

Comment Letter I1

To: Mike Strong
Kristen Blackston

City Planning Division

Subject: Draft EIR



These are our objections to the proposed development:

Significant effects include: Traffic, biological resources (animals, plants,trees), air quality, greenhouse gasses,floodplain and drainage, noise and aesthetics. We have many birds that will have their habitat destroyed. Construction noise and dust will be disastrous.

Traffic: The traffic on Country Club Lane, at this present time is: heavy, speeding, NOISE, exhaust fumes and a hazard when trying to cross the street, or trying to get out of our driveway. What on earth are we to do with the extra traffic the development would bring?

The proposed "sandwiched" 2-story houses would be an eyesore, definitely lowering the value of our homes.

Please don't allow this type of development take place.

Cliff and Eleanor Adcock
[1558 West Country Club Lane](mailto:1558.West.Country.Club.Lane)
[Escondido, CA](mailto:Escondido,CA)
[760-745-0534](tel:760-745-0534)
Eradcock@aol.com

I1-1
I1-2
I1-3
I1-4

Response to Comment Letter I1

Cliff and Eleanor Adcock
August 8, 2017

I1-1

The City of Escondido (City) notes that this comment expresses general opposition to the Project. The comment addresses general concern regarding traffic, biological resources, air quality, greenhouse gases, floodplains and drainage, noise, and aesthetics, all of which were analyzed in the Environmental Impact Report (EIR) and can be found in Section 2.7, Transportation and Traffic; Section 2.2, Biological Resources; Section 2.1, Air Quality; Section 2.4, Greenhouse Gas Emissions; Section 3.1.4, Hydrology and Water Quality; Section 2.6, Noise; and Section 3.1.1, Aesthetics. The comment does not raise any specific issues related to adequacy of the EIR. Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by decision makers prior to a final decision on the Project.

I1-2

The comment states that bird habitat will be destroyed as a result of the Project. As analyzed in Section 2.2, Biological Resources, of the EIR, the Project would result in a less-than-significant impact to nesting birds and raptors with incorporation of mitigation measure M-BI-1. As stated in Section 2.2, Biological Resources, "Significant impacts to nesting birds could

	<p>occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15)” (EIR page 2.2-17). Implementation of mitigation measure M-BI-1 would ensure that a pre-construction survey of potential nesting habitat is conducted by a qualified biologist to determine that no active migratory bird and raptor nests occur on the site if initial grading and vegetation removal activities must occur during the general bird breeding season. If the biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist. The commenter further states general concern regarding construction noise and dust. These topics were analyzed in Section 2.6, Noise, and Section 2.1, Air Quality. The comment does not raise any specific issues related to the adequacy of this analysis provided in the EIR; therefore, no further response is provided.</p> <p>I1-3 The commenter states that Country Club Lane currently exhibits heavy traffic and presents hazardous and nuisance conditions and expresses concern regarding traffic impacts on Country Club Lane associated with the Project. As analyzed in Section 2.7, Transportation and Traffic, “the Project would improve operations at five intersections along County Club Lane (Intersections #2-#6) with the provision of</p>
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	<p>the SAP and the associated capacity enhancements with the proposed roundabouts, signals, and all-way stop control” (EIR page 2.7-19). The Project would result in less-than-significant impacts at the remaining intersections along Country Club Lane, as the Project’s contribution to traffic at the remaining intersections would be less than the allowable threshold. The proposed Specific Alignment Plan (SAP) would also implement traffic-calming measures at both the primary intersections along Country Club Lane, as well as on the tangent street segment between intersections, to more safely accommodate pedestrian and vehicular circulations. Roundabouts would also be installed, which would be designed to reduce speeds and enhance the existing circulation system. The comment does not raise any specific issue related to the adequacy of the EIR; therefore, no further response is provided.</p> <p>II-4 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. It should be noted that the Project includes both one-story and two-story elements, which were analyzed for potential visual impacts in Section 3.1.1, Aesthetics, in the EIR. The EIR concluded the Project would not result in any significant visual impacts.</p>
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Comment Letter I2

Dear Ms Blackson-
 Our family lives close to the proposed NUWI Escondido Country Club development. We have read the EIR and are opposed to the large number of homes as stated in the plan. This community has limited roadways and already congested traffic in the mornings and evenings. We welcome new homes, but this far exceeds the balance of community expected when we purchased our home in 2011. Please look at other EIR's that are more realistic in addressing an existing quiet community such as this.
 We are also opposed to changing the well conceived zoning on the Escondido Country Club land. It is inappropriate and zoning should remain the same as planned.
 Sincerely,
 David Ozzie Ahlers

I2-1
 I2-2
 I2-3

Response to Comment Letter I2

David Ozzie Ahlers
 July 15, 2017

- I2-1 The City of Escondido (City) acknowledges the comment and notes it expresses general opposition for the Project, but does not raise any specific issue concerning the adequacy of the Environmental Impact Report (EIR). Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.
- I2-2 The City notes the comment provides factual background information and does not raise an environmental issue within the meaning of the California Environmental Quality Act (CEQA). Please see EIR Section 2.7, Transportation and Traffic, for a complete discussion of traffic impacts and improvements that would result from the proposed Project. No further response is required; however, the City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.
- I2-3 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Therefore, no further

	<p>response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I3

Dear Ms Blackson-
 Our family lives close to the proposed NUWI Escondido Country Club development. We have read the EIR and are opposed to the large number of homes as stated in the plan. This community has limited roadways and already congested traffic in the mornings and evenings. We welcome new homes, but this far exceeds the balance of community expected when we purchased our home in 2011. Please look at other EIR's that are more realistic in addressing an existing quiet community such as this.
 We are also opposed to changing the well conceived zoning on the Escondido Country Club land. It is inappropriate and zoning should remain the same as planned.
 Sincerely,
 David Ozzie Ahlers

I 13-1
 I 13-2
 I 13-3
 I 13-4

Response to Comment Letter I3

David Ozzie Ahlers
 July 31, 2017

- I3-1** The City of Escondido (City) acknowledges the comment and notes it expresses general opposition for the Project, but does not raise any specific issue concerning the adequacy of the Environmental Impact Report (EIR). Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.
- I3-2** The City notes the comment provides factual background information and does not raise an environmental issue within the meaning of the California Environmental Quality Act (CEQA). Please see EIR Section 2.7, Transportation and Traffic, for a complete discussion of traffic impacts and improvements that would result from the proposed Project. No further response is required; however, the City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.
- I3-3** The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Therefore, no further response is required. The City will include the

	<p>comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I3-4 The commenter expresses general concern regarding the proposed zoning for the Project. The City has an application process for land development proposals, which complies with the CEQA statute and CEQA Guidelines. The Project seeks a zone change to Specific Plan SP Zone. As stated in EIR Section 3.1.5, Land Use, the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. EIR Section 3.1.5 of describes and analyzes the Project’s land use and design compatibility. EIR Appendix 3.1.5-1 (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the proposed Project and addresses the Project’s potential conflicts with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The analysis provided in the EIR concludes that the Project does not conflict with the City’s General Plan and Zoning Ordinance. The comment does not raise an issue related to the adequacy of this land use and zoning analysis as provided in the EIR; therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I4

Ryan Auer
ryan.auer@Carestream.com

Good morning ECC!

Hope all is well. Wanted to drop you a quick message.

As a resident in the Escondido Country Club area I am really concerned about the proposed 392 home development for the existing area. While I know something must be done- it seems the proposed new development is far and above too many homes for the area. Also, at one point, I thought this many new homes was already defeated at ballot box previously? How are we back to this dense development?

I4-1

Of course statistically golf is dying and time marches on- but is there any way we can call work together for the better of the neighborhood? Of course something must be done with the land, but how about we give Escondido something to be proud of in this area again? I would be more than willing to help however possible- please let me know. I have looked over the EIR and it also does not seem to address the FEMA protected flood zones in the area? (Or maybe I am just blind and completely missed it! LOL). Each and every year this is significant flooding on the course and there are specific FEMA areas which are designated for this.

I4-2

Thanks and have a phenomenal upcoming weekend!

Response to Comment Letter I4

Ryan Auer
 July 13, 2017

I4-1

The City of Escondido (City) acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. No further response is required because the comment does not raise an environmental issue. The City will include the comment as part of the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I4-2

As discussed in Section 3.1.4.1.1, portions of the City are within a Federal Emergency Management Agency (FEMA) 100-year flood zone. However, the Project site is not located in a 100-year flood hazard zone (Appendix 3.1.4-1; City of Escondido 2012, Figure VI-7). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

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Comment Letter I5

From: Ryan Auer [ryan.auer@carestream.com]
Sent: Wednesday, July 26, 2017 8:56 PM
To: Mike Strong; Kristin Blackson
Subject: Escondido Country Club- Help save R-1-7

Good evening City Planners!
 Hope all is well. Wanted to drop you a quick message.
 As a resident in the Escondido Country Club area I am really concerned about the proposed 392 home development for the existing area. While I know something must be done- it seems the proposed new development is far and above too many homes for the area. Also, at one point, I thought this many new homes was already defeated at ballot box previously? How are we back to this dense development? I thought R17 was the zoning?
 Of course statistically golf is dying and time marches on- but is there any way we can call work together for the better of the neighborhood? Of course something must be done with the land, but how about we give Escondido something to be proud of in this area again? I would be more than willing to help however possible- please let me know. I have looked over the EIR and it also does not seem to address the FEMA protected flood zones in the area? (Or maybe I am just blind and completely missed it! LOL). Each and every year this is significant flooding on the course and there are specific FEMA areas which are designated for this.
 Lastly, just some concern with the developer and claims / promises being made, however their (developer) track record reflects claims on other projects which were never realized. I just hope we don't fall for it- like so many other before us did.
 Thanks and have a phenomenal upcoming weekend!

I5-1
 I5-2
 I5-3

Ryan Auer, MBA | Territory Manager - San Diego
 Dental US Digital Sales

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 Cell: (760) 952-2177 Voice ext. 1441
 FAX: 678.302.9906
 SUPPORT: 866-724-8317



Response to Comment Letter I5

Ryan Auer
 July 26, 2017

I5-1

The commenter is correct that the Project site is zoned R-1-7, as stated in Section 3.1.5, Land Use, of the EIR, which requires a minimum residential lot size of 7,000 square feet. The City of Escondido has an application process for land development proposals, which complies with the California Environmental Quality Act (CEQA) law and CEQA Guidelines. The Project involves construction of a planned residential development and open space system, as allowed under the General Plan and Zoning Ordinance. To establish this, the Project seeks the following approvals: General Plan Amendment to the City's General Plan Land Use Element, zone change to Specific Plan SP Zone, Tentative Map, and Specific Plan (see Figure 3.1.5-3, Proposed General Plan Land Use, and Figure 3.1.5-4, Proposed Zoning). The Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Appendix 3.1.5-1 to the Draft EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project's potential conflicts with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an

	<p>environmental effect. Therefore, the Project does not conflict with the General Plan and Zoning Ordinance. The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I5-2 As discussed in Section 3.1.4.1.1, portions of the City are within a Federal Emergency Management Agency (FEMA) 100-year flood zone. However, the Project site is not located in a 100-year flood hazard zone (Appendix 3.1.4-1; City of Escondido 2012, Figure VI-7). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I5-3 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I6

The Villages EIR Comment Card

Name C. Barraza

Address David dr.

City _____ State _____ Zip _____

Phone (_____) _____ Email _____

Comments

We object to 312 homes!

Our concerns remain:

- environmental impact on the air quality, wildlife,

density & traffic. The nightmare of ongoing

construction for multiple years.

The proposed density is not sustainable!

Not enough traffic mitigation.

312 is too much. NO CONDOS - PERIOD.

NO TWO STORY HOMES - PERIOD.

The max. proposal should be for no

more than 125 "lights".

NO 312 homes - no condos!

Please return to the box provided, or email your comments to Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I6

C. Barraza
July 31, 2017

I6-1

The City of Escondido (City) acknowledges the comment letter, and notes it expresses general opposition for the Project. The comment addresses a general subject area, air quality, which was analyzed in Section 2.1, Air Quality, of the Environmental Impact Report (EIR). The comment does not raise any specific issue regarding that analysis. Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I6-2

The comment generally addresses the subject area of wildlife, which was analyzed in Section 2.2, Biological Resources, of the EIR. As stated in Section 2.2, Biological Resources, page 2.2-15, "No known wildlife corridors or linkage areas are mapped as occurring on or in the immediate vicinity of the Project site."

Additionally, all impacts relative to biological resources would be mitigated to less than significant. The comment does not raise any specific issue regarding wildlife. Therefore, no further response is required. The City will include the comment as part of the Final EIR

	<p>for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I6-3 The City of Escondido has an application process for land development proposals, which complies with the California Environmental Quality Act (CEQA) and CEQA Guidelines. CEQA requires the City to respond to any comments received on the draft environmental document. When all public comments are addressed, the environmental document is then finalized for adoption by the decision maker. The comment addresses general subject areas of traffic and density, which were analyzed in Section 2.7, Transportation and Traffic, and Section 3.1.5, Land Use, in the EIR. The comment does not raise any specific issue regarding that analysis. Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I6-4 The City acknowledges the commenter’s general concern about construction. Construction impacts are analyzed throughout the Draft EIR as it relates to topics including, but not limited to, air quality, biology, cultural resources, greenhouse gas emissions, hazards, noise, and traffic. The comment does not raise any specific issue regarding that analysis. Therefore, no further response is required. The City will include the comment as part of the Final EIR for</p>
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	<p>review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I6-5 The commenter expresses general concern regarding density.. The Project’s density and compatibility with the surrounding area were analyzed in Section 3.1.5, Land Use, of the Draft EIR. As stated in Section 3.1.5, page 3.1.5-14:</p> <p>“The Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes a total of 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre... The location, density, and intensity of suburban-style development within this community area have mainly developed through planned residential development and are generally characterized by low-density single-family neighborhoods, with pockets of medium-density single-family development (duplex units and small detached homes). The design of the Project site as proposed with the 48-acre Open Space System and greenbelt is context sensitive, and would visually and physically be compatible with surrounding land uses.”</p>
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	<p>Therefore, the proposed density is consistent with the City’s General Plan. The comment does not raise any specific issue regarding the analysis provided in the Draft EIR. Therefore, no further response is required.</p> <p>I6-6 As shown in Table 2.7-14 of Section 2.7, Transportation and Traffic, all intersections will operate at a level of service (LOS) C or better, and all roadway segments will be mitigated to below a level of significance with exception of the El Norte Parkway on-ramp to Interstate 15 (I-15), which relies on the California Department of Transportation (Caltrans) to allow the proposed mitigation measure to be completed. If Caltrans allows the proposed mitigation, all potentially significant traffic impacts would be reduced to a level below significant. The commenter does not provide information to substantiate additional traffic mitigation. Additionally, the comment does not raise any specific issue regarding the analysis provided in the EIR. Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I6-7 The City acknowledges the comment letter, and notes it expresses general opposition for the Project, but does not raise any issue concerning the adequacy of the EIR. For that reason, the City provides no further response to this comment. Please see Response I6-5 regarding the analysis of the Project’s proposed density.</p>
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Comment Letter I7

From: recrowe@cox.net [recrowe@cox.net]
Sent: Wednesday, July 19, 2017 12:49 AM
To: Sam Abed; Olga Diaz; Ed Gallo; John Masson; Michael Morasco; Kristin Blackson
Subject: Message from ECCHO Member

ECCHO Member Message
 Wednesday, July 19, 2017 at 07:49:50 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA— why would they choose to pay for the public's use and wear and tear?

However, mostly my biggest objections is:
 Traffic: I have lived in the ECC area for many years and selected this area because of its reputation as a calm peaceful responsible neighborhood. Since the ECC was shut down by the Beverly Hills developer the nature of traffic has changed and from the plans i have seen the traffic will become worse. To exit from La Paloma onto Nutmeg is difficult most of the time due to the lines of sight and current traffic levels. If hundreds of more cars are added to the mix trying to exit La Paloma onto Nutmeg will be nearly impossible. With the alternate proposal of 140 homes the impact would be reduced by over 60%. If the property must be developed it should be in keeping with the neighborhood and be in line with past Council actions encumbering much of the golf course from further development.

Name: Pat Blair
 Email: recrowe@cox.net
 Address: 1220 La Mirada Ave, Escondido, CA 92026 .

I7-1
 I7-2
 I7-3
 I7-4
 I7-5
 I7-6
 I7-7

Response to Comment Letter I7

Pat Blair
 July 19, 2017

I7-1 The City of Escondido (City) acknowledges the comment letter and notes it expresses general opposition for the Project but does not raise any issue concerning the adequacy of the Environmental Impact Report (EIR). For that reason, the City provides no further response to this comment.

I7-2 The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I7-3 The City has an application process for land development proposals, which complies with the California Environmental Quality Act law and California Environmental Quality Act Guidelines. The California Environmental Quality Act requires the City to respond to any comments received on the draft environmental document. When all public comments are addressed, the environmental document is then finalized for adoption by the decision makers. The comment addresses general concern for traffic and

	<p>noise. These issue topics were analyzed in the EIR. As shown in Table 2.7-14 in Section 2.7, Transportation and Traffic, all intersections will operate at a level of service (LOS) C or better, and all roadway segments will be mitigated to below a level of significance, with exception the El Norte Parkway on-ramp to Interstate 15, which relies on the California Department of Transportation (Caltrans) to allow the proposed mitigation measure to be completed. The comment does not clarify which streets are of concern; therefore, no further response can be provided.</p> <p>I7-4 The comment addresses general concern regarding air quality and public services, which were analyzed in the EIR. Section 2.1, Air Quality, identifies that, with implementation of Mitigation Measures M-AQ-1 and M-AQ-2, impacts regarding air quality would be less than significant. Section 3.1.7, Public Services, analyzes public services and concludes that all impacts regarding public services would be less than significant.</p> <p>I7-5 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. No further response is required because the comment does not raise an environmental issue. The City will include the comment as part of the Final EIR for review and consideration by the decision</p>
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	<p>makers prior to a final decision on the Project.</p> <p>I7-6 The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I7-7 The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I8

The Villages EIR Comment Card

Name Maria T. Bowman
 Address 1756 Lorraine Place
 City Escondido State CA Zip 92026
 Phone (760) 743-6577 Email marieb Bowman@aatt.net

Comments

1. The traffic on the main street Country Club Lane all areas are major concern. People use this street in the a.m. as a short cut to commute to San Marcos, save time getting South+West. I8-1
2. If the zoning is to be what the developer wants. Then all the land given to the golf course be given back to the owner of each property. Some lots are only 3,500 sq ft, they should be given 3,500 more sq ft. The multi-family the same. I8-2
3. H.O.A. Does will not be able to control people from anyplace using the open space. H.O.A.'s keep rules and fees going up and up. I8-3
4. Developer could make much more money and add value to the Country Club by:
 a. building a concourse/recreational center; 50 room hotel spa/wellness center
 b. a club house with banquet rooms, wedding facilities a great bar that can be leased, and builder can just collect income I8-4
- c. A 9 hole hole golf-course. landscaped like Palm Spring for maintenance and then using purple pipes. A links golf course would be new
- d. These amenities would add income, value, and the goodwill of the all community.

