

COMMENTS

RESPONSES

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VIA U.S. MAIL AND E-MAIL

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Re: Valiano Specific Plan, SCH NO. 2013061042—Public Comments on Draft Environmental Impact Report

To the County of San Diego:

The following comments are submitted on behalf of the Elfin Forest Harmony Grove Town Council regarding the Draft Environmental Impact Report (DEIR) for the Valiano Specific Plan Project.

The DEIR is inadequate and further analysis and mitigation is required for the reasons discussed below. In addition, we urge the County to deny the proposed General Plan Amendment. Developing the property according to existing General Plan designations would lessen or eliminate many of the adverse environmental impacts and issues associated with this development Project. Alternatively, the adoption of an alternative to the Project involving fewer units and/or a smaller development footprint would help to alleviate the adverse environmental changes posed by the Project as designed.

General Comments – Proposed Project

The Project is described as the development of 326 residential units (277 single family residential and 49 detached condominiums) on a 239-acre site located in a “semi rural” area of Eden Valley/Harmony Grove in unincorporated San Diego County.

Among other discretionary actions, the Project requests a General Plan Amendment to change the site’s land use designations from SR-1 and SR-2 to SR-0.5. Existing General Plan land use designations would allow 118 homes on the site; if approved, the General Plan Amendment will allow the construction of 326 homes. Approximately 54 secondary units would also be permitted in some areas. Thus, **if approved, the General Plan Amendment will allow nearly three times the density currently permitted.** The Project additionally includes a request to rezone the property from A70 (Limited Agriculture) to S88 (Specific Plan).

The Project will be developed pursuant to a Specific Plan and the development divided among five Neighborhoods. According to the DEIR, the Neighborhoods will be constructed in

K-1 Introductory comment noted. Certain alternatives analyzed in the EIR would result in fewer units and/or footprint than the Proposed Project, such as the Reduced Grading Alternative, the Biologically Enhanced Alternative, the Septic Option Alternative, and the General Plan Density Alternative. As stated in the EIR, these alternatives would reduce or avoid some of the Proposed Project’s environmental impacts. However, these alternatives would not meet all of the Proposed Project’s objectives.

K-2a This comment is consistent with the information in the EIR.

K-2b This comment is consistent with the information in the EIR.

K-2c This comment is consistent with the information in the EIR except for the highest manufactured slope height, which would be 76 feet.

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K-2c cont.	<p>phases, with Neighborhood 5 being constructed first. Grading will occur over 127 acres or 52% of the site, resulting in 928,000 cubic yards of balanced cut and fill. Grading will result in an elevation change from 1,013 feet to 810 feet in the northwestern area of the Project site. Grading will also occur for off-site improvements, resulting in 6,200 cubic yards of export for the Mt. Whitney Road improvements. Grading will occur over a 2-year period. Blasting and ripping to remove hard rock is expected. The Project requires construction of manufactured slopes, some as high as 57 feet. There will also be “numerous” retaining walls ranging from 2 to 20 feet in height and between 41 to 523 feet in length (DEIR p. 1-21), a sound wall in Neighborhood 5, and extensive fencing. The EIR suggests that the private development will be gated, but it is unclear if that is the case.</p>
K-2d	
K-2e	<p>According to the DEIR, the Project site is currently used for commercial agriculture with “extensive” areas of active avocado orchards and for beekeeping. Agricultural uses have occurred continuously on the site since the 1960’s and 1970’s. The site’s topography consists of hills and ridgelines, primarily with a north-south trending ridge. A large knoll exists in the southeastern portion of the site. Site elevations range from 1,013 feet above sea level along the ridge at the northwestern site boundary and 614 feet above sea level along the southwestern boundary. Surrounding uses include large lot and open space areas located to the east and west. A large avocado farm exists to the south. The urban development farther to the north and east in the cities of San Marcos and Escondido described in the Project Description is neither visible nor easily accessible from the project site, being located over a mile away.</p>
K-2f	<p>The Project includes a request for a Major Use Permit for the construction of a new wastewater treatment plant to be operated by the San Diego County Sanitation District. LAFCO action is necessary for the annexation of the site into the County Sanitation District for sewer service. Water service will be provided by the Rincon del Diablo Municipal Water District according to the DEIR. On-site infrastructure will include two additional lift (pump) stations located in the northern and eastern portions of the site in order to pump water to higher elevations. Fire service would be provided by the San Marcos Fire Department and the Harmony Grove Village Fire Station according to the DEIR.</p>
K-2g	<p>The Project including the wastewater treatment plant is calculated to generate 3,786 average daily vehicle trips (ADT), with a total of 304 trips during the AM peak hour and 376 trips during PM peak hour. Project access is proposed via Eden Valley Lane, Mt. Whitney Road, and two future access driveways south of Mt. Whitney Road, all connecting to Country Club Drive, a two-lane road. Emergency access may also be provided via Hill Valley Drive (currently a dirt road). Road improvements as to all access roads are necessary. Exceptions from County requirements for sight line distance has been requested as to Mt. Whitney Road.</p> <p>The DEIR states that 66 projects will result in the addition of 15,494 housing units in the vicinity. Among other nearby projects, the Harmony Grove South project (currently under construction) adds 742 single family homes on 468 acres to the south of the Project site.</p> <p>The Project is subject to the County of San Diego General Plan (adopted 2011) and the San Dieguito Community Plan as well as the Elfin Forest Harmony Grove (EFHG) portion of the Community Plan (adopted 2011 and amended 2014). The southern portion of the site falls within the Harmony Grove portion of the EFHG Community Plan. The northern portions of the site fall within the Elfin Forest portion of the EFHG Community Plan.</p> <p>The DEIR concludes the Project will have significant and unavoidable impacts as to aesthetics (short-term), air quality (cumulative – construction; direct and cumulative - operational) and traffic.</p>

K-2d	<p>The Project entrances would not be gated. However, one emergency access to the Project site off Hill Valley Drive would be gated; no daily access would be allowed. 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.</p>
K-2e	<p>The information in the comment is paraphrased from the Project Description text, including on-site land uses and topography, as well as surrounding land uses, and is generally accurate. Because this comment does not include any questions or comments on the EIR analysis or related considerations, no response is required.</p>
K-2f	<p>The statement that “...urban development farther to the north and east in the cities of San Marcos and Escondido described in the Project Description is neither visible nor easily accessible from the Project site, being located over a mile away” is partially accurate. The urban development to the north is not visible because of the Project’s open space and topography. However, the urban development to the east is visible. The urban developments would be accessible from the Project site, as the closest driving distance from the Project site to the closest area of urban development to the west (Escondido) would be approximately 1.0 mile driving distance and the closest area to the urban development to the north (San Marcos) would be approximately 0.8 mile driving distance. The Project Description’s characterization of portions of the surrounding area to the Project as being urban is accurate. Because this comment does not include any questions or comments on the EIR analysis or related considerations, no additional response is required.</p>
K-2g	<p>This comment is consistent with the information in the EIR except that there would only be one pump station (see Figure 1-19a for location) to pump water to higher elevations and the northern portion of the site falls within the Eden Valley portion of the San Dieguito Community Plan and not the Elfin Forest portion of the EFHGPC.</p>

Inadequate/Incomplete Project Description

The Project Description is inadequate and incomplete under CEQA for at least the following reasons.

The construction of off-site facilities including road improvements is not mentioned in the Project Description. These may impact adjacent residences. Also, the specifics of the off-site construction activities (e.g., location, duration, equipment to be used) are not adequately described in the DEIR.

To the extent that the Project requests or includes exceptions or variances for fire access and grading, these issues should be discussed in the Project Description. For example, is the Project requesting a deviation from San Dieguito Community Plan Soils Policy #8? The Project is requesting and has obtained at least two variances from San Marcos Fire District (SMFD): a reduced road width from Code requirements on Hill Valley Lane, and a reduced Fuel Modification Zone (FMZ) around certain buildings within the Project. The SMFD further accepted the concept of extending the 150' FMZ outside the Project footprint and onto neighboring private properties.

The description of on-site agricultural operations is confusing to the reader. Whereas the Project Description states that the on-site avocado farm was destroyed by fire in 2014, the DEIR indicates elsewhere that the avocado farm is still active, and, as such, the land is suitable for agricultural mitigation purposes.

Further description of the wet weather storage area should be provided. Will this area be enclosed or covered? Does it present safety hazards or air quality/odor issues for future residents?

Project phasing is confusing throughout the document. The Project Description indicates the Project will be built in discreet phases. Yet the traffic analysis states that "Any phased development that may occur across the five neighborhoods and/or three areas is unknown at this time" (p. 2.8-9). Overall, the DEIR contains inconsistent information on phasing of construction.

The "alternative project description scenario" is not discussed in detail and it is not known under what circumstances Hill Valley Drive will be improved. (See, traffic section, p. 2.8-20 "*Hill Valley Drive would be expected to carry 1,147 ADT with the access alternative.*" (emphasis added).) These new trips could impact existing residences.

For water supply the DEIR appears to rely upon the construction and operation of Reservoir 7 by the Rincon del Diablo Municipal Water District; however, this facility is determined to be *not* part of the proposed Project. This is inadequate. The Reservoir should be fully disclosed, and made part of "the Project" for purposes of CEQA analysis.

The Project Description does not discuss that the Specific Plan may be modified in significant ways without further review and input by the public and decision-makers, leading to the potential for new and/or different impacts than considered in the DEIR. (See, Specific Plan pp. 8.6 – 8.7 [Changes are considered "minor" including changes that (1) expands or contracts the geographic area of a planning area within the outer boundaries of the Specific Plan; (2) changes land uses, including intensity and density changes, height and setback changes, transfers of uses or density (dwelling units) between planning areas, and substitution of uses (so long as the use is one that is allowed somewhere in the Specific Plan); (3) change in housing type (e.g. duplexes to single family units); (4) increases or decreasing in the total number of units; or (5) changes the sequencing or thresholds for development phasing.].) Items 1 – 5 above are not "minor" changes. For instance, density transfers between planning areas was not considered in the DEIR. Nor are the "density transfers" described anywhere in the DEIR. What percentage of density can be transferred between planning areas? Increasing development in one area may affect the conclusions of, for

K-3 The comment is correct that some of the Project's off-site facilities have been better defined since circulation of the DEIR. The EIR Project Description has been revised to include construction of off-site facilities including the road improvements discussed in Subsection 1.2.1.2. Locations can be seen in Figures 1-15a, 1-15b, and 1-15c. Subsection 1.2.1.6 discusses Project phasing, including that the roadway construction would occur during the second phase (construction of Neighborhood 1 and the private recreational facility). Construction equipment is discussed in Subchapter 2.2.

K-4 Regarding Soils Policy #8, the Project would impact 1.44 acres (approximately 62,700 square feet) of unaltered land with a greater than 25 percent slope and therefore would be subject to this policy. This impact is less than one percent of the total Project site; therefore, the Project is in substantial conformance with this policy. Regarding Fuel Management Zones (FMZ), see Response I-49. Regarding the Hill Valley Drive exception, see the discussion in EIR Subsection 1.2.1.2.

K-5 This comment is correct in that the Project Description notes that the on-site avocado orchards were impacted by the 2014 wildfire. This condition is also described in Subchapter 2.3, including specific references in Sections 2.3.1.3 and 2.3.5, as well as in Section 1.2 of the Agricultural Resources Report included as Appendix D of the EIR. While this comment does not provide specific references within the EIR that describe the on-site orchards as active, if any such descriptions are encountered they will be corrected in the Final EIR. Approximately 69 percent of the site and 77 percent of the recently active on-site agriculture (avocado orchards) were burned in the 2014 Cocos Wildfire.

This comment also notes that the EIR indicates that the on-site avocado orchards are "...suitable for agricultural mitigation purposes." As both Subchapter 2.3 and Appendix D of the EIR specifically note that the portion of the on-site orchards encompassing the proposed 35.4-acre agricultural easement is a Project Design Feature. Proposed mitigation for Project-related agricultural impacts to significant agricultural resources encompassing CDC candidate soils, would consist of acquiring significant agricultural resources through an off-site agricultural easement (see Response I-69a for additional information on proposed agricultural Project Design Features and mitigation measures).

K-6 The EIR states that the wet weather storage area would be lined with an impermeable layer (concrete) to avoid localized infiltration. Per Subchapter 2.3, the wet weather storage area would not be covered. Subchapter 2.9 discusses the potential for the wet weather storage ponds to significantly increase vector populations to a level that could harm the

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K-6
cont.

health of the public. To minimize this risk, Mitigation Measure M-HZ-4 would implement a Manure Management and Fly Vector Control Plan that would be prepared prior to approval of the first Final Map. See Subchapter 2.9 for more information.

The water within the wet weather storage pond would be California Title 22 treated recycled water and would only be stored in the event of wet weather events. Therefore, the pond would not provide a source of objectionable odors as the water is treated to State standards and the pond would not be required to be covered or enclosed. Further, the wet weather storage pond itself would not include any water treatment processes and therefore no pollutants that could result in off-gassing emissions into the air. No air quality impacts would occur.

K-7

The comment requests clarification on Project phasing. The traffic report assumed a conservative analysis in that everything would be built at once. However, as discussed in Subsection 1.2.1.6, market conditions and funding for public facilities would drive specific product phasing, as well as controlling the overall implementation period. Nonetheless, an overall approach to Proposed Project development has been designed that would ensure a logical and orderly expansion of roadways, public utilities, and infrastructure. As described in the EIR Project Description in Chapter 1, the Project has five main sequential phases. These phases could overlap to some degree and are described below.

- The first phase focuses on Neighborhood 5 and included within this first phase is the grading, infrastructure, and construction of the WTWRF, wet weather storage, public neighborhood park and staging area, equestrian facility and multi-use trail.
- The second phase consists of Neighborhood 1 and the private recreational facility.
- The third phase consists of the grading, infrastructure and construction of Neighborhood 2.
- The fourth phase consists of the grading, related infrastructure, and construction of Neighborhood 3.
- The final phase would include the grading, infrastructure and construction of Neighborhood 4.

For the purpose of the EIR analysis, Proposed Project construction is broken down into three main construction phases within each neighborhood area. The first phase focuses on overall site grading and rock blasting, which would last approximately two years. The second phase would be the infrastructure installation, which includes the construction of the utility connections, and roadways. The infrastructure phase would last approximately one year. The third phase, which addresses “vertical” development of the Project and includes constructing the residential buildings and coating the pavement/architecture, would take approximately 2.5 years. Phasing has been clarified in the EIR.

<p>K-8</p> <p>K-9</p> <p>K-10a</p>	<p>The comment requests clarification regarding implementation of the alternative access scenario. 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. This has been clarified in the EIR.</p> <p>The information requested in this comment about the implementation of RMWD improvements has been addressed in Response C-5.</p> <p>The comment is concerned with allowed minor modifications of the specific plan. This aspect of the Project has been added to the EIR Project Description and is explained here. Consistent with its authority under Government Code 65452, the County finds it necessary and desirable to implement the Specific Plan in a manner that accounts for market and other changes that may require minor modifications to the Specific Plan and may be approved as consistent with Specific Plan administratively by either the Planning Director or the Planning Commission. The Project Description is an overview of the Project details. The appropriate discussion on amendments to the Specific Plan area is located in the Implementation section of the Valiano Specific Plan (Chapter 8), including:</p> <p><i>“The County finds the minor modification criteria necessary and desirable given that the Specific Plan is a conceptual land use plan intended to provide general guidance. The land uses and development yield identified in this Specific Plan have been carefully analyzed in the EIR. A revision to the Plan will not be considered minor if the revision triggers any of the conditions set forth in CEQA Guidelines Section 15162 as determined by the Director of Planning & Development Services.” A revision to the Plan will not be considered minor if the revision will adversely affect adjacent property or property owner;</i></p> <p>The next part of the comment states that the allowed specific plan changes are not “minor.” Any change, whether it qualifies as a Minor Modification or not, will be reviewed by Planning & Development Services in accordance with CEQA.</p> <p>The next part of the comment states the potential for specific plan changes must be included in the EIR Project Description. The information has been added; the change is not important new information that would require recirculation of the EIR under CEQA.</p> <p>The commenter refers to the housing type and conformance with General Plan principles. The Project does not rely on the presence of detached condo units to define Smart Growth; see Responses D-1 and D-4a. However, the detached condo units are required to provide affordable housing according to General Plan policy H-1.9, and therefore cannot be eliminated. The provision for change of housing types has been removed from the Minor Revisions section of the Specific Plan.</p>
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K-10a cont.	instance, the traffic impact analysis in terms of the distribution of vehicle trips and the need for road improvements. Also for instance, eliminating the condominiums in favor single-family homes could change the assumptions of the water study (<i>see</i> , Appendix P p. 2). The Specific Plan notes that <i>land uses</i> may be changed including “intensity and density.” The potential for sweeping and major changes to the Specific Plan must be disclosed in the Project Description and evaluated in the DEIR. Otherwise the DEIR fails as an informational document.
K-10b	Additionally as to the Specific Plan, the DEIR relies on providing a range of housing types in order to conclude that the Project supports “Smart Growth” principles. The fact that certain housing types may be eliminated without further discretionary review or public input would undermine the assumptions and conclusions of the DEIR. Finally, the DEIR relies upon assumptions about Project phasing, particularly construction, but the Specific Plan indicates that phasing plans may be modified without notice.
K-11a	<u>Aesthetics</u> The Project entails substantial grading of natural landforms and the construction of homes extending up hillsides as well as installation of manufactured slopes, retaining walls, sound walls, and extensive fencing. The Project introduces an area of mass grading and a private higher density residential community where none currently exists in the visual setting. The conversion of vacant land with sensitive biological areas and natural landforms to urban uses will result in irreversible changes to the area. Aesthetic impacts must be deemed significant in the long-term, not merely the short-term. Apart from the Harmony Grove Village to the south, the type of development is very different from all adjacent development. Harmony Grove Village cannot be seen from the large-lot residences to the east along or near Country Club Drive. Dominant visual elements of the Project on the eastern side will include extensive manufactured slopes on the Project’s eastern boundary. Slopes for instance in Neighborhood 4 will be a maximum of 60 ft. To the west of the Project site, properties are designated by the City of San Marcos as very-low density residential (A1 Agriculture 1 acre minimum). The hillside lots and homes on the Project’s western side will be much closer together than those in San Marco’s jurisdiction.
K-11b	
K-11c	
K-12	The DEIR’s description of the Project’s mass and scale are inadequate. Specific noise walls, retaining walls, and manufactured slopes must be shown with greater clarity and from closer distances. As it stands, vantage points are very far away (Key View 1/Photosimulation A).
K-13a	Photosimulations A - D contained within Technical Appendix B purport to illustrate post-project conditions; however, as the simulations acknowledge, they are not realistic in that they depict very mature landscaping and homes are almost completely obscured (Photosimulations B and C). Until and unless landscaping matures in this manner, the simulations are not accurate representations of post-project conditions. Further, landscaping should be shown in the short-term to provide a better understanding of short-term impacts. Simulations should be provided showing varying degrees of landscaping in order to assist the reader to understand the full extent of impacts. Additionally, as a means of short-term aesthetic mitigation, could the Project not install more mature landscaping at the outset?
K-13b	
K-13c	
K-14a	Photosimulations A and D are apparently meant to assist the reader in understanding the Project’s impacts to ridgelines and hillsides, but there is no “Key View” showing the majority of development. Photosimulation A is stated to illustrate Neighborhood 4 but it looks only upon a small number of homes from a very far distance. Key view/photosimulation locations at or about the terminus of Eden Valley Lane should be included. Also a key view looking from at or about existing homes south of Mt. Whitney Road should be provided, where these properties are located
K-14b	

K-10b	See Response K-10a. The Plan area is comprised of five neighborhood components, with Neighborhood 5 being in the first phase; all phases are described in Subsection 1.2.1.6. The development timing (i.e., start dates) of each phase would be determined by market conditions. Within each phase, construction of the Valiano Specific Plan would meet the following objectives: provide for the orderly buildout of the community based upon market and economic conditions; provide adequate public infrastructure and facilities concurrent with construction of each phase; and protect the interests of public health, safety and welfare.
K-11a	The comment states that the Project would entail grading of existing landform and construction of homes, with some located up the western hillside, with resultant modification of existing slopes to be manufactured slopes, and installation of retaining walls and community/privacy walls/fencing as well as one location of sound barriers. Retaining walls and privacy barriers would largely be shielded from viewers on the west (at a higher elevation) by being situated at the base of the downslopes. They would be obscured from viewers from the east by intervening on-site structures and the buffering landscaping provided throughout the Project. It is also correct to say that modifications to the existing setting that would occur as a result of Project, and being placed at the base of slopes. Refer to the EIR analysis in Subchapter 2.1. It is also correct to say that modifications to the existing setting that would occur as a result of Project implementation would be considered “permanent” changes to the area. However, while this change may be permanent, the visual impact as analyzed from the viewpoints identified in the Guidelines of Significance are determined to be less than significant when compared to the existing setting. In general, this is because there are existing residential, water infrastructure, and agricultural alterations in the view. After Project implementation, there would be additional residential and water infrastructure, with a large amount of unaltered hillside remaining within the view. The remainder of the comment requires clarification. The grading is tied to the development footprint, being the minimum practical to support the Project structures (see Figure 1-4b). The characterization of the site as “vacant” land is not correct. The Project parcels include two homes, sheds/barns, water tanks, etc. to support an equestrian facility and grove areas, among other isolated elements. Although the site is currently rural in nature, the site is not “vacant.” The Project’s sensitive biological and

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- K-11a
cont. steep slope areas would be set into open space, as depicted on Figures 2.4-10a and b, in keeping with a semi-rural open character; the Project housing density of 1.36 units per acre is characterized by the County as semi-rural; the incorporation of large animal keeping lots in two of the three neighborhoods discussed here is also a semi-rural element. The Project implementation would result in Project aesthetic effects that require mitigation including landscaping and slope treatments, but the EIR conclusion is significant and mitigated in the long-term. The reasons are more fully explained in the Project Visual Impact Assessment (VIA) as well as Subchapter 2.1 of the EIR, and further clarified in the responses below.
- K-11b The commenter states that the “Project is very different from all adjacent development.” The Project would be different from some abutting parcel uses but those uses also range widely in parcel size and number of structures/sizing of them. Relative to lots seen from Country Club Drive, 10 of the lots on the east side of the street north of Hill Valley Drive, as well as 10 (i.e., half) of the 20 lots on the west side of Country Club Drive between Hill Valley Drive and Mt. Whitney Road (i.e., those lots that would be included in views toward the Project) are less than 1 acre in size. Two of the latter larger lots also only connect to Country Club Drive via narrow flag driveways, so their size is not visually incorporated into development seen abutting the road. At its broadest point, it is based on what is seen within the view shed, or that area from which the Project can be seen. As alluded to in the comment, the larger setting plays a role.
- Development of the existing nearby homes in Eden Valley and Escondido were built under different development guidelines due to age or jurisdiction. Harmony Grove Village construction is ongoing under its own specific plan. These elements of age, jurisdiction and guidelines all lead to different patterns and visual elements. The comment specifically mentions Harmony Grove Village. It is noted that that Project is not visible from Eden Valley homes abutting Country Club Drive. What is expected to be variously visible from those homes are the tract homes in Escondido that are part of Hidden Hills (with lots less than 20,000 s.f.) and adjacent developments immediately east of Country Club Drive, as well as, from many viewpoints, the Palomar Hospital facility, which has permanently changed the skyline toward the eastern hills. Although more limited in extent, some Eden Valley homes toward the north of the valley also have views to existing light industrial park areas and mobile home parks located just over the Escondido and San Marcos city lines.
- The dominant visual elements of graded slopes would be short-term in nature as they would only be visually prominent during the construction period and for a short-time thereafter. Those visual effects were identified as significant and unmitigable. The reference to a 60-foot slope in Neighborhood 4 is not understood. A slope of that height is not depicted on Draft EIR Figure 1-31 (Final EIR Figure 1-32). One isolated

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K-11b
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cut area in that neighborhood would be higher (at 76 feet) while fill areas would be substantially lower (e.g., down to 36 feet in height). These slopes (including specific reference to the highest slope at 76 feet) are discussed in EIR Subsection 2.1.2.2, with significant impacts assessed in the short-term, as noted above. It should also be noted that these slopes would not be new topographic features in the area. In fact, the elevations of these slopes are largely determined by the nestling of residences into the much larger and steeper hillsides that form the western boundary of the valley. As such, following landscaping maturity, they would blend into other seen slope elements, and would be visually minimized by the stretch of hills behind.

Details as to plant species maturity, by named species, are provided in the Project VIA and EIR. By the time five years has passed, the slopes would appear as represented in Project simulations, with manufactured slopes appearing consistent with other slopes in the community. The combination of shrubbery, trees and groundcover would cover the soil. This level of landscaping would be required by the HOA and would also be maintained by them.

K-11c

It is agreed that the lots would be smaller than the lots in the abutting portion of San Marcos. The San Marcos lots are mountain top homes, while the Valiano homes would flank the mountains and be placed in areas with less topography. The lots would not be located in the City of San Marcos and City zoning and land use designations are not applicable. In terms of aesthetics, the fact that there is vertical as well as horizontal separation between the pads of the homes in Valiano and the homes to the west is also relevant.

As an example, residences that would overlook the northern portion of the Project were reviewed. Field checks are not possible as the road is private, but based on Google Earth, it appears that a total of 6 residences (fewer than 10) are located along Camino de la Cima that are likely to have views over the property. The northernmost residence appears to be approximately 0.13 mile northwest of the residentially developed portion of the Project in Neighborhood 4. Viewers from this location would look over a grove area (and a water tank proposed in 2005 and anticipated to be implemented by the Project if Valiano is approved) before viewing housing. The closest residence is located approximately 0.1 mile west of the Project boundary, with a few additional homes located in close proximity to each other on a slightly higher knoll of land and at a little further distance from the Project boundary. Although there may be variation based on grading, the closest home appears to be at an elevation of about 1035 above mean sea level (amsl). The other homes would be higher (Google Earth places them at approximately 1070 to 1105). The homes closest to this area would be on Lots 159 through 172, ranging in elevation from 756 to approximately 808 feet amsl, respectively. At a minimum, therefore, the pads would be over 225 feet below the viewer from residences on Camino de la Cima. Along Coronado Hills Drive

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K-11c
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to the south, a total of five homes would have a view of the Project and the southern portion of Neighborhood 4, with a total of eight lots abutting the western Project boundary. The elevation for these lots (221 through 228) would range in elevation from 832 to 834 feet amsl. The closest and lowest of the off-site residences to those homes would be at approximately 920 feet amsl, or approximately 85 to 90 feet above the pads. This does not mean that the Valiano development would not be visible or within in the viewshed. Project residences, however, would be generally below the direct line-of-sight to the very expansive views enjoyed by the viewer from these high locations, as the terrain falls away rapidly, and the eye is drawn to the horizon line of high hills and sky in the far distance. This is demonstrated in the photosimulation in Figure 2.1-12b, which is considered a “worst-case” simulation for a combination of reasons. For one, this is the area in which the largest number of homes would be located adjacent to the western property boundary. There is also an intervening rising slope between the off-site homes and the Neighborhood 2 homes shown in the simulation, which allows for views to the full home from this vantage point. In areas to the north, the pads are located close up against cut and retaining walls, which would minimize view to structure from points above them. Taking all of the above into consideration, it can be seen that the Project would change views, but not those elements of the view having to do with foreground scrub habitat and distant, expansive views of the cities of Escondido and San Marcos to the far distant mountains.

K-12

The descriptions of the Project’s mass and scale are adequate for purposes of CEQA disclosure. Retaining walls are identified on EIR Figure 1-33, which depicts their location, height and length. These topics receive focused review in the EIR in Subsection 2.1.2.1 under the heading “Retaining Walls,” which details their location within the site or on site perimeters, as well as the amount of anticipated vegetative screening, with conclusions reached regarding ultimate visibility and whether or not that visibility would result in significant visual impacts. Manufactured slopes are shown on EIR Figure 1-32, which depicts their horizontal extent as well as identifying their highest point (topographic lines provide information on the extent of those heights). Text specifically focused on manufactured slopes and their visual effect is located in Subsection 2.1.2.1 related to overall effect, Subsection 2.1.2.2 regarding their relationship to steep slopes and revegetation/landscaping, Section 2.1.4 regarding impact significance, and Section 2.1.5 regarding required mitigation.

The slopes in simulation Figure 2.1-9b are from “far away” because the simulation depicts the view seen by the greatest number of people (valley residents and travelers along Country Club Drive), from the most open and Project encompassing location. The technical specialist and County staff conferred and agreed on simulation locations that illustrated the widest amount of Project seen while still complying with rigorous

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| K-12
cont. | <p>County simulation standards regarding the 60 degree “cone of vision” seen by the human eye.</p> <p>The sole sound barriers recommended also are immediately adjacent to Country Club Drive, and Figure 2.1-10b illustrates that sound wall. The simulation assumes the viewer is immediately adjacent to the intersection of Country Club Drive and Mt. Whitney Road, in the southbound lane, looking into the Project. It is not possible to get much closer. Moving the viewer onto the property and out of public right-of-way would eliminate the public view seen by the greatest number of potential viewers, and also would bring the viewer so close to the wall that perspective on the changed condition at this intersection would be lost. As shown, the wall would be located downslope from the road, with only the top of it showing.</p> |
| K-13a | <p>The caveat noted on the simulations is that vegetation reflects five years following installation, a common industry practice. Short-term impacts related to the construction period and the first few years of growth before plants attain visual maturity at five years following installation were assessed as significant and unmitigable. At five years of growth following installation, the significant and unmitigable impacts associated with the end of construction and initial Project landscaping growth process would conclude and the landscaping is projected to be adequate to mitigate impacts to less than significant levels. The simulations are accurate representations of projected Project conditions. It should be noted that projects with similar landscaping that have been approved and constructed have mitigated for the long-term effects when the landscaping reached maturity. The simulations are the product of staff vetted as qualified by the County to be responsible for such simulations. The licensed California landscape architect responsible for identification of landscape maturity at five years has over 30 years of experience in the field.</p> |
| K-13b | <p>The simulations are prepared to support CEQA analyses. As such, they become important elements of the evaluation process when they support findings that impacts would become less than significant. It is not necessary to depict landscaping prior to it providing effective screening because the interim impact is identified as clearing exceeding County-identified thresholds. There is no higher possible impact level under CEQA, and it is adequately disclosed, even though it would be a transitory condition.</p> |
| K-13c | <p>Consistent with this comment, the Project incorporates more mature landscaping in specific areas where it would make a difference to the viewer. This includes the Project entrance off Country Club Drive and some areas edging this primary road or in buffer plantings where olive trees and oaks, respectively, would be installed from larger container boxes than would ordinarily be the case. As described in Subsection 2.1.2.1:</p> |

COMMENTS

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K-13c
cont.

... the buffering landscaping has been chosen to provide heavy screening within the first five years of planting; unless otherwise specified. Most of these plants/shrubs would be installed from one- to five-gallon containers. ... Identified species include the following plants, with anticipated attainment of visual maturity noted: Matilja poppy and sugarbush (1 year), coffeeberry (1 to 3 years), coast live oak (installed from a 48-inch box; 10 to 25 years), Catalina cherry and hybrid Oregon grape (2 to 5 years), manzanita (5 to 15 years), and coastal scrub oak (low shrub; 5 to 15 years).

And:

Within the streetscape zone, four trees are identified. California sycamore and oaks would be planted in informal groves occasionally interrupted by limited drifts of California bay laurel, and olive trees would be located at Project entries. Due to their slow growth rate relative to other species noted above, the entry olives would be installed from 36- to 48-inch boxes, so that more mature trees would be installed at the beginning. Oaks also would be planted from 48-inch boxes within streetscape areas.

K-14a

Figure 2.1-9b is the best representation of the greatest amount of development on the Project. As indicated in Response K-12 of this letter, the County has standards that govern preparation of simulations (Attachment A to the County Report Format and Content Requirements, Visual Resources; County 2007). Included in this attachment is that simulations are to reflect the spread observed by the normal human eye, so that they are the closest possible representation of what would actually be seen by a viewer from any specific location. Simulations in panorama format attempting to show an entire project in a single view are prohibited.

It is acknowledged that the Project would be visually accessible from a multitude of specific locations. Per County requirements noted above, they should “represent a real view as the public would see it from a publicly accessible location.” They are not intended to depict every possible view, but to provide verification (using accepted modeling methods) of what a Project would look like. Because not every viewpoint can be represented, those that are most representative of particular locations, the greatest number of viewers, the closest views, etc. are chosen. These are the viewpoints that most reviewers of the analysis will relate to, and are therefore considered the most helpful. As required by the County Visual Resources Report Format and Content Guidelines, viewpoints for analysis should be chosen based on several criteria, including “the potential number of viewers” (County 2007:4). The locations which are representative of the largest number of viewers are given priority for simulation.

Pursuant to those criteria, simulating future conditions from at or about the end of Eden Valley Lane would illustrate a view potentially

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- K-14a
cont. experienced by approximately five or fewer residences. Not all of these residences are oriented toward the Project, and all would be buffered from the Project by the buffering landscape shown on VIA Figures 13a, 13b and 13c (this latter schematic also shows residential orientation although not all structures shown are residences). It should also be noted that of the homes on the north side of Eden Valley Lane with potential views toward the Project, the nearest homes in Neighborhood 1 that they would see (Lots 20, 28 and 40) would be sited at a spacing that generally mirrors these same residences (on the north side of Eden Valley Road).
- K-14b See Response K-14a relative to a key view from Mt. Whitney Road. Approximately eight homes appear to take access off this road, but not all front it. Some are located “behind” structures further to the north, and existing mature vegetation is present around these homes. The westernmost home, or the one that would be located closest to the entry into Neighborhood 1, is aligned north-south on the lot, with the garage facing the Project, and direct orientation looking east (toward an existing neighboring property) or west (onto prior grove area). Existing trees on the north (Project side) of Mt. Whitney Road are to remain, as indicated on the landscaping schematic in EIR Figure 1-25; and the Project would not remove any plantings associated with the residences on the south side of the road. The existing vegetation, combined with the enhanced entry plantings simulated in Figure 2.1-11b, would result in Project-related visual changes being visible, but CEQA impacts are assessed as less than significant, as stated in EIR Subsection 2.1.2.1.

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K-14b cont.	at or near the Project property line. <i>See, Exhibit A</i> , attached hereto. There are numerous residences and properties located between the Project site to the east and Country Club to the west. Viewing Neighborhood 4 from Country Club Drive alone does not provide sufficient information on visual impacts to Project <i>adjacent</i> residences. Also there is insufficient visual information as to Neighborhoods 3 and 4. Key View/Photosimulation 4 depicts visual conditions relative to Seeforever Drive in San Marcos, but it is not a complete view of the scope of Project development. Moreover, a Key View should be selected on Coronado Hills Drive in San Marcos. Properties on Coronado Hills Drive are located <i>at</i> the Project's property line. <i>See, Exhibit A</i> , attached hereto.
K-14c	However, even with the lack of adequate simulations, Photosimulation 4 indicates a significant visual impact in the long-term . Homes in San Marcos will directly overlook the entirety of the Project. This represents a significant visual impact in the long-term.
K-14d	Proposed mitigation measures are inadequate (M-AE-1 and M-AE-2). While landscaping and rock staining on manufactured slopes as well as texturing of retaining walls may be helpful, these seem more like elements of the Project's design rather than mitigation for significant, long-term visual changes to natural areas and viewsheds. Plant landscaping and the treatment of slopes and retaining walls do not mitigate the fact that the Project converts a natural area to urban uses on a permanent basis. The Project also relies on numerous Project Design Considerations for aesthetics (p. 7.19 -20). These must be adopted as CEQA mitigation measures in order to be effective and enforceable. <i>See, Lotus v. Dep't of Transp.</i> (2014) 223 Cal. App. 4th 645.
K-15	Aesthetic impacts are also significant in the long-term because the Project is not consistent with policies of the County's General Plan including but not limited to Policy COS-12.1. The Project does not <i>preserve</i> hillsides and ridgelines: mass grading of natural landforms will occur. Also, the planned residential development with fencing, sidewalks, and street-lights undermines the General Plan's goals and policies of preserving the area's decidedly rural character.
K-16	The analysis of aesthetic impacts is also inadequate where there is no photosimulation of the wastewater treatment plant. This facility will be located near homes to the east. Also absent are vantage points from scenic area roadways.
K-17	Finally, aesthetic impacts must be considered significant on a cumulative basis. The DEIR insofar as acknowledges a significant cumulative visual impact. Particularly in conjunction with the Harmony Grove South project, the Project contributes to an <i>overall</i> change in the views and character of the otherwise rural, open-space, large-lot, and agricultural community.
K-18	<u>Agricultural Resources</u> The Project proposes development of active or suitable agricultural areas and/or in areas with candidate soils. As discussed further below, the DEIR underestimates impacts and further mitigation is required.
K-19	The Project site is described as including large blocks of commercial avocado orchards, citrus orchards, and lands with suitable soils for agricultural uses. Agricultural resources encompass 137.2 acres including: 117 acres of avocado orchards, 100.5 acres of Unique Farmland, and 27.3 acres of Farmland of Local Importance (areas overlap). According to the DEIR, "[a]pproximately 100.5 acres of Unique Farmland are present within the Proposed Project site; these areas are concentrated mainly in the western and northern portions of the property and are associated with on-site avocado orchards. Approximately 27.3 acres of Farmland of Local Importance are mapped in the western and northern portions of the Project site, with associated agricultural uses consisting of avocado orchards." (DEIR p. 2.3-11) The Project area also includes high quality soils suitable for agricultural production. According to LAFCO criteria, the Project

K-14c See Responses K-11c and K-14b, respectively, regarding views from homes in San Marcos and the importance of numbers of viewers relative to assessment of significant impacts. See the photosimulation in Figure 2.1-12b, which is considered a "worst-case" simulation from the residences to the west. Also as described in Responses K-12 and K-14a, the use of panoramas in simulations is not allowed. Simulations must reflect the normal human eye cone-of-vision.

K-14d See Response K-11c. The high value elements to the view are related to the elevated nature of the views from this area, with the ability to shift vision from one area to the next in views to the horizon. It is not based on absence of development, as large portions of County, San Marcos and Escondido development are uniquely visible from these elevated locations. As shown in Figure 2.1-12b, that would continue. As noted elsewhere in these responses, the Project would be seen, but would not eliminate the breadth of possible views. Nor is there any potential for interruption of horizon views. Impacts are assessed as less than significant under CEQA.

K-15 Regardless of whether an element is included as a design measure or mitigation measure, the important factor is whether it will be implemented (see additional discussion at the end of this comment).

The Project would not convert the parcels to "urban" uses. The "SR" portion of the SR-0.5 land use designation in the County is an abbreviation for "Semi-rural." Many of the Project lots also abut or contain retained open space, with a total of 149.4 acres, or over 62 percent of the site, retained in open space, landscaped area, or recreational area with full development of the Project. Rural, as opposed to urban, themes resonate throughout the Project, including incorporation of large areas of open space, horse properties in Neighborhoods 3 and 5, retention of a portion of the riding facility in the southeastern portion of the Project in Neighborhood 5, incorporation of bridle trails along Project roads, including three-rail equestrian fencing, retention of agricultural elements/easement on Project parcels, etc.

