

I-83 Roper Consulting

I-83-1 The comment states the following comments are from Roper Consultant on behalf of Golden Door LLC.

The County acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I-83-2 The comment states the commenter has been retained by Golden Door LLC to evaluate the proposed project and provide comments on the Newland Sierra project.

The County acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

I-83-3 The comment states the commenter has been in fire service for 40 years included roles as the Ventura County Fire Chief and Nevada State Forester. The commenter was part of a team that developed California's responses to major wildland fire emergencies, and helped create the National Wildland Fire Cohesive Strategy.

The County notes the comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

I-83-4 The comment states the commenter reviewed the DEIR, Fire Protection Plan (Appendix N-1 of the DEIR), the County General Plan Safety Element, local policies and supporting documents. The comment states the goal is to design a project that is as fire safe as possible given conditions that present themselves 85% of the time and attempt to address extreme situations that present life safety challenges. The comment further states the goal should be to design projects that can stand-alone without first responders because "multi-fire" events occur in this geographic area. The comment states that creating a "Fire Adapted Community" requires a system or chain of actions before, during and following a wildland fire.

The County acknowledges the comment as an introduction to comments that follow. The County notes the comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

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I-83-5 The comment states the DEIR should include a traffic study that accounts for residents leaving during duress and first responders gaining entry.

The County agrees with the comment and refers the commenter to Appendix R, Traffic Impact Analysis, as well as Section 1.0, Project Description which states

“The project Site would have two primary access roads along Deer Springs Road at Mesa Rock Road and Sarver Lane, with an additional access point at Camino Mayor off North Twin Oaks Valley Road. The Mesa Rock Road access would be built as a si83-lane entry road with a median that transitions into a four-lane divided road farther into the Site, and then into a two-lane undivided roadway until it reaches the Sarver Lane access where it would transition into a three-lane undivided roadway.” (See DEIR, pg. 1-8)

Please see also **Topical Response HAZ-1**. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

I-83-6 The comment states consideration should be given to choke points.

The County agrees with the comment and refers the reader to **Topical Response HAZ-1**, as well as O-1.13. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

I-83-7 The comment states standard planning conditions dictate two public access points for evacuation flows on a project the size of the proposed project.

The County agrees with the comment and refers the commenter to **Response to Comment I-83-5**, above. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

I-83-8 The comment states that if gates or barriers are used, they should be equipped with automatic openers with electric supply backup systems such as a “KNOX” devise. The comment states that trigger devices must be able to be initiated by any first responder.

The County agrees with the comment. Please see **Response to Comment I-83-5**, above regarding primary, public access to the project site. As stated in that responses, a third access point, Camino Mayor, is proposed. Please see **Response to Comment O-1.13-4**, which provides the following for Camino Mayor:

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Camino Mayor is not planned to be gated, and would provide unimpeded fire department access and resident egress in case of an emergency. Should the road be gated at some future point, it would be required by the Deer Springs Fire Protection District (DSFPD) and San Diego County Fire Authority Fire Code (Section 503.6) to provide a Code-consistent automatic gate opening device whereby gates are automatically opened via an Opticom system or equivalent, and are on a magnetic loop to automatically open from the inside when a vehicle approaches. This situation would also result in access for ingress and egress.

- I-83-9** The comment states the County should confirm that Cal Fire can provide the necessary resource depth for the proposed project, including aerial ladder truck capability.

Deer Springs Fire Protection District (DSFPD) and SDCFA have reviewed resource needs and confirmed that they can and will respond to the project with appropriate resources once Fire Station 12 is rebuilt. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-10** The comment states due to the rapid spread of wildland fires, some type of localized emergency notification system should be designed to prompt residents about an emerging fire.

The County agrees with the comment. As stated in Appendix N-2, Wildland Fire Evacuation Plan, “The Newland Sierra community residents will be strongly encouraged to register with Reverse 911, Alert San Diego, and the local DSFPD message system” through implementation of the Ready, Set, Go program. In addition, as stated on page 22 of Appendix N-2,

“... the DSFPD, through the Deer Springs Fire Safe Council, provides a separate telephone-based emergency alert messaging system that residents can sign up for at www.DeerSpringsFireSafeCouncil.com. The subscription-based information messaging system is for residents of the Deer Springs Fire Protection District. This system is for informational purposes only for emergencies that are threatening the area within the boundaries of the DSFPD.”

