



9335 Hazard Way • Suite 200 • San Diego, CA 92123  
(858) 614-7755 • FAX (858) 614-7766

San Diego Local Agency Formation Commission

Website: www.sdlafco.org

**Chairman**

Bill Horn  
County Board of  
Supervisors

June 15, 2015

**Vice Chairman**

Sam Abed  
Mayor  
City of Escondido

Beth Ehsan, Project Manager  
County of San Diego Planning & Development Services  
5510 Overland Ave., Suite 310  
San Diego, CA 92123

**Members**

Dianne Jacob  
County Board of  
Supervisors

Andrew Vanderlaan  
Public Member

Lorie Zapf  
Councilmember  
City of San Diego

Lorraine Wood  
Councilmember  
City of Carlsbad

Jo MacKenzie  
Vista Irrigation District

Vacant  
Special District

**Alternate Members**

Greg Cox  
County Board of  
Supervisors

Chris Cate  
Councilmember  
City of San Diego

Racquel Vasquez  
Councilmember  
City of Lemon Grove

Ed Sprague  
Olivenhain Municipal  
Water District

Harry Mathis  
Public Member

**Executive Officer**

Michael D. Ott

**Legal Counsel**

Michael G. Colantuono

**SUBJECT:** Notice of Availability of a Draft Environmental Impact Report, Draft Habitat Loss Permit, General Plan Amendment and Specific Plan: Valiano Specific Plan (PDS2013-SP-001; PDS2013-GPA-13-001; PDS2013-REZ-13-001; PDS2013-TM-5575; PDS2013-STP-13-003; PDS2014-MUP-14-019; HLPXX-XXX; Log No. PDS2013-ER-13-08-002; SCH No. 2013061042)

Dear Ms. Ehsan:

Thank you for allowing the San Diego Local Agency Formation Commission (LAFCO) to provide comments on the above referenced project. LAFCO is responsible for encouraging the efficient provision of public services and has purview over changes to local government organization and any associated sphere of influence actions. Usually, LAFCO is a responsible agency for environmental review when jurisdictional changes and/or sphere amendments are proposed.

Within its discretionary review of proposed sphere of influence and/or jurisdictional boundary changes, LAFCO requires the proposal's associated environmental documents to contain, at a minimum: a discussion of the required jurisdictional and/or sphere of influence changes; a description of the ability of existing agencies to provide services; a detailed description of existing and proposed infrastructure; and a discussion of the proposed provision of public services to the subject territory. Therefore, we offer the following comments:

The Draft Environmental Impact Report for the proposed Valiano Specific Plan project describes the project as a residential development of 326 single-family residences on approximately 238.0-acres. The proposed project area involves 13 unincorporated parcels with the following Assessor's Parcel Numbers (APNs): 228-313-13; 232-013-01; 232-013-02; 232-013-03; 232-020-55; 232-492-01; 232-500-18; 232-500-19; 232-500-20; 232-500-21; 232-500-22; 232-500-23; and 232-500-24.

B-1 The comment is introductory and is not at variance with the environmental document.

COMMENTS

RESPONSES

Ms. Ehsan  
Page 2  
June 15, 2015

The Draft Environmental Impact Report should note that APN 228-313-13 is presently located within the adopted sphere of influence of the City of San Marcos; and, that APNs 232-013-01; 232-013-02; 232-013-03; 232-020-55; and 232-492-01 are presently located within the adopted sphere of influence for the City of Escondido.

The Draft Environmental Impact Report identifies the San Marcos Fire Protection District (FPD) as responsible for the provision of fire protection services to the proposed project. The proposed project area is primarily located within the authorized service area of the San Marcos Fire Protection District (FPD); however, APN 232-500-24 is presently located within the authorized fire protection service area of County Service Area (CSA) No. 107 (Elfin Forest/Harmony Grove Volunteer Fire Department). Inclusion of the entire proposed project area within the San Marcos FPD service area would require LAFCO approvals for detachment of the parcel from CSA No. 107 and a concurrent annexation of the parcel to the San Marcos FPD.

The Draft Environmental Impact Report identifies the San Diego County Sanitation District (SD) as the public agency that would operate the project's proposed on-site wastewater treatment plant; however, the proposed project area is not located within the adopted sphere of influence or the authorized service area for the San Diego County SD. Accordingly, LAFCO approvals to include the proposed project area within the San Diego County SD's sphere of influence and annex the proposed project area to the SD's authorized service area would be required.

In addition, as the approximate 238.0-acre proposed project area is not presently located within the adopted sphere of influence for the San Diego County SD, LAFCO may require a review of the SD's sphere or a comprehensive sphere update study, depending on the level of jurisdictional and/or community comment regarding the proposal.

Because the proposed Valiano Specific Plan project requires LAFCO review and discretionary approvals to facilitate the extension of fire protection and sewer services to the proposed project area, San Diego LAFCO will serve as a responsible agency for the project's environmental review under the California Environmental Quality Act (CEQA).

The Draft Environmental Impact Report should be revised to identify all required LAFCO approvals, including sphere of influence and jurisdictional changes. Should you have any questions, or if San Diego LAFCO may be of any further assistance, please contact me at (858) 614-7788.

Sincerely,



ROBERT BARRY, AICP  
Local Governmental Analyst III

RB:trl

B-2 The comment makes a correction to the EIR. The EIR has been revised to indicate that APN 228 313-13 is presently located within the sphere of influence of the City of San Marcos; please refer to Subchapter 1.2.1 of the EIR. This change is a clarification of fact that does not require circulation of the EIR under CEQA.

B-3 The comment makes a correction to the EIR. Section 4.1 of the Fire Protection Plan (FPP; Appendix L of the EIR) has been revised to address this comment and to correct the FPP's statement that the entire proposed Project is within the jurisdiction of the San Marcos Fire Department (SMFD). It has been revised to show that APN 232-500-24 is located within the jurisdiction of County Service Area (CSA) No. 107 –Elfin Forest/Harmony Grove. This portion of the Project will require a LAFCO action to change the jurisdiction to SMFD.

B-4 The comment indicates that LAFCO action is required to annex the Project into the County Sanitation District to provide sewer service and operations for the on-site sewer collection and proposed wastewater treatment plant. The Board of Supervisors must submit a resolution requesting LAFCO approval for divestiture of the latent fire service power for the area. The property tax exchange would be negotiated and also need BOS approval prior to LAFCO hearing scheduling. Rincon del Diablo MWD is concurrently considering an option to exercise latent powers for wastewater treatment. This information has been added to the EIR for clarification.

B-5 The comment states that the LAFCO process may require a review and update of the County adopted sphere of influence. See Response B-3. The County and Applicant will work with LAFCO to determine the proper LAFCO action.

B-6 The comment states that the LAFCO is a CEQA Responsible Agency for the Project. This information is consistent with the environmental document.