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– EMERGENCY RESPONSE AND EVACUATION PLANS

The DEIR cites the Operational Area Emergency Plan and the Multi-Jurisdictional Hazard Mitigation Plan as mechanisms or protocols that would mitigate cumulative impacts to emergency response and evacuation plans. The DEIR fails to address those problems from the Valley Center or Bonsall community perspectives. The mobility element roads nearest the Project are West Lilac Road and Circle R Road. Both of those roads were built to serve a rural community with small, rural populations. *How did this failed plan pass county staff?*

C2b-177

In the event of an emergency evacuation, such as occurred in 2003 and 2007, much of the population of Valley Center and Bonsall existing population will be exiting to the Interstate-15 corridor and Highway 76 all at once, not just the residents of the proposed Project. While the Operational Area and Multi-jurisdictional plans may help to organize first responders and emergency personnel, the congestion on the limited number of mobility element roads will be intense and long lasting and will affect both evacuees and emergency personnel, who are generally headed in both easterly and a westerly direction. Such congestion could result in serious harm to thousands of people if a fire should overtake them while trapped in traffic. *How was this proven evacuation problem not considered? If considered then why was this project allowed to go forward as submitted?*

C2b-178

Why would the County allow the applicant to propose to further exacerbate that bad situation by asking for 10 road standard modifications that would lower the classification of the mobility element roads in some cases, and lower the design speeds of those roads. The Bonsall Sponsor Group does not support lowering standards and would find the issue of liability that the County will take on with this project a folly of great magnitude? With lower design speeds and narrower roadways, this Project will imperil the evacuation of the Valley Center and Bonsall existing residents and impede the prospective residents of the Project at the same time. Such a large urban Project located in a rural setting with limited mobility options could single-handedly, never mind cumulatively, severely and significantly put hundreds of people at risk in the event of a large scale fire like those experienced in 2003 and 2007.

WILD LAND FIRES

The location of urban densities adjacent to a ‘very high FHSZ’ does not present itself as a smart location consistent with preventative land use planning. The present General Plan incorporates land use and zoning designations that concentrate high-density housing at the core of the Valley Center and Bonsall communities. Such high densities were not planned for the margins of the two communities. Those areas were intentionally planned for large acreages to accommodate agricultural pursuits according to the Community Development Model. *WHY would the General Plan be allowed to be subverted by this developer financial gain and allowed to change the General Plan?*

C2b-179

If approved, this Project will defeat the intent of the Community Development Model by locating a dense urban development away from the village cores of Bonsall and Valley Center in an area prone to very high wildfire hazards. *Why hasn't the applicant overlain the Fire Hazard Severity Zones on a Project map to indicate the locations of the very high FHSZ. Such a map would allow a more informed evaluation of the probable risks to the Project and surrounding properties and how those risks should be handled. Such information is crucial to decision-makers?*

C2b-177 Please refer to responses to comment C1d-157 to C1d-162 for detailed discussion of the project’s evacuation plan. Please also, see FEIR subchapter 2.7.

C2b-178- Please refer to responses to comment C1d-157 to C1d-162 for detailed discussion of the project’s evacuation plan. Please also, see FEIR subchapter 2.7.

C2b-179 Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2.

FEIR Subchapter 2.7.1.2 discusses the project site’s location within its Fire Hazard Severity Zone. This information is disclosed and included in the fire modeling contained in the FPP upon which the FEIR conclusions are based.



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This paragraph also relates to Emergency Response and Evacuation Plans as noted on previous page.

The mitigation proposed is to acquire an easement on adjacent property that is not a part of the Project so the FMZ can be extended to the full 100-feet. Why would this be allowed?

Barring that, the applicant proposes to use ignition resistant construction methods and other non-combustible features to purportedly achieve the same level of fire resistance as the 100-foot FMZ. Presuming such construction techniques could work, one would think that the applicant would employ them regardless of the deficient FMZ simply because it's a safer course when building at the wildland-urban interface. *Has the applicant considered prudent course of modifying the configuration of those portions of the Project in those very high FHSZ to accommodate the standard FMZ?*

A Project of this density and design is inappropriate at this location regardless of building standards and fuel modification plans given the proximity to dense on-site and off-site native fuels [the WUI very high FHSZ], the inconsistent use of a standard 100-foot FMZ, the inadequate evacuation routes for over 5000 residents and the uncertainty surrounding how will fire protection services will be provided please define?

C2b-180

MANDATORY FINDINGS

The California Legislature has determined that certain specified changes to the environment are significantly adverse by definition. These are often called mandatory findings of significance. As a result of the legislature's determination a lead agency must conclude that a proposed project may have a significant effect on the environment if the project does any of the following:

1. Has the potential to degrade substantially the quality of the environment;
2. Has the potential to achieve short-term environmental goals at the expense of long-term environmental goals;
3. Has potential environmental effects that are individually insignificant but cumulatively considerable;
4. Has the potential to cause substantial adverse direct and indirect impacts on human beings;
5. Has the potential to eliminate important examples of major periods of California prehistory or history;
6. Has the potential to change adversely the significance of a designated historical structure;
7. Has the potential to reduce substantially the habitat of fish or wildlife species;
8. Has the potential to cause a fish or wildlife population to drop below self-sustaining levels;
9. Has the potential to threaten or eliminate a plant or animal community; or,
10. Has the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

C2b-181

How does the County justify moving forward after reading the California Legislature mandatory findings of significance and reviewing the 268 page "PROJECT ISSUE CHECKLIST" created by staff?

How did staff determined that several of the 10 mandatory findings have not caused this project to be rejected upon submission?



C2b-180 As negotiated and approved with adjacent land owners, a recorded easement will be acquired by the project to accommodate the requirements for fuel modification to provide adequate fire protection for the project.

Acquisition of a recorded easement to provide adequate fuel modification around inhabited structures is an acceptable measure. The FPP evaluates all risks to ensure fire protection of structures and requires the combination of all measures, including vegetation modification, ignition-resistant construction, fire access, fire water supply, etc.

C2b-181 One of the primary purposes of an EIR is to identify a project's significant environmental effects. The identification of a significant environmental effect is the first step in the CEQA process. Second, the EIR identifies feasible mitigation measures and project alternatives that may reduce or avoid the identified impacts. Then the EIR determines whether the project's environmental effects are unavoidable or can be avoided by using mitigation measures or project alternatives.

The lead agency, here the County, is responsible for determining whether an adverse environmental effect identified in an EIR should be classified as "significant" or "less than significant." The lead agency has the discretion to formulate standards of significance for use in the EIR. After completing the EIR, the lead agency must decide whether to certify the final EIR and to approve or deny the project.

When the EIR identifies significant environmental impacts from the project, the lead agency must make specific findings for each impact that: changes required in the project will avoid or substantially lessen the impact, the impacts are within jurisdiction of another agency or that specific economic or social conditions render identified mitigation measures or project alternative infeasible.

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Staff identified in the Scoping Letter/Project Issue Checklist one-hundred twenty-one (121) GP Policy conflicts and one-hundred seventy-four (174) policy conflicts in the Bonsall and Valley Center Community Plans and the General Plan. *These have not been analyzed in the DEIR (or anywhere else). Why not?*

Earlier in the review of this project a "Project Issue Checklist" listed (on 350-plus pages) more than 1000 project "issues" with various planning documents. The list included Major Project Issues (with GP Policies) as well as GP and CP Policies that posed potential conflicts. Analyses of these "issues" are essential to a General Plan Amendment. *How else can anyone understand what the GPA proposes to amend?*

The staff directive to the applicant at that time was, "Please immediately review the policies and indicate to staff how you would propose to revise these policies or if you disagree with staff's analysis. If policy revisions are required to the County's General Plan, then the project's EIR must also analyze the impacts to the County's General Plan." In subsequent editions, the "Checklist" refers the reader to other documents – in some instances to a GPAR (General Plan Amendment Report), in others to the Land Use Section of the EIR. *Where is the report that is mentioned in both documents?*

CEQA requires these analyses, and the DEIR omits them. The DEIR (in Section 3.1.4.1, pp 3-56 – 3-64) lists what it calls the "relevant policy and regulatory framework" for the project. But this list is not the detailed analyses that CEQA requires, instead, under the rubric of "Existing Conditions" this section is mainly a summary of applicable planning documents. *WHY has staff taken this point of omitting relevant policy and regulatory framework?*

Examples are rife, here are a few:
Section 3.1.4.2 (p 3-64) is titled "Analysis of Project Impacts and Determination of Significance." Here in the subsection "Impact Analysis" analyses of specifics are either missing or inadequate, and replaced with brief descriptions of the project followed by assertions. Such as:

- a. Without bothering even to acknowledge the array of GP policies that would have to change in order to approve this SP/GPA, the DEIR concludes: *"The proposed project includes a General Plan Amendment which, if approved, would result in the project being consistent with the General Plan." It is not consistent with the General Plan and that is a fact Why the double speak?*
- b. There is no discussion of LEED ND criteria, and the GP Community Development Model is presented as if it is no more than an arrangement of densities rather than a reflection of a whole complex of interdependent ideas about sustainable development. Nevertheless, the DEIR asserts that *"the proposed project would be consistent with the Community Development Model of the County General Plan and designed to meet the LEED Neighborhood Development Certification or an equivalent."* *How is this possible please explain?*
- c. The policy is in some cases asserted by repeating the language of the policy itself. For LU1.2 *"the project is not "leap frog development" because it is designed to conform to the Community Development Model, provides necessary services and facilities, and would be designed to meet the LEBD Neighborhood Develop Certification or an equivalent.*

C2b-182

C2b-183

C2b-184

C2b-185

C2b-182 As part of the application process, the County prepared a Project Issue Checklist detailing all information and documentation needed to move forward with the processing of the project. A General Plan Amendment Report (GPAR) was included as an item required to allow the County to consider the issue of General Plan consistency. State Law does not require a GPAR. As of June 13, 2013 the County determined that all technical studies had been accepted and the EIR addressed consistency with the applicable General Plan policies. This determination removed the need for a GPAR to be included in any further submittals.

C2b-183 Please refer to response to comment C2b-1.

C2b-184 Please refer to response to comment C2b-1.

C2b-185 Please refer to response to comment C2b-1.



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For LU3-1, LU3-2 and LU3-3: *“The project likewise provides “a complete neighborhood” to include a neighborhood center within easy walking distance of surrounding residences while providing a mixture of residential land use designations and development regulations that accommodate various building types and styles.”*

C2b-186

d. d. In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS levels, the DEIR argues that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. Again, the point here is that consistency is achieved only by amending the General Plan to fit the project.

Please review what a LEED ND project is (below) and then what was written by the applicant and staff (above) as this project does not demonstrate the definition of what a LEED ND is. **Why was this project allowed to go through the county process with this as a basis?**

LEED ND cites as key smart growth strategies the building on previously constructed development sites or ‘infill’ sites [surrounded or mostly surrounded by previously developed land]. When a smart growth site is selected, there is no additional loss of biological habitat or excessive land gouging. For this Project, LEED ND was not respected nor observed why? Why was LEED ND neither observed nor respected as a selected “smart growth” site?

