

COMMENTS

RESPONSES

Ehsan, Beth

From: Gigi Bacon Theberge <gigi@culturaledge.net>
Sent: Sunday, June 14, 2015 4:24 PM
To: Ehsan, Beth; Sibbet, David; Loy, Maggie A; Blackson, Kristin; Wardlaw, Mark
Cc: Fitzpatrick, Lisa; Cox, Greg; Jacob, Dianne; Roberts, Dave; Ron-Roberts; Horn, Bill; bruce.bettyliska@gmail.com; douglas.dill@att.net; Elfin Forest Harmony Grove Town Council
Subject: Feedback on Valia-NO!

Dear Ms. Ehsan:

Thank you for all the time and work you've put into reviewing the Valiano project.

This project is potentially devastating to our community, so I appreciate that you are giving it the due diligence this type of decision deserves.

My name is Gigi Theberge and I've been lucky enough to live on Elfin Forest Road in Elfin Forest for the past five years.

My husband and I left the suburbs of La Costa, so that our three young children could feel what it is like to grow up in nature with as much open space as possible. We now keep sheep, goats and chickens, and our children can identify species of bugs, lizards, hawks and owls that most adults have never seen. When our kids go to bed at night, it is often to the sound of a Great Horned Owl calling out from a tree on our property. When they wake up in the morning they run down an open hill to feed our animals and check the stream for crayfish, frogs and fish.

To us, Elfin Forest is more than just a special community – it is a little piece of magic.

Valiano, as proposed, threatens to destroy our magical Elfin Forest – a beloved and unique community which has enhanced the lives of residents, visitors and animals alike over the past 125 years. Which is why I refer to it as Valia-NO!

Elfin Forest is the last rural community of its kind in San Diego County, west of the 15. And it must be protected.

I am one of many who is taking the time 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 Elfin Forest Community.**

Following are some of my concerns with this project:

FIRE:

This project will have potentially massive impact on my family's safety and that of my community.

- From the DEIR it is clear that the developer has not taken into account the most recent fire, Cocos Fire. The DEIR states most fires come from the East, when the last few fires, including Coco's came from the West.

CX-1 Thank you for your introductory comments. The Project would not have direct, significant impacts on the area because Elfin Forest is approximately 5 miles south of the Project. The Project would not change the rural character of the Elfin Forest community. Please see responses to specific comments, below.

CX-2 See Topical Response: Fire/Evacuations regarding evacuations. Your comment and others resulted in clarifications being added to the FPP to specifically address the Coco's Fire. Thank you for your comment.

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CX-2
cont.

- The 326 houses proposed will make evacuation extremely difficult! 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 hours 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 much bigger 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.

CX-3

- 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, loading large animals is not fast or easy business. 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.

CX-4

- 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 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.

CX-5

- 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.**

CX-6

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

CX-7

- 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 as well as potential Valiano home owners.

Traffic:

- SEE EVACUATION ISSUES ABOVE

CX-8

- 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.

CX-9

- The intersection of Country Club and Autopark Way (the main ingress and egress of the project) is already majorly congested. 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.

CX-10

- 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.

CX-3

See Topical Response: Fire/Evacuations regarding evacuations. The Country Club Drive exit would be improved for better circulation. See Response J-4a.

CX-4

The FPP documents that the travel time with SMFD resources, mutual aid, and auto response resources from surrounding communities and jurisdictions is less than the five minute requirement for emergency services to all portions of the proposed Project. Additional fire suppression resources can be ordered very quickly including air, crews, engines resources, etc. from CAL FIRE, the County, and national agencies. The temporary fire station is already open at HGV. Escondido Fire Department did not request fair share contribution.

CX-5

The approved exception request for a limited section of Hill Valley Drive would not compromise fire safety, as stated in Response E-6. 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.

CX-6

The Project has been revised to eliminate off-site fuel modification zones, as stated in Response I-49.

CX-7

See Responses I-59 and K-197 for how the proposed fire protection measures increase fire safety for the surrounding community.

CX-8

This is a repeat of comment AD-14. See Response AD-14.

CX-9

This is a repeat of comment AD-15. 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.

CX-10

This is a repeat of comment AD-16. See Response I-61 regarding impacts of the SPRINTER.

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- CX-11
 - 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.
- CX-12
 - 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.
- CX-13

General Plan Incompatibility:

If the project is allowed to proceed as proposed it will be in direct conflict with at least two of the initiatives contained within the County's Strategic Plan. Specifically:

 - *Make neighborhoods healthy places to live, work and play*
 - The noise, air pollution and traffic associated with this project would make my neighborhood a markedly unhealthier place to live, work and play compared to today
 - *Help communities prepare, respond and recover from public health threats, environmental hazards and other emergencies*
 - If this project was built as proposed, the inability to evacuate safely and in a timely manner during a wildfire would leave my community far less able to respond to such an emergency
- CX-14
- CX-15

Community and Land Use:

 - **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 face to the community and, frankly, would destroy any trust our community (and many others) have in our County administration.
 - **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
- CX-16
- CX-17

- CX-11 This is a repeat of comment AD-17. See Response AD-17.
- CX-12 This is a repeat of comment AD-18. See Response AD-18.
- CX-13 This is a repeat of comment AF-20. See Response AF-20.
- CX-14 This is a repeat of comment AF-21. See Topical Response: Fire/Evacuations.
- CX-15 This is a repeat of comment AD-2. See Response AD-2 and Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.
- CX-16 This is a repeat of comment AD-3. See Response AD-3 regarding the Community Development Model and the importance of community input, as well as Response U-2a regarding the size of Eden Valley lots and clustering issues.
- CX-17 This is a repeat of comment AD-4. See Response AD-4.

