiano is not it. For me, rural means open space, quiet and peaceful road and pleasant views of Barns and livestock. Valiano is none of these things. Not only is this a significant impact but it is an existential impact: our community would be destroyed if Orange County-style developments like Valiano are squeezed into our little bucolic valley.
  - **Septic:** Our community plan calls for septic, not sewage treatment plants (again, not rural). This is inconsistent.
- In addition, am very concerned about the impacts that this project will have on my safety and those of my community.
- AD-7
- From the DEIR it is clear that they have not taken into account the most recent fire, Cocos Fire. There are few ways in and out of Elfin forest and this can only service to add to the traffic loads. The DEIR states most fires come from the East, when the last few fires, including Cocos came from the West.
- AD-8
- The 326 houses proposed will make evacuation a very difficult proposition. The DEIR does not show how evacuation will proceed during a wildfire event. The only egress, Country Club Road, will be at LOS F (according to the DEIR) and evacuation on this two lane road will be hazardous and create a fire trap. On the other end of the valley, San Elijo Road (which is a 4 lane road emptying into a 6 lane road) had people sitting in their cars for over an hour as flames were visible overhead on Double Peak. Had the fire not changed direction towards Harmony Grove as they did, you would have had a tragedy on your hands. Country Club is only a 2 lane road with LOS F. It is facing evacuation traffic from 742 houses at HGV, 325 houses at Valiano in addition to the trailers for upwards of 180 horses in Eden Valley.
- AD-9
- The Fire Protection Plan (FPP) makes no mention of evacuating horse trailers and how that would impact evacuation. Please address this. We have twice as many horses in Eden Valley than we have houses. Trailers are slow, hard to maneuver, big and, importantly very hard to load animals on to. There is only one way out of that valley: Country Club Road towards Autopark way. If the fire comes west, like it did during Cocos there will be a massive traffic jam (LOS F means bumper to bumper traffic in non-evacuation circumstances) that could doom residents to a death trap. This is significant and not mitigated.
- AD-10
- The response times from San Marcos Fire District would be 7.5 minutes (above the 5 minutes standard). The DEIR assumes mutual aid from a fire station that hasn't been funded (at HGV) so that fire station

AD-4 The Board of Supervisor’s vote on the NC-17 PSR is not a CEQA issue; however, it should be noted that the vote taken by the Board on January 10, 2012 was on whether or not County staff and funds should be used to consider upzoning this area. The vote taken in 2012 does not affect the ability of the property owner to propose a privately funded GPA, nor the Board’s ability to approve the GPA. See Responses I-3 and I-4 regarding the Community Development Model.

AD-5 As requested by the commenter, Merriam-Webster defines “urban” as “of, or relating to a city” and “rural” as “of, or relating to the country, country people or life, or agriculture.” See Responses G-4, G-6, G-7, I-7, I-8 and U-2a for information on elements of the Project that make it semi-rural, and the County’s definition of “rural,” as well as Response K-110 for General Plan Guiding Principle 2. Response U-2a also includes information relative to your concerns regarding street lights, cul-de-sacs, and the clustered, or consolidated, footprint of the Project.

The comment regarding the “1000 foot walls” is not clear. There was no wall of that length in the Project at the time of DEIR circulation. As shown on EIR Figure 1-33, the longest retaining wall would be 523 feet in length and would be sited behind homes on four contiguous lots. The comment may combine that wall with walls to the east and west (18 and 6 feet in height, respectively). Each of those walls would be shielded from off-viewers because they would be vertical downslope elements for viewers from the west and behind (taller) residential development and landscaping from viewers to the east.

The reference may also refer to the privacy and community walls/fences (see EIR Figure 1-29b) where there is a potential for the lot boundaries to be of that length, but a combination of fencing and walls. These privacy and community markers have a specified height of 5 feet, and a mix of marker types available (see VIA Figure 11a-1), together with the closely correlated existing and/or proposed landscape screening depicted as perimeter buffer on VIA Figures 13a through 13e and EIR Figures 1-24, 1-25, and 1-26a through 26c and 2.1-6, however, combine to result in those features ultimately not being highly visible (if at all) and substantially minimizes visual effects related to those features.

