

COMMENTS

RESPONSES

Ehsan, Beth

From: Al Said <a.said@fencecorp.us>
Sent: Monday, June 15, 2015 3:47 PM
To: Sibbet, David; Ehsan, Beth; Loy, Maggie A; Blackson, Kristin; Wardlaw, Mark
Cc: Fitzpatrick, Lisa; Cox, Greg; Jacob, Dianne; Roberts, Dave; Ron-Roberts; Horn, Bill; 'allsaid'
Subject: FW: Comment to Valiano PDS2013-SP-13-001 DEIR

Thank you for the opportunity to comment on the Valiano project (DEIR comments in the e-mail below).

Albert and Wendy Said
1517 Country Club Drive
Escondido, CA 92029
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From: allsaid [mailto:allsaid@cox.net]
Sent: Monday, June 15, 2015 7:38 AM
To: Al Said
Subject: Fw: Comment to Valiano PDS2013-SP-13-001 DEIR

Here's our commenys if you want to cc them to everyone and or add to them.
----- Original Message -----

From: [allsaid](#)
To: [Ehsan, Beth](#)
Cc: maggie.lov@sdcounty.ca.gov ; [David Sibbet](#)
Sent: Wednesday, June 10, 2015 6:57 PM
Subject: Comment to Valiano PDS2013-SP-13-001 DEIR

Beth Ehsan,

*1.2 (pg. 1-1) Planning Objectives
Develop a Community which compliments and responds to the unique topography and character of the plan area and surrounding areas.*

Comment: The Valiano Project is in direct conflict with the Eden Valley Community character which is single-family, rural-residential, and agricultural in use, with large lots, residential livestock keeping, dark skies, no sewer, no curbs, no street lights, no traffic lights, no sidewalks, low traffic volumes, and trails for all residents. Eden Valley generally remains in its natural state with density appropriate to existent zoning.

Valiano has 326 homes on 209 acres, 12 detached condo lots, and 54 lots could accommodate second dwellings.

*1.2 (pg. 1-4) Planning Objectives
Design a safe and efficient circulation system that adequately supports the anticipated levels of traffic in and around the planned area that is pedestrian safe.*

Comment: According to 11.0 Access and Other Issues and 11.1 Access Road Discussion, they state "Project access is proposed via Eden Valley and Mt. Whitney Rd. all connecting to Country Club Dr." But Eden Valley and Mt. Whitney are private road ways for their entire length. They are currently paved curb to curb with less than private road standards of 24 feet. They will be graded to 28 feet for the 24 foot paved improvement. Eden

CN-1 This is a repeat of comment CM-1. See Response CM-1.

CN-2 This is a repeat of comment CM-2. See Response CM-2.

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CN-2
cont.

Valley currently has 480 ADT. This roadway is expected to carry 1,862 ADT. Mt. Whitney's current ADT is 200, but will be increased to 1,662 ADT. Both of these roads, Mt. Whitney and Eden Valley, will be Valiano's main access roads to their development. These flow onto Country Club Dr., the main access out of Eden Valley, which is a rural, two-lane, tree-lined road with no curbs and commercial weight limits. All of these roads currently have no sidewalks and are used for pedestrians and equestrians. This is in direct conflict with the safety to the surrounding area Valiano claims it will have. The Valiano development will drastically effect the traffic and safety to the current residents of Eden Valley and their rural lifestyle.

Reference: *Traffic Impact Analysis* (pg. 18, sec. 5.11)

Significantly impacting congestion on roads that operate at LOS "E" or "F." If impacts cannot be mitigated, the project cannot be approved unless a statement of overriding findings is made pursuant to state CEQA guidelines.

CN-3

1.6.1 (pg. 1-6) *Regional and Local Setting*

This plan area's location near these transportation and services resources make it an ideal location for a "infill smart growth" project. The Harmony Grove Village Specific Plan abuts the southern portion of Valiano Specific Plan whereas the Harmony Grove Village Specific Plan is further from infrastructure as described above compared to the Valiano Specific Plan.

Comment: That statement might be factual for the location of the Valiano Project, but under a false narrative. The Valiano Project does not meet SANDAG's smart growth criteria. The Harmony Grove Village Specific Plan's implementation was agreed to by the surrounding communities; and the number of homes was calculated with the county to support the commercial infrastructure and growth to the current zoning 2020 General Plan, so the build out would not disturb the current residents so dramatically as the Valiano Specific Plan, which will now surround the current community of Eden Valley. Also, Neighborhood 5 is not in the City of Escondido's sphere of influence, but falls within the Elfin Forest Harmony Grove Community Plan policy LU-1.5.3, which calls for large two acre lots, all horse keeping, no sewer. Neighborhood 5 is within the Harmony Grove Village limit line, which was designed to be a buffer to the existing community of Eden Valley as per the 2020 General Plan.