Please return to the box provided, or email your comments to Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I8

Maria T. Bowman
 August 7, 2017

I8-1

The commenter expresses general concern regarding traffic along Country Club Lane, which was analyzed in Section 2.7, Transportation and Traffic, in the Environmental Impact Report (EIR). As discussed in Section 2.7.2, the Project includes a Specific Alignment Plan (SAP) for Country Club Lane from Golden Circle Drive to Nutmeg Street. The SAP would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation. Traffic calming would be introduced along West Country Club Lane to reduce traffic speeds, encourage pedestrian and bicycle use, and improve public safety. Additionally, implementation of the SAP for Country Club Lane would reduce speeds, improving both the pedestrian and bicycle experience.

Also, as shown in EIR Tables 2.7-14, 2.7-15, and 2.7-16 of Section 2.7, Transportation and Traffic, with mitigation incorporated, potentially significant impacts at all roadway segments and intersections will be less than significant with one exception. The Project would result in a significant impact to the El Norte Parkway on-ramp to Interstate 15 (I-15) southbound during the AM peak hour. Because the improvement necessary to

	<p>mitigate the identified impact would be located within the jurisdiction and control of the California Department of Transportation (Caltrans), the City of Escondido (City) cannot ensure at this time that Caltrans will permit the improvement to be made. Therefore, although the impact can and may be mitigated to a less than significant level, the impact at this location is considered significant and unavoidable.</p> <p>If a project results in significant and unavoidable environmental impacts, the lead agency is required to prepare a statement of overriding considerations, which reflects a balancing of competing public objectives (including environmental, legal, technical, social, and economic factors). Therefore, a statement of overriding considerations must be considered and adopted by the decision makers with the EIR, if the Project is approved.</p> <p>The comment does not raise any specific issues related to the adequacy of information and analysis provided in the EIR; therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I8-2 The commenter expresses general concern regarding the proposed zoning for the Project. The City has an application process for land development proposals, which complies with the California Environmental</p>
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	<p>Quality Act (CEQA) statute and CEQA Guidelines. The Project seeks a zone change to Specific Plan SP Zone. As stated in Section 3.1.5, Land Use, of the EIR, the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Section 3.1.5 of the EIR describes and analyzes the Project’s land use and design compatibility. Appendix 3.1.5-1 to the Draft EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project’s potential conflicts with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The analysis provided in the EIR concludes that the Project does not conflict with the City’s General Plan and Zoning Ordinance. The comment does not raise an issue related to the adequacy of this land use and zoning analysis as provided in the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I8-3 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration</p>
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	<p>by the decision makers prior to a final decision on the Project.</p> <p>I8-4 The City acknowledges the comment and notes it expresses the opinions of the commenter. However, this comment does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I9



Thursday, July 27, 2017



Dear Members of the Escondido Planning Commission,

I'm writing to you out of concern for what may happen to the Escondido Country Club area. First of all, it was supposed to be approved for Open Space back in the 1960s, but the City Council never followed through on that decision. I wish my mom (Lorraine H. Boyce) had been Mayor in the 60s, instead of the 70s, because she would have completed that!

I9-1

Anyway, the R-1-7 Zoning per the 2012 General Plan should be upheld, so that the housing lots would be at least 7,000 square feet. That would still accommodate from 137 to 158 homes. It will be an eyesore if 392 homes are developed! On top of that, the developer wants them to all be 2-story with the lots being only 4,000 to 5,000 square feet---postage stamp lots with gigantic "stucco boxes" rising 25 to 30 feet high! Most of the beautiful views out here would be destroyed. The maximum between most of the homes would be only 10 feet, and the backyards would be only 8 feet deep on average. It is congested living at its best; forget about any privacy!

I9-2

I live off Country Club Lane on the cul-de-sac of Westwood Place. The back of my house borders Country Club Lane, and in the 3+ years that I've been here, the cars on this main route have increased along with more noise. People from the North, who go to work toward the coast, get off the I-15 and travel through this area to avoid the 78 Freeway Interchange right now.

I9-3

Can you imagine what it is going to be like when over 100+ homes are added?!

I realize that something needs to be done, but packing in almost 400 more homes is not the responsible answer. A reasonable profit for a developer is understandable, but gouging, simply for personal greed, is not! The City Planning Commission should not focus solely on potential revenues either. Controlled Growth for a better future is the right, moral thing to do. Thanks so much for attending to my concerns.

I9-4

Sincerely,

Janet Boyce janniemay55@yahoo.com / (760) 533-1301

Response to Comment Letter I9

Janet Boyce
July 27, 2017

I9-1

The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter. However, this comment does not raise an issue related to the adequacy of any specific section or analysis of the Environmental Impact Report (EIR). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I9-2

The commenter generally raises concerns regarding the Project's proposed zoning. The Project's density and compatibility with the surrounding area were analyzed in Section 3.1.5, Land Use, of the EIR. The following is stated in EIR Section 3.1.5 (page 3.1.5-14):

The Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes a total of 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre. ... The location, density, and intensity of suburban-style development within this community area have mainly developed

	<p>through planned residential development and are generally characterized by low-density single-family neighborhoods, with pockets of medium-density single-family development (duplex units and small detached homes). The design of the Project site as proposed with the 48-acre Open Space System and greenbelt is context sensitive, and would visually and physically be compatible with surrounding land uses.</p> <p>Appendix 3.1.5-1 to the EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project’s potential conflicts with applicable land use plans or regulations adopted to avoid or mitigate an environmental effect. The comment does not raise an issue related to the adequacy of the land use or other analysis provided in the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I9-3 The comment addresses general concern regarding noise, which was analyzed in Section 2.6, Noise, of the EIR. The Project would be required to implement Mitigation Measures M-N-1 through M-N-6, reducing noise-related impacts to a less-than-significant level. The comment does not raise any specific issue related</p>
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	<p>to the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I9-4 The City acknowledges the comment and notes it expresses the opinions of the commenter. However, this comment does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I10

The Villages EIR Comment Card

Name Janet Boyce
 Address 1416 Westwood Place
 City Escondido State CA Zip 92026
 Phone (760) 533-1301 Email janniemay55@yahoo.com

Comments

This is not an acceptable plan!
It is not reasonable or responsible, for
proper growth to future generations.
I realize something needs to be
developed, but 392 homes is way too many!
It will be "congested living" at its best.
Keep the current R17 Zoning, and then
there will still be 137 to 158 homes
developed. Another idea would be a 9-hole
junior golf course, with the remaining
acreage for one and two-story single family
homes. If all of the homes are 2-story,
it will be an eyesore—a bunch of "stucco
boxes" lined-up, one after the other!
Personal and company greed is driving
this proposal. A reasonable profit is understandable.

Please return to the box provided, or email your comments to Janet Boyce
 Kristin Blackson (kblackson@escondido.org) by August 11.

I10-1
I10-2
I10-3
I10-4

Response to Comment Letter I10

Janet Boyce
 July 31, 2017

I10-1 The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Environmental Impact Report (EIR). Therefore, no further response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I10-2 The City has an application process for land development proposals, which complies with the California Environmental Quality Act (CEQA) statute and CEQA Guidelines. The Project involves construction of a planned residential development and open space system, as allowed under the General Plan and Zoning Ordinance. To establish this, the Project seeks the following approvals: a General Plan Amendment to the City's General Plan Land Use Element, a zone change to Specific Plan SP Zone, a Tentative Map, and a Specific Plan (see EIR Figure 3.1.5-3, Proposed General Plan Land Use, and Figure 3.1.5-4, Proposed Zoning). The Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals.

	<p>Appendix 3.1.5-1 to the Draft EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project’s potential conflicts with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I10-3 The City acknowledges the comment and notes it expresses the opinions of the commenter regarding the visual appearance of the Project. Visual impacts were analyzed in Section 3.1.1, Aesthetics, in the EIR. The EIR found that the Project would not result in any significant visual impacts. It should also be noted that the Project includes both one-story and two-story homes. The comment does not raise any issues related to this analysis; therefore, no further response can be provided or is required.</p> <p>I10-4 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. No further response is required because</p>
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	<p>the comment does not raise an environmental issue. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I11

From: Ronald Brezic [ronaldjbrezic@yahoo.com]
Sent: Sunday, July 02, 2017 5:21 PM
To: Sam Abed; John Masson; Ed Gallo; Michael Morasco; Olga Diaz; Kristin Blackson
Subject: Escondido Country Club Project

Mayor Sam Abed, John Masson, Ed Gallo, Mike Morasco and Olga Diaz,

I have emailed all of you in the past about the proposed New Urban West development on the now closed Escondido Country Club and here are a few more thoughts. First of all, I beg all of you to remember that the citizens of Escondido voted down a 400 home development by 61% - 392 isn't any better or even close to a compromise! The original resolutions from the 1960's that allowed substandard home lot sizes because the golf course offered the open space should be upheld by any developer - my understanding is that open space number is approximately 60 acres of the golf course property. The current R-1-7 zoning should be maintained, keeping the number of homes around 160 on 7,000 square foot lots without any multifamily attached homes. If that isn't profitable for a developer who purchased the property knowing that the zoning is R-1-7 - perhaps he should attempt to sell the property to make a profit - not bully the citizens and the officials of Escondido - stating that 392 homes are required to make a profit - that statement shouldn't even be taken into consideration by our city officials or the citizens of Escondido. Having a development of all two story homes would be an eye sore in this area because there currently aren't that many two story homes in the area. The current property owner doesn't care about Escondido or the citizens of Escondido, all he is concerned about is making millions of dollars in profit by selling the property! Our elected officials need to stand up to this bully and do what is best for Escondido - which isn't adding a 392 housing development on this property.

Thank you for your support,

Ron Brezic
 David Drive homeowner

I11-1
 I11-2
 I11-3
 I11-4

Response to Comment Letter I11

Ron Brezic
July 2, 2017

I11-1 The City of Escondido (City) acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I11-2 As stated in EIR Section 3.1.5, Land Use, page 3.1.5-12:

“The Project involves construction of a planned residential development and open space system, as allowed under the General Plan and Zoning Ordinance. To establish this, the Project seeks the following approvals: a General Plan Amendment to the City’s General Plan Land Use Element, a zone change to Specific Plan SP Zone, a Tentative Map, and a Specific Plan (see Figure 3.1.5-3, Proposed General Plan Land Use, and Figure 3.1.5-4, Proposed Zoning). The Project would be consistent with the General Plan and Zoning Ordinance upon

	<p>issuance of the foregoing approvals.”</p> <p>Additionally, the landscape and site planning would buffer the existing residents from the new homes and the Project’s villages would retain the character of the surrounding land (EIR pages 3.1.5-13 and 3.1.5-14). Therefore, the proposed Project does not conflict with the General Plan and Zoning Ordinance. The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I11-3 As stated in the EIR on page 3.1.1-12:</p> <p>“...existing near views of the golf course are replaced by views of the landscaped Greenbelt/Open Spaces. The Greenbelt/Open Space areas would enhance the screening and buffering of views from surrounding residences and roadways.”</p> <p>The Project would not substantially degrade the existing visual character or quality of the site, and in some cases (such as Key Views 3 and 5) the Project would improve the existing visual quality of the site compared to what exists today. Therefore, the Project would not adversely affect public views. Therefore,</p>
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	<p>impacts to visual character and quality are less than significant. The City acknowledges the comment and notes it expresses the opinions of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I11-4 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Response to Comment Letter I12

Ron Brezic
August 11, 2017

I12-1

The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter, and general concern regarding the proposed zoning for the Project. As stated in Section 3.1.5, Land Use, of the Environmental Impact Report (EIR), the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Section 3.1.5 of the EIR describes and analyzes the Project’s land use and design compatibility. Appendix 3.1.5-1 to the Draft EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project’s potential conflicts with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The analysis provided in the EIR concludes that the Project does not conflict with the City’s General Plan and Zoning Ordinance. The comment does not raise an issue related to the adequacy of this land use and zoning analysis as provided in the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

Comment Letter I12

From: Ronald Brezic <ronaldjbrezic@yahoo.com>
 Sent: Friday, August 11, 2017 10:17 AM
 To: John Masson; Michael Morasco; Sam Abed; Ed Gallo; Kristin Blackson; Olga Diaz; Mike Strong
 Subject: ECC EIR Concerns

Sam, John, Olga, Ed, Mike and Kristin:

I'm sure you've all received a lot of emails and letters from the citizens of Escondido and surrounding neighborhoods expressing their displeasure with the proposed development on the Escondido Country Club property. I hope you all take these concerns into consideration and don't allow a massive development on that property. Plus the court ruling by a CA Superior Court judge ruled that the R-1-7 zoning cannot be changed when Stuck-In-The-Rough filed a law suit against the city to uphold the R-1-7 zoning. Stuck-In-The-Rough sued to the city to protect the current R-1-7 zoning and that is what should be required. Now it is Escondido's elected official's responsibility to uphold that court decision. When the property was purchased by a Beverly Hills developer who attempted to bully the city and its residents threatening to sue homeowners on the golf course for encroachment and the city for \$100,000,000 his true colors came out to show how he does business by bullying, intimidation and showing that he can't be trusted. He knew what the zoning was and sued the city to uphold that R-1-7 requirement – I think that is all the citizens of Escondido are asking – keep the R-1-7 zoning with the open space requirements from the 1960's resolutions which would allow approximately 150 homes – hopefully with a mixture of mostly single level homes so any new development will fit into the surrounding area which is mostly single level homes.

The EIR doesn't really address all the traffic concerns which are currently terrible and any additional traffic would only add to this issue, housing density per current zoning requirements are violated in this proposal. I don't think the water shed issues for our neighborhood and neighboring communities are properly addressed either, the future maintenance of the open space in the new development aren't addressed either and there are numerous other deficient issues in the EIR. The fact that the city didn't perform the EIR is also a concern because there is a potential conflict of interest when the developer paid for the EIR – the EIR seems very bias and should be redone. I understand that the original concept of the country club property and surrounding neighborhood wasn't even reviewed by those who



drafted the EIR which is a huge concern making the EIR questionable because all the facts about the neighborhood were not taken into consideration.

Lastly, our mayor and the majority of the city council said that they would do what the citizens of Escondido wanted and it is definitely time to follow-up on those commitments by rejecting this proposal from New Urban West. After all 64% of all Escondido voters rejected the Lakes proposal and the Villages is a minor revision to that rejected plan – don't be fooled by New Urban West because they seem to be an extension of Stuck-In-The-Rough and don't really care about the city of Escondido or the citizens of Escondido. It appears that all New Urban West is concerned about is the bottom line "MAKING MONEY". In one of the council meetings, I believe I heard that New Urban West needs to build 392 homes to make a profit – that statement should not even be considered when reviewing this project – if they can't make a profit, leave the property as is until building 150 homes is profitable – perhaps their profit margins are too high? New Urban West held numerous meetings in various homes around the golf course, I attended several and I'm very disappointed that none of the concerns discussed in those meetings were addressed. Jonathan from New Urban West was just going thru the motions seeming like a nice guy until the proposed development was submitted. This was the same tactic Mike S. took when he had meetings at the now closed Escondido Country Club – same tactics, same lies, similar promises, seems like the same intimidation tactics only different players. Please support all the citizens of Escondido and say NO to "THE VILLAGES" – it really is your civic duty! Putting a stop to the bullying of a Beverly Hills land speculator who has caused tremendous emotional and financial stress on our city and the ECC community whose property values have depreciated tremendously because he really doesn't care about our community – we paid a premium for our home on the golf course when we purchased it because ECC was the heart of our neighborhood. It seems like the city messed up the zoning so it is time to correct that mistake and reject this project because it does not fit into the existing neighborhood – I think everyone is willing to compromise if the current R-1-7 zoning maintained and 150 homes are built with the required open space from the 1960's resolutions.

Another issue which was never discussed by anyone is the older members of the country club paid a fee to join the club (over \$10,000) with the promise that we'd get 50% of that fee back if and when we ever sold our membership. Well that is another thing that Mike S. took from Escondido and the members of ECC when he closed the course!

Thank you in advance for doing the right thing for Escondido by rejecting this development – it really is too large for ECC,
 Ron Brezic
 David Drive resident and ECC member since 1990

I12-3
 Cont.

I12-4

I12-2

The commenter expresses general concern regarding traffic, density, and the watershed, which were analyzed in Section 2.7, Transportation and Traffic; Section 3.1.5, Land Use; and Section 3.1.4, Hydrology and Water Quality. The comment does not raise any specific issues related to the adequacy of this analysis as provided in the EIR. However, it should be noted that, as stated in Section 3.1.5, page 3.1.5-14:

“The Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes a total of 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre.”

Therefore, the proposed Project's density is not inconsistent with the City's General Plan.

I12-3

The commenter states the original concept of the country club property and surrounding neighborhood were not reviewed by those who drafted the EIR. The City is unclear which original concept the commenter is referring to; however, the EIR is required to analyze the proposed Project as well as alternatives. The EIR provides this analysis in Chapter 2, Significant Effects of the Proposed Project; Chapter 3, Effects Found Not

	<p>to be Significant; and Chapter 4, Project Alternatives. The EIR also provides a comprehensive analysis of the surrounding land uses in Section 3.1.5, Land Use. Surrounding land uses are described in Section 3.1.5.1.1 and depicted in Figure 1-9, Surrounding Land Uses. The comment does not raise an issue related to the adequacy of the analysis as provided in the EIR. However, it should also be noted that the EIR is a disclosure document pursuant to the California Environmental Quality Act (CEQA), and the lead agency is the City. Pursuant to Section 21067 of the CEQA Guidelines, as the lead agency, the City has the principal responsibility for carrying out or approving a project, which may have a significant effect upon the environment. The City has reviewed and verified all the contents of the EIR; see Chapter 6, List of EIR Preparers, in the EIR.</p> <p>I12-4 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I14

Kristin Blackson, Contract Planner
 City of Escondido
 kblackson@escondido.org
From: stiedemann@cox.net <stiedemann@cox.net>
Sent: Sunday, August 13, 2017 8:00 AM
To: Kristin Blackson
Subject: Draft EIR

August 13, 2017
To: Kristen Blackson, City Planning Division
Subject: Draft EIR for ECC Property

I do not feel that the mitigations proposed by the Developers to remedy problems that will be caused by building 392 dwellings on the Escondido Country Club property are anywhere close to adequate.

At this moment, without those houses and 700 additional vehicles, streets in the Country Club area have cracks and potholes that I dodge, trying to avoid my car making them worse. Have you driven along West Country Club Lane between Nutmeg and Firestone? New potholes appear with the slightest amount of rain. And pothole patches pop out two rains later. Our residential streets need some major maintenance now and construction vehicles have not even begun to degrade them further.

Now pretend that the developer will resurface all of the streets impacted during construction, including the feeder streets residents will have to use to avoid the areas being disrupted, leaving them in pristine condition. Don't laugh too hard. All of us have experienced the newly resurfaced road that is promptly trenched by the next utility contractor and inadequately patched. It already appears that the City of Escondido is deferring or is underfunded for routine street maintenance. Have you considered the increased costs of maintenance in the area that hundreds more vehicles will cause? Do you really think that new tax revenue from the Development will cover that? I have no faith in the City's commitment to maintain our neighborhood in the future, since it is lagging behind even now.