The County rigorously enforces Project Design Features as well as mitigation measures. Each item incorporated into a Project that affects impact identification and significance is identified in County EIRs. As described in EIR Chapter 1.0, technical and environmental commitments were proposed as part of the Project that are both standard construction operating measures as well as those of specific design to minimize

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cont. | potential long-term adverse effects associated with the Proposed Project. These items were listed on Table 1-4 as well as in Chapter 7.0. Each of these is identified as Project Conditions if a Project is approved, which are effective and strictly enforceable. |
| K-16 | <p>COS-12.1 states: “Protect undeveloped ridgelines and steep hillsides by maintaining semi-rural or rural designations on these areas.” As noted, the Project proposed land use designation would be semi-rural (SR-0.5). No ridgeline development is proposed and steep hillside encroachment conforms to the very restrictive Resource Protection Ordinance (RPO). The Project would conform to COS-12.1.</p> <p>The barriers proposed for the Project are consistent with existing privacy barriers in the valley, and would be largely subject to buffering landscaping in addition. Fencing such as the equestrian three-rail fencing proposed for use in the Project, is completely “rural” in character. Sidewalks would be limited, and trails would be developed of decomposed granite. Where limited sidewalks and streetlights are required consistent with the County LPC, they are safety features that the County does not find inconsistent with semi-rural development. Also see Response F-2.</p> |
| K-17 | <p>The WTWRF is discussed in Subchapter 2.1. It is included within DEIR Subsection 2.1.2.1 analysis (pages 2.1-18 - 19), under the heading “Architectural Design” (pages 2.1-20 – 21), under the heading “Massing and Scale” (page 2.1-23), relative to publicly accessible views (page 2.1-37), private views (page 2.1-39), and relative to nighttime lighting in Section 2.1.26 (page 2.1-53). Due to the visual consistency of the WTWRF with other agribusiness elements in this semi-rural area, as well as its low visibility due to landscape screening and low elevation relative to the adjacent heavily travelled roadway, no simulation is required in order to understand the less-than-significant visual effects.</p> <p>The issue of scenic corridors is referred to throughout Subchapter 2.1 of the EIR, but provides the focus in Subsection 2.1.2.3. As stated, although a small portion of Harmony Grove Road appears to be in the viewshed of the Project based on topography alone:</p> <p>... the closest scenic highway to the Proposed Project site is the segment of Elfin Forest Road/Harmony Grove Road between the San Marcos city limits and the Escondido city limits. At its closest point, it is located approximately 0.5 mile from the Project site. This County scenic highway is located within the Project viewshed, but several peaks, hills, trees, and intervening structures prevent any views of the Proposed Project from this scenic highway segment. Other designated Scenic Highways in the general area include the segment of Via Rancho Parkway between Del Dios Highway and SR-78, which is located approximately 1.5 miles southeast of the Project site (at the intersection of Via Rancho Parkway and Del Dios Highway). Intervening topographic features, however, prevent any views of the Proposed Project from this scenic highway and</p> |

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cont. | <p><i>thus, it is not within the Project viewshed (refer to Figure 2.1-5).</i></p> <p>Future conditions will additionally screen views from Harmony Grove Road toward the site as Harmony Grove Village builds out between the roadway and the Project.</p> |
| K-18 | <p>The County agrees with the characterization of the cumulative condition. Consistent with this comment, the cumulative condition is identified as significant. The EIR also clearly states that the Proposed Project would contribute to the cumulative condition in the discussion of the collective effect of Harmony Grove Village, Harmony Grove Village South, Valiano, and the Palomar Hospital facility in particular. The Project would not, however, make a “cumulatively considerable contribution” to the cumulative condition. As (amended with the last sentence and) described in the EIR:</p> <p><i>When viewed from off-site locations, the Proposed Project would not substantially contrast with visual patterns, particularly since large open space area would be retained along with retention of several existing on-site elements (e.g., orchard uses and dense tree groves)..... The Proposed Project would essentially be perceived as an extension of existing uses to the east and would visually blend with the emerging visual pattern within the valley. Secondly, as the viewer approaches the Project site from Country Club Drive, views would open up compared to the developed surrounding settings. (The visual environment to the north consists of developed areas with industrial buildings that line the roadway and restrict views to rural elements within the valley.) Views approaching the Proposed Project from the south encompass rural and semi-rural residential development, and would be further reinforced upon buildout of the Harmony Grove Village project. Third, views of the Project from public vantage points that offer expansive views into the valley floor, such as Seeforever Drive and public trails within the Elfin Forest Recreational Reserve, would not substantially contrast with surrounding development and visually, would be an extension of existing patterns (refer to Figure 2.1-12b as an example). This includes the incorporation of the R7 water tank. As the facility would be connected to other agricultural visual elements rather than residential elements, it would not contribute to cumulative elements related to residential development, and would be visually separated in distance from other tanks in this portion of the County.</i></p> <p>In effect, the generally visible changes to the valley character have either already occurred due to housing east of Country Club Drive, ridgeline development on the western slopes of the valley, Palomar Hospital and its geometric 10-11 story facility to the northeast (with City of Escondido planned future industrial and office parks related to the hospital uses along Country Club Drive and Citracado Parkway to the east), and ongoing development related to Harmony Grove Village immediately adjacent to Country Club Drive and the scenic corridor Harmony Grove Road.</p> |

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cont. | The changes to the overall setting of the valley would not substantially diminish without the Project. Neither would the overall character of the valley substantially change with the Project given the amount of retained open space, the distance from the most heavily travelled roadways and the greatest number of viewers, and incorporation of buffering landscaping. |
| K-19 | This comment is correct in noting that the Proposed Project would develop active agricultural areas and areas with CDC candidate soils, and is also correct in citing agricultural-related information concerning on-site agricultural resources (137.2 acres), avocado orchards (117 acres), Unique Farmland (100.5 acres), Farmland of Local Importance (27.3 acres), and prime agricultural land pursuant to LAFCO criteria and existing on-site conditions (140.2 acres), as well as the description of off-site zoning in adjacent portions of the City of San Marcos (A-1, although these areas also include HR-1 zoning designations, as noted in Subsection 2.3.2.3 of the EIR). Because this comment does not include any questions or comments on the EIR analysis or related considerations, no additional response is required. |

K-19 cont.	<p>site contains 140.2 acres of LAFCO Prime Agricultural Land. Surrounding uses include active and/or designated farmland and agricultural uses. The adjacent sites in San Marcos are zoned A1 Agricultural.</p> <p>Pursuant to the LARA Model used to evaluate agricultural impacts, the Project site “is an important agricultural resource” (p. 2.3-20). Despite the site containing 100.5 acres of Unique Farmland and 27.3 acres of Farmland of Local Importance, the DEIR determines there are impacts to <i>only 13.0</i> acres of candidate soils per the adopted threshold of significance (AG-1) (p. 2.3-21 [“Project-related impacts to identified on-site agricultural resources that occur within areas of Prime Farmland or Farmland of Statewide Importance candidate soils encompass approximately 13.0 acres. This includes 11.6 acres of historic orchard use in the southeastern portion of the site, 0.2 acre of historic orchard use in the east-central area, and 1.2 acres of historic row/field crop production in the east-central area; the noted impact locations are shown on Figure 2.3-3”]). However, Table 2-3.1 indicates that the site contains at least 50 acres of Prime or Statewide candidate soils. <i>See also</i>, p. 2.3-33 - 34. This apparent discrepancy should be resolved. Additional mitigation may be necessary.</p> <p>As mitigation for the loss of candidate soils, the Project relies on two Project Design Considerations (PDCs) and one CEQA mitigation measure. The PDC which calls for the dedication of a 36.5-acre agricultural easement does not directly address the loss of the 13 acres of Prime or Statewide soils, where the easement apparently relates to lands distinct from the Prime or Statewide soils. The PDC relies upon the HOA maintaining the avocado orchards to the north but calls for only 10 years of funding for the management. This is not long-term mitigation of significant, direct project impacts. The 36.5-acre conservation easement must be maintained in perpetuity, with adequate funding provided to ensure the appropriate management and oversight of the area. The PDC is also inadequate to the extent that the amount of the “security” may be determined by the “applicant <i>and/or</i> the HOA” (p. 2.3-36) (emphasis added). Also, management of agricultural production by a residential HOA is not equal to management by qualified farmers. In addition, the PDC is not proposed for adoption as a CEQA mitigation measure; thus, it is inadequate and not enforceable pursuant to CEQA. <i>See, Lotus v. Dep’t of Transp.</i> (2014) 223 Cal. App. 4th 645. Finally, to the extent the active avocado farm or a portion thereof was destroyed by wildfire in 2014, the PDC is arguably ineffective, illusory, and/or unenforceable. Mitigation Measure MM-AG-1 is also inadequate. For instance, MM AG-1 subd. (3) would allow the developer to “purchase off-site agricultural lands with easements totaling 13.0 acres that meet the intent of the County Agricultural Guidelines.” This is not an enforceable standard; also, historically, these types of private agricultural easements have been difficult to secure. Moreover, any approval by the Planning Director subsequent to project approval is not subject to public review and scrutiny, contrary to CEQA’s principles of public accountability.</p> <p>Preservation of on-site Prime or Statewide soils by way of a design consideration mitigation measure has not been shown to be infeasible. The Project should explore ways to preserve the lands with the 13 acres of prime soils including larger lots in these areas. Essentially it is asserted in the DEIR that a loss of lots in the neighborhoods comprising the Prime or Statewide soils would be infeasible from a cost perspective. Under CEQA, any finding of economic infeasibility must be supported by substantial evidence in the record. (CEQA Guidelines section 15091 (a), (b).) Perhaps a loss of lots would result in a reduction in profits for the applicant but this does not necessarily qualify as a finding that a particular mitigation measure is truly <i>infeasible</i>. Indeed, the justification that “the Project design does not include lots of two acres or larger in size, with all proposed lots in appropriate areas of agricultural resources and candidate soils less than</p>
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This comment is correct in noting the following information from Subchapter 2.3 of the EIR: (1) the Project site “...is an important agricultural resource..” under the LARA Model, and would be subject to approximately 13.1 acres of associated impacts from implementation of the Proposed Project (pursuant to related criteria in the County Agricultural Guidelines, as outlined below); (2) the site contains 100.5 acres of Unique Farmland and 27.3 acres of Farmland of Local Importance; and (3) the site contains over 50 acres of Prime Farmland or Farmland of Statewide Importance CDC candidate soils. Based on these data, the comment concludes that the described conditions represent an “apparent discrepancy” and that “Additional mitigation may be necessary.” As described in Subsection 2.3.2.2 (and Appendix D) of the EIR, however, the assessment of potentially significant impacts to agricultural resources (per the County Agricultural Guidelines) is based on the following Significance Guideline:

The Project site has important agricultural resources as defined by the LARA Model; and the Project would result in the conversion of agricultural resources that meet the soil quality criteria for Prime Farmland or Farmland of Statewide Importance, as defined by the FMMP; and as a result, the Project would substantially impair the ongoing viability of the site for agricultural use (emphasis added).

Based on this criterion, the EIR notes that the Project site includes approximately 137.2 acres of agricultural resources (with approximately 14.55 acres of these resources located within CDC Prime Farmland or Farmland of Statewide Importance candidate soils, see Section 2.3.1 of Appendix D). From the described information on agricultural resources and candidate soils, as well as the noted Significance Guideline, the EIR and Appendix D correctly conclude that Project-related impacts to identified on-site agricultural resources that occur within areas of Prime Farmland or Farmland of Statewide Importance candidate soils encompass approximately 13.1 acres (with the remaining 1.54 acres of candidate soils located within identified on-site agricultural resources not impacted under the Project design). Specifically, under the County Agricultural Guidelines, agricultural impacts occur in areas of identified agricultural resources which also encompass Prime Farmland or Farmland of Statewide Importance candidate soils that are available for agricultural use (i.e., not encumbered with structures, roadways, biological conservation easements, or other uses/conditions that would preclude agricultural operations). Accordingly, the assessment of Project-related agricultural impacts is correct (i.e. approximately 13.1 acres), and the associated proposed mitigation would reduce these impacts to less than significant (see Response I-69a for additional discussion of proposed agricultural mitigation).

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| K-21 | <p>As described in Subchapter 2.3 of the EIR and Appendix D, the Project Design Features do not represent mitigation, but rather are design elements intended to avoid/reduce associated impact and/or provide additional related benefits. This comment is also incorrect in stating that the off-site mitigation area "...apparently relates to lands distinct from the Prime or Statewide soils." As described in Subchapter 2.3 and Appendix D of the EIR, proposed off-site mitigation would require either acquisition of agricultural mitigation credits via the County Purchase of Agricultural Conservation Easement (PACE) Program, providing a combination of PACE mitigation credits and establishment of on- and/or off-site LBZ easements or agricultural easements (off-site) in appropriate areas, or purchasing off-site agricultural lands or easements that meet the intent of the County Agricultural Guidelines and are approved by the County (see Response I-69a for additional information). The use of PACE credits and/or other (on- and/or off-site) agricultural easements requires approval by the County as noted, and would thus would be required to meet all applicable requirements related to the nature and characteristics of proposed mitigation areas under the County Agricultural Guidelines (including the presence of CDC candidate soils in easement areas, as applicable).</p> <p>This comment also questions the use of the proposed Project Design Feature to establish a 35.4-acre on-site agricultural easement as mitigation, as well as related elements of this Project Design Feature associated with management structure, duration and funding. The proposed easement would be managed and maintained to protect the availability and viability this area for potential agricultural uses, which could be implemented directly through the HOA (i.e., by retaining a qualified manager/consultant/operator), or through options such as leasing or selling the easement parcel to a third party for agricultural development. An Agricultural Maintenance Agreement between the easement land owner(s) or lessee(s) and the County of San Diego would require proper maintenance of the 35.4-acre agricultural easement. The Agreement would be transferred to an individual property owner/lessee or the HOA as necessary, to the satisfaction of the Director of County PDS. See Response I-69a for additional description of the proposed 35.4-acre on-site agricultural easement, including specific information related to the noted questions/issues in this comment.</p> |
| K-22 | <p>See Response No. I-69a for specific information related to the noted questions/issues in this comment, including the management, duration and funding of the proposed 35.4-acre on-site agricultural easement.</p> <p>The described 35.4-acre on-site agricultural easement is specifically identified as a Project Design Feature, and is included as such in the EIR Project Description and on the associated Tentative Map. In addition, Chapter 1.0 (see Table 1-4) of the EIR specifically requires that "Prior to approval of the first Final Map, an Agricultural Maintenance Agreement will be executed between the County and the Project owner(s)/lessee(s)</p> |

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K-22 cont.	and/or HOA to maintain the 35.4-acre agricultural easement,” thus, providing an enforceable element to the Project Design Feature. See Response I-69a for additional description of the noted Agricultural Maintenance Agreement.
K-23	<p>This comment is correct in noting that “...the active avocado farm or a portion thereof was destroyed by wildfire in 2014...” However, as outlined above in Response I-69a, the proposed 35.4-acre agricultural easement would protect the availability and viability of the easement area for associated potential agricultural uses, which may include partial retention of the existing avocado orchards (or reestablishment of orchards impacted by recent wildfires), as well as establishment of additional agricultural uses such as vineyards and/or other orchards (e.g., pomegranates and olives). The agricultural easement would also preclude development other than agriculture, uses incompatible with agriculture, and non-agricultural uses (with minor exceptions for agricultural-related uses and fuel management, if applicable). As such, this proposed Project Design Feature would ensure the availability and viability of the proposed easement area for potential agricultural operations, subject to the Agricultural Maintenance Agreement noted above and described in detail in Response I-69a (with the issue of enforcing the agricultural easement Project Design Feature described above in Response K-22). Additionally, the proposed Agricultural Maintenance Agreement conditions described above in Response I-69a would be subject to review and approval by Director of PDS, with such review/approval authority to be granted to the Director by the Board of Supervisors as part of the associated resolutions/ordinances adopted under the Project approval process.</p> <p>Further, the option to purchase off-site agricultural easements under Mitigation Measure M-AG-1 is a viable mitigation measure. As described in the referenced mitigation measure:</p> <p><i>Options to implement this mitigation include: (1) providing 13.0 acres of off-site mitigation through the acquisition of agricultural mitigation credits via the County Purchase of Agricultural Conservation Easement (PACE) Program; (2) providing a combination of PACE mitigation credits and establishment of on and/or off-site agricultural easements in appropriate areas encompassing CDC candidate soils and totaling 13.0 acres, or (3) purchasing off-site agricultural lands with easements totaling 13.0 acres that meet the intent of the County Agricultural Guidelines, all to the satisfaction of the Director of PDS.</i></p> <p>Accordingly, the purchase of off-site agricultural easements is only one option to implement this measure, and the associated requirements may be met through a combination of efforts as noted, with all proposed easements enforceable through the required approval by the Director of PDS.</p>

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K-23
cont.

While the noted approval of individual agricultural mitigation easements by the Director of PDS is not specifically subject to formal public review as indicated in this comment, such approval would be based on the associated requirements identified in the EIR (and by extension the County Agricultural Guidelines), which have been subject to formal public review. As a result, the Director of PDS would not have the ability to alter or replace the EIR mitigation requirements, but would instead provide assurance that the proposed easements would comply with the mitigation requirements in the Public Review EIR (as well as the County Agricultural Guidelines).

K-24

Section 2.3.5 of the EIR concludes that the use of on-site agricultural resource preservation to fully mitigate Proposed Project impacts is considered infeasible, based on the following considerations:

...(1) the Project design does not include lots of two acres or larger in size, with all proposed lots in appropriate areas of agricultural resources and candidate soils less than one acre in size (and most less than one-half acre); and (2) on-site preservation of approximately 13.0 acres of applicable agricultural areas would create substantial land use effects (and related financial impacts) for the Proposed Project, due to the required loss of several residential lots in Neighborhoods 3 and/or 5, as well as associated potential effects to proposed open space, parks, landscaping, wastewater, storm water and/or recycled water facilities. As a result, a potential redesign to preserve the described agricultural elements on site is considered infeasible and would cause the project to be economically unviable...

With respect to item 1, the nature of proposed lot sizes makes it inherently difficult to include on-site agricultural (LBZ) easements, as most areas outside of the proposed development (structures, driveways, pads, grading, setbacks, etc.) would be limited in size, irregular in shape and generally not conducive to the use of LBZ easements. Specifically, the County Agricultural Guidelines note in Section 5.1.1 that “Preserved agricultural resources must remain viable for continued or future agricultural production...” and conclude “...preservation of one-half acre [or smaller] areas within individual residential parcels would likely not be considered viable.” Accordingly, most proposed lots in areas containing agricultural resources and CDC candidate soils would not be subject to the use of LBZ easements to retain and preserve agricultural resources that would be viable for agricultural use. It should also be noted, however, that the discussion in Section 2.3.5 of the EIR concludes that it is considered infeasible to fully mitigate agricultural impacts from the Proposed Project (i.e., approximately 13.1 acres) using on-site agricultural resource preservation. Mitigation Measure M-AG-1 in Section 2.3.5 includes the option of “...providing a combination of PACE mitigation credits and establishment of on and/or off-site agricultural easements in appropriate areas encompassing CDC candidate soils and

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cont.

totaling 13.1 acres.” Accordingly, based on the final Project design, it may be feasible to mitigate a portion of the identified agricultural resource impacts through the use of on-site LBZ easements.

The potential use of larger lots in areas containing agricultural resources and candidate soils (as well as other locations) was evaluated in Chapter 4.0 of the EIR for two Project alternatives, including the General Plan Density and Septic Option alternatives. While either of these alternative designs could potentially accommodate LBZ easements in applicable areas to address some or all of the associated agricultural impacts, the analysis concluded that both alternatives would fail to meet all of the stated Proposed Project objectives (see Responses I-32, I-42 and I-43 for additional discussion of these alternatives).

The discussion under item 2 also evaluates the full mitigation of agricultural impacts from the Proposed Project (i.e., approximately 13.1 acres), with some potential for partial on-site preservation (mitigation) as noted above. With the assumption of full on-site mitigation, the resulting conclusion of infeasibility is considered appropriate, as it would require a substantial Project redesign. Specifically, this would potentially include the removal of several residential lots, landscaped areas and recreational features (e.g., the trail head park); redesign and/or relocation of a number of water quality/drainage and recycled water facilities (including several detention/bioretention basins, the wet weather storage pond, and related infrastructure); and loss or reduction of proposed open space areas.

K-24 cont. one acre in size (and most less than one-half acre)” is a statement, not a finding of infeasibility. The statement that “on-site preservation of approximately 13.0 acres of applicable agricultural areas would create substantial land use effects (and related financial impacts) for the Proposed Project, due to the required loss of several residential lots in Neighborhoods 3 and/or 5, as well as associated potential effects to proposed open space, landscaping, wastewater, stormwater and/or recycled water facilities” is not supported by fact. The County as the lead agency must also consider independently the feasibility of a particular mitigation measure.

K-25 Finally, the conclusion of the DEIR of less-than-significant cumulative impacts is not supported. Figure 2.3-6 shows the Project’s context in relation to active agricultural uses and areas of Prime or Statewide candidate soils. The DEIR acknowledges that within the study area combined projects will result in a loss of 340.8 acres of CDC Prime or Statewide soils. Nonetheless, the DEIR asserts the Project’s contribution is less-than-significant because “(1) Project-related impacts would represent only approximately 10 percent of the cumulative total (i.e., 35.1 out of 340.8 acres); (2) under the Proposed Project design, nearly 38 percent of the on-site CDC candidate soils would be preserved (i.e., 21.4 out of 56.5 acres); and (3) impacts to CDC candidate soils from the Proposed Project would be partially offset by the required mitigation for direct on-site impacts, which would total 13.0 acres” (p. 2.3-34). First, the Project’s contribution to the loss of agricultural lands (10% of the total within the study area) must be deemed cumulatively considerable; 10% of the total is not a marginal number. Second, it is not clear how 38% of the on-site CDC candidate soils will be preserved; the DEIR suggests that avoidance of these areas is infeasible. If this statement refers to the lands subject to the conversation easement, as discussed above, this PDC is not effective or enforceable.

Air Quality

K-26a The DEIR determines the Project will have significant and unavoidable air quality impacts relative to construction and operation phases. (AQ-1, AQ-2, AQ-3, and AQ-4) Apart from M-AQ-1 (providing a revised housing forecast to SANDAG) the DEIR asserts there are no feasible mitigation measures available to lessen significant impacts.

K-26b First, redesigning the Project to construct fewer units has not been shown to be infeasible based on substantial evidence. Applicant concerns about profitability is not by itself evidence of financial infeasibility within the meaning of CEQA.

K-27 In reaching conclusions regarding air quality impacts, the DEIR relies upon a number of Project Design Features (PDFs) as well as assumptions about Project operation and construction (e.g., p. 7-21–23). As these PDFs and assumptions are not adopted as CEQA mitigation measures, they cannot be relied upon in the conclusions. Additionally, on pp. 2.2-27-28, the DEIR asserts the applicant will exceed 2008 Title 24 requirements by 15%, *thus claiming environmental benefits over the status quo*. Title 24 has been updated with the latest version (2013) becoming effective on July 1, 2014¹. Not only must any new project adhere to the current code *at the least* but claiming as the DEIR does an environmental benefit for exceeding old standards is misleading to the public. Note that the CEC states, “California’s Building Energy Efficiency Standards are updated on an approximate three-year cycle. The 2013 Standards improve upon the 2008 Standards for new

¹ California Energy Commission, California Building 2013 Building Energy Efficiency Standards (<http://www.energy.ca.gov/title24/2013standards/index.html>). **This hyperlink – and all hyperlinks cited in this letter – are fully incorporated herein by reference.**

K-25 The EIR analysis concludes that effects to candidate soils from the cumulative projects (including the Proposed Project) are “...considered a cumulatively significant impact.” The analysis goes on to note, however, that the Project contribution to this impact would be less than considerable based on the reasons cited in this comment. This conclusion is considered appropriate, based on the following considerations:

- As noted in this comment and the EIR analysis, Project-related effects to CDC candidate soils would represent less than 10 percent of the total cumulative impact. Accordingly, the substantial majority (over 90 percent) of these impacts are associated with other identified cumulative projects (and the Project impacts represent less than 2.2 percent of the total area of candidate soils in the study area [i.e., 33.1 out of 1,516 acres]). Specifically, without the Proposed Project impacts, the cumulative effect to candidate soils from the remaining cumulative projects would still be considered significant, as it would only be marginally reduced from 22.4 to 20.2 percent of the total area of candidate soils (i.e., 338.9 out of 1,516 acres, versus 305.8 out of 1,516 acres). As a result, the Project-related contribution to candidate soil impacts is not considered cumulatively considerable.
- The Project design would preserve over 41 percent of the on-site CDC candidate soils (23.3 out of 56.5 acres), as indicated in this comment and the EIR analysis. Specifically, the preserved areas would be located in open space or other areas not proposed for direct impacts from Project development (e.g., portions of residential lots outside of the building/grading envelopes). As outlined in Response K-24, the EIR concludes that the use of on-site agricultural resource preservation to fully mitigate Proposed Project impacts is considered infeasible. Accordingly, areas of candidate soils totaling 23.3 acres would not be impacted under the Proposed Project design, with portions of these areas potentially suitable for establishment of LBZ easements as described in Response K-24. It should also be noted that the described 23.3 acres of candidate soils to be preserved do not include any portion of the proposed 35.4-acre agricultural easement, as this area does not encompass any Prime or Statewide Importance candidate soils (with the issue of enforcing the agricultural easement Project Design Feature described above in Responses K-22 and K-23).
- This comment correctly references the EIR conclusion that “...

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K-25 cont.	<p>impacts to CDC candidate soils from the Proposed Project would be partially offset by the required mitigation for direct on-site impacts, which would total 13.0 acres.” As noted in Response K-21, the use of PACE credits and/or other agricultural easements requires approval by the County, and would be required to meet all applicable requirements related to the nature and characteristics of proposed mitigation areas under the County Agricultural Guidelines (including the presence of candidate soils in easement areas, as applicable).</p>
K-26a	<p>As noted in the Air Quality section (Subchapter 2.2), the Project has been designed to include a number of Project Design Features that would reduce emissions of criteria pollutants. These features include electric vehicle charging stations, high efficiency appliances and lighting, advanced plumbing, water recycling, efficiency measures to reduce energy and water consumption, prohibiting wood-burning fireplaces, and providing educational materials (such as brochures) with information regarding the use of low- Volatile Organic Compounds (VOC) paints and consumer products in every residence. In addition, construction-related dust control measures are enforced by Rule 55 of the San Diego Air Quality Management District and are required on the grading plans. Design features also include the requirement of the use of renewable energy for 30 percent of the energy consumption (incorporated into the D-Designator Site Plan), and energy efficiency design features are enforced through a Title 24 Compliance Report that is part of the building permit issuance process. Odor control measures are also included as Project design features in order to minimize objectionable odors. Because the Proposed Project would be inconsistent with the Regional Air Quality Strategy (RAQS) and State Implementation Plan (SIP), there are no feasible mitigation measures to reduce the Project’s contribution to a less than considerable level other than reducing the Project size.</p>
K-26b	<p>Options for a reduced Project size are addressed within Subchapter 4.0, Project Alternatives. Several alternatives, including the No Project/No Development Alternative, General Plan Density Alternative, Reduced Grading Alternative, and Septic Option Alternative include development of fewer units than the Proposed Project. As discussed in that section, these alternatives would reduce air quality impacts. In the case of the No Project/No Development Alternative, all air quality impacts would be reduced to less than significant. In the General Plan Density Alternative, Reduced Grading Alternative, and Septic Option Alternative, direct air quality impacts would be reduced to less than significant; however, cumulative construction air quality impacts would remain significant and unavoidable. Impacts associated with all alternatives have been disclosed and assessed relative to the Proposed Project. As such, all viable alternatives have been adequately addressed and evaluated in the EIR. Air quality impacts associated with each alternative will be considered by San Diego County prior to Project approval.</p>

K-27
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construction of, and additions and alterations to, residential and nonresidential buildings. The 2013 Standards went into effect July 1, 2014.” *Id.* Also note that, “The 2013 Standards will use 25% less energy for lighting, heating, cooling, ventilation, and water heating than the 2008 Standards.” *Id.* (emphasis added). Accordingly, if the Project exceeds 2008 standards by 15%, this strategy would not achieve even the minimum 2013 standards. Also, the 2013 standards are the *minimum* energy efficiency standards; the Project should strive to exceed *those* standards – only then can the Project claim an improvement over the *status quo*. (See, DEIR p. 7-23) Finally, if Climate Change Impacts are evaluated in reference to or in reliance upon 2008, Title 24 standards, the assumptions and analysis must be revised.

K-28

The analysis also fails to provide adequate information with respect to the wastewater treatment plant. The DEIR merely assumes that future design of the facility will ensure that odors are not objectionable. Also, reliance upon future enforcement action by another agency is not adequate CEQA mitigation. In addition, there is no discussion of odors associated with the wet weather pond. The discussion at p. 2.2-24 states that “[a]ll WTWRF facilities *with the exception of* the wet weather pond would be covered to avoid uncontrolled odor release” (emphasis added). Will this facility create objectionable odors to nearby homes?

K-29

Construction Air Quality

The analysis assumes that EPA Tier 4 off-road equipment and diesel particulate filters will be utilized (p. 2.2-23). These must be adopted through the mitigation program in order to be enforceable.

K-30

Do the construction assumptions include truck trips associated with export of dirt for off-site improvements and rock transport after blasting?

K-31

Biology

It is unclear whether biological mitigation areas overlap with agricultural mitigation areas. The preservation of on-site and potentially active agricultural areas such as avocado groves is not necessarily consistent with the goals for preservation of biological open space.

K-32

The current design will effect local wildlife movement. The proposed biological open space easement in Neighborhood 4 is only 200 feet wide. The County General Plan and San Dieguito Community Plan require presentation of local wildlife corridors. A redesign of the Project is required to provide for a larger local wildlife corridor. The DEIR acknowledges that the Project site functions as a local wildlife corridor leading to the west.

K-33

The Project impacts 53.8 acres of non-native grassland and 20.5 acres of extensive agriculture which are habitats for seven County Group 1 animal species observed on site, including Cooper’s Hawk, red-shouldered hawk, northern barrier, white-tailed kite, turkey vulture, prairie falcon and grasshopper sparrow. However, Mitigation Measure, M-BI-1a and b is uncertain and not shown to be adequate. This measure is discussed further below.

K-34

There are potential discrepancies in the description of the amount of acreage to be preserved as open space.

K-35

Surveys should be updated to account for current conditions. The DEIR states: “General biological surveys of the Proposed Project site were conducted, according to County Requirements, by HELIX on October 18, 2011, February 17, 2012 and November 21, 2012. The new addition of the Tentative Map was surveyed on February 17, 2012 and the sewer options alternative alignments were surveyed on July 22, 2014.” Despite multiple field reconnaissance surveys, there is no mention or analysis of the impacts from the May 2014 Cocos fire in the

K-27

See Response K-15 regarding the enforceability of Project Design Features. Regarding Title 24 requirements, the commenter is correct in that the Project Applicant would be required to comply with the latest version of the Title 24 Energy Code. As noted on page ES-1 of the revised Greenhouse Gas (GHG) Analyses Report (Appendix J of the Final EIR), project buildout is anticipated to be in 2021; therefore it would be required to comply with the 2016 Title 24 Energy Code (which went into effect January 1, 2017); the 2013 CALGreen Building Code; Assembly Bill (AB) 341, which targets 75 percent diversion of operational waste; reduction of potable water use by 20 percent; low-flow water and bathroom fixtures; reduction of wastewater generation by 20 percent; weather-based irrigation systems; provide areas for storage and collection of recyclables and yard waste; roof anchors and pre-wiring to allow for the installation of photovoltaic (PV) systems; and preparation of a Construction and Demolition Debris Management Plan in compliance with Sections 68.508 through 68.518 of the County of San Diego Municipal Code that requires 90 percent of inerts and 70 percent of all other materials to be recycled.

K-28

Potential impacts associated with odors emitted from the WTWRF are analyzed in detail within Subsection 2.2.2.5 of the EIR. The WTWRF includes a number of features designed to minimize odors from the facility. All WTWRF facilities with the exception of the wet weather storage pond would be covered or enclosed to avoid uncontrolled odor release. The water within the wet weather storage pond would be California Title 22 treated recycled water and would only be stored in the event of wet weather events and therefore would not provide a source of objectionable odors and is not required to be covered or enclosed. The WTWRF includes several measures that would control odors as the water is treated; for example, odor neutralizing misting system would be applied to the chemical compounds in the biogas, the use of chlorine gas to disinfect non-potable water, and the use of bio-filters to capture odor causing compounds. Digester pressure relief valves are not vented to the outdoors. Further, Section 6318 of the San Diego County Zoning Ordinance states that “All commercial and industrial uses shall be so operated as not to emit matter causing unpleasant odors which are perceptible by the average person at or beyond any lot line of the lot containing said uses.” Additionally, Section 6318 requires that odors be diluted by “a ratio of one volume of odorous air to eight or more volumes of clean air.” Active odor control units would be located to manage gases from the wet and solids stream treatment processes. All processes and equipment would be housed (or otherwise contained), and ventilation would be controlled such that no objectionable odors would be discernible at the Project site boundaries. Facilities that cause nuisance odors are also subject to enforcement action by the San Diego Air Pollution Control District (SDAPCD). SDAPCD Rule 51 (Public Nuisance) prohibits emission of any material causing nuisance to a considerable number of persons or endangers the comfort, health or safety of any person.

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	<p>K-29 The use of EPA Tier 4 off-road construction equipment has been included as a Project Design Feature. See Response K-15 regarding the enforcement of these features.</p> <p>K-30 As noted in Section 4.2.1.2 of the Air Quality Analysis Report (Appendix C of the Final EIR), import and export of soil for Project construction (including most of the off-site construction) is expected to be balanced on-site. Table 7 within the report provides the earthwork quantities by neighborhood. The air quality modeling does take into account 6,200 cubic yards of soil of export for Mt. Whitney Road.</p> <p>K-31 There is no overlap of biological open space with agricultural open space on site. Refer to Figures 2.4-10a and 2.4-10b of the EIR for a depiction of these areas. As described above in Response I-69a, the proposed on-site agricultural easement is a Project Design Feature and does not constitute mitigation for Project-related agricultural impacts. While there may potentially be some on-site agricultural mitigation in the form of placing LBZ easements on applicable residential (or other) lots, none of these potential LBZs (or the 35.4-acre on-site agricultural easement) would overlap with biological easements or mitigation areas.</p> <p>K-32 The Project would not alter existing wildlife access from the west to two riparian areas on site, one in preserved lands in the northernmost parcel within southern mixed chaparral and avocado groves, and the other within biological open space in Neighborhood 4. These areas are part of a 47.5-acre block of land that consists of biological open space and an agricultural easement, which connect to off site native habitat along approximately 2,900 linear feet of the western site boundary. In addition to providing opportunities for wildlife movement between the site and areas to the west, these riparian areas and adjacent preserved lands would continue to provide areas suitable for foraging and breeding, as well as providing a water source for wildlife. As the site is situated at the western edge of existing residential development, connectivity for wildlife to areas to the north, east, and south of the site is already limited; therefore, there is no wildlife corridor that extends across the site to off-site conserved lands to the north, east, or south.</p> <p>K-33 Mitigation Measures M-BI-1a and b are consistent with County Guidelines.</p> <p>K-34 The acreage of on-site biological open space is 31.2 acres. This amount has been adjusted since the DEIR, and has been updated in the EIR.</p> <p>K-35 For the purposes of analyzing impacts to biological resources, vegetation communities would still be mapped as they were prior to the Cocos fire; updates to the mapping are not necessitated. For recently burned areas, County guidance is to use historical evidence for mapping these areas. Because the areas were already mapped prior to the fires, there</p>
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K-35 cont.	<p>biological technical report. More than 90% of the project footprint burned in this fire, and all of the proposed biological open space areas have burned.</p> <p>Mitigation for biological open spaces should include a restoration plan should the vegetation community not restore to its previous condition by which it was used for mitigation. The agricultural/non-native grassland interface with areas of native vegetation/sensitive vegetation communities are at a higher risk of becoming invaded by non-natives and invasive species post fire. If this is not possible, then mitigation may need to be applied offsite as well. This applies to the following vegetation communities (from Table 2.4-8): Southern riparian forest (61300), Southern riparian woodland –including disturbed (62000), Southern willow scrub (63320) Mule fat scrub (63310), Freshwater marsh (52400) , Herbaceous wetland (52510) Disturbed wetland (11200), Open water/pond (64140), Coast live oak woodland –including disturbed (71160) Diegan coastal sage scrub –including disturbed (32500), Southern mixed chaparral –including disturbed (37121) Eucalyptus forest (79100) , Eucalyptus woodland (79100), Non-native grassland (42200), Non-native vegetation (11000), Orchard (18100), Intensive agriculture (18200), Extensive agriculture (18300), and Disturbed habitat (11300).)</p> <p>Thus, biological resources should be reviewed post fire (via Vegetation Mapping, biological surveys, etc.), and the reports should be amended as necessary for each area. A Restoration Plan for the biological open spaces should be developed to ensure that on-site mitigation is indeed of like-kind. If on-site mitigation is no longer feasible for these impacts, the DEIR should describe alternate mitigation measures or avoidance measures. Biological open spaces should also be expanded and connected to allow for more species to move inside the local wildlife corridors, which will also protect the seedbanks so post-fire vegetation will recover more successfully.</p> <p>Surveys should be conducted for additional species. According to the Biological Technical Report (DEIR Appendix D), pp. D-7 - D-9, there are several animal species of special concern and County group 2 species with moderate or low to moderate potential to occur. A proper survey was not conducted for many of these species, which would require special survey. For instance, bat surveys and mammal trapping should have been performed to determine if these special species of concern listed in Appenidx D are present. Bats are in abundance in this valley, particularly because of the fresh water features, the agricultural and non-native grasslands foster a lot of insects for foraging, dark night skies, minimal noise, and the tall trees and woodlands that provide potential roosting and resting elements. There are also a number of rocky outcrops on the western slopes just below Coronado Hills (where the project proposes extensive blasting) and nearby to the east along Country Club Drive that would provide roosting opportunities. Residents have had bats roost in their eaves, and there are reported bat boxes in the Project area. Without a bat survey it would be difficult to determine what species are present, and how to mitigate for a nesting maternal roost site, and impacts to their foraging sites. Residents report a high number of bats in the warmer months, and have enjoyed this natural vector control for years. There are also a high number of rodents in the Project area, particularly because of the agricultural and non-native interface with native vegetation which is commonly used for many species. Because the Northwestern Pocket Mouse is a listed California species of special concern/County Group 2 species- and has a moderate potential to occur - it likely needs trapping surveys to determine its presence.</p> <p>Thus, the Project should be required to conduct mammal trapping surveys, and provide appropriate mitigation or avoidance measures. Because Bat habitat is an understudied area of expertise, and most species are becoming protected, if roosting sites for bats are located, they should be protected and avoided. Rock outcroppings on the western side of the development for</p>
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K-40	

K-35 cont.	<p>would be no change to the vegetation communities as depicted in the EIR. The Biological Technical Report (Appendix E of the Final EIR) acknowledges that the majority of the site burned in the May 2014 Cocos fire. Fire is a natural part of the ecosystem process in southern California, and the burned vegetation communities within biological open space are expected to recover.</p>
K-36	<p>Mitigation is required only for habitats considered sensitive by the County and Resource Agencies. Mitigation is not required for impacts to eucalyptus forest, eucalyptus woodland, non-native vegetation, orchard, intensive agriculture, or disturbed habitat. Biological open space on site is for avoidance, not mitigation; habitat mitigation would occur off site for impacts to County-sensitive vegetation communities. The acreages presented in the “Mitigation Required” and “Off-site Mitigation” columns in Table 2.4-8 are equivalent. A restoration plan is not required for biological open space that is not proposed for habitat mitigation. The terms “Extensive Agriculture”, “Orchard” and “Intensive Agriculture” are biological habitat types, and are not related to the analysis of agricultural impacts associated with the Proposed Project.</p>
K-37	<p>See Responses K-35 and K-36 regarding biological surveys and restoration plans and Response K-32 regarding wildlife corridors. Biological open space areas are connected to the extent feasible given Project design constraints and fuel modification zones. The majority of native habitat (southern riparian forest, southern riparian woodland, southern willow scrub, mule fat scrub, freshwater marsh, herbaceous wetland, coast live oak woodland, Diegan coastal sage scrub, and southern mixed chaparral) on site is avoided, thus preserving the native seedbank.</p>
K-38	<p>Project surveys and impact analyses were completed pursuant to County guidelines and CEQA and are considered adequate for evaluating impacts to biological resources. Small mammal trapping and bat surveys were not required for the Project. The Project avoids the majority of forest and woodland habitat on site, as well as the 0.51 acre freshwater pond in Neighborhood 5. Proposed biological open space and the agricultural easement would continue to provide potential foraging and roosting habitat for bats, and man-made structures, such as barns, may also provide potential roosting habitat for some species. Pallid bat maternal roosts are found in a variety of locations, including mines, caves, crevices, hollow trees, buildings, and under bridges. While potentially suitable maternal roosts may occur on site, pallid bats are extremely sensitive to disturbance and given the agricultural activities and other human-caused disturbances that have been ongoing on the Project site for many years, it is not expected that this species would be breeding on site. Western mastiff bat typically roosts in cracks or crevices in cliffs, which do not occur on site. Maternal roosts of small-footed myotis are typically found in caves and mines, which do not occur on site. Maternal roosts of Yuma myotis are typically located in buildings, mines, caves, or under bridges. As such, maternal roosts of these species are not expected to occur on site.</p>