CN-4

2.6.1.4 *Existing Noise Sensitive Land Uses*

"Additionally, livestock located in the general vicinity project site may be sensitive to noise generated during construction activities."

"The purpose of the noise ordinance include controlling disturbing, offensive, and excessive noise. Providing an environment in which noise is not detrimental to life, health, and enjoyment of property [...] securing and promoting the public health, comfort, convenience, safety, welfare, prosperity, peace and quiet of San Diego County and its inhabitants. (County Code Sections 36.401 [b], [d], and [e]."

Comments: Though CEQA does not have any "noise level analysis" for hearing of farm/livestock and its effects, they are included in the DEIR's 2.6.4 *Existing Noise Sensitive Land Uses*. This project surrounds or is adjacent to many large animal-keeping properties. Eden Valley has a large horse-keeping population. There are many horse training and breeding facilities, also including a large three-tiered, permitted, first of the County's

CN-3

This is a repeat of comment CM-3. See Responses D-1 and D-4a regarding Project proximity to smart growth areas. See Response Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis regarding the need for a GPA and EFHGCP policy LU-1.5.1, Response K-129 regarding animal keeping, and Responses G-3 and G-7 for discussion of the EFHGCP's direction regarding septic versus sewer.

CN-4

This is a repeat of comment CM-4. See Response CM-4 and Response K-149b with respect to potential impacts to livestock and a Project alternative that minimizes grading and blasting.

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kind, breeding-training facility. It is well documented the “inherent nature” of horses and the risk involved with them. Horses have binaural hearing and can hear sounds concurrently. They can detect sounds, but not accurately detect location. This trait can cause a horse to easily be frightened with undetectable sounds. Horses hear frequencies which range from 55 to 35,500 Hz. A frightened horse can be extremely dangerous to itself, a rider, or handler. They are motion and sound sensitive, and their general instinct is to flee any situation which they perceive dangerous. Reactions usually consist of, but not limited to, bolting, spinning, kicking, bucking, or running away. Any large animal facility near construction or blasting will suffer unmitigated “safety and loss of property use.”

Subchapter 2.6 Noise Mitigation Measures of a 12 foot high barrier erected along a length of “off site structures” might visually obstruct equipment but DO NOTHING for the resident's safety while working with livestock, not to mention the animals themselves.

CN-5

Subchapter 2.6 Offsight Proposed Project Effects
The proposed projects geotechnical reports note that the site is underplayed by granite rock formation [...] Hard rock handling, ripping of materials, drilling of nonrippable materials, and breaking of oversized materials via the use of a large dozer is one of the main noise issues related to proposed project construction [...] therefore impacts from ripping would be potentially significant (Impact N-7) [...] Impacts associated with breaker noise would be potentially significant (Impact N-8).

Potential Blasting Locations Helix Figure 1-30
Notice to residents within or partially within 600 feet of blasting location and residents will be given the option to move their livestock to a designated remote location, and will be the responsibility of the blasting contractor.

Comment: As a current horse trainer with 40 years experience, though this idea sounds good in theory, it is highly inadequate. Livestock not within the 600 foot radius will still feel the effects (vibration and noise) and can easily become injured, including handlers. Not all horses can be transported safely, and do not always get along with other livestock. Transporting them to an unfamiliar location without accommodations they are accustomed to can also pose a safety issue to them and their handlers.

CN-6

It is stated in the *Chapter 1.0 Project Design Features Table 1-4, pg. 1-38* “*the remote locations will be identified on the blasting plan, and will be the responsibility of the contractor.*” Will this blasting contractor be carrying “care, custody, and control” insurance? Will accommodations be made for hard-to-house livestock? Will transportation be provided for residents without trailers—at contractor's expense? Will contractors have professional handlers to supervise horses and livestock in their care? What mitigation measures will be put in place for animals which cannot be safely transported?

CN-7

Valiano Existing Fuel Treatment Area Exhibit (PDF File: 2015-05-02)

Comment: Though fire is everyone's concern, off-site property exhibits may fall into the “150 foot easement of the project required criteria of Zone 2. (SMFD Easement Agreement for Fuel Modification).” Valiano Development could dictate property owners use of the type of landscape on private off-site properties.