Many of the mitigations proposed for traffic involve freeway onramps and large intersections leading to those onramps. This ignores the fact that freeway drivers are already avoiding the daily 15/78 interchange snarl up by cutting through our residential area. They back up the West Country Club Lane intersection at Nutmeg, they drive down Firestone Drive and they use West Country Club Lane to reach El Norte Parkway. 700 additional residential vehicles on those roads will irreparably change the quality of our neighborhood. There will be more street and tire dust in the air, more road noise, and more congested street parking. Cars will inevitably travel faster than they should, making the streets area less safe for children and pedestrians.

I am also troubled by the proposed density of two-story dwellings proposed. From street level, they will act like a visual wall, blocking views of the surrounding hills. There will no longer be even the illusion of open space. Just thinking about it is depressing. I enjoy our wildlife and know that much of it will be displaced by too many buildings, too many cars, too much traffic, too few trees, and no open space. (As an environmentalist, walkways, sidewalks, and streets have never counted as open space in my accounting of the world.)

Please do not allow the proposed Development to continue as currently laid out. Thank you for your consideration.

Sincerely,
 Irene Chennell, M.D.
 1603 Pinehurst Avenue
 Escondido, CA 92026
 stiedemann@cox.net
 Sent from my Surface

I14-1
 I14-2
 I14-3
 I14-4
 I14-5

Response to Comment Letter I14

Irene Chennell
 August 13, 2017

- I14-1 The comment expresses general concern regarding adequacy of proposed mitigation measures associated with the Environmental Impact Report (EIR). The mitigation measures were identified based on analysis provided in the EIR. The commenter does not identify how the mitigation measures are inadequate, or which mitigation measures are inadequate. Therefore, no further response can be provided.
- I14-2 The comment expresses concern regarding current and future street conditions with the Project within the Country Club area. The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Therefore, no further response is provided.
- I14-3 The comment expresses concern regarding traffic impacts associated with the Project. Project impacts on traffic were analyzed in Section 2.7, Transportation and Traffic, of the EIR. The study area for the traffic analysis includes 17 existing intersections, 19 street segments, 1 freeway ramp meter, and 1 freeway segment. The comment does not raise any specific

	<p>issues related to the adequacy of this analysis provided in the EIR; therefore, no further response is provided.</p> <p>I14-4 The commenter expresses concern regarding street and tire dust, road noise, congested street parking, and vehicle speed. These topics were analyzed in Section 2.1, Air Quality; Section 2.6, Noise; and Section 2.7, Transportation and Traffic. The comment does not raise any specific issues related to the adequacy of this analysis provided in the EIR; therefore, no further response is provided.</p> <p>I14-5 The commenter expresses concern regarding the proposed density of two-story dwellings on surrounding views. The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. It should be noted that the Project includes both one-story and two-story elements, which were analyzed for potential visual impacts in Section 3.1.1, Aesthetics, in the EIR. The EIR concluded the Project would not result in any significant visual impacts. The comment further expresses general concern regarding the Project’s impacts on wildlife, traffic, trees, and open space, which were all addressed in the EIR. The comment does not raise any specific issues related to the adequacy of the EIR; therefore, no further response is provided.</p>
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Comment Letter I15

August 15, 2017

Kristin Blackson
Contract Planner
City of Escondido
201 N. Broadway
Escondido, CA 92025



RE: Comments Concerning Draft Environmental Impact Report for the Escondido Country Club Proposed Project by New Urban West Inc. (NUWI) The Villages (SCH No. 2017011060)

Dear Ms. Blackson:

I have reviewed the Draft Environmental Report on the above-referenced project. I do not support 392 homes nor 279 homes on the site. I do support the reasonable and viable alternative proposals of 158 and 138 housing units as being superior alternatives relative to the environmental impacts on the site pursuant to this CEQA review process. The 158 and 138 housing unit proposals will "attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project." These lesser housing proposals are feasible alternatives give the "rule of reason." This would represent smart growth through reasonable development that will lessen the negative impacts on the significant CEQA issues versus the larger developments being proposed.

The 138 and 158 housing unit proposals agree with the regulatory land-use scheme that has been a historic reality. The concept of Doctrine of Equitable Servitudes which "is a non-possessory interest in land that allows the owners of the benefitted property to use or restrict the use of the burdened property. Equitable servitudes operate similar to a covenant running with the land."¹ "The Country Club neighborhood was developed in phases over several years pursuant to an established land use scheme that contemplated the enjoyment by home-buyers of the benefits of the club house and the open space of the golf course."² The alternative development proposals of 158 and 138 housing units "which are based on R-1-7 zoning "respects the preservation of such benefits in a manner consistent with the land-use scheme contemplated for the region."³

The General Plan that allowed the development of substandard lots during the build out of the Escondido County Club developments was predicated upon the open space remaining in perpetuity, not, as a precursor to high density development. The various ordinances starting in February 1963, put forth Special Use Permits for building out the ECC "(with one noted exception) that none of the home sites could be given a final inspection or occupied unit the

¹ White Paper; Country Club Land Use Overview, pg. 1
² White Paper; Country Club Land Use Overview, pg. 8
³ White Paper; Country Club Land Use Overview, pg. 8

I15-1

I15-2

Response to Comment Letter I15

Mary Coffey
August 15, 2017

I15-1

The comment states the opinion of the commenter that the 158- and 138-Unit Reduced-Density Alternatives should be approved instead of the Project. The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft Environmental Impact Report (EIR).

The comment also references the "concept of Doctrine of Equitable Servitudes" and makes several unsupported assertions about that concept. The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

I15-2

The comment states, "The General Plan that allowed the development of substandard lots during the build out of the Escondido County Club developments was predicated upon open space remaining in perpetuity" and that credit was allegedly given for the open space

	<p>of the golf course as a “density transfer.”</p> <p>The City acknowledges the comment expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The comment cites no evidence the Project site was intended to be preserved as open space, or that any density transfer has occurred. To the contrary, for the duration of area build-out, the site has retained a zoning classification permitting residential development; it has never been dedicated as open space. The site is currently zoned R-1-7, which allows for residential development on 7,000-square-foot lots (EIR page 4-10).</p> <p>Furthermore, as detailed in the Draft EIR the Project would result in the development of fewer dwelling units than currently permitted by the General Plan land use designation while retaining 44% of the site (48 acres) in open space. The Project site is currently designated in the City of Escondido General Plan (General Plan) as Residential Urban I, which allows for up to 5.5 dwelling units per acre (City of Escondido 2012). This land use designation would be amended to the Specific Plan Area #14 (SPA #14)</p>
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	<p>land use designation, and the Project would then develop 381¹ dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre (EIR page 1-9.)</p> <p>The comment also states the residential characteristics of the neighborhood remained that of a retirement community during build-out. The City acknowledges the comment and notes it expresses the commenter’s opinion. The comment also restates information in the Draft EIR, as the Draft EIR states that, historically, the golf course was to be part of a senior citizens’ development. (EIR pages 3.1.1-2, 3.1.5-2) As established in the Draft Specific Plan, the Project proposes 78 homes on common lots within Village 3, which will be age-targeted for seniors. (See Draft Specific Plan pages 24 through 25, available at https://www.escondido.org/ecc.aspx.) The comment does not evidence any inconsistency between the proposed Project and existing community on this point.</p> <p>See also response to I15-3.</p> <p>I15-3 The comment raises concerns with the Project’s aesthetics and the Draft EIR’s description of existing</p>
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¹ Following circulation of the Draft EIR for public review, the applicant has agreed to reduce the total number of dwelling units on site from 392 to 381 units, and to develop 15% of units to one-story in height. The reduction in the scope of the Project does not affect the analyses or conclusions contained in the Draft EIR except that Project impacts will be slightly reduced.

<p>golf course, park, recreation and community center facilities had been constructed, inspected and certified by the City Engineer.⁴ "Effectively, credit was given to each lot for the open space element of the golf course, sometimes referred to as a 'density transfer'.⁵ "The end result of any such transfer, however, is that the open space, for which higher densities have been granted, is no longer capable of supporting more residential capacity. Its capacity has been set aside as open space to serve the undersized residential lots. Stated differently, the open space has been equitably pledged to support the bonus densities."⁶</p> <p>I strongly disagree with the final DEIR that the marketing appeal of the community changed during build of the ECC. The residential characteristics of the neighborhood remained that of a retirement community based on the City's promise of the ECC remaining a permanent open space with golf operations and related amenities.</p> <p>Aesthetics:</p> <p>NUWI's 392 homes, will not be consistent with and will conflict with existing aesthetics of open vistas of the golf course and policies in place during the build out of the country club property. The prevailing lot sizes at The Villages of 35' x 73' SFD (78); 45' x 75' SFD (126); 45' x 95' SFD (109); Condominium clusters of 6 units each (11) and 4 units each (2) will overwhelm existing residences. No one in a single story home (15 ft. high) wants to live near a two story house that will be approximately 38-40 feet high, especially when clustered together on substandard lots. The tightly packed tract housing on substandard lots would diminish the aesthetic value of the existing neighborhood.</p> <p>In so far as design and development standards, there are no Spanish Monterey two-story themed housing designs; there are no Craftsman two-story style designs; and there certainly are no Western Cottage two story style of homes at the ECC.</p> <p>I do not agree with The DEIR's statement that the project is located in a "heavily developed area" of the city. Again, the City's classification as of the 2012 General Plan is that the ECC neighborhood is <i>low density residential classification</i>. This project will alter the retirement character of the neighborhood with high density housing which will then change it to "heavily developed".</p> <p>General Discussion on DEIR:</p> <p>1. To say that the walking trails and parks will be available for free to the general public is open for debate given the proposed additional taxation aimed at the neighborhood. The Tentative Map and DEIR refers to the open space system as being under HOA governance. The HOA will most likely restrict public access due to the liability insurance or umbrella coverage that they would have to carry. To imply otherwise, is misleading. The "community vision" the DEIR refers to is the result of limited contact with existing residences as a whole and is largely based</p> <p>⁴City of Escondido Report on the Initiative Measure to Adopt 'The Lakes Specific Plan' dated July 23, 2014 ⁵White Paper, Country Club Land Use Overview, pg. 5 ⁶White Paper, Country Club Land Use Overview, pg. 5</p> <p style="text-align: center;">2</p>	<p>area conditions.</p> <p>The Draft EIR evaluated the aesthetic impacts in Section 3.1.1. Responding to the portion of the comment concerning scenic vistas, the Draft EIR acknowledges that the Project site was developed as an 18-hole golf course that is visible to surrounding residences (Draft EIR pages 3.1.1-4 and 3.1.1-5). However, impacts to the private views from adjacent private homes generally are not considered significant under the California Environmental Quality Act (CEQA) (EIR page 3.1.1-5 and pages 3.1.1-11 through 3.1.1-12.) This is because, "Under CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons." (<i>Mira Mar Mobile Community v. City of Oceanside</i> (2004) 119 Cal.App.4th 477, 492, 493-494.)</p> <p>Nonetheless, existing near views of the golf course will be replaced by views of landscaped Greenbelt/Open Space areas, which would screen and buffer views from surrounding residences and local roadways. Accordingly, impacts to scenic vistas would be less than significant (see Draft EIR pages 3.1.1-11 and 3.1.1-12). The commenter is referred to the Draft EIR Section 3.1.1.2.2 for further discussion on this point.</p> <p>The Draft EIR also evaluates views from eight "Key</p>
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I15-2
Cont.

I15-3

I15-4

	<p>View” locations towards the Project site (Draft EIR pages 3.1.1-15 through 3.1.1-18). Based on this evaluation, there is no evidence the Project would substantially degrade the existing visual character or quality of the site. The comment provides no evidence to the contrary.</p> <p>As to the portion of the comment that states prevailing Project lot sizes and common lot clusters would “overwhelm existing residences”—the City does not concur. To the contrary, these clustered, common lot units will be consistent with surrounding development densities and Project single-lot densities. As shown in the Draft EIR at Figure 1-7, the Project proposes single-family units on 2,500– 7,000-square-foot lots with a density of 3.6 dwelling units per acre. Similarly, surrounding development ranges from a high density of duplex condominium units on 2,000+ square foot lots with up to 8.3 dwelling units per acre; to a low density of single family units on 7,000+ square foot lots with a density of 2.7 dwelling units per acre. (See also EIR pages 3.1.1-3 through 3.1.1-4, and Figure 1-7.) The Project proposes residential development squarely within the range of these surrounding development densities; and retains 48 acres (almost half the Project site) in open space and recreational uses.</p> <p>As detailed in the Draft Specific Plan, clustered</p>
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	<p>common lot residences will be required to have a minimum square footage of 13,104 for 4 unit clusters and 19,824 for 6 unit clusters. Equating to about 3,300 square feet per residence, these common lot, single-family residences will thus have a similar development density to the existing community and the Project's single-family residential development. Furthermore, within Village 3 dwelling units on these shared lots will be age-targeted for seniors, including, within the common lot with six unit clusters, development to one-story in height. (Draft EIR page 3.1.1-14) The commenter is referred to Draft EIR page 3.1.1-15 and Specific Plan pages 40, 42, and 44 regarding bulk, mass, and scale of the Project. (Draft Specific Plan is available at https://www.escondido.org/ecc.aspx.)</p> <p>The comment also raises concerns with the height of homes and alleges two story homes will be 38–40 feet high. In fact, the Draft Specific Plan establishes a maximum height of 35 feet for all homes. (<i>See</i>, Draft Specific Plan page 46.) In addition, following circulation of the Draft EIR, the applicant has agreed to develop 15% of the total units to one-story in height, and to and reduce the total number of units by 11 units, from 392 to 381 units. The Project site is also at a lower elevation than the surrounding existing community, so that the development will retain a low profile. Accordingly, the Project will be similarly</p>
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	<p>scaled to residential development in the area.</p> <p>The comment further contends the Draft EIR improperly describes the existing area as “heavily developed.” The use of the term “heavily developed” in the Draft EIR refers to the amount of undeveloped open space in the community immediately surrounding the Project; not to the density of existing development. (See Draft EIR pages 3.1.1-21, Figure 1-7, and Figure 1-9.) In fact, the Draft EIR accurately describes that the site is surrounded by residential development, and that, “The location, density, and intensity of suburban-style development within the surrounding communities have mainly developed through planned residential development, and are generally characterized by low-density single-family neighborhoods with pockets of medium-density single-family development (duplex units and small detached homes).” (Draft EIR pages 3.1.1-3 through 3.1.1-4, Figure 1-7, and Figure 1-9.)</p> <p>Lastly, the comment implies design themes for the Project would result in aesthetic impacts. The City does not concur, as the Specific Plan contains a distinct set of architectural design requirements for each of the three villages (Craftsman, Western Cottage, and Spanish Monterey), thereby ensuring that all housing types have a superlative architectural design. (Draft EIR pages 3.1.1-13 through 3.1.1-14.)</p>
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<p>on financial recompense to NUWI and Schlesinger. Additional public taxation is revealed in the Specific Plan's statement "Proper financing for ongoing maintenance and operations of these important amenities will be supported by residential land uses and the future formation of a landscape management district (LMD), homeowner's association (HOA) and community facilities district (CFD)."⁷</p> <p>2. A convenience store featuring locally grown produce from the onsite professionally managed community farm is not necessary. There is a 7-11 at Country Club and El Norte Parkway and there is a Vons at Nutmeg and El Norte Parkway. This additional "convenience store" is not necessary and will create traffic problems with parking on the surrounding streets. A convenience store will not re-establish the social fabric of the community as stated in the DEIR.</p> <p>3. The "community vision" was to include senior housing. The only senior age-targeted homes are at the end of the 6-pack condominiums of which there are 11 units total. These single story homes will face existing housing per the DEIR meeting on July 31st. Out of 392 homes, there will be 22 senior age-targeted homes that will be subject to the VHOA as well as their individual HOA for each cluster unit. These additional fees could be quite costly for seniors on limited incomes.</p> <p>Air Quality:</p> <p>The DEIR estimates that heavy construction equipment will be operating at the site from 7 am to 6 pm during week days and 9 am to 5 pm on Saturdays from January 2018 to June 2023. Construction will impact air quality with greenhouse gas emissions for 24 hours per day for the next 5 years since air pollutants don't disappear when construction stops. The City of Escondido is situated in a valley which tends to make it more susceptible to air particulates and higher temperatures. The project will result in air quality problems because the rate of pollutant emissions will most likely exceed the rate of dispersion given that Escondido is already a zone of "particulate matter" per the air quality index of the San Diego Union Tribune. As the DEIR states, air pollution is largely a cumulative impact and this project's construction will make it worse given that the formerly open green space with over 620 trees will be removed to make way for this project. There will be no natural resource (open land, trees, shrubs, etc.) to combat the carbon dioxide that will end up in the atmosphere around the existing ECC neighborhood.</p> <p>⁸The Project is located on an existing golf course surrounded by single-family residential neighborhoods. Therefore, the nearest sensitive receptor is adjacent to the property boundary and within 20 feet of the Project in all directions.⁸</p> <p>⁷ Specific Plan, Chapter 1 Introduction, pg. 6 ⁸ The Villages-Escondido Country Club EIR, pg. 2.1-7</p> <p style="text-align: center;">3</p>	<p style="text-align: center;">↑ I15-4 Cont.</p> <p style="text-align: center;">I15-5</p> <p style="text-align: center;">I15-6</p> <p style="text-align: center;">I15-7</p> <p style="text-align: center;">↓ I15-8</p> <p>I15-4</p> <p>Nonetheless, the City acknowledges the comment expresses the opinions of the commenter, and the comment will be included as part of the Final EIR for review and consideration by the decision makers.</p> <p>The comment expresses concerns Project open space will not be available to the general public or that the public will be taxed to maintain the Project open space.</p> <p>The comment is incorrect. Conditions of Approval for the Project will require formation of a landscape management district (LMD), homeowner's association (HOA) and community facilities district (CFD) for the purposes of financing and maintaining Project open space. The applicant has further committed to record a public access easement over Project open space areas, as further required by Mitigation Measure M-BI-2. (EIR pages 2.2-22 through 2.2-23)</p> <p>To the extent the comment speculates as to future actions of the HOA, an alleged impact that is speculative or unlikely to occur is not reasonably foreseeable and is not required to be studied in an environmental review document. (See CEQA Guidelines Sections 15064(d)(3) and 15145.)</p> <p>Furthermore, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will</p>
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	<p>include these comments as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I15-5 The comment expresses the commenter’s opinion a convenience store is not necessary and will cause traffic problems.</p> <p>The City notes the comment expresses the opinions of the commenter and raises economic, social, or political issues that are unrelated to the adequacy of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>As to traffic, the applicant incorporated a store in the Project proposal at the City’s request in part to <i>reduce</i> reliance on motor vehicles within the community. The Draft EIR’s traffic analysis at page 2.7-20 explains how incorporating mixed uses, such as this retail use and the other recreational uses, together with substantial enhancements to the bicycle and pedestrian circulation network, will operate in tandem to reduce vehicle miles traveled (VMT) from residents of the Project and surrounding community. This is because local residents would have this available retail use accessible via non-vehicular modes of transportation. (<i>See also</i>, Draft EIR, Appendix 2.7-2.) The inclusion of the store will thus reduce traffic; not increase traffic</p>
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	<p>as alleged in the comment.</p> <p>Further, the Draft EIR Section 2.7 evaluated the Project's traffic impacts, including from operation of the store, and determined that no significant impacts would result near the store or on surrounding streets with mitigation incorporated. The comment provides no evidence to the contrary. The comment also does not raise any issue related to the adequacy of the Draft EIR's traffic analysis or any other section of the EIR. Thus, no further response can be provided.</p> <p>I15-6 The comment expresses concern that allegedly only 22 senior age targeted homes will be developed and that the homes will be subject to another separate HOA.</p> <p>The comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment or raise any specific issue related to the adequacy of any specific section or analysis of the Draft EIR. Nonetheless, the comment is incorrect. As detailed in the Specific Plan, clustered units will be age-targeted for seniors. The Project proposes 78 homes on common lots within Village 3; thus 78 homes (20% of the Project) will be age-targeted for seniors. (Draft Specific Plan page 24 through 25, available at https://www.escondido.org/ecc.aspx.) Furthermore, these homes will not be subject to a separate HOA for each cluster unit; this contention is incorrect.</p>
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	<p>I15-7 While this comment correctly notes construction will be ongoing for 5 years (See Table 2.1-4, Construction Phasing Assumptions), the comment is incorrect in its claim heavy construction equipment would be continuously operating at the site from 7 am to 6 pm during week days and 9 am to 5 pm on Saturdays. Heavy construction equipment would operate at the site for approximately 8 hours per day, 5 days per week (22 days per month) during Project construction. (Draft EIR page 2.1-18 and Table 2.1-5.) The Project’s construction schedule was based on information provided by the applicant and on CalEEMod default assumptions. (Draft EIR page 2.1-18 through 2.1-19.) CalEEMod default assumption have been established based on information compiled by California Air Pollution Officers Association (CAPCOA) in collaboration with South Coast Air Quality Management District (SCAQMD) and California Air Districts to permit emission modeling for to quantify air quality and climate change impacts. The Draft EIR’s air quality analysis relies on these reasonable construction phasing specifications and estimates in modeling the Project’s air quality impacts.</p> <p>The comment speculates, “The project will result in air quality problems because the rate of pollutant emissions will most likely exceed the rate of dispersion given that Escondido is already in a zone of ‘particulate matter’ per the air quality index of the San</p>
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	<p>Diego Union Tribune.” The comment is incorrect. Initially, there is no threshold or regulation related to the air quality index of the “San Diego Union Tribune.” Further, the Draft EIR modeled and evaluated whether the Project would expose sensitive receptors to substantial pollutant concentrations relative to applicable California and Federal air quality standards. (Draft EIR pages 2.1-28 through 2.1-34.) This included analyzing the Project’s pollutant emissions, rate of dispersion, size and topography of the air basin, prevailing meteorological conditions, etc. (Draft EIR pages 2.1-28 through 2.1-34.) The Draft EIR identified that construction and operation of the Project <i>would not</i> exceed thresholds for particulate matter, PM10 or PM2.5, and <i>would not</i> contribute to exceedences of National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) for particulate matter. (Draft EIR page 2.1-34.) Although the Draft EIR identified potentially significant impacts during construction from exceeding the City’s significance thresholds for NO_x (Impact AQ-3 and AQ-CUM-1), impacts would be reduced to less than significant levels with mitigation incorporated. (Draft EIR page 2.1-40 through 2.1-41.)</p> <p>Lastly, the comment alleges the Project would worsen cumulative air quality impacts by removing green space and 620 trees as “[t]here will be no natural</p>
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resource (open land, trees, shrubs, etc.) to combat the carbon dioxide that will end up in the atmosphere around the existing ECC neighborhood.” The comment appears to presume no trees or green space would remain following Project construction when, in fact, the Project will retain 44 percent of the site (48 acres) in open space. The 48-acre Open Space System would consist of 29 acres of landscaped greenbelt and 19 acres of environmental channels and retention basins. (Draft EIR page 1-3.) Furthermore, while the Draft EIR discloses the Project may result in significant impacts to 601 mature trees and 18 protected trees, these trees will be replaced and Project impacts mitigated to less than significant. Mitigation Measure M-BI-3 provides for the replacement of impacted mature trees at a minimum 1:1 ratio and protected trees at a minimum 2:1 ratio, unless otherwise determined by the City (see response to I15-17). The comment is therefore incorrect as the site retains significant natural resources at the site.