Oddly, the County General Plan recognizes the importance of LEED ND criteria and cites them as part of its principles. But, the DEIR and the applicant has subverted them in this case. **What was the reason that the DEIR did not analyze the Project in terms of its consistency with LEED ND ? Given that, this project is a “leapfrog development, it must be certified as consistent with LEED ND requirements or its equivalent? If using an equivalent standard for certification, what is the equivalent standard?**

C2b-187

In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS levels, the DEIR argues that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. **Again, the point here is that consistency is achieved only by amending the General Plan to fit the project Why?**

The DEIR (Section 3.1.4, p 3-56, Land Use Planning, line 4) refers the reader to the Specific Plan, and asserts falsely (p. 3-65) that *“the project’s conformance with other General Plan policies is detailed in the Specific Plan. Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant.” Please explain how the overall project would be consistent with the General Plan?*

It is important to note here that these analyses are NOT in the Specific Plan or a GPAR, even though this would be no substitute for the CEQA requirement. The *Specific Plan* text does NOT include a *General Plan Amendment Report* (GPAR). Historically, a GPAR presents the details of a GPA and discusses its consistency, or lack of consistency, with GP elements. But, this application omits this crucial report. **Why? I mentioned this question both on the phone and before in this document?**



C2b-186 As noted, the project is consistent with General Plan LU-3.1, LU-3.2 and LU-3.3. The project includes a large variety of housing types and residential land use designations. The Specific Plan provides for a variety of single family detached, single-family attached and mixed use development lot sizes, building types and densities. Section III of the Specific Plan illustrates the multitude of residential layouts that could be built along with tables showing general requirements for lot sizes along with required setbacks in various areas.

The project includes a Town Center complete with commercial and public uses that is within one-half mile of many of the project’s residences. Two smaller neighborhood centers are located in the southern half of the project and may provide neighborhood serving uses for the southern area of the project, providing necessary commercial services within one-half mile of residences.

C2b-187 Please refer to response to comments C2b-1 and C2b-4.

The commenter incorrectly asserts that Mobility Element standards are relaxed. Amendments to the Mobility Element are proposed to change the classification of West Lilac and to add three road segments to Table M-4. Any amendments to the Mobility Element would be approved at the discretion of the Board of Supervisors.

Please refer to response to comments C2b-1 and C2b-3 above, and Global Response: Project Consistency with General Plan Policy LU-1.2.

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The DEIR fails to disclose the extent to which this SP/GPA is inconsistent with the County's planning documents. Land use impacts are much broader and more fundamental than what has been disclosed. Amendments to suit this SP/GPA would require rejecting the GP's foundational vision: Smart Growth. How is this to be achieved?

As stated it is not the intention of the San Diego General Plan to drop "new villages" into semi-rural and rural areas. To the contrary, the County General Plan is rooted in its "Smart Growth" intention. Smart Growth is a two-sided concept. On the one hand Smart Growth locates future development in areas where infrastructure is established; AND on the other hand, Smart Growth also retains or enhances the County's rural character, economy, environmental resources, and unique communities. These are integrated, co-dependent concepts. They work together.

How does this project of 5000 people of approximately 608 acres of infrastructure-lacking Semi-Rural and Rural land become consistent with both interdependent aspects of Smart Growth as they are expressed across and interconnected with the web of GP Guiding Principles, Goals and Policies that have been put in place to bring about the County's Smart Growth Vision?

The DEIR asserts that the project is consistent with the GP Community Development Model and with LEED Neighborhood Development Certification standards. The proposal fails to meet essential requirements of both.

As listed before in this document the definition of LEED ND and what has been submitted by the applicant do not agree. Why has staff accepted this project under this guise?

1. The General Plan already accommodates more growth than SANDAG projects for 2050. The DEIR fails to justify the need for 1746 additional homes, 90,000 additional SF of commercial.

Consistency with Land Use Goal 1 (LU-1) and Policy 1.2 (LU 1.2) are especially crucial for this project's approval. This goal and policy speak directly to the requirements for establishing NEW villages in San Diego County. How does this project meet the Land Use Goal or the Policy?

Land Use Goal 1: Primacy of the Land Use Element. A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.

Land Use Policy 1.2: Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED Neighborhood Development Certification or and equivalent. 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. (See applicable community plan for possible relevant policies.)

This SP/GPA is INCONSISTENT with both the Community Development Model and with LEED Neighborhood Development Certification Standard. (No LEED ND "equivalent" has been developed to our knowledge; nor is one cited in the Specific Plan or the DEIR. By definition an "equivalent" standard would have to include LEED ND's location prerequisite or it would not be an equivalent standard).

C2b-187 cont.



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Inconsistent with LEED Neighborhood Development Certification standards and Inconsistent with the Community Development Model

The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *"The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses such as estate-style residential lots and agricultural and agricultural operations to Semi-Rural areas To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ..."*

First, as the above statement in the County General Plan makes clear, the Community Development Model is *not* a moveable abstract concept. If this were true then Village "puzzle pieces" could be dropped into Semi-Rural and Rural lands anywhere in the County and pronounced consistent with the Community Development Model. ***How did this project pass the Community Development Model as it is not consistent and is located in a semi-rural area of the County?***

Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the General Plan's Regional Categories. It is the assignment of a particular Regional Land Use Category to a particular piece of land that this SP/GPA proposes to amend. The proposal therefore is ***inconsistent*** with the Community Development Model. ***Again, consistency would be achieved only by amending the General Plan to fit the project. Why?***

- In the General Plan (p 3-7) *"Village areas function as the center of community planning areas and contain the highest population and development densities. Village areas are typically served by both water and wastewater systems. Ideally, a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit."*
- The proposed site is designated not for Village development but for large semi-rural parcels (SR 10 and SR-4). This proposal to plop a Village into the middle of an area that the Community Development Model designates for Semi-Rural and Rural development requires AMENDING the Community Development Model. ***Why was this not done? If the General Plan is to be unusable by developers as it is after 13 years of work then why have it?***
- This SP/GPA is located many miles from areas that the Community Development Model designates for Village development: miles from employment centers, shopping, entertainment, medical services, and civic organizations and activities and transportation. ***How does this project meet any of the LEED-ND or "smart growth" ideals?***
- As for infrastructure, there are few existing roads in the area and they are built and planned to service Semi-Rural and Rural development, as is the current plan. Despite proposing intense Village development, the proponents also propose to retain or reduce capacities of these roads.
- ***With an additional total of cars based on the Counties 10 trips a day per household and the current traffic on this two lane road how does this money maker for the developer plan to abate/mitigate the traffic?***

C2b-187 cont.



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• *The intent of the Community Development Model for Villages is to intensify development in existing Villages -- not to create NEW Villages through the destruction of Semi-Rural and Rural lands. The Community Development Model was applied in Bonsall during the General Plan update process. Village boundaries were drawn. Village densities were planned to feather from the commercial and mixed use core to meet the Semi-Rural designations. The Bonsall community's traditional "crossroads" where road, water and wastewater infrastructure, as well as schools, churches, shops and businesses are already in place. **We are not interested in changing the Community plan from agricultural, estate lots and an equestrian life style to a high density Village to provide leapfrog development. How is the County going to define Villages in the future based on this project and its requested amendment to the General Plan.***

• *How many and which Goals and Policies would have to be amended to accommodate this SP/GPA? **This is the question.** We are arguing that the SP/GPA requires such broad and fundamental changes to the County General Plan that the project cannot be accommodated without scrapping the County's core Vision.*

Second, the project design itself defies the GP principles, goals and policies for Village development, or Village expansion, which the Community Development Model reflects.

• *The 608-acre project site, only a portion of which is actually owned by the applicant, sprawls 2 miles N-S, and 2 miles E-W across several thousand acres, largely in active agriculture. These surrounding acres are owned by people whose dreams and ambitions for their rural properties are in accord with the Community Development Model's Regional Category assignment: Semi-Rural and Rural.*

• *The sprawling shape of the site creates some 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that the GP Community Development Model protects by designating this area for Semi-Rural and Rural development.*

• *With 1746 units and 90,000 SF of commercial on 608-acres, there is insufficient land available for "feathering" residential densities as the Community Development Model intends and describes.*

Please clarify and answer the above statements as they are questions regarding the project and the GP conflicts?

The site requires 3 separate commercial nodes to support the "walk-able" claim. It is a stretch to characterize the project as a "walk-able Village" when it is, in fact three circles of dense housing, two of them are at least a mile from the what the Community Development Model

• *How does this project characterize as development Village amenities not as LEED does. The LEED standard for "walking distance" is ½ mile, the GP also cites ½ mile (GP, p.3-8). **Why Is this project allowed to change what LEED stands for and our General Plan's Village and "Smart Growth" definition?***

• *This is not the "walk-able" compact Village it pretends to be. **Why is the project allowed to state that it is?***

C2b-187 cont.

C2b-188

C2b-188 Please refer response to comment C2b-1.



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Chapter 1 of the General Plan contains an Introduction and Overview with some direct statements, such as:

P 1-4
The General Plan must be referred to in its entirety, including separately bound portions (such as community plans). While the GP is internally consistent, some issues are addressed through multiple policies and some receive refined and more detailed direction in Community Plans.

P 1-5
Policies cannot be applied independently

If you are a SD County resident or property owner, the GP indicates the general types of uses that are permitted around your home and changes that may affect your neighborhood, and the policies the County will use to evaluate development applications that might affect you or your neighbors. The Plan also informs you regarding how the County plans to improve mobility infrastructure, continue to provide adequate parks, schools, police, fire, and other public services, protect valued open spaces and environmental resources, and ...

How does this project meet or somehow become consistent with the General Plan with so many goals and policies being ignored in the General Plan? Please don't insult me with the "it will once it is approved."

The essence of the General Plan lies in its goals, policies, and implementation programs how does this project meet the goals, policies and programs?

ARCHAEOLOGICAL RESOURCES

2.6.5.1 Archaeological Resources M-CR-1:
Prior to approval of a Final Map, the applicant shall implement the data recovery program prepared by Mary Robbins-Wade (Affinis 2013) for site CASDI-20436. The data recovery program shall be implemented prior to the commencement of any grading and/or improvements. All data recovery shall include a Luiseno Native American monitor. Have the tribes commented and selected the Native American monitor?

Under 2.6.1.4 Records Search Results:

CA-SDI-4808 was originally recorded during the archaeological survey for the proposed I-15. It was described as a "small milling site, which may be considered a branch of CASDI-4807. CA-SDI-4808 was tested in 1978 to determine site boundaries and evaluate significance. The report concluded that the assemblage appears to be much too limited to make a case for any type of site, which would be distinct from the two villages during San Luis Rey II times. The previous survey concluded that no hypothesis can be made at this time regarding its function during a possible earlier occupation."

The 1978 study is out of date why has a more recent study been properly and thoroughly conducted?

C2b-189

C2b-190

C2b-191

C2b-189 Please refer to response to comment C2b-1.

C2b-190 Mitigation Measure M-CR-1 has been revised subsequent to public review to provide an open space easement dedicated over CA-SDI-20436, without any allowance for entrance into the area. Therefore, the requirement for a Native American monitor associated with this impact is longer a requirement. With respect to Mitigation Measure M-CR-2, associated with potential significant impacts to undetected or buried archaeological deposits located on-site or within off-site improvement areas, details of the process for selecting the monitor is included within the terms of the mitigation measure in FEIR subchapter 2.6.

C2b-191 CA-SDI-4808 was addressed as a previously recorded site in proximity to proposed off-site improvements for the project. No further study was conducted, because the site would not be affected by the project, including off-site improvements.

A Sacred Lands File search was conducted by the Native American Heritage Commission for this project; no traditional cultural sites were identified within the project. There are no known archaeological sites within the project or proposed off-site improvements that were not addressed in the technical report and the FEIR. Consultation with the Native American community is ongoing.



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If review of the justification by the local tribes shows the study to be inadequate, will a new study be required?



After talking with several representatives of both the local Indian tribes and the Director of the Native American Heritage Commission in Sacramento several sites have not be identified by this developer and a discussion has be ongoing and will continue either prior to submittal to the Planning Commission or after their possible approval. Statements by them should be of great concern to the developer and the County. *This was written in statement form but interest is in how is this issue being handled?*

C2b-191 cont.