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cont. | <p>Maternal roosts of long-legged myotis are typically located under bark or in hollow trees, rather than rock crevices. Although some suitable trees for roosting may occur on site, this species is most common in woodland and forest habitats above 4,000 feet and maternal roosts are not expected to occur on site.</p> <p>However, in order to avoid potential direct impacts to bats, the following mitigation measure has been added to the Final EIR:</p> <p>Focused surveys to determine presence or absence of bat colonies and/or bat nursery sites will be conducted within any structures to be demolished or hollow trees to be removed on the Project site. Surveys will begin a maximum of seven days prior to structure demolition or tree removal and one survey will be conducted the day immediately prior to the initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or hollow tree(s), demolition of the structure(s) or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). A copy of the survey results shall be submitted for approval to the Department of Planning and Land Use prior to the demolition of any structure(s) or removal of any hollow tree(s) on the Project site.</p> |
| K-39 | <p>Species-specific surveys for County Group 2 northwestern San Diego pocket mouse were not required for the Project and the analysis is consistent with County Guidelines and CEQA. Furthermore, no sign of pocket mouse was observed during various biological surveys conducted on site. The preferred habitat/soils of this species (coastal sage scrub/moderately gravelly and rocky substrates) is very limited on site, and the site plan has been redesigned (Neighborhood 3) to conserve the largest area of sage scrub on site in biological open space. If the species is present on site, the limited acreage of sage scrub present would likely correlate to a small number of individuals, most likely associated with conserved biological open space areas. Further, the Project is compensating the loss of potential habitat through off-site preservation of habitat.</p> |
| K-40 | <p>Species-specific surveys for County Group 2 bat species were not required for the Project and the analysis is consistent with County Guidelines and CEQA. See Responses K-38 and K-39 regarding bats and northwestern San Diego pocket mouse. Mitigation for Group 2 species is typically accomplished through habitat preservation, and thus the identification of additional Group 2 species on the site would not change the mitigation requirements. Proposed biological open space and proposed off-site mitigation would mitigate for potential impacts to these species according to County Guidelines and CEQA.</p> |

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K-40 cont.	<p>example, should be avoided. While protocol surveys were conducted for some species with “low potential to occur on site”, surveys for other species surveys were not: Pallid bat (<i>Antrozous pallidus</i>) low to moderate potential to occur, Northwestern San Diego pocket mouse (<i>Chaetodipus fallax fallax</i>) moderate potential to occur, Western mastiff bat (<i>Eumops perotis californicus</i>) Low to moderate potential to occur, Small-footed myotis (<i>Myotis ciliolabrum</i>) Low to moderate potential to occur, Long-legged myotis (<i>Myotis volans</i>) Moderate potential to occur, Yuma myotis (<i>Myotis yumanensis</i>) Moderate potential to occur.</p> <p>Edge effects and conflicts with biological open space areas are not mitigated to the fullest extent possible. The DEIR states:</p> <p>“Edge effects can result from increased noise, unauthorized trampling of habitat, introduction of pets and pest plants to open space areas, and effects of irrigation and lighting. Project implementation would potentially cause in direct impacts from construction noise, human access, domestic animals, exotic plant species, and lighting. ...</p> <p>Permanent fencing would be installed around biological open space, and signs precluding access would be posted to avoid potentially significant impacts from human access....</p> <p>The Proposed Project is residential in nature, so domestic predators (e.g., dogs and cats) may be introduced to the surrounding habitat. Although such introductions have potential to harm native wildlife species, the site is adjacent to existing rural residential development and is already subject to some level of disturbance and predation by domestic animals. In addition, the aforementioned permanent fencing that would be installed around the biological open space would preclude access by domestic predators to avoid potentially significant impacts.” (DEIR p. 2.4-21)</p>
K-41	
K-42	<p>The proposed fencing around the biological open spaces is intended to keep out humans and predatory domestic pets like cats and dogs. It is a three-strand wire fence. While a wall around the biological open space is not advisable (wildlife should be able to fluidly come and go to breed/forage), there should be strict regulations about allowing pets off-leash and residents should be prohibited from letting cats outside. This fence will <i>not</i> prevent dogs and cats from entering biological open space areas, animals which are the most common predatory threats to wildlife in an urban/wildland interface. The fence and signage is not satisfactory mitigation measure in itself.</p> <p>In addition, because the biological open spaces are disconnected from one another, and circumvented by roads and structures, and fuel modification zone (FMX), these islands of open space create a very dangerous and unfavorable situation for the wildlife. This should be included in the edge effects discussion. Wildlife will cross the roads and be subject to roadkill. Wildlife will seek other foraging opportunities and likely be killed by cars, or humans that do not welcome creatures like snakes, reptiles, and rodents. Urban minded people do not usually appreciate wildlife on their properties. In addition, the development should limit edge effects by limiting use of pesticides, herbicides, and other potential toxic sources that will have indirect effects to the wildlife and contaminate the natural water courses from which they depend. The Biological Open Spaces should be created in a way that allows for natural wildlife corridors that are already onsite. Preservation of these corridors will allow safer movement between foraging and possible breeding locations on the Project site for wildlife. Many of the natural drainage features already on site would be good avenues for this connectivity and decrease the impacts from the proposed plan, if</p>
K-43	
K-44	
K-45	

K-41	<p>The Project addresses edge effects through implementation of several measures, including permanent signs and fencing around biological open space, avoiding use of invasive species in landscaping, directing lighting away from biological open space, and seasonal restrictions on clearing and grading during the bird nesting season. Furthermore, biological open space areas are surrounded by minimum 100-ft wide limited building zones to ensure that no fuel modification would occur within biological open space. These measures are considered sufficient to address edge effects on biological open space for the Project.</p>
K-42	<p>Comment noted. Three-strand wire fence, or similar, is typically placed around biological open space so that wildlife can pass into and out of these areas. Signs would be posted around biological open space to alert residents that access to these areas is prohibited. In addition, the County has a leash law for public areas and the homeowner disclosures provided to homebuyers will include this requirement to keep pets on leash in public areas, including trails. Signs posted along the trails would also remind users that pets must be leashed.</p>
K-43	<p>The Biological Technical Report has been revised to include a discussion of road kill as a potential edge effect. Road kill impacts would be considered significant if they result in adverse effects to federal or state listed species. No federal or state listed species have been documented on site and none are expected to occur. Roads within the Project site would have posted speed limits of 25 mph. This low speed limit would lessen the likelihood of wildlife being hit by vehicles. Most sensitive species that have been documented on site are birds, which are far less likely to be hit by vehicles than mammals or reptiles, particularly at low traveling speeds. Although roadkill of common, non-sensitive species (e.g. side-blotched lizard [<i>Uta stansburiana</i>], western fence lizard [<i>Sceloporus occidentalis</i>], Audubon’s cottontail [<i>Sylvilagus audubonii</i>], and California ground squirrel [<i>Spermophilus beecheyi</i>]) may increase as</p>

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K-43 cont.	a result of the Project, these impacts would not be considered significant as these species are widespread throughout the region and do not have special status under federal, state, or local jurisdictions.
K-44	<p>As outlined in Section 3.13 of the EIR, the Proposed Project includes a number of measures intended to limit and/or control the use of chemical pesticides, herbicides and fertilizers to protect water quality and related resources, in conformance with applicable regulatory standards (e.g., the National Pollutant Discharge Elimination System). Specifically, these include measures to:</p> <ul style="list-style-type: none"> • Design site landscaping to maximize the retention of native vegetation and use of appropriate native, pest-resistant, and/or drought-tolerant varieties. • Minimize applications of chemical pesticides, herbicides, fertilizers; use licensed professionals for application of such chemicals in common landscaped areas; restrict the rates and times of fertilizer applications to minimize potential discharge in irrigation or precipitation runoff; use building design features such as sand barriers under floor slabs to act as pest shields; and provide Integrated Pest Management information to on-site owners, lessees and operators. <p>The use of pesticides within biological open space is not anticipated, and if required, would only be applied under the direct supervision of a licensed pest control advisor. Precluding the use of pesticides on private lots would not be enforceable upon Project buildout, but neither is the current agricultural operation precluded from using pesticides.</p> <p>In addition, on-site agricultural activities, if implemented, would be subject to applicable regulatory requirements related to pesticide use and control. These include a number of specific state and federal regulations, with the County Agricultural Commissioner responsible for their implementation. Additional information on pesticide use and control standards in San Diego County is available at: http://www.sandiegocounty.gov/content/sdc/awm/pesticides.html.</p>
K-45	See Response K-32 regarding wildlife movement. The Project avoids impacts to the majority of riparian habitat and associated stream channels on site. Furthermore, the site plan has been redesigned to provide greater connectivity through the northern portion of the site (Neighborhood 3) by removing a road through the riparian area and associated lots along the north edge of the riparian area, thus, opportunities for movement and enhanced habitat have been increased.

COMMENTS

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K-45 cont.	they were preserved. The Project should avoid impacts to natural resources by decreasing the number of units that are surrounding these biological open spaces, and by eliminating roads that circumvent them. Currently the Project design by nature does not allow for a less-than-significant impact.
K-46	Additional mitigation is required: M-B1-1a and b. Because wildlife is consistently observed by residents using non-native grassland and extensive agriculture (pasture) for foraging particularly in Neighborhood 5, and seven County Group 1 animal species were observed in these areas, mitigation ratios should be consistent. NNG and Extensive Agriculture (pasture) should both be mitigated for at a ratio of 1:1.
K-47	M-B1-3a, 3b, 3c, 3d, 3e. The Project should check for availability to mitigate these impacts with the local agency, The Escondido Creek Conservancy (TECC).
K-48	M-B1-3f. Mitigation for impacts to 6.7 acres of Coast live oak woodland should all be mitigated for at a ratio of 3:1.
K-49	M-B1-7. In order to ensure compliance with the MBTA, a qualified biological monitor shall be present at all times during construction related activities if they are being conducted during the bird breeding season (February 1-September 1).
K-50	Other mitigation recommendations: During construction, a biological monitor shall be present at all times to determine if there are any sensitive wildlife species that need to be removed/relocated that are in the Project site before grading and earth moving. In addition, a monitor would verify that any animals that could become trapped in ditches/holes/construction features that are created by earth moving activities are removed safely. Given the high likelihood that sensitive species are in the area that can become trapped in man made structures/features (like Coastal Rosy Boa, Red Diamond Rattlesnake, Orange throated whiptail, coast horned lizard, Coastal whiptail, and Coronado skink) this measure would mitigate for impacts to sensitive species that are not capable of dispersing.
K-51	<u>GHGs/Climate Change</u> The DEIR does not discuss the new Governor's Executive Order, B-30-15 ² , issued April 29, 2015. This order requires a 40% reduction of GHGs below 1990 levels by year 2030. As the Project is a new source of GHGs, the EIR must be revised to evaluate whether/ how the Project is consistent with this new reduction target.
K-52	<u>Hazards - Wildland Fires</u> The Project presents the risk to life and safety from wildfires in the area. The conclusion of the DEIR of less-than-significant impacts due to wildland fires is not supported. In particular, traffic and public safety issues to the community at large have not been adequately addressed. In the

² (<http://gov.ca.gov/news.php?id=18938>)

K-46	Proposed mitigation is commensurate with the proposed impacts and would occur in accordance with County and Resource Agency requirements. Extensive agriculture on the Project site is associated with the equestrian center and subject to regular disturbance and does not warrant an enhanced mitigation ratio of 1:1. Impacts to NNG would be mitigated at 1:1, which is above the requirement of the County's Guidelines, because the NNG is used by sensitive species. Extensive Agriculture would be mitigated at a ratio of 0.5:1 which meets the requirements of the County's Guidelines.
K-47	Comment noted. TECC has been contacted by representatives of the Project Applicant and does not have availability to mitigate these impacts.
K-48	Proposed mitigation is commensurate with the proposed impacts and would occur in accordance with County and Resource Agency requirements. County guidelines allow for a 2:1 mitigation ratio for coast live oak woodland occurring within fuel modification zones where the trees would be allowed to remain.
K-49	The Final EIR has been revised to include a Project Design Feature for construction monitoring (see Table 1-4). A Project Design Feature instead of a mitigation measure was the chosen approach since the suggested measure did not directly corresponded to a significant impact.
K-50	The Final EIR has been revised to include a Project Design Feature for construction monitoring and relocation of wildlife (see Table 1-4). A Project Design Feature instead of a mitigation measure was the chosen approach since the suggested measure did not directly corresponded to a significant impact.
K-51	The comment is correct that Governor Brown issued Executive Order (EO) B-30-15 on April 29, 2015, which sets a GHG reduction target of 40 percent below 1990 levels by 2030. Please refer to Topical Response: Greenhouse Gasses Analysis with regard to how the 2030 target was applied in the revised Greenhouse Gas Technical Report (Included as Appendix J to the Final EIR).
K-52	The comment is concerned with the risk of wildfires in the area, and specifically with evacuation. See Topical Response: Fire and Evacuation and Responses I-47 and I-53.

Coco's fire in 2014^{3 4}, which burned over 90% of the Project footprint⁵, current residents of Eden Valley and Harmony Grove had difficulties evacuating because of congested road conditions.

³ The Cocos Fire started on or about May 14, 2014 and burned 1,995 acres in San Diego County. (http://cdfdata.fire.ca.gov/incidents/incidents_details_info?incident_id=962)

⁴ The Cocos Fire is described at the following URL, (http://en.wikipedia.org/wiki/May_2014_San_Diego_County_wildfires)

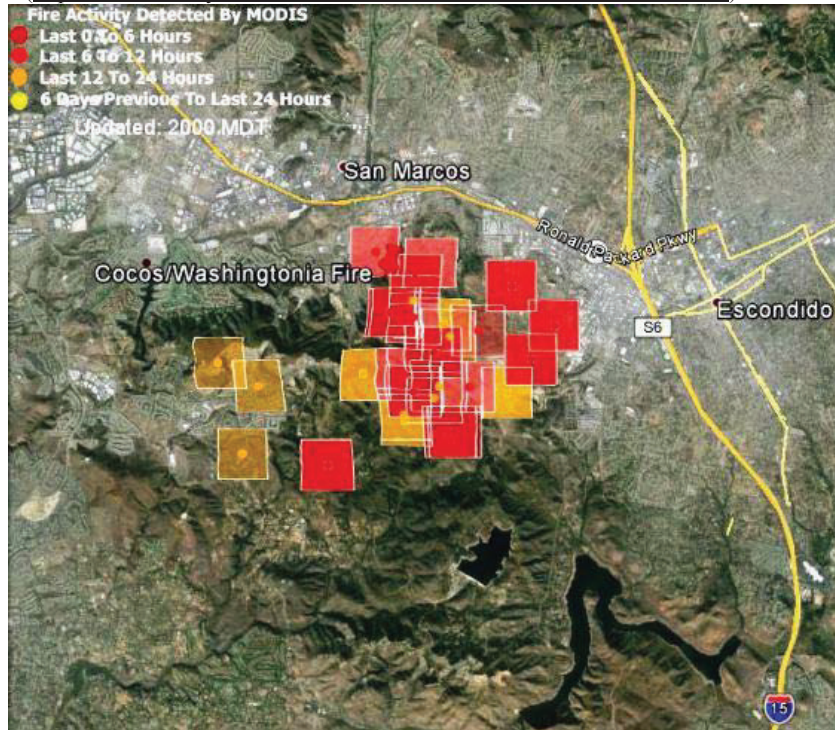
The May 2014 San Diego County wildfires (also known as the "2014 San Diego Firestorm") were a swarm of wildfires that erupted during May 2014, in San Diego County, California, during severe Santa Ana Wind conditions, historic drought conditions, and a heat wave. The main event during mid-May was preceded by a precursor fire that ignited on May 5. The severe weather conditions contributed to the spread of at least 19 more individual wildfires, with ten of them receiving names.



The Cocos Fire burning above CSU San Marcos, on May 14, 2014

The Cocos Fire, previously known as the *Twin Oaks Fire*, was a wildfire that ignited on May 14 in San Marcos, in the hills south of California State University, San Marcos. The Cocos Fire quickly spread into western Escondido. The fire destroyed more than 40 buildings, including a dozen single-family homes. The Harmony Grove Spiritualist Association, a 13-acre spiritualist retreat founded in 1896, was particularly hard hit, most of the buildings and residences on the property were destroyed, and the association's president said, "We're pretty much wiped out." Property damage from the fire is estimated at more than \$5.7 million. Three minor injuries have been reported. The Cocos Fire began at 5:38 PM PDT on May 14, and it had burned 400 acres (160 ha) by the evening of the same day. Flames were reported near homes, and the southeastern part of the city was ordered evacuated. By the morning of May 15 the Cocos Fire was the top priority for county firefighters. It grew overnight to 800 acres (320 ha) and was only 5% contained. Additional evacuations were announced. During the afternoon of May 15, the fire grew to 1,200 acres (490 ha). By the morning of May 16 the fire was still only 5% contained; several hours later, the fire grew to 3,018 acres (1,221 ha) with 15% containment. During the late afternoon of May 16, the Cocos fire was reported as 50% contained. During the morning of May 17, the fire was 70% contained. At 8:20 PM PDT on May 17, the Cocos Fire was 80% contained. On May 20, fire was reduced to 1,995 acres (807 ha) and was 93% contained. At 6:30 PM PDT on May 22, the Cocos Fire was reported to be 100% contained.

⁵ (<http://wildfiretoday.com/2014/05/15/california-cocos-fire-in-san-marcos/>)



COMMENTS

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K-52
cont.

There is only one narrow two-lane road (Country Club Drive) to exit the community⁶, and with only the 80 or so residents of Eden Valley and perhaps another hundred from Harmony Grove, the roads were blocked by horse trailers and traffic, making the exit towards Highway 78 very difficult as traffic was backed up on Auto Parkway and on Country Club Drive trying to turn onto Auto Parkway. To the West, evacuating traffic taking Harmony Grove Road to Elfin Forest Road found itself ensnared in a traffic jam at the corner of Elfin Forest Road and Twin Oaks/San Elijo, with delays of over an hour to try to reach Rancho Santa Fe Road. In the reasoned opinion of residents and area stakeholders, **fire evacuation problems can be expected to increase with the Project.**

K-53

The Fire Protection Plan (FPP) (DEIR Appendix L, dated April 2015) does not analyze or the Coco's fire in its historical analysis. This is a major flaw of the analysis and fails to give decision-makers and the public adequate information. Given the seriousness of the impact of that fire on the proposed project location (90% burned) as well as the surrounding immediate area a full analysis of weather and fire-fighting conditions for that specific fire must be included in order for decision makers to fully appreciate the potential impact of adding density in a valley prone to devastating fires.

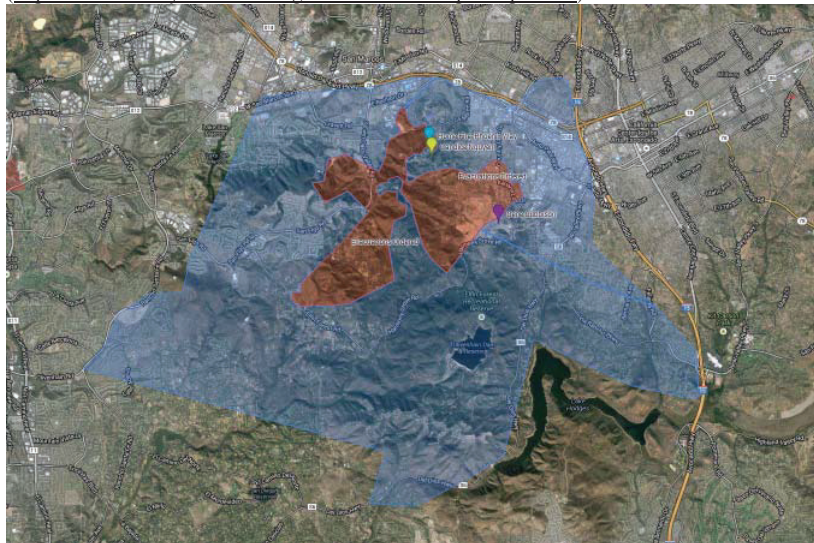
K-54

Additional flaws of the FPP include:

- The objective of the FPP is described as "identif[y] and prioritize the measures necessary to adequately reduce the fire risk *to the project*" (emphasis added). No mention is made of addressing measures necessary to reduce the fire risk *to the surrounding community* in which it seeks to triple existing density. As such there is

⁶ Map showing the Cocos Fire evacuation areas:

(<http://media.nbcbayarea.com/images/Evacuation+map+605pm.JPG>)



K-53

The comment is concerned with the Fire Protection Plan Historical Analysis in that the Coco fire is not included. See Response I-53.

K-54

The comment is concerned with the lack of analysis in the Fire Protection Plan regarding (1) how evacuating Project traffic will impact the ability of current residence to evacuate, and (2) how added human activity may increase fire risk to the existing community. See Topical Response: Fire/Evacuations regarding evacuations and Response I-59 regarding how the fire protection measures of Proposed Project would improve the fire safety of the surrounding area compared to the existing condition.

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K-54 cont.	no analysis of how the evacuating project traffic will impact ability to evacuate for current residents, or how the added human activity may increase fire risk to the existing community.
K-55	<ul style="list-style-type: none"> The second paragraph on page 4 inaccurately situates the Project within Eden Valley, failing to mention that a portion of the Project is located in the community of Harmony Grove.
K-56	<ul style="list-style-type: none"> On page 4, the statement :” <i>The San Marcos Fire Department (SMFD) encompasses the entire site within its boundaries;</i>” is incorrect, as portions of Neighborhood Five (approximately 10 acres) are part of CSA 107, Elfin Forest Harmony Grove Fire Department, distinct from SMFD.
K-57	<ul style="list-style-type: none"> While SMFD plans to “provide fire service for the project,” given how far the San Marcos stations are, first responders are likely to come from two other jurisdictions: Escondido FD and County Fire at Harmony Grove Village (once constructed). Yet San Marcos is granting variances to reduce width of access roads (185’ on Hill Valley at 16’ instead of the 24’ required by County Code), which could endanger other first responders. Should Escondido and/or other jurisdictions have joint authority to approve these variances?
K-58	<ul style="list-style-type: none"> The Project uses adjacent private properties as part of their Fuel Modification Zone (FMZ), requiring 3 property owners to agree to easements to reduce fuel, while the FMZ extends to many more private properties.
K-59	<ul style="list-style-type: none"> A field visit conducted in July 2012, but no visit was made after the Coco’s fire to analyze fire impact and test whether assumptions made were correct. For example, the Southwestern wind which is described as <i>infrequent</i> was a <i>key factor</i> in the Project area burning, but no mention is made at all of this recent event.
K-60	<ul style="list-style-type: none"> Page 9 mentions that “<i>Imported water and sewer service would be provided by the Valley Center Municipal Water District</i>”, which is not factual.
K-61	<ul style="list-style-type: none"> Page 9 notes that “<i>If agricultural operations in the watershed ceased, the Valiano property would be significantly more xeric.</i>” FPP should accurately describe current conditions under “Environmental Setting” to include the fact that the avocado grove was destroyed in the 2014 fires.
K-62	<ul style="list-style-type: none"> “Fire History” on page 12 makes a brief note of Cocos Fire but does not analyze how it burned close to the entirety of the Project footprint, and what was learned from the fire about fire behavior in the valley. Figures 3 and 4 only mention 2003 and 2007 fires, omitting the most recent onsite event.
K-63	<ul style="list-style-type: none"> Since previous fire in this area would not historically or now have been responded to by San Marcos Fire due to distance, the relevant historical data should at least include vegetation fires in CSA 107, where part of the project is located, and Escondido FD, which would cover this area due to proximity. “<i>The San Marcos Fire Department did respond to approximately 142 confirmed vegetation fires in San Marcos from 2000 to 2005. This is an average of 24 wildland fire responses in San Marcos per year.</i>”
K-64	<ul style="list-style-type: none"> The DEIR goes on to state, “<i>There is past history of frequent wildfires in similar vegetation and topography found on- and off-site the proposed Valiano project site.</i>” Then the online version of the FPP which is different from the bound copy adds the sentence, “<i>However, FIREWISE 2000, Inc. did not find that any large fires have burned the project area in the last 50 years.</i>” That sentence, clearly added

K-55	The comment identifies an inaccuracy in the FPP related to the location of the Project. The noted paragraph in the FPP has been revised to address the inaccuracy.
K-56	The comment identifies an inaccuracy in the FPP related to the Fire Districts that serve the Project. See Response B-3.
K-57	All proposed mitigation measures have been shared with SMFD and the County to promote clarity and concurrence on approach. There is not a requirement for joint approval beyond the current review process.
K-58	The comment is concerned with the need for off-site Fuel Modification Zones. These off-site zones would no longer be necessary (see Response I-49).
K-59	Section 1.4.4 of the FPP –Fire History clarifies that the 2014 Cocos Fire was included as one of the recent fires that have occurred in this area. The lessons learned and evaluation of the Cocos Fire, and other fires, were important for establishing the FPP requirements for the Valiano Project.
K-60	This comment was addressed by the FPP and the error corrected to state that the Rincon MWD would provide water for the Project.
K-61	The revised FPP (Appendix L of the Final EIR) addresses this comment in Section 1.4.2 to clarify that a large portion of the planted avocado trees burned in the Cocos Fire. If agricultural and other existing disturbances ceased, the area would revert to a high load, dry climate shrub environment.
K-62	The comment is concerned with the Fire History, and specifically the lack of analysis related to the Coco wildfire. See Response K-59.
K-63	The CSA No. 107 acreage with the Project is relatively small, but clarification to the FPP has been made to show that APN 232-500-24 is located within the jurisdiction of CSA No. 107 –Elfin Forest/Harmony Grove. The total of 142 responses to vegetation fires was obtained from SMFD. Mutual Aid agreements would have enabled other fire suppression responses from other fire departments.
K-64	Section 1.4.4 of the FPP has been clarified to include the 2014 Cocos Fire in the Fire History Section. The practice of CAL Fire and other local fire

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K-64 cont.	after the fact, is misleading since the Cocos fire burned right through the Project site last year.
K-65	<ul style="list-style-type: none"> While the FPP acknowledges the increased danger from increased housing density, it fails to acknowledge and analyze the impact of the increased density of this Project on surrounding existing residents: <i>“As the density of structures and the number of residents in the interface increases, potential ignition sources will multiply and a large wildfire occurrence increases. Efforts in this FPP will be made to mitigate the increased likelihood of human ignition of a wildfire spreading to the surrounding wildland fuels.”</i> (Page 13)
K-66	<ul style="list-style-type: none"> The Fire Behavior analysis is based on a 2006 and 2007 CWPP, which again does not analyze the Cocos Fire. Actual wind speed on the site in 2014 should be discussed, as well as prevailing winds instead of extrapolating from general models.
K-67	<ul style="list-style-type: none"> Onsite vegetation analysis is inaccurate re: existing conditions: <i>“Most of the site is planted with avocado (Persea americana) and limited amounts of citrus (Citrus sp.).”</i> Active agricultural uses were destroyed during the 2014 fire.
K-68	<ul style="list-style-type: none"> The FPP repeatedly avoids analyzing impacts on current residents outside the proposed project. For example, at page 17: <i>“These open space corridors will be fire prone areas with wildfire threat. However, the Implementation of prescribed Fuel Management Zones (FMZs) recommended in this FPP would create acceptable wildfire protection for all the structures within this development.”</i> (emphasis added)
K-69	<ul style="list-style-type: none"> Offsite vegetation analysis is inaccurate re: Northern and Southern “Boundary: the <i>“irrigated and managed avocado orchard”</i> is now dead trees, hence the statement that <i>“The exposure of the southern boundary of the project site is significantly reduced by the agriculture (avocado). An extensive area southwest of the southwest corner of the proposed Valiano project is also avocado orchard. This adds additional fuel modification of native fuels in the area and significantly reduces the wildfire hazard”</i> needs to be revised to reflect actual conditions on the ground.
K-70	<ul style="list-style-type: none"> To properly model the fire behavior, should a scenario be included which evaluates building to General Plan designations (i.e., 118 homes on 2 acres), rather than “no project”? <i>“For purposes of evaluating worst case scenarios it was assumed that if the disturbance to the site were discontinued the site would revert quickly to some form of a very high load, dry climate brush fuel models”</i>?
K-71	<ul style="list-style-type: none"> Which of the 4 scenarios evaluated reflect the Cocos fire conditions, if any? If none, the analysis should be redone.
K-72	<ul style="list-style-type: none"> Travel times discussed in response time do not take into account traffic conditions on Country Club Drive. Also, in case of emergency, the analysis does not discuss the fact that over 50% of existing residents have horses which in an evacuation means incoming trailers for those without sufficient capacity, and outgoing trailers on two-lane road, along with emergency vehicles.
K-73	<ul style="list-style-type: none"> The reduced width on Hill Valley (p. 31) increases danger to first responders and current residents trying to evacuate. This is not acceptable.
K-74	<ul style="list-style-type: none"> The statement <i>“If access roads are not currently to DPW road standards, they will be improved to the applicable DPW road standards (See APPENDIX ‘G’ - Valiano Neighborhood Exhibit and Road Circulation Plan)”</i> has not been evaluated in the EIR.

K-64	agencies was to not keep permanent fire records for fires of fewer than 300 acres (now permanent records for all fires are kept). Section 1.4.4 – Fire History, is a section of the FPP which documents occurrence of large local wild fires.
K-65	The FPP does state that statistically the increased density of structures and the number of residents in the interface areas could increase potential ignition sources and thereby increase the likelihood of large fires in the area. See Response I-59.
K-66	The FPP did not extrapolate from general models. A fire behavior modeling program was used to calculate fire behavior parameters (rate of spread, fire line intensity, and flame height) for on-site and off-site native mature fuels during worst-case scenarios, e.g., for late summer strong winds northeast winds (Santa Ana) and late season, strong south to southwest winds.
K-67	The revised FPP addresses this comment in Section 1.4.2 to clarify that a large portion of the planted avocado trees burned in the Cocos Fire. If agricultural and other existing disturbances ceased, the area would revert to a high load, dry climate shrub environment.
K-68	See Response I-59.
K-69	The comment identifies inaccuracies in the FPP, specifically the off-site vegetation at the Project boundaries. This has been addressed in the changes discussed in Response K-61.
K-70	Neither CEQA nor County Guidelines require fire modeling to be conducted for Project alternatives. The different scenarios analyzed in the FPP are intended to reflect different weather conditions that could affect fire behavior. Fire behavior modeling was completed for on-site and off-site native mature fuels during worst-case scenarios, e.g., for late summer strong winds, northeast winds (Santa Ana) and late season, strong south to southwest winds.
K-71	Data and fire behavior from the Cocos Fire were used to validate fire behavior modeling calculations for the Project. The lessons learned and evaluation of the Cocos Fire, and other fires, were important for establishing the FPP requirements for the Valiano Project. The first day of the Cocos Fire ignited during hot, dry, windy Santa Ana Conditions in May 2014. Historically, the fire behavior on the first day of the fire was similar to fire behavior most often experienced during the late summer and fall. The fire behavior of the Cocos Fire most closely matched Scenario 1 described and evaluated in the FPP. However, the fuel parameters (rate of spread, fire line intensity, and flame length) were still not as severe as the worst case scenario conditions that could potentially occur in this area. Using the most extreme worst-case scenario fire behavior calculations in the FPP provides requirements and mitigations that ensure the best protection for lives and property in the area.

COMMENTS

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| K-72 | The comment is concerned with response time and that the analysis does not take into account traffic conditions. See Response I-55 regarding calculation of travel time and see Response I-62 regarding animal evacuations. |
| K-73 | As discussed in Subsection 1.2.1.2 of the EIR, the SMFD has accepted this reduced roadway section and a design exception has been granted by County PDS. |
| K-74 | The Project would improve private roads to meet the County's Private Road Standards, with the exception noted in Response E-6 and K-73. All off-site improvements to roads serving the Project have been analyzed in the EIR |

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K-75		<ul style="list-style-type: none"> Also, the impact to residents analyzed in terms of parking availability and access for residents and guests. <i>"Fire apparatus access roadways will be designated "fire access roadways or fire "fire lanes" and not obstructed in any manner, including the parking of vehicles."</i>
K-76a		<ul style="list-style-type: none"> Since the FPP acknowledges increased fire danger from increased density and proposes that <i>"All buildings shall be fully protected with automatic fire sprinkler systems"</i>, the applicant should be required to install at their cost fire sprinkler systems in all the older homes impacted by added fire risk because of the development without that protection. This should be adopted as Project mitigation.
K-76b		<ul style="list-style-type: none"> The Cumulative Impact Analysis fails to mention the 2014 fires.
K-77		<ul style="list-style-type: none"> Under Additional Requirements, one of the measures is outdated since the onsite avocado orchard is no longer productive. <i>"4.8.6 The on-site actively managed avocado orchard is anticipated to remain a productive orchard into the foreseeable future. However, if the active management is abandoned and the orchard become dead/decadent and a fire hazard, the SMFD will have authority to remove or have removed the abandoned orchard as a community protection measure."</i>
K-78		<ul style="list-style-type: none"> Requiring adjacent private owners to encumber their property with a FMZ for the benefit of another private entity, and then making the SMFD the authority for <i>"disputes over fuel modification of individual lots"</i> is an unreasonable burden on the nearby owners.
K-79		<ul style="list-style-type: none"> The FPP concludes that, <i>"This FPP evaluated the adverse environmental effects that the proposed Valiano development may have from wildland fire and to properly mitigate those impacts to ensure that this development does not unnecessarily expose people or structures to a significant risk of loss, injury or death involving wildland fires,"</i> yet never discusses the adequacy of evacuation routes and impact on evacuating residents outside the Project footprint who will see their fire risk increase as stated on page 13 of the FPP.
K-80		<ul style="list-style-type: none"> Is it reasonable to expect that proper irrigation of fire-resistant plants within FMZ Zone 1 will occur? These plants must be watered for effectiveness.
K-81		<ul style="list-style-type: none"> Will the HOA or the individual homeowner be responsible for fuel modification maintenance? There are conflicting statements in project documents. (<i>Compare</i>, DEIR p. 2.9-18 re: continued maintenance and Appendix L Section 4.4.3 on p. 35 [maintenance under control of HOA].) Responsibility for fuel abatement must, at the least, be the responsibility of the Project's HOA. Ideally, a qualified agency would also provide oversight.
K-82		<ul style="list-style-type: none"> The potential for construction fire has not been adequately addressed. The FPP states the developer will remove flammable brush and vegetation prior to construction. But specifics are not given (e.g., how much will be removed and in what areas?). As response times are currently inadequate, construction fire is a potential area of concern. Note that the 2014 so-called Bernardo Fire, in or near the 4S Ranch Community, was started at a construction site, according to media reports. (http://www.nbcsandiego.com/news/local/New-Details-Bernardo-Fire-Cause-MAST-Hillside-Excavating-261758001.html)
K-83		<ul style="list-style-type: none"> If construction occurs during fire season, such as late summer or fall when Santa Wind events are present, these issues are even greater.
K-84		<ul style="list-style-type: none"> Are water reservoirs at sufficient capacity to air-drop water to the site?