The Draft EIR evaluated the Project’s GHG impacts in terms of carbon dioxide (CO₂) and equivalent emissions. As detailed therein, potential impacts from emissions of GHGs, including CO₂, would be reduced below significance through the incorporation of Mitigation Measure M-GHG-1. The commenter is referred to the Draft EIR Section 2.4 and Appendix 2.4.1.

<p>In so far as Land Use and Community Form Element under the Air Quality section, here are some points that have been ignored and are applicable to everyone in the City of Escondido:</p> <ul style="list-style-type: none"> • there are already housing plans in place at the City through 2030 under the General Plan to promote development in the downtown area where there is access to transit and bike lanes to reduce the need for automobiles. These transit and bike lanes are already in place and future improvements are already being budgeted. • There is a large segment of the neighborhood that walks every day around the ECC as well as cyclists that use the area to get around or for training purposes prior to cycling events. The area already promotes walking, cycling and healthy lifestyles despite the loss of the course. We don't need a new development to promote healthy lifestyles. • There is rapid transit in the area on a regular schedule to reduce the need for automobiles. This again is already in place and not dependent on the new development. • The housing plans in place for the City through 2030 already include housing diversity. • Other stated project objectives in the DEIR can be achieved with fewer housing units. <p>Because the project involves 850,000 CY of cut/fill, the air quality around the development will be negatively impacted by the particulates of airborne dirt and fossil fuels involved with construction equipment necessary to move that much dirt around. Idling construction equipment is another concern that will affect the air quality. The fill dirt at Villages 1 and 2 will make up the bulk of the infill project. The dirt will be relocated to Village 3 for raising the grade. That will definitely impact the air quality if trucks are moving that much dirt around the ECC neighborhood for a period of years.</p> <p>The Villages Specific Plan states that the "New residential homes and Village Center facilities will use the latest Title 24 energy saving features such as LED light fixtures, timers, materials, windows, etc. and make use of solar energy producing opportunities where feasible." Thus, the increased housing will increase GHG emissions not only at the City's power plant but at the site itself through SDG&E service which relies on fossil fuel to generate power. Solar power (where economically feasible) will only mitigate a small portion of the increased demand for electricity and natural gas by the new residents and the proposed amenities. Where economically feasible is a convenient excuse for not installing solar panels on each house and buildings on site if it is not viable due to cost overruns.</p> <p>The Oxides of Nitrogen (NO_x) will exceed the City's threshold for daily emissions for the entire 5 year period or more of construction. The mitigation measures for this pollutant is a game of swapping out Tier 3 or higher emission equipment for lower level tiers when available per reasonability factors. All equipment used on this or any construction project in the San Diego County area should be required to use Tier 4 equipment since it is an EPA-designated non-attainment zone for 8-hour ozone.⁹ There is also a cost differential involved with the use of Tier 3 or 4 equipment in relation to Tier 2 or 1. The lower tiered equipment costs less to use and will be attractive to developers looking to increase their profit margin.</p> <p><small>⁹ EPA Air Quality Greenbook, 8-Hour Ozone (2008) Federal Register Notice Classification Changes, Effective 06/03/2016</small></p> <p style="text-align: center;">4</p>	<p>I15-8 The comment first restates information provided in the Draft EIR at page 2.1-7. To the extent this comment concerns the previous discussion of pollutant emissions, see response to I15-7.</p> <p>The comment next claims some points cited in the Draft EIR Section 2.1.1.2 pertaining to air quality, "have been ignored and are applicable to everyone in the City of Escondido." The comment addresses general subject areas which received extensive analysis in the Draft EIR. The commenter is referred to the Draft EIR Appendix 3.1.5-1, City General Plan Policy Consistency Analysis Table. To the extent the comment raises general, City-wide concerns, the City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment and which are beyond the scope of the Project and the Draft EIR.</p> <p>Lastly, the comment alleges construction air quality impacts will result from cut/fill and construction equipment idling. The comment is incorrect. Construction air quality impacts from grading, soil import, and construction equipment idling were analyzed in the Draft EIR and found to be less than significant with mitigation incorporated. The commenter is referred to Draft EIR 2.1-38 through 2.1-41, and Tables 2.1-4 and 2.1-5.</p>
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I15-8
Cont.

I15-9

	<p>I15-9 The comment first expresses concern that the Project would not comply with Title 24 and does not require installation of solar power for all electricity.</p> <p>PDF-AQ-2 will be incorporated as a project design feature and requires the Project “[e]xceed 2016 Title 24 building energy efficiency standards by 15%. Additionally, the Project will include electricity saving features, such as an increase in energy efficiency above the 2016 Title 24 standards and solar photovoltaic systems that satisfy 70% of the electricity demand for residential buildings and 50% of the electricity demand for the Village Center.” (Draft EIR Table 2.4-5, Emission Reduction Strategies.) The applicant has thus committed to incorporating energy saving features into the Project, including a substantial amount of solar photovoltaic systems. This measure will be fully enforceable through inclusion in the Mitigation Monitoring and Reporting Program (MMRP).</p> <p>Furthermore, the Project’s potentially significant GHG impacts will be reduced below significance through the incorporation of Mitigation Measure M-GHG-1. The commenter is referred to the Draft EIR Section 2.4 and Appendix 2.4.1. As “CEQA does not require the consideration of mitigation measures for insignificant impacts,” no further mitigation is required to address less than significant GHG effects. (<i>Santa Clarita Organization for Planning the</i></p>
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Environment v. City of Santa Clarita (2011) 197 Cal.App.4th 1042, 1058, *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1391, Pub. Res. Code Sections 21001, 21081, CEQA Guidelines Section 15126.4 (a)(3) [mitigation measures are not required for effects which are not found to be significant].)

Second, the comment expresses concern with Mitigation Measure M-AQ-2 and posits use of Tier 3 equipment may be forgone on site due to its higher cost compared to lower tier equipment. Mitigation Measure M-AQ-2 contains precise and detailed language to ensure the certainty, enforceability, and effectiveness of the mitigation measure. Specifically, Mitigation Measure M-AQ-2 reads:

Prior to the commencement of grading activities within each phase of development, the City shall confirm that the following measures shall be adhered to during construction activities associated with the Project to reduce oxides of nitrogen (NOx):

- a. For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 3.

An exemption from these

	<p>requirements may be granted by the City in the event that the Project applicant (or its designee) documents that:</p> <ol style="list-style-type: none">1. Equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those related to the commercial availability of the necessary equipment within the County of San Diego within the scheduled construction period).2. Corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. <p>For example, if a Tier 3 piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 2), another piece of utilized equipment could be upgraded from Tier 3 to a higher tier (e.g., Tier 4 Interim or Tier 4 Final) or replaced with an alternative-</p>
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fueled (not diesel-fueled) equipment to offset the emission reductions associated with using a piece of equipment that does not meet Tier 3 standards. The permissibility to achieve greater emission reductions through the use of cleaner equipment engines to offset assumed emission reductions that are not feasibly achieved ensures that total Project-generated criteria air pollutant emissions from equipment operation are reduced, if an exemption is granted by the City.

- b. The engine size of construction equipment shall be the minimum size suitable for the required job.
- c. Construction equipment shall be maintained in accordance with the manufacturer's specifications.

Thus, contrary to the comment's contention, reliance on lower tiered equipment is not permitted unless an exemption is granted by the City based on a showing (1) equipment at Tier 3 or above is not reasonably available; and (2) the use of lower tier equipment has been correspondingly offset through the use of cleaner

	<p>equipment elsewhere.</p> <p>Third, the comment states Tier 4 equipment should be used since the County is in a non-attainment zone for ozone (O₃). While the comment is correct the County is in non-attainment for ozone, However, with mitigation, the Project was not found to result in significant impacts to ozone under federal, state, or local standards. (Draft EIR Table 2.1-1, pages 2.1-24 through 2.1-25; pages 2.1-33 through 2.1-34; and pages 2.1-38 through 2.1-41.) Accordingly, no further mitigation is required to address this less than significant effect. (CEQA Guidelines Section 15126.4 (a)(3), <i>Santa Clarita Organization for Planning the Environment v. City of Santa Clarita</i> (2011) 197 Cal.App.4th 1042, 1058.)</p> <p>I15-10 The comment states the Draft EIR is “lacking in the study of rippability at the site and its negative effects on air quality” since the “the new plan proposes deeper excavations than the original plan.””</p> <p>The City has considered the comment and does not concur. The Draft EIR considered the rippability the site and conservatively assumed that blasting may be required due to the presence of these deeper cut areas and the presence of hard rock which may not be able to be excavated using heavy duty grading equipment. Specifically, the rippability of the site was evaluated based on exploratory trenching, boring logs, a seismic</p>
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Per the DEIR's Geotechnical Report on development for the site "It is anticipated that the majority of the proposed excavations will require moderate to heavy ripping with conventional heavy-duty equipment."¹⁰ "In addition, heavy ripping and possible blasting may generate oversize materials and corestones that will require special handling and fill placement procedures."¹¹ "Since the new plan proposes deeper excavations than the original plan, a supplemental rippability study may be desired where the deeper excavations are proposed and rippability information is lacking (e.g. north of K Street and Country Club Lane)."¹² Again, the DEIR is found lacking in the study of rippability at the site and its negative effects on air quality.

I15-10

Per the DEIR, the diesel particulate emissions from the heavy equipment operations and heavy-duty trucks associated with the project are the greatest source of toxic air contaminants. Construction vehicles idling and hauling functions produce more fossil fuel emissions. Those who live near the course will be subject to this toxicity on a daily basis for over 5 years.

I15-11

It is noteworthy that The DEIR's table 2.1-13 Construction Activity Health Risk Assessment Results which is related to this discussion shows the project impact of :

1. 8.43 out of 10 (CEQA Threshold) of Maximum Individual Cancer Rise for Residential
2. 0.80 out of 10 (CEQA Threshold) of Maximum Individual Cancer Rise for Worker

This high level of potential risk for existing residents confirms that construction this close to residential housing should not be approved by the City.

I15-12

The mobile sources of air pollution as cited in Appendix 2.7-1 show that during construction, each phase will not generate more than 4,500 ADT that the project will generate during the years of construction. This will add to the already congested roadways around the ECC which were designed for lower traffic speeds and amounts. As The DEIR's appendix 2.6-1, Noise Assessment states, the volume along "West Country Club Lane adjacent to the project site is approximately 5,330 ADT; North Nutmeg Street is approximately 3, 210 ADT and West El Norte Parkway carries approximately 17,780 ADT."¹³ After attending the DEIR meeting on July 31, 2017, I was surprised to learn that the analysis consisted of 2 hours in the morning and 2 hours in the evening. I was told by the Dudek representative measurements were based on the *minimum required by CEQA*.

All construction related vehicles as well as existing residents will use Country Club Lane as the primary ingress/egress route. You further state that during the estimated 5 years of construction related activities, NUWI will "maintain access to the degree possible to Country Club Lane during construction." That translates into massive traffic jams and other traffic related slow downs on a street that is used for the City's emergency response and evacuation

¹⁰ Appendix 3.1.1-3, Updated Geotechnical Report by Geoccon dated 10.31.2016, pg. 9
¹¹ Appendix 3.1.1-3, Updated Geotechnical Report by Geoccon dated 10.31.2016, pg. 9
¹² Appendix 3.1.1-3, Updated Geotechnical Report by Geoccon dated 10.31.2016, pg. 11
¹³ Linscott Law & Greenspan, 2016

refraction survey report, and eight seismic traverses. Based on this data, the Updated Geotechnical Report concluded that, while the majority of excavations at the site encountered highly weathered to weak/moderately weak rock conditions which would be rippable, some areas were anticipated to encounter medium to hard rock material of marginal to difficult ripping conditions. (Draft EIR Appendix 3.1.3, Updated Geotechnical Report, page 4 through 5.) Specifically:

[C]onventional heavy-duty grading equipment will encounter areas of marginally to difficult ripping conditions that may generate oversized rock (rocks greater than 12-inches in dimension), which will necessitate typical hard rock handling and placement procedures during grading operations. Blasting may be required in the deeper cut areas and utility corridors. Since the new plan proposes deeper excavations than the original plan, a supplemental rippability study may be desired where the deeper excavations are proposed and rippability information is lacking (e.g. north of K Street and Country Club Lane). Perspective contractors should use their own judgment to evaluate the rippability and review the logs and seismic survey report presented in Appendices A

and C, respectively. (EIR Appendix 3.1.3, page 5.)

The Draft EIR Appendix 3.1.3, Updated Geotechnical Report, page 9, thus provided the following recommendation relative to hard rock at the site:

Hard rock and cemented alluvial and colluvial deposits within proposed cut areas, if present, will require special consideration during site development. It is anticipated that the majority of the proposed excavations will require moderate to heavy ripping with conventional heavy-duty equipment. Possible blasting may be necessary in the deeper cuts or utility corridors of the project. In addition, heavy ripping and possible blasting may generate oversize materials and corestones that will require special handling and fill placement procedures. Oversize materials should be placed in accordance with Appendix D of this report.