2.6.1.4 Records Search Results

The TR and DEIR propose to use studies that are nearly 35 years old. *They need to be re-examined by today's standards and in the light of additional information?*

C2b-192

C2b-192 The records search addresses previous studies to give a background for understanding the current study. A thorough cultural resources survey was conducted for the project, which included Native American consultation and the presence of Native American monitors during all fieldwork.

BIOLOGICAL RESOURCES

2.5.1.2 Vegetation Communities

The Biological Resources Report [the Report] identifies three sensitive plant species present on-site: Engelmann oak, prostrate spineflower, and southwestern spiny rush. All three are on the County's List D of sensitive plant species and all three are reported as relatively small numbers of individuals. *Do listed plants have to be represented on-site in large numbers to gain significance?*

C2b-193

C2b-193 See response to comment C1m-1.

Is there quantitative data available to know whether the population sizes found on-site are significant within the region?

If not, how is it determined that a local population is insignificant?

Aren't rare, threatened or species of concern logically less numerous in most plant formations?

2.5.2 Analysis of Project Impacts and Determination of Significance

2.5.2.1 – Special Status Species

The Biological Resources Report [the Report] of the DEIR lists 13 federal/state species of special concern or Group 1 species of animals that would be impacted by the development of the Lilac Hills Ranch project [the Project] ranging from orange-throated whiptail lizards to southern mule deer. Reptiles and small mammals are judged to be at greatest risk for direct impact because they move more slowly and likely would suffer greater losses during construction activities, while larger mammals and birds are more mobile and could possibly escape to somewhere else more easily. *Is the DEIR saying that reptiles, amphibians and small mammals would likely be sacrificed for this Project given their relative immobility?*

C2b-194

C2b-194 See response to comment C1m-2.

What are the population densities of amphibians, reptiles and small mammals that are likely to be extirpated by construction operations?

To where would birds and larger mammals be dispersed?

What are the territorial ramifications and chances of survival for these displaced species?



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For some of the anticipated species that were not observed during the directed surveys, e.g. the coastal California gnatcatcher, it appears that the timing of the directed surveys took place during the less than optimum periods of July and August, the extreme end of the season. Although still within the survey guidelines, they were conducted during a very dry year, which minimizes the chance of sighting such species on-site. **Since this was within the guidelines but a very dry year would a second survey be conducted on such a large acreage project?**

The surveys were also compressed into a two-week period [3 surveys on three consecutive Tuesdays], which minimizes the chance of observing the gnatcatchers. **Why were such directed surveys conducted so late during a dry year? Why were the surveys scheduled in such a compressed time period at the end of the season?**

While reviewing the Attachment 1, Post-Survey Notification of Focused Surveys for Least Bell's Vireo [LBV] for the I-15/395 Master-Planned Community MPA, it was noticed that Figures 1, 2, & 3 indicate a much reduced Project area and boundary for the least Bell's vireo survey than is expected for the present Project. This seems to indicate that the survey was completed on a Project site that significantly differs from the present Project. **How can the cited survey be appropriate and complete for the present Project?**

The addition of considerable acreage since the May, June, & July 2011 LBV surveys means that the additional areas were not properly or adequately surveyed for least Bell's vireo. **Will the applicant re-survey these new areas included in the present Project during the appropriate breeding season?** The wetlands that are appropriate habitat for this species extend into the subsequently acquired acreage not represented on the submitted map.

Further, the Project boundaries shown to include the survey areas mapped in the Biological Resources Report for the coastal California gnatcatcher do not match the present Project boundaries. The survey maps [Figures 1, 2, & 3 of Attachment 2, Post-survey Notification of Focused Survey for Coastal California Gnatcatcher, I-15/395 Master Planned Community MPA] indicate a much reduced Project area and boundary for the gnatcatcher survey than is expected for the present Project. This seems to indicate that the survey was completed on a Project site that significantly differs from the present Project. **How can the cited survey be appropriate and complete for the present Project?**

The addition of considerable acreage since the July/August 2011 gnatcatcher surveys means that the additional areas were not properly or adequately surveyed for gnatcatchers. **Will the applicant re-survey these new areas included in the present Project?**

The Report suggests that although these anticipated species, and others not listed in the Report, would be impacted by habitat loss caused by grading, construction, and human occupation, it finds that the impacts would be:

"...less than significant given the wide ranges of the species and the fact that the project does not contain a regionally significant population of these species." How can that be possible to arrive at this conclusion?

C2b-195

C2b-195 See response to comment C1m-2.



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The analysis fails to:

1. Demonstrate with data or suggest what a regionally significant population for any of the cited species is;
2. Does not estimate the on-site population density of any of the cited species to allow a comparison of the site to the region;
3. And, does not explain how the scope of a species' range can exempt the loss of a local population. The loss of local populations or portions of local populations within a species' range does not affect the notional range of the species necessarily, but does have significance in reducing the regional population of a species within the range boundaries.

Do the ranges they refer to include urban as well as undeveloped areas, agricultural as well as natural areas, and what is their extent and density?

Within cismontane San Diego County, most habitats and wildlife populations have a mosaic distribution as a result of human occupation and transportation corridors. *To what extent has the historical range of any of these species already been diminished, making even small, local populations, like those on-site, significant?*

On what basis was the determination made that on-site populations of the 13 species were not consistent with other significant local or regional populations?

Given the mosaic distribution of those 13 species within the county and southern California, how does the Report distinguish the Project's on-site populations as being insignificant compared to other off-site populations that may be deemed significant?

There was no data presented that showed any quantitative or qualitative measure of the significance of the on-site population sizes of the 13 species, or their relationship or linkage to nearby off-site populations. WHY? The fact of their presence suggests that there is some significance. With the paucity of data presented can we reasonably conclude that 'on-site populations' are not a significant part of a larger regional population?

The edge effect impacts noted by the DEIR (i.e., noise, lighting, invasive plants, grading encroachments, proximal human presence, etc.) to these 13 sensitive species are stated to:

"...be less than significant considering the number of individuals of each species to remain after implementation of the project would be low."

However, since the Report has not quantified:

1. The existing on-site population densities;
 2. The population density thresholds that are deemed significant;
 3. Or, the expected on-site population densities after construction of the Project,
- How can the Report establish that the impacts are "less than significant?"

Are there data that have not been reported?

C2b-196

C2b-196 See response to comments C1m-3 through C1m-9.



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Should not the Report have presented an objective basis for the threshold of significance?

The Project would directly impact eucalyptus woodland, orchards, and oak woodlands. ***This would result in the direct loss of functional nesting habitat for raptors. The Project could also indirectly impact nesting raptors that remain on-site or adjacent to the Project through edge effects, such as close human occupation, noise and lighting why was this information not included in the report?***

Further, construction operations, blasting for years also have the potential to disrupt nesting and breeding among raptors. Raptors are protected, as a group, by California Fish and Wildlife codes. The DEIR suggests that this disruption could be mitigated by scheduling construction outside of raptor breeding season, implementing some sort of noise attenuation measures or conducting surveys to impose construction avoidance measures. ***How is this to be achieved?***

Would the applicant, or the County, seriously consider limiting construction to the August to December portion of the year? What are the limits of effectiveness of the hinted at attenuation measures? And, since phase one of the Project surrounds the principle open space and raptor nesting corridor being proposed for the Project, would the applicant actually limit construction near that nesting area? Or, would the applicant mitigate the mitigation by trying to survey the potential impact out of existence?

The DEIR asks the reader to "Refer to Table 1-3, Project Design Considerations, in subchapter 1.2.2 for more details" about preconstruction nesting raptor surveys and complete avoidance measures. The Table of Contents directs the reader to "Table 1-3, Summary of Additional Project Design Considerations, page 1-34," however, the table is missing from that page and every other page in section 1.2. Is this information available somewhere else? And, if so, where?

Does this missing table information address the effects on nesting raptors from blasting?

Will the blasting component of the grading be timed to avoid nesting periods of raptors?

Blasting activities are likely to have a much more dramatic affect on nesting birds at a much greater distance than the apparently less significant rumbling of bulldozers and earthmovers. ***Despite a lack of data to inform the public on the decibel contours that raptors find irritating enough to preclude breeding, the DEIR reaches the conclusion that, "raptor nesting impacts would be less than significant. This is incongruent with the information presented. How is this done?"***

The DEIR addresses raptor foraging areas saying,

"Almost all of the on-site habitats are suitable for raptor foraging. The project would directly impact 538.29 acres of the 610.76-acre site [reportedly, it is 608-acres], which is 88% of the raptor foraging habitat on-site. This would result in the direct loss of foraging habitat for raptors. The project could also indirectly impact foraging habitat that remains on-site or adjacent to the project through edge effects..." [underline added]

C2b-197

C2b-197 See response to comment C1m-10.

C2b-198

C2b-198 See, Response to Comments C1m-10, C1m-11 and C1m-12. The referenced measure does address the effects of blasting. If an active raptor nest is within 500 feet of a blasting location then the blasting activity would have to occur after the young have fledged. If possible, the blasting component of the grading would be timed to avoid the raptor nesting period. Any blasting that must occur during the raptor breeding season must comply with the raptor breeding season restrictions if an active nest is discovered within 500 feet of the construction activity. Implementation of the measures designed to avoid impacts to active raptor nests would reduce any impacts on raptors to a level below significant.

Native habitat areas and grasslands provide the highest quality raptor foraging land and the project would mitigate the loss of these types of habitats. Raptors in the area would adjust their foraging area to include un-disturbed lands surrounding the project site.

Table 1-3 can be found on page 1-49 of the FEIR.



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The DEIR goes on to say that the impact of the Project to the raptor foraging areas is more than 5% of the foraging habitat on-site. And yet, this declared significant impact to 538-acres of forage area would be mitigated by phasing the purchase or designation on-site of mitigation acreage based only on the native vegetation lost to the Project [about 81-acres or 15% of the total], not the agricultural lands to be sacrificed to the Project. *How is this possible?*

As the DEIR says, raptors make significant, and productive use of the orchards, vineyards and row crops present on the Project site for foraging. *Why would the applicants not have to mitigate the loss of forage area represented by the agricultural lands on-site as well?*

Is the applicant saying that raptors, with 608-acres on which to forage, can 'get by' with a small percentage of the present foraging acreage at a new mitigation site?

Will the edge effects caused by the presence of the Project on-site (i.e., noise, lighting, proximal human presence, dogs, cats, etc.) render any attempted on-site mitigation of foraging area loss within the planned 102-acres of open space less than significant?

The DEIR says such edge effects may compromise on-site mitigation. *And if that is true, how will such effects be monitored and mitigated?*

And, do these types of edge effects render the planned designated open spaces ineffective for the purposes they are being set aside?

The on-site restoration of wetlands may be seen as possible and acceptable mitigation by the applicant and the county, but since the entire 608-acres has been functioning as raptor foraging area heretofore, the idea that any of the 608-acre Project site could be used to mitigate the loss of that same foraging area is an exercise in double-counting will that be done?

Table 1-2 in Chapter one of the DEIR shows the grading quantities by phase to be cut and filled. According to this table, the first two phases will have deficits of fill compared to the amount to be cut in each those phases. Since the applicant claims that the 4-Million cubic yards of earth to be moved on the Project site will not require import or export to or from the site, borrowing from future phases will be necessary. Will the applicant adjust the timing and purchase of mitigation acreage to accommodate the borrowing of fill from future phases that will prematurely impact raptor foraging during the earlier phases?

Will that grading activity in future phases adversely affect raptor nesting in the earlier phases as well as the future phase that is to make up the fill deficit?

Black-tailed jackrabbits were observed on-site. While a 'species of concern', the DEIR suggests that the impact to this species is less than significant, largely because it is judged [without data] to have a less than significant local population. Finding a black-tailed jackrabbit anywhere in northern San Diego County is becoming exceedingly rare. To suggest insignificance for this species, the authors of the DEIR should cite census data showing that the individuals observed on the Project site are not the last remaining members of the species in the north county region. It is possible that the population on the Project site is the last within the region. *How can this be justified as less than significant?*

C2b-198 cont.