K-75	The FPP identifies the requirement of the County Consolidated Fire Code and SMFD standards that proposed identified fire lanes with widths of 24 feet shall not have parking. Fire lanes with 30 feet width can allow parking on one side; therefore, there would be adequate parking available for Project residents and guests.
K-76a	The Fire Code requires that all new homes built in fire prone areas shall be sprinklered. At present, the Fire Code does not require retrofitting older homes and particularly does not permit the retrofitting of older homes on the property of others.
K-76b	<p>The lessons learned and evaluation of the Cocos Fire, and other fires, were important for establishing the FPP requirements for the Proposed Project.</p> <p>The FPP documents that devastating wildfires do occur and have occurred in this area and throughout southern California. The purpose of the FPP Cumulative Impact Analysis is to document how the proposed development and other proposed developments in the surrounding area can contribute to the risk and the impact of wildfires. This analysis ensures that established fire codes of the local fire agency are followed and mitigation measures are proposed to ensure that wildfires do not create fire safety and welfare concerns for the residents and visitors of the Project and the surrounding areas.</p>
K-77	The Valiano HOA would have responsibility to maintain orchards to minimum standards outlined in Zone 2 standards. The FPP was revised to address this comment and clarifies that the HOA will have the responsibility to maintain any orchard to Zone 2 criteria, and that if an orchard is abandoned or dies, the SMFD would have the authority to remove or have the orchard removed.
K-78	The FPP has been revised and includes proposed mitigation to eliminate or minimize that hazard, including enhanced mitigation requirements, which will no longer require acquisition of a recorded easement from adjacent properties to meet fuel modification requirements.
K-79	The comment is concerned with the conclusion of the FPP, specifically with the inadequacy of evacuation routes and the impact on evacuating residents outside of the Project footprint. See Topical Response: Fire/Evacuations.
K-80	<p>The FPP was revised to address this comment with inclusion of the following in Section 4.5.1:</p> <p><i>Due to the water shortage caused by the current (sic) drought and water shortage in southern California, the "Survivable Space" landscaping may not include irrigated green lawn, but may be modified with water-</i></p>

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| K-80
cont. | <i>less landscaping or trees, shrubs, groundcovers, and other vegetation capable of sustained growth and reproduction with only natural moisture. This would include strict adherence to removal of highly flammable and undesirable plant material (See FPP Appendix B). It would also include strict adherence and use of the San Diego County Acceptable Plants list (See FPP Appendix B). Other types of landscaping can also be utilized; e.g., decorative rock or other material that can be used in lieu of irrigation. The obligation to address drought and water shortage alternatives for all zones within the FMZ will be required by the Project HOA and specified in the development's CC&R's.</i> |
| K-81 | The HOA would be responsible for the common areas where fuel modification and hazard abatement is required. Homeowners would be responsible for their individual lots. |
| K-82 | The comment is concerned with the adequacy of the FPP related to construction fire. The FPP was revised to address this comment with clarification as to specifics in Section 4.11.5 |
| K-83 | The comment is concerned with construction that could occur during the fire season. See Response K-82. |
| K-84 | The FPP addressed this comment stating that the water district can provide water service for the Project, including adequate water reserves for fire-fighting. The Project shall meet the fire flow requirement by the water district for fire control through the hydrants, the largest fire sprinkler demand, and any domestic use supplied. The new R7 Reservoir will provide access to water storage for portions of the Project. The R7 Reservoir is a planned regional facility that would be implemented by the Project; it will increase fire protection resources in the ID 1 South service area. |

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K-85	<ul style="list-style-type: none"> The applicant is receiving a variance for a reduced FMZ from 150 ft. to 100 ft. which could increase fire risks to residents and neighbors in terms of emergency access and evacuation difficulties; the impact of this variance is not evaluated in the DEIR. Nor is the impact associated with reducing the width of Hill Valley Drive. Also, who is responsible for enforcing the requirements imposed by the SMFD for homes with reduced defensible space (here, lots 1, 3, 4, 119-123, 127, 135, 149, 150, 158, 162, 163, 170, 171, 258, 289)?
K-86	<ul style="list-style-type: none"> Do FMZs overlap with areas required for biological mitigation? <i>See</i>, attached Exhibit B (August 14, 2014 site drawings)
K-87	<ul style="list-style-type: none"> Section 4.5.3 of Appendix L states regarding Zone 3 (the off-site perimeter parcels which provide the required 150-foot fuel treatment zone for select Project parcels) that adjacent properties will provide the required modification of hazardous fuels 150 feet from off-site structures. There is no assurance that easements can be obtained.
K-88	<ul style="list-style-type: none"> Fire water storage is also assumed to be available (<i>see</i>, DEIR Appendix P pp. 3-4). Is this accurate?
K-89	<ul style="list-style-type: none"> <i>See</i>, Exhibit C attached hereto for additional comments regarding the FPP. These comments are fully incorporated herein by reference.
K-90	<p>Mitigation measures are also inadequate. Section 7.2.10 relies upon the implementation of numerous PDFs for fire protection but these are not proposed for adoption through the mitigation program; thus, they are not enforceable or effective under CEQA. Also, the FPP contains extensive requirements for fuel modification as well as requirements for lots with less than 150 feet of defensible space. These must be made CEQA mitigation measures. The “Additional Requirements” identified on Page 44 must also be adopted through the mitigation program. Again, also, the requirement that individual lot owners shall be responsible for maintenance of fuel modification areas in accordance with the extensive requirements of the FPP is not adequate; individual owners and residents cannot be relied upon for proper fuel management practices.</p>
K-91	<p>Feasible mitigation has not been adopted and/or has not been shown to be infeasible. The DEIR states, “[p]olice and fire protection service demands would likely increase with implementation of the Proposed Project ... With regard to fire protection, substantial fire protection facilities are available in the Project vicinity with the construction of the proposed Harmony Grove Fire Station. A two-acre lot has been transferred to the County for the new fire station and a [CFD] has been established with a funding mechanism in place. <i>The Project would contribute its fair share to construction and operation of the station</i>” (p. 3.1.4-29) (emphasis added). Yet the DEIR at p. 3.1.7-7 states that no mitigation is necessary. These are seemingly inconsistent statements.</p>
K-92	<p>The DEIR states nonetheless that, “To be able to avoid potential impacts from exceeding the five-minute travel time in responding to fires and emergencies, the Harmony Grove Fire Station would have to be in operation for the portion of the Project outside of the EFD’s Station #6 coverage. Therefore, prior to occupation of portions of the site outside of the five-minute travel time, the Harmony Grove Fire Station must be in operation.” Thus, the DEIR proposes for adoption M-HZ-3b which states that, “Prior to occupancy of any structure that does not meet the five minute travel time according to Figure 7 of the approved FPP, either the Harmony Grove Fire Station must be in operation and providing service, or alternate mitigation measures must be provided to the satisfaction of the County Fire Authority and the PDS Director.” But this measure</p>
K-93	

K-85	<p>The Project would improve private roads to meet the County’s Private Road Standards, with the possible exception noted in Response E-6.</p> <p>The FPP provides enhanced mitigation requirements for those lots that have fewer than 150 feet of FMZ, and the SMFD has agreed the enhanced mitigation would provide adequate protection for those lots. Both the SMFD and HOA would be responsible for enforcing the requirements for homes with reduced defensible space.</p>
K-86	<p>The FPP requires that fuel modifications do not overlap with the 50-foot buffer for the RPO.</p>
K-87	<p>The comment is concerned that easements for the off-site fuel treatment zone (Zone 3) cannot be obtained. <i>See</i> Response I-49.</p>
K-88	<p>The SMFD maintains fire storage in each of its existing water tanks that would be available for a fire. Fire protection and flows are governed by the SMFD. The Project has been assigned a 1,500 gpm residential fire flow requirement by District.</p> <p>The 2014 Rincon Water Master Plan identified the R7 Reservoir as a facility required to meet future growth within the District and to provide fire protection in the Improvement District No. 1 (ID 1) South service area for existing and future customers. The location and hydraulic elevation can help provide increased fire protection and also operational and emergency storage in the ID 1 South service area that may have been reduced with the conversion of the District’s R-1A Reservoir to recycled water, immediately southeast of the Project site and east of the Harmony Grove Village project.</p> <p>The Project may need the R7 Reservoir and resulting water pressure to meet storage and/or fire flow demands. Therefore, the EIR considers the District owned APN 228-313-14 reservoir site, associated pipelines, and service access road as part of the Final EIR.</p>
K-89	<p>The comment refers to Exhibit C attached to the comment letter. <i>See</i> responses to Exhibit C comments in Responses K-179 to K-212.</p>
K-90	<p>The mitigation measures are fire code requirements or mitigations approved by the SMFD and the County. Also <i>see</i> Response K-15 related to the enforceability of Project Design Features.</p>
K-91	<p>The comment is concerned with Additional Requirements (FPP, page 44) and requests that they be adopted as mitigation measures. <i>See</i> Response K-90.</p>
K-92	<p>The comment is concerned with an inconsistency related to mitigation (pages 3.1.4-29 and 3.1.7-7). The statements in the EIR are not inconsistent as both sections determine that impacts to fire protection would be less than significant. The new temporary Harmony Grove Fire</p>

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Station, for which the Project would pay a fair share for construction and operation, became operational in 2015. This station will provide the required response travel time for emergency response for the Project and impacts would be less than significant regarding the five-minute travel time.

K-93

The comment is concerned with mitigation measure M-HZ-3b that does not obligate the Applicant to any “fair share” funding. In addition, the commenter states that “until funding sources exist and the applicant pays their fair share that this must be deemed a significant impact.” See Response K-92.

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K-93 cont. does *not* obligate the applicant to any “fair share” funding as indicated at DEIR, p. 3.1.4-29. The existing San Marcos Fire Department facilities cannot meet the General Plan travel time requirement of 5 minutes. While the Harmony Grove Village project station will be able to meet travel time requirements, this facility is not fully funded with regard to capital costs to build the station or the ongoing costs for operation. *See, Exhibit C* hereto. Even with funding sources, there are “gaps” in the funding. *Id.* Until such time that funding sources exist and the applicant is obligated to pay its fair share for construction and operation, fire impacts must be deemed a significant impact of the Project. Also the fact that “alternative mitigation measures” may be provided is not assurance of effective and enforceable mitigation pursuant to CEQA. The DEIR indicates that *only* if the Harmony Grove Fire Station is operational that impacts will be less than significant for a portion of the Project site.

K-94 The Project also relies upon the procurement of certain easements on private properties adjacent to the Project site for fuel modification (150 feet from structures). It is not clear that these easements can or will be secured, though necessary for fire protection mitigation. Thus, impacts have not been reduced to less than significant. Moreover, how will off-site fuel modification zones be monitored and maintained? Will the Project’s HOA be responsible for and permitted to maintain the FMZ on adjacent private properties?

K-95 Was the variance to permit less than 150 feet of fuel modification fully evaluated? Where in the DEIR are the justifications in support of this variance?

Land Use

The Project is inconsistent with and impedes the goals and policies of the County of San Diego General Plan (2011)⁷. As a result, there are significant and unmitigated land use impacts contrary to the conclusions of the DEIR.

County of San Diego General Plan

The Project conflicts with numerous County General Plan policies, and these conflicts are not mitigated by the proposed General Plan Amendment. Initially we observe that the Project conflicts with the principles and intent of the new General Plan. The County prominently states on its website that the General Plan,

is the first comprehensive update of the San Diego County General Plan since 1978 and is the result of the collective efforts of elected and appointed officials, community groups, individuals, and agencies who spent countless hours developing a framework for the future growth and development of the unincorporated areas of the County. This document replaces the previous General Plan and is based on a set of guiding principles designed to protect the County’s unique and diverse natural resources and **maintain the character of its rural and semi-rural communities**. It reflects an environmentally sustainable approach to planning that **balances the need for adequate infrastructure, housing, and economic vitality, while maintaining and preserving each unique community within the County, agricultural areas, and extensive open space**.

The General Plan directs future growth in the unincorporated areas of the County

⁷ (<http://www.sandiegocounty.gov/pds/generalplan.html>)

K-94 The comment is concerned with the requirement to obtain off-site easements for fuel reduction and is concerned as to how these fuel modification zones will be monitored and maintained. See Response I-49.

K-95 The comment questions whether the fuel modification reduction from 150 feet was fully evaluated and requests the justification for the support of the variance. The FPP (Section 4.7) requires enhanced mitigation for dwellings with fewer than 150 feet of a Fuel Management Zone (FMZ). After evaluation, these mitigations were defined for each residential structure and lot development standards where there are fewer than 150 feet of FMZ.

K-96a The Project location is consistent with the County’s commitment to reduce 15 percent of housing capacity in the eastern rural areas of the County and shifting 20 percent of the future growth to the western communities. The County believes the Applicant’s request for a General Plan Amendment is appropriate and in keeping with the intent of the principles and goals of the County’s General Plan by adding regional fair share housing unit additions in close proximity to transportation and employment centers, thereby reducing a portion of the housing shortfall within the unincorporated County areas. See Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis regarding provisions of housing adjacent to major public and private infrastructure and investments, comprehensive transportation options, and major employment centers; consolidated (clustered) design and principles and goals of the County’s General Plan; as well as the unique character of the semi-rural community. Also see Responses G-4, G-6, I-8 and I-65.

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K-96a cont.	<p>with a projected capacity that will accommodate more than 232,300 existing and future homes. This growth is targeted to occur primarily in the western portions of the unincorporated County where there is the opportunity for additional development. Compared to the previous General Plan, this update reduces housing capacity by 15 percent and shifts 20 percent of future growth from eastern backcountry areas to western communities. This change reflects the County's commitment to a sustainable growth model that facilitates efficient development near infrastructure and services, while respecting sensitive natural resources and protection of existing community character in its extensive rural and semi-rural communities. The General Plan provides a renewed basis for the County's diverse communities to develop Community Plans that are specific to and reflective of their unique character and environment consistent with the County's vision for its future. (emphasis added)</p> <p>(http://www.sandiegocounty.gov/pds/generalplan.html)</p>
K-96b	<p>The Project fundamentally conflicts with the General Plan insofar as it represents a dramatic change in the land use intensities than permitted by the current General Plan. The Project also does not represent an extension of other higher density areas in a manner anticipated by regional planning documents. See, General Plan Housing Element Figure H 2 identifying SANDAG "Smart Growth Opportunity Areas" near "Village Centers." (http://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/GP/HousingElement.pdf)</p>
K-97	<p>The Project also conflicts with specific General Plan Policies related to preservation of rural, natural, and agricultural areas; smart growth; transportation planning; noise abatement; environmental sustainability; and fire protection and services. Conflicts exist as to the following policies, among others:</p> <p>LU-1.2 Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model ... For purposes of this policy, leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries.</p>
K-98	<p>LU-5.3 Rural Land Preservation. Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi Rural Land Use Designations.</p>
K-99	<p>LU-13.2 Commitment of Water Supply. Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>
K-100	<p>LU-14.4 Sewer Facilities. Prohibit sewer facilities that would induce unplanned growth.</p>
K-101	<p>M-4.3 Rural Roads Compatible with Rural Character. Design and construct public roads to meet travel demands in Semi-Rural and Rural Lands that are consistent with rural character while safely accommodating transit stops when deemed necessary, along with bicyclists, pedestrians, and equestrians. Where feasible, utilize rural road design features (e.g., no curb and gutter improvements) to maintain community character. [See applicable community plan for possible relevant policies.]</p>

K-96b	<p>See Response K-96a. Although the Valiano Project increases density, the clustered design reduces the intensity of the proposed development by reducing the impact footprint. Although Valiano is not a smart growth project many of the elements of smart growth were included in the design and location of the project to stay consistent with County General Plan Principles and Goals. See Response G-6 regarding density, and Responses D-1 and D-4a regarding smart growth. Refer to Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.</p>
K-97	<p>The responses regarding specific General Plan Policies are addressed in the following comments. Regarding leapfrog development, policy LU-1.2 does not apply because the Project does not include a Village density. See also Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis and Response G-6.</p>
K-98	<p>See Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis. The Project is consistent with policy LU-5.3 as follows. The development plan concentrates residences to protect sensitive habitats, steep slopes, and agricultural lands. Open Space areas were selected primarily to avoid and preserve RPO wetlands and steep slopes. All habitat mitigation would occur off-site in areas of higher-quality wildlife habitat that allow for wildlife movement and provide carbon sequestration benefits for the region.</p>
K-99	<p>The Proposed Project is exempt from Senate Bill 610/221 regarding water supply documentation, based on its size (fewer than 500 units). The Project was included in the 2014 Rincon UWMP update. The property has historically used more water than it is projected to use following completion of development. In 2013, even after reducing water over previous years, the property used a significant amount of water to serve</p>

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cont. | agricultural irrigation from Rincon MWD potable water sources in addition to the use of on-site well water during this period. The Project Water Study (Appendix P) and Section 3.1.8.2 of the Final EIR provided a historical analysis of water use on the property with a baseline year (2013), including an analysis of average annual usage as well as peak usage by existing irrigation meter size. The District shall consider the Project's historical water consumption in relationship to the projected demand for the single family development and consider appropriate offsets, if any, which may be necessary to mitigate the Project's impact on District supply. This approach would meet the District's 2014 UWMP goal of no net increase in imported water supplies to supply new development. Therefore the Project is consistent with policy LU-13.2. |
| K-100 | The on-site sewer system and WTWRF has been sized for the planned development only, similar to Harmony Grove. In addition, the Project does not violate County General Plan Policy LU-14.4. Policy LU-14.4 allows extension of sewer service beyond Village boundaries when necessary for a conservation subdivision adjacent to existing sewer facilities. The Project would likely meet the intent of a conservation subdivision, and is located adjacent to existing sewer facilities. For this reason the plan is consistent with the conservation subdivision exception of policy LU-14.4 of the County's Land Use Element. |
| K-101 | The only public road within the Proposed Project is Country Club Drive. New water quality standards, public safety issues, and constraints within easements make it infeasible to construct Country Club Drive without curbs, gutters and sidewalks. County Mobility Element Policy M-4.3 allows for exceptions to rural road design by inserting the language "where feasible." Therefore, Valiano is consistent with Policy M-4.3. |

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K-102	M-4.4 Accommodate Emergency Vehicles. Design and construct public and private roads to allow for necessary access for appropriately-sized fire apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents.
K-103	M-4.5 Context Sensitive Road Design. Design and construct roads that are compatible with the local terrain and the uses, scale and pattern of the surrounding development. Provide wildlife crossings in road design and construction where it would minimize impacts in wildlife corridors.
K-104a	M-8.1 Maximize Transit Service Opportunities. Coordinate with SANDAG, the CTSA, NCTD, and MTS to provide capital facilities and funding, where appropriate, to: 1. Maximize opportunities for transit services in unincorporated communities.
K-104b	The Project's distance to the Sprinter station is over one mile at best, and the terrain is largely not walkable (no sidewalks). There are no immediately accessible mass transit opportunities for the Project residents.
K-105	M-8.5 Improved Transit Facilities. Require development projects, when appropriate, to improve existing nearby transit and/or park and ride facilities, including the provision of bicycle and pedestrian facilities, provisions for bus transit in coordination with NCTD and MTS as appropriate including, but not limited to, shelters, benches, boarding pads, and/or trash cans, and to provide safe, convenient, and a
K-106	COS-11.1 Protection of Scenic Resources. Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.
K-107	COS-11.3 Development Siting and Design. Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following: <ul style="list-style-type: none"> ▪ Creative site planning ▪ Integration of natural features into the project ▪ Appropriate scale, materials, and design to complement the surrounding natural landscape ▪ Minimal disturbance of topography ▪ Clustering of development so as to preserve a balance of open space vistas, natural features, and community character. ▪ Creation of contiguous open space networks
K-108	COS-12.1 Hillside and Ridgeline Development Density. Protect undeveloped ridgelines and steep hillsides by maintaining semi-rural or rural designations on these areas.
K-109	COS-13.1 Restrict Light and Glare. Restrict outdoor light and glare from development projects in Semi-Rural and Rural Lands and designated rural communities to retain the quality of night skies by minimizing light pollution.
K-110	COS-14.1 Land Use Development Form. Require that development be located and designed to reduce vehicular trips (and associated air pollution) by utilizing compact regional and community-level development patterns while maintaining community character.

K-102	All private internal streets have been designed to accommodate appropriately sized fire apparatus and emergency vehicles. Private residential streets were reviewed and approved by the local fire authority with jurisdiction over the Project. Lane widths and turning radii factored fire apparatus mobility into the design. The Project is consistent with County Mobility Element Policy M-4.4.
K-103	All roads within the Valiano Plan area were designed to conform to the natural terrain and do not deviate significantly from surrounding roadways. Roads were engineered appropriately to state and local standards with the least amount of disturbance to surrounding natural landforms as possible. The Project site does not support significant wildlife corridors that would require wildlife crossings.
K-104a	Mobility Element Policy M-8.1 directs the County on how to design and construct public transit systems, and does not apply to individual development projects.
K-104b	Project road design is appropriate for the community design and location. The Project site is located within 2 miles driving distance of the Nordahl SPRINTER rail station which links to the COASTER and BREEZE buses, and 2.1 miles driving distance from the I-15/SR 78 interchange. Palomar Hospital is located 1.7 miles driving distance from the Project site and Cal State San Marcos is located 3.1 miles driving distance from the Project site. In addition, as part of mitigation for traffic impacts, the Project would install a sidewalk at the north end of Country Club Drive that would connect two currently disconnected sections of sidewalk, thereby making it easier for Project residents to walk to the SPRINTER station.
K-105	County Staff shall identify any appropriate improvements identified in the EIR. If mitigation measures are necessary, the Project would make improvements to public infrastructure, roads, and transit facilities. In addition, the Project Applicant would pay into the County's Traffic Impact Fee (TIF).
K-106	The Project would not impact dominant landforms or topographic features in the immediate vicinity, such as Mt. Whitney or other prominent ridgelines or hills. Specific to the City of San Marcos, the areas identified as sensitive in views from SR-78 include the hillsides and peaks of Double Peak Mountain and Mt. Whitney. As generally described throughout the visual analysis, Project-related residences would be substantially below the Mt. Whitney peak (at an elevation of over 1,700 feet amsl), as well as below visible residences in the City on the hillsides and ridgelines below it. Open views to the Mt. Whitney upper slopes and peak associated would not be disrupted. Specific to the lower Double Peak, this feature is located west of Mt. Whitney and on the other side of the ridgeline that includes Mt. Whitney. It is not included in views that include the

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cont. | <p>Project area from SR-78. The Project would similarly have no effect on Frank's Peak (located west of Harmony Grove Village). These findings are also relevant to the regionally significant scenic vistas, scenic landscapes, prominent ridgelines and dominant landforms issues noted in the comment. The regionally significant scenic vistas/landscapes (i.e., important to a region, and not primarily a local area) are either associated with the ridgelines seen from so many vantage points in County and city jurisdictions; or are located within protected public access areas with designated viewpoints (e.g., the Harmony Grove Overlook in Elfin Forest Recreational Reserve). These areas are beyond the Project or already impacted at higher elevations than the Project's impacts. There are no scenic open water reservoirs that would be affected by the Project. The Project is consistent with COS-11.1. Also see Response K-17 regarding the location of scenic highways/corridors in relation to the Project.</p> |
| K-107 | <p>Chapter 2 of the Valiano Specific Plan addresses the design elements and materials the Project incorporates to meet General Plan Policy COS-11.3. Specifically, the Plan's text includes the following statement: "The design addresses basic community planning goals and concepts as well as community-wide issues of conservation and design. These goals include the preservation of the hillsides and open space through careful layout and orientation of roads and neighborhoods." Section 2.1 of the Project Specific Plan includes the following information which satisfies COS-11.3: "Maintain the semi-rural character of the community by using natural materials that enhance the existing unique features and identity of the site and protect open space for a variety of informal outdoor experiences where regular use is encouraged through careful placement and attractive design." The clustered design with smaller lots also allows for greater conservation of resources and open space. The Project would preserve 31.2 acres within a biological open space easement and another 35.4 acres within an agricultural open space easement. Additionally, restriction of structures from over half of the Project site (allowing it to act as visual open space) contributes to the rural feel of the area and acts as a visual amenity. The Project blends with the existing community character of the area through landscaping, setbacks and also the provision of a multi-use trail which would accommodate equestrian users and equestrian features at the proposed neighborhood park (e.g., water trough, tie-ups). The design details included in the Project are discussed in the Specific Plan and are compliant with COS-11.3.</p> <p>Furthermore, the Project is consistent with each sub-point of the policy:</p> <ul style="list-style-type: none">• The site has been creatively planned to retain areas with oaks and wetlands (integration of natural features), an existing pond, equestrian staging area and a Neighborhood Park open to the public in the most accessible location (see Figures 2.4-10a and b).• Relative to appropriate scale, materials and design, the homes would not exceed two stories, which is currently seen on hillsides on both |

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	<p>K-107 cont.</p> <p>sides of the valley. Roofs would be dark brown and homes would be painted in earth tones. Stone elements would be incorporated into entry monuments, and wood would be notably visible in the three-rail equestrian fencing along the Project roads. Much of the Project ultimately would be obscured by native vegetation or Project landscaping, merging into the surrounding natural landscape.</p> <ul style="list-style-type: none"> • Minimal disturbance of topography is being attained. This is because the existing gradients are generally being followed, with homes primarily located in the valley, following small increases in elevation, and then being aligned along lower portions of the east-facing western slopes, in strict conformance to the County RPO steep slope encroachment restrictions (see Response F-2). • Clustering of development has been incorporated. Homes have been clustered to retain a large amount of visual open space, including park areas, biological set aside and existing agricultural areas. • Relative to creation of contiguous open space networks, Figure 1-13 of the EIR depicts the agricultural, biological, common open space and landscape easements that combine to create an unbroken open space area from north to south along the Project western boundary, as well as some open space east-west connections within the Project Neighborhoods 1, 2, 3 and 4 (and a north-south connection in Neighborhood 5) that are interrupted by the narrow Project roads and paths/trails. <p>The Project is consistent with COS-11.3.</p> <p>K-108 The comment is concerned with compliance to General Plan Policy COS-12.1 (Hillside and Ridgeline Development Density). See Response K-16 of this letter regarding Project compliance with COS-12.1.</p> <p>K-109 As detailed in EIR Subsections 2.1.2.5 through 2.1.2.7 and 2.1.2.9, the Project would be required to strictly comply with the County LPC. The LPC is designed to minimize light pollution and maintain the quality of night skies (“dark skies”). This occurs through restrictions on lumens, use of light shields and control of light “spill” onto areas not requiring illumination, as well as only providing for night lighting of the WTWRF if staff are present and working (would only occur on an intermittent basis). Lights would be minimal, shielded and pointed downward. Elimination of street lights unless required for safety purposes also plays a role. The Project is consistent with COS-13.1.</p> <p>K-110 The location of the Project near to major state and federal highways, near a SPRINTER station, near a primary hospital, near to employment opportunities and primary shopping opportunities, etc., consistent with California Assembly Bill (AB) 32 and Senate Bill (SB) 375 strategies, is expected to potentially reduce trips usually associated with southern California transportation patterns. The conformance with compact design</p>
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K-110
cont.

and community character is described in Responses D-1, D-4a, I-8, and K-11b, as well as EIR Subchapter 2.1 and Section 3.1.4. The Project is consistent with COS-14.1 and meets the spirit and intent of Guiding Principle 2 of the General Plan to “promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.”

K-111	COS-14.5 Building Siting and Orientation in Subdivisions. Require that buildings be located and oriented in new subdivisions and multi-structure non-residential projects to maximize passive solar heating during cool seasons, minimize heat gains during hot periods, enhance natural ventilation, and promote the effective use of daylight.						
K-112	COS-15.1 Design and Construction of New Buildings. Require that new buildings be designed and constructed in accordance with “green building” programs that incorporate techniques and materials that maximize energy efficiency, incorporate the use of sustainable resources and recycled materials, and reduce emissions of GHGs and toxic air contaminants.						
K-113	COS-15.4 Title 24 Energy Standards. Require development to minimize energy impacts from new buildings in accordance with or exceeding Title 24 energy standards.						
K-114	COS-16.5 Transit-Center Development. Encourage compact development patterns along major transit routes.						
K-115	S-3.6 Fire Protection Measures. Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.						
K-116	S-6.3 Funding Fire Protection Services. Require development to contribute its fair share towards funding the provision of appropriate fire and emergency medical services as determined necessary to adequately serve the project. Here, this Policy could mean mitigation in the form of constructing or funding a new road connection to La Moree Road. Note also that fair share funding has not been required as to the construction of the Harmony Grove Village fire station.						
K-117	S-6.4 Fire Protection Services for Development. Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1. <table><tr><th>Travel Time</th><th>Regional Category (and/or Land Use Designation)</th><th>Rationale for Travel Time Standards**</th></tr><tr><td>5 min</td><td><ul style="list-style-type: none">■ □ □ Village (VR-2 to VR-30) and limited Semi-Rural Residential Areas (SR-0.5 and SR-1)■ □ □ Commercial and Industrial Designations in the Village Regional Category■ □ □ Development located within a Village Boundary</td><td></td></tr></table>	Travel Time	Regional Category (and/or Land Use Designation)	Rationale for Travel Time Standards**	5 min	<ul style="list-style-type: none">■ □ □ Village (VR-2 to VR-30) and limited Semi-Rural Residential Areas (SR-0.5 and SR-1)■ □ □ Commercial and Industrial Designations in the Village Regional Category■ □ □ Development located within a Village Boundary	
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K-118	S-6.5 Concurrence of Fire Protection Services. Ensure that fire protection staffing, facilities and equipment required to serve development <i>are operating prior to, or in conjunction with</i> , the development. Allow incremental growth to occur until a new facility can be supported by development. (emphasis added)						
K-119	N-1.3 Sound Walls. <i>Discourage the use of noise walls.</i> In areas where the use of noise walls cannot be avoided, evaluate and require where feasible, a combination of walls and earthen berms						

K-111	Building siting and orientation was carefully studied. The Valiano Specific Plan notes “the Plan has been designed to demonstrate sustainable design practices through a variety of measures including energy efficient home design, functional street trees, native and drought resistant plant materials, and Low Impact Development (LID) storm water facilities, which are intended to reduce the overall footprint of the community. A significant amount of vegetation is proposed and many existing trees are preserved. A system of interconnected public and private trails provides an alternative mode of travel. The Plan shall use landscape shading of paved and hardscape surfaces and employ the use of high reflective and porous materials that would significantly reduce the heat gain of pavements by the sun. The Plan shall use cool pavement technology where possible for roadways and sidewalks to help reduce energy consumption, air pollution, and greenhouse gas emissions. The final location of the cool pavement areas would be identified during final engineering.” Incorporation of the above mentioned building methods and the maximization of shade and minimization of impervious surfaces meets the intent of Conservation and Open Space Element Policy COS-14.5.
K-112	Section 2.1.1 of the Valiano Specific Plan notes the Project shall comply with Conservation and Open Space Element Policy COS-15.1. The Plan notes “in addition to regulatory requirements, the Project would incorporate several design features and best management practices to reduce construction and operational GHG emissions...The energy features would also be verified in the Title 24 Compliance Report submitted during the building permit process.” The first bullet on page 2-2 of the Specific Plan states the Project’s participation in the California Green Builder program.
K-113	The energy features would be verified in the Title 24 Compliance Report submitted during the building permit process. These features include: participation in the California Green Builder Program; enhanced heating, ventilation and air condition (HVAC) systems and duct seals insulation (achieve 2016 Title 24); enhanced ceiling, attic and wall insulation (achieve 2016 Title 24); high-efficiency water heaters (with 19 percent of residential water heating needs accommodated by solar water heaters); energy-efficient three-coat stucco exteriors; high efficiency window glazing; Energy Star appliances and energy-efficient lighting; rooftop solar photovoltaic panels that would supply a minimum of 30 percent of residential electricity needs per planning area (Neighborhoods 1-5); residential electric vehicle charging stations that would provide electrical capacity and appropriate circuitry in proximity to vehicle parking areas and/or garages; parallel hot water piping or hot water recirculation systems; buyer-optional high-efficiency clothes washers; drought-tolerant landscaping plan; high efficiency drip irrigation systems; the use

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K-117 Response

K-118 Response

K-119 Response

K-113 cont. of reclaimed water from the proposed WTWRF for outdoor irrigation; the Project would provide areas for storage and collection of recyclables and yard waste for each residence; maximization of shade and minimization of impervious surfaces; low- VOC coatings and sealants during construction and operation; natural gas fireplaces; traffic calming measures where allowed; use of Tier 4 construction equipment; building products that have at least 10 percent recycled content; and use of recycled materials for flooring and sustainable wood products and other recycled materials where possible. With inclusion of these features, the Project would be in conformance with Conservation and Open Space Element Policy COS-15.4. Also see Response K-112.

K-114 Placing housing near transportation, employment, shopping and services, helps minimize travel times and is consistent with the goals SB 375 (Sustainable Communities and Climate Protection Act of 2008). Additionally, the County General Plan Guiding Principle 2 promotes compact development near transportation facilities, retail centers, and employment centers thereby reducing VMT. Increased density near infrastructure and commercial and employment development reduce the strain on public funds necessary for improvements. The Project is a semi-rural compact development outside the village core area, yet very near employment and retail opportunities in San Marcos and Escondido and the transportation facilities and infrastructure that facilitate North County residents. Additionally, the Project is approximately 1.7 miles driving distance from the I-15/SR-78 interchange, thereby reducing miles traveled to transit opportunities, reducing pollution generation, and maintaining compliance with COS-16.5. Also see Response K-104.

K-115 According to the FPP prepared for the Specific Plan area, adequate mitigation and fire buffers are in place to reduce the risk of structural and human loss due to wildfire, consistent with Policy S 3.6. The City of San Marcos requires even more stringent fire buffer rules and regulations than the County.

K-116 The Project complies with Policy S-6.3 of the County's General Plan Safety Element. Information on compliance with Policy S-6.3 was provided in Chapter 5.4 of the Valiano Specific Plan. See Response I-63 regarding the infeasibility of connecting to La Moree Road. The financial agreements provided below provide evidence of conformance with the County's Safety Element. The Project Applicant proposes a Community Facility District (CFD) fee contribution to the San Marcos Fire Department for primary emergency service to the Plan area. In addition a financial contribution would be made to the Harmony Grove Fire Station to provide first emergency response services to the Plan area, in an amount acceptable to the County. The combination of primary service from SMFD, mutual aid agreements from County Fire agencies, and the fair share contribution to the Harmony Grove Fire Station meet Policy S-6.3 of the County's General Plan Safety Element.

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| K-117 | <p>The Valiano Plan area complies with General Plan Safety Element Policy S-6.4. Emergency service response times shall meet the five-minute travel time shown in Table S-1 of the County's Safety Element. Section 5.4 of the Valiano Specific Plan provides details on the fire protection services and how the Plan area proposes to meet emergency response times. The entire Project site is located within a five-minute travel time of the Harmony Grove Fire Station. Also see Response K-116.</p> |
| K-118 | <p>The Project complies with Policy S-6.5 of the County Safety Element. Agreement with the San Marcos Fire Department for primary service to the Plan area has been secured. Service agreements have been made with County Fire agencies for mutual aid to the Plan area. First response would come from the Harmony Grove Fire Station which must be constructed and operational prior to first occupancy of Project units, unless other mitigation options are approved by the SMFD. The temporary Harmony Grove Fire Station is already operational and able to serve the Project area.</p> |
| K-119 | <p>Berms are usually associated with sound walls when the wall will be very tall and is also visually accessible. In this case, the only sound walls proposed for the Project are located in one area, in Neighborhood 5, west of Country Club Drive, and would be associated with lots backing on to that roadway. The required barriers are not of excessive height (5.5 to 6 feet in height), and additionally would be sited downslope from the roadway, so that less of their height would be visible. As noted in the policy, vegetation or other screening methods to "soften" the appearance of the wall are also appropriate. In this instance, intervening roadside vegetation would partially obscure these features, and an architectural treatment would be applied to render it more visually appealing (see Figure 2.1-10b). There are noise walls to the south of the Project associated with Harmony Grove Village. The walls would not be continuous because no walls are proposed where the WTWRF, the equestrian staging area, and the park are adjacent to Country Club Drive. The Project is consistent with N-1.3.</p> |

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K-119 cont.	and require the use of vegetation or other visual screening methods to soften the visual appearance of the wall. (emphasis added)
K-120	N-4.1 Traffic Noise. Require that projects proposing General Plan amendments that increase the average daily traffic beyond what is anticipated in this General Plan do not increase cumulative traffic noise to off-site noise sensitive land uses beyond acceptable levels.
K-121a	Many of the foregoing policies are not discussed in the DEIR. As to air quality, the DEIR concludes that impacts are less-than-significant with respect to conflicts between the Project and General Plan air quality policies, but this conclusion is not supported where the DEIR finds that air quality impacts are <i>significant</i> on an operational and cumulative basis. Additionally, the DEIR asserts, “the Project would be built in accordance with the Building Industry Association’s California Green Building Program to reduce impacts to air quality. The <i>key</i> CGB design features would account for 15 percent greater energy efficiency than the current Title 24 2008 energy code.” (emphasis added) As discussed above, Title 24 was updated in 2013.
K-121b	Finally, as to applicable General Plan mitigation measures, these must be adopted as CEQA mitigation measures, not Project design features, in order to be legally enforceable and effective (p. 3.1.4-9). The Project also fails demonstrate compliance with or include applicable General Plan mitigation measures, including but not limited to: Aes-1.3, Aes-1.7, Aes-1.8, Agr-1.1, Agr-2.1, Haz-4.3, Hyd-1.7, Hyd-2.1, Pub-1.4, Pub-1.5, USS-4.1, USS-4.3.
K-122	(http://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00 - Mitigation Measures 2011.pdf)
	Elfin Forest Harmony Grove Community Plan
	The Project is inconsistent with and impedes the goals and policies of the San Dieguito Community Plan and the Elfin Forest and Harmony Grove portion of the Community Plan ⁸ .
	The DEIR states,
K-123	[C]ommunity plans have been adopted as integral parts of the General Plan to provide the framework for addressing the issues and concerns unique to each community that are not reflected in the broader policies of the General Plan. The San Dieguito Community Plan augments the 2011 General Plan and contains goals and policies specific to the San Dieguito CPA. Each community/subregional plan in San Diego County identifies specific community character attributes and outlines goals and policies intended to preserve those attributes. The Proposed Project site is located in the northernmost portion of the San Dieguito community planning area. (DEIR p. 3.1.4-3)
	The Elfin Forest and Harmony Grove Portion of the San Dieguito Community Plan the planning areas of Elfin Forest and Harmony Grove, which total approximately 6,793 acres in size and fall within the San Dieguito CPA. The southern portion of
	⁸ (http://www.sandiegocounty.gov/content/dam/sdc/pds/docs/CP/ELFIN_FOR_HARM_GROVE_CP.pdf)

K-120	As discussed in Subsection 2.6.2.1, Project traffic did not contribute a cumulatively considerable amount of traffic noise to off-site receptors. Therefore, the Project’s traffic noise impact on cumulative traffic noise does not exceed acceptable levels and the Project is consistent with Policy N-4.1 of the County General Plan Noise Element.
K-121a	The Project is consistent with General Plan policies related to air quality as discussed in Subsection 3.1.4.2 of the EIR.
K-121b	The Project would be required to comply with the 2016 Title 24 Energy Code. See Response K-27.
K-122	The comment is concerned with the enforceability of Project Design Features. See Response K-15.
K-123	The comment correctly cites the Project EIR relative to the community plans. This is a global comment about the Project’s inconsistencies with goals and policies of the San Dieguito Community Plan and Elfin Forest/Harmony Grove portion of the San Dieguito Community Plan, and no specifics are provided. Refer to Section 3.1.4 of the EIR and Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.

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K-123
cont.

the Proposed Project site falls within the Harmony Grove community. Land Use goals for the Harmony Grove community include preservation of the rural small town feeling, open access community design that unifies multiple developments into 'one neighborhood,' and continued preservation and dedication of natural and cultural resources and open space. The Land Use Element encourages environmentally sensitive, responsible equestrian uses; preservation of a rural visual environment and visually significant resources; continued agricultural uses; and buffers between urban areas and rural residential uses. (DEIR p. 3.1.4-4)

First, the Project conflicts with the existing land uses and character of the area, which is described in the EFHG Community Plan as,

The Harmony Grove community encompasses areas that are primarily single-family rural residential communities on estate lots sprawling over hillsides, along with agricultural uses and residential livestock keeping ... It has no established trails; no commercial development or non-agricultural industry, except for one concrete- pipe plant; no sidewalks; and no extractive land uses ... Urban areas of Escondido and San Marcos immediately adjoin several portions of Harmony Grove. Harmony Grove residents value open space, quiet, dark nighttime skies, and low traffic volume. **There are no street lights, lighted signs, or traffic signals. Some of the key elements of the Harmony Grove character and values include one- and two-story single family homes on large lots; large animal facilities on residential properties; no clustered development; no "cookie-cutter" developments; no walled developments, and no gated communities.** (EFHG Community Plan p. 16) (emphasis added)

The Project does not fulfill the vision for the future Harmony Grove community, described in the EFHG Community Plan as:

The area is rural in nature, extremely quiet, peaceful, and generally remains in its natural state, except for the agricultural uses. The dark night sky is an important aesthetic resource. **The most scenic views in Harmony Grove are of the hills, valleys, riparian habitat, and grazing farm animals;** and these visual qualities must be preserved. **The area remains non-industrial with low-densities,** which preserve the community's historic rural agricultural character. The residents embrace a green community, where they continue their rural small-town lifestyle, enjoy keeping leisure and market animals, and live in harmony with the land and the wildlife . . . The historic rural habitat is preserved where the Village is surrounded by large-lot rural homes and small, family owned farms and vineyards that preserve the critical relationships necessary for this environmentally sensitive and balanced green community. The all-important rural voice is not overwhelmed by the urban voice. (Community Plan p. 23) (emphasis added)

The Project site is located *outside* the Village boundary particularly outside the Harmony Grove Village (HGV) Boundary. The EFHG Community Plan states explicitly that, "the Harmony Grove Village Boundary, shown on Figure 3 on page 25, is a **growth boundary** that identifies land to

K-124

K-125

K-124

The comment correctly cites the Community Plan text. This comment states that the Project conflicts with the existing land uses and character of the area as described in the Elfin Forest/Harmony Grove portion of the San Dieguito Community Plan. No specifics are given, but bolded text indicates potential points of the commenters' intent. In addition to the response below, please refer to Section 3.1.4 of the EIR for discussion of Project land use consistency and Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.

The cited text no longer matches what is present in the Plan area. The Project does not conflict with the existing land uses and character, because there is a higher level of built environment within the plan area and the immediately visible areas around it, as described throughout these responses. There are now street lights along Country Club Drive. When the revised Plan was adopted in 2011, it incorporated the Harmony Grove Village Project, which included limited lighting for safety purposes, as well as clustered development with associated smaller lots, community amenities such as developed parks and meeting areas, and commercial elements. Sound walls along Country Club Drive were an approved part of that Project (2006). Harmony Grove Village is currently building out according to plan, and is definitely part of the existing condition, abutting the Proposed Project on the south-westernmost corner.

Please see Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis regarding EFHGCP Policy LU-1.5.1. Also, note that only one to two story homes are planned. Neighborhood 5 would present equestrian opportunities, trails and Neighborhood park areas to off-site viewers, as well as horse-keeping lots. The Project entry signs would be lighted only by small can lights with focused beams to directional signage (placed in low wall formats). Privacy walls would be similar to those found along Country Club Drive and also would be largely obscured by Project landscaping. The community would not be gated.