The Draft EIR conservatively assumed that blasting may be required due to the presence of hard rock at the site and concerns with site rippability. (See also, Draft EIR Appendix 3.1.3, *Seismic Refraction Survey, The Lakes, Escondido, California*, April 14, 2014, page 2,

	<p>Table 1, Rippability Classification.)</p> <p>This conservative assumption was carried through the Draft EIR’s analysis of Project impacts, including the air quality analysis. The Draft EIR’s air quality analysis considered the effects of grading, as well as the effects of blasting if the conventional heavy-duty equipment proves inadequate for deeper cuts and hard rock areas. Emissions from grading, trenching, and other earthwork were evaluated in the Draft EIR at pages 2.1-24 through 2.1-41, and Table 2.1-4, and Table 2.1-5, while potential blasting emissions were evaluated in the Draft EIR at pages 2.1-19 and 2.1-20, 2.1-27, and Table 2.1-6, Blasting Characteristics. The evaluation of potential air quality emissions from blasting included consideration of combustion related emissions (NO_x, CO, SO_x, PM₁₀ and PM_{2.5}) as well as fugitive dust emissions in the form of PM₁₀ and PM_{2.5}. Complete details concerning emissions calculations are incorporated in the Draft EIR, Appendix 2.1-1. With mitigation incorporated, construction air quality emissions including from earthwork and blasting would be less than significant. (Draft EIR pages 2.1-40 through 2.1-41.)</p> <p>I15-11 The comment cites concerns the health risk assessment in the Draft EIR.</p> <p>The comment correctly restates information contained in the Draft EIR finding health risk impacts would be</p>
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	<p>less than significant. The Draft EIR determined that Project construction activities would maximally result in a residential maximum individual cancer risk of 8.43 in one million exposures, which is below the significance threshold of 10 in 1 million. (Draft EIR Table 2.1-13, Appendix 2.1-1 page 54.) It is notable, however, that the incremental cancer risk during construction far overstates the actual health risks associated with the Project. This is because the “incremental cancer risk” is based on the likelihood a person continuously exposed to concentrations of TACs resulting from a project over a 70-year lifetime will contract cancer based on the use of standard risk-assessment methodology. As Project construction will occur for only 5.5 years and would be intermittent within construction phases, actual risk experienced by workers will be far less than disclosed in the Draft EIR. (Draft EIR pages 2.1-28 through 2.1-30 and Table 2.1-13, Appendix 2.1-1 pages 51–54.)</p> <p>As to the portion of the comment expressing the commenter’s opinion on Project approval, the City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I15-12 The comment first states some information about construction traffic and existing traffic volumes from the Draft EIR and that existing volume counts were</p>
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<p>route. <i>That is not acceptable under any scenario.</i> It will be a threat to the health and safety of the community that surrounds the ECC.</p> <p>Biological Resources:</p> <p>M-BI-1 Significant impacts to nesting birds could occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15).</p> <p>I strongly disagree with the DEIR's conclusion that the impact on raptor foraging is less than significant. Several varieties of hawks and falcons, herons and egrets still call the ECC home. These bird species as well as mallards are prevalent in the neighborhood as well. The project will have a substantial adverse effect on the nesting birds cited above. There is a juvenile red-tailed hawk frequently seen at the ECC so there is a nest somewhere close by.</p> <p>Will these birds come back if their refuge is negatively impacted by the lack of trees during the 5 year or longer construction period? The answer is no because their natural arbor habitat as well as riparian wetlands will be gone. This project will result in significant impacts to nesting birds and cannot be lessened through mitigations as stated.</p> <p>The DEIR's 2.2.4 Significance of Impacts Prior to Mitigation which lists potentially significant impacts are as follows as well as deficiencies to proposed mitigation:</p> <p>A biologist should also survey surrounding properties to be sure that construction related ground disturbances (i.e., grading, blasting, etc.) do not harm potential nesting habitats in nearby properties before starting construction related activities. The Benton Burn site has coastal sage plans which are habitats for the endangered gnatcatcher. It is less than 900 feet north of the ECC so it is very plausible that coastal sage scrub also is present at the site which may indicate the protected species gnatcatcher is present.</p> <p>M-BI-2 The Project would impact approximately 0.29 acres of wetland/riparian-vegetated streambed sensitive natural communities. The DEIR's mitigation plan is to "replace the wetland/riparian sensitive natural communities and jurisdictional wetlands and waters in an amount to satisfy a no-net loss standard for both function and spatial area of wetland and non-wetland resources." The fact the this .29 acres of wetland/riparian-vegetated stream has continued to exist despite the lack of irrigation for 4 years should be evidence of its thriving ecosystem and it should not be relocated to another location on the property. It is obviously getting water from another source which should be protected as part of the existing ecosystem.</p> <p>Aquatic habitats such as the wetland/riparian habitats create an ecological and aesthetic character and dependent animal and plant communities. Re-establishing a long-standing habitat to another site on the property doesn't guarantee "no-net-loss" if the project fails. This no-net-loss must also apply to the function and value of these aquatic habitats which is more difficult to achieve and measure since each has their own ecosystem. There will be no way to reestablish the wetland/riparian ecosystem once it is destroyed by grading or other ground</p>	<p>only conducted for "2 hours in the morning and 2 hours in the evening."</p> <p>The comment is general in nature and does not cite any evidence related to the adequacy of the Draft EIR or its analyses. Given that the comments are general, a general response is all that is required. (<i>Paulek v. California Dept. Water Resources</i> (2014) 231 Cal.App.4th 35, 47.) The comment restates information in the Draft EIR related to traffic counts for limited segments of area roadways. The commeter is referred to Table 2.7-1, Existing Traffic Volumes, for additional volume counts. (<i>See also</i>, Draft EIR, Appendix 2.7-1 page 12 through 13, Table 3-1, and Appendix A.) Traffic counts were conducted during peak hours, primarily in May 2016 when schools were in session. Average daily traffic volumes were then estimated based on peak hour counts. (<i>See</i>, Draft EIR, Appendix 2.7-1 page 12 through 13, Table 3-1, and Appendix A.) This is standard practice for modeling existing traffic volumes as it reflects both peak and daily average traffic volumes.</p> <p>The comment second cites concerns with access and emergency access during construction. A traffic control plan will be required by the City for construction activities and would to ensure efficient ingress/egress of vehicles, and to maintain access to the degree possible to Country Club Lane during construction. (Draft EIR</p>
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↑ I15-12
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I15-14

I15-15
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pages 2.7-23, 2.7-27 through 2.7-28; Appendix 2.7-1 page 73.) As detailed in the EIR, adequate emergency access would be maintained during construction (EIR pages 2.7-22 through 2.7-23):

Existing access to the Project area for emergency service providers would be maintained during construction and operation. Also, it is important to note that emergency vehicles have the right-of-way and therefore are able to bypass traffic when driving to their destination when responding to a call for emergency services. Specifically, nonemergency vehicle drivers are required to pull to the right side of the road and stop to allow emergency vehicles to pass, and there is sufficient space provided to do so. If required, drivers of emergency vehicles are trained to travel in opposing through lanes to pass through crowded intersections. Additionally, each village would have its own primary access routes, as well as emergency access routes where needed for public safety. Additionally, it should be noted that the traffic control plan required by the City for construction activities would outline all requirements to ensure that emergency access is

	<p>maintained at all times and that Project construction would not impact acceptable response times. The traffic control plan would require coordination and notification of emergency service providers. Additionally, emergency access would be provided to all of the villages in the Project. This would allow emergency egress for residents in an emergency event as well as alternative ingress and egress for emergency responders. These alternative access routes may also provide emergency access for existing development, depending on the type and location of an emergency event. Thus, impacts on emergency access would be considered less than significant.</p> <p>As to construction traffic, a supplemental traffic analysis has been prepared and is incorporated in the Final EIR as Appendix 8-2 to enhance the analysis of the Draft EIR. As detailed therein, Project construction traffic will result in less than significant impacts to roadway capacity and intersection delays on all studied roadways in the Project area. As the commenter cites no evidence to the contrary, no further response can be provided.</p> <p>I15-13 The comment states the commenter disagrees with the</p>
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	<p>Draft EIR’s conclusion impacts on raptor foraging will be less than significant. Yet, the comment does not raise any issue related to the adequacy of the Draft EIR’s analysis of impacts to foraging raptors, and cites no evidence to support the claim a significant impact to raptor foraging would occur.</p> <p>The Draft EIR evaluated impacts to raptors in Section 2.2.2.2.A. Surveys for raptors were conducted, and it was found the site provides marginal foraging opportunities for red-tailed hawk (<i>Buteo jamaicensis</i>), red-shouldered hawk (<i>Buteo lineatus</i>), and great horned owl (<i>Bubo virginianus</i>) in its current state. (Draft EIR page 2.2-12 and Appendix 2.2-1 page 15.) The Draft EIR page 2.2-17 and Draft EIR Appendix 2.2-1 page 24 analyzed impacts to raptors and found that impacts are expected to be less than significant because: (1) the site provides “marginal and relatively low quality foraging opportunities” for raptors; (2) taller, weedy species at the site make foraging more difficult; (3) historic golf course uses did not provide an important foraging resources; (4) the site is fragmented and urbanized; and (5) expansive areas nearby, such as Daley Ranch (a 3,058-acre conservation area) provide better foraging habitat compared to the site. The project will incorporate open space elements that will function as foraging habitat for raptors and other species, including perimeter green belt areas, trees for perching, and riparian</p>
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	<p>corridors. With consideration to the marginal raptor foraging functions under current conditions and conservation of some of those functions in the Project design, impacts to raptor foraging were determined to be less than significant. The analysis presented in the Draft EIR thus adequately evaluated the potential impacts of the proposed Project to raptor foraging, and determined impacts would be less than significant.</p> <p>The comment also provides information about the varieties of bird species that use the site, and generally implies the Draft EIR’s evaluation of impacts to nesting birds was inadequate and that birds will not return to the site as a result of the “lack of trees during the 5 year or longer construction period.” The comment is general in nature and does not provide any evidentiary support for the claim that birds would not return to the site or that the Draft EIR’s analysis of impacts to biological resources, including nesting birds, is inadequate. Given that the comments are general, a general response is all that is required. (<i>Paulek v. California Dept. Water Resources</i> (2014) 231 Cal.App.4th 35, 47.)</p> <p>Nevertheless, the comment’s reference to M-BI-1 as identifying potential significant impacts to nesting birds, and mention of bird species, is generally correct and not at variance with the Draft EIR. The Draft EIR evaluated impacts to nesting birds at page 2.2-17 and</p>
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determined impacts would be potentially significant (Impacts BI-1 and BI-CUM-1) because suitable nesting habitat exists on the Project site and could be removed during the breeding season (January 15 to September 15). The impact and significance threshold in question only addresses nesting birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG Code). This is exclusive to those birds protected by these policies that could establish a breeding territory and active nest within a potential impact area of the Project. Mitigation Measure M-BI-1 would, then ensure that potential significant impacts to nesting birds are avoided in compliance with the MBTA and CFG Code.

Mitigation Measure M-BI-1 in the EIR reads:

Nesting Bird and Raptor Avoidance. If initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project applicant shall retain a qualified biologist to perform a preconstruction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory

	<p>Bird Treaty Act and California Fish and Game Code. The preconstruction survey shall be performed no more than 7 days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.</p> <p>The mitigation measure thus specifically addresses impacts to protected nesting birds during Project construction. Potential impacts to non-protected birds that would not establish a breeding territory or active nest on the site would not constitute a significant impact and do not require analysis under the established thresholds.</p> <p>I15-14 The comment states a biologist should survey surrounding properties including the Benton Burn site over 900 feet north of the Project site because allegedly the Benton Burn site has “coastal sage plans (sic) which are habitats for the endangered gnatcatcher.” The comment also suggests coastal sage</p>
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	<p>scrub may be present at the site and indicate presence of gnatcatcher.</p> <p>The comment is mistaken in the presumption coastal sage scrub or gnatcatcher exist on site. Qualified biologists performed four biological surveys of the site in 2016 on March 23, November 11, November 12, and November 13. (Draft EIR page 2.2-2, Appendix 2.2-1 pages 7 through 8.) The surveys included a general inventory of existing conditions and focused primarily on verifying existing vegetation communities or habitat types, assessing suitability for sensitive plant and animal species, assessing potential jurisdictional waters and wetlands, and identifying any other potential sensitive resources. (Draft EIR page 2.2-2 through 2.2-3.) No coastal sage scrub community was observed. (See, Draft EIR Appendix 2.2-1 [Appendix A], Draft EIR Section 2.2.1.1 and Figure 2.2-1.)</p> <p>As analyzed in Appendix D of Appendix 2.2-1 to the Draft EIR, the coastal California gnatcatcher (<i>Polioptila californica californica</i>), a federally threatened bird species, is not expected to occur due to lack of suitable habitat on the site. (Draft EIR page 2.2-5, Appendix 2.2-1 [Appendix D, page D-8].) Furthermore, while a total 36 animal species were detected on site, including 34 bird species, coastal California gnatcatcher (<i>Polioptila californica</i></p>
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	<p><i>californica</i>) was not observed on site. (Draft EIR page 2.2-5, Appendix 2.2-1 [Appendix B].)</p> <p>Nonetheless, the intent of Mitigation Measure M-BI-I is for the qualified biologist to survey potential nesting habitat that occurs within potential impact areas of the Project. This is standard practice and will include both direct impact areas on site and potential indirect impact areas within 500 feet of the site that support nesting habitat and could be affected by construction noise and vibration. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.</p> <p>I15-15 The comment expresses concern over mitigation adopted for impacts to 0.29 acres of wetland/ riparian sensitive natural community. The comment also states the opinion the wetland area should not be relocated and that “there will be no way to reestablish the wetland/riparian ecosystem once it is destroyed by grading.”</p> <p>The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. Contrary to the comment’s statement, the wetland/riparian habitat on</p>
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disturbing activities. These .29 acres needs to be protected in place and not subject to development.

The fact that the California Department of Fish and Wildlife (CDFW) has notified the City that CDFW requires an LSA Agreement is noteworthy. CDFW recognizes that this project may substantially adversely affect existing fish or wildlife resources. What additional mitigation measures are required before permits can be issued for the project? An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. What suggestions has CDFW suggested to modify the project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before Issuing an LSA Agreement, CDFW must comply with the California Environmental Quality Act (CEQA).

"Even the concept of "no-net-loss" is in some ways misleading as it assumes that we can actually "replace" all the functions and values of natural wetlands by building or restoring former wetlands elsewhere – frequently in another watershed entirely. Study after study shows how unlikely efforts to date to restore wetlands result in fully functioning systems, and to date, there is no plan to ensure that the functions and values restored are in any way equivalent to those lost."¹⁴ Thus re-establishing the .29 acres of wetland/riparian sensitive natural communities to another location is a controversial mitigation measure not assured of any success. The .29 acres needs to be permanently preserved so it can continue to thrive and filter the pollution resulting from human activity. This is also provides habitat protection for wild life still residing on or near the course.

M-BI-3 The Project would impact approximately 2.27 acres of unvegetated stream bed jurisdictional waters.

See Impact B1-2 above. There has been extensive loss of wetlands over the years and preservation or restoration of existing wetlands should be encouraged and not disregarded in favor of projects such as The Villages as stated in the DEIR. As stated below, wetlands benefit downstream water bodies by assisting with maintaining beneficial water quality. This would assist the Carlsbad Watershed and San Marcos Lake and Creek fight pollutants that find their way into the watershed. These 2.27 acres should be preserved since it has managed to survive despite the irrigation being shut off over 4 years ago. It is obviously an active ecosystem and should not be destroyed for the sake of construction. This stream bed has a water source that should be preserved in place so that it may continue to filter pollution from human activity. This also provides habitat protection to wild life residing on or near the course.

"Since all types of surface waters, including wetlands, are impacted by nonpoint source (NPS) pollution and since many wetlands help protect the water quality of other surface waters."¹⁵ "Wetlands, along with rivers, lakes, and estuaries, are 'waters of the U.S.', and a valuable natural resource to be protected from point and NPS pollution. Wetlands

¹⁴ "No-Where Near No-Net-Loss", National Wildlife Federation, pg. 3

¹⁵ US Environmental Protection Agency, Section 404 of the Clean Water Act

I15-15
Cont.

I15-16

the site has evidently been in a decline since irrigation ceased back four years ago. This is best evidenced by the 2016 survey findings and a review of aerial imagery since the irrigation ceased, which very clearly depicts much drier conditions.

The comment's statement regarding the features on the site getting some water from another source beside the previous golf course irrigation is accurate. In fact, water entering the site as run-on from adjacent developed areas and falling onto the site from rainfall would be conserved; the Project was intentionally designed to conserve these functions. The water would be allowed to move through the site in a much more efficient and natural manner and would achieve superior conveyance, water quality, and habitat functions compared to the existing condition.

Regarding the success of mitigation in achieving no-net-loss, the City does not concur with the comment's assertion Mitigation Measure M-BI-2 is inadequate. M-BI-2 would implement certain and enforceable mitigation to assure no-net-loss of this riparian habitat in the short- and long- term. (Draft EIR page 2.2-22 through 2.2-23.) Regarding long-term success, Mitigation Measure M-BI-2 includes requirements for the preparation and implementation of a Restoration Plan, which must be reviewed and approved by responsible agencies and must include at least five

years of maintenance and monitoring to ensure success. The specific success criteria to be met during the five years of maintenance and monitoring is determined by responsible agencies during regulatory permitting for the Project; however, the current standard is to implement a functional equivalency analysis, such as California Rapid Assessment Method (CRAM), to ensure that the mitigation site achieves a superior functions, values, and services compared to the impact site.

The site will further be subject to long-term management actions, including active maintenance and monitoring of the habitat, in perpetuity, to ensure that superior functions, values, and services are maintained over time. M-BI-2 specifically requires the recording of a conservation easement or similar protective mechanism for the area; long-term management directives; establishment for a non-wasting endowment maintenance, monitoring, and management by an approved agency or non-profit; and installation of permanent fencing and signage. The City will be responsible for approving these various mechanisms incorporated in M-BI-2 which will act to assure impacts to riparian habitat are reduced below a level of significance and wetland/riparian communities fully restored. The success of mitigation is thus foreseeably assured.

	<p>To the extent the comment states riparian habitat and/or on-site streams should not be relocated, the Draft EIR Appendix 2.2-1 explains that, “Direct impacts to many of the on-site channels will be temporary in nature, as many of them will be widened and re-established along the same linear path, or within immediately-adjacent paths, and restored with native riparian/wetland habitat.” (Draft EIR Appendix 2.2-1, page 21.) The Draft EIR Appendix 2.2-1, page 22, further explains how the Project has been designed to avoid and minimize impacts to waters and wetlands on site and to create a linear preserve of riparian and wetland habitat that is biologically superior to the existing condition.</p> <p>The comment also states the California Department of Fish and Wildlife (CDFW) has notified the City it requires an LSA (streambed alteration) for the Project. This is false. The City has received no such notification or request for an LSA. Nonetheless, as stated in the Draft EIR, notification to the CDFW for impacts to jurisdictional streambed and riparian habitat is needed. (Draft EIR Section 2.2.2.2.C.) If an LSA is required, the applicant will comply with all regulatory requirements and mitigation as required by CDFW.</p> <p>I15-16 The comment expresses concern with Project impacts to unvegetated streambed and with Mitigation Measure M-BI-3.</p>
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provide many functions and values. The wildlife support function is often the most easily recognized and appreciated. However, wetlands also provide functions that benefit adjacent or downstream water bodies that are much less obvious. These include flood attenuation, erosion control and water quality benefits. The functions and values of the Nation's wetlands should be restored and maintained to meet the overall objectives of the Clean Water Act."

M-BI-4 The Project would result in unavoidable impacts to up to 601 mature trees and 18 protected trees.

The existing trees should be given credit for surviving this long given that the irrigation was turned off over 4 years ago. There should be a rehabilitation program in place to restore those trees that can be restored versus cutting everything down because that is faster and cheaper.

The DEIR states that "Section 33-1069 (Vegetation Protection and Replacement) Pursuant to this section, every feasible effort and measure to avoid damage to existing trees remain on site shall be taken by the owner and developer during clearing, grading, and construction activity, including the placement of City-approved tree protection barriers. If mature trees cannot be preserved on site, they shall be replaced at a minimum ratio of 1:1. If protected trees cannot be preserved on site they shall be replaced at a minimum ratio of 2:1. However, the number, size, and species of replacement trees can be determined on a case-by-case basis by the City's Director of Community Development."¹⁶

The goals and policies of the Escondido general plan which recognizes oak trees and other mature trees as significantly aesthetic and ecological resources, and to protect sensitive biological species and habitats, and historically significant trees which are located within the boundaries of the City. Cutting down mature trees as well as protected trees by the State is not acceptable and cannot be mitigated with the planting of replacement trees because:

1. Loss of habitat values associated with mature trees are not mitigated over the short term. New plantings have habitat values over time; but, these typically differ from those associated with mature trees and established habitats.
2. Aesthetic impacts associated with loss of mature trees are not mitigated over the short term. It will take years for the trees to mature.
3. Ability to maintain contiguous tree lines that conserve habitat value may be severely limited, especially on small parcels where they are presently located. Levels of disturbance associated with the removal of up to 601 mature trees and up to 18 protected trees will lead to degradation of habitat value and function at the site.