C2b-199

C2b-200

C2b-201

C2b-199 See response to comments C1m-13 and C1m-14.

C2b-200 See response to comment C1m-15.

C2b-201 See response to comment C1m-16.



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It is noted that the Project will be pumping ground water from existing wells on-site. Since the open space riparian woodlands that run nearly the length of the Project and transect it at several points are dependent on adequate ground water to support the oaks, willows and other riparian species, how will the applicant manage the long term ground water levels in the open spaces? How will the drawdown of the projects wells impact other agricultural wells in the area? Where is the study?

The applicant is proposing to hand off those riparian open spaces to another agency of some sort [still unnamed]. Will that eventual agency share responsibility and authority over the wells that will have a direct impact on the ground water availability for the riparian habitats?

In the event of a drought, will the managing agency be able to restrict ground water pumping for the benefit of the open spaces?

What will be the mechanism of implementing such a restriction?

Will the managing agency have priority on ground water for irrigation to benefit the created and restored wetlands being offered as mitigation for the destruction of other wetland areas after the five-year establishment period?

2.5.2.2 – Issue 2: Riparian Habitat or Sensitive Natural Community [M-Bio-2]

The DEIR's analysis of the impacts to riparian habitat or sensitive natural communities concludes that there will be significant impact and recommends that a Resource Management Plan [RMP] be prepared before the issuance of grading permits.

Are there unknown factors that prevent the RMP from being prepared for release along with the DEIR and related documents beyond a conceptual treatment? So much of what is presented in the Specific Plan for this Project is conceptual or a possible, but undeclared, choice among several alternatives that it is difficult to consider a conceptual RMP as anything more than a suggestion.

The wetland restoration and development areas [= open spaces] are biologically surveyed and mapped. *Why is the plan not already developed?*

The DEIR is to relate meaningful, specific information in a way that the public can understand and to which it can respond. Delaying the development of the RMP until after Project approval hides the resolution of a significant impact from the public until there is much less, if any, chance of commenting meaningfully why is this delay acceptable to the County?

Further, the DEIR is not clear on what entity will own and manage the proposed open space easements on which important habitat creation or restoration will take place, suggesting the possibility of a private conservancy, the County, or some other experienced entity. *Which is it?*

C2b
-202

C2b-202 See response to comment C1m-17.

C2b
-203

C2b-203 See response to comment C1m-18.

C2b-204 See response to comments C1m-19 through C1m-21.



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How will these easements be financed into the future? The DEIR is indefinite about endowments or Community Facility District formation or some other finance mechanism.

How will the applicant ensure the financial stability of the open space easements in perpetuity without burdening County taxpayers?

C2b-203
cont.

JURISDICTIONAL WATERS AND WATERWAYS [M-BIO-3 and M-BIO-4]

The DEIR identifies significant impacts to jurisdictional waters caused by the Project and proposes to mitigate that loss with restoration of degraded wetlands and creation of new wetlands adjacent to the existing wetlands on-site in open space areas.

The re-vegetation plan presented as M-BIO-4 is not clear regarding its success criteria. That plan requires 80% transplant/container plant survival in year 1. *Is the allowance of 20% plant failure in year 1 made up in year 2 with replanting?*

Is the required native plant cover percentage in year 2 based on percentage of total plant cover, including non-native species? Or, is it a requirement that 50% of the total surface area must be covered with native species?

Similarly, is the 50% diversity requirement in year 2, diversity of native species versus non-native species? Perhaps a better question is how does one arrive at a percentage of diversity?

And, what is the meaning of the density percentage compared to the cover percentage?

What is the proposed methodology for determining these parameters? Quadrats? Transects? Estimation? The Biological Resources Report is uncertain which would be employed.

Shouldn't this plan be presented in a more complete and understandable form?

The Report acknowledges that the open space areas within the Project would be largely confined to the drainage courses that the Project will avoid [Biological Resources Report 3.2.8, p. 81]. The Report describes the open space areas as "...narrow and mostly surrounded by development except along the western and southern boundary of the project." The Report also suggests that significant edge effect impacts on the proposed open space areas of the Project would result from increased human access, potential increases in predation/competition on native wildlife from domestic animals, potential increases in invasive plant species or other domestic pests, alterations to natural drainage patterns, potential noise effects and potential effects on wildlife species due to increases in night time lighting. These significant impacts would most affect sensitive riparian birds, but, the DEIR says,

'habitat quality, functions and values would likely decrease also.'

C2b-204

C2b-204 See response to comments C1m-19 through C1m-21.



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So, shouldn't the Report and DEIR also conclude that species other than birds [mammals, reptiles, amphibians, etc.] would suffer from the degraded habitat quality and propose mitigations directed at those other species?

Surprisingly, the Report asserts, that these significant edge effects can be mitigated by a 50-foot buffer around the preserved wetlands in the on-site biological open spaces. A 50-foot buffer poses little challenge to domestic animals, children or adults, night lighting, invasive plant species or other domestic pests. Adding fencing and signage is only marginally helpful. *How will the applicant ensure the integrity of the preserved wetlands and open space in the face of these significant impacts?*

How will the mitigation of these impacts be monitored and adequately enforced?

Why is there no definitive plan described in the DEIR that addresses how these preserved wetlands will be secure from the reported threats?

What was the basis for dismissing the significant impacts by simply adopting a 50-foot buffer?

There will be trails within the limited building zone [LBZ]. How will the LBZ address the edge effects cited?

C2b-204 cont.

2.5.5.3 Wildlife Movement and Nursery Sites

The DEIR says that the impacts to wildlife movement and wildlife nursery sites would be less than significant and no mitigation is required. However, riparian woodland and wetland corridors are the conduits for movement of many animal species. The principal drainage for the Project and its surrounding area runs along the western edge of the Project site with multiple tributary drainages running through the Project in southwesterly directions toward the principal drainage. This drainage system, and its associated wetlands and riparian woodlands, offers transit corridors for the animals inhabiting the Project site as well as neighboring properties.

However, the Project is proposing culvert pipes under the roads that transect the wetland corridors that will range from 18-inches to 54-inches in diameter. Six of the seven wetland crossings are proposed to have culverts of 18- to 30-inches diameter. These culverts are too small to allow effective transit by wildlife and will impose barriers to movement. To be effective transit elements under the roads crossing the wetlands and to encourage wildlife to avoid crossing the surface of the roads, such culverts should be a minimum of 54-inches to accommodate larger mammals. *What is the basis for proposing smaller pipes? Bridging should be considered for several of the crossings why was this not included in the plan?*

While these corridors have not been 'designated' in the draft MSCP/PAMA plans for the County, they perform the same function in the area of the Project site as the corridors delineated in the MSCP/PAMA plan, only on a more local, or secondary scale. To say that their destruction is less than significant must depend on whether the on-site and nearby off-site populations can be quantified as significant or not. That has not been done. WHY NOT?

C2b-205

C2b-205 See response to comment C1m-22 and C1m-23.



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However, given the scope of the Project, likely any local value of these drainage wetlands as transit corridors will be compromised by the edge effects caused by the Project and the direct impacts caused by road crossings within the Project. What objective assessment has been done to determine the significance of these impacts, if any?

As for nursery sites, of the 13 Group 1 species observed on-site, 6 are reptiles or mammals. The seven bird species would likely nest in the riparian woodland or orchard areas. Why is this not significant?

C2b-205 cont.

2.5.5.4 Local Policies, Ordinances, Adopted Plans

The DEIR suggests that the Project would comply with several County, State and Federal policies and laws relating to biological resources. However, the DEIR notes that under the Natural Community Conservation Plan [NCCP] for coastal sage scrub [CSS] vegetation, there is no *de minimis* limit for significance. Yet, there is no data to support the conclusion that the 17-acres of CSS to be removed by the Project is insignificant, even in the face of the California Department of Fish and Wildlife's estimate that in the five county southern California region covered by NCCP, approximately 85 to 90 percent of the historically occurring CSS has been extirpated. The DEIR seems overly casual about designating this 17-acres of CSS as insignificant. And, interestingly, the NCCP plan for San Diego County will be manifested in the still draft MSCP/PAMA.

So, what are the ramifications for mitigation if the draft MSCP/PAMA is not approved?

Will there be a significance threshold established in the MSCP/PAMA for CSS if it is approved?

Doesn't the nibbling away of CSS, even when in small stands, inexorably work against the principles of the NCCP CSS program?

At what acreage does a stand of CSS become significant without a delineated animal species observed on-site?

C2b-206

C2b-206 See response to comment C1m-24.

CUMULATIVE EFFECTS

The Report and DEIR pay little attention to the cumulative effects of the Project on regional biological resources. The Report and DEIR focus on effects within the boundaries of the Project with little acknowledgement of the ramifications of this Project on the County as a whole or the Bonsall and Valley Center Planning Area. The Report cites 8 projects that were compared and evaluated against the proposed Project. The review asserts that the majority of the impacts generated by this collection of historic, current and planned projects were to agricultural lands, with little to no impacts to native upland or riparian habitats.

Of course, the Report makes that statement with some satisfaction, apparently not realizing that the loss of agricultural land is contrary to one of the County's General Plan Guiding Principles, as well. Further, all eight of the referenced properties in Table 7 [p.84] are much smaller than the proposed Project, the largest being 44.2-acres and the smallest 5-acres. All are within a few miles of the proposed Project and all are planning parcels larger than 2-acres, some as large as 4-acres in compliance with the present county General Plan and the Bonsall and Valley Center Community Plan. The proposed Project does not comply with the county's General Plan or the Bonsall Community Plan in this regard.

C2b-207

C2b-207 See response to comment C1m-25.

Additionally, the project is consistent with the General Plan and Bonsall Community Plan regarding agricultural issues. Specifically, the project is consistent with General Plan Policy COS 6.2 and 6.3. Homeowner association regulations for the project will require new residents to recognize and acknowledge the existence of agriculture in surrounding areas, limiting their ability file nuisance complaints. The site plan has been designed to, where feasible, locate open space or large lots adjacent to existing agricultural operations. The FEIR subchapter 2.4 and Agricultural Resources Report include mitigation measures to ensure that no significant impacts to existing agriculture will occur. Please also refer to Letter F, responses to comments 44, and 58.

A County-wide study of cumulative agricultural resources is beyond the scope of the project.



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Bonsall has lost 804 acres of agriculture based on the General Plan specific requests and this project appears to be consistent with the “new” goal of developing all agriculture into residential. *Why when the General Plan states it wants to support agriculture would this project even be considered?*

The comparison doesn’t seem an apt one for analyzing regional cumulative effects. If we take San Diego County as the ‘region’ or even North San Diego County as the region, we should be looking at the historic extent of coastal sage scrub, southern mixed chaparral, southern coast live oak riparian woodland, coast live oak woodland, southern willow scrub, southern willow riparian woodland, and wetlands within that area compared to what exists today. We should then ask to what extent have these vegetation communities been extirpated and to what extent the remaining examples of those communities have significance. Comparing proposed destruction in one project with destruction that has or will result in a handful of other smaller projects isn’t an effective measurement of cumulative effects. *Will the county examine meaningful cumulative effects within the entire county or, at least, within the northern part of the county?*

C2b-207 cont.