K-125

The cited text is an accurate quote from the Community Plan. This comment states that the Project does not fulfill the vision for the future Harmony Grove Community, as described in the Elfin Forest/Harmony Grove portion of the San Dieguito Community Plan. No specifics are given, but bolded text indicates potential points of the commenters'

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cont.

which development should be directed. Areas outside this limit line are not intended to expand and should retain the original Harmony Grove rural residential and agricultural character" (p. 27) (emphasis added). Thus the EFHG Community Plan accounts for HGV yet notes that "[i]f the pattern shown on the General Plan Land Use Map is strictly followed, the final number of urban homes should approximately equal the number of rural homes in the neighboring communities and Harmony Grove should be able to keep its rural voice" (p. 21) (emphasis added). The EFHG Community Plan does not envision a continuation of higher density development like that of HGV; rather, it anticipates that HGV with its higher densities will be *balanced* by the continuation of rural development consistent with *current* General Plan land use designations.

Likewise, the Project does not satisfy or conform to specific EFHG Community Plan Goals and Policies including but not limited to:

K-126

Goal LU-1. Preservation of the rural small town feeling of Harmony Grove and **Policy LU-1.5.1** **Require minimum lot sizes** of two acres of land designated as Semi-Rural 4 or lower densities and **one acre of lands designated as Semi-Rural 1 and Semi Rural 2 as the standards.**

The Project conflicts with Policy LU-1.5.1 for lot sizes including in Neighborhood 5.

K-127

Policy LU-1.6-2. Promote design of development with a rural, country theme.

K-128

Policy LU-1.8.1. Require mitigation land for development within the community to be purchased within the community to create open space and trails.

K-129

Policy LU-1.9.2. Encourage the keeping of equestrian and market animals.

K-130

Policy LU-1.9.7 Strictly enforce manure and odor control.

K-131

Policy LU-1.10.1. Reduce front setbacks to allow grazing, but not housing, of leisure and market animals residential fenced front yards.

K-132

Goal LU-2.1 Preservation of the rural unincorporated community of Elfin Forest and its cohesiveness with its neighbor, the rural unincorporated community Harmony Grove.

K-133

Policy LU-2.2.1 Ensure that the number of urban residences does not greatly exceed that of the rural residences in the greater unincorporated communities of Harmony Grove and Eden Valley. The clear intent of Policy LU-2.2.1 is to prevent the original Harmony Grove residents, identified in the Community Plan as living in large lot equestrian properties, from becoming outnumbered by residents of clustered, small lot, non-equestrian properties. This skewed ratio would create a majority voice for the suburban resident and encourage migration of the original rural equestrian residents out of the community, further eroding the community character and culture. Development according to the current GP yields an urban/rural balance consistent with Policy LU-2.2.1. Development according to the Valiano SPA, including counting the Project's horse keeping properties as rural residences, still yields a 3 to 1 urban prevalence, clearly altering the residential balance that Policy LU-2.2.1 was designed to protect. This issue and the possible impacts to community character must be studied in the EIR.

See, **Exhibit E** attached hereto containing further discussion on Project inconsistency with **Policy LU-2.2.1.**

K-134

Policy LU-3.1.3. Encourage developers and public agencies in the County to acquire Elfin Forest's sensitive environmental habitat as mitigation.

K-125
cont.

intent. In addition to the response below, please refer to EIR Section 3.1.4 for discussion of Project land use consistency.

Please refer to Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Impacts Analysis relative to properties included in the cited Plan (Neighborhood 5).

Relative to the focus on those elements considered most scenic, the Project would be expected to comply with the Plan. Project design follows the existing topography, with homes located in both valley portions and the lower portions of the western hills. Existing development is located on higher portions of those hills and the ridgelines. None of the Project western hillsides are located within the Elfin Forest and Harmony Grove Community Plan boundaries, and equestrian trail head, park, and pond uses would be retained in the "valley" portion. The contrast of valley and hill topography would continue. The primary scenic riparian habitat in the Plan area is associated with Escondido Creek, which neither crosses nor is adjacent to the Project. A pond area on site in Neighborhood 5 would be retained. See Response K-124 regarding the built environment. There are currently no dairy cows grazing in the plan area. The surrounding parcels contain more views to livestock than the Project parcels, and those uses can continue. The proposed site uses are not industrial in nature and would not be expected to generate equipment noise, delivery truck noise, etc. exceeding other residential areas. The WTWRF would incorporate a barn-like main building, and other features would largely be at ground level and/or very small in size; both of which would be easily obscured by edging landscaping from the most visually accessible areas.

With implementation of the Valiano Specific Plan and GPA, all portions of the Plan area would change to the Semi-Rural 0.5 (SR-0.5) designation. Densities under the proposed designation range from 2 du/gross acre to 1 du/2 gross acres, depending on slope. The densities proposed under the Project Specific Plan are consistent with the proposed SR-0.5 designation, which is an appropriate designation outside of the Village boundary. Please refer to the Topical Response cited above and Responses I-7, I-8, G-6 and G-7.
Response

K-126

The cited text is an accurate quote from the EFHGCP. See Topical Response: General Plan Amendment and Boundary Line Adjustment CEQA Analysis regarding portions of the Project site located within the subarea plan, and LU-1.5.1 consistency. See Response K-15 regarding the site's rural components. Relative to "preservation of the [existing] rural small town feeling" of Harmony Grove, refer to Comment K-125.

K-127

The comment is concerned with Project compliance with Policy LU-1.6-2. See Responses G-6 and I-7.

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| K-128 | The Project has been conditioned to demonstrate consistency with EFHGCP policy LU-1.8.1 when mitigating the impacts within the EFHGCP area. The current text of policy LU-1.8.1 is, “When considering the appropriate mitigation for impacts to biological resources within the community, consider local community options first. The acceptance of biological mitigation options outside the planning area is strongly discouraged when appropriate mitigation is available within the planning area.” To the extent that appropriate mitigation parcels cannot be located with the community, please note that all mitigation would require resource agency and County approval. |
| K-129 | As stated in the comment, the EFHGCP “encourages” the keeping of equestrian and market animals, rather than requiring animal keeping. Neighborhood 5 includes lots which allow the keeping of equestrian and market animals. |
| K-130 | The Valiano Specific Plan area would comply with EFHGCP Policy LU-1.9.7. Mitigation measure M-HZ-4 requires the preparation and implementation of a Manure Management and Fly/Vector Control Plan. In addition, manure and odor control would be included within the Covenants, Conditions and Restrictions (CC&Rs). |
| K-131 | As per Page 2-8 of the Valiano Specific Plan, “the project CC&Rs and HOA would allow grazing of leisure and market animals in residential fenced front yards.” |
| K-132 | See Responses G-2, G-4, I-3, I-7, I-8, I-17, and I-19 as well as Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis. |
| K-133 | The comment is concerned with LU-2.2.1 – “Ensure that the number of urban residences does not greatly exceed that of the rural residences in the greater unincorporated communities of Harmony Grove and Eden Valley.” See Responses I-65, , K-15, U-2a and AD-5, as well as Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis. |
| K-134 | See Response K-128. Policy LU-3.1.3 restates the direction in Policy LU-1.8.1. |

K-135	Policy CM-5.1.1. Require construction of pedestrian trails linking each and every house as a condition of development for subdivisions with 5 or more homes.
K-136	Goal CM-10.2 A sewage disposal system that retains the rural character of Elfin Forest – Harmony Grove and Policy CM-10.2.1 <i>Require all proposed new development to use septic systems with one septic system per dwelling unit.</i>
K-137	Goal COS-1.2 Native soil and topography moderately interspersed with low impact residential and agricultural uses and Policy COS-1.2.1 Require development to minimize impact on soil resources. Topography is maintained wherever possible. Policy COS-1.2.2. Prioritize Elfin Forest areas to be purchased as mitigation property. (EFHG Community Plan pp. 27 – 47)
K-138a	<u>Zoning Ordinance</u> The Project may also conflict with or violate provisions of the County Zoning Ordinance including the Subdivision Ordinance. For instance, the Project violates the requirement that secondary units are permitted on lots no less than 20,000 square feet. These conflicts are not necessarily resolved by the proposed rezoning or adoption of a Specific Plan.
K-138b	Finally, any deviations from any requirements for preservation of natural slopes have not been justified and the deviations create potential land use and visual impacts that have not been discussed or mitigated.
K-139	<u>Noise</u> <u>Operational Traffic Noise</u> The adopted threshold of significance for exterior noise is whether implementation of the Project would “Expose exterior on- or off-site, existing or reasonably foreseeable future, NSLUs to noise (including road noise) in excess of 60 CNEL for single-family residential uses” (p. 2.6-4). The DEIR states that existing traffic noise levels along Country Club Drive were measured at two locations and the measurements ranged from 52.5 to 56.6 dBA. <i>See also</i> , Acoustical Site Assessment Report (“Noise Study”) p. 21. With respect to these locations, the DEIR states that future noise levels could exceed the County’s 60-CNEL threshold for exterior use areas for single-family residential uses. Impacts are significant in the Existing plus Project (E+P) scenario as to off-site sensitive noise receivers. Table 2.6-3 shows that numerous receiver locations will exceed 60 dB when Existing conditions are combined with Project conditions. Further, several of the receivers such as R07, 09, 10, and 21 currently experience traffic noise levels <i>below</i> 60 dB, but these levels will increase <i>above</i> 60 dB when Project noise is added to the existing ambient environment. Yet the discussion at p. 2.6-6 does not mention the Existing plus Project scenario, nor the fact that traffic noise levels exceed 60 dB under this scenario (the DEIR states that “[a]s shown in Table 2.6-3, future noise levels would exceed 60 CNEL at both structural facades and exterior use locations for off-site residences in both the <i>Existing plus Cumulative</i> condition, and the <i>Existing plus Project plus Cumulative</i> condition”). This is a substantial omission in light of Table 2.6-3. Because traffic noise in the Existing plus Project scenario exceeds applicable noise levels and the adopted threshold of significance (p. 2.6-4), impacts must be deemed significant as to off-site receptors. The DEIR asserts at p. 2.6-6 that impacts are less-than-significant in the Existing plus Cumulative and Existing plus Project plus Cumulative conditions because the “change” over existing noise levels with the Project is less than 1 dBA. This 1 dBA standard is not identified as
K-140	

K-135	The Valiano Plan area includes a trail connection to each house in Neighborhood 5 as detailed in Figure 3-1 in the Specific Plan.
K-136	The comment is concerned with Goal CM-10.2 and Policy CM-10.2.1 related to sewage disposal systems. See Responses G-3 and I-29 as well as Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.
K-137	The Project would not impact dominant landforms or topographic features in the immediate vicinity, such as Mt. Whitney or other prominent ridgelines or hills. Regarding policy COS-1.2.2, see Response K-128. Policies COS-1.2.1 and COS-1.2.2 restate the direction in Policy LU-1.8.1 and LU-3.1.3 and the comment does not specifically identify inadequacies with the EIR.
K-138a	Since the circulation and recirculation of the Draft EIR, Senate Bill 229 (SB-229) was approved on October 8, 2017 which amended Government Code Section 65852.2. The approval of SB-229 is a state-mandated local program and authorizes Accessory Dwelling Units in areas zoned single-family or multifamily use and is ministerial. This EIR takes a conservative approach and has identified as stated above that up to 54 lots likely would include an Accessory Dwelling Unit.
K-138b	Deviations from ordinances relative to preservation of steep natural slopes are not requested as part of the Project. As described in EIR Subchapter 2.1.2.2, and Response F-2, 35.6 acres of slopes on the property, or 15 percent of the site, meet the definition of County RPO steep slopes; only approximately 1.1 acres, or less than 1 percent of the Project site, would be impacted. This would occur in a total of 16 lots/areas with steep slope encroachment, with an average encroachment of approximately 5.4 percent. With one exception, the encroachments within each lot would be less than 10 percent of the steep slope (substantially below that percentage allowed by the RPO). Lot 214 would have an encroachment of 11.8 percent, which – as specified in the RPO – is allowable because this lot exceeds 80 percent steep slopes. All lot grading would conform to the RPO and no deviation is requested. The Project is also consistent with the San Dieguito Community Plan Soils Policy #8, as explained in comment K-4.
K-139	The comment is correct; within Table 2.6-3, there are off-site receptors that would be exposed to noise levels that would exceed 60 Community Noise Equivalent Level (CNEL) when considering the Existing Plus Project condition. However, per the County’s significance thresholds ¹ , off-site direct noise impacts (i.e., Existing versus Existing Plus Project) are considered significant when new projects generate noise that more than doubles the existing sound level. As noted in Section 1.1.2 of the AAR, a doubling of sound energy is equivalent to an increase of 3 decibels. As shown in Table 2.6-3, although noise levels for some receivers would

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K-139
cont. exceed 60 CNEL when compared with existing conditions under the Existing Plus Project scenario, none of the locations would increase the noise levels by 3 A-weighted decibels (dBA; the highest increase is 2 dBA).

The noise model did not include intervening residential homes and structures. These existing features would further reduce traffic noise levels to 60 dBA CNEL and below at these existing residential lots. Therefore, the Project would not result in a significant direct impact under the Existing Plus Project condition.

¹County of San Diego. 2009. *Report Format and Content Requirements: Noise*. January 27, 2009.

K-140 See Response K-139 regarding the assessment of direct off-site exterior noise impacts.

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K-140 cont.	part of the threshold of significance on p. 2.6-4 (Section 2.6.2.1). Arguably this standard applies to cumulative impacts (<i>see</i> , Noise Study pp. 8, 22), but this still does not address the Existing plus Project scenario.
K-141	In addition, M-N-2 is not shown to be effective for interior noise levels for on-site residences. Reliance upon a future study is not adequate mitigation under CEQA. Also, the measure merely requires an “analysis”; there is no action required in the event that the analysis reveals interior noise in excess of 45 CNEL.
K-142	Mitigation related to the wastewater treatment plant is also uncertain where the program calls for the preparation of a future study to be reviewed by Staff outside the CEQA process. There is no certainty that the 45 dB standard can be achieved with respect to the waste water plant, which will already be constructed and possibly operational at the time of the future analysis.
K-143	<p><u>Construction Noise</u></p> <p>The DEIR suggests that construction noise impacts to on-site receptors are less-than-significant during mass grading phases because grading, ripping and blasting would occur <i>prior</i> to the development (and presumably occupancy) of on-site residences (p. 2.6-13). However, the DEIR indicates elsewhere that construction <i>including grading</i> would occur in <i>phases</i> (p. 1-20 “Grading would be done by individual neighborhood, beginning with Neighborhood 5, followed by Neighborhoods 1, 2, 3 and 4”). <i>See also</i>, p. 1-21. To the extent that grading will occur when earlier phases of the Project are occupied, on-site residences could be exposed to unacceptable construction noise levels. Analysis of this issue and appropriate mitigation is required. Mitigation could include: (1) installation of temporary noise barriers; (2) use of electrical construction equipment; (3) prohibition of idling of vehicles more than 3 minutes; (4) banning heavy trucks near (within 250 feet) of sensitive uses; and (5) scheduling of construction activities so they do not interfere with noise sensitive operations.</p> <p>Off-site construction activities are not shown on the basis of substantial evidence to result in less-than-significant noise impacts. According to the Noise Study, these activities include “grading, compacting, paving, and undergrounding of utilities” (p. 30).</p> <p>As to off-site receptors during construction, the Noise Study at Figure 5 indicates that construction noise impacts are still significant even with the 12-foot noise control barrier. The County’s Noise Ordinances establishes a 75-dBA standard between 7 a.m. and 7 p.m. <i>at the boundary line of the property where the noise source is being generated</i> or any occupied property where noise is received during construction. Figure 5 indicates that the 75-dBA threshold is met or potentially exceeded at the Project’s property line. Existing properties are <i>very close</i> to the Project boundary. <i>See</i>, Figure 2.2-1 (air quality section). In addition, M-N-7 is inadequate where it allows the preparation of future acoustical analysis and, potentially, the creation of new mitigation based on ill-defined standards and outside the CEQA review process.</p> <p>Installing a 12’ barrier “to block the line of sight” (M-N-7) will not mitigate for excessive noise. Since the mitigation measure does not mitigate for the impact, another measure needs to be devised, such as prohibiting such activity within 180’ of occupied offsite residences.</p> <p>Similarly the risk of using rock breakers near structures that could be permanently damaged from the vibration is not fully analyzed. Proposing simply to <i>not use</i> a breaker within 300’ of occupied residences (M-N-8), when an entire Neighborhood 3 adjacent to several existing homes is to be carved out of granite mountain, appears at best difficult to implement, which may result in the breaker being used anyway after Project approval, and asking Staff for variances as has been the case for blasting and grading at the nearby Harmony Grove Village site. Since there are</p>
K-144	
K-145	
K-146	
K-147a	
K-147b	

K-141	<p>Mitigation Measure M-N-2 requires that an interior acoustic study be conducted that demonstrates that interior resident noise levels would be below 45 CNEL. Details regarding building plans and materials are not available at this stage of the Project. As mentioned within Section 2.6.2.1, examples of enhanced building elements including thicker dual-paned windows with spacing of a ½-inch or greater would satisfy this interior requirement. Future studies would include these types of measures to adequately mitigate the impact and would be addressed prior to issuance of building permits.²</p> <p>²In <i>Oakland Heritage Alliance v. City of Oakland</i> (2011), the Court defended the approach of reliance on compliance with the applicable regulatory framework. Where an agency has evaluated significant impacts and identified measures that will mitigate them, it doesn’t have to commit to any particular identified measure as long as it commits to mitigate the impacts. The details of exactly how mitigation will be achieved under the identified measures can be deferred pending completion of a future study. Where impacts are of a type for which mitigation is known to be feasible, but practical considerations prohibit devising such measures early in the planning process, the agency can permissibly articulate specific performance criteria and commit to ultimately devising mitigation measures that will satisfy the criteria. (Coon 2011)</p>
K-142	<p>Mitigation Measure M-N-4 requires noise control measures to ensure that the WTWRF complies with applicable noise regulations. The Applicant is required to provide a final noise impact analysis as part of the facilities design submittal package for the WTWRF. The noise impact analysis shall demonstrate that the facility complies with the 45 dBA LEQ property line limit. The conditions of approval would ensure that the correct equipment/structural noise barriers are properly installed to reduce noise levels to County standards.</p>
K-143	<p>As noted on Page 2.6-13, the noise impact analysis for the Proposed Project focused on mass grading, which is typically significantly louder than other activities; the Project would require extensive material excavation and/or fill. However, the grading, along with all of the loudest construction processes (specifically, ripping, the use of breakers, and blasting) would occur prior to the development of proposed on-site residences. Since on-site residences would not yet be occupied prior to the mass grading and blasting construction activities, impacts to on-site residences are expected to be less than significant because the County Noise Ordinance construction noise sections only apply to occupied structures.</p> <p>Additionally, the impact statements N-7, N-8, and N-9 do include the potential of construction noise impacts to off-site as well as on-site</p>

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| K-143
cont. | residences (should they be occupied) from ripping, rock breaking, and blasting, respectively. Mitigation Measures M-N-7, M-N-8, and M-N-9 apply to any occupied residents, whether they are on-site or off-site. |
| K-144 | Construction noise impacts associated with off-site utilities would be similar to the types of equipment that are analyzed within in Section 7.2 of the AAR. The construction would include the use of a small- to medium-sized excavator, medium-sized loader and dump truck for the excavation and closure of the trenches. A small- to medium-sized excavator would create noise levels of 73.6 dBA LEQ at a distance of 50 feet. The excavator or backhoe and loader would be expected to be in front of any single home for no more than two hours. At a worst-case potential distance of 25 feet from the nearest property line distance, the average noise level would be expected to be 73.6 dBA LEQ (8 hour). Thus, noise levels from off-site construction activities would comply with the County Noise Ordinance and not be in excess of the allowed levels. |
| K-145 | <p>According to the County's significance threshold for construction noise impacts, a project would result in a significant impact if it generates construction noise that exceeds the 75 dBA eight hour average sound level limit. As shown in Figure 5 of the AAR, with the implementation of the noise barrier, the construction noise level would not exceed 75 LEQ at the property boundary, thereby mitigating the impact.</p> <p>The second paragraph of M-N-7 allows the Applicant to provide a supplemental noise analysis if different construction equipment or activities would be used than those assumed in the noise analysis. The reduction or modification of the noise barrier would only be approved if it can be demonstrated that the construction activities are reduced to 75 dBA or below at the property line, subject to approval by the County PDS.</p> |
| K-146 | The barrier proposed as mitigation was modeled using software that takes construction equipment and topography into account to demonstrate that the proposed barrier would reduce construction noise from ripping to the County's noise standard. Noise contours from dozers ripping hard soils with the 12-foot noise barrier included in M-N-7 are shown in Figure 5 of the AAR. Additionally, all grading operations are subject to the County Noise Ordinance and are required to comply with these regulations. |
| K-147a | The noise report includes vibration analysis from the equipment most likely to generate groundborne vibration that may affect adjacent structures. A hydraulically operated impact hammer attached to a tracked excavator is commonly called a breaker and may create impulsive noise, which is addressed in the AAR. Vibration generated from a breaker would be roughly equivalent to a jackhammer, which generates vibration at 0.035 |

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- K-147a
cont. inches per section peak particle velocity (PPV) at 25 feet (Caltrans 2013)³. As noted in the AAR, the most likely source of vibration during Project construction (excluding blasting) would be a vibratory roller, which creates approximately 0.21 inches per second PPV at 25 feet. Using Caltrans criteria, the guideline vibration damage potential criterion for older residential homes (for continuous sources) is 0.3 inches per second PPV. Using this criterion, provided that a vibratory roller is at a minimum of 19 feet from the nearest residence, vibration levels would not exceed 0.3 inches per section PPV. Off-site residences are located further than 19 feet from the Project site; therefore, damage from either piece of equipment due to groundborne vibration is not expected to occur. To mitigate noise impacts, accordance with the implementation of M-N-9 the use of a breaker would be prohibited within 300 feet of property lines of occupied residences. A variance is not a part of the Project and all mitigation measures included in the MMRP would be sufficient to reduce the sound levels to less than significant. See Response K-15 regarding enforceability of mitigation measures.
- ³California Department of Transportation (Caltrans). *Transportation and Construction Vibration Guidance Manual*. September 2013.
- K-147b Mitigation Measure M-N-9 prohibits the use of breakers within 300 feet of property lines of occupied residences. Material that would require a breaker would be relocated a minimum distance of 300 feet from the nearest residence and therefore a breaker would not be used within 300 feet.
- The consideration of a Project alternative that would reduce or relocate grading is included in the Alternatives section of the EIR. As shown in that section, the Reduced Grading Alternative would avoid or reduce potential impacts associated with grading to off-site residences.

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K-147b cont.	current residences within the 300' radius of where proposed homes where heavy grading in rock would occur, the proper mitigation would be to require the Project to avoid placing grading sites requiring rock breakers within a 300' radius from existing homes.
K-148	Similarly, the issue of potential structural impact to residences from blasting is addressed simply by "using an approved blaster and getting the required permits" (M-N-9). How would that possibly prevent and/or indemnify for vibration impact to existing homes, many of them older?
K-149a	M-N-9 is not shown to be effective. The future "specific analysis" will be conducted post-project approval, without the benefit of public review and scrutiny. There is no guarantee that M-N-9 can provide any sort of effective mitigation for area residents. M-N-9 is also onerous and unrealistic - physically removing existing livestock for the duration of the blast is absolutely unworkable with large animals. Getting horses in and out of trailers is very difficult in the best of times with their usual handlers that they are accustomed to, and either placing that burden on horse owners for the benefit of the Project, or subjecting the horses to handling by third parties hired by the applicant is not an acceptable way to humanely deal with the Project impact on large animals.
K-149b	The only practical mitigation measure would be to prohibit all blasting, given that the Project is surrounded on all sides, including in San Marcos, by agricultural and/or rural properties, the preponderance of which have large animals on site. It is not reasonable to impose the burden of compromising animal welfare on the surrounding property owners who stand to gain nothing from the project.
K-149c	Further, the blasting map below completely contradicts the mitigation measures proposed, since they depict plans to blast well within the 180' of existing homes, which will require drilling. In the image below the red areas are expected blast areas (and, as residents learned from HGV there will be many more than this), the red arrows point to existing homes, and the blue arrow points to an existing well. Note that in Neighborhood 3 blasting is proposed right up to the property lines and the same is true in the northern most section, in complete contradiction with the mitigation measures stated. How can the public and the decision makers fairly evaluate impacts which are obfuscated and hidden in appendices and technical reports when the summary is so very misleading?
K-149d	
K-150a	
K-150b	

K-148 Mitigation Measure M-N-9 requires the Applicant, prior to any construction activities, to prepare and implement a blast plan to reduce impacts associated with vibration generated by blasting. The Project Applicant would be required to conform to the final blast plan, which would include preliminary testing information to determine the local soils vibration damping characteristics and demonstrate that no significant vibration impacts to any affected structure would be anticipated as a result of blasting activities. Any blasting planning and impacts and/or damages that may occur are the sole responsibility of the owner and blasting planning company.

K-149a A full blasting analysis cannot be completed until after the site has been cleared of all surface material to expose the type of material to be blasted, and until the extent of the area of blasting and required charge type is known. The analysis in the AAR is based on reasonable assumptions from information in the geotechnical report.

Mitigation Measure M-N-9 requires the preparation of a blasting control plan. The blasting control plan would need to comply with the requirements of County Noise Ordinance, Sections 36.408, 36.409, and 36.410, as well as San Diego County Consolidated Fire Code Section 96.1.3301.2 and all other applicable local, state, and federal permits, licenses, and bonding. Further, various aspects of blasting, including flyrock and airblast, are regulated by the Code of Federal Regulations (30 CFR 816.61-816.68). The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets, increased setbacks, limiting construction equipment operations, and any other methods specified within the blasting plan must be implemented to comply with County Noise Ordinance requirements. As noted in Response K-148, all blasting activities would be required to conform to the final blast plan, which would provide detailed analysis regarding local soils damping characteristics and demonstrate that no significant vibration impacts to any affected structure would be anticipated as a result of blasting activities. All blast planning shall be conducted by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary. It is acceptable to include mitigation that requires a future plan be prepared that demonstrates a project activity would comply with a performance standard (in this case complying with the County codes listed above).

COMMENTS

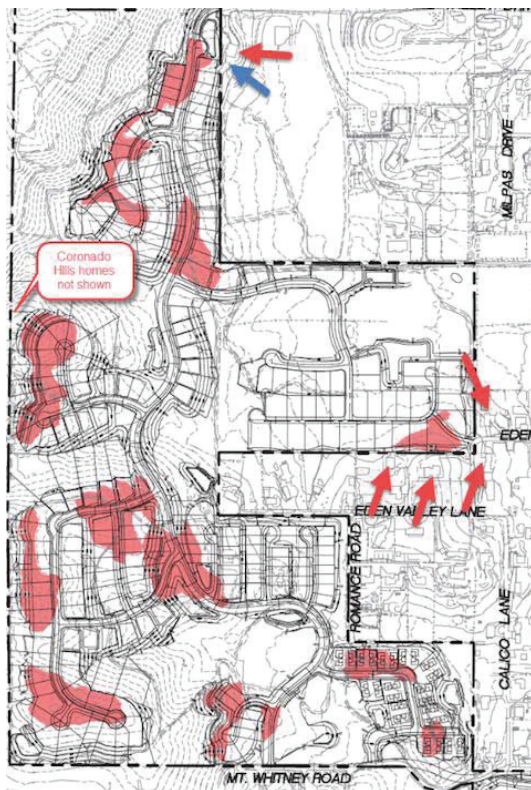
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- K-149b Subchapter 2.6 of the DEIR listed the correct text for Mitigation Measure M-N-9; this text did not list removing livestock as part of the measure. The listing for M-N-9 in Table S-1 and Section 7.1.6 incorrectly included text regarding livestock removal, which has been corrected in the EIR. The potential removal of livestock is included in the Project not as a mitigation measure but as a Project Design Feature, as noted in Table 1-4 in Chapter 1 of the EIR. This Project Design Feature requires 48-hour notice prior to a blasting activity for each residence within or partially within 600 feet of the blasting location. If livestock may be affected, the resident would be given the option to move their livestock to a designated remote location identified on the blasting plan. Relocation of horses is provided as an option for residents if they wish to move livestock during blast events and is not a requirement. Identification and care/maintenance of the remote location would be the responsibility of the blasting contractor. The described Project Design Feature was used during blasting for Harmony Grove Village and proved successful.
- The commenter's concern is noted, however, and the EIR includes a Project alternative that minimizes blasting and grading; please refer to the discussion under Reduced Grading Alternative, which would reduce and/or eliminate areas requiring blasting and consequently reduce noise and vibration impacts associated with this activity.
- The project is conditioned to require the applicant to relocate horses during blasting as a service to the community and not as a mitigation measure.
- K-149c The comment is concerned with the relocation of horses should it be identified that they would be affected as a result of Project blasting. As discussed in Response K-149b, analysis of noise impacts to livestock or domestic animals is not a CEQA issue under the State CEQA Guidelines or the County's Guidelines of Significance for Noise. The option for owners to relocate horses to a construction contractor-identified location during blasting would be provided as a service to the community and not as a mitigation measure. See Response K-149b for additional information.
- K-149d The comment is concerned with the burden of placing animal welfare on the surrounding property owners. Please see Responses K-149b.
- K-150a The figure referred to in the comment is included as Figure 3 in the AAR, which is the map of the proposed rock cut areas potentially requiring blasting, which was used to analyze impacts. As noted in the AAR on Page 25, the areas in close proximity to the red-highlighted areas are those with the greatest potential to impact existing residences. The noise analysis focused on the area where rock ripping would occur closest to existing residences, as shown on Figure 4. Consequently, the EIR concludes that the Project would result in potentially significant impacts to off-site residences. The Mitigation Measures M-N-7, M-N-8, and M-N-9 would apply to any on-site or off-site occupied residences

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| K-150a
cont. | within the distances indicated in the measures, not just the area shown in Figure 4. The purpose of the post-mitigation contours in Figure 4 is to demonstrate that a 12-foot high noise barrier would be effective to reduce noise levels from ripping equipment. A similar barrier would be required within any areas where ripping, drilling, or excavation would occur within 180 feet of an occupied residence. |
| K-150b | The comment states that the analysis in the EIR is obfuscated and misleading. The information presented in the main text of the EIR is an accurate summary of the technical analysis, meant to convey the results of the analysis in a manner that is accessible to the non-technical reader. For readers that are interested in reviewing the additional details, the technical appendices are also provided as part of the public review of the document. |



The diagram included in the DEIR does not show the homes on Coronado Hills in San Marcos - yet by referencing other maps it appears blasting is proposed right below existing homes, conveniently located in another jurisdiction which does not get to decide on the project approval outcome. See, Exhibit A for further reference to Coronado Hills homes.

Water Supply

Water supply impacts must be deemed a **significant** impact of the Project.

The DEIR must be revised with respect to water supply in light of the April 29, 2015 water availability letter from the Rincon del Diablo Municipal Water District (RMWD), (DEIR, Appendix O) RMWD writes that they are now under Level 2 drought restrictions⁹. RMWD's previous availability letter of April 15, 2012 regarding the Project stated that RMWD was under

⁹ RMWD must reduce their water by 32% over 2013 usage (<http://www.rinconwater.org/latest-news/147-drought-update>)

K-151 Figure 2 in the AAR shows the areas surrounding the Project, similar to the map within the Exhibit A of the commenter's letter. In Section 2.6.1.4 of the EIR, existing noise-sensitive land uses in the Project vicinity are described, which include areas north, east, and west of the Project site. Mitigation applies to any construction activities within the setback distances described in the measures (see Response K-150a). No comments were received from the City of San Marcos regarding blasting and/or noise issues.

K-152 The comment is concerned with water supply and states that impacts must be identified as significant based on the (then) current drought and regulations. See Responses C-2, C-8, and C-10.

K-152 cont	<p>Level 1 drought restrictions. That April 15 letter stated unequivocally that “If Rincon is forced to re-enter the Level 2 Drought Alert, the Board of Directors will suspend consideration of new potable water available.” RMWD’s April 29, 2015 availability letter also references Executive Order B-29-15, issued on April 1, 2015, requiring that, due to the severity of California’s drought and likelihood that it will stretch to 2016 and beyond, the Water Board shall impose a statewide 25% urban water reduction in usage. (http://gov.ca.gov/docs/4.1.15_Executive_Order.pdf) In light of this Executive Order and the voluntary Level 2 drought restrictions adopted by the District¹⁰ RMWD wrote on April 29, 2015 that new meters may <i>not</i> be permitted and will be dependent on future actions by water suppliers and Rincon’s Board of Directors. Consequently, water supply for the Project has not been shown to be available or adequate in violation of CEQA¹¹. <i>Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova</i> 40 Cal. 4th 412, 432 (informational purposes of CEQA are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project).</p>	
K-153	<p>It is not demonstrated that RMWD will be able to meet the Project’s water demands under Multiple Dry Year scenarios. The DEIR vaguely claims that RMWD has “plans” in place that will meet water demand in multiple dry years but this is not substantial evidence of adequate water supply. “Speculative sources and unrealistic allocations (‘paper water’) are insufficient bases for decisionmaking under CEQA.” <i>Vineyard Area Citizens, supra</i>, at p. 432. A water supply assessment may also be required. <i>See</i>, Water Code § 10910 (C)(3).</p>	K-153 The comment is concerned with whether the RMWS will be able to meet the water demands of the Project under Multiple Dry Year scenarios. See Responses C-2, C-8, and C-10.
K-154	<p>In addition, the April 29, 2015 RWMD availability letter notes that Reservoir 7 must be made a part of the Project, yet the DEIR states that this facility is not part of the proposed Project (p. 2.11-6). This conflict must be resolved. RWMD specifically puts the County on notice that the facility must be included in the project’s planning <i>and environmental review process</i>.</p>	K-154 The comment is concerned with the inclusion of Reservoir 7 in the Project. See Response C-5.
K-155	<p>Water supply impacts are significant insofar as the Project’s additional housing population is not included among regional land use plans, and therefore the population has not been accounted for in water supply plans. And, it is not shown that adequate supply of imported water exists to service the Project in light of the Project’s increased housing beyond that accounted for in regional plans. The RMWD receives its water from the San Diego County Water Authority (SDCWA), which receives its water primarily from the Metropolitan Water District (MWD). The MWD receives its water from imported sources: the Colorado River and the State Water Project. Thus, currently, SDCWA receives 80% of its water from imported sources, with 50% coming from the Colorado River^{12 13}. The DEIR does not demonstrate that the Project’s reliance upon imported water for water supply is adequate in light of drought conditions and depleting supply at sources.</p>	K-155 Water planning is achieved at the regional level by the San Diego County Water Authority. The Water Authority is charged with the responsibility to determine the region’s reliance on imported water sources and balance those with local conditions, supply and preservation. See Response K-99.
K-156	<p><u>Traffic</u></p> <p>There is no mention or analysis of construction traffic in the traffic analysis; for example, there is no analysis of construction traffic related to the off-site haul trips for the export associated with the improvements to Mt. Whitney Road. Also, how will on-site construction traffic impact residents of earlier phases of the development?</p>	K-156 The Project does not anticipate to have any off-site hauling of export material and therefore a quantitative construction traffic analysis is not warranted. However, a construction traffic discussion has been added to Subchapter 2.8 of the Final EIR. This addition simply clarifies the conclusions made in the EIR and does not provide significant new information.

¹⁰ (<http://rinconwater.org/latest-news/147-rincon-customers-continue-conserving>)

¹¹ Given the necessary 32% reduction requirement, arguably RWMD should be under Level 3 mandatory restrictions. *See*, Rincon MWD Ordinance No. 15-120.2, attached hereto as Exhibit F.

¹² (<http://www.sdcoastkeeper.org/blog/san-diego-water-supply/item/135-where-your-water-comes-from.html>)

¹³ (<http://www.sdcwa.org/san-diego-county-water-sources>)

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The DEIR states the Project would result in significant direct and cumulative impacts to a number of roadway segments and intersections (both signalized and unsignalized):

- Under Existing Plus Project and Existing Plus Cumulative Plus Project conditions, significant **direct** and cumulative impacts would occur along two analyzed **roadway segments**, including:
 - City of Escondido: **Impact TR-1a** Country Club Drive from Auto Park Way to Hill Valley Drive (LOS F: Direct **and TR-1b** and Cumulative)
 - County of San Diego: **Impact TR-2** Country Club Drive from Hill Valley Drive to Kauana Loa Drive (LOS F: Cumulative Only)
- Under Existing Plus Cumulative Plus Project conditions, significant cumulative impacts would occur at two analyzed signalized intersections, including: City of Escondido:
 - **Impact TR-3** Auto Park Way/Mission Road (LOS D/D during the AM and PM peak periods)
 - **Impact TR-4** Auto Park Way/Country Club Drive (LOS D during the AM peak period)

These impacts remain significant as traffic mitigation for these direct and cumulative impacts is vague, uncertain and unenforceable. Proposed mitigation measure, M-TR-2, states, “In order to mitigate the cumulative impact along Country Club Drive between Hill Valley Drive and Kauana Loa Drive, the Applicant shall pay the appropriate TIF amount towards the County TIF Program.” This alone is inadequate. The Project is a non-conforming GPA project; thus, payment into the current TIF program alone would not fully mitigate cumulative impacts. In order to mitigate impacts, the Project must pay to update the TIF as indicated in the traffic impact study (Appendix H).

Furthermore, updating the TIF alone does not mitigate the impact where “fair share” fees cover only officially scheduled and funded road improvement projects. There is no indication in the DEIR that improvements to Country Club Drive between Hill Valley Drive and Kauana Loa Drive are scheduled and/or funded, and, therefore, are reasonably likely to occur in the foreseeable future. Fair share fees are inadequate where there is no evidence of a program in place for the specific improvements at issue. Thus even if the Project pays a “fair share” to *update* the TIF program (which is not a requirement of the mitigation program) there is still no evidence that the actual improvements necessitated by the Project will be in place at or about the time of need. Also, the DEIR relies on a number of “Project Design Features” to lessen direct and cumulative impacts (including safety/ “Access” impacts). *See*, DEIR p. 2.8-25. These PDFs must be adopted as CEQA mitigation measures. Finally, the DEIR does not appear to incorporate all recommended mitigation from the traffic impact study (DEIR, Appendix H).

M-TR-3 is also inadequate. First, the DEIR and the traffic study (DEIR, Appendix H) refer the reader to Appendix K to the traffic study, but no such appendix appears with the version of the traffic study available online. Even so, the purported fact that an impact to a particular intersection was previously deemed significant and unavoidable by a separate EIR does not automatically translate to finding of significant and unavoidable for the present project, therefore eliminating the need for mitigation. There is no showing that the Project could not construct necessary improvements at the intersection, or no information is provided whether consultation with Escondido was attempted regarding ways in which to mitigate the impact. At the least, available

K-157 For M-TR-1a and M-TR-1b, the City and Applicant have agreed to mitigation for the eastbound approach at the Auto Park Way/Country Club Drive intersection. Specifically, at the north end of Country Club Drive south of Auto Parkway, the Project would install a 5-foot wide sidewalk installed for approximately 830 feet on the west side of the street. This would connect two currently disconnected sections of sidewalk; one extending approximately 220 feet southerly of Auto Parkway, and one extending approximately 1380 feet north of the intersection of Country Club Drive and Hill Valley Drive. A 6-inch curb and gutter would be located between the sidewalk and street pavement. One above-ground power pole in this area would be relocated west of the sidewalk and the other three would be protected in place. On the east side of Country Club Drive, paralleling the new sidewalk segment on the other side of the road and wherever existing driveways would not interrupt the improvements, a 6-inch (street-side) asphalt berm would be backed by a 5-foot wide decomposed granite pathway. Thus an additional 5,000 ADT of capacity would be added effectively mitigating the direct and cumulative impacts along this segment. Regarding M-TR-2, in addition to paying the County TIF, improvements to provide adequate sight distance at Project access roads and the construction of northbound left-turn pockets onto Project roadways would mitigate impacts to Country Club Drive. Given the Project is requesting a GPA, the Applicant is required to update the TIF Program allowing the Project’s TIF payment to go toward future area improvements.

M-TR-3 is shown to be significant and unmitigated due to the Escondido General Plan EIR overriding consideration given the physical infeasibility of widening the roadways to provide capacity-related improvements. For M-TR-4, the EIR Traffic Study shows the post-mitigation acceptable LOS C operations.