In response to a previous comment, there was a change to the Project description to include several areas with fire prevention wall features. Stand-alone fire walls would be no higher than 6-feet and would be fire-rated with fire-retardant capabilities (i.e. water dispersal). The original plans showed two retaining walls of about 1000 feet in length proposed at the eastern extent of the northern most portion of the Project, along Neighborhood 4. In this area, a fire wall is now proposed in response to comments received on the EIR. The visual effect of the wall would be very similar to that addressed for previously analyzed retaining walls in

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cont.

this location, which now would be incorporated into a single wall feature that would provide both retaining and fire-blocking elements. It would be the same heights as the previously analyzed two retaining walls (6 to 8 feet) and would be blended to accommodate a short length of additional wall, also 6 feet in height. Previously identified significant visual impacts associated with those walls, which also would occur with the extension associated with double duty as a fire wall, would be addressed through M-AE-2, a mitigation measure requiring staining, texturing and coloring to reduce wall visibility to less than significant levels. A 436-foot long wall in Neighborhood 5 would be set back 3 feet from the western property line west of Lot 237 (mid-point) southerly to the southwest corner of Lot 241. In addition to the screening proposed for the 3-foot set-back, the Harmony Grove Village site plan assumed some landscaping along its northeastern boundary in this area. Additional fire wall locations and lengths are detailed in EIR Subsection 2.1.2.1, Retaining Walls and Fire Walls.

Other than the combination retaining wall/fire wall and Neighborhood 5 fire wall discussed above in this paragraph, other fire walls would generally be located well within screening landscaping. As noted above, all fire walls without retaining wall elements would be a maximum of 6 feet in height. These EIR changes do not require recirculation under CEQA because they do not result in important new information changing significance findings.

As previously discussed in the EIR, the manufactured slopes are largely located interior to the Project (would often be obscured by other intervening visual elements), and would have maximum gradients of 2:1, which can be easily planted. The tallest slope would be located at the western extents of the Project (VIA Figure 23b and EIR Figure 1-32). These slopes would be surmounted by grove area or existing scrub. The landscape figures noted above show enhanced hillside planting for the largest two of these areas as part, and other visual screening, such as coloration of freshly broken rock so that it blends with the surrounding natural soil color, was also required Mitigation Measure M-AE-1. These features would result in the slopes either not being visible or blending with adjacent natural slopes post-landscaping maturity.

As previously discussed in the EIR, three-rail equestrian fencing would be incorporated into the Project along trailways, and other fencing would be similar to residential properties' privacy fencing, as well as being largely obscured through buffering landscaping described above in this comment. Gates are not proposed as part of the Project. Cul-de-sacs, as ground level street elements, are not expected to be visible from most off-site locations; and are not expected to draw the eye as a primary view element in any case.

The writer's definition of an "Orange County-style development" is not specified. Nonetheless, although it is acknowledged that the Proposed Project would result in an increase in density on the parcels being built upon, as demonstrated throughout the Project VIA and EIR, Project

