

Comment Letter 05

February 12, 2018

Mr. Kevin Johnston, Land Use/Environmental Planner
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 110
San Diego, CA. 92123

**PROPERTY SPECIFIC REQUESTS GENERAL PLAN AMENDMENT,
PDS2012-3800-12-005, PDS2014-REZ-14-006; LOG NO. PDS2012-ER-12-00-003; SCH NO. 2015121012**

Dear Mr. Johnston,

05-1 Thank you for the opportunity to comment on this proposed General Plan Amendment (GPA-SD15). The Escondido Creek Conservancy (Conservancy) is a 501(c)(3) land conservancy that currently owns and/or manages over 1800 acres of open space/critical habitat in the Escondido Creek watershed. The Conservancy's mission is to preserve and restore the Escondido Creek watershed with a vision toward the watershed becoming a model of vibrant urban communities and viable natural ecosystems thriving together. With that in mind, the Conservancy opposes the proposed up-zone in SD15 due to the following issues:

Biology:

05-2 This proposed project is adjacent to several hundred acres of preserved open space managed by the Center for Natural Lands Management (CNLM) and will have deleterious edge effects and wildlife corridor effects if this zoning change is granted and built out. Edge effects are major drivers of change in many fragmented landscapes, but are often highly variable in space and time (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1995757/>).

05-3 When the adjacent San Elijo Hills development was proposed it came with the promise of connected wildland and wildlife corridors. The proposed SD15 is in the middle of one of these corridors and the proposed development would narrow the existing corridor to an unacceptable width that would likely result in a marked lack of diversity and movement that would affect the viability of hundreds of acres of nearby preserved open space/habitat. As noted in this attached article published by the Center for Biological Diversity, a 1,000 foot corridor is considered to a minimum width in order to properly function (<https://www.biologicaldiversity.org/publications/papers/wild-corridors.pdf>). Considering where this proposed up zone is located, adjacent to preserved lands, other high-density housing, and San Elijo Road, it will have dramatic negative effects that go well beyond the basic onsite habitat loss mentioned in the Environmental Impact Report (EIR). This impact needs to be studied on a more regional basis and less on an onsite basis.

Fire and Public Safety:

05-4 This area has a rich history of wildland fires, the most recent being the Cocos Fire in May of 2014. Other fires of note were the fatal Harmony Grove Fire in 1996 (<https://www.youtube.com/watch?v=WJcAQ->

aPpf8) which burned into Carlsbad and destroyed 76 homes, the Del Dios Fire in 1997, Witch Creek Fire in 2007, to name just a few. The Cocos Fire was the first major wildland fire in this area since the introduction of thousands of new houses in the San Elijo Hills (SEH) area and developments along San Elijo Road to the west of SEH. During the Cocos Fire major evacuation orders were issued for SEH, Elfin Forest, Harmony Grove, and Coronado Hills. What was clearly demonstrated in this incident was that the area had been severely over-built considering the existing and improved road infrastructure because evacuation in a timely fashion was impossible for all of the above mentioned communities. Hundreds of residents were trapped on clogged roadways with nowhere to go with a fast approaching wildfire bearing down on them (see attached articles and after actions reports):

<http://www.sandiegouniontribune.com/sdut-san-elijo-traffic-review-cocos-fire-san-marcos-2014jun07-story.html>

4 cont



Photo of the intersection of San Elijo Hills Road and Elfin Forest Road during Cocos Fire

The attached after action report issued after the Cocos Fire fails to address these infrastructure short falls in spite of the 109 page report addressing almost every other conceivable factor that arose during this fire and several others that occurred during the same time frame.

<http://www.readysandiego.org/aar/may-2014-san-diego-county-wildfires/May-2014-San-Diego-County-Wildfires.pdf>

05-5

Several studies and articles on the subject of cause of deaths and injuries indicates that one of the most dangerous situations to be in during a wildfire is attempting to escape via a vehicle and becoming entrapped in flames: <https://www.cnn.com/2017/06/18/europe/portugal-fire/index.html>

05-6

6 cont



Photo of Portugal wildfire victims killed while attempting to evacuate in vehicles

05-7

A study of deaths in Australian wildfire incidents in the last 100 years shows that 81% of deaths were outside in an indefensible refuge, which include motor vehicles (<http://www.bushfirecrc.com/sites/default/files/managed/resource/katherine-haynes.pdf>).