Restoration plans are not full-proof and the "5 year maintenance and monitoring to ensure that the restoration effort is successful" is proof of this. Conservation easements and non-wasting endowments do not guarantee success. Who will be monitoring this restoration process?

¹⁶ DEIR, Biological Resources 2.2, pages 9-10

I15-16
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I15-17

It should first be noted that the unvegetated streambed does not involve wetland habitat or riparian vegetation, as asserted by the comment. As discussed at Table 2.2-2, the unvegetated streambed is comprised of man-made earthen channel, man-made concrete channel, and man-made basin/pond. Draft EIR pages 2.2-4 through 2.2-5 further describe that these channels/basins formerly served as irrigation and storm water conveyance features for the golf course and are either bare, overgrown with non-native grasses, concrete, or earthen-lined. (Draft EIR page 2.2-4 through 2.2-5.) Also, contrary to the comment, many of the pond and channel features have completely dried out now that golf course areas are no longer being artificially irrigated and maintained. (*Ibid.*)

The comment confuses riparian/wetland sensitive natural communities with jurisdictional waters and wetlands. The commenter is directed to the correct language in Section 2.2.4 of the Draft EIR, which states that the Project would impact approximately 2.56 acres of wetland and jurisdictional waters for Impact BI-3. The commenter is also directed to Tables 2.2-3 and 2.2-4 of the Draft EIR, which detail the mitigation requirements for each resource type impacted by the Project. Most notably, the Project would provide for 3:1 establishment/re-establishment mitigation for the low-quality wetlands being impacted on the site. Successful implementation of

	<p>this mitigation would provide for three times the spatial area and substantial increase in wetland functions on the site compared to the existing conditions. Accordingly, Mitigation Measure M-BI-2 will ensure the establishment/reestablishment, enhancement, and replacement of impacted jurisdictional waters in an amount to satisfy a no-net-loss standard.</p> <p>The comment also expresses the opinion of the commenter that the streambed should be preserved in place. As described above, the Project has, in fact, been designed to preserve the streambed along the same linear path while enhancing riparian and wetland habitat to create a preserve that is biologically superior to the existing condition and which will better treat and filter pollutant runoff. (Draft EIR Appendix 2.2-1 page 21 through 22.) The Project design thus already addresses the commenter’s concern.</p> <p>The comment goes on to cite information concerning waters of the United States under section 404 of the Clean Water Act. The comment generally provides background information and restates information in the Draft EIR about Section 404 permits. (<i>See</i>, Draft EIR page 2.2-6.) As detailed in the Draft EIR at page 2.2-14, the man-made drainage features and basins throughout the site were evaluated and <i>do not qualify</i> as waters of the United States under the Clean Water</p>
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	<p>Act. This is because the features on the site are geographically isolated with no downstream connectivity to a navigable waterway due to their termination within uplands on site or the existing municipal separate storm sewer system. Also, the features have been created wholly within uplands, as evidenced by historical imagery and other maps. Accordingly, as concluded in the Draft EIR, the features are geographically isolated and would not qualify as waters of the United States as regulated by the Army Corps of Engineers pursuant to Clean Water Act Section 404. (Draft EIR page 2.2-14 and Appendix 2.2-1 page 16.)</p> <p>Lastly, the comment implies M-BI-3 relates to unvegetated stream beds. This is incorrect. M-BI-3 relates to Mature and Protected Tree Replacement. The commenter is directed to the Draft EIR pages 2.2-22 through 2.2-23 for the discussion of M-BI-2 and M-BI-3.</p> <p>I15-17 The comment expresses concerns with Project impacts to mature trees.</p> <p>The City notes the comment it expresses the opinions of the commenter regarding tree loss. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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	<p>As noted at Impact BI-4, the Project would result in unavoidable impacts to up to 601 mature trees and 18 protected trees. The loss of mature trees received extensive analysis in the Draft EIR, including with reference to Section 33-1069 of the City’s municipal code and the general goals and policies of the Escondido General Plan. (Draft EIR page 2.2-19, 2.2-9 through 2.2-10, 2.2-12.) To summarize, the 2016 surveys confirmed the presence of both mature and protected trees within the site. Of the mature trees, 18 were coast live oak (<i>Quercus agrifolia</i>) trees with DBH greater than 10 inches, which are further considered protected trees by the City. No heritage trees or other protected trees exist on site. The complete results of the tree surveys are provided in Appendix 2.2-1.</p> <p>The determination of whether a tree can be salvaged, relocated, and preserved on site would be determined prior to construction and in consultation with the City, taking into account a tree’s ability to survive without supplemental irrigation. Nevertheless, in an abundance of caution the Draft EIR page 2.2-19 states a potentially significant impact may result to mature and protected trees, which would conflict with local policies or ordinances protecting biological resources. The Draft EIR also concludes the Project may result in a cumulatively considerable impact from conflicts with tree preservation policies before mitigation.</p>
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	<p>(Draft EIR page 2.2-21.)</p> <p>To mitigate these impacts below a level of significance, M-BI-3 will be required. M-BI-3 provides for the replacement of impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The Project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development. Mitigation Measure M-BI-4 is consistent with the requirements of the City for mature and protected trees. No additional mitigation is required.</p> <p>The comment also states the opinion replacement trees will provide inadequate mitigation for habitat loss. The Draft EIR explains the Project site is characterized by disturbed and developed land associated with the old Escondido Country Club and golf course, and thus native and naturalized habitat is largely absent from the site. The loss of mature trees, 601 of which are non-native, thus only results in a potentially significant impact before mitigation from conflicts with the City's tree preservation policy, not significant impact from habitat loss as would adversely impact special status species. Furthermore, Project landscaping will act to improve habitat values on-site through the prevention of non-native, invasive plants; and through active</p>
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	<p>management of the open space areas including regular weed removal to control non-native species. (Draft EIR Appendix 2.2-1 page 23.)</p> <p>The comment lastly inquires who will monitor the 5 year restoration plan of Mitigation Measure M-BI-2. As detailed in Mitigation Measure M-BI-2, the applicant will not only fund the restoration effort but will contract with an agency, non-profit organization, or other entity approved by the City for the perpetual maintenance, monitoring, and management of the biological conservation easement area. (Draft EIR page 2.2-23.) Upon approval of the draft Long-Term Management Plan, the applicant shall submit the final Long-Term Management Plan to the City and/or other responsible agencies of the Project and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity.</p> <p>I15-18 The comment expresses concerns with GHG impacts, and states that the Project will not incorporate adequate solar panels or energy efficiency measures.</p> <p>Initially, the comment is general in nature and does not cite any substantial evidence GHG impacts would be significant or inadequately mitigated. Given that the comments are general, a general response is all that is required. (<i>Paulek v. California Dept. Water</i></p>
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<p>Greenhouse Gas Emissions (GHG):</p> <p>This housing project will impact Assembly Bill 32 which requires California cities like Escondido to reduce CHG emissions to 1990 levels by 2020. These reductions are necessary to avoid catastrophic climate change which will affect air quality, quality and quantity of water supplies from the Sierra snowpack, increase in sea levels, damage to marine ecosystems and the natural environment as well as human health related diseases.</p> <p>"Annual greenhouse gas emissions rose more quickly last year than they have in nearly three decades."¹⁷ "...global emissions of greenhouse gases that lead to warming, primarily driven by the burning of fossil fuels and other human activity, increased by 40 percent between 1990 and 2016, a significant measure of man's influence on the climate."¹⁸ That being the case, less housing means less mitigation for GHG emissions that are spiraling out of control due to human activity. Development such as the alternative proposals of 138 or 158 units makes more sense than this project of 392 homes or 279 homes when evaluating the impact of increased GHG on the environment.</p> <p>The city emits carbon dioxide, methane and nitrous oxide indirectly through the use of electricity produced by SDG & E. SDG&E generates electricity from natural gas combustion and thus the generation of electricity produces GHG emissions. The city also has the Escondido power plant and Palomar Energy facility which produce GHG emissions.</p> <p>The Villages Specific Plan states that the "New residential homes and Village Center facilities will use the latest Title 24 energy saving features such as LED light fixtures, timers, materials, windows, etc. and make use of solar energy producing opportunities where feasible."¹⁹ In other words, the developer will decide if there is sufficient profit from the development to invest in solar technology and where it will go. "Community Character Policy 1.8: Require development projects to locate and design buildings, construct energy and water efficient infrastructure, reduce greenhouse gas emissions,..."²⁰ Will each residence and associated buildings have solar panels and tiles; or, will the Title 24 energy savings or energy efficient infrastructure consist of cheaper choices such as LED lights, timers, windows, etc.?</p> <p>This project, even with mitigation, would substantially increase greenhouse gas emissions in the following ways:</p> <ol style="list-style-type: none"> 1. Electricity production for the projected 392 homes would predictably increase greenhouse gas emissions. Electricity represents 45.9% of 2010 Emissions Generated by Source.²¹ The NUWI development would increase consumption of heating, lighting <p>¹⁷ San Diego Union Tribune, 7/14/17, pg. A8 ¹⁸ San Diego Union Tribune, 7/14/17, pg. A8 ¹⁹ The Villages Specific Plan 7/31/16, pg. 5 ²⁰ The Villages Specific Plan 7/31/17, pg. 71 ²¹ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source</p> <p style="text-align: center;">9</p>	<p><i>Resources</i> (2014) 231 Cal.App.4th 35, 47.)</p> <p>The Project’s potentially significant GHG impacts will be reduced below significance through the incorporation of Mitigation Measure M-GHG-1. The commenter is referred to the Draft EIR Section 2.4 and Appendix 2.4.1. Accordingly, no further mitigation is required to address this less than significant effect. (<i>Santa Clarita Organization for Planning the Environment v. City of Santa Clarita</i> (2011) 197 Cal.App.4th 1042, 1058, <i>Gentry v. City of Murrieta</i> (1995) 36 Cal.App.4th 1359, 1391, Pub. Res. Code Sections 21001, 21081, CEQA Guidelines Section 15126.4 (a)(3) [mitigation measures are not required for less than significant effects].)</p> <p>As detailed at response to I15-9, PDF-AQ-2 will be incorporated as a project design feature and requires the Project “[e]xceed 2016 Title 24 building energy efficiency standards by 15%. Additionally, the Project will include electricity saving features, such as an increase in energy efficiency above the 2016 Title 24 standards and solar photovoltaic systems that satisfy 70% of the electricity demand for residential buildings and 50% of the electricity demand for the Village Center.” (Draft EIR Table 2.4-5, Emission Reduction Strategies.) The applicant has thus committed to incorporating energy saving features into the Project including solar photovoltaic systems. This measure will</p>
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- and appliances. Electricity, gas and other fossil fuels for the clubhouse and amenities as well as exterior lighting would also contribute to the GHG emission levels.
2. Transportation to and from the NUWI development will result in 4500 trips per day.²² This increase in traffic, wherein 100% of the fossil fuel is used for transportation,²³ will result in increased levels of GHG emissions throughout the city. The 2010 city's draft climate action plan states "employee commute" accounts for 17.3% of GHG emissions by source.²⁴ This percentage will go up with the 392 homes proposed and will negatively impact the City's efforts to comply with AB 32.
 3. Population increase associated with these 392 homes will increase industry's use of fossil fuels to produce goods from raw materials that the new population will demand.
 4. Large land areas like the Country Club property absorb CO₂ from the atmosphere or sources of greenhouse gas emissions. Reduction of available open space from 109 acres to 48 acres or a reduction of 44% of the available open space thus effectively reducing the mitigation of GHG emissions through land absorption while increasing the GHG emissions through human activities associated with increased populations.
 5. Increased solid waste and wastewater will result with the 392 unit housing proposal. There will be an increase in solid waste disposal which will impact landfill methane levels due to the increase in population. Wastewater going to the recycling facility will also impact existing infrastructure and may warrant replacement or upgrades to existing waste water facilities. Approximately 7.9% of 2010 emissions are generated by solid waste and waste water treatment facilities per the City's draft climate action plan of 2010.²⁵
 6. The electricity needed to generate the water pumps from Rincon and the City to deliver water to the new residents will be sourced from fossil fuels and increase GHG emissions.
 7. Analysis of construction-related emissions should include the effects of equipment and worker-trip vehicle exhaust as well as fugitive dust. Other potential sources of construction emissions include building materials, asphalt, and architectural coatings.
 8. This project would consume nonrenewable energy resources such as fossil fuels, natural gas and gasoline for automobiles and construction equipment. It would increase GHG emissions as a result of these operational activities.
 9. Ongoing maintenance and operation of the new developments would entail a further commitment of energy resources in the form of petroleum products (diesel fuel and gasoline), natural gas, and electricity.

I15-19
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²² Linscott, Law and Greenspan, engineers, LLG Ref. 3-16-2014 The Villages, pg. 73

²³ EPA 2014 Report, ES-10 Inventory of US Greenhouse Gas Emissions and Sinks, 1990-2014, pg 33

²⁴ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source

²⁵ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source

be fully enforceable through inclusion in the Mitigation Monitoring and Reporting Program (MMRP).

To the extent the comment cites general background information and does not raise an environmental issue within the meaning of CEQA, the City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I15-19

The comment states the Project will allegedly substantially increase GHG emissions in ten discrete ways, including: (1) required electricity production; (2) transportation; (3) raw construction materials; (4) reduction in open space; (5) increased solid waste and wastewater; (6) electricity for water pumps; (7) construction-related emissions; (8) consumption of natural gas and gasoline for automobiles and construction equipment; (9) ongoing maintenance and operation of the development; and (10) unavoidable impacts to 601 mature trees and 18 protected trees.

As to emissions associated with energy production, the industry standard emissions quantification model used in this Draft EIR [the California Emissions Estimator Model (CalEEMod)] states, in Appendix A (page 30) of its user manual:

Criteria pollutants and GHGs are also emitted during the generation of electricity

	<p>at fossil fuel power plants. When electricity is used in buildings, the electricity generation typically takes place offsite power plants, the majority of which burn fossil fuels. Because power plants are existing stationary sources permitted by air districts and/or the USEPA, criteria pollutant emissions are generally associated with the power plants themselves, and not individual buildings or electricity users. Additionally, criteria pollutant emissions from power plants are subject to local, state, and federal control measures, which can be considered to be the maximum feasible level of mitigation for stack emissions. In contrast, GHG emissions from power plants are not subject to stationary source permitting requirements to the same degree as criteria pollutants. Likewise, it is difficult to mitigate GHG emissions emitted at power plants using exhaust after treatment control technologies. The most effective way to control GHGs from power plants is to reduce electricity demand. As such, GHGs emitted by power plants may be indirectly attributed to individual buildings and electricity users, who have the greatest ability to decrease usage by applying</p>
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	<p>mitigation measures to individual electricity “end uses.” The program therefore calculates GHG emissions (but not criteria pollutant emissions) from regional power plants associated with building electricity use.</p> <p>Consistent with the direction provided in the CalEEMod user manual, the emissions associated with electrical generation facilities are quantified and accounted for when such facilities go through CEQA and air district permitting processes. Likewise, CalEEMod quantifies the indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use; cited by the commenter. Therefore, quantifying emissions from indirect and downstream electricity demand; as stated by the comment at numbers 1 through 3, 5 through 6, and 9; in a land use development project subject to CEQA would constitute double counting.</p> <p>As relevant background, CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use development</p>
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projects. The model quantifies direct emissions from construction and operational activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user.

The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with numerous expert consultants and California Air Districts, including the South Coast Air Quality Management District, the Bay Area Air Quality Management District, Placer County Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, the San Joaquin Valley Air Pollution Control District, the San Luis Obispo Air Pollution Control District, and the Santa Barbara County Air Pollution Control District. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The model is periodically updated when modifications are warranted. (The DEIR utilizes the most current version of CalEEMod – Version 2016.3.1.)

	<p>The model is broadly accepted by lead agencies and technical experts as a comprehensive tool for quantifying air quality impacts from land use projects located throughout California. The model can be used for a variety of situations where an air quality analysis is necessary or desirable, such as preparing CEQA or National Environmental Policy Act (NEPA) documents, conducting pre-project planning, and, verifying compliance with local air quality rules and regulations, etc.</p> <p>As to impacts from mobile sources/ vehicular traffic (numbers 7 and 8 in the comment), the GHG analysis included GHG emissions from mobile sources during construction and operation. (See, Draft EIR Appendix 2.4.1 page 45 through 53.)</p> <p>As to impacts from the reduction of open space and impacts to mature trees, 44 percent of the site (48 acres) will be retained in open space. In addition, M-BI-3 provides for the replacement of impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The Project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development. Mitigation Measure M-BI-4 is consistent with the requirements of the City for</p>
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	<p>mature and protected trees. No additional mitigation is required. In fact, the landscaping plan shows the Project plans to incorporate a total 1,451 trees. The Project will thus not substantially reduce the GHG absorption potential of the site.</p> <p>Lastly, GHG impacts from the Project will be further mitigated to a level less than significant individually and cumulatively through the incorporation of Mitigation Measure M-GHG-1, which requires the applicant or its designee to purchase and retire GHG offsets to reduce the Project’s GHG emissions level to 3.15 metric tons carbon dioxide equivalent (MT CO2E) per service population per year, consistent with performance standards and requirements. (Draft EIR page 2.4-40 through 2.4-41.) Project GHG emissions will thus be less than significant and ensure the Project is consistent with statewide GHG emission reduction goals.</p> <p>I15-20 The comment states the spreading of chicken manure of the golf course should be considered when discussing hazardous materials.</p> <p>Initially, the comment is incorrect in presuming manure has not been considered in the Draft EIR’s evaluation of hazard impacts. The Draft EIR states that:</p> <p style="padding-left: 40px;">Land uses in the Project area that may handle or have handled or have generated</p>
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10. The unavoidable impact to 601 mature trees and 18 protected trees will result in the loss of "critical ecosystem services by lowering energy use, storing carbon, inducing air pollutant uptake, intercepting rainfall and increasing property values."²⁶

Hazards and Hazardous Materials:

A. Property History: Prior farm and golf operations would entail the use of pesticides, many of which may now be considered hazardous waste. The potential of site contamination from the long use of herbicides, pesticides and fertilizer. The recent spreading of 5.5 tons of chicken manure on the dry course by the current owner, Michael Schlesinger, should also be considered when discussing hazardous materials.

B. "The property is located within the Richland Hydrologic Subarea (HAS 904.52) of the Carlsbad Hydrologic Unit within the San Diego Region of the State of California Regional Water Quality Control Board Hydrologic Basin Planning Area (SA 9.00). Lake San Marcos is located approximately 5.8 miles to the southeast."²⁷ "The scope of services by Geokon Incorporated on October 31, 2016 did not address the environmental impacts of chemical used during golf course operations."²⁸ Stantec did not collect shallow soil samples to detect organochlorine pesticides, arsenic and total lead. This should be done before any permits for ground disturbance construction begins to limit environmental exposure to these toxins which will negatively impact surrounding neighborhoods and cities. This lack of analysis points to the minimalist research of this DEIR.