The County’s Project Alternatives Analysis in Chapter 4 of the Lilac Hills Ranch DEIR is grossly defective in meeting CEQA requirements in five areas that are summarized below:

1. The DEIR Objectives against which the Alternatives are judged for Environmental Impacts are biased and should be changed to equitable Objectives, from which compliance against can be fairly measured.
2. The Project does not meet its own Objectives, when fairly assessed.
3. There is a valid offsite alternate – the Downtown Escondido Specific Plan Area (SPA) that needs to be included as an Alternate.
4. The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternates. These three “Alternates” are density variations of the Project. These Alternates are also not described in enough detail to provide informed Environmental Impact Analysis.
5. The Alternates were not fairly assessed in the DEIR by the Applicant.
6. When all eight Alternates are fairly assessed, the Downtown Escondido SPA meets more Objectives than the Project or any Alternates.

C2b-208

C2b-208 The introductory comment relating to the project’s alternatives is noted. Please refer to the response to comments C2b-36 through C2b-60, below, for complete responses to the issues raised.

Overview

The Lilac Hills Ranch Project Alternates from Section 4.0 of are below:

1. No Project/No Development Alternative
2. No Project / Existing Legal Lot Alternative (49 EDU + no commercial)
3. General Plan Consistent Alternative (110 EDU + no commercial)
4. Reduced Footprint Alternative (1251 EDU + 6 acres of commercial)
5. Reduced Intensity Alternative (881 EDU + 5.6 acres of commercial)
6. 2.2C (Hybrid) Alternative (1365 EDU + 15.3 acres of commercial)

C2b-209

C2b-209 The introductory comment relating to the project’s alternatives is noted. Please refer to the response to comments C2b-36 through C2b-60, below, for complete responses to the issues raised.

There are no issues with the either the selection as an Alternate or analysis performed for the No Project/No Development Alternative, No Project / Existing Legal Lot Alternative, and General Plan Consistent Alternates. *Why is this DEIR so incomplete and when will an alternate be considered such as the Escondido project?*



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INCONSISTENCE WITH GENERAL PLAN & COMMUNITY DEVELOPMENT MODEL

There is a full Environmental Impact for these Alternatives provided by the San Diego County General Plan dated August 3, 2011. All three of these alternatives were in the baseline (or close enough for measurement error) for the General Plan. The relevant Environmental Impact has been disclosed and analyzed in sufficient detail as part of the recent General Plan process.

The Communities of Bonsall and Valley Center support the General Plan Consistent Alternative as the proper land use and zoning for this Project. The 110 unit residential density with A70 zoning is the maximum density land use that the Circulation Element Road Network will support without Direct Development Impact.

1- DEIR Objectives are biased and should be changed WHY WAS THIS ALLOWED?

The legal adequacy of selecting many of the eight Project Objectives does not conform to the requirements of the California Environmental Quality Act (CEQA).

2- The Project does not meet its own Objectives, when fairly assessed WHY WAS THIS ALLOWED?

Consistency with Objective One – **THE PROJECT IS INCONSISTENT WITH OBJECTIVE ONE**

The full text of Objective One is below:

“Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County’s Community Development Model for a walkable pedestrian-oriented mixed-use community.”

The proposed Lilac Hills Ranch Subdivision is a classic urban sprawl development. All of the transportation will be via automobiles, and the existing and proposed Project post-construction road infrastructure does not support the 9 fold increase in traffic and related Direct Development Impact the Project generates to the public road network.

A fundamental premise of Smart Growth is to lower automobile dependency as compared to average Development. The Accretive proposed Lilac Hills Ranch Development does not comply with Smart Growth Principles.

The SANDAG average miles/trip for all of San Diego County is 5.8 miles/trip.

The Accretive Urban Sprawl (AUS) project is proposing an automobile based urban sprawl community that even with exceedingly high internal trip rates is 47% higher than the San Diego County average (8.52/5.8) trip distance.

C2b-209 cont.

C2b-210

C2b-210 See response to comment C1s-2.

C2b-211

C2b-211 See response to comment C1s-3.



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How is the Lilac Hills Ranch project proposed development Smart Growth?

The ONLY mass transit that exists is the North County Transit District (NCTD) Bus Routes 388 and 389. The closest access is at SR 76 and Old Highway 395, a minimum 4 mile trip north from the project site. These routes run eight times a day and mainly link the Pala, Pauma, Rincon and Valley View Casinos to the Escondido Transit Center. If you are going to a regional shopping center or work center, you must take a 30 minute bus ride to the Escondido Transit Center and transfer to another route. The mass transit system only works if you are a Casino patron.

This Project is not consistent with the San Diego County Community Development Model. It is Inconsistent with the Community Development Model which a subset of the San Diego General Plan. **Why does the first Objective ignore the balance of the General Plan?** Because the Proposed Project is patently inconsistent with the San Diego County General Plan, as well as the Community Development Model within the General Plan.

Consistency with Objective Two – THE PROJECT IS INCONSISTENT WITH OBJECTIVE TWO

The full text with comment areas is below:

“Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area.”

“in a manner that encourages walking and riding bikes” - With 10 Exceptions to Road Standards, the Covey Lane/West Lilac and Mountain Ridge/Circle R intersections, and the traffic load the Project will throw on internal and external roads, **who will take the risk of walking or riding a bike?**

“public services and facilities that are accessible to residents of both the community and the surrounding area” - There are two issues with this statement.

The first issue: **what are the public services and facilities in this Project? A vague statement about a K-8 school site without any commitment to financing or endorsement by the School District, a vague description of the minimum acreage of Parks the County requires? Does the undefined Commercial content include a Supermarket or community market? A restaurant of any kind? A retail gasoline service station?**

The second issue: “accessible to residents of both the community and the surrounding area” – Accretive’s Traffic Impact Study does not show an influx of non-residents to the area. **Is this because the Applicant is overly optimistically portraying the true Traffic Impact and related Direct Development impact of this Project?**

Consistency with Objective Three – THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE EQUALLY INCONSISTENT WITH OBJECTIVE THREE

C2b-211 cont

C2b-212

C2b-213

C2b-212 See response to comment C1s-4.

C2b-213 See response to comment C1s-5.



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The full text is below:



“Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers.”

All Alternates are required to have a Discretionary Permit approved (including a Map approval for the General Plan Compliant Alternative) that must comply with this Objective.

Consistency with Objective Four – THE PROJECT IS INCONSISTENT WITH OBJECTIVE FOUR

“Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff.”

There are three issues with this Objective. The first issue is that the Objective is so vague and subjective that compliance is not measurable.

The second issue is with the statement: “Integrate major physical features into the project design, including major drainages, and woodlands”

How is taking 608 acres of Rural Land primarily involved in Agriculture, disturbing 440 acres, and creating large areas of impermeable surfaces consistent with this Objective? The Project includes 83 acres of road surface and 68 acres of manufactured slopes. Is it desirable to increase storm water runoff volume and velocity with impermeable surfaces? Does introduction of large quantities of urban surface water runoff Total Dissolved Solids and Pathogens benefit the woodlands?

The third issue is with the statement that follows: “creating a hydrologically sensitive community in order to reduce urban runoff.”

Accretive is proposing disturbing 440 acres of 608 total acres of rural farm land and populating a high percentage of the 440 acres with impermeable surfaces. *Is this what a hydrologically sensitive community is?*

Consistency with Objective Five – THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE FIVE

The full text is below:

“Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area.”

Any Project required to have a Discretionary Permit approved (including a Map approval for the General Plan Compliant Alternative) must comply with this Objective.

Consistency with Objective Six – THE PROJECT IS CONSISTENT WITH OBJECTIVE SIX BECAUSE THE OBJECTIVE IS BIASED IN FAVOR OF THE PROJECT EXPLAIN WHY THIS OBJECTIVE IS CONSISTENT?

C2b-213 cont.

C2b-214

C2b-215

C2b-216

C2b-214 See response to comment C1s-6.

C2b-215 See response to comment C1s-7.

C2b-216 See response to comment C1s-8.



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The full text with comment areas highlighted is below:



“Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing.”

In this Objective, the County re-brands dense Urban Sprawl as a desired attribute. The General Plan Alternate does not meet this objective, because it does not have Urban Density mixed use and senior housing.

This Objective is another example of where the County has structured the Objectives of the EIR so narrowly with an intended bias such that only the Lilac Hills Ranch Project as proposed by the Applicant can fulfill the Project Objectives. This approach leads to a self-serving and biased environmental analysis. *Why is this acceptable?*

Consistency with Objective Seven – THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE SEVEN

The full text is below:

“Provide the opportunity for residents to increase the recycling of waste.”

Having an on-site recycling facility is not the sole opportunity to increase recycling of waste. The huge amounts of waste the Accretive Urban Sprawl (AUS) requires creation of a recycling center to reduce trash truck route miles such that the project perhaps marginally complies with Traffic Level of Service on trash day.

All of the Alternatives comply with this Objective equally.

Objective Eight – THE PROJECT AND MOST ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE EIGHT

The full text is below:

“Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses.”

Developing the Project at General Plan densities and preserving agriculture and residential based businesses (such as the existing Accretive Agricultural Operations Office located on 32444 Birdsong Drive) on the same or nearby Parcels achieves this Objective perhaps better than the Proposed 1746 EDU Accretive Urban Sprawl Project.

3 - A valid offsite alternate – the Downtown Escondido Specific Plan Area (SPA) has been deficiently ignored.

There exists a reasonable off-site CEQA compliant Alternative to this Project – the 1746 EDU and 90,000 sq. ft. mixed use Escondido Downtown Specific Plan Area (SPA) Project.

C2b-216 cont.

C2b-217

C2b-218

C2b-217 The County agrees with the commenter’s concern, and as a result the FEIR was revised on page 1-1.

C2b-218 See response to comments C1s-10 and C1s11.



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The City of Escondido SINCE 2007 has been developing an infill redevelopment mixed use Downtown Specific Plan Area (SPA) less than 14 miles south from the proposed Lilac Hill Ranch project. The Escondido Downtown SPA has a (City of Escondido) General Plan build-out Equivalent Dwelling Unit increase (EDU) of 5,275 EDU plus additional mixed use commercial uses.

Unlike the Accretive Project, the Downtown 1746 EDU Escondido Equivalent Project **meets Smart Growth and LEED-ND location requirements**, because it is an infill development with requisite infrastructure **truly within walking distance of the Escondido Transit Center** which has access to the Sprinter Train as well as being a hub for North County and Metropolitan Bus lines. Additionally, this location is less than a mile from access to I-15.

The project has existing medical, school, fire, police, and most importantly, Circulation Element Roads and mass transit. The Air Quality and Greenhouse Gas impacts of siting the project in Downtown Escondido are orders of magnitude less than the proposed project site in rural greenfield agricultural lands.

The impact on Biology, Agriculture, and Community are non-existent. The Escondido Downtown SPA supports a project of equivalent size to the proposed Accretive Lilac Hills Ranch project and is consistent with both the City of Escondido General Plan and the County of San Diego General Plan.

The Downtown Escondido SPA also provides a more viable solution for senior living facilities, including Assisted Living, because it is within two miles from the two Palomar Hospitals and major medical facilities.

The Downtown Escondido SPA document is available at the following link.
<http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/DowntownSpecificPlan.pdf>

Please also compare the Escondido Downtown SPA level of specificity and completeness of design to that of the Accretive Lilac Hills Ranch Specific Plan. The *interim* Escondido Downtown SPA is more complete than the Accretive Lilac Hills Ranch Specific Plan.

The EIR for this project cannot exclude the Downtown Escondido SPA Alternate and comply with the California Environmental Quality Act.

4 - The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternates

These three "Alternates" are density variations of the Project. These Alternates are also not described in enough detail to provide informed Environmental Impact Analysis. Table 1 below displays all of the information provided in the DEIR with the exception of a one page map for each Alternate:

C2b-218

C2b-219

C2b-219 See response to comment C1s-12.