05-8

What this proposed zoning change does is further exacerbate an already critical situation in which several hundred more vehicles will now be forced to use San Elijo Road for evacuation in the event of a wildfire, a road that failed to handle the evacuation of hundreds of existing residents in the Cocos Fire in 2014. Were it not for a sudden shift in the wind direction during the Cocos Fire the story of what occurred and the resultant injuries and deaths would likely have been very different.

05-9

Adjacent Landfill Issues:

This proposed project is adjacent (less than 1,000 feet) to a closed landfill and does not appear to conform to Title 27 of the California Code of Regulations regarding post-closure landfills. It appears that any construction on or near (1,000 feet) of a landfill must have numerous additional safeguards built into any construction, residential or otherwise, to protect against leakage and gases from the landfill, including geomembranes installed under concrete slabs with additional permeable layers of aggregate, geotextile filters to prevent the introduction of fines into the permeable layer, perforated venting pipes within the permeable layers with a draft exhaust system, methane gas sensors with audible alarms, and periodic methane gas monitoring. Will prospective buyers of the proposed 300+ residences in this project be notified of these measures as part of a good faith notice of conditions prior to any purchase?

05-10

05-11

Green House Gas Emissions:

Is the proposal's GHG emissions potential being calculated using an accurate formula? Several recent GPA's have relied on a deeply flawed Climate Action Plan that the courts have found deficient in accurately reflecting the GHG emissions and long term impacts.

05-12

Conclusion:

With the conditions affecting this proposed project and up-zone, the Conservancy strongly opposes the approval of the project.

Sincerely,



Richard Murphy
President

Responses to Letter O5, Escondido Creek Conservancy

O5-1 This comment provides introductory remarks and background about the Escondido Creek Conservancy (Conservancy) and their mission. The comment notes the Conservancy's opposition to the proposed up-zone of PSR Analysis Area SD15 due to the issues outlined in the following comments.

The County acknowledges the comment. The comment does not raise issues regarding the SEIR analysis; therefore, no further response is necessary.

O5-2 This comment states that the PSR Analysis Area SD15 is adjacent to preserved open space managed by the Center for Natural Lands Management and build out of the site would have deleterious edge and wildlife corridor effects.

Chapter 2.4 analyzes impacts associated with Biological Resources, including the topics of Special Status Species and Wildlife Corridors and Nursery Sites. The comment does not raise issues regarding the SEIR analysis; therefore, no further response is necessary.

O5-3 This comment states that when the adjacent San Elijo Hills development was proposed, it came with the promise of connected wildland and wildlife corridors. PSR Analysis Area SD15 is in the middle of one of these corridors and the proposed development would narrow the existing corridor to an unacceptable width that would likely result in reduced diversity and movement. The comment references a publication by the Center for Biological Diversity, which states that a 1,000-foot corridor is considered the minimum width in order to properly function. The comment states that where the location of the up-zone is proposed, the project would have a dramatic negative effect beyond the habitat loss mentioned in the Draft SEIR, and that this impact requires more study on a regional, and less on an onsite, basis.

In addition to habitat loss, the Draft SEIR does evaluate the potential impacts on wildlife corridors within the PSR areas, including SD15. As disclosed in Section 2.4.3.4, the proposed PSR GPA would result in significant and unavoidable impacts on wildlife corridors. In addition, Section 2.4.4 of the Draft SEIR considered the cumulative effects of the proposed project, which evaluates impacts on more of a regional basis than at a site-specific level. As noted in Section 2.4.4, the proposed project, in addition to the cumulative projects, would result in significant cumulative impacts on special-status plant and wildlife species and wildlife movement corridors. Therefore, the Draft SEIR's analyses of these issues is sufficient and meets the requirements of CEQA.

O5-4 This comment discusses the history of wildland fires that has occurred in the area and suggests that the areas around PSR Analysis Area SD15 have been overbuilt without adequate roadway infrastructure, and evacuation of the existing residents could not happen in a timely fashion during the 2014 Cocos Fire; as such, hundreds of residents were trapped on clogged roadways. The comment includes a photo of conditions at the intersection of San Elijo Hills Road and Elfin Forest Road during the Cocos Fire.

Hazards associated with wildland fires are discussed in Chapter 2.7 of the Draft SEIR. This section discloses PSR Analysis Area SD15's location in a Very High Fire Hazard Severity Zone. The overall project impact conclusion for the issue of wildland fires is significant and unavoidable, similar to the analysis in the 2011 General Plan PEIR, which this Draft SEIR tiers from. This comment provides information on existing conditions in the vicinity of PSR Analysis Area SD15 and does not pertain to the analyses in the Draft SEIR. No further response is necessary.