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CX-17 cont. 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.

CX-18

- **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. Rural means wide open spaces, rolling hills, trees, nature, animals, barns and wildlife. 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.

CX-19

- **Septic:** Our community plan calls for septic, not sewage treatment plants (again, not rural). This is inconsistent.

CX-20

Equestrian:

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.

CX-21

- 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.

CX-22

- 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.

Visual Character:

CX-23

The project will be introducing elements that drastically change the aesthetics and visual character of the community in a permanent and significant way:

- Extensive grading, manufactured slopes of up to 60 feet tall;
- 1000 foot walls of up to 20 feet tall, extensive fencing, retaining walls and sound walls,
- not to mention the clustered nature of the development with very high density housing scattered around the project area.
- The DEIR seems to hugely downplay these impacts and show very vague photo simulations (with far away vantage points) which do not show the true nature of these visual and aesthetic impacts.
- Goes against General Plan policy COS 12.1 (does not preserve hillsides and ridgelines, mass grading of natural landforms).

CX-28

Air Quality and Green House Gases:

CX-18 This is a repeat of comment AD-5. See Response AD-5.

CX-19 This is a repeat of comment AD-5. See Response AD-5.

CX-20 This is a repeat of comment AD-19. See Response AD-19.

CX-21 This is a repeat of comment AD-20. See Response AD-20.

CX-22 This is a repeat of comment AD-21. See Response AD-21.

CX-23 This is a repeat of comment AF-22. See Responses AD-5 and AF-22 regarding grading and manufactured slopes.

CX-24 This is a repeat of comment AF-23. See Responses AD-5 and AF-23 regarding walls, fencing and sound walls.

CX-25 This is a repeat of comment AD-24. See Response U-2a regarding the consolidated nature of proposed development.

CX-26 This is a repeat of comment AF-25. See Response AF-25 regarding characterization of Project impacts and the Project simulations.

CX-27 This is a repeat of comment AF-26. See Response K-16 regarding Project consistency with General Plan policy COS-12.1.

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CX-28 cont. According to the DEIR, the project will have significant and unavoidable air quality impacts and no way to mitigate these impacts.

- More than doubles the vehicle miles traveled (VMTs).
- They don't show that a project with fewer units is infeasible.
- They claim green credentials by exceeding Title 24 standards from 2008, but newer standards are currently in place (2013) which are even more stringent (and they do NOT meet these standards). This seems disingenuous or at least erroneous.
- There's a new executive order put in place by Governor Brown (4/29/15) which requires an even greater reduction of Green House Gases. The DEIR should be revised to show whether or not it meets this new reduction target.

Construction Related Impact:

CX-32 The construction calls for a large amount of blasting and grading for a period of at least 2 years, and in areas that are in close proximity to houses on hillsides as well as the valley floor. They are also within proximity to livestock and, particularly, horses, which can be very sensitive to noise and vibration. Two years of blasting and grading will be a huge imposition on the local residences and create unsafe situations involving large animals.

- A sound wall will not prevent horses from being spooked by large explosions which can cause a very unsafe situation for horse handlers and riders. It will also destroy the ability for property owners to use their properties in the way they choose (for equestrian purposes, for example).
- The suggested mitigation measure of having livestock moved out of the blasting area every time there will be blasting, is unreasonable and infeasible. Remember, there are over 180 horses in Eden Valley alone. Moving large animals is a complicated and potentially dangerous job. Doing so on a large scale would be very impractical. Several properties adjacent to the project site have 20 to 120 horses onsite at any given time.

CX-33

CX-34

Thank you again for taking the time to truly examine the devastating impact this project could have on our cherished community.

Please help us "Keep it Rural in Elfin Forest."

Sincerely,

Gigi Theberge
 Mother of three nature loving children
 Hobby animal keeper of sheep, goats, chickens and dogs
 Lover of open space and a dark night sky

CX-28 This is a repeat of comment AJ-29. The comment reiterates a conclusion in the EIR; no response is necessary. See Response AJ 29 with respect to VMTs.

CX-29 This is a repeat of comment AJ-30. See Response K-26b with respect to Project alternatives with fewer residential units.

CX-30 This is a repeat of comment AJ-31. See Response K-27 with respect to compliance with the 2016 Title 24 Energy Code.

CX-31 This is a repeat of comment AJ-32. See Response K-51 with respect to Governor Brown's issued Executive Order B-30-15.

CX-32 This is a repeat of comment AF-31. See Response K-149a for the requirement to prepare a blasting control plan and K-149b with respect to potential impacts to livestock and a Project alternative that minimizes grading and blasting.

CX-33 This is a repeat of comment AF-32. See Response AF-32.

CX-34 This is a repeat of comment AF-33. See Response AF-33.