Phase 1 ESA was incomplete because of this lack of oversight concerning soil contamination and the DEIR statement "no evidence of hazardous material release(s) onto the Project site was found."²⁹ is premature due to lack of testing and analysis by Stantec and Geokon.

"The property and adjacent land have been historically used for agricultural purposes since circa 1939. Use for agricultural purposes can be a potential concern due to the possible use of pesticides and heavy metals-containing herbicides. Stantec recommends collecting shallow soil samples for laboratory analysis of organochlorine pesticides, arsenic and total lead."³⁰ Thus, the DEIR is deficient in this lack of oversight concerning soil contamination and potential downstream contamination of water bodies associated with the Carlsbad Watershed. See Hydrology and Water Quality section for further discussion on this matter below.

D. The Property Reconnaissance of October 28, 2016 page 5.4, reported under "Other Exterior Observations", "Three cell towers and three cell tower buildings were observed in the central

²⁶ USDA, The State of California's Street Trees, 2015

²⁷ Appendix 2.5-1, Phase 1 Environmental Site Assessment, Stantec 10/28/16, pg. 4.2

²⁸ Update Geotechnical Report, Geokon Inc., October 31, 2016, Proj. No. G1588-32-02

²⁹ Appendix 2.5-1, Phase 1 Environmental Site Assessment, Stantec, 10/28/16, pg. 2.5-1

³⁰ Appendix 2.5-1, Phase 1 Environmental Site Assessment, Stantec 10/28/16, pg. 4.6-7

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I15-20

I15-21

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hazardous wastes include former agricultural uses...[which] could have a potential risk of site contamination from historical use of herbicides, pesticides, and fertilizer uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase I ESA, no evidence of hazardous material release(s) onto the Project site was found.

In any event, while no evidence of hazardous material release onto the Project site was found, the Draft EIR incorporates Mitigation Measure M-HZ-4 to ensure that, if cleanup is necessary, it is accomplished in accordance with all applicable federal, state, and local laws occur prior to development. Specifically, M-HZ-4 requires:

Prior to excavation and other earth-moving or soil disturbance activities, representative soil samples shall be collected from areas subject to historical agricultural use, submitted to a State of California-certified laboratory, and analyzed for the following potential contaminants of concern, as follows:

	<ul style="list-style-type: none"> • Organochlorine Pesticides using U.S. Environmental Protection Agency(EPA) Method No. 8081A • Arsenic using EPA Method No. 6010 • CAM-17 Metals, including lead, using EPA Method Nos. 6000/7000 series <p>Any soil identified as contaminated shall be remediated in accordance with all applicable federal, state, and local laws to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No excavation or other earthmoving or soil-disturbance activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the historical agricultural use of the Project site.</p> <p>While the City is sensitive to the commenter’s concern, the comment does not cite any substantial evidence 5 tons of chicken manure fertilizer (approximately 1–2 cubic yards of material) dumped on the site in 2014 would result in any hazard impacts presently, let alone <i>significant</i> hazard impacts after the</p>
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	<p>incorporation of this mitigation measure.</p> <p>I15-21 The comment expresses concerns with soil testing on site and states that soil sampling should be done prior to the issuance of permits for ground disturbance or construction.</p> <p>In fact, Mitigation Measure M-HZ-4 requires soil testing and any needed remediation occur prior to soil moving activities on site. Specifically, testing must be completed “[p]rior to excavation and other earthmoving or soil disturbance activities,” and, “[n]o excavation or other earthmoving or soil-disturbance activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the historical agricultural use of the Project site.” Compliance with this mitigation, including regulatory concurrence the no further action is required, will ensure no hazard impacts result from ground disturbance.</p> <p>See response to I15-20.</p> <p>I15-22 This comment expresses concerns with the Phase 1 ESA and water quality impacts from soil contamination.</p> <p>The comment is general in nature and does not cite any substantial evidence hazardous materials would be released on site. Given that the comments are general, a general response is all that is required. (<i>Paulek v.</i></p>
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<p>portion of the Property". This is problematic since there are no cell towers nor are there cell tower buildings on the ECC property.</p> <p>E. Without a site-specific groundwater direction and depth analysis on the ECC by Geocon, the estimates of such using the Unocal Station 1.2 miles away on higher ground is speculative at best. The ECC has a higher ground water table than the Unocal station which is on higher ground. Geocon reported shallow depth of groundwater/seepage within the low lying alluvial drainages which is not the case in the Unocal report. This is another reason for the DEIR to dismiss the Unocal report and have Geocon conduct a site-specific hydrogeology analysis.</p> <p>Since Geocon has not performed a hydrogeology study at the site, down-gradient and adjacent property may be subjected to seeps, springs, slope instability, raised groundwater, movement of foundations or slabs, or other impacts as a result of water filtration. A hydrogeologic study of the subsurface hydrologic and geologic conditions at the ECC is required to prevent future ground movement affecting the new housing as well as existing housing.</p> <p>F. Benton Burn Dump: I disagree that the Benton Burn Dump is a non-issue for environmental concerns related to hazards. The Benton Burn Dump site is 845 feet north northwest of the ECC was received a Mitigated Negative Declaration from the City on August 15, 2011. As part of that declaration, the existing institutional controls were to include provisions to limit the potential for future breaching of the cap and potential exposure of receptors to COPCs in burn ash containing materials/waste to areas downstream of the site which would include the northwest section of the ECC near David Drive. During heavy rain storms, this burn area which is included in FEMA 100 year flood mapping, usually overflows onto the ECC.</p> <p>Continuing protection of human health and the environment for containment treatments on this burn site is good, provided that long-term monitoring and maintenance is conducted. Because the site is a former solid waste facility, it must comply with CCR Title 27, which requires regular monitoring, maintenance, and reporting by the County Solid. Waste Local Enforcement Agency (LEA) or Regional Water Quality Control Board (RWQCB). Such monitoring and maintenance oversight is expected to continue and be provided by the LEA. Thus, no further action is required by the EPA after a preliminary sampling; however, continued monitoring is a requirement to protect human health and the environment. Thus, it is an environmental concern for this project as it relates to hazards and human health. Otherwise, long-term monitoring would not be necessary or required by state agencies.</p> <p>G. I would ask that Stantec review their page 4.5 and review their findings under 4.3.3 concerning contacting the Carlsbad Building Department since the property is in Escondido.</p> <p>H. I am wondering why Section 404 of the Clean Water Act is not also applicable due to the fact that the property is blue-lined. Section 404 provides for issuance of dredge/fill permits by the U.S. Army Corps of Engineers (ACOE). Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure</p> <p style="text-align: center;">12</p>	<p style="text-align: right;">California Dept. Water Resources (2014) 231 Cal.App.4th 35, 47.) Nonetheless, see responses to I15-20 and I15-21.</p> <p>Regarding water quality, the Draft EIR Section 3.1.4 included extensive analysis of potential water quality impacts. The comment does not raise any specific issue regarding that analysis and does not cite any substantial evidence of water quality impacts. Therefore, no more specific response can be provided or is required.</p> <p>Lastly, the comment also raises concerns that property reconnaissance showed three cell towers on site but allegedly no towers exist. The comment does not raise an issue concerning the adequacy of the Draft EIR; however, it is noted that the commenter is correct no cell towers exist on site.</p> <p>I15-23 The comment expresses concern the Draft EIR, or specifically the Updated Geotechnical Report prepared by Geocon, evaluated groundwater direction and depth reliant on groundwater data from a Unocal Station 1.2 miles away on higher ground. The commenter requests Geocon, the preparer of the Updated Geotechnical Report at Draft EIR Appendix 3.1.3, conduct a site-specific hydrogeology analysis.</p> <p>The comment is generally incorrect. Reference to the Unocal Station is only made in the Phase 1 ESA</p>
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	<p>prepared by Stantec, located in the Draft EIR at Appendix 2.5.1, page 4.1 through 4.2. The purpose of the Phase 1 ESA was to identify adverse environmental conditions including recognized environmental conditions (“RECs”) of the Property. (Draft EIR Appendix 2.5.1, page 2.1.) For this purpose, the Unocal Station’s groundwater information was used to provide a general summary of the physical setting of the property and its hydrogeology. (Draft EIR Appendix 2.5.1, page 2.1 and pages 4.1 through 4.2.)</p> <p>The Phase 1 ESA was <i>not</i> relied on by Geocon in preparing the Updated Geotechnical Report for the purpose of compiling existing subsurface information on a revised grading plan and providing geotechnical recommendations for developing the property. Geocon instead relied on previous field work consisting of drilling 14 hollow-stem auger borings, 49 exploratory trenches, and 8 seismic traverses and its previous reports entitled <i>Preliminary Geotechnical Investigation, The Lakes, Escondido, California</i>, dated July 3, 2013 and <i>Update Geotechnical Report, The Lakes Escondido, Escondido, California</i>, dated May 26, 2015. The recommendations in the Updated Geotechnical Report were then based on analysis of the data and observations performed during Geocon’s previous studies, laboratory information and Geocon’s experience with similar soil and geologic conditions.</p>
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	<p>(Draft EIR, Appendix 3.1.3, Updated Geotechnical Report, page 1.)</p> <p>Concerning groundwater specifically, the Updated Geotechnical Report page 5 explains that “groundwater and/or seepage were encountered within several of the exploratory trenches and borings performed during the field investigation.” The recommendations in the Geotechnical Report specifically include measures to address groundwater and wet/saturated soil conditions encountered at the site. For example, recommendation 7.1.7 states that, “Due to shallow depth of groundwater/seepage encountered within the low lying alluvial drainages, possible dewatering and/or top loading may be required to remove the unsuitable surficial deposits within these areas.” (Appendix 3.1.3, Updated Geotechnical Report, page 10.) As another example, recommendation 7.2.1 provides for subdrains in the event localized or perched groundwater conditions are encountered during grading. (Appendix 3.1.3, Updated Geotechnical Report, page 11.)</p> <p>The comment isolates and reads a segment of the Storm Water Management recommendations out of context. As noted in the Storm Water Management Recommendations if low-impact development (LID) integrated management practices (IMPs) are considered, Geocon recommends review of the design</p>
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to reduce impacts offsite to ensure proper construction. (Appendix 3.1.3, pages 23-24 [Recommendation 7.10.1].) The quote cited in the comment states that if the LID IMPs are considered *but not properly constructed*, distress to properties “hydrologically down gradient or adjacent” to these devices may result. (Appendix 3.1.3, page 23 [Recommendation 7.10.2].) However, Recommendation 7.10.3 then provides the methods which will be used to manage any potential adverse effects from new or existing improvements due to storm water infiltration and ensure such effects will be less than significant. These methods have been incorporated in the Project’s design. See, Figure 3.1.4-1, Proposed Site Drainage, noting that, “per the project’s Geotechnical Report, the depth of groundwater varied from a depth of 4.5 feet to 24 feet” such that, “infiltration BMPs are not being recommended” and instead “modular wetland systems are being proposed to provide stormwater treatment. Accordingly, through proper design of storm water management systems, impacts on and off site will be less than significant.

In sum, the comment is incorrect in asserting Geocon failed to evaluate groundwater impacts at the site. The comment is also incorrect in asserting Geocon has not addressed subsurface hydrologic and geologic conditions at the site through geotechnical

	<p>recommendations for developing the property. For these reasons, the City also does not concur with the comment's assertion that the property or off-site properties may be subject to impacts from subsurface groundwater. The comment cites no substantial evidence which contradicts the conclusions of Geocon in its Updated Geotechnical Report based on the performed exploratory trenches, borings, and field investigation, and conclusions based on this factual data. No further response is required or necessary.</p> <p>I15-24 The comment expresses concern the Benton Burn Dump site may result in hazards to the Project site and water quality.</p> <p>The City does not concur. Initially, the comment restates information addressed in detail in the Draft EIR. Specifically, page 2.5-4 of the Draft EIR discloses:</p> <p style="padding-left: 40px;">It was found that the Benton Burn Dump at the end of Still Water Glen in Escondido, California, is listed in the ENVIROSTOR and SWF databases. This site is 845 feet north northwest of the site, and was found to not create a [Recognized Environmental Condition] REC for the Project site. This facility is reported as having waste that potentially contains dioxins and lead. The facility had a preliminary assessment with sampling</p>
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	<p>approved by the Environmental Protection Agency (EPA) and no further action has been required. Given the distance from the Project site, this facility is considered unlikely to represent an environmental concern to the Project site.</p> <p>The existence, location, and additional details concerning the Benton Burn Dump are also disclosed in the Draft EIR, Appendix 2.5.1, Phase 1 Environmental Site Assessment at page 4.3 and its Appendix B, pages 2, 8, 9, 29–31.</p> <p>The City undertook remediation of the Benton Burn/ Dump Site and, in 2013, capped the site to seal any potential lead and other waste at the site, including during flood events. (See, Remedial Action Plan, Benton Burn Site, October 5, 2009, available at <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/Benton/RemedialActionPlan.pdf>, accessed August 31, 2017; “Burn dump capping ends tumultuous saga for Escondido neighborhood,” January 12, 2013, <http://www.sandiegouniontribune.com/sdut-escondido-burn-dump-cleanup--2013jan12-story.html > accessed August 31, 2017.) The commenter acknowledges containment action has occurred on the burn site, and notes that long-term-monitoring and maintenance is “expected to continue and be provided by the Waste Local Enforcement Agency.”</p>
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	<p>An EIR need not study impacts which are speculative or not reasonably foreseeable. (<i>See</i> CEQA Guidelines Sections 15064(d)(3) and 15145.) The commenter’s expressed concern that the City will not comply with legally mandated and planned monitoring, maintenance, and oversight; and that such non-compliance will cause hazard impacts at the Project site or downstream, calls for undue speculation. Moreover, the City may correctly presume that it will continue to comply with legal mandates.</p> <p>Moreover, CEQA requires an EIR evaluate impacts of the Project on the environment, not “the effects of existing environmental conditions on a proposed project's future users or residents.” (<i>California Building Industry Assn. v. Bay Area Air Quality Management District</i> (2015) 62 Cal.4th 369, 392.) To the extent the comment contends the Benton Burn Dump may impact the Project or its future users or residents, such evaluation is beyond the scope of this EIR.</p> <p>I15-25 The comment notes the Draft EIR Appendix 2.5.1, Phase 1 Environmental Site Assessment, incorrectly references the City of Carlsbad Building Department. This was a typographical error and the intent was to reference the City of Escondido.</p> <p>I15-26 This comment restates information about Section 404 of the Clean Water Act contained in the Draft EIR and</p>
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<p>development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).</p> <p>I. I disagree with the DEIR finding that building out the ECC would result in a less than significant impact concerning wild fires. The statement "Pursuant to the City's Wildland-Urban Interface Fire Severity Zones, the Project site is not mapped in the high or very high fire severity zone."³¹ is false and should be corrected.</p> <p>The ECC is in a high fire hazard zone; however most of the property to the north is in very high zone ratings per the City's 2012 General Plan.³² The dry conditions of the course due to lack of water over the last five years has exacerbated the fire hazard issue adding to the risk of wildfire, especially during construction. Fossil fuel trucks and vehicles with the dry conditions of the course could be devastating. Developments in high and very high fire threat areas are not advisable since they do contribute to GHG emissions and climate change through human activities as well as natural events like lightning strikes.</p> <p>Hydrology and Water Quality:</p> <p>Per the DEIR, the Regional Water Quality Control Board's review and approval of the waste discharge mediation for the project is mandatory given the significant impact of water quality downstream. "Water Code section 13260 requires that any person (including any city, county, district, State, and the United States to the extent authorized by Federal law) discharging, or proposing to discharge, wastes within any region that could affect the quality of waters of the State, other than into a community sewer system, must file a ROWD with the appropriate California Regional Water Quality Control Board (Regional Water Board)."³³</p> <p>The United States Army Corps of Engineers (ACOE) uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Given that the property is blue-lined by the ACOE, Section 404 of the Clean Water Act may also be mandatory for this development project. "Section 404 provides for issuance of dredge/fill permits by the U.S. Army Corps of Engineers (ACOE). Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Activities in waters of the United States regulated under this program include <i>fill for development</i>, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities)."³⁴ This</p> <p>³¹ Appendix 2.5-1, Phase 1 Environmental Site Assessment, Stantec 10/28/16, pg. 2.5-5 ³² Escondido General Plan, Wildfire Risk, Fig. VI-4, pg. 12 ³³ California Environmental Protection Agency, San Diego Regional Water Quality Control Board, Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges ³⁴ United States Environmental Protection Agency, Section 404 of the Clean Water Act</p> <p style="text-align: center;">13</p>	<p>asks why Section 404 is not applicable to the Project.</p> <p>As detailed in the Draft EIR at page 2.2-6, the Clean Water Act applies to "waters of the United States" which includes: (1) all navigable waters (including all waters subject to the ebb and flow of tides); (2) all interstate waters and wetlands; (3) all other waters, such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, or natural ponds; (4) all impoundments of waters mentioned above; (5) all tributaries to waters mentioned above; (6) the territorial seas; and (7) all wetlands adjacent to waters mentioned above.</p> <p>The man-made drainage features and basins throughout the site were evaluated to determine whether the features qualify as waters of the United States. Based on information reviewed, the features on the site are geographically isolated with no downstream connectivity to a navigable waterway due to their termination within uplands on site or the existing municipal separate storm sewer system. Also, the features have been created wholly within uplands, as evidenced by historical imagery and other maps. Accordingly, as concluded in the Draft EIR the features are geographically isolated and would not qualify as waters of the United States as regulated by the Army Corps of Engineers pursuant to Clean Water Act Section 404. (Draft EIR page 2.2-14 and</p>
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	<p>Appendix 2.2-1 page 16.)</p> <p>To the extent the comment restates information in the Draft EIR about Section 404 permits, Draft EIR page 2.2-6, or provides background information, the comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the project.</p> <p>I15-27 The comment states the commenter disagrees with the Draft EIR’s finding the Project will result in less than significant impacts to wildfires.</p> <p>The City has considered the comment and does not concur. First, the Draft EIR correctly states, “Pursuant to the City’s Wildland–Urban Interface Fire Severity Zones, the Project site is not mapped in the high or very high fire severity zone.” (Draft EIR page 2.5-5.) The commenter is referred to the Escondido Municipal Code Section 11-21, “Wildland- Urban Interface Fire Severity Zones.”</p> <p>Second, while the comment states the Project is located in a high fire hazard zone according the City’s 2012 General Plan, this comment restates information contained in the Draft EIR and considered by the City in reaching its conclusions. Specifically, as stated at</p>
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page 2.5-25:

[T]he Project site is located within a high fire hazard zone according to the City's General Plan (City of Escondido 2012, Figure VI- 6). However, the Project site is not adjacent to wildlands, has been previously developed, and is located in an area surrounded by residential uses. Compliance with all applicable existing laws, regulations, and policies would reduce impacts associated with wildland fires. The Project would be required to pay a development impact fee per dwelling unit, which would ensure fire response times are adequately met throughout the City, refer to Section 3.1.7, Public Services, for further information on development impact fees. Additionally, the Project would incorporate site design, maintenance practices, and fire resistant landscaping to protect properties and reduce risks, consistent with General Plan Policy 2.14. Therefore, impacts would be **less than significant.**