- O5-5 This comment states that the after-action report issued after the Cocos Fire fails to address the infrastructure short falls. The comment provides a link to the referenced report.

This comment provides information on a historic fire, and does not specifically address issues analyzed in the Draft SEIR. However, as noted in response to comment O5-4, impacts related to wildland fires and evacuation plans are addressed in Section 2.7 of the Draft SEIR. As discussed in that section, implementation of mitigation measures (Haz-3.1 through Haz-3.3)—which require, among other things, coordination between County and the Office of Emergency services, project-specific evaluations of future development proposals occurring under the PSR GPA, and preparation of fire access road network plans—would reduce impacts related to emergency evacuation plans to less-than-significant levels. However, even with implementation of mitigation (Haz-4.1 through Haz-4.4), impacts related to wildland fires would remain significant and unavoidable.

- O5-6 This comment states that several studies and articles on the subject of the cause of death and injuries indicate that one of the most dangerous situations during a wildfire results from attempts to escape via vehicle and becoming entrapped in flames. The comment provides a link to a CNN article about a fire in Portugal in which some victims perished in their cars while trying to flee.

The County acknowledges the comment. This comment provides background information on wildfires, but does not pertain specifically to the proposed project or the analyses in the Draft SEIR. See responses to comments O5-4 and O5-5, which discuss the Draft SEIR's findings on impacts related to wildland fires and emergency access.

- O5-7 This comment references a study of wildfires occurring in Australia, which shows that 81 percent of the deaths were outside an indefensible refuge, which include motor vehicles. A link is provided to the referenced study.

The County acknowledges the comment. This comment provides background information on wildfires, but does not pertain specifically to the proposed project or the analyses in the Draft SEIR. See responses to comments O5-4 and O5-5, which discuss the Draft SEIR's findings on impacts related to wildland fires and emergency access.

- O5-8 The comment states that the proposed rezone would exacerbate an already critical situation in which several hundred more vehicles would be forced to use San Elijo Road for evacuation in the event of a wildfire, which failed to handle the evacuation of hundreds of existing residents in the Cocos Fire in 2014.

Comment noted. This comment pertains to the proposed project, but does not address the analyses in the Draft SEIR. See responses to comments O5-4 and O5-5, which discuss the Draft SEIR's findings on impacts related to wildland fires and emergency access.

- O5-9 This comment suggests that were it not for a change in wind direction during the Cocos Fire, the story of what occurred and the resultant injuries and deaths would have been different.

The County acknowledges the comment. This comment pertains to historical occurrences in the project area, but does not address the analyses in the Draft SEIR. See responses to comments O5-4 and O5-5, which discuss the Draft SEIR's findings on impacts related to wildland fires and emergency access.

- O5-10 This comment references a closed landfill located adjacent to PSR Analysis Area SD15, which does not appear to conform to Title 27 of the California Code of Regulations (CCR) regarding post-closure landfills. The comment states construction on or near a landfill must have numerous additional safeguards built into any construction to protect against leakage and gases from the landfill. This comment questions whether prospective buyers of future residential units would be notified of these measures as part of a good faith notice of conditions prior to any purchase.

The referenced Title 27 CCR requirements and notifications apply to proposed development projects, not to changes in land use designations or zoning. There are no development applications or proposals associated with the Proposed Project. Chapter 2.7 and particularly Section 2.7.3.4 of Chapter 2.7 discuss analysis of existing hazardous materials sites, including closed landfills. The comment does not raise issues regarding the SEIR analysis; therefore, no further response is necessary.

- O5-11 This commenter asks if the Proposed Project's GHG emissions are calculated using an accurate formula and states that several recent GPAs have relied on a flawed Climate Action Plan (CAP) that the courts have found deficient in accurately reflecting the GHG emissions and long-term impacts. The County assumes that when the commenter suggests that several recent GPAs have relied on a flawed CAP they are referring to the most recent CAP adopted by the Board of Supervisors on February 14, 2018. The courts have not found the County's most recent CAP to be deficient. The comment does not address the adequacy of the Draft SEIR and, therefore, no further response is required or necessary.

- O5-12 This comment provides conclusory remarks and says that the Conservancy strongly opposes the approval of the project. The County acknowledges the comment. No further response is required or necessary.