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AD-5 cont.	development would not be highly visible from public off-site viewpoints, would largely be screened by buffering landscaping and/or attenuated by distance from the viewer, and incorporates a number of elements that reference the Eden Valley setting, as described above. The Project, like the valley, incorporates a variety of lot sizes, home sizes and landscaping styles; as well as containing parcel uses that variously embrace and exclude the ability to maintain large animals such as horses to support the valley community values. See Response AB-4 regarding retention of open space.
AD-6	See Responses G-3 and G-7 for discussion of the EFHGCP's direction regarding septic. The comment states that a sewage treatment plant is not rural. As discussed in Subchapter 2.1, roadside landscaping would shield potential views to the WTWRf structures. Any views to the facility through the roadside and facility landscaping would appear similar to agribusiness uses historically or currently in the vicinity (ponds, tanks, equipment sheds, barns, etc.). As discussed in Subchapter 2.2, the odor control design for the facility would be such that no substantial offensive odors would be detected by nearby residences or other sensitive receptors. In addition, Subchapter 4.5 of the EIR included an Off-site and Combined On-/Off-site Sewer Options Alternative with options that could remove the need for an on-site WTWRf.
AD-7	The FPP has been updated to more carefully address scenarios such as the Cocos Fire, which experienced south to southwest prevailing winds in hot dry weather conditions in high load, dry climate shrub and other non-native fuels (e.g., avocado orchards). It was found that while some of the technical information about the Cocos Fire was missing or incorrect, the fire modeling and analysis was correct and the changes made to the EIR do not require recirculation under CEQA because they do not result in important new information. See Topical Response: Fire/Evacuations and Response K-59.
AD-8	The comment raises fire safety issues with evacuation. This comment is addressed in Topical Response: Fire/Evacuations. The CEQA analysis found in Subsection 2.9.2.6 and in the FPP demonstrate that the wildland fire impact is less than significant with the Project Design Features contained in the EIR and FPP. Residents, both existing and future, would be safe and in compliance with County Regulations.
AD-9	See Topical Response: Fire/Evacuations.
AD-10	SMFD has mutual aid and automatic aid agreements with surrounding fire departments and agencies would support fire emergency services for Valiano. Also, the new station at Harmony Grove Village will be an additional fire station in the immediate area of Valiano to assist SMFD and support emergencies for the Project and to support and assist the CSA 107 with emergency services. See Response K-199 for the response

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AD-10 cont. cannot be used in the analysis. They are offering to pay into that fire station, but not Escondido Fire which will likely be the first responder. This is significant.

AD-11

- Additionally, they are increasing our risks by asking for (and have already received) a variance on road width on Hill Valley because they don't have easements to widen it. It is not wide enough for two fire trucks to pass side by side. SMFD gives them the variance, but other FD will likely respond (and deal with the safety consequences). **This puts us at more risk as firetrucks will have reduction of access to Hill Valley Road.**

AD-12

- They are assuming existing home owners will be responsible for Fuel Modification Zones, an encumbrance to those landowners.

AD-13

- Lastly, the FPP focuses exclusively on the impacts to *the project* but no reference to how it will jeopardize the wellbeing and safety of existing community.

**Traffic will increase**

AD-14

- No analysis was made of the traffic heading West towards Elfin Forest Road. We know, from observation, that the traffic flow is more than 6% as stated in the DEIR. There is also a bottle neck at San Elijo Road.

AD-15

- The intersection of Country Club and Autopark Way (the main ingress and egress of the project) is already majorly congested and I have to wait for almost 15 minutes at peak time already to get onto the main roads from Elfin Forest road . Even now, without HGV built out, we sometimes have to wait two light cycles just to turn left onto Auto Park Way. What's going to happen when all the houses from HGV and Valiano go in? This is an unacceptable, unmitigated impact.

AD-16

- Furthermore, when the Sprinter comes by every 30 minutes (and soon, it will come every 15 minutes, according to NCT) it becomes even more congested. This impact is significant and unmitigated properly in the plan.

AD-17

- Citracado Parkway has not been funded yet and there is no indication as to when it might come online. The traffic study doesn't reflect that correctly.

AD-18

- The sight lines at the intersection of Mt. Whitney and Country Club as well as those at Hill Valley and Country Club do not meet county standards.

**We have a barn and multiple horses right next to elfin forest road...**

AD-19

The applicant's attempt at incorporating a small number of equestrian lots to somehow check the box on rural and equestrian fails on a number of levels.

- First, there aren't enough equestrian lots. We are an equestrian community and outnumbering equestrian houses with non-equestrian houses will tip the balance against horse-keeping and more towards suburban living.

AD-20

- Shoe-horning horses and stalls onto 1/3 acre lots along with a two story house and garage makes it less likely that the property will be used for horse-keeping. There is barely enough space for a horse to be kept humanely.

AD-10 cont. to this comment regarding fire response time from the Harmony Grove Village fire station and Escondido. The temporary fire station is now in place and staffed with full-time paid firefighters.

AD-11 The Project would improve private roads to meet the County's Private Road Standards, with the exception noted in Response E-6. For the short distance (approximately 185 – 195 feet) where there would be an exception for Hill Valley Drive to be 20 feet in width, the SMFPD has verified that the fire apparatus would be able to pass and there would be appropriate fire access to the Project area. Hill Valley Drive would be improved to private road standards (24 feet paved width) if the right of way or easement becomes available for use or purchase; it would then be used as a day-to-day access and not only for emergency purposes. Improvements for Hill Valley Drive as an alternative access road are listed in Subsection 2.8.2.10 of the EIR.