In sum, while the commenter is correct the Project site is located in a high fire hazard zone under the General Plan, impacts were deemed less than significant as the

	<p>Project is not adjacent to wildlands and will be subject to existing regulations which will reduce fire risk.</p> <p>Third, the commenter is incorrect most of the property is located in a “very high” fire hazard zone based on the City’s General Plan, Wildfire Risk, Figure VI-6 map.</p> <p>The comment also expresses concern with wildfires during construction. In addition to compliance with all applicable existing laws, regulations, and policies which would reduce impacts associated with wildland fires, Table 2.1-7 notes that during construction, the Project will be required to comply with SDAPCD Rule 55: Fugitive Dust, which mandates, “The applicant would perform dust suppression during the grading and surface improvement phases using application of water three times per day.” Site watering will not only act to control fugitive dust and particulate matter during construction activities, but will alleviate the dry vegetation conditions noted by the comment. Furthermore, grading will clear and remove from the site much of the dry vegetation noted by the comment, ameliorating the current dry condition of the site. Following construction, the site will be landscaped and irrigated with recycled water. For each of these reasons, impacts to wildland fires will be less than significant.</p> <p>I15-28 This comment states that, per the Draft EIR, the Regional Water Quality Control Board’s (RWQCB)</p>
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<p>proposed development which will include 850,000 cu. yds. of fill is not exempt and the DEIR is found to be lacking.</p> <p>Tributaries that flow through the project site affect the San Marcos Creek and related Carlsbad Watershed cities like Vista and San Marcos are "waters of the state" and are Federally protected as well. This is especially important given that both San Marcos Creek and Lake San Marcos are listed as impaired per the California Clean Water Act §303(d) list compiled by the California State Water Resources Control Board. Pollutants affecting the Creek for an estimated 19 miles are DDE (Dichlorodiphenyldichloroethylene)-pesticides; Phosphorus-nutrients; Sediment-Toxicity and Selenium-metals/metalloids. San Marcos Creek is polluted for an estimated 17 acres with ammonia-nitrogen and nutrients-nutrients.</p> <p>This project needs to verify with a soil analysis by Stantec or Geocon that there are none of these pollutants or additional ones are in the soil before any grading/clearing or related ground disturbance activities take place and enter the identified tributary drainages to San Marcos Creek that are present in all 3 Village sites. Soil analysis has not been done as part of this DEIR and is found to be lacking. "The scope of services by Geocon Incorporated on October 31, 2016 did not address the environmental impacts of chemical used during golf course operations."³⁵ Stantec did not collect shallow soil samples to detect organochlorine pesticides, arsenic and total lead. Soil analysis should be part of the due diligence concerning water quality to be done by either consultant before any of the soil on the property is disturbed by grading or other earth disturbing activities.</p> <p>Traffic: 13.0 Significance of Impacts and Mitigation Measures:</p> <p>General Discussion:</p> <ol style="list-style-type: none"> 1. Per the Department of Transportation's letter of February 23, 2017 addressed to Mr. Bill Martin of the Escondido Planning Department, the DEIR traffic impact study should include SR-78 in its scope because this Project will add 50 to 100 peak hour trips. The DEIR does not do this. Additionally, the DEIR should include a focused analysis on both SR-78 as well as I-15 because traffic queues often exceed ramp storage capacity during the morning and afternoon rush hours. 2. The DEIR failed to address the North County Transit District's recommendations per their November 28, 2016 letter to Mike Strong for bus stop improvements for 4 ADA complaint concrete pads on West Country Club Lane. This should be reviewed and a course of action laid out concerning compliance with ADA standards. 3. Proposed bike routes per figure 5.2-Bicycle Routes on the DEIR used to mitigate traffic congestion and conform to the General Plan's Mobility and Infrastructure is nothing more than a restatement of the City of Escondido Bicycle Master Plan. The City's 2012 plan states: <p>³⁵ Update Geotechnical Report, Geocon Inc., October 31, 2016, Proj. No. G1588-32-02</p> <p>14</p>	<p>review and approval of "the waste discharge mediation" is mandatory given "the significant impact of water quality downstream."</p> <p>The comment is incorrect. The Draft EIR Section 3.1.4.2.2 evaluated Project impacts to water quality and determined impacts will be less than significant during both construction and operation.</p> <p>During construction, under the National Pollutant Discharge Elimination System (NPDES) permit program, to reduce the occurrence of pollutants in surface water best management practices (BMPs) are mandated for construction sites greater than 1 acre through preparation of Stormwater Pollution Prevention Plans (SWPPP). SWPPPs are submitted to the RWQCB prior to ground-disturbing activities and set forth the measures that will be employed during construction to avoid runoff into surface waters. This is a regulatory requirement, not mitigation required due to potential Project impacts. With implementation of a SWPPP and compliance with water quality requirements, construction runoff from the site that will not significantly adversely affect surface waters. (Draft EIR pages 3.1.4-11 through 3.1.4-12)</p> <p>The comment also states a Section 404 permit "may also be mandatory for this development project." The City does not concur. As detailed in response to I15-26, the Draft EIR at page 2.2-14 evaluated the man-</p>
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	<p>made drainage features and basins throughout the site and determined these features do not qualify as waters of the United States under the Clean Water Act. Accordingly, no Section 404 permit is required. (Draft EIR page 2.2-14 and Appendix 2.2-1 page 16.)</p> <p>To the extent the comment provides background information and restates information in the Draft EIR about Section 404 permits, the comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.</p> <p>I15-29 This comment first expresses concern about the Draft EIR’s evaluation of water quality impacts to downstream waterways including San Marcos Creek and related Carlsbad Watershed cities.</p> <p>The Draft EIR Section 3.1.4.1 describes the Project site as located with the San Marcos Creek watershed which is a part of the larger Carlsbad Watershed. The Project site encompasses part of a natural drainage which is tributary to San Marcos Creek. (<i>Ibid.</i>) San Marcos Creek was included on the 2012 Clean Water Act, Section 303(d) List of Water Quality Limited Segments, due to the presence of DDE, phosphorus, sediment toxicity, and selenium.</p> <p>As detailed in the Draft EIR, the Project design and compliance with regulatory requirements will ensure no significant impacts will result to downstream water</p>
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	<p>quality. During construction, under the National Pollutant Discharge Elimination System (NPDES) permit program, to reduce the occurrence of pollutants in surface water BMPs are mandated for construction sites greater than 1 acre through preparation of a SWPPP. BMPs would ensure substantial pollutant concentrations would not be discharged from the Project site. (See response to I15-28.) Project temporary construction BMPs would typically include the following: street sweeping, waste disposal, vehicle and equipment maintenance, concrete washout area, materials storage, minimization of hazardous materials, and proper handling and storage of hazardous materials. Typical erosion and sediment control BMPs include silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, and soil stabilization measures. Implementation of these state-mandated measures would ensure that short-term impacts from construction-related activities would not violate any water quality standards and would not violate any waste discharge requirements. (Draft EIR pages 3.1.4-11 through 3.1.4-12)</p> <p>During operations, the Project would include removal of existing concrete drainage channels that currently convey runoff through the Project site. The Project would collect stormwater in treatment basins where it</p>
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would flow through a biofiltration treatment system to remove pollutants. (see Figure 3.1.4-1, Proposed Site Drainage.) A Priority Development Project Stormwater Quality Management Plan (SWQMP) has been developed for the Project to identify a preliminary list of BMPs, which would be implemented as PDFs, to minimize disturbance, protect slopes, reduce erosion, and limit or prevent various pollutants from entering surface water runoff (Appendix 3.1.4-2). In addition, the Project includes the PDF-HY-1 through PDF-HY-4 to avoid significant water quality impacts. PDFs are included in the SWQMP, detailed at Appendix 3.1.4-2. Based on the Project design and applicable requirements, and in particular with the inclusion of the proposed biofiltration detention basins, vegetated channels, and other LID strategies, operational water quality impacts would be less than significant.

The comment also expresses concerns with the soil analysis for pollutants and their potential to enter drainages. Mitigation Measure M-HZ-4 will require soil testing and any needed remediation occur prior to earth-moving or grading on site, confirming no significant effects will result. Specifically the Draft EIR states, at page 2.5-28:

Prior to excavation and other earth-moving or soil disturbance activities, representative soil samples shall

be collected from areas subject to historical agricultural use, submitted to a State of California-certified laboratory, and analyzed for the following potential contaminants of concern, as follows:

- Organochlorine Pesticides using U.S. Environmental Protection Agency (EPA) Method No. 8081A
- Arsenic using EPA Method No. 6010
- CAM-17 Metals, including lead, using EPA Method Nos. 6000/7000 series

Any soil identified as contaminated shall be remediated in accordance with all applicable federal, state, and local laws to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No excavation or other earthmoving or soil-disturbance activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the historical agricultural use of the Project site.

Hence, if remediation is required, it will be conducted

	<p>in accordance with all applicable laws, including those concerning water quality, prior to site disturbance.</p> <p>I15-30 The comment states that Caltrans submitted a letter stating the EIR should consider SR-78 in its scope because the “Project will add 50 to 100 peak hour trips.”</p> <p>The Caltrans NOP letter referenced by the commenter was issued prior to the completion of the traffic report. As such, Caltrans was not aware of the Project’s exact trip generation, or the distribution of traffic through the study area at that time.</p> <p>Caltrans is a signatory of the “SANTEC/ITE Guidelines for Traffic Impacts Studies [TIS] in the San Diego Region,” which provides direction on determining study area for projects within District 11, the State Department of Transportation District within which the Project lies. The traffic study utilizes the <i>SANTEC/ITE Guidelines for Traffic Impact Studies</i> utilized by Caltrans District 11 in the San Diego Region to determine which State facilities should be included in the study area. (EIR page 2.7-14.) These Guidelines state that</p> <p>“The geographic area examined in a [Traffic Impact Study] TIS must include the following: All local roadway segments (including all State surface routes), intersections, and mainline freeway</p>
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locations where the proposed project will add 50 or more peak-hour trips in either direction to the existing roadway traffic, and; All freeway entrance and exit ramps where the proposed project will add a significant number of peak-hour trips to cause any traffic queues to exceed ramp storage capacities (see Figure 1.)”(Citation).

Figure 7-3 of the Transportation Impact Analysis, EIR Appendix 2.7-1, shows the total Project-related traffic volumes, including the intersections at El Norte Parkway to/from the I-15 mainline. This figure shows that, for intersection numbers 13 and 14 (the southbound and northbound ramp intersections at I-15 and El Norte Parkway, respectively), the maximum contribution of project traffic is 44 AM peak hour trips to the I-15 southbound mainline and on-ramp; and 60 PM peak hour trips to I-15 northbound mainline and off-ramp. The 60 PM peak hour trips generated by the Project exceed the 50-or-more peak-hour trip threshold for inclusion in the scope of the TIA. The TIA therefore evaluates the Project’s impacts to the I-15 northbound mainline from SR-78 to I-15, and to the intersections and ramp facilities from I-15 northbound.

The 44 AM peak hour southbound trips do not exceed the threshold for inclusion in the TIA. However, the

	<p>TIA explains that while</p> <p>“the maximum peak hour contribution to the I-15 southbound mainline segment is 44 trips during the AM peak hour,” which “is less than the 50 peak hour trip threshold to require analysis of a freeway mainline, based on the published, regional SANTEC/ITE Guidelines for the Traffic Impacts Studies [TIS] in the San Diego Region”(Citation at page 11).</p> <p>The mainline segment was nevertheless included to provide a “conservative analysis.” In other words, by including the I-15 southbound segment to SR-78, and associated ramps and intersections, the TIA provides a more inclusive analysis than generally is required by Caltrans District 11 for the San Diego Region.</p> <p>As to other Caltrans facilities in the area including SR-78 mainline segments, and mainline segments, ramps, and intersections, a greater distance away from the Project than the El Norte Parkway interchange, the Project would add even less trips to these facilities than the 44 and 60 peak hour trips added at El Norte Parkway. For example, the next I-15 freeway segment south of El Norte Parkway would be south of the I-15/SR-78 junction, approximately 1.4 miles south of El Norte Parkway. Project southbound traffic generally would be split between I-15 and SR-78, and</p>
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therefore it is reasonable to conclude that the Project would add less than 50 peak hour trips (i.e., would add approximately 20-30 trips) to either segment (I-15 south of SR-78, or SR-78 east or west of I-15) or ramp facilities. Consequently, based on the SANTEC/ITE Guidelines, analyses of facilities beyond the El Norte Parkway vicinity are not warranted due to the limited amount of traffic that would be added to these facilities as a result of the Project.

In addition, the City notes that, in their comment letter dated July 18, 2017, Caltrans District 11 raised no concerns with regard to the scope of the traffic study area selected for the TIA's analysis.

Nonetheless, in response to the comment and others, the City has prepared a supplemental freeway traffic analysis which evaluates Project impacts to additional freeway mainline segments, including I-15 south of SR-78, and SR-78 from I-15 to Twin Oaks Valley Road. This supplemental analysis demonstrates that the Project would not result in any new significant impacts to freeway mainline operations at these segments. The supplemental analysis has been incorporated in the Final EIR as Appendix 8.0-2.

This supplemental freeway traffic analysis does not add significant new information to the EIR as no new or more severe substantial adverse environmental effects have been identified by the analysis. (CEQA

"However, implementation of some of the proposed lanes may be constrained due to a lack of available physical space under existing conditions. The width of the existing lanes, center median/turn lane, presence of on-street parking and/or physical condition of the outside lane/shoulder (such as Second Avenue, Country Club Lane, and Washington Avenue) may preclude the striping of bike lanes. Installation of Class II bike lanes on these roadways would require restriping, possible reduction of lane widths and removal of on-street parking."³⁶

These class II bike lanes will be problematic in the ECC neighborhood because streets were originally designed narrower than normal street widths by 10 feet as part of the vision of the retirement lifestyle. Traffic speeds of 25 mph and golf cart lanes were added to slow traffic down. On-street parking is also present on many of the streets referenced on the map. On-street parking will have to be removed to allow for the proposed class II bike lanes.

There is also the problem of review and approval process from the City of San Marcos and San Diego County in addition to the City of Escondido for these bike lane improvements. It will take years to work its way through the cities and county approval process and then to get the required grant funding.

Complicating subsequent implementation of these Class II bike lanes, the State of California states that the minimum Class II bike lane width shall be 4 feet, except where posted speeds are greater than 40 miles per hour, the minimum bike lane width should be 6 feet. Depending on the established speed, the bike lane width can be from 4 feet to 6 feet and then include the 3 foot rule for wherever the bicyclist is physically situated in the lane. West Country Club Lane and Firestone St. are not that wide. Several other city streets as referenced in the 5.2 Bicycle Routes in Chapter 5 are not wide enough either.

M-TRA-1

After reviewing the DEIR's mitigation measure at Intersection #8 (El Norte Parkway and Woodland Parkway), I disagree that this will improve traffic that backs up every morning and night around rush hour. To restripe the Westbound approach by removing one of the left turn lanes onto Woodland parkway would be a disaster. Many commuters use this left lane to get to the SR-78. Further, to add an additional through lane to Borden Road would cause traffic to bunch up since that street already has a designated bike lane as well as an entrance to the LDS Church and street parking for homes who face the street. The DEIR states that the developer will remove the turn lane into the church parking lot in favor of through traffic. I doubt that the LDS Church or San Marcos will allow this modification to go through.

Under the DEIR's mitigation of traffic overflow with the removal of the left turn lane, either the street parking will have to be prohibited or the bike lane will encroach on the right through lane given the state standards for Class II bike lanes. The "3 Feet for Safety Act" is a California law requiring drivers to maintain a distance of three feet when passing cyclists on the road.

³⁶ City of Escondido, Planning Department, Bicycle Master Plan, pg. 14

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Guidelines § 15088.5.) Accordingly, based on the standards set forth in CEQA Guidelines Section 15088.5, it is not necessary to recirculate the EIR with this information incorporated because the EIR was adequate and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.

The comment states the EIR fails to address North County Transit District's recommendations.

In response to the NCTD comments, the Project will include improvements to Country Club Lane pursuant to the standards described in the NCTD comments. See, Response to NCTD-1 through NCTD-3.

I15-32

The comment expresses concerns with bike lane improvements and the width of area roadways.

As a point of clarification, the comment is incorrect in claiming that street widths are narrower than normal on Country Club Lane where the Class II Bike Lanes will be added. The existing lanes of travel on Country Club Lane are, to the contrary, exceptionally wide. While a typical travel lane is 10-12 feet wide; the existing lane widths on Country Club Lane vary from 13-20 feet (west of Nutmeg Street) to 30 feet wide (west of Gary Lane). The reconfiguration of Country Club Lane to include buffered bike lanes will be accommodated within the existing curb-to-curb width,

and will provide for minimum 10-foot travel lanes and minimum 5-foot bike lanes with minimum 3-foot buffers. The commenter is referred to EIR Figures 2.7-1a and 2.7-1b for depictions of the Specific Alignment Plan, including these wider than normal street widths.

The comment also implies the Project will require approval from other agencies from new Class II Bike Lane improvements. To clarify, new Class II bike lane improvements will be constructed within the City's jurisdiction to Country Club Lane as depicted by the Specific Alignment Plan. (EIR page 1-10 through 1-11; EIR Appendix 2.7-2, page 2.) The new Class II Bike Lanes will extend from El Norte Parkway to Nutmeg Street. While the Project will retain existing bike lanes where they currently exist within neighboring jurisdictions, new Class II bike lanes will not be constructed in these areas. (See EIR, Appendix 2.7-1 pages 11 through 12.)

The comment further expresses concern with on-street parking following the addition of bike lanes to Country Club Lane. The Specific Alignment Plan was generally designed to maintain existing on-street parking for residents with properties fronting along Country Club Lane. (See, EIR Figures 2.7-1a and 2.7-1b.) While some removal of on-street parking is planned—for example at the east end of Country Club Lane near Nutmeg Street— it is planned for areas

<p>Then, per the DEIR, both lanes will morph into a single lane after Amber Drive. This will cause traffic standstill/overflow on these lanes if you combine the existing traffic flow including Emerald Heights traffic to the additional cars from the proposed development. Commuters use Woodland Parkway and Borden Ave. (formerly El Norte Parkway in Escondido) to get to SR-78. Again, it is doubtful San Marcos will approve any modification that may result in more traffic congestion.</p> <p>M-TRA-2</p> <p>The DEIR proposes removing the median strip eastbound which is presently used for traffic calming to add width to the inside lane heading east on El Norte Parkway after to the Woodland Parkway intersection and up to the West Country Club Lane entrance to the ECC.</p> <p>I would strongly suggest that the DEIR staff reconsider the existing convenience center on the northeast corner of West Country Club Lane (7-11 Center) where one of two entrances to the center is located. Will people be able to make a left turn into the parking lot going south on West Country Club Lane or will customers have to make a u-turn at the intersection?</p> <p>Parking on the side streets for the new convenience grocery store and farm stand will create traffic problems in and around this intersection. "C: Parking. No parking is required if on-street parking is available within 500 feet of the agricultural site."³⁷ I did notice that