K-158 As the lead agency, the County accepts TIF payments as mitigation for cumulative impacts. The Project would be conditioned to contribute a fair share payment toward the TIF update as part of Project approval by the Board of Supervisors.

The County’s TIF program collects a portion of the funding required to build out the County’s Mobility Element. The TIF program studied build out of the General Plan and calculated new developments fair share. Other funding sources are required to compliment TIF collections, these include gas tax, TransNet, and others. The list of identified TIF improvements are described in the TIF Transportation Needs Assessment Report.

K-159 See Response K-15 regarding Project Design Features. The EIR does incorporate all mitigation measures recommended in the TIA (Appendix H of the Final EIR). The comment does not indicate which mitigation was omitted. No additional response can be made.

COMMENTS

RESPONSES

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| | <p>K-160a Appendix K is an appendix to the TIA and is provided with the Final EIR. This Appendix to the TIA was available for review at the County and at local Libraries and at the Community Planning and Sponsor Group offices during public review; however, it was omitted in the uploaded traffic appendix on the County's website.</p> <p>K-160b The Auto Park Way/Mission Road/Nordahl Road intersection is located within the City of Escondido's jurisdiction and overriding consideration for a significant unmitigated impact has been publicly approved by City Council per the certification of the City's General Plan EIR due to the physical infeasibility of widening the roadways to provide additional lanes. Language regarding the physical infeasibility of these improvements has been added to the TIA. Also, see Response E-13.</p> <p>K-160c The comment is concerned that the DEIR does not demonstrate that the Project could not construct the necessary improvements at the intersection Auto Park Way/Mission Road. See Response K-160b regarding the physical infeasibility of constructing improvements necessary to mitigate this impact. Language regarding the physical infeasibility of these improvements has been added to the TIA.</p> |
|--|---|

COMMENTS

RESPONSES

K-160c cont	
K-160d	mitigation includes working with Escondido on identification of potential mitigation strategies. Furthermore, it is not shown that the Escondido General Plan EIR accounted for the proposed Project with its particular densities; thus, it not shown that the present Project can rely on the analysis and conclusions of the Escondido General Plan EIR.
K-161a	The DEIR relies upon several traffic measures (a stop sign at Mt. Whitney Road/Country Club Drive, construction of Future Street 5A, and northbound left-turn pockets and striping at the four access locations along Country Club Drive, p. 2.8-17) but these are not identified in the mitigation program. At best, they are Project Design Features, which are not enforceable under CEQA. Also, the DEIR suggests that Mt. Whitney Road may not meet County sight line standards and that a “design exception” may be allowed to allow less than the required 400 feet both in the north and south directions. This sight line exception has the potential for traffic and safety impacts. Also, where there is no guarantee of a stop sign at the Mt. Whitney/Country Club intersection, there is more probability of a dangerous condition being created due to the Project.
K-161b	Other traffic study concerns:
K-162	<ul style="list-style-type: none"> Traffic counts do not take into account the 54 SDUs (Secondary Dwelling Units): should the impacts not measure worst impact, as if they were all built/occupied? Count would be 380 instead of 334 as analyzed.
K-163	<ul style="list-style-type: none"> There is no analysis whatsoever to traffic impacts on intersections to the west of the Project, utilizing Harmony Grove/Elfin Forest to access beaches and employment centers to the west. Given how congested Interstate 78 is at rush hour, and the observed current traffic from Escondido on Elfin Forest Road, and the associated back-up at intersection of Elfin Forest Road/Twin Oaks/San Elijo Road, this is a serious omission.
K-164	<ul style="list-style-type: none"> The Project location is incorrect; there is no access from La Moree Road.
K-165	<ul style="list-style-type: none"> Only 6% of traffic is planned to use the western route, which given observed traffic from Escondido, seems unrealistic.
K-166	<ul style="list-style-type: none"> Neighborhood 5 is incorrectly identified as having 65 units and 20 SDUs, whereas the site plan (and the rest of EIR) indicates 55 DUs.
K-167	<ul style="list-style-type: none"> Country Club Drive analysis does not discuss vehicle back-up at Auto Parkway at rush hour.
K-168	<ul style="list-style-type: none"> The impact of the Citracado extension not being completed as was forecast in the HGV traffic study should be taken into account to re-distribute the Harmony Grove traffic and recalculate cumulative impact. In the 2007 HGV traffic impact assessment, it was assumed that the Citracado extension would be completed but this has not occurred. As a result, the 742 dwelling units in HGV will not use this egress/ingress (anticipated as the major point of access from HGV), with potential impacts for the current Project.
K-169	<ul style="list-style-type: none"> The traffic study does not mention the San Marcos Fire Department granting a variance to reduce 185’ width of Hill Valley Drive from 24’ down to 16”.
K-170	<ul style="list-style-type: none"> Of most concern, there no discussion of emergency evacuation given all access is provided on Country Club Drive, a 2 lane road. Over 50% of existing 80 residences along Country Club have horses to evacuate, hence trailers.
K-171	<ul style="list-style-type: none"> The intersection of Kauna Loa and Harmony Grove road should be studied. This will be a pinch point during an evacuation as these two roads come from either side of Harmony Grove and they meet at that intersection—thus, assuming a fire is present on the west side as has occurred several times, many Harmony Grove residents will be on those roads if they do not take the new road or Country Club. Locals’ observation during the last

K-160d	See Response K-160b regarding the infeasibility of improving the intersection at Auto Park Way/Mission Road. In addition, since the Project is a proposed GPA, a Year 2035 analysis is provided in the Project’s EIR to analyze impacts associated with the change in land use.
K-161a	See Response K-15 regarding Project Design Features. Project design can incorporate features to lessen or avoid anticipated issues that do not need to be mitigation measures. Also see Response K-159.
K-161b	The design exception is not to allow the provision of inadequate sight distance. Rather, it is to allow America Association of State Highway & Transportation Officials (AASHTO) standards as opposed to County corner sight distance standards. These standards are utilized throughout the United States and use of the AASHTO standards is in accordance with County of San Diego practice. Adequate sight distance would be provided.
K-162	The EIR traffic section and TIA analyzed the impacts associated with the construction of 334 main dwelling units (du) plus 54 Accessory Dwelling Units for a total of 388 du. The previous site plan had 334 du with 54 Accessory Dwelling Units which was later reduced to 326 du with 54 Accessory Dwelling Units. Both documents represent a conservative analysis of 388 du since only 380 du are currently proposed.
K-163	The percent of traffic oriented to/from the west was based on a SANDAG Select Zone Assignment Per SANDAG, County of San Diego, San Diego Traffic Engineers Council/Institute of Traffic Engineers (SANTEC/ITE) as well as other jurisdictional (City of San Diego and City of Escondido) traffic impact analysis guidelines, analysis of large projects that generate over 2,400 ADT, a SANDAG Select Zone Assignment (SZA) is the required method for forecasting Project traffic distribution throughout the Project vicinity. Per the SZA prepared for the Project, 2 percent of Project trips were forecasted to use Harmony Grove Road west of Country Club Drive. The traffic analysis increased the percentage to 6 percent to account for additional trips which may be oriented to/from the west. Per County of San Diego traffic impact analysis guidelines, locations receiving 25 directional peak hour trips are to be included in the traffic analysis. Since the Project adds fewer than 25 trips to this intersection during peak hours, analysis further to the west is not warranted.
K-164	Access is not proposed via La Moree Road and access to this road was not assumed in the traffic analysis.

- K-165 See Response K-163. Also, as evidence that the 6 percent is accurate, Table A below shows existing volumes on the major roadways leaving the Project area. As can be seen in the table, the volumes on Harmony Grove Road are much lower than on the other roadways and indicate that the vast majority of area traffic does not use Harmony Grove Road west of Country Club Drive.

Table A EXISTING VOLUMES ON MAJOR ROADWAYS LEAVING THE PROJECT AREA	
Roadway	ADT
Harmony Grove Road west of Country Club Drive	8,370
Auto Park Way north of Country Club Drive	26,110
Valley Parkway (Auto Park Way to I-15)	37,280
Valley Parkway (at Via Rancho Parkway)	25,180

Note: ADT numbers include traffic generated by Harmony Grove Village

- K-166 Table 2.8-6 of the EIR and Table 7-1 of the TIA indicate a total of 69 units plus 20 secondary dwelling units for a total of 89 units in Neighborhood 5. As noted in the TIA, the site plan changed from 334 residential units to 326 units plus 54 secondary dwelling units. With the revision to the site plan, the TIA conservatively analyzes 89 units for Neighborhood 5 although the site plan shows 55 units. No changes to the conclusions of significance would result from the reduction in units located in Neighborhood 5. Therefore, no changes to the analysis are warranted and the information is a clarification.
- K-167 A full analysis of the Country Club Drive/Auto Park Way intersection is contained in Table 9-1 of the TIA. A significant impact is calculated at this intersection since the intersection level of service drops below City standards in the cumulative condition. A mitigation measure to provide a second left-turn lane on Country Club Drive at Auto Park Way is recommended to alleviate the peak hour "back-up."
- K-168 The Project's traffic analysis, including traffic from the Harmony Grove Village project, conservatively assumes the Citracado Parkway extension will not be completed in the near-term analysis. Also see Response E-15.
- K-169 In accordance with County permit processing, the design exception for Hill Valley Road was completed separately from the TIA. It is included in Chapter 1.0 of the EIR. The road width would be 20 feet wide, not 16, as stated by the commenter. 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. The design exception allow for this.

COMMENTS

RESPONSES

- K-170 The comment is concerned with lack of discussion of emergency evacuation. See Topical Response: Fire/Evacuations.
- K-171 The comment is concerned that the intersection of Kauana Loa/Harmony Grove Road should be studied since it would be a pinch point during an evacuation event. As discussed in Topical Response: Fire/Evacuations, the opening of Harmony Grove Village Parkway now provides a connection from Country Club Drive to Citracado Parkway, ultimately connecting drivers to Valley Parkway and I-15. This would provide evacuees an alternative route to leave the area and reach the freeways, thereby reducing the pinch point created at Harmony Grove Road and Kauana Loa Drive. In addition, all routes identified for evacuation and alternate traffic control are subject to actual live conditions during a wildfire in the area and are subject to override and on-the-ground assessments of the conditions and safety measures at the time of an emergency. Delays are inherent in the state of emergency and the safety personnel have taken such delays into account when the evacuation notices are delivered to specific areas and residents within each area. Therefore, routes may be modified to alleviate pinch points or delays.
- With regard to the concern that the fire would follow the creek, all routes identified for evacuation and alternate traffic control are subject to actual live conditions during a wildfire in the area and are subject to override and on-the-ground assessments of the conditions and safety measures at the time of an emergency. The Sheriff's Department is responsible for determining the most safe and expeditious routes to follow as they direct evacuations for specific areas.

COMMENTS

RESPONSES

- K-171 cont. evacuation is that most people were headed to the closest freeway, which in their case was Highway 78 and it was the recommended route that by law enforcement, as there was a fear that the fire would follow the creek.
- K-172 • Mitigation would include a connection to La Moree Road to relieve traffic on Country Club Drive.
- K-173 • Additional comments on the traffic analysis by traffic consultant Darnell & Associates (June 12, 2015) are attached hereto as **Exhibit G**. These comments are fully incorporated herein by reference.

Growth-Inducement

- K-174a An EIR must evaluate any significant environmental effects the project might cause by *bringing development and people into the area affected*. (CEQA Guidelines § 15126.2 (subd. (a).) An EIR must specifically discuss “growth inducing impacts.” (Guidelines § 15126.2 (d).) Growth-inducing impacts may occur, for instance, when a project removes an obstacle for growth. “The major expansion of a waste water treatment plan, might, for example, allow for more construction in service areas.” (Guidelines § 15126.2 (d).) Here, **the conclusion of less-than-significant growth-inducing impacts is not supported by substantial evidence**.

- K-174b The Project will include the construction of a new wastewater treatment; this brings new services to the area and removes obstacles for future growth. To the extent that Reservoir 7 is constructed as a result of the Project, this reservoir could provide water supply for other planned development as acknowledged by the DEIR, thereby removing another obstacle to growth. The Project also proposes the widening and improvements of existing roadways, some of which are currently dirt roads. The Project’s population and housing numbers have not been accounted for in regional projections, and, therefore, the Project’s population and housing are not consistent with the growth projected for the area. Consequently, the Project is not “growth-accommodating” as claimed. The Project also creates the potential for negative “precedent setting” insofar as it proposes an amendment to the General Plan to accommodate the higher densities; future projects may follow suit in seeking similar amendments. Finally, this Project represents a development pressure on surrounding agricultural uses and large lots to convert to high density residential or commercial.
- K-174c
- K-174d
- K-174e

Alternatives

- K-175 CEQA requires that an EIR describe and evaluate a reasonable range of alternatives to the proposed project which avoid or minimize the significant impacts associated with the proposed project. State CEQA Guidelines § 15126.6 (a), (d). Where an alternative is feasible, it must be adopted in lieu of the proposed project. Pub. Res. Code § 21002. Where an alternative is deemed infeasible, the agency must make findings of infeasibility. Pub. Res. Code § 21081 (a)(3). These findings shall be supported by substantial evidence in the record. Pub. Res. Code § 21801.5. A project may not be approved unless said findings are made. Pub. Res. Code § 21081.

The DEIR evaluates six alternatives to the proposed project including a “no-project” alternative. This range of alternatives does not meet CEQA’s mandate where the DEIR omits a reasonable alternative involving 2-acre lots to allow for agricultural mitigation. An alternative should be considered with 2-acre minimum lots on the portions of the site that has prime agricultural soils. In this way, an easement could be dedicated over the portions of the lots suitable for agricultural uses.

- K-172 The comment requests that mitigation include a connection to La Moree Road to relieve traffic on County Club Drive. An evaluation of the connection to La Moree Road was conducted early on in the Project’s planning cycle and, as neighborhood feedback for lower density was expressed, the Project dropped the density associated with this parcel and determined the parcels would be Agricultural Open Space. The physical constraints (absent large lot grading operations) of building this road would also be substantial and would include blasting of rock and using large retaining walls. Thus, this a connection to La Moree Road was not evaluated and included as a mitigation.

- K-173 Introductory comment noted. See Responses K-214 through K-234.

- K-174a The EIR analyzes growth-inducing impacts of the Project in Subchapter 1.8. This discussion concludes that the Project would not be growth-inducing. See Responses K-174b, K-174c, and K-174d for responses for specific growth-inducing concerns.

- K-174b Regarding Reservoir R7, see Response C-5. Construction of the R7 Reservoir is contemplated by the Rincon MWD as a capital improvement in its long term planning documents for the purpose of addressing existing and future needs of the service area. Subsection 1.8.4 of the EIR has been updated to address potential growth inducing impacts associated with the R-7 Reservoir.

- K-174c As described in Section 1.8.3 of the EIR, the Project would only pave and widen portions of Eden Valley Lane and Mt. Whitney Road to a capacity to accommodate Project-related traffic. These roads would not be expanded beyond the Project site, and adjacent parcels are already served by existing roads. Roads within the Project would be used to access residential neighborhoods and recreational amenities and would not be expected to increase the population of the area beyond the Project. The EIR concludes that growth-inducing effects are not anticipated from roadway improvements.

- K-174d These issues are discussed in the EIR in Section 1.8.1. The Project is growth-accommodating as described in Section 1.8.1; the addition of the Project’s housing units would help to accommodate the hundreds of thousands of homes projected to be needed within the region in the near future. The Project would not be expected to create a precedent in the region for denser housing, as the adjacent areas to the Project are either developed or unsuitable for dense development, and as the Project does not provide a major employment center that would spur growth, but instead would complement the existing employment opportunities in the area.

COMMENTS

RESPONSES

- K-174e The Proposed Project would not result in development pressure on surrounding agriculture and large lots and would potentially result in a lessening of development pressure. The Project's efficient development pattern allows for accommodation of greater residential growth on less land, as opposed to the existing zoning that would use more land to satisfy the County's housing demand. In addition, as described in Subchapter 2.3 of the EIR, the Proposed Project would not result in significant effects related to interface conflicts with existing or potential future off-site agricultural operations. See Response I-69a for additional information on this issue. As noted therein, interface conflicts are not expected because agricultural operations have been conducted within the proposed 35.4-acre easement area (as well as adjacent and nearby on-/off-site locations) over the past several decades, with no known substantive issues related to interface conflicts for the off-site residential properties to the north and east in closer proximity to agriculture uses than the proposed residential sites in Neighborhood 4. In addition, as discussed in Subsection 2.3.2.3 of the EIR, nearby agricultural uses consist predominantly of orchards, which are considered generally compatible with residential uses.
- K-175 The EIR evaluates a reasonable range of alternatives including alternatives that have larger lots, such as the General Plan Density Alternative and the Septic Option Alternative. See Responses I 32, I-42, I-43, I-69d, and K-24 regarding this issue and the agricultural impacts from these alternatives (also discussed in Subchapter 4.0).

COMMENTS

RESPONSES


- K-176 The DEIR concludes that among the alternatives the Reduced Grading Alternative is the “environmentally superior alternative.” This conclusion is not supported where the Reduced Grading Alternative would eliminate only a marginal number of lots and some of the internal cul-de-sacs. It is not clear how the elimination of only 6 lots and 7 cul-de-sacs is a superior option to markedly fewer units as under either the General Plan Density Alternative or the Biologically Enhanced Alternative. In fact, it appears that the Reduced Density Alternative was selected as the Environmentally Superior Alternative in order to make the Project appear *as favorable as any alternative*.
- K-177a The General Plan Density Alternative is more appropriately considered “the environmentally superior alternative” among the alternatives evaluated. This alternative would develop only 118 homes according to existing land use designations. As a result, **the GP Density alternative would result in lesser significant aesthetic impacts including in the short-term, and lesser significant air quality impacts in the long-term.** In particular, and not discussed in the analysis (p. 4-9), is the fact that the General Plan Alternative would result in development of the number of housing units included in the most recent (2009) version of the RAQS. The General Plan Alternative not only reduces significant project impacts but also meets most of the basic project objectives. Finally, contrary to the statements in the DEIR, the General Plan Alternative would not involve the “same” water, wastewater and other services as the proposed project. This oversimplification of the General Plan Density Alternative is not realistic.
- K-177b
- K-177c

CONCLUSION

For these reasons, the DEIR must be revised and recirculated. The Project must be redesigned in a manner that respects existing land use designations and the important natural and biological resources of the property.

Thank you for your consideration of the above comments as you prepare the Final EIR and review the scope and direction of the proposed Project.

Sincerely,



Raymond W. Johnson, Esq., AICP, LEED GA
JOHNSON & SEDLACK

Enclosures

- K-176 The Reduced Grading Alternative was identified as the environmentally superior alternative due to the reduction in grading and an increase in biological open space and agricultural easements as compared to the Proposed Project. This would lead to less impacts to agricultural resources, biological resources, cultural resources, noise, paleontological resources, transportation/traffic, hazards and hazardous materials, public services and geology and soils.

As further shown in Table S-2, while the General Plan Density Alternative and the Biologically Enhanced Alternative would reduce impacts in most categories, both alternatives would increase impacts in certain categories. For example, the Biologically Enhanced Alternative would cause slightly greater impacts to agricultural resources and the General Plan Density Alternative would cause greater impacts to agricultural resources, biological resources, and hazards and hazardous materials. The Reduced Grading Alternative would not increase impacts within any category, and would lessen them in most categories.

- K-177a The commenter is equating fewer units with fewer environmental impacts. However, due to the larger lot sizes of the General Plan Density Alternative and more spread out housing, certain environmental impacts would be greater. Biological open space would be reduced by over 50 percent compared to the Proposed Project and there would be a lack of agricultural easements on site, whereas the increased density and coordination of the Proposed Project would allow for environmental impacts to these areas to be lessened.

- K-177b Relative to the visual comments, these statements are wholly consistent with the EIR. As excerpted from the more detailed discussion in the EIR, on page 4-9 (emphasis added):

*Implementation of this alternative would be anticipated to result in significant short-term visual effects related to the construction period and first few years of Project use. **The intensity of those adverse effects would be expected to be less than the Proposed Project given the lack of encroachment into steep slopes, and the resulting lack of raw soil or broken rock in these more elevated (and therefore more visible) portions of the Project.***

*The reduction in grading under this alternative would be somewhat compromised by the loss of additional open space set aside by the Proposed Project and loss of the open space in the northern parcel that would be subject to development under this alternative. Although not expected to be highly visible (as explained for the Proposed Project in Subchapter 2.1, Aesthetics), the retaining and noise walls would be as just as visible under this alternative as under the Proposed Project. **Overall, this alternative would have potentially fewer visual impacts than the Proposed Project.***

COMMENTS

RESPONSES

- K-177b
cont. Relative to the air quality comments, it is correct to state that the General Plan Density Alternative, which includes 118 dwelling units as opposed to the 326 dwelling units for the Proposed Project, would result in a lesser impact associated with conformance to regional air quality plans. However, it should be noted that the 2011 General Plan Update was adopted in 2011, and therefore was not included in the current Regional Air Quality Strategy (RAQS), which was last updated in 2009. The 2011 General Plan Update proposed fewer County-wide dwelling units than the version of the General Plan that was included in the RAQS.
- In response to this comment, the following text has been added on page 4-9 of the Final EIR:
- Impacts associated with conformance to the Regional Air Quality Strategy (RAQS) would be reduced for the General Plan Density Alternative compared to the Proposed Project because fewer dwelling units would be developed. The General Plan Density Alternative is based on the 2011 General Plan Update, which included a lower number of dwelling units than the prior General Plan that was accounted for in the RAQS. The General Plan Density Alternative would result in less than significant impacts associated with conformity to the regional air quality strategy.*
- K-177c The comment states that the General Plan Density Alternative would not use the same services (water, wastewater, etc.) and the over-simplification of the discussion is not realistic. See Response I-28.
- K-178 Comment noted. The County respectfully disagrees that the EIR needs to be re-circulated based on the responses provided to the comments in this letter.

COMMENTS

RESPONSES

EXHIBIT A

COMMENTS

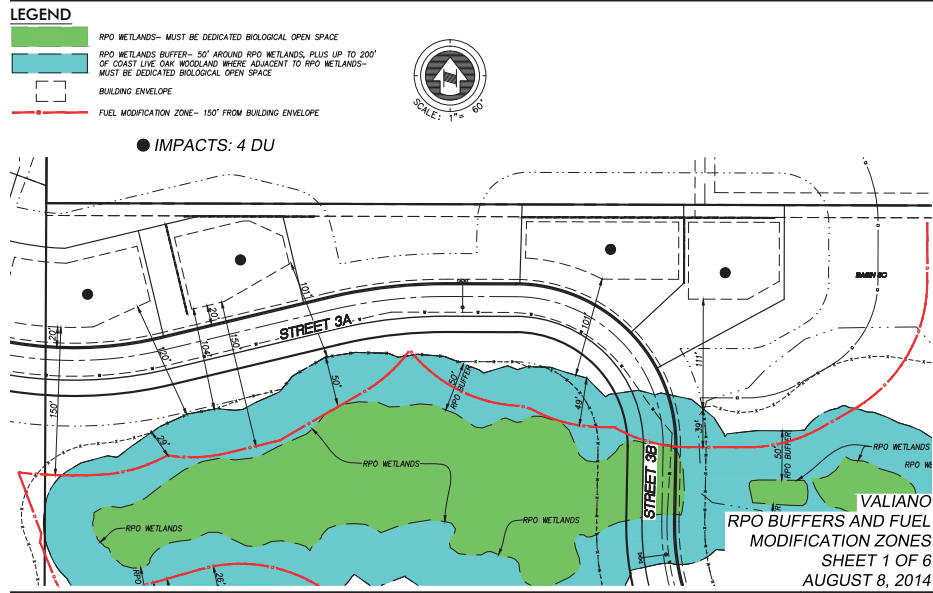
RESPONSES



EXHIBIT B

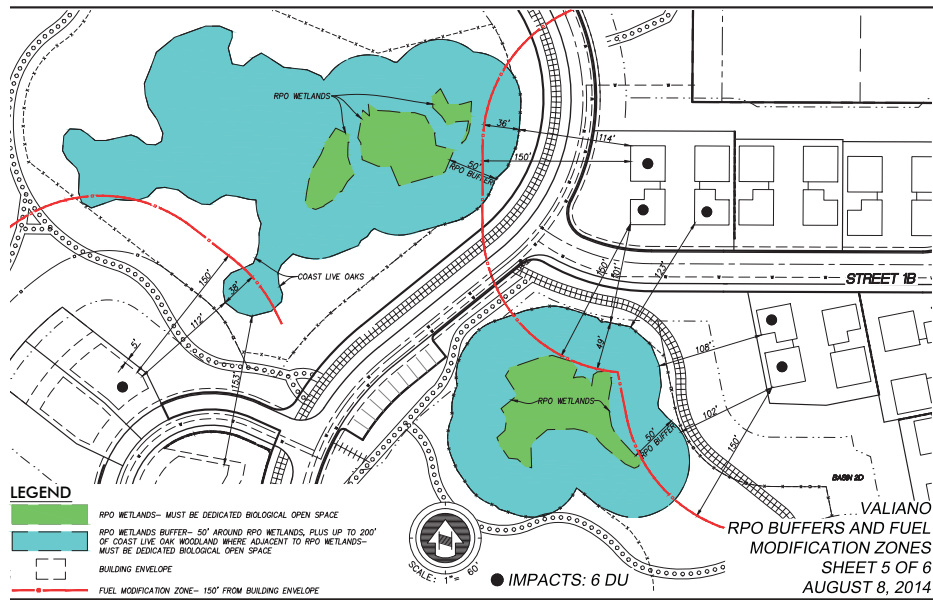
COMMENTS

RESPONSES

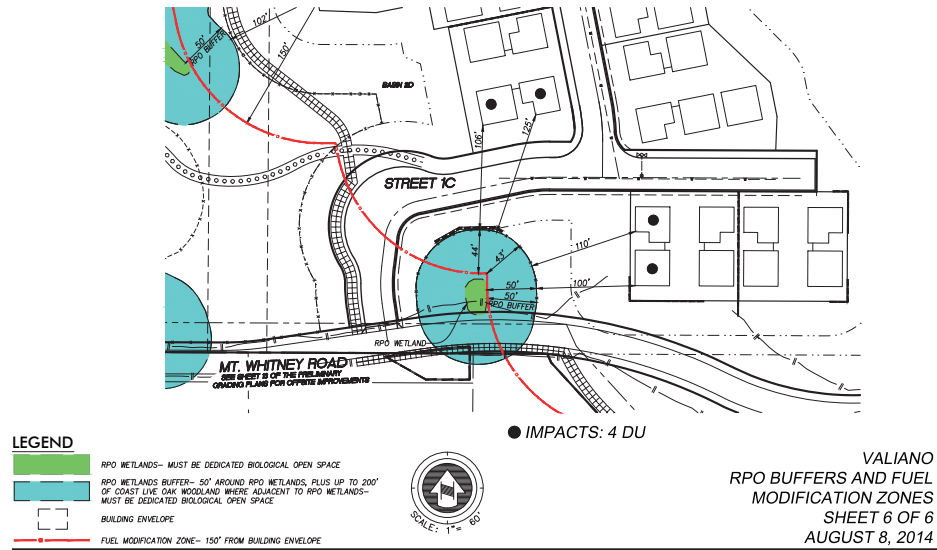


COMMENTS

RESPONSES

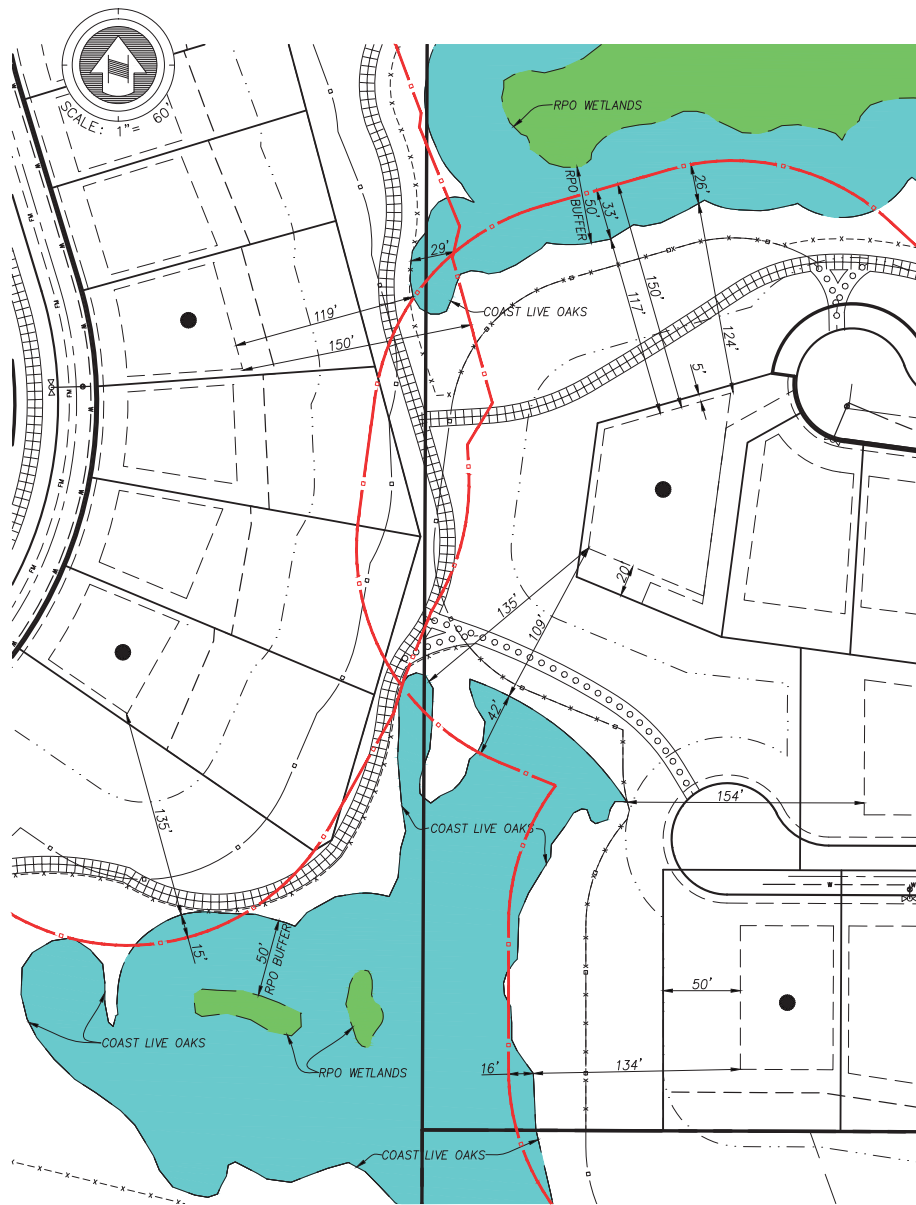


RESPONSES



COMMENTS

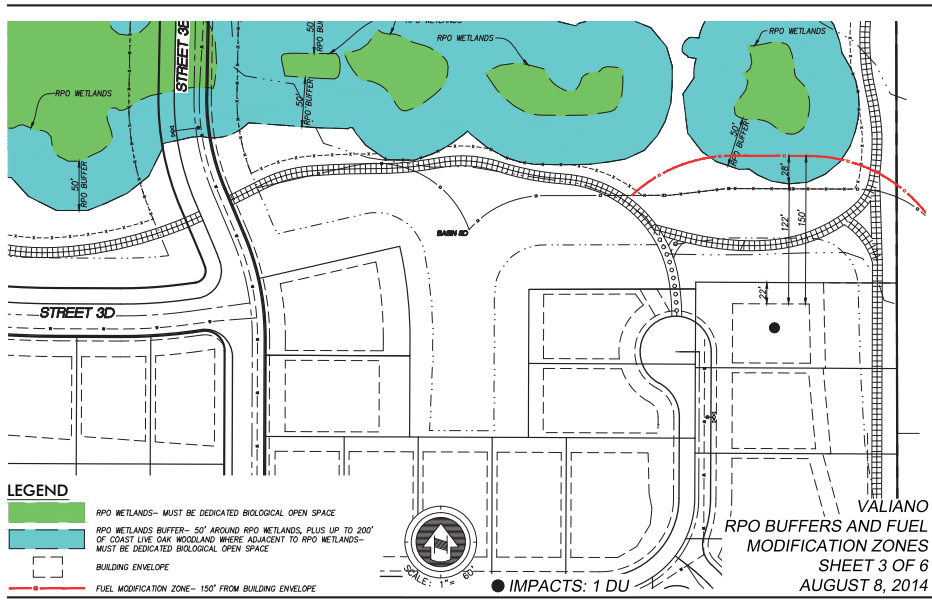
RESPONSES



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COMMENTS

RESPONSES



RESPONSES

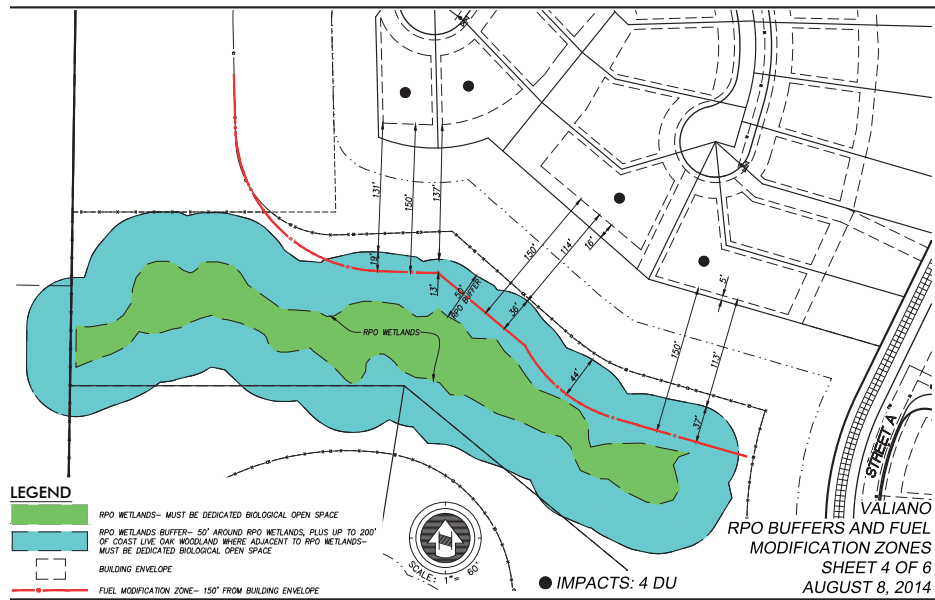


EXHIBIT C

COMMENTS

RESPONSES

Exhibit C to Elfin Forest Harmony Grove Town Council Comment Letter regarding Draft EIR/Fire Protection Plan (March 12, 2015) for Valiano Specific Plan Project

K-179	<p>The Fire Protection Plan (12 March 2015) (FPP) applied models of fire behavior (BehavePlus 5.0.5) to develop standards for the construction, setbacks, and treatment of fuels for the proposed Valiano development. It developed a “potential menu of requirements” and some recommended standards based on local fire codes and worst-case regional weather conditions, consistent with FPP content requirements and County guidelines. It complies with the requirement of local and state government with regard to a permit application for development to minimize structural ignitions within the new development, and for providing access by emergency responders to suppress a structural or vegetation fire within the development itself. It provides for 150-foot fuel treatment zones, based on estimated flame lengths from expected tall shrub fires.</p>
K-180	<p>However, it does not address the increased fire danger posed for the entire community outside the development. The FPP recognizes that the Valiano project will result in increased risk of fire (FPP p. 13), but only the protection of new Valiano homes is addressed. “As the density of structures and the number of residents in the [wildland-urban] interface increases, potential ignition sources will multiply and [potential for] a large wildfire occurrences increases.” The Elfin Forest/Harmony Grove area is hazardous as a trap for fire, for smoke, and for impeded evacuation.</p>
K-181	<p>The Valiano proposed development is located in a Very High Fire Hazard Severity zone (see map; areas mapped as moderate hazard were probably assumed to be irrigated). The area has significant fire history. See the attached map of fires of at least 5 acres in size; this map does not include the approximately 24 vegetation fires per year extinguished by the San Marcos Fire Department (FPP page 13) and which were not large enough to become part of the CalFire database (see map). The fact that, before the Cocos fire, no “large fire” (FPP page 13) had been recorded in the vicinity in the past 50 years, is only evidence that the local vicinity is next in line to burn (see work of R. Minnich correlating fire hazard with vegetation stand age). Furthermore, the FPP mentions existing and past agricultural activity (irrigated groves) as the reason for the lack of recent fire history, but these groves are now dead and a fire hazard. This statement about lack of fire history does not acknowledge adjacent native vegetation in a mature condition, which indeed was set aflame in the Cocos fire. Please refer to the attached maps of the Cocos fire and fire history. All areas with native or unirrigated vegetation are expected to burn in the coming decades (See FPP map page 14).</p>
K-182	<p>The models applied in the FPP are for a uniform fire approaching a structure, and what can be done to mitigate possible fire damage by applying fire safe construction, buffered fuels, and firefighter access by optimizing response times and access for fire apparatus. The FPP applied regional worst-case fire scenarios in compliance with County guidelines in order to estimate the benefit of buffer distances, fuel treatment, and firesafe construction in the development. The scenarios included a typical summer day, a Santa Ana condition, and a peak-gust Santa Ana condition. All assumed fuels composed of tall shrubs (the sh7 fuel model cited). The fire behavior calculations in the FPP added assumptions for more extreme fire conditions</p>

K-179	<p>Comment noted.</p>
K-180	<p>The comment is concerned that the FPP does not address the entire community outside of the development with regard to fire danger. See Response I-59.</p>
K-181	<p>Section 3.1 has been revised to address this comment and provide clarification. The San Marcos Fire Department Community Wildfire Protection Plan (CWPP) was compiled in 2006 and 2007 and illustrates that the Proposed Project is within an area of very high to moderate fire severity with the existing fuels before development.</p>
K-182	<p>The comment is concerned that the approach in the FPP does not evaluate the fire safety of the community at large. See Response K-65. Regarding the loss of firefighter capability, there is never absolute assurance that all fire apparatus will be in its station the day a wildfire threatens the Valiano Development and the surrounding communities, from an ignition inside or outside the development. Auto and mutual aid agreements with surrounding fire agencies/departments would respond to emergency</p>

COMMENTS

RESPONSES

K-182
cont.

than those required by county FPP report content, and more extreme than those used by the San Marcos Fire Department in their Community Wildfire Protection Plan. While these are regionally important and facilitate a demonstration of the benefit of fuel treatment in protection of the new homes, the approach is not designed to evaluate the fire safety of the community at large. Moreover, the road width considerations are designed to provide access to firefighting equipment to fires within the development, but not to address the loss of firefighting capability during a regional fire siege as has occurred three times since 2003, nor address people needing shelter or to leave the area during dangerous fire conditions when suppression resources are unable to keep pace with eminent danger.

K-183

Problem fire scenarios described in the FPP were regional in nature and not local to the Valiano development. For example, two of the scenarios considered, Santa Ana and Santa Anas with extreme gusts, are with winds coming from the north and northeast. Santa Ana winds generally overtop the valley, and fire danger occurs with the collapse of the Santa Anas and upcanyon or southwest winds replace the northeast winds, such as when winds lay down and shift direction overnight. Since there is little fuel connectivity to the north and east of the valley, the FPP properly recognized that the primary problem posed by the Santa Anas would be embers flying into the valley from distant fires (up to two miles or more away). However, the fire planners did not consider the reality of the Santa Ana condition in the evening when winds shift to come from the south and west up canyon. This scenario can use the canyon systems and slopes as fuses to carry the fire back to towards the Elfin Forest/Harmony Grove area; moreover, this is where the most hazardous fuel condition exists. The models should represent where the fuels are located adjacent to the development, even under moderate conditions.