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Land Use	Table 1 -Scant Attributes of 3 Alternates Provided							
	Project		Reduced Footprint		Reduced Intensity		2.2 C (Hybrid)	
	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/Sq. Ft.
Single Family Detached	158.8	903	142.1	783	275.5	881	177.0	792
Single Family Senior	75.9	468	71.1	468	0		75.9	468
Single Family Attached	7.9	164	0		0		4.3	105
Commercial/Mixed Use	15.3	211			6.0		15.3	
Water Reclamation	2.4		2.4		2.4		2.4	
RF/Trailhead	0.6		0		0.6		0.6	
Detention Basin	9.4		5.4		5.5		5.5	
School Site	12.0		9.0		0		12.0	
Private Recreation	2.0		0		0		2.0	
Group Residential/Care	6.5		0		0		6.5	
Institutional	10.7		10.7		10.7		10.7	
Park - HOA	11.8		10.0		3.0		11.8	
Park - Dedicated to County	12.0		6.0		9.0		12.0	
Biological Open Space	103.6		168.8		102.7		103.6	
Non-circulating Road	45.7		45.7		41.5		43.1	
Circulating Road	37.6		37.6		21.5		30.0	
Common Areas/Agriculture	20.2		20.2		65.0		45.0	
Manufactured Slopes	67.5		67.5		65.0		50.0	
Other/Accretive Math Error*	8.1		5.5		0		0.3	
Total	608.0	1746	608.0	1251	608.0	881	608.0	1365

* Table 4-1 from DEIR Chapter 4 Project Alternatives has the indicated arithmetic errors

sq. ft. = Square Feet
HOA = Homeowner's Association

C2b-219 cont.

The major observation from independent experts is that these three Alternate are linear scaled variants of the project with inadequate detail to assess Environment Impact.

Why are these Alternates described so inadequately or not at all? The Applicant's information has multiple math errors (refer to Attachment B – Table 4-1 from DEIR Chapter 4 Project Alternatives). The only other information provided is a one page Map that in two Alternatives did not even perform lot allocation (Attachment C- Reduced Footprint Map and Attachment D- Reduced Intensity Map).



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This is a deficient level of detail to assess Environmental Impact. *Where in any of the text is the definition of Commercial uses and zoning?* Despite the naive arm waving in DEIR Chapter 4, traffic impacts are not fiscal mathematical relationships. And the list of similar issues to Traffic is very long. *The proposed request for the 10 road modifications is not legally defensible by the County and as a tax payer I want to know why this is even considered?*



In the interest of brevity, this is inadequate information to make an informed Environmental decision.

5 - The Alternates were not fairly assessed in the DEIR by the Applicant.

Table 2 below rates scoring of Alternates *against the Applicant's biased eight Objectives*. The rationale for assessing the Project is contained in Item 2. The three variant Alternates are scored the same as the Project, except for the 2.2C Hybrid Alternate. The 2.2 C Hybrid Alternate includes Senior Housing, so it scores one Objective higher than the other two.

TABLE 2 - COMPARISON TO PROJECT OBJECTIVES

Objectives	Project	Alternates							
		Downtown Escondido SPA	No Project/No Development	No Project/Legal Lot	General Plan Consistent	Reduced Footprint	Reduced Intensity	2.2 C Hybrid	
1 - Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community	No	Yes	No	No	No	No	No	No	
2 - Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area	No	Yes	No	No	No	No	No	No	
3 - Provide a variety of recreational opportunities, including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers	Yes	Yes	No	No	Yes	Yes	Yes	Yes	
4 - Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff	No	Yes	No	No	No	No	No	No	
5 - Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area	Yes	N/A	No	No	Yes	Yes	Yes	Yes	
6 - Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing	Yes	Yes	No	No	No	No	No	Yes	
7 - Provide the opportunity for residents to increase the recycling of waste	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
8 - Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Total Number of Objectives Met	5/8	7/8	2/8	2/8	4/8	4/8	4/8	5/8	

Page 30 - 56

C2b-219 cont.

C2b-220

C2b-220 See response to comment C1s-13.

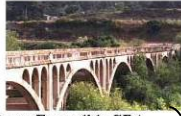


<http://www.sdcounty.ca.gov/pds/Groups/Bonsall.html>



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Clearly, the least Environmental Impact even to these biased Objectives is the Downtown Escondido SPA Alternate why was this not considered?

Summary and Conclusion

The County's Project Alternatives Analysis in Chapter 4 of the Lilac Hills Ranch DEIR is grossly defective in meeting CEQA requirements.

Objectives 1 and 6 need to be changed to eliminate the bias that the Applicant has intentionally created.

Additional information and studies need to be performed on the Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid Alternates.

The Downtown Escondido SPA Alternate accomplishes the same Objectives as the Project with orders of magnitude less Environmental Impact. This alternate is fully informed in the City of Escondido Downtown SPA Specific Plan and related documents,

Reference A: Escondido Downtown Specific Plan Area

<http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/DowntownSpecificPlan.pdf>

Attachment A: DEIR Project Objective Issues letter dated July 29, 2013

Attachment B – Table 4-1 from DEIR Chapter 4 Project Alternatives

Attachment C – 1251 EDU Reduced Footprint Map

Attachment D – 881 EDU Reduced Intensity Map

Attachment E – 1351 EDU 2.2 C Hybrid Map

City of Escondido May 2012 General Plan

Statement:

If we as lay people and not professional consultants can locate a project of this size that is a LEED ND and deffinetly qualifies as a SMART GROWTH project why was it not mentioned in the EIR and included in the EIR as an alternate?

C2b-220 cont.



<http://www.sdcounty.ca.gov/pds/Groups/Bonsall.html>



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Figure 11-3

General Plan (GP) Development Capacity						
	Single Family (Units)	Multi-Family (Units)	Retail (Square Feet)	Office (Square Feet)	Industrial / Other (Square Feet)	Open Space, Parks / Misc. (Acres)
2010 City Area in GP	31,107	16,477	13,001,000	4,091,000	12,389,000	9,000
2010 County Area in GP	6,450	0	0	0	0	3,500
2010 City and County Combined	37,557	16,477	13,001,000	4,091,000	12,389,000	12,500
Build out of City Area in GP	35,350	31,132	32,558,000	24,004,000	20,162,000	16,500
Build out of County Area in GP	7,800	0	300,000	0	0	4,500
Build out City and County Combined	43,150	31,132	32,858,000	24,064,000	20,182,000	15,000
2035 City Area in GP	32,875	24,133	17,886,000	9,628,000	15,467,000	9,500
2035 County Area in GP	6,950	0	150,000	0	0	4,000
2035 City and County Combined	39,825	24,133	18,036,000	9,628,000	15,467,000	13,500

Total City EDU in 2010 – 47,584

Total City Build out EDU in 2035 – 66,482 Increase of 18,898 from 2010. -11,886 more than the 54,596 included in the SANDAG 2050 forecast below

C2b-221

C2b-221 Reference material is included in the FEIR. No comment is required.

SANDAG 2050 GROWTH FORECAST (2030 WAS THE 8/3/11 SAN DIEGO COUNTY GENERAL PLAN BASILINE)



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Housing Characteristics (2010 Estimates)

Total Housing Units	47,682	100%
Occupied Housing Units	44,973	94%
Vacant	2,709	6%

Preliminary 2050 Regional Growth Forecast

	2000	2020	2030	2040	2050	% Change 2000-2050
Population	133,559	154,635	165,812	172,490	177,559	29%
Housing	45,050	50,370	52,954	53,738	54,596	19%
Jobs (incl. military)	49,716	66,803	71,331	73,451	74,915	48%

Source: SANDAG www.sandag.org last updated: October 2011

C2b-221 cont.

AGRICULTURE RESOURCES

2.4.1.1 Regulatory Framework

DEIR: Subchapter 2.4 Agricultural Resources

- Prime Farmland has the most favorable combination of physical and chemical features, enabling it to sustain long-term production of agricultural crops. This land possesses the soil quality, growing season, and moisture supply needed to produce sustained high yields. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to Natural Resources Conservation Service (NRCS) mapping. **The project site does not contain any land designated as prime farmland.**
- Farmland of Statewide Importance possesses minor shortcomings when compared to Prime Farmland, such as greater slopes and/or less ability to store moisture. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping.

C2b-222

C2b-222 See response to comments C1d-57 through C1d-59.

Comment: When was the definition of "prime farmland" updated in this area of San Diego County? It is clear that many farm operations are now employing greenhouse and nursery operations which require a much lower amount of irrigation as well as existing on-property soil quality. Imported soil amendments and tents are frequently used. A year-round growing season, characteristic of San Diego County, brings this land much closer to "prime farmland" as compared to farmlands in more inhospitable climates.



<http://www.sdcounty.ca.gov/pds/Groups/Bonsall.html>



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Comment: *In addition, this project will not be built for several-to-many years, particularly in its later phases. The nature of agriculture in America in general and San Diego County in particular will have changed and evolved by that time and so will the classification of the land. The usefulness of all lands in and near the LHR project will have "improved." It would be wise for the developer and those involved in this project to provide a wide-reaching study—regional, State, National & International—to demonstrate how others rate and use their farmlands.*

Comment: *Does "prime farmland" have a relative definition? The flatness of the mid-west and San Joaquin Valley obviously adds to the number of acres of "prime." So does the drainage aspect of the San Joaquin. However, San Diego County is rolling and hilly, leaving it a poor comparison to US "breadbasket" areas. Where are the detailed report that would redefine "prime farmland" relative to San Diego County? Please include how other entities—regional, State, National & International—view and define their "prime" farmland?*

DEIR: Subchapter 2.4 Agricultural Resources

- Unique Farmland is of lesser quality soils used for the production of the state's leading agricultural crops. Unique Farmland includes areas that do not meet the above stated criteria for Prime Farmland or Farmland of Statewide Importance, but that have been used for the production of specific high economic value crops during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods.

Comments: *Under the current trends towards nursery and greenhouse crops, all of the lands in this area would likely qualify as "Unique Farmland." The LHR project could dilute the effect and hamper the production of neighboring farmlands. In addition, since these types of productions are fairly new, it would be unwise and unproductive to consider past use alone, if at all. This area has the potential to continue to grow into a large and thriving industry of locally grown products. Please provide modern and wide-reaching studies—regional, State, National & International—of the characteristics of such operations nationally and internationally as well as the effect of dilution/disruption in urban and suburban proximate areas.*

Comment: *Rather than rating along the lines of history of having irrigated crops, would not it be more relevant to rate these lands in terms of proximity to other farmlands? Please expand your study to include other agricultural areas, nationally and internationally, and how they rate their multi-use farmlands, particularly in proximity to urban and suburban areas as well as the effect of having farmland uses grouped together vs. atomized.*

Comment: *Various reports and documents rate Bonsall and Valley Center's agricultural resources as important to the local economy. Please provide a further broad-reaching study depicting the potential disruptive and dampening effect this project will have economically on the Bonsall and VC area and SD County. Please give detailed justification for the likelihood that support of the LHR project contradicts the SD County Board of Supervisor's assertion that Bonsall and VC agriculture is important for the County economy.*

C2b-222 cont.

C2b-223

C2b-224

C2b-225

C2b-223 See response to comment C1d-60.

C2b-224 See response to comment C1d-61.

C2b-225 See response to comment C1d-62.



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Comment & Question: *It is difficult to know what future agricultural operations could begin in areas that surround this project. Limitations and restrictions of pesticide use could make many agricultural operations more costly or impossible. Considering current and future uphill agricultural battles such as the importation of overseas infestations and foreign competition, the existence of LHR in this area could severely inhibit this area economically? Please include regional, national and international scenarios.*

C2b-226

C2b-226 See response to comment C1d-63.

Comment: *Are effects of the project considered generally for surrounding areas: immediately, community & regionally? Please provide a study regarding this topic.*

C2b-227

C2b-227 See response to comment C1d-64.