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-11** The comment states a water supply system must be designed to meet hillside elevation demands for volume and pressure.

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The County agrees with the comment. Please see Appendix N-1, Fire Protection Plan at Section 4.5.1 requiring fire flow to DSFPD requirements. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-12** The comment states that the County Sheriff should confirm that it has adequate resources to perform evacuations as the proposed project will dictate increase law enforcement needs for an evacuation.

The County agrees with the comment. A “Service Availability Letter” from the San Diego County Sheriff Department is included as Appendix EE-1a , and law enforcement services are analyzed in Section 3.5 of the Draft EIR.

Further, Appendix N-2 states that, “During an evacuation effort, the designated County Evacuation Coordinator is the Sheriff, who is also the Law Enforcement Coordinator,” (Section 3) and that “The San Diego County Sheriff’s Department, California Highway Patrol, and other cooperating law enforcement agencies have primary responsibility for evacuations.” (Section 2). The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-13** The comment states that the FFP addressed general evacuation needs for the public to leave the area but that a further review need to incorporate if the road system can handle residents departing while fire resources are entering the same area.

The County acknowledges the comment and refers the commenter to **Response to Comment O-1.13-9**. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-14** The comment states that “on-street” parking needs to be address during the review recommend by comment I-83-13.

The County agrees. As stated in Section 1.0, Project Description of the Draft EIR, there would be no parking on Mesa Rock Road (pg. 1-9) and Sarver Lane (pg. 1-9). The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-15** The comment states that a community should have designated Safe Refuge area(s) in case evacuation routes become blocked, which can be large park settings with non-combustible landscaping or large public assembly structures that are fire state and which also support firefighting operations if needed. The comment concludes the

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number of such Safe Refuge areas depends on the project's size, surrounding fuel loads and evacuation needs.

The County agrees that refuge areas will provide a contingency to unsafe evacuations, but would give first priority to refuging within the Project's defensible, ignition resistant structures with parks and other large, converted fuel areas as additional options. As stated on pg. 82 of Appendix N-1, Fire Protection Plan

“the fire agencies and/or law enforcement officials may, during an emergency, as they would for any new community provided the layers of fire protection as Newland Sierra, determine that it is safer to temporarily refuge residents on the site. When an evacuation is ordered, it will occur according to pre-established evacuation decision points (as detailed in the Newland Sierra Evacuation Plan), or as soon as notice to evacuate is received, which may vary depending on many environmental and other factors.”

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-16** The comment states every resident needs to be aware of the fire threat and made aware of the Ready, Set, Go program. The comment states that residents must be educated and perform annual home maintenance to ensure a safe ember zone around their structures. The comment further states this is a program that Cal Fire/Deer Springs Fire Protection District had adopted and that the proposed project should incorporate these programs and requirements into the FPP.

The County agrees with the comment. Please see Appendix B of the Evacuation Plan, which is the “Resident ‘Ready, Set, Go’ Personal Wildland Fire Action Guide.” The County refers the commenter to Response to Comment I-83-10, above, regarding the Deer Springs Fire Safe Council telephone-based emergency alert messaging system. Lastly, Appendix N-1 states

“The Newland Sierra HOA will provide on-going resident education outreach regarding wildfire safety, the “Ready, Set, Go!” pre-planning model, and this FPP's requirements. Informational handouts, facility Web-site page, mailers, fire safe council participation, inspections, and seasonal reminders are some methods that will be used to disseminate wildfire and relocation awareness information. The HOA will coordinate with DSFPD regarding wildfire educational material/programs before printing and distribution.” (Appendix N-1 at pg. 279)

Further, as stated in Section 4.6.6 of Appendix N-1,

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“The Newland Sierra HOA(s) shall obtain an FMZ inspection and report from a qualified DSFPD-approved 3rd-party inspector in May and September of each year certifying that vegetation management activities throughout the project site have been performed pursuant to this FPP. This inspection report and certification of compliance with the FPP shall be provided to DSFPD annually by June 1st and October 1st.”