K-184

Here are some of the real problem scenarios for Elfin Forest/Harmony Grove: Another fire storm like in 2003, 2007, 2014, with suppression units deployed all over the county. People must evacuate or take shelter by themselves with suppression resources challenged and triaged across the region. Suppression resources are coming from national sources. Embers are entering the community from fires elsewhere burning to the north and northeast. Embers are landing on the planned open space and corridors of the development, or any burnable structure or dry landscape. In the evening when Santa Ana winds die down and become up-canyon winds, the community is threatened by fire from the south and southwest due to extremely dry vegetation and stretched suppression resources, with blocked exits.

K-185

The FPP recognized that the most hazardous vegetation loading on the west and southwest exposure of the development. The Cocos fire was fueled by this vegetation. While the Cocos fire is mentioned (it occurred about two years after the initial site visit by fire planners), it is not considered or modeled except for fuel treatment for new homes where the heavy fuels occurred. It was not an extreme Santa Ana fire. Cocos traveled from West to East. Winds were not extreme based on the closest RAWS (fire weather station) for which we could find a record (Valley Center RAWS 15 mph – this should be compared to records of the local fire department) (please refer to map). Relative humidity was extremely dry (4%). The Burn Index was high (131). The Energy Release Component (ERC) was a moderately high 75 (proportion live/dead fuel moisture by size class of fuel and a measure of the expected heat of flaming fire front). This

K-182
cont.

incidents and reinforce emergency apparatus and personnel requirements, including state-wide support, as needed.

On high/extreme fire danger days, fire suppression apparatus may be deployed on other incidents. The FPP concludes that with application of all prescribed fire codes and enhanced fire protection mitigations, the Project area can survive on its own and without loss of structures or lives for an extended period of time. This is the same framework found in FIREWISE COMMUNITIES© strategies. These strategies include “Survivable Space,” the area that lies between the residence and an oncoming wildfire. This strategy, which the FPP includes, is the removal and modification of the native vegetation, along with other enhanced mitigation features.

K-183

A Wildland Fire Behavior Assessment or fire model was included in the FPP to provide worst-case scenarios for potential fires during different conditions. As a result of the findings of the fire modeling, design features were incorporated into the Project, including fuel modification zones, use of ignition resistant building materials, fire and building code requirements, provision of secondary emergency access roads and adequate water supply for fire hydrants. Also see Response – I-53.

K-184

On high/extreme fire danger days there are often multiple fire starts and engine companies are often already deployed on other incidents. The goal is to increase the likelihood for all structures to survive a wildland fire on their own, with no structures or lives lost and without any intervention from firefighting personnel when they may be stretched to the maximum. Please also see Response I-59.

K-185

The FPP assessment and proposed mitigations are based on the worst-case scenario for a potential wildfire. The assessment by the commenter is accurate and reflects the FPP’s purpose is to significantly improve the safety of the Valiano residents as well as substantially improve the protection of the surrounding neighborhoods in all directions from the Project boundaries.

COMMENTS

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K-185 cont	<p>ERC probably reflected the late spring time of year. Unseasonal dryness and drought condition of vegetation plus low humidities resulted in hazardous fire conditions more than winds. The first evacuations were ordered a little over an hour into the fire, with continued expansion of evacuation orders for the next 24 hours or so. A little over 4 hours into the fire it was demonstrating, according to the After Action Report, “extreme fire behavior, spotting, and critical rate of spread.” It was 500 acres at that time, and spreading by spotting and its own fire-generated weather system. Consequences: Burned 1,995 acres; 36 homes lost; \$10MM in damages; 51,000 were called to evacuate; 164 fire engines; 27 hand crews; 11 dozers; 15 aircraft; 1,300 personnel.</p> <p>While the FPP mentions the critical fire scenario of embers spotting from fires distant from the proposed development; it does not carry this forward except to require ember-resistant construction features in the new homes, sprinklers on homes, and the removal of unirrigated vegetation. Embers are likely from chaparral, coastal sage, eucalyptus, and riparian vegetation two miles or more from development, or within the development and a fire start from an ember can be from anywhere in the valley.</p> <p>Fire planners should:</p>
K-186	<ul style="list-style-type: none"> Consider whole valley community fire scenarios.
K-187	<ul style="list-style-type: none"> An area/community fire plan should be completed with boundaries defined that are more logical for fire management than an individual cluster of homes.
K-188	<ul style="list-style-type: none"> A community safety zone should be planned to take people and horses to as evacuation routes may be clogged.
K-189	<ul style="list-style-type: none"> Model other problem fire scenarios including fine fuels (the areas mapped as non-native grass) for rate of spread in relation to people and evacuation. These were left out of the modeling because they do not relate to structural fire protection, for which the extreme heat and flame lengths of a shrub fire were used. Fine fuels (less than ¼ inch as in grassy vegetation) directly relate to the speed of a wildfire. Such fires spread faster than shrub fires, and are more likely to result in entrapment of firefighters or residents. Such fire scenarios should be used for evacuation and suppression planning.
K-190	<ul style="list-style-type: none"> Represent the likelihood of embers from distant fires landing on dry vegetation and igniting fire from anywhere within the community.
K-191	<ul style="list-style-type: none"> Analyze moderate to high hazard fires from the southwest (Escondido Creek) and west (dead avocado grove and adjacent chaparral – Cocos fire). The moderate condition fires are instructive due to connectivity of fuels in that direction, and there is a higher chance that preemptive fuel treatment and suppression planning could prevent a moderate fire from becoming catastrophic, and perhaps minimize the need to evacuate.
K-192	<ul style="list-style-type: none"> Remove the consideration of irrigated agricultural groves from fuel model assumptions.
K-193	<ul style="list-style-type: none"> Consider recommending community restriction on days when Burn Indices or ERC’s in a condition where almost anything will start a fire due to extreme dryness of fuels and low relative humidities, gusts (e.g. red flag days). No construction activity, no generator use in vegetation, no spark-producing equipment use in vegetation, no smoking, etc.

K-186	The commenter requests that the whole valley community fire scenarios should be considered. See Responses I-59 and K-185.
K-187	The purpose of a FPP is to evaluate on-site and off-site fuels to determine the level of fire hazard for the proposed Project.
K-188	The commenter requests that a community safety zone be planned in the event that evacuation routes are clogged. See Response K-72. The FPP has been revised to clarify this comment.
K-189	The fire behavior modeling with BehavePlus 5.0.5 Fire Behavior Modeling System provided computer based fire behavior parameter calculations. These calculated fire behavior parameters are key to recommended fuel modification for the development, but they are also based on Project site observations, experience, and fuel levels and typical fire behavior observed during local fire seasons. Modeling with the BehavePlus 5.0.5 fire model describes a wildfire spreading through surface fuels, which are the burnable materials within 6 feet of the ground and contiguous to the ground. The primary driving force in the fire behavior calculations is the dead fuel, less than 1/4 inch in diameter. The surface fire model uses a weighting process to combine 1-hour, 10-hour, and 100-hour moistures into a characteristic (weighted average) dead fuel moisture. Because the weighting is based on surface area-to volume ratio, the 1-hour fuel moisture (0 to 1/4 inch diameter) is the predominant driving variable for surface fire spread calculations. Modification and/or elimination of hazardous fuels and the reduction of fuel loading are key to “firewise” planning. See further discussion of this subject in Section 3.4 of the FPP.
K-190	The FPP states that one of the greatest risks with worst-case fire scenarios is the flying ember that can originate as far as 2 miles. As a result, design features were incorporated into the Project, including fuel modification

COMMENTS

RESPONSES

- | COMMENTS | RESPONSES |
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| K-190
cont. | zones, use of enhanced ignition resistant building materials, and other enhanced fire and building code requirements. See discussion of this subject in Sections 4.5 and 4.5.3.2 of the FPP. |
| K-191 | The FPP evaluated the fire hazard of the area and the potential effects of the Project of moderate to high hazard fires from the south and southwest. As a result of the findings of the fire modeling, design features were incorporated into the Project in order to reduce the risk of fire hazard, including fuel modification zones, use of ignition resistant construction, primary and secondary emergency access roads, and an adequate supply of water for fire hydrants. |
| K-192 | The commenter requests that the consideration of irrigated agricultural groves be removed from the fuel model assumptions. Section 4.5 of the FPP was revised to address this comment. |
| K-193 | The burn indices or ERCs is an excellent factor for determining the probability of ignition and fire behavior in hazardous fuels. However, this is a factor used to limit daily or season activities by the SMFD. |

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K-193 cont	There is a lost opportunity to predict problem fire scenarios based on RAWs indices, and reduce risk of ignitions by restricting use of outdoor ignitions.
K-194	<ul style="list-style-type: none"> • Provide for small/large animal evacuation.
K-195	<ul style="list-style-type: none"> • Analyze evacuation choke points mentioned by other reviewers.
K-196	<ul style="list-style-type: none"> • Consider the cumulative effects of increased fire ignition risk and on evacuation of this development, plus the 742 units at HG Village, plus other future development.
Other comments:	
K-197	<ul style="list-style-type: none"> • Sprinklered homes only address spots that can be wetted. They do not address key fire issues for the community, only the house with the sprinklers. They do not address evacuation and burning vegetation, or smoke concentration in the valley.
K-198	<ul style="list-style-type: none"> • The 150 ft of fuel modification should not be waived. An assumption of irrigated crops or landscapes should not be accepted when on adjacent and contiguous lands not controlled by the development. The Valiano project proposes encroachment into neighboring lands for fuel modification.
K-199	<ul style="list-style-type: none"> • The staffing of fire department, such as teaming with Rancho Santa Fe and mutual aid from Escondido fire departments, is again designed for structural fire protection such as for individual homes, and is not a community- or whole valley-level fire strategy for fires at the scale of the Cocos fire.
K-200	<ul style="list-style-type: none"> • The need for fire-barrier walls, impacts to vegetation and wildlife, wide roads are all out of character for current local residents of a rural community.
K-201	<ul style="list-style-type: none"> • No assumption of irrigation should play into the fire behavior models or in any of the fire planning.
K-202	<ul style="list-style-type: none"> • No California sagebrush, buckwheat, or black sage is permitted in fuel treatment zones. These are species the federally threatened California gnatcatcher depends on, so may need to consultation may be needed with USFWS on habitat loss. Fuel treatment should be limited to fall/winter due to breeding season restriction under the Migratory Bird Treaty Act.
K-203	<ul style="list-style-type: none"> • Distances to fire station not realistic as to drive time.
K-204	<ul style="list-style-type: none"> • Steep slopes will carry a fire rapidly uphill if started in EF/HG. This is liability to neighboring communities of a fire start within this development.
Summary:	
K-205	<ul style="list-style-type: none"> • The fire mitigation proposed is completely about protection of structures of the new development, and of improving structural response time to five minutes by using a fire station in the HG Village for the new development. The FPP is a very site-specific plan. It does not address the increased danger to the surrounding community of fire ignitions due to the new numbers and density of people, only to the development itself. An area fire plan and community safety zone should be planned.
K-206	<ul style="list-style-type: none"> • Since the project would increase the risk of fire for the whole Elfin Forest/Harmony Grove community, as well set up a fire and smoke trap for residents due to impossible evacuation conditions, the project proponent should be required to employ more useful

K-194	The commenter requests that the FPP provide for small/large animal evacuation. See Response I-62.
K-195	The commenter requests that the FPP analyze evacuation choke points identified by other reviewers; however, they do not specifically identify the roads in question. See Topical Response: Fire/Evacuations.
K-196	The commenter requests that the FPP consider the cumulative effects of increased fire ignition risk, and evacuation of the development, Harmony Grove Village and other future development. Fire hazards and risks to all types of development will continue to be encountered as they have over the last century. In the case of the proposed Project, the site is located in a very high to moderate Fuel Hazard Severity Zone and adjacent to other wildland areas that have the potential to support wildland fires. However, the density of this development in this portion of San Diego County is relatively low and the local fire protection district along with auto and mutual aid by adjacent and nearby fire departments has the capacity to provide adequate fire protection. In fact, if the recommendations in this plan are implemented, the development would improve the existing wildlands fire conditions and provide additional buffers, fire access, water availability, and evacuation time for all residents to retreat to safe locations; therefore, this development would not expose people or habitable structures to a significant risk of loss, injury or death. Following the recommendations would also decrease the risk of loss for surrounding existing uses. As proposed, the FPP concludes that the Project is not anticipated to contribute to a significant cumulative impact relative to wildland fire risk.
K-197	The FPP sets forth the requirements for the maintenance of specific areas to modify or remove flammable vegetation within the development, primarily adjacent to planned structures, but also including adjacent to the Project's roadways. In addition, the FPP includes restrictions on specific building materials and methods suitable for building in high fire hazard severity zones as identified by CAL FIRE (even though the Project is located in a Moderate fire hazard zone within the San Marcos Fire Protection Zone Map) and identifies a series of other items such as minimum water supplies, automatic fire extinguishing systems (interior sprinklers for all homes and enhances extinguishing systems/sprinklers for identified structures along the Project perimeter) and roadway widths. Overall, the development includes a layering of fire protection features that have been proven to increase ignition resistance of structures and landscapes and result in communities that are less vulnerable to wildfire.
K-198	The commenter is concerned with the reduction of the 150-foot fuel modification, assumptions of irrigated crops or landscapes not under the control of the development, and encroachment onto neighboring properties for fuel modification. Section 4.7 of the FPP requires enhanced mitigation for dwellings with fewer than 150 feet of an FMZ. After

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K-198 cont.	evaluation, these mitigations were defined for each residential structure and for lot development standards. The FPP concludes that there would not be any concern or issue with irrigated crops or landscapes not under the control of the development. In addition, see Response I-49 regarding encroachment.
K-199	The SMFD has established several mutual and automatic aid agreements with surrounding fire departments. The new fire station at the Harmony Grove Village will be able to respond to the furthest structure in the Valiano Project within five minutes. Support that can be provided from Escondido Fire Station (EFD) Station #1 includes one paramedic Engine, one truck company, one brush engine, one ambulance, and 12 personnel per each shift. The EFD personnel (including a Battalion Chief) and apparatus would have the capability to respond with four different emergency apparatus, including a truck company. Resources for fighting fires can be extended throughout the area, including the resources of the State through existing agreements. EFD would provide secondary service to be an additional available resource for emergency incidents which may occur on the Valiano development site. The EFD has seven fire stations with the ability to respond to the proposed development.
K-200	There would be limited use of fire deflector walls; see Response I-59 regarding fire safety.
K-201	<p>Of the vegetation replanted in Zone 1, the first 50 feet from the edge of structures is irrigated. Other non-combustible features may substitute for irrigated vegetation. The following statement was added to the revised FPP in Section 4.5.1 for clarification:</p> <p><i>Due to the water shortage caused by the current (sic) drought and water shortage in southern California, the "Survivable Space" landscaping may not include irrigated green lawn, but may be modified with water-less trees, shrubs, groundcovers, and other vegetation capable of sustained growth and reproduction with only natural moisture landscaping design. This would include strict adherence to removal of highly flammable and undesirable plant material (See FPP Appendix B). It would also include strict adherence and use of the San Diego County Acceptable Plants list (See FPP Appendix A). Other types of landscaping can also be utilized; e.g., decorative rock or other material that can be used in lieu of irrigation. The obligation to address drought and water shortage alternatives for all zones within the FMZ will be required by the HOA and specified in the development's CC&R's.</i></p>
K-202	One of the variables that the FPP evaluates for fire hazard is the fire fuels, both native and non-native. The FPP follows the County Consolidated Fire Code and SMFD requirements for fuel modification. Sagebrush, buckwheat and black sage are highly flammable vegetation species not allowed within the FMZ around structures. The FPP does respect and meet the requirements to protect buffer zones or sensitive, threatened or endangered species documented in the Biological Technical Report for the Project.

COMMENTS

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- | COMMENTS | RESPONSES |
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| | <p>K-203 The commenter is concerned with the drive times based on distances to fire stations. See Response I-55.</p> <p>K-204 The commenter is concerned that steep slopes carry a fire rapidly uphill and would be a liability to neighboring communities should a fire start within the development. The FPP establishes and ensures compliance with local and County fire codes and enhanced mitigation to be implemented to ensure that wildfires do not create fire safety and welfare concerns for the residents. See Response I-59.</p> <p>K-205 The commenter is concerned that the FPP is focused on the protection of structures, response time, and does not address the community at large. See Responses I-59 and K-185.</p> <p>K-206 See Topical Response: Fire/Evacuations regarding fire evacuations. The lessons learned and evaluation of the Cocos Fire and other fires were important for establishing the FPP requirements for the Valiano Project.</p> <p>The FPP documents that devastating wildfires have occurred in this area and throughout southern California. The purpose of the FPP is to document how the proposed development and other proposed developments in the surrounding area can mitigate the risk and the impact of wildfires. This analysis ensures that established fire codes of local fire agencies are followed and mitigation measures are proposed to ensure that wildfires do not create fire safety and welfare concerns for the residents and visitors of the Project and the surrounding areas.</p> |

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K-206 cont.	models for planning the fire protection of the whole valley rather than the new development alone. Such community protection is more strategic, and more likely to protect lives, animals, and property. It might use moderate -- high scenarios based on the where unirrigated vegetation currently exists (including the now-dry groves).
K-207	<ul style="list-style-type: none"> The very real repeat of a fire like the 2014 Cocos fire should be analyzed for evacuation of people and animals.
K-208	<ul style="list-style-type: none"> Part of the value to the rural community is the adjacency of native vegetation and wildlife; the need for fuel treatment and evacuation/shelter planning should be at a more consequential scale: that of the entire valley, rather than individual homes of the new development.
K-209	<ul style="list-style-type: none"> Should add community-level fire predictive service for hazardous fire conditions such as Red Flag days when almost any ignition will start a spreading fire, and restrict certain activities during this time.
K-210	<ul style="list-style-type: none"> Fire planners should be required to address problem fire scenarios for Elfin Forest/Harmony Grove as a whole, because the Valiano project in and of itself increases the risk of harm from fire for the entire valley.
K-211	<ul style="list-style-type: none"> There is inadequate traffic planning, especially considering the scale of evacuation and sheltering required, as demonstrated by recent experience in the Cocos fire, during which 51,000 were called to evacuate within about 24 hours of the fire start. The first evacuations were called for in about an hour from fire start. The cumulative impacts on fire safety and evacuation should be analyzed of the HGV development, the possible Citracado extension, with the most likely fire scenario coming from the south and west (if from the north/northeast, would most likely be embers with random start points). Consideration should be given that evacuation would be forced to Highway 78 via Country Club Road.
K-212	<ul style="list-style-type: none"> There is inadequate consideration of the need to get large animals evacuated. Over 50% of existing 80 residences have horses and large animals which require tow vehicle/trailer combinations that can quickly clog escape routes and create dangerous congestion and route blockage.

K-207	The commenter requests that the possibility of a repeat of the Cocos fire should be analyzed for evacuation. See Topical Response: Fire/Evacuations.
K-208	The commenter requests that a community wide fire plan should be provided. See Responses I-59 and K-185.
K-209	The first and most logical choice for all of the residents and guests within the boundaries of the community is to adhere to the principles and practices of the READY! SET! GO! Program. The focus of the program is on awareness and preparedness. As part of this program, it is imperative that each resident develop a plan that is clearly understood by all family members and attends the educational and training programs sponsored by the Valiano HOA. The resident is responsible for keeping informed when hazardous fire danger exists and when red-flag days are predicted. There are also improvements in notifications and other evacuation procedures in the event that a wildfire occurs in the area; e.g., reverse 911. Also see Response I-59.
K-210	The commenter requests that the issue of fire be addressed for the community at large. See Response I-59.
K-211	See Responses I-59 and K-185 regarding fire safety benefits to the community and Topical Response: Fire/Evacuations regarding evacuation.
K-212	The commenter is concerned that there is an inadequate consideration for large animal evacuation. See Response I-62.

EXHIBIT D

COMMENTS

RESPONSES

From: [Schreiner, Greg](#)
To: [Chris Fisher](#)
Cc: [Pine, James](#); [James Edison](#); [Mike Medve](#); [Quasarano, Susan](#); [Reddick, Herman P.](#); [Ehsan, Beth](#)
Subject: RE: Fair Share Calculation
Date: Tuesday, October 28, 2014 7:59:57 AM
Attachments: [image001.jpg](#)

Chris,

What can I do to assist you so that I can get a Task Order for this work? The applicant is inquiring with PDS staff as to when there will be a response to their proposal. I would be happy to meet with you to provide any information that may be helpful in determining the scope of the work etc...so that we can develop a response for them.

Let me know what I can do to assist you...

Gregory Schreiner
Fire Marshal, Fire Services Coordinator
San Diego County Fire Authority
5510 Overland Ave, Suite 250
San Diego, CA 92123
(858) 495-5425 Office
(619) 717-1562 Cell

From: Chris Fisher [<mailto:cfisher@willdan.com>]
Sent: Friday, October 10, 2014 4:51 PM
To: Schreiner, Greg
Cc: Pine, James; James Edison; Mike Medve
Subject: RE: Fair Share Calculation

Thanks for the background Greg. Let me circulate this to two of my colleagues for their consideration, then we'll discuss here internally. Following that I agree a meeting or conference call with you would probably make a lot of sense. I have some recollection of the complication of the CSA/CFD/property tax funding combination from my prior discussions with the County, but it would be good to have a more complete understanding.

Chris

From: Schreiner, Greg [<mailto:Greg.Schreiner@sdcounty.ca.gov>]
Sent: Friday, October 10, 2014 10:22 AM
To: Chris Fisher
Cc: Pine, James
Subject: RE: Fair Share Calculation

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Chris,

The Valiano project (330 units) is located in the unincorporated area of San Marcos. As such, San Marcos Fire Protection District would be the fire service provider for the project. The existing San Marcos Fire facilities cannot meet the General Plan travel time requirement of 5 minutes to the Valiano project. We have determined that the proposed HGV FS that is scheduled to be built as a result of the Harmony Grove Village project (700 + units) will be able meet the General Plan travel time requirement for the Valiano subdivision. The proposed HGV FS is located in County Service Area 107 (CSA 107), not within the San Marcos fire district. Additionally, this proposed facility is not fully funded with regard to capital costs to build the station and particularly the ongoing costs for operation of the facility. We are planning on an adjustment to the AV tax in CSA 107 coupled with funding generated by the HGV CFD but we still have funding gaps during the build out of the HGV project. We are projecting that the capital costs for the station construction will be about \$2.7 million plus approximately \$500K for the apparatus and the operational costs are estimated to be \$1.6 million per year.

Our (very) preliminary discussion with the Valiano folks was that their project represents approximately one third of the rooftops that will be served by the new station and that they should expect to pay that proportional amount to for both the capital and ongoing costs for the facility. They have proposed a methodology that factors in existing rooftops in determining their fair share contribution (see enclosed attachment).

This is a fairly complicated area with regard to service delivery and we are thinking a little “out of the box” on this so it might be worthwhile to have a quick meeting with you to explain some of the other details that may help you understand the scenario a little better; ultimately, we need to identify the most appropriate methodology for determining what the fair share contribution for both capital and ongoing operation costs might be for the Valiano project.

Well, that’s clear as mud! Let me know what I else I can provide for you....

Gregory Schreiner
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San Diego, CA 92123
(858) 495-5425

From: Chris Fisher [<mailto:cfisher@willdan.com>]
Sent: Wednesday, October 08, 2014 1:09 PM
To: Schreiner, Greg
Cc: Pine, James
Subject: RE: Fair Share Calculation

COMMENTS

RESPONSES

Hi Greg,

My apologies for the delay in responding. We have done analysis very similar to this for fair share of public safety services and dispatch services for cities, so we can certainly help with this. Do you have any preliminary analysis that was done to determine that the fire station would be able to serve the Valiano subdivision? Anticipated call volume or incident projections? Also, we don't have any detail on the costs associated with the station, so we would need that as well.

I'll have to give some thought to the amount of effort that will be necessary so that I can provide you a cost estimate for the task order.

Regards,



Chris Fisher

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From: Schreiner, Greg [<mailto:Greg.Schreiner@sdcounty.ca.gov>]

Sent: Thursday, October 02, 2014 10:05 AM

To: Chris Fisher

Cc: Pine, James

Subject: Fair Share Calculation

Chris,

Good morning, my staff and I are working on the Valiano major subdivision (330 units) in the unincorporated San Marcos area of San Diego and we need to establish a "fair share" contribution to the operational and capital costs for a new fire station in this area related to this project. Specifically, you may recall that there is a fire station planned for the Harmony Grove Village subdivision and the Valiano subdivision will need to rely on this station to meet general plan compliance with regard to travel time. Therefore, we would like to develop a method for them to contribute to the capital and M & O cost for the station.

I would like to open a task order to begin this work, is there anything I can provide to you to help you provide an estimate so that I can initiate the task order? The best way to contact me is by cell phone or email (both listed below).

Thanks,

COMMENTS

RESPONSES

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Exhibit E

Exhibit D to Elfin Forest Harmony Grove Town Council Comment Letter regarding Draft EIR for Valiano Specific Plan Project

The Valiano project is inconsistent with the Harmony Grove Community Plan **Policy LU-2.2.1**. Because the associated **Issue LU-2.2.1** specifically calls out an “urban, clustered, or suburban design” as the types of residence this policy is directed toward, and further specifies that this clustered design “*threatens the continued existence of the rural residential and equestrian character of Elfin Forest / Harmony Grove,*” the Project’s contributions to the urban /rural balance must be calculated and any impacts identified and mitigated.

The EFHG Community Plan supplements countywide policies and “further directs the land uses and development desired to achieve the community’s vision.” (from “*How to Use the Community Plan*”, EFHG CP p. 5). The vision of the future ideal state of the Harmony Grove community is described in the CP: “The historic rural habitat is preserved where **the Village is surrounded by large-lot rural homes and small, family owned farms and vineyards** that preserve the critical relationships necessary for this environmentally sensitive and balanced green community. *The all-important rural voice is not overwhelmed by the urban voice*” (p. 23) (emphasis added). The Harmony Grove CP also clearly defines the Existing Community Character: “Some of the key elements of the Harmony Grove character and values include one- and two-story single family homes on large lots; large animal facilities on residential properties; *no clustered development*; no “cookie-cutter” developments; no walled developments, and no gated communities” (p. 16) (emphasis added).

Thus the clear intent of Policy LU-2.2.1 is to prevent the original Harmony Grove residents, identified in the CP as living in large lot equestrian properties, from becoming outnumbered by residents of clustered, small lot, non-equestrian properties. This skewed ratio would create a majority voice for the suburban resident and encourage migration of the original rural equestrian residents out of the community, further eroding the community character and culture. **Development according to the current GP yields an urban/rural balance consistent with Policy LU-2.2.1** (see calculations below). Development according to the Valiano Specific Plan Amendment, including counting the Project’s horse keeping properties as rural residences, still yields a 3-to-1 urban prevalence, clearly altering the residential balance that Policy LU-2.2.1 was designed to protect. **This issue and the possible impacts to community character must be studied in the EIR. At the least, this shows there is a significant and unmitigated land use impact due to the Project.**

Calculations:

Per GP - there are various factors to consider, and various ways to calculate:

- Assuming we consider existing residences only or entitlements per current GP:
 - Harmony Grove has 125 existing residences according to the Fire department, Eden Valley has 80, so about 205 existing residences,
 - If we add GP current entitlements for large parcels, Valiano adds 118, so about 320, and Kovach still as SR regional category after the upzone received during the GP Update, so we can count it as “rural” at 210 on 110 acres, for a

K-213 The commenter is concerned with the inconsistency that the Valiano Project has related to the EFHGCP, and specifically with Policy LU-2.2.1. See Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis and Responses I-65 and K-15.

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cont.

total of **533 rural residences**.

- What is the deciding factor to classify a given property as "rural" vs. "urban"?
 - The County goes with the SR category as the definition of "rural" even if clustered on tiny lot. By that count Harmony Grove Village has 742 homes within the Village Limit Line zoned as VR.
 - Arguably the size of lot and/or whether it is zoned equestrian is a better measure of a truly "rural" versus "urban" property. Thus arguably we count the 55 Harmony Grove Village lots at the Village periphery are zoned equestrian with lot sizes up to several acres, as being "rural" in nature.
- So, at a minimum, there are 533 existing rural lots in Harmony Grove/Eden Valley and 742 urban, or **58% urban, 50% rural**, or 588 rural if we incorporate the 55 equestrian lots versus 687 urban **or 54% urban, 46% rural**. *Urban residences do not greatly exceed rural residences - a carefully crafted compromise.*

However, with the Valiano Specific Plan Project:

Adding 318 urban residences and subtracting 118 from rural= **1,005 urban and 400 rural or 72% urban versus 28% rural**. *Urban residences outnumber rural residences two to one.*

Exhibit F

Ordinance No. 15-120.2

**An Ordinance of the Rincon del Diablo Municipal Water District
Finding the Necessity For and Adopting a Drought Response Ordinance**

BE IT ORDAINED by the Rincon del Diablo Municipal Water District Board of Directors as follows:

Section I. Purpose and Applicability.

- A. The purpose of this ordinance is to provide a drought response strategy for the Rincon del Diablo Municipal Water District service area as authorized by the California Water Code, under sections 350 et seq., 375 et seq., 1058 et seq., and 71640 et seq. Changes to this Ordinance may also be facilitated by the State Water Resources Control Board (State Control Board) as authorized by the California Water Code, under sections 102,104, 105, 275, 375, 1058.5, and 10617.
- B. Because of varying conditions related to water resource supplies and distribution system capabilities, it is necessary to establish and enforce methods and procedures to ensure that, in time of shortages due to drought, the water resources available to Rincon del Diablo Municipal Water District and its constituents are put to the maximum beneficial use, that unreasonable use, or unreasonable method of use is prevented, and that conservation of water is accomplished in the interest of the public health, safety, and welfare.
- C. This ordinance establishes four levels of drought response actions to be implemented during times of declared water shortages. These levels reflect increasing efficiencies for water use in response to worsening drought conditions, emergency conditions, and/or decreasing water supply availability.
- D. The provisions of this ordinance apply to any person using potable water provided by the Rincon del Diablo Municipal Water District. This ordinance does not apply to the use of water from private wells, recycled water, or water that is subject to a special supply program, such as the San Diego County Water Authority (SDCWA) Transitional Special Agricultural Water Rate Program (TSAWR).
- E. This ordinance may be implemented independently or in conjunction with those provisions specified in Administrative Code Section 4100, Emergency Water Plan, or passed by separate board resolution or action.

Section II. Definitions.

- A. "District" means the Rincon del Diablo Municipal Water District.
- B. "Board of Directors" means the Board of Directors of the Rincon del Diablo Municipal Water District.

- C. "General Manager" means General Manager of the Rincon del Diablo Municipal Water District.
- D. "Notification to the public" means notification through local media, including interviews, issuance of news releases, direct mailing, bill inserts, telephone calls, and/or web postings, etc.
- E. "Person" means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, university, or any other user of water provided by the District.
- F. "Water" means potable water from all sources.
- G. "Target" means the calculated determination of an allocation.
- H. "Model Drought Response Ordinance" means the model ordinance provided by the SDCWA to be used as a tool to foster consistency throughout San Diego County on the response levels and water-use restrictions in place in the event of a drought or other regional supply shortages.

Section III. Conservation Ethic.

As responsible stewards of a natural resource, the District's Board of Directors acknowledges that its service area is located within an inland region that is subject to wide variations in annual precipitation and desert-like climatic conditions. Dependent largely on water imported from Northern California and the Colorado River, the District endorses a "No Water Wasting" ethic on a daily basis, regardless of drought conditions. The District discourages the use of commercial single-pass laundry systems, single-pass decorative fountains, or any other device or action that wastes water or uses water unreasonably.

- A. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions IS PROHIBITED, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:
 - 1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto an adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or other structures.
 - 2. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.

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3. The application of potable water to driveways and sidewalks.
4. The use of potable water in a fountain or other decorative water feature except where the water is part of a recirculating system.
5. The application of potable water to outdoor landscapes during and within 48 hours of measurable rainfall.
6. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
7. The irrigation with potable water of ornamental turf on public street medians.
8. The irrigation with potable water of landscapes outside newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards and the Department of Housing and Community development.
9. To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

B. The following practices shall also be observed on a daily basis:

1. No washing down of non-permeable surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.
2. Irrigate residential and commercial landscapes after 8:00 pm and before 9:00 am only.
3. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by an automated landscape irrigation system.
4. Irrigate nursery and commercial grower's products before 10:00 am and after 6:00 pm only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system or equipment is used. Irrigation of nursery

propagation beds is permitted at any time, as is the watering of livestock.

- C. Do not wash vehicles during hot conditions when additional water is required due to evaporation.
- D. Repair all water leaks within five (5) days of notification by the District unless other arrangements are made with the General Manager or an established Drought Response Level (1-4) mandates a shorter period.
- E. Use recycled or non-potable water for construction purposes when available.

Section IV. Drought Levels – Required Measures.

In an effort to provide consistency in communications with its customers, the District has established four levels of drought response. Movement from one level to another in this Drought Response Ordinance may be influenced by a State-issued proclamation of a current or ongoing state of emergency and/or necessitated by the District's water wholesaler(s), or by the District's Board of Directors.

Following the declaration of a drought level, no person may make, cause, use, or permit the use of water for residential, commercial, industrial, governmental, or any other purpose in a manner contrary to any provision of this ordinance, or in an amount in excess of that permitted by the corresponding drought level, or other legally mandated quantity or percent.

Water use restrictions in each level are cumulative unless the higher stage has a more stringent requirement on the same subject. If the severity of the drought lessens, the drought level may be downgraded to a lower stage, at the discretion of the Board of Directors. Drought levels are neither necessarily consecutive nor subject to a specific predetermined length of time.

In the event that required water use reductions goals are met, not being met, or a specific situation changes, the General Manager, at his/her discretion, may hold any or all constituent water use restrictions in abeyance or increase water use restrictions to meet specified water reduction goals.

Section V. Variances.

The Board of Directors is authorized to review hardship and special cases within which strict application of this ordinance would result in serious hardship. A variance may be *considered* only for reasons involving health, safety, or economic hardship. A request for variance from this ordinance must be made in writing and directed to the Board of Directors.

Section VI. Declaration of a Drought Stage.

Components defining each drought stage are listed in Table 1.

TABLE 1				
Response Level*	Constituent's Share of Water Shown in Percentage of Constituent Target	Applicability		
		Status	Responders	
			District	Constituents
Level 1 Drought Watch	90% (10% reduction)	Voluntary	X	X
Level 2 Drought Alert	80% (20% reduction)	Mandatory	X	X
Level 3 Drought Critical	70% (30% reduction)	Mandatory	X	X
Level 4 Drought Emergency	69% or less (≥31% reduction)	Mandatory	X	X

*The response level is prescribed by the San Diego County Water Authority

A. Level 1 – “Drought Watch”

This level is a voluntary effort to achieve an immediate, overall target reduction of up to 10% and may be implemented upon notification from the SDCWA. The Board of Directors or the General Manager shall declare the existence of a Response Level 1 and direct the following measures.

1. District Accountability

- a. The District will provide increased conservation outreach and educational activities for its constituents to emphasize increased public awareness of the need to implement all water conservation activities described in Section III – Conservation Ethic.
- b. Water conservation incentives, such as rebates for items such as high efficiency washing machines, smart irrigation timers, etc., will be vigorously promoted.
- c. Participation in programs such as landscape workshops and residential surveys/water audits will be encouraged.
- d. Response to water leaks within the District's delivery system will be conducted within forty-eight (48) hours of notification. Repairs will be made upon detection and will not be allowed to remain seeping, regardless of flow rates.

2. Constituent Accountability

- a. Increased conservation is volunteer-based. Constituents should seek technical assistance from the District if difficulties prevent them from achieving water use reductions of 10%.
- b. Adhere to conservation measures and practices as defined in Section III – Conservation Ethic.
- c. Leaks found on the constituent's side of the meter must be repaired within ninety-six (96) hours after notification from a District or other representative.

B. Level 2- "Drought Alert"

This level is a mandatory effort to achieve an immediate, overall target reduction up to 20% and may be implemented upon notification from the SDCWA. The Board of Directors shall declare the existence of a Response Level 2. The actual target reduction may be adjusted based on conditions, State directed mandates or per decision of the Board of Directors. In addition to the measures prescribed in Level 1, the following apply:

1. District Responsibility

- a. The District will mandate the activities described in Section III – Conservation Ethic and shall initiate heightened conservation outreach and educational activities. Notification of water waste and ordinance violations will be delivered to constituents as required.
- b. The Board of Directors will consider additional conservation incentive(s) for constituents.
- c. Response to water leaks within the District's delivery system will be conducted within twenty-four (24) hours of notification. Repairs will be made upon detection and will not be allowed to remain seeping, regardless of flow rates.
- d. The Board of Directors may suspend consideration of water availability certifications, stipulate actions, and may suspend outstanding certifications for all commercial projects and residential projects of more than one home, unless the project is necessary to protect the public's health, safety, and welfare and/or the applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.
- e. Projects demanding more water from the District's system than originally proposed will require additional approval from the Board of Directors.

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- f. Flow rate testing of fire meters will be suspended, unless required by regulatory or health and safety reasons.
 - g. District system maintenance and repair programs requiring large volumes of water may be suspended unless water quality is likely to be compromised, interferes with regulatory requirements, or significant property damage is eminent.
 - h. The District's conservation staff will target 25% of commercial constituents for water audits.
 - i. The Board of Directors may implement temporary rates and fees, as outlined in Section VIII – Rates and Fees of this ordinance.
 - j. The District will promptly notify customers whenever the District obtains information that indicates a leak may exist within the end-users' exclusive control.
 - k. Increased monitoring may be initiated by the General Manager in order to insure compliance of mandatory water use restriction targets enacted by this Ordinance.
 - l. The General Manager is authorized to set specific allocations on monthly allowable usage and/or specific percentage reductions for all District customers to help attain the conservation goals set by the District or mandated conservation standards set by State authorities.
2. Constituent Responsibility
- a. The constituent may be issued a water-use target that reflects a mandated reduction in water consumption.
 - b. Constituents will implement a landscape irrigation schedule limited to two (2) or less days per week regardless of the season.
 - c. Irrigation run times per station are limited to ten (10) minutes per station unless a station is fitted entirely with drip emitters, micro-spray emitters, or stream rotor sprinklers or the system is operated by a weather-based irrigation controller.
 - d. Constituents must stop the use of ornamental fountains unless non-potable water is used.
 - e. Leaks found on the constituent's side of the meter must be repaired within seventy-two (72) hours after notification from a District or other representative.

- f. Customers residing in high or very high urban-wildland fire interfaces will prune back and clear dead and dying trees and vegetation.

C. Level 3 – Drought Critical

This level is a mandatory effort to achieve an immediate, overall target reduction up to 30% and will be implemented upon notification from the SDCWA. The Board of Directors shall declare the existence of a Response Level 3. The actual target reduction may be adjusted based on conditions, State directed mandates or per decision of the Board of Directors. The Board of Directors may also declare a drought emergency in the manner and on the grounds provided in the California Water Code Section 350. In addition to measures prescribed in Levels 1 and 2, the following will apply:

1. District Responsibility

- a. District personnel will proactively monitor all leaks and water waste. This may include patrolling to specifically identify water loss from District and constituent facilities. All violations will be reported and the District will take appropriate action.
- b. The General Manager may request a review of the fiscal budget and reassess capital improvement and operation and maintenance priorities.
- c. The District's conservation staff will target 100% of the mobile home parks and large landscape sites, 50% of the commercial constituents and multi-family complexes, and 25% of the residential constituents for water audits.
- d. Operations staff will offer leak detection services for meters serving eight or more commercial or residential units.
- e. The Board of Directors will suspend outstanding water availability certifications for all commercial projects and residential projects including single unit residential projects.
- f. Water service will be discontinued for construction purposes unless recycled or other non-potable water is used.
- g. Improvements identified by a water flow review will be implemented in order to provide better control of water and/or system integrity to minimize use.
- h. The District will require mandatory offsets for new and existing projects as identified in Section VI – Provisions for Demand Offset.