DEIR: Subchapter 2.4 Agricultural Resources

The County has completed a contract with American Farmland Trust to help develop the Farming Program. The Farming Program is intended to create the framework for an economically and environmentally sustainable farming industry for San Diego County. The program, when adopted, will include land use policies and programs to keep land available and affordable for farming on a voluntary basis. It will also include economic development tools to help improve farm profitability.

C2b-228

C2b-228 See response to comment C1d-65.

Comment & Question: *What is the AFT's evaluation of this project and its effects upon the viability and continuance of this area for profitable farming into the future? Are there implications in this document of the potential effects of the LHR project?*

Comment & Question: *With a dense residential and multi-use project, restrictions on pesticide use will undoubtedly become more stringent, possibly crippling agriculture in the surrounding area. A detailed study documenting the likely restrictions on pesticide use for surrounding agricultural operations would be wise. As this area has been in agricultural operations for years where is the Phase I and Phase II documentation? How much soil will need to be taken from the site because of the contaminates in the soil? As the document states no soil will leave the site please provide detailed information on how many cubic yards will be removed from the site based on contaminates?*

C2b-229

C2b-229 See response to comment C1d-66.

2.4.2.2 Issue 2: Land Use Conflicts

Guidelines for the Determination of Significance
Based on the County of San Diego Guidelines for Determining Significance – Agricultural Resources (County of San Diego 2007c), the project would have a significant impact if it:

- Proposes a school, church, day care, or other use that involves a concentration of people at certain times within **one mile of an agricultural operation** or land under Contract and as a result of the project, land use conflicts between the agricultural operation or Contract land and the project would likely occur and could result in conversion of agricultural resources to a non-agricultural use;

C2b-230

C2b-230 See response to comments C1d-67 and C1d-68.

The report later goes on to deem the impact of the proposed LHR school as insignificant: "Because the project design locates the school site away from the project boundary (325 feet), and state regulations prevent aerial pesticide "drift" onto neighboring properties; indirect impacts associated with the proposed school would be less than significant WHY?. In addition, the future school site would include fencing and security gates to prevent unauthorized ingress or egress and eliminating associated trespass/vandalism conflicts."



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Comment: Regulations require schools to be further than 1 mile from agriculture operations. This school site is 325 feet from an existing operation. Avocado & Citrus are vulnerable to known and unknown (future) infestations. Inhibiting the freedom to spray pesticides, herbicides and fungicides could doom their operation or endanger the vulnerable population using the school site. Please provide more detailed studies concerning the proximity of "vulnerable" sites such as schools and agriculture operations from regional to international examples and the effects upon the surrounding agriculture operations and vice versa?

C2b-230 cont.

As Bonsall has learned in the last year about agricultural and church/schools clearly agricultural will take the hit and farmers will either need to change how they deal with infestations (spraying) or go out of business. *How will this regulation impact neighboring farms and their operations?*

Group residential or (GR) would include "Group Care" land uses with units for independent living, assisted living, and dementia care. With approximately 200 units within a 6.5-acre site, this land use type would be considered a sensitive receptor. The GR area borders off-site estate residential land uses to the east. The remaining three sides are internal to the project site: biological open space lies to the south, and SFS (age restricted single-family detached) is to the north and west. The nearest active agricultural operation to the GR would be approximately 2,400 feet to the southeast or 2,900 feet to the east. As shown on Figure 2.4-4, neither of these agricultural operations is subject to aerial spraying. Because of the distance between these land uses and the fact that no aerial spraying has historically occurred, **no significant impacts** are anticipated.

C2b-231

C2b-231 See response to comment C1d-69.

Comment: Still, within 1 mile. This would inhibit aerial spraying if a future such agriculture operations were proposed for this area. As requested above, please justify why the County is not requiring LHR to consider possible future uses as well as past?

Hazardous Materials Storage, p. 2.4-20 *Would this project create regulations that would include an on-site ban on aerial pesticide spraying, restrictions on the types of fertilizers that could be used, and limitations on the types of equipment and hours of operation of maintenance activities?* All pesticide and hazardous materials storage, on- or off-site would be required to comply with the state requirements and the applicable regulations enforced by the County Agriculture Weights and Measures. Notwithstanding storage protection measures and regulatory compliance, **significant impacts** could occur along the AAs identified above (Impact AG-12).

C2b-232

C2b-232 See response to comment C1d-70.

Comment: The restrictions upon proper cultural practices for grove management would endanger the viability of these LHR on-site agriculture operations. If these operations would cease (i.e. kill or damage the trees) because of these onerous restrictions, wouldn't the usefulness of these zones as barriers for this and other use conflicts be removed?.

Pathogens/Diseases, p. 2.4-20

Comment: The shot-hole borer is currently moving towards San Diego County from the north. It is lethal to citrus trees and has no cure, only careful agriculture cultural practices to prevent and manage its spread. The general public knows little about its spread or prevention. This makes management of these and any potential future pests nearly impossible. Please provide a study which compares its spread to agriculture operations from adjacent urban vs. rural and agriculture areas.

C2b-233

C2b-233 See response to comment C1d-71.



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Nighttime lighting & Agriculture

Comment & Question: *How could future possible agricultural lighting practices be affected by LHR? Please provide studies demonstrating various scenarios: effects of lighting incompatibilities from both directions.*

2.4.2.3 Issue 3: Indirect Conversion of Agricultural Resources p. 2.4-23 Cumulative impacts related to farmland conversion could also result from edge effects, including trespassing, pilfering of crops, and damaged farm equipment. The pressure, inconvenience, and increased costs of operating remaining farms in areas converting to other uses may render continued farming infeasible or, at least, heighten the attractiveness of selling other farms for development. *How does the applicant intend to fence the project "edge effects" from humans?*

Comment & Question: *The economic engine for this region has great potential, but is fragile. Dilution of actual land uses could further endanger the feasibility of the potency of this engine. Wouldn't it be wiser to encourage other uses that are compatible with agriculture instead of inhibitory ones such as the LHR project? Compatible uses could be: agriculture, breweries and wineries, and other food-processing and production operations, flowers and green house agriculture.*

Comment & Question: *Considering the importance of agriculture to the entire region, a study of agriculture vitality comparing the saturation of agriculture-compatible vs. agriculture-conflicting actual and potential land uses needs to be undertaken?*

GEOLOGY REPORT AND SUPPLEMENTAL GEOLOGY REPORT

The report is preliminary and there are many undocumented fills still to be investigated referenced in this report as 4.3.1.1 as "Artificial Fill and Undocumented (afu).

Excavation Characteristics 5.1.1 describe the need for blasting which cannot be quantified to determine the amount and length of time needed to do removals and ultimately placement of fills. Silicates potentially will be a hazard with regard to AQMD standards. *Where is the study on silicates and the travel of the particulates?*

Slope Stability and Remediation describe cut slopes 6.2.1 and fill (manufactured) slopes 6.2.2 in excess of seventy (70) feet in height. There are no seventy foot high manufactured slopes existing in this community which makes these proposed slopes out of character with the community. *As the Fire Department can't respond to slopes of this type how will public safety be considered?*

The off-site proposed improvements include but are not limited to the widening of West Lilac roads adjacent the Maxwell Bridge 700 feet, Old Highway 395 between Gopher Canyon and Circle "R" and Covey Lane from the intersection of West Lilac all have had minimal review. *Why the minimal review as these roads are essential to the access to the project?*

The installation of approximately 2570 feet of forced sewer main will require additional investigation and review once easements are established. *Have the easements been provided to install sewer mains?*

C2b-234

C2b-234 See response to comments C1d-72 and C1d73.

C2b-235

C2b-235 See response to comments C1d-73 and C1d 74.

C2b-236

C2b-236 See response to comment C1q-1.

C2b-237

C2b-237 See response to comment C1q-3.

C2b-238

C2b-238 See response to comment C1q-4.

C2b-239

C2b-239 See response to comment C1q-5.



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HYDROMODIFICATION MANAGEMENT PLAN (HMP)

Detention basins construction prior to, during and post construction need to be clearly described as to how they coordinate with the phasing plan. The grading plans, geology reports and HMP have yet to be subject to plan check oversight and current County grading ordinance WHY? The county grading ordinance limits and restricts the quantity of total area exposed at any one time. County environmental restricts percolation of sewer into disturbed material or placed fills. The plan needs clarification of how the construction phasing would comply with all county standards WHEN WILL THIS BE PROVIDED?

C2b-240

Effects Found Not Significant During Initial Study

3.2.24 The project does not introduce a new village but does negatively impact the existing village of rural agricultural residences. Existing infrastructure would be lost and any new infrastructure would change the entire complexion and burden the "Rural Agricultural Economy" that exist. Any new development would restrict accepted practices of farming further increasing the fiscal impact. This is not a fringe of an existing community which becomes very clear when you review all the impact studies which extend to the eastern and western boundaries of the communities of Bonsall and Valley Center.

C2b-241

Specific Plan & Technical Documents

Implementing Grading Plan Sheet 1-9

The plans are preliminary and the general notes lack clarification of detail i.e. Item 13 removal of all septic systems. County environmental requires the installation of vertical wells into a leach field to replace any loss to existing leach fields if possible. Not all easements have been secured to allow for the removal of all septic systems which will impact design. *Explain what this means as some of the houses will remain on site and the project will build around them?*

C2b-242

Item 14 The existing Village of agricultural businesses do not have light standards that are associated with high density bedroom communities. *Bonsall has a dark skies ordinance and would like to know how this project will impact our ordinance?*

C2b-243

Item 15 Referencing a TM plan that does not exist where easements have not been vacated, quitclaimed or extinguished is too preliminary an exercise to attempt to determine if the plan will work once it is submitted to the governing agency for plan check approval. *Why was this project allowed to proceed with all of the missing items described in this document from Bonsall?*

C2b-244

Item 16 Regarding the containment of storm water. There needs to be a phasing plan which more closely describes the phasing tied directly to the hydromodification management plan as it subject to NPDES (National Pollution Discharge Elimination System) and the SWPPP (Storm Water Pollution Protection Plan). *When will this be provided?*

C2b-245

Implementing Preliminary Grading Plan & Implementing Tentative Map (Phase 1) These proposed plans reflect a permutation of an existing rural farm "Village" with high density housing which does not exist anywhere in the community. The plans reflect manufactured slopes from 3' to 70' in height.

C2b-246



C2b-240 See response to comments C1q-6 and C1q-7.

C2b-241 See response to comment C1q-8.

C2b-242 See response to comments C1q-9 and C1q- 10.

C2b-243 See response to comment C1q-11

C2b-244 See response to comment C1q-12

C2b-245 See response to comment C1q-13

C2b-246 This comment does not address the environmental analysis provided in the project FEIR. It is included in the project's FEIR for the decision makers to consider.

Please refer to response to comment C2b-76 and C2b-81. The County inspector will ensure that grading is completed in compliance with the County's grading ordinance, including the amount of open grading.

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The county grading ordinance requires landscaped coverage and limits the amount of open grading activity at one time. *How will this phasing be accomplished?*

C2b-247

Letters of permission to grade and easements are still outstanding. *How will plans be modified to accommodate outstanding easements if they are not secured?*

C2b-248

With restrictive grading standards how will "Blue Line" streams and migratory corridors be maintained?