CN-5

This is a repeat of comment CM-5. See Response CM-5 and Response K-149b with respect to potential impacts to livestock.

CN-6

This is a repeat of comment CM-6. See Response K-149b with respect to potential impacts to livestock and Response CM-6 relative to liability.

CN-7

This is a repeat of comment CM-7. See Response I-49 regarding off-site fuel modification zones.

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CN-8 *Valiano Fire Protection Plan (pg. 13 of 92) Map Dated March 12, 2015: However, Fire Wise 2000, Inc. did not find that any large fires had burned the project in the last 50 years. As stated earlier, existing and past agriculture activities in the majority of the project site has profoundly changed the native fuels. This history of agriculture in the area could be the reason and likely cause of no large catastrophic wildfires in the immediate area.*

Comment: False! The Cocos Fire, May 14 2014, one of 12 fires burning countywide burned over 35 homes and other structures, cost over \$28,000,000 total, and burned over 1,995 acres. Four major fires have burned through Harmony Grove since 1996.

CN-8 This is a repeat of comment CM-8. See Response CM-8.

CN-9 *1.3 Offsite Vegetation "Western Boundary." The western boundary is the most significant exposed to the project site. There are large interspersed, native fuel areas and residential structures. Ignition to these fuels greatest threat to the development would be by flying embers during above average 30 mph winds from the southwest and west. A wildfire approaching the wildfire perimeter along this exposure would be on a downhill slope. The fact is the worst-case weather conditions do not occur from this direction. Generally the winds from this direction have a higher relative humidity and lower temperatures (as opposed to extreme worst-case Santa Ana northeast winds).*

Comment: The western boundary they are referring to is the 99 acres owned by Valiano and the additional optioned Valiano Properties that run along the base of Coronado Hills from Mt. Whitney to Hill Valley. The Cocos Fire started on the backside of Coronado Hills near Cal State San Marcos in San Marcos, crossed up over Coronado Hills burning 95% of Valiano's property, raged straight down to Mt. Whitney—which would be one of their main ingresses and egresses to their proposed development—to Country Club Dr., destroying two homes, three outbuildings, and numerous vehicles along Mt. Whitney; burning five to 10% of Neighborhood 5 in the process. It then made its way into the one-hundred year-old Spiritual Association community, burning an additional 35 homes, THEN headed into Elfin Forest.

CN-9 This is a repeat of comment CM-9. See Response CM-9.

CN-10 Many residents of the planned community of San Elijo were stuck for two to four hours, not being able to evacuate. Please study the cumulative effect of evacuation times of the Harmony Grove Village Project and the proposed Valiano Project on the existing Eden Valley community.

CN-10 This is a repeat of comment CM-10. See Topical Response: Fire/Evacuations regarding fire evacuation.

CN-11 *Noise – Subchapter 2.6.6 Conclusion: The proposed project would result in significant on-site noise impacts related to traffic. Specifically, noise levels at project's exterior use noise control. Mitigation for this impact include two six-foot high noise sound walls located around the residential exterior use areas in Neighborhood 5.*

Comment: Neighborhood 5 is the only portion of the Valiano Project that faces Country Club Dr. The conclusion is the noise level would have to be mitigated by sound walls. How about the existing off-site properties along Country Club Dr.? Should those not be mitigated by sound walls? The existing properties along Country Club Dr. should not be expected to accept increased noise levels generated by the increased traffic (both during construction and after build out) from this project. Please address noise levels and mitigation for existing affected properties.

CN-11 This is a repeat of comment CM-11. See Response CM-11.

CN-12 Personal Property Comments: We are 27 year residents of Eden Valley/Harmony Grove who own a horse training facility on the corner of Country Club Dr. and Mt. Whitney, one of the two main ingress and egress

CN-12 This is a repeat of comment CM-12. See Response CM-12.

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points of this project's 326 homes. Our property has a permitted barn that runs along our easement on Country Club Dr. and an arena that runs the length of the property on Mt. Whitney Dr. Our personal property will be subjected to extreme noise levels/vibrations/dust/traffic from the construction build out and future traffic. This development will create an extremely dangerous safety situation for our existing "noise sensitive land use" (2.6.6 Noise; 2.6.1.4 Existing Noise Sensitive Land Use) for our horses, handlers, and riders.

We request this developer to erect permanent sound wall protection on our property for the safety of our property, inhabitants, and livestock—similar to the adjacent proposed sound walls around residential exterior use areas along Country Club Dr. in Neighborhood 5.

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