2. Constituent Responsibility

- a. The constituent will be issued an adjusted water use target that reflects the mandatory reduction.
- b. Constituents will implement an irrigation schedule with two (2) or less days per week regardless of the season. During the months of November through May, landscape irrigation may be limited to no more than one (1) day per week. This does not apply to commercial growers or nurseries.
- c. Leaks found on the constituent's side of the meter must be repaired, at the constituent's expense, within forty-eight (48) hours of notification by the District.
- d. Constituents must stop washing vehicles except at a commercial carwash that recirculates water.
- e. Constituents must stop filling or refilling ornamental lakes or ponds except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this ordinance.
- f. The filling or refilling of pools or spas may be prohibited.
- g. Power-washing of exterior surfaces, such as siding, is prohibited.

D. Level 4 – Drought Emergency.

This level is a mandatory effort to achieve an immediate, overall target reduction of 40% or more and may be implemented upon notification from the SDCWA. The Board of Directors shall declare the existence of a Response Level 4. The actual target reduction may be adjusted based on conditions, State directed mandates or per decision of the Board of Directors. The Board of Directors shall also declare a drought emergency in the manner and on the grounds provided in California Water Code Section 350. In addition to measures prescribed in Levels 1, 2, and 3, the following will apply:

1. District Responsibility

- a. The District's conservation staff will target 100% of the commercial constituents for water audits.
- b. The Board of Directors will not consider the installation of new meters nor authorize any additional water use demands on its system.
- c. Citations will be issued for water use that does not conform to the measures in this ordinance.

- d. Meters delivering water solely for landscape irrigation purposes may be subject to shut-off as determined necessary by the General Manager.

2. Constituent Responsibility

- a. Constituents will be issued an adjusted water use target that reflects the mandatory reduction.
- b. Constituents must stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. This restriction shall not apply to the following categories of use unless the District has determined that recycled water is available and may be lawfully applied to the use.
 - i. Maintenance of trees and shrubs that are watered by using a bucket, hand-held hose with a positive shut-off nozzle, or low volume non-spray irrigation;
 - ii. Maintenance of existing landscape necessary for fire protection as specified by the Fire Marshal of the City of Escondido or other agency having jurisdiction over the property to be irrigated;
 - iii. Maintenance of existing landscape for erosion control;
 - iv. Maintenance of plant material identified to be rare or essential to the well-being of rare animals;
 - v. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week, ten minutes per station;
 - vi. Watering of livestock; and,
 - vii. Public works projects and actively irrigated environmental mitigation projects.
- c. Water service will be shut-off if noticeable leaks are observed on the constituent's side of the meter. Once repair is affected, water service will be restored at the constituent's expense.

Section VI. Provisions for "Demand Offset".

The District is establishing a Voluntary Demand Offset Fee Program that is designed to offset new potable water demands under various conditions, during severe droughts

and water shortage conditions. It is anticipated that there will be several categories, to include: Firm Demand Offset; Conservation Offset; and New Water Offset.

The typical mechanism used to place restrictions on new meters, and therefore require new potable water demand be offset, is for an agency to declare a water shortage emergency per California Water Code Section 350. The intent of the Voluntary Demand Offset Fee Program is that during a drought or other water supply shortage, new development could apply a fee that would be used to convert sites currently using potable water to recycled water, or convert other potable water use with quantifiable offsets (low flow toilets, water saving appurtenances, etc.), thereby permanently offsetting a developer's project of potable water demands, which would keep the District potable water-neutral. This would not preclude a developer or other water subscriber from initiating a conservation offset as an act of good faith.

Section VII. Technical Assistance.

Technical assistance may be offered by the District upon the completion of a "Cooperator's Agreement" by the constituent.

Section VIII. Enforcement of Violations.

- A. In the event of any violation of this Ordinance, the District shall post on the property where the violation occurred, written notice, and will mail a duplicate notice to the registered owner of the property, and/or to any person known to the District who is responsible for the violation or its correction. Such notice shall describe the violation and order that it be corrected, ceased, or abated immediately or within such specified time as the District determines is reasonable under the circumstances, and shall further contain a description of the fees and penalties associated with such violation. If the cited person fails to comply with such order, the District may disconnect the service where the violation occurred. The property owner will be responsible for any reconnection charges in addition to other fees or charges imposed by the District.
- B. In addition to being grounds for discontinuation of service, and in addition to any other applicable civil or criminal penalties, violation of any of the provisions of this ordinance is a misdemeanor. Upon conviction thereof, such persons shall be punished (i) by imprisonment in the county jail for not more than thirty (30) days, (ii) by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs during Drought Level 2, a fine of up to seven hundred and fifty dollars (\$750) for each day in which the violation occurs during Drought Level 3, or a fine of up to one thousand dollars (\$1,000) for each day in which the violation occurs during Drought Level 4, or (iii) by both.
- C. Each act of violation and every day upon which such violation occurs shall constitute a separate violation. The General Manager may also seek injunctive relief as necessary to enforce the provisions herein.

Section VIII. Rates and Fees.

The Board of Directors may implement a temporary drought rate structure in order to offset lost revenues and to fund the provisions of this ordinance.

Penalties levied by the District's wholesalers or the State Water Resources Control Board will be passed through to those constituents that caused the assessment of penalties.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors of the Rincon del Diablo Municipal Water District held on May 27, 2015 by the following roll call vote:

AYES: Drake, Towne, Murtland and Quist

NOES: Lump

ABSTAIN: None.

ABSENT: None.

APPROVED


David A. Drake, President

ATTEST:



Thomas Butler, Board Secretary

Exhibit G

Darnell & Associates, Inc.

TRANSPORTATION PLANNING & TRAFFIC ENGINEERING

June 12, 2015

Jacqueline Arsivaud
Chair Person,
Elfin Forest Harmony Grove Town Council
20223 Elfin Forrest Road
Elfin Forrest, California 92029

D&A Ref. No: 150505

Subject: Review of the Traffic Impact Analysis for the Draft Environmental Impact Report for the Valiano Project dated April 2015, County of San Diego Reference Numbers: PDS2013-SP-001, PDS2013-GPA-13-001, PDS2013-TM-5575, PDS2013-REZ-13-001, PDS2013-ER-12-08-002.

Dear Mrs. Arsivaud:

I have reviewed the subject Traffic Impact Analysis prepared by Linscott, Law and Greenspan, Engineers Dated April 2015. The project proposes the development of 334 Single Family Dwelling Units and 55 Second Dwelling Units on 339 acres. To develop the project the Applicant proposes a General Plan Amendment and Specific Plan to establish, etc. to allow the proposed minimum 6,000 square feet (S.F.) lots in place of the minimum 1 acre lot size.

Based on my preliminary review of the subject traffic analysis I have the following comments:

1) The Executive Summary identifies the project located at 1091 La Moree Road. A review of the document does not identify the 1091 Moree Road property access and none of the exhibits and analysis identifies the La Moree Road. This need to be corrected.

2) The Conceptual Site Plan Figure 2-1 shows a secondary access to Hills Valley Road. However the traffic analysis does not address the impacts of the project on the roadway and at the Hills Valley Road/Country Club Drive intersection.

3) A review of the traffic analysis identifies that the existing traffic volume data was collected in August and October of 2012 and one Count at Eden Valley Lane/Country Club Drive intersection was collected on April 9, 2014. Further review of the count data in Appendix C does not include count data for the SR-78 on/off ramp intersections at Nordahl Road. Based on the County Traffic Guidelines the count data exceeds the 18 month age of the counts. Therefore the validity of the counts needs to be updated to conform to County requirements.

Also the Executive Summary addresses the need to update the County's Traffic Impact Fee (TIF) Program to include potential changes resulting in the proposed project changes in Land Use. Since the project proposes the General Plan Amendment the impacts both direct and cumulative should be the responsibility of the Applicant and the necessary studies should be prepared in conjunction with the processing of the project to address any additional environmental impacts of the project on County and the adjacent agencies roadways, and intersections. Deferring the update of the TIF to after the project is approved leaves unanswered CEQA questions.

4) A review of Figure 3-1, Existing Condition Diagram and Figure 3-2 Existing Traffic Volumes does not show existing traffic volumes on:

- Country Club Drive between Harmony Grove Village Parkway and Harmony Grove Road;
- Harmony Grove Village Parkway between Country Club Drive and Citracado Parkway including the intersections along this route; and
- Harmony Grove Road west of Country Club Drive.

K-214 The address for the property is per the legal description and title report for the entire property. It does not presume access is provided via La Moree Road. No access was assumed to La Moree Road in the TIA and therefore no correction is necessary. The access points for Neighborhoods 1 through 4 are Eden Valley Lane and Mt. Whitney Road, connecting to Country Club Drive; the access points for Neighborhood 5 would take access from two new access driveways on Future Street 5A, both connecting to Country Club Drive.

K-215 For the Proposed Project, the secondary access to Hill Valley Road is proposed as a fire/emergency access road and would not serve day-to-day traffic. As discussed in Section 1.2.1 (Access and Circulation) of the EIR, the Project may include an additional access option where 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 additional access road are analyzed in the traffic impact analysis (Appendix H of the EIR) and in subsections 2.6.2.1 and 2.8.2.10 of the EIR for noise and traffic, respectively.

K-216 Existing traffic data were collected during the year of the issuance of the NOP for the EIR, consistent with industry standards of practice for conducting traffic studies. Given the timeframe associated with preparing a full EIR, it is not uncommon for two-to three years to pass prior to distributing the DEIR for public review. LLG collected existing

K-216
cont.

traffic data in the Project vicinity for another project in the Year 2014 and compared the counts to the Year 2012 data used in the TIA.

Table B shows that traffic counts are higher in some locations and lower in others. Overall, the average change in traffic volumes amounts to net zero percent change between Year 2014 and Year 2012.

Table B YEAR 2012 TO YEAR 2014 ROADWAY TRAFFIC COUNT COMPARISON			
Intersection	Existing Valiano Counts (Year 2012) (Total AM + PM Peak Hour Volumes)	Existing Year 2014 (Total AM + PM Peak Hour Volumes)	% Growth over Year 2012
Auto Park Way/ Mission Road/ Nordahl Road	7,463	7,115	-5%
Auto Park Way/ Country Club Drive	4,381	3,672	-16%
Valley Parkway/ I-15 NB Ramps	5,851	5,960	2%
Valley Parkway/ I-15 SB Ramps	6,156	6,275	2%
Valley Parkway/ Auto Park Way	7,342	7,951	8%
Valley Parkway/ 9th Avenue	5,497	5,861	7%
Average Growth Between Year 2012 and Year 2014			0%

It should also be noted that at the time of data collection, the Nordahl Road interchange was under construction to be widened to its current configuration. As a result of this, existing traffic counts were taken from the certified Year 2011 Escondido General Plan EIR traffic study and adjusted to reflect Year 2012 conditions along Nordahl Road. Given the existing traffic analysis was originally prepared at issuance of the NOP, the Nordahl Road intersection timing plans from Caltrans have since been modified to accommodate the additional capacity constructed at this interchange. LLG conducted a traffic analysis for a nearby development in Year 2015 and the data collected in Year 2014 indicates acceptable LOS C operations at both the eastbound and westbound ramps in the AM and PM peak hours. The analysis is shown below in Table C. The Year 2014 traffic counts at the interchange have been included in the revised EIR TIA intersection LOS analysis and added to the EIR TIA appendix.

Table C YEAR 2012 TO YEAR 2014 INTERSECTION DELAY COMPARISON									
Intersection	Valiano Existing (Escondido Volumes)		Traffic Peak General Plan		Study Hour Traffic	Year Existing Peak Hour			2014
	AM		PM		AM		PM		
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	
Nordahl Rd/ SR 78 WB Ramps	22.6	C	25.6	C	22.4	C	25.2	C	
Nordahl Rd/ SR 78 EB Ramps	19.4	B	18.0	B	21.6	C	20.4	C	

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- K-217 The TIF program can only be updated after a proposed GPA is approved (or denied) because the final outcome of a proposed GPA is not known. The County updates the TIF program regularly to account for approved GPAs that modify the Land Use or Mobility Element sections of the General Plan. Also see Response K-158.
- K-218 Harmony Grove Village Parkway was not constructed at the time the TIA commenced and therefore, existing volumes could not be counted on this roadway. As discussed in Section 4.1 of the TIA, Harmony Grove Village Parkway was assumed to be built in all traffic analysis scenarios since the majority of the roadway improvements from the Harmony Grove Village project were anticipated to be completed prior to the opening day of the Proposed Project.
- With the connection of Harmony Grove Village Parkway to Citracado Parkway, the following Project volumes were distributed to the roadways that were identified in the comment:
- Country Club Drive between Harmony Grove Village Parkway and Harmony Grove Road receives at most 16 peak hour directional Project trips.
 - Harmony Grove Village Parkway between Country Club Drive and Citracado Parkway receives at most 13 peak hour directional Project trips.
 - Harmony Grove Road west of Country Club Drive receives at most 16 peak hour directional Project trips.
- Therefore, the segments listed by the commenter do not receive 25 peak hour directional trips and thus, per County guidelines, analyses of these roadways are not warranted.

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K-218
cont.

These routes provide access to the project site and need to be included in the traffic impact of the project. As stated on Page 15 of the traffic analysis the opening of Harmony Grove Village Parkway to Citracado Parkway will result in the rerouting of existing traffic from Kauana Loa Drive to the New Harmony Grove Village Road. The impact of the opening of Harmony Grove Village Road needs to be addressed and appropriate updates to the Traffic Analysis prepared.

K-219

5) Impact Analysis of Existing Conditions, Existing Plus Project, Existing Plus Cumulative (2020) Projects and Existing Plus Cumulative Projects Plus Project and the Year 2035 analysis needs to be updated to account for the comments in Comment 4 and the additional Comments 6 thru 15.

K-220

6) Project Trip Distribution on Page 30 of the traffic analysis identifies using Select Zone Assign (SZA), based on the SANDAG Traffic Model to establish project trip distribution. A copy of the Select Zone (SZA) including the Land Use TAZ information needs to be provided to confirm the project trip distribution shown on Figures 7-1a and 7-1b and 7-2. A copy of the Select Zone and Land Use data needs to be added to the Appendices of the Traffic Analysis Report.

K-221

7) Section 8.0 Existing Plus Cumulative Conditions: This section of the traffic analysis identifies 41 projects in the County of San Diego, City of Escondido and the City of San Marcos including the adjacent Harmony Grove Village to be analyzed under cumulative conditions.

On Page 42 of the Traffic Analysis the forecast of traffic volumes for the cumulative conditions utilized the SANDAG North County Traffic Model. Figure 8-1 presents the Existing Plus Cumulative Project (Year 2020) Traffic Volumes. A copy of the SANDAG Model Traffic Forecasts Plots and Land Use inputs are needed to confirm the adequacy of the traffic impact analysis and needs to be included in the Technical Appendices of the Traffic Analysis Report.

A quick review of the Year 2020 daily traffic volumes on Country Club Drive between Hill Valley Drive and Eden Valley Lane shows 7,983 daily trips. The addition of existing traffic volumes (Figure 3-2) Harmony Grove Village traffic (Figures 10-4 in Appendix B) and project traffic (Figure 7-2) results in:

Existing Daily Traffic Volumes	4,930 vehicles
Harmony Grove Village Traffic	2,320 vehicles
Valiano Project Traffic	<u>2,711 vehicles</u>
Totals:	10,061 vehicles

This discrepancy and others within the 2020 Forecasts needs to be corrected.

K-222

8) The Year 2035 Analysis presented in the Traffic Analysis is based on Year 2035 conditions with adopted General Plan Land Uses and the SANDAG North County Model, SANDAG Series 12 Model, The County of San Diego General Plan. A copy of the SANDAG 2035 Traffic Model Traffic Forecasts and Land Uses needs be provided to confirm the adequacy of the analysis of the future traffic conditions with and without the project.

K-223

9) Section 11.0 Access and Other Issues:

This section of the traffic analysis addresses the use of Eden Valley Lane and Mount Whitney Road, which are private roads connecting the project site to Country Club Drive. As stated "Eden Valley Lane is constructed to provide 24 feet of pavement within 28 feet of graded width, there is no documentation provided on the easement right-of-way. Mount Whitney Road is constructed to provide 20 feet of pavement for its entire length and does not satisfy the County's Private Road

K-219 The commenter requests that the complete traffic analysis be updated to account for the information provided in comment K-218 and K-220 through K-234. See Response K-218, and K-220 through K-234.

K-220 A copy of the SZA has been added to the appendices of the TIA. This addition clarifies the conclusions made in the DEIR and does not provide significant new information that requires recirculation of the EIR under CEQA.

K-221 The TIA shows an Existing Plus Cumulative Plus Project traffic volume of 10,694 ADT on Country Club Drive between Hill Valley Drive and Eden Valley Lane. The commenter suggests the Year 2020 model with Project traffic would amount to 10,061 ADT. It can therefore be concluded, that the only discrepancy, as noted, would be that the EIR provides a conservative analysis of the traffic forecasted for this segment of Country Club Drive. Impacts may be somewhat less than what was reported. Also see K-222 for the SANDAG Traffic Model.

K-222 A copy of the horizon year forecast model has been added as TIA Appendix N. This addition clarifies the conclusions made in the DEIR and does not provide significant new information that requires recirculation of the EIR under CEQA.

K-223 On Eden Valley Lane existing drainage patterns would be preserved, as the Project includes only slight widening to satisfy the 24-foot pavement width required by County Private Road Standards. Mt. Whitney Road currently does not meet the private road standard of 24 feet and would be reconstructed per Private Road Standards as part of the Proposed Project, including drainage facilities and storm water Best Management Practices (BMPs) as detailed in subsection 3.1.3.2 of the EIR as well as Appendices M and N.

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K-223 cont	Standards. To satisfy the County's Private Road Standards would require the roadway to be widened to 24 feet within a graded area. The addition of project traffic to these private easements will have an impact on existing residents along each roadway. The adequacy of existing roadway pavement, drainage, etc. needs to be addressed from the standpoint of costs sharing for future maintenance.
K-224	10) Section 11.3 Sight Distance: This section identifies that Corner Sight Distance at all project access locations was conducted and Certification Letters submitted under separate cover. A copy of the Certification Letters needs to be provided for review.
K-225	11) Figures 11-1, 11-2 and 11-3 show intersection channelization at Eden Valley Lane, Mount Whitney Road and Future Street 5A (North). The channelization concepts reduce the three (3) lane width to 12 feet without shoulders creating a future hazardous condition. Any improvements to provide the recommended turn lanes needs to include shoulder area.
K-226	12) Intersection Analysis work sheets presented in the Appendices of the Traffic Analysis were reviewed for adequacy. The conditions reviewed are: <ul style="list-style-type: none"> • Existing; • Existing Plus Project; • Existing Plus Cumulative Projects; and • Existing Pls Cumulative Projects Plus Project. <p>The AM/PM intersection analysis was reviewed to determine conditions that resulted in critical movements and/or approach movements resulted in LOS "E" or LOS "F".</p>
K-227	Table A presents the Existing Conditions results for twelve (12) intersections. The review found five (5) intersections with movements operating at LOS "E" or LOS "F" and only two (2) of the intersections were reported to operate at LOS "E" or "F" in the Traffic Analysis.
K-228	Table B presents Existing Plus Project Conditions intersection analysis for twelve (12) intersections in the Traffic Analysis. Again we found five (5) intersections with movements operating at LOS "E" or LOS "F" and only two (2) of the intersections were reported to operate at LOS "E" or "F" in the Traffic Analysis.
K-229	Table C summarizes the Existing Plus Cumulative Projects intersection analysis for thirteen (13) of the study area intersections analyzed. Review of Table C shows twelve (12) out of the thirteen (13) intersections have movements operating at LOS "E" or "F". Ten (10) of the thirteen (13) intersections are shown to operate at LOS "E" or "F" in the Traffic Analysis.
K-230	Table D presents the Existing Plus Cumulative Projects Plus Project intersection analysis for thirteen (13) of the study area intersections analyzed. Review of Table D shows all thirteen (13) intersections have movements operating at LOS "E" or "F". Ten (10) of the thirteen (13) intersections are shown to operate at LOS "E" or "F" in the Traffic Analysis.
K-231	Table E presents the traffic signal cycle lengths used in the analysis for each intersection. Caltrans, City of San Marcos and the City of Escondido need to be contacted to confirm the adequacy of the signal timing used for the traffic analysis. A change in cycle length and signal timing will change

K-224	This information is included in Chapter 1.0 of the EIR and copies of the certification letters have been added to Appendix J of the TIA.
K-225	There are currently no shoulders provided on Country Club Drive at Eden Valley Road and Mt. Whitney Road. Two-foot shoulders with a 4-foot buffer are provided starting just south of the proposed Future Street 5A South as shown on Figure 11-4 of the TIA and would be maintained where currently provided. The post-Project condition of Country Club Drive would be improved over the existing condition and does not constitute a hazardous condition.
K-226	The commenter is referencing specific movements for specific approaches to an intersection that do not accurately represent the overall intersection operations for a particular intersection. Per the industry standard of practice and the Highway Capacity Manual (HCM) 2010, the measure of effectiveness for analyzing signalized and all-way stop-controlled intersections is overall average stopped delay per vehicle. The average control delay per vehicle for the intersection as a whole is found by adding the product of the approach flow rate and the approach delay for all approaches and dividing the sum by the total intersection flow rate. The determination of LOS is based on average control delay (Chapter 18-Signalized Intersections, HCM 2010). The significance of impacts is not determined using the individual intersection approach delay and level of service for signalized intersections. The average delay and LOS methodology is documented in Table 2 of the County's "Guidelines for Determining Significance," August 2011, and both the City of Escondido and City of San Marcos utilize the average delay and LOS criteria from Table 1 of the SANTEC/ ITE "Guidelines for Traffic Impact Studies in the San Diego Region", March 2000.
K-227	Of the 12 intersections listed in Table A of the comment letter, zero experience an LOS E or F average control delay, nor do any of the total 18 intersections analyzed in the EIR TIA under existing conditions operate at LOS E or F as shown in Table 6-1 of the TIA. Also see Response K-226.

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- K-228 Of the 12 intersections listed in Table B of the comment letter, zero experience an LOS E or F average control delay, nor do any of the total 18 intersections analyzed in the EIR TIA under Existing Plus Project conditions operate at LOS E or F as shown in Table 9-1 of the TIA. The five intersections with individual LOS E or F movements noted in Table B of the comment letter are not significant given the determination of signalized intersection LOS is based on average control delay for all approaches (Chapter 18-Signalized Intersections, HCM 2010) and the significance of impacts for signalized intersections is determined using the average delay and LOS and not individual intersection approach delay and LOS. The average delay and LOS methodology is documented in Table 2 of the County's "Guidelines for Determining Significance," August 2011, and both the City of Escondido and City of San Marcos utilize the average delay and LOS criteria from Table 1 of the SANTEC/ITE "Guidelines for Traffic Impact Studies in the San Diego Region," March 2000. Also see Response K-226.
- K-229 Of the 13 intersections listed in Table C of the comment letter, 4 locations under existing plus cumulative projects conditions were reported as having an average delay at LOS E or F conditions as shown in Table 9-1 of the TIA. Also see Response K-226.
- K-230 Of the 13 intersections listed in Table D of the comment letter, 4 locations under Existing Plus Cumulative Plus Project conditions were reported as having an average delay at LOS E or F conditions as shown in Table 9-1 of the TIA. The 10 intersections with individual LOS E or F movements noted in Table D of the comment letter are not significant given the determination of signalized intersection LOS is based on average control delay for all approaches (Chapter 18-Signalized Intersections, HCM 2010) and the significance of impacts for signalized intersections is determined using the average delay and LOS and not individual intersection approach delay and LOS. The average delay and LOS methodology is documented in Table 2 of the County's "Guidelines for Determining Significance," August 2011, and both the City of Escondido and City of San Marcos utilize the average delay and LOS criteria from Table 1 of the SANTEC/ITE "Guidelines for Traffic Impact Studies in the San Diego Region," March 2000. Also, see Response K-226.

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K-231 cont. [] the level of services (LOS) reported. Copies of the intersection capacity worksheets identifying the LOS "E" and "F" conditions will be forwarded to you by separate cover.

K-232 [] 13) Further review of the project finds the report does not address construction impacts. The short - term impacts of constructing the project on the existing private roadway easements roadways and residents on the private easements need to be addressed.

K-233 [] 14) Fire Evacuation Routes:
During Construction of the project and after completion of the project the adequacy of the existing roads to accommodate the evacuation of the area needs to be addressed. The recent fire in 2014 in the area identified numerous problems evacuating the area. A plan needs to be prepared and approved prior to the approval of the project.

K-234 [] 15) Sprinter Impacts:
The Sprinter Operations at the Country Club Drive /Auto Park Way and Nordahl Road intersection presently causes impacts and back-ups in traffic that is not presented in any of the traffic analysis. With anticipated increased Sprinter traffic flow back-ups and delays will increase. This condition needs to be analyzed in greater detail.

In summary these are my preliminary comments on the Traffic Analysis for the Valiano Project. When the report is made available, I reserve the right to make additional comments as needed.

Please feel free to contact our office should you have any questions or comments.

Sincerely,

DARNELL & ASSOCIATES, INC.

Bill E. Darnell

Bill E. Darnell, P.E. RCE: 22338



Date: 6/12/15



Date: 6/12/15

K-231 The traffic analysis utilizes Caltrans' signal timing/phasing plans where appropriate and observed field timings for City of Escondido and City of San Marcos signalized intersections where timing plans were unavailable.

K-232 The commenter is concerned that the TIA does not address construction impacts. See Response K-156.

K-233 The commenter is concerned with the adequacy of the existing roads to accommodate the evacuation of the area. See Topical Response: Fire/ Evacuations.

K-234 The commenter is concerned that traffic impacts associated with the SPRINTER Operations were not addressed in the TIA. See Response I-61.

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Attachments

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Table A - SUMMARY OF APPENDIX F: EXISTING INTERSECTIONS ANALYZED					
Intersection	EXISTING				
	Movement	PEAK HOUR	LOS	APPROACH LOS	Actuated Cycle Length(s)
1 - S. TWIN OAKS VALLEY RD. & DISCOVERY ST. @ E. BARHAM DR.	EBL	PM	F	-	103.2
	WBL	PM	E	F	
	WBR	PM	F	-	
	NBL	PM	F	-	
	SBL	AM	E	-	74.7
		PM	F	-	103.2
2 - BARHAM DR.@ WOODLAND PKWY.	ALL MOVEMENTS PASS	AM	-	-	55.6
		PM	-	-	64.0
3 - MISSION RD. @ DRIVEWAY	ALL MOVEMENTS PASS	AM	-	-	77.3
		PM	-	-	75.6
4 - SR-78 WB ON RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0
		PM	-	-	
5 - SR-78 EB OFF RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0
		PM	-	-	
6 - MISSION @ NORDAHL RD.	WBL	AM	E	-	100.0
	NBL	AM	E	-	
7 - COUNTRY CLUB DR. @ AUTO PARK WAY	SBL	AM	F	-	58.1
8 - W. 9TH AVE. @ VALLEY PKWY.	EBL	AM	F	F	78.1
		PM	F	F	79.0
	WBL	AM	E	-	78.1
		PM	F	E	79.0
	NBL	AM	F	-	78.1
		PM	F	-	79.0
	SBL	AM	F	-	78.1
		PM	F	-	79.0
9 - VALLEY PKWY. @ AUTO PARK WAY	NBL	AM	E	-	100.0
		PM	E	-	
10 - VALLEY PKWY. @ I-15 SB RAMPS	EBL	AM	E	-	120.0
		PM	E	-	
	WBL	PM	E	-	
11 - VALLEY PKWY. @ I-15 NB RAMPS	ALL MOVEMENTS PASS	AM	-	-	105.0
		PM	-	-	
17 - HARMONY GROVE RD. @ COUNTRY CLUB DR.	ALL MOVEMENTS PASS	AM	-	-	66.3
		PM	-	-	32.2

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Table B - SUMMARY OF APPENDIX G: EXISTING PLUS PROJECT INTERSECTIONS ANALYZED					
Intersection	EXISTING + PROJECT				
	Movement	PEAK HOUR	LOS	APPROACH LOS	Actuated Cycle Length(s)
1 - S. TWIN OAKS VALLEY RD. & DISCOVERY ST. @ E. BARHAM DR.	EBL	PM	F	E	103.2
	WBL	PM	E	F	
	WBR	PM	F	F	
	NBL	PM	F	-	
	SBL	AM	E	-	74.8
		PM	F	-	103.2
2 - BARHAM DR. @ WOODLAND PKWY.	ALL MOVEMENTS PASS	AM	-	-	55.6
		PM	-	-	64.2
3 - MISSION RD. @ DRIVEWAY	ALL MOVEMENTS PASS	AM	-	-	77.4
		PM	-	-	75.6
4 - SR-78 WB ON RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0
		PM	-	-	100.0
5 - SR-78 EB OFF RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0
		PM	-	-	100.0
6 - MISSION @ NORDAHL RD.	WBL	AM	E	-	100.0
	NBL	AM	E	-	100.0
7 - COUNTRY CLUB DR. @ AUTO PARK WAY	ALL MOVEMENTS PASS	AM	-	-	60.5
		PM	-	-	58.5
8 - W. 9TH AVE. @ VALLEY PKWY.	EBL	AM	F	F	77.3
		PM	F	F	79.2
	WBL	AM	E	-	77.3
		PM	F	-	79.2
	NBL	AM	F	-	77.3
		PM	F	-	79.2
	SBL	AM	F	-	77.3
		PM	F	-	79.2
9 - VALLEY PKWY. @ AUTO PARK WAY	NBL	AM	E	-	100.0
		PM	E	-	80.0
10 - VALLEY PKWY. @ I-15 SB RAMPS	EBL	AM	E	-	120.0
		PM	E	-	
	WBL	PM	E	-	
11 - VALLEY PKWY. @ I-15 NB RAMPS	ALL MOVEMENTS PASS	AM	-	-	105.0
		PM	-	-	
17 - HARMONY GROVE RD. @ COUNTRY CLUB DR.	ALL MOVEMENTS PASS	AM	-	-	66.6
		PM	-	-	32.6

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Table C - SUMMARY OF APPENDIX H: EXISTING PLUS CUMULATIVE PROJECTS INTERSECTIONS ANALYZED					
Intersection	EXISTING + CUMULATIVE PROJECTS				
	Movement	PEAK HOUR	LOS	APPROACH LOS	Actuated Cycle Length(s)
1 - S. TWIN OAKS VALLEY RD. & DISCOVERY ST. @ E. BARHAM DR.	EBL	AM	F	F	140.0
		PM	F	F	150.0
	WBL	AM	F	F	140.0
		PM	F	F	150.0
	WBT	AM	F	F	140.0
		PM	F	F	150.0
	WBR	PM	F	F	150.0
		AM	F	F	140.0
	NBL	PM	F	F	150.0
		AM	F	F	140.0
	NBT	PM	F	F	150.0
		AM	F	F	140.0
	SBL	PM	F	F	150.0
		AM	E	F	140.0
	HCM LOS	AM	F	-	140.0
		PM	F	-	150.0
2 - BARHAM DR. @ WOODLAND PKWY.	EBL	AM	F	E	130.0
		PM	F	F	150.0
	EBT	AM	-	E	130.0
		PM	F	F	150.0
	WBT	AM	F	F	130.0
		PM	F	F	150.0
	SBL	AM	F	E	130.0
		PM	F	E	150.0
	HCM LOS	AM	E	-	130.0
		PM	F	-	150.0
3 - MISSION RD. @ DRIVEWAY	EBL	AM	F	-	93.3
		PM	F	-	102.8
4 - SR-78 WB ON RAMP @ NORDAHL RD.	NBL	AM	-	-	100.0
		PM	E	-	120.0
5 - SR-78 EB OFF RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0
		PM	-	-	120.0
6 - MISSION @ NORDAHL RD.	EBL	AM	E	-	100.0
	WBL	PM	E	E	120.0
	WBR	PM	E	E	120.0
	NBL	AM	F	E	100.0
		PM	F	-	120.0
	SBL	AM	F	-	100.0
7 - COUNTRY CLUB DR. @ AUTO PARK WAY	EBL	AM	F	E	89.2
	SBT	PM	E	-	79.1
8 - W. 9TH AVE. @ VALLEY PKWY.	EBL	AM	F	E	93.1
		PM	F	E	91.3
	WBL	PM	E	-	91.3
		AM	F	-	93.1
	NBL	PM	F	-	91.3
		AM	F	-	93.1
9 - VALLEY PKWY. @ AUTO PARK WAY	NBL	PM	E	-	
	SBL	PM	E	F	80.0
	SBT	PM	F	F	
10 - VALLEY PKWY. @ I-15 SB RAMPS	EBL	AM	E	-	
	EBT	PM	E	F	
	WBL	PM	E	-	120.0
	NBT	PM	-	E	
	HCM LOS	PM	E	-	
11 - VALLEY PKWY. @ I-15 NB RAMPS	ALL MOVEMENTS PASS	AM	-	-	
	EBL	PM	E	-	105.0
	WBT	PM	E	E	
17 - HARMONY GROVE RD. @ COUNTRY CLUB DR.	WBL	AM	E	-	91.2
	ALL MOVEMENTS PASS	PM	-	-	68.2
18 - HARMONY GROVE RD. @ KAUNA LOA DR. (Stop Control)	WBT	AM	F	F	AVG DELAY 34.0
		PM	F	F	AVG DELAY 84.6

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Table D - SUMMARY OF APPENDIX I: EXISTING PLUS CUMULATIVE PROJECTS PLUS PROJECT INTERSECTIONS ANALYZED						
Intersection	EXISTING+ CUMULATIVE PROJECTS + PROJECT					
	Movement	PEAK HOUR	LOS	APPROACH LOS	Actuated Cycle Length(s)	
1 - S. TWIN OAKS VALLEY RD. & DISCOVERY ST. @ E. BARHAM DR.	EBL	AM	F	F	140.0	
		PM	F	F	150.0	
	WBL	AM	E	F	140.0	
		PM	F	F	150.0	
	WBT	AM	F	F	140.0	
		PM	F	F	150.0	
	WBR	PM	F	F	150.0	
		AM	F	F	140.0	
	NBL	AM	F	F	140.0	
		PM	F	F	150.0	
	NBT	AM	F	F	140.0	
		PM	F	F	150.0	
	SBL	AM	F	F	140.0	
		PM	F	F	150.0	
	SBR	AM	F	F	140.0	
		AM	F	-	140.0	
HCM LOS	PM	F	-	150.0		
	EBL	AM	F	E	130.0	
PM		F	F	150.0		
EBT	AM	-	E	130.0		
	PM	F	F	150.0		
WBT	AM	F	F	130.0		
	PM	F	F	150.0		
SBL	AM	F	E	130.0		
	PM	F	E	150.0		
HCM LOS	AM	E	-	130.0		
	PM	F	-	150.0		
3 - MISSION RD. @ DRIVEWAY	EBL	AM	F	-	93.4	
		PM	F	-	102.8	
4 - SR-78 WB ON RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0	
		PM	E	-	120.0	
5 - SR-78 EB OFF RAMP @ NORDAHL RD.	ALL MOVEMENTS PASS	AM	-	-	100.0	
		EBL	AM	E	-	100.0
6 - MISSION @ NORDAHL RD.	WBL	AM	E	-	100.0	
		PM	E	E	120.0	
	WBR	PM	E	E	120.0	
		AM	F	E	100.0	
	NBL	PM	F	E	120.0	
		AM	F	-	100.0	
	SBL	AM	F	-	100.0	
		EBL	AM	F	F	89.3
7 - COUNTRY CLUB DR. @ AUTO PARK WAY	EBL	PM	F	F	79.0	
		PM	E	-	79.0	
8 - W. 9TH AVE. @ VALLEY PKWY.	EBL	AM	F	E	93.4	
		PM	F	E	91.6	
	WBL	AM	E	-	93.4	
		PM	E	-	91.6	
	NBL	AM	F	-	93.4	
		PM	F	-	91.6	
	SBL	AM	F	-	93.4	
		PM	F	E	91.6	
9 - VALLEY PKWY. @ AUTO PARK WAY	NBL	PM	E	-	80.0	
	SBL	PM	E	F		
	SBT	PM	F	F		
10 - VALLEY PKWY. @ I-15 SB RAMPS	EBL	AM	F	-	120.0	
		PM	E	F		
	EBT	PM	F	F		
	WBL	PM	E	-		
	NBT	PM	-	E		
	NBR	PM	E	-		
11 - VALLEY PKWY. @ I-15 NB RAMPS	ALL MOVEMENTS PASS	AM	-	-	105.0	
		EBL	PM	E		-
		WBT	PM	E		E
17 - HARMONY GROVE RD. @ COUNTRY CLUB DR.	WBL	AM	E	-	91.3	
		PM	-	-	68.6	
		ALL MOVEMENTS PASS	PM	-	-	
18 - HARMONY GROVE RD. @ KAUNA LOA DR. (Stop Control)	WBT	AM	F	F	AVG DELAY 44.1	
		PM	F	F	AVG DELAY 99.6	

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Table E - SUMMARY OF AM AND PM ACTUATED CYCLE LENGTH(S) FOR THE INTERSECTIONS ANALYZED								
Intersection	EXISTING		EXISTING + PROJECT		EXISTING + CUMULATIVE PROJECTS		EXISTING+ CUMULATIVE PROJECTS + PROJECT	
	PEAK HOUR	Actuated Cycle Length(s)	PEAK HOUR	Actuated Cycle Length(s)	PEAK HOUR	Actuated Cycle Length(s)	PEAK HOUR	Actuated Cycle Length(s)
1 - S. TWIN OAKS VALLEY RD. & DISCOVERY ST. @ E. BARHAM DR.	AM	74.7	AM	74.8	AM	140.0	AM	140.0
	PM	103.2	PM	103.2	PM	150.0	PM	150.0
2 - BARHAM DR. @ WOODLAND PKWY.	PM	55.6	AM	55.6	AM	130.0	AM	130.0
	AM	64.0	PM	64.2	PM	150.0	PM	150.0
3 - MISSION RD. @ DRIVEWAY	AM	77.3	AM	77.4	AM	93.4	AM	93.4
	PM	75.6	PM	75.6	PM	102.8	PM	102.8
4 - SR-78 WB ON RAMP @ NORDAHL RD.	AM	100.0	AM	100.0	AM	100.0	AM	100.0
	PM	100.0	PM	100.0	PM	120.0	PM	120.0
5 - SR-78 EB OFF RAMP @ NORDAHL RD.	AM	100.0	AM	100.0	AM	100.0	AM	100.0
	PM	100.0	PM	100.0	PM	120.0	PM	120.0
6 - MISSION @ NORDAHL RD.	AM	100.0	AM	100.0	AM	100.0	AM	100.0
	PM	100.0	PM	100.0	PM	120.0	PM	120.0
7 - COUNTRY CLUB DR. @ AUTO PARK WAY	AM	58.1	AM	60.5	AM	89.2	AM	89.3
	PM	57.3	PM	58.5	PM	79.1	PM	79.0
8 - W. 9TH AVE. @ VALLEY PKWY.	AM	78.1	AM	77.3	AM	93.1	AM	93.4
	PM	79.0	PM	79.2	PM	91.3	PM	91.6
9 - VALLEY PKWY. @ AUTO PARK WAY	AM	100.0	AM	100.0	AM	100.0	AM	100.0
	PM	80.0	PM	80.0	PM	80.0	PM	80.0
10 - VALLEY PKWY. @ I-15 SB RAMPS	AM	120.0	AM	120.0	AM	120.0	AM	120.0
	PM	120.0	PM	120.0	PM	120.0	PM	120.0
11 - VALLEY PKWY. @ I-15 NB RAMPS	AM	105.0	AM	105.0	AM	105.0	AM	105.0
	PM	105.0	PM	105.0	PM	105.0	PM	105.0
17 - HARMONY GROVE RD. @ COUNTRY CLUB DR.	AM	66.3	AM	66.6	AM	91.2	AM	91.3
	PM	32.2	PM	32.6	PM	68.2	PM	68.6