AD-12 Section 4.7 has been added to the FPP to provide enhanced mitigation and thereby not require easements from adjacent properties to meet fuel modification requirements. This comment is no longer applicable.

AD-13 See Response I-59 for how the proposed fire protection measures would benefit the whole neighborhood.

AD-14 The comment questions the analysis of traffic heading west towards Elfin Forest Road. This is discussed in Response K-165. In addition, per County of San Diego Report Format & Content Requirements for Transportation and Traffic, only locations receiving 25 directional peak hour trips or more are included in the traffic analysis. Since the Project adds fewer than 25 trips to Harmony Grove Road/Elfin Forest Road west of Country Club Drive, the traffic analysis further to the west was not warranted.

AD-15 The EIR conclusion is that the significant traffic impact at Country Club Drive and Auto Park Way is unmitigated. However, the Project includes mitigation to address the significant impact, including a new measure proposed that reduces the impact to pre-Project conditions. See Response E-12 regarding proposed improvements to Country Club Drive and the intersection with Auto Park Way and Response K-167 regarding the analysis and mitigation of that intersection.

AD-16 The EIR has been modified to specifically address the SPRINTER operations. However, there was no significant change to the previously circulated analysis. See Response I-61 regarding impacts of the SPRINTER.

AD-17 The Project TIA correctly assumes that Citracado Parkway is not constructed in the near-term baseline condition since it was not fully funded. The TIA also includes a long-term 2035 analysis where the Citracado Parkway extension is fully included.

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- AD-18 Sight lines meeting County stopping distance standards would be provided at both the Mount Whitney Road and Hill Valley Drive intersections.
- AD-19 Although there is no guarantee that owners of any property (on or off the Project) would own horses, the Proposed Project has been designed to be an equestrian-friendly community. As stated in the EIR, a Project objective is to “design a community that embraces and preserves the equestrian nature of the surrounding area and provides amenities for the equestrian community.” A total of 49 lots would be able to accommodate large animals such as horses. Many of these lots would line outer edges of the Project, such as on Country Club Drive and Eden Valley Lane, where their location adjacent to off-site horse lots would continue these uses onto the Project. The incorporation of equestrian elements near the Neighborhood Park in Neighborhood 5 would continue existing views to equestrian-oriented uses on the Project adjacent to the most frequently travelled road in the Project vicinity, Country Club Drive. Similarly, the public multi-use trail that would be used by both Project and community equestrians alike would line the outer edges of part of the Project as well as winding throughout the community. It also would be visible from off site and would indicate that the Project is an equestrian-friendly community. The equestrian-friendly design described above would support the existing equestrian community and the Project would not tip the balance against horse keeping.
- AD-20 The Project lots that would allow horses are zoned with an “L” designator. County zoning does not set a minimum lot size to keep horses. It is up to individual owners to decide whether and how to keep horses while maintaining humane conditions. In addition, as stated in Section 3.1.4 of the EIR, a 15,000 s.f. lot would be able to accommodate a home, horse stable, shade structure, and horse trailer parking while meeting the proposed setbacks.

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AD-21

- A horse eats at least 600 pounds of hay a month and produces 500 pounds of manure and soiled bedding every week. On a 1/3 acre lot, there is really no place to pile manure or store hay in a safe manner. Hay, if not kept correctly, can spontaneously combust. It is the cause for many a barn fire.

I trust that you will review this plan and reject it for its inconsistencies and inaccuracies

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AD-21

The Valiano Homeowners' Association (HOA) would have agreements in place with private homeowners regarding proper maintenance and disposal of manure and soiled bedding and storage of hay. Regarding hay fires, it would be the responsibility of each homeowner with horses to be educated on how to properly maintain their hay and to avoid spontaneous combustion, as it is with the rest of the community. Simple measures such as proper ventilation where the hay is stored and stacking hay with minimum separation between bales prevents hay combustion.