C2b-249

As the geotechnical reports are still incomplete there are no provisions for vernal pools if they are identified. *How will they be preserved?*

C2b-250

ROADS AND TRAFFIC

ROADS. Traffic impacts are significant and the applicant has proposed no acceptable mitigation measures. The applicant's request for ten (10) modifications to the County road standards will actually **REDUCE** road capacities to sub-standard levels. Accretive Investment Group proposes Village development of a rural area. But the applicant does **not propose Village capacity roads that are necessary to accommodate the traffic that will be generated by their Village project.** Incongruently, and not disclosed openly in the SP or the DEIR, the applicant proposes ten (10) modifications to the County Road Standards that will *reduce capacities* of roads that were planned, in the first place, to accommodate Rural and Semi-Rural residential development that GP Principles and the land use designation that reflects them have intended for this area. **Please note that the Bonsall Sponsor Group does not support nine of the 10 requested modifications.**

One purpose of the General Plan Mobility Element and the County Road Standards is to specify road standards and automobile capacities that are necessary to serve surrounding land uses throughout the County. Land Use and Mobility Elements are tightly coordinated. Village-capacity roads are specified as necessary to serve Village land uses. Presumably decision makers will agree that road capacity standards set by the County GP Element and the County Road Standards are "necessary" standards.

C2b-251

However, Accretive Investment Group proposes to compromise standards that are employed uniformly across the County in order to win for themselves entitlements to urbanize land uses -- without responsibility for urbanizing road capacities. Specifically, they propose to add 20,000 Average Daily Trips to Mobility Element roads, and to pass the real costs of improving these roads on to the taxpayers. Further, they are finagling "consistency" with County planning standards pretty much across the board not by complying with them, but by relaxing them.

For example, their proposal is to **DOWNGRADE** West Lilac Road from its current Class 2.2C to a reduced-capacity Class 2.2F. And then, they further propose that two segments of West Lilac Road and one segment of Old Highway 395, which will operate at unacceptable Levels of Service E and F as a result of their new "Village" be sanctioned as official "exceptions" to the County standard for minimum Level of Service. TIF fees of approximately \$5Million are utterly inadequate to afford the road reconstruction necessary to service this development's traffic. The Valley Center Road widening five years ago cost in excess of \$50 Million. Road improvements in already-urban places are expensive. ***Is West Lilac Road available for TIF fees improvement?***



C2b-247 See response to comment C2b-85, above.

C2b-248 See response to comment C2b-83, above

C2b-249 See response to comment C1q-17.

C2b-250 Please see response to comment C2b-75. The extensive biological surveys conducted on the property did not identify any vernal pools and none are expected to occur on the site as the soil conditions and topography are not conducive for the formation of vernal pools.

C2b-251 The project does not propose reduced standards as the comment states, but rather the project proposes modifications to design standards as allowed under the County's adopted Public Road Standards. To the extent additional property is required to implement the County's standards, such property will be acquired consistent with applicable law.

The comment states the project is inconsistent with certain General Plan. Specifically, the comment states the project is inconsistent with certain General Plan policies and specifically refers to the project proposal to downgrade W. Lilac Road from a 2.2C to a 2.2F road. However, approval of the proposed project would include a General Plan Amendment to the Mobility Element that would correspondingly downgrade the segments as proposed. Therefore, if the segments are in fact downgraded it would be done consistent with an amended General Plan. Similarly, the comment also states that the proposed project would generate substantially more traffic than contemplated under the current General Plan. However, if the General Plan is amended as proposed by the project, the amount of traffic generated by the project would be consistent with an amended General Plan.

The comment states that TIF fees are not adequate. TIF fees are available for the project's cumulative impacts. Project mitigation includes payment of the County of San Diego's Transportation Impact Fee (TIF), which the comment contends was inadequate to mitigate the identified impacts. However, since the proposed project is seeking an amendment to the County of San Diego's General Plan, the County will be required to update the TIF Program.

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In remote places road improvement costs are enough to kill projects. No doubt recognizing this problem, the proponents themselves argue *against* improving roads to capacities that are necessary. They say to do so:

- is too difficult and costly
- will require rights-of-way that may be unobtainable
- will be time consuming to construct
- will be disruptive to off-site property owners
- will face opposition from existing neighbors
- will require condemnation of right-of-way
- will impact biological open space.

C2b-252

Accretive does not have legal right of way to build most of the indicated off-site road improvements. Additionally, in order to meet the County Road Standards, two out of four secondary access intersections (Covey Lane and Mountain Ridge) with public roads will require the use of County prescriptive rights (for continual brush clearance) and eminent domain (to secure land from unwilling property owners). Accretive Investments has filed Sight Distance Analyses on these two intersections that confirm the above assertion.

C2b-253

RESPONSE TIME. The SP/GPA fails to meet 5 minute response time for Fire and Emergency Medical Services The Deer Springs Fire Protection District has commented in writing that none of the proposed options listed in the Specific Plan and Fire Protection Plan are feasible solutions for the District to meet the 5 minute emergency response requirement for Lilac Hills Ranch.

- Comparison of the existing General Plan development of 1,320 ADT's to the proposed 19,428 ADT's shows that the proposed project would generate 14.7 times more traffic than the approved General Plan.
- The recently adopted Mobility Element of the County's General Plan does not include the section of New Road 3 from Highway 395 to West Lilac Road. The deletion of the section of New Road 3 changed the classification of Highway 395 to a four-lane Boulevard with a LOS "D" Capacity = 25,000 ADT and West Lilac Road from Highway 395 to New Road 3 to a Light Collector 2.2C, with intermittent turn-lanes with a LOS "D" Capacity of 13,500 ADT.
- West Lilac Road is the primary access road serving the project. Secondary access to/from the project site is proposed to be provided by Covey Lane between West Lilac Ranch Road and Mountain Ridge Road extending north from Circle R. Drive to connect to West Lilac Ranch Road. Both Covey Lane and Mountain Ridge Road are private roads and do comply with the County Design Standards.

C2b-254

Consistency Analysis – The proposed Lilac Hills Ranch (LHR) Project is TOTALLY inconsistent with this policy in the following areas. *The project proposes to downgrade W. Lilac Road between Main Street and the planned Road 3 from the classified 2.2C to 2.2F.* The LHR Project proposes placing an additional automobile load of 20,000 Average Daily Trips on the surrounding roadways more than the adopted General Plan approved uses.

- The LHR Project increases traffic on local Private and Public Roads approximately **15 times** greater than from the traffic generated by the approved General Plan.
- At build out the LHR Project Traffic Load exacerbates cumulative road capacity in the surrounding areas with the numerous unmitigated impacts:

C2b-255



C2b-251 (cont.)

Through this process, the program fee calculations contained in the TIF program's nexus study will be updated to account for the General Plan land use and roadway network changes proposed by the project. With this required update, the TIF program will then accurately account for the proposed project land uses and identified cumulative transportation-related impacts; hence, the project's cumulative transportation-related impacts would be adequately accounted for and funded by the County of San Diego TIF program.

C2b-252 This comment does not address the environmental analysis provided in the project FEIR, not does it quote the FEIR accurately. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.

C2b-253 Please refer to Global Responses: Easements (Covey Lane and Mountain Ridge Roads) and Off-site Improvements - Environmental Analysis and Easement Summary Table, for additional information responsive to this comment. See also, Please see Global Response: Easements (Covey Lane and Mountain Ridge Roads), which addresses intersection design relative to sight distance at the intersection of Covey Lane and West Lilac Road.

C2b-254 Please see Global Response: Fire and Medical Services for information relevant to this comment.

See also response to comment C2b-90, above.

C2b-255 Since the majority of the project (>70%) would travel west on W. Lilac Road. The project proposes to improve W. Lilac Road, between Old Highway 395 and Main Street to a 2.2C as consistent with the General Plan Mobility Element.

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Significant Direct Impacts:

- The project would have significant direct impacts to each of the road segments listed below. The mitigation for each impact is also listed, as well as the conclusion as to whether the impact would be mitigated.
- Gopher Canyon Road, between E. Vista Way and I-15 SB: No feasible mitigation. Impact would **remain significant and unavoidable**.
- E. Vista Way, between Gopher Canyon Road and Osborne Street: No feasible mitigation. Impact **would remain significant and unavoidable**.
- E. Vista Way, between SR-76 and Gopher Canyon Road: No feasible mitigation. Impact would **remain significant and unavoidable**.
- West Lilac Road, between Old Highway 395 and Main Street: Impact would be mitigated through improvement of the road segment to Mobility Element Road
- Classification 2.2C, subject to exceptions as approved by the County. **Impacts would be reduced to less than significant and the project would have a significant direct impact to each of the roadways listed above.** We disagree with Chen applicants consultant.
- Ryan's analysis that states that the direct impact is mitigated to less than significance by addition of traffic lights at these intersections because turn lane are not added at the intersections.

Significant Cumulative Impacts:

- The project would have a significant cumulative impact to each of the roadway segments listed below. The magnitude of the impacts below cannot possibly be mitigated by the small amount of LHR project contribution in TIF fees. The **impacts will remain as significant unmitigated impacts.**
- Camino Del Rey between Old River Road and West Lilac Road;
- Gopher Canyon Road between E. Vista Way and I-15 SB Ramps;
- E. Vista Way between SR-76 and Gopher Canyon Road;
- E. Vista Way between Gopher Canyon Road and Osborne Street;
- Pankey Road between Pala Mesa Drive and SR-76;
- Lilac Road between Old Castle Road and Anthony Road; and
- Cole Grade Road, between Fruitvale Road and Valley Center Road.

Intersection Impacts:

- The project would have a significant cumulative impact to each of the intersections listed below. The magnitude of the impacts below cannot possibly be mitigated by the nominal of LHR project contribution in TIF fees. The impacts will remain as **significant unmitigated impacts.**
- E. Vista Way/Gopher Canyon Road;
- SR-76/Old River Road/E. Vista Way;
- SR-76/Olive Hill Road/Camino Del Rey;
- SR-76/Pankey Road;
- Old Highway 395/West Lilac Road;
- I-15 SB Ramps/Gopher Canyon Road;
- I-15 NB Ramps/Gopher Canyon Road;
- Old Highway 395/E. Dulin Road;
- Miller Road/Valley Center Road;
- SR-76/Old Highway 395;
- I-15 SB Ramps/Old Highway 395; and
- I-15 SB Ramps/Old Highway 395.



C2b-255 cont.

C2b-255 (cont.)

The proposed downgrade of West Lilac Road from 2.2C to 2.2F is limited to the section between Main Street and the planned Road 3. This proposal is supported by the low (less than 6,200 ADT) forecast daily traffic volumes when Road 3 is deleted from the Mobility Element system. In October, 2011, after adoption of the County General Plan Update, the San Diego Association of Governments (SANDAG) acquired the 902-acre Rancho Lilac property through its Environmental Mitigation Program (EMP). SANDAG recorded a conservation easement over the entire 902 acres and designated this land as part of a 1,600 acre open space preserve in the State Route 76 corridor in North San Diego County. This acquisition would prevent implementation of the County's planned Road 3, and make the deletion of Road 3 from the currently adopted Mobility Element network a reasonably expected scenario.

Significant Direct Impacts: The comment also lists the road segments identified in the Draft EIR (July 2013) at which the project would result in a significant direct impact and for which mitigation was deemed infeasible. However, subsequent to submittal of the comment, a Draft REIR (June 2014) was prepared and circulated for public review. The Draft REIR identified significant direct impacts at four segments and five intersections. For most locations, the EIR reported that impacts would be reduced to less than significant with recommended mitigation. However, as to two intersections – the I-15 Southbound Ramps/Gopher Canyon Road and I-15 Northbound Ramps/Gopher Canyon Road - because the recommended improvements would be located outside of the jurisdiction and control of the County (i.e., within the jurisdiction of Caltrans), the Draft REIR identified the impacts as potentially significant and unavoidable. However, since circulation of the Draft REIR, Caltrans has informed the County that the agency is not opposed to the mitigation to install traffic signals at the intersection as long as appropriate assurances are provided. Based on the Caltrans comments, the applicant will coordinate with Caltrans through the Caltrans encroachment permit process to provide the funding and construction work necessary to install the traffic signals at the two intersections. Therefore, the identified impacts will be mitigated.