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-17** The comment states the development and future HOA need to become an active partner with Deer Springs Fire Safe Council to foster an on-going public education medium.

The County agrees and refers commenter the commenter to Response to Comment I-83-16, above. Appendix N-1 also notes the following implementation measure:

“9. The Community HOA will include an outreach and educational role to coordinate with DSFPD and the local Fire Safe Council, oversee landscape committee enforcement of fire safe landscaping, ensure fire safety measures detailed in this FPP have been implemented, educate residents on and prepare facility-wide “Ready, Set, Go!” plans.”

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-18** The comment states the use of the General Plan Safety Element, Consolidated Fire Code and local ordinances should be applauded as a model that builds consistency. The comment notes that FPPs and final project need to be consistent with such codes and ordinances.

The County agrees with the comment. As stated in Appendix N-1, Section 1.2, Applicable Codes/Existing Regulations,

“This FPP demonstrates that the Newland Sierra Project will be in compliance with applicable portions of the County of San Diego 2017 Consolidated Fire Code and the Deer Springs Fire Protection District’s Ordinance Number 16-01. The project will also be consistent with the latest edition of the California Building Code, Chapter 7A, and the latest edition of the California Fire Code, Chapter 49, as adopted by San Diego County.”

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The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-19** The comment states that the County of San Diego Code of Regulatory Ordinance Section 68.401-68.406 and County Code of Regulatory Ordinance Sections 96.1.005 and 96.1.202 are excellent models to reduce fuel loads and create defensible space. The comment states the performance metric to identify compliance with these models needs to be identified. The comment states that the EIR should describe the County's annual success rate for program compliance.

The County agrees and refers the commenter to **Response to Comment I-83-18**, above regarding the proposed project's compliance with all applicable requirements. In addition, the proposed project would include a 250' Fuel Modification Zone, 2.5 times the standard 100-foot FMZ, with two zones as described in Section 4.6.2 of Appendix N-1.

Regarding the County's success rate, the County acknowledges the comment is beyond the scope of the Draft EIR, therefore, no response is required. Nonetheless, the County refers the commenter to Section 5.1, which describes the post-fire assessment of the 2003 Cedar Fire and 2007 Witch Creek Fire (see pages 66 and 70 of Appendix N-1).

- I-83-20** The comment states that landscape design requirements are silent and that some type of landscape design criteria should be required to ensure that fire resistive plants and property placement of biomass is addressed.

The County does not concur that the Fire Protection Plan is silent on landscape design requirements and refers the commenter to Appendix I, Prohibited Plant List, Appendix J, Desirable Plant List for Fuel Modification Zones, Section 4.6.2.1 regarding requirements with Zone 1 of the FMZ, and Section 4.6.5 which states:

“The Newland Sierra HOA or other established funding and management entity for each development area or neighborhood if separate, shall be responsible for all vegetation management throughout the respective project sites, in compliance with the requirements...”

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-21** The comment states that while heat deflector walls are recognized in codes and standards, they are not wildland used or proven successful. The comment states these

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walls do not minimize ember spotting potential in wildland fires. The comment restates information about heat deflecting walls and concludes that the Draft EIR needs to provide information to justify the use and potential success for these walls.

The County acknowledges comment. The heat deflect walls are not intended to minimize ember spotting, rather, they would provide a line of defense in a small area where the 250' FMZ would not be achieved due to property boundary constraints. The County notes structures would comply with all applicable codes and ordinances, and that the walls are an additional line of defense in the layered fire protection system.

- I-83-22** The comment states the proposed project will put a substantial new population into the wildland fuel zone and that a defensible space must be created and maintained by the HOA. The comment states these zones may be irrigated landscapes, natural landscaping that uses native fire resistant vegetation and or use of selected clearing. The comment states the size and scope of the FMZ will depend on the slope of the land surrounding residences, but that the minimum zone should be 100 feet wide. The comment concludes this is an absolute condition.

County agrees and refers commenter to Section 4.6 of Appendix N-1. The requirement for the proposed project is a 250' FMZ, which is 2.5 times the standard 100-foot buffer. This area would consist of two zones, Zone 1, which would be a minimum of 100 feet and would be an irrigated structure setback zone, and Zone 2, which measures up to 150 feet and provides for vegetation thinning. The specific requirements of these zones are described in more detail in Section 4.6.2.1 and 4.6.2.2 of Appendix N-2.

- I-83-23** The comment states the proposed project must incorporate provisions that ensure sustainability, viability, and accountability of the HOA.

County acknowledges the comment and refers the commenter to **Response to Comment I-83-16, I-83-17 and I-83-20**, above. Regarding the sustainability and viability of the HOA, the County notes the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

- I-83-24** The comment states the population of the project might trigger reclassification from an State Responsibility Area (SRA) to a Local Responsibility Area (LRA) which would mean the County and DSFPD may incur higher fire suppression costs

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associated with wildland fire suppression in the future. The comment states the EIR should discuss the potential impact of reclassification.

The County acknowledges the comment and notes it is speculative with regards to the potential for reclassification from an SRA to an LRA. Further the comment raises economic issues (cost of providing fire suppression services) that do not appear to relate to any physical effect on the environment. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-25** The comment states that planners can design new developments to withstand a wildland fire on paper using new codes, updated development guidelines, modern fire-resistant building materials, creation of defensible space and fuel treatments and proper access routes. The comment continues that fire officials can create better access and deployment of resources and that both of these tenants can be mandated and enforced, but maintenance is ultimately what hampers success. The comment states that the County should require mitigation or other project design features to ensure that the fire protection measures and methods described on paper are enforced.

The County agrees with the comment. The requirements in Appendix N-1 will be implemented as Conditions of Approval. Please also see **Response to Comment I-83-16**, above, regarding the HOA's requirement for twice-yearly inspections.

- I-83-26** The comment states that there were two letters (Appendix A and B) which raised questions about the proposed projects design. The commenter states there did not appear to be responses to these letters or an outcome and that the DEIR should provide responses to the concerns raised in the letters, including the outcomes.

The County comment letters referred to were both responded to via revisions to the Fire Protection Plan to the satisfaction of DSFPD and SCFA, as confirmed within the approved FPP, which was reviewed by both agencies to confirm all comments provided were addressed. The Fire Protection Plan (Appendix N-1) was subsequently accepted by each agency. Please see **Response to Comment O-16-39**. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-27** The comment states that growth in wildland fire areas must be addressed as a holistic, systematic approach, and that each of the components listed above as comments I-83-2 through I-83-26 must be addressed. The comment states that the primary responsibility of public officials is to ensure life safety, therefore, egress issues are the top priority, and that if egress decisions are altered, secondary factors are even more important.

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The County agrees with the comment. See **Response to Comments I-83-2** through **I-83-26**, above. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required.

- I-83-28** The comment states the challenge is to allow safe and responsible growth when public safety revenue tax dollar growth is not keep up with increasing first responder demands/expectations. The comment concludes that growth in wildland fire prone areas can be done safely using good planning and public/private partnerships.

The County acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The County acknowledges the comment also provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. For that reason, the County provides no further response to this comment.

- I-83-29** The comment is a July 21, 2014 letter from the County Fire Marshal (James Pine) to the County project manager with a list of comments on the June 2014 draft Fire Protection Plan

The County comment letter was based on an early draft of the FPP and all comments were addressed in subsequent drafts. Please see **Response to Comment I-83-26**, above.

- I-83-30** The comment is a link to the County's Pre-Application Summary letter on the proposed project, issued on October 22, 2014.

No specific issue raised, therefore, no more specific response can be provided. See Response to Late Letter (Dillon). Newland/Scott/Brice should be preparing.

- I-83-31** The comment provides the commenters resume.

The County has reviewed and considered the cited document and notes that it does not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, the County provides no further response to this comment.

Additional, the County includes the resume of Mike Huff, the County approved consultant who prepared the Fire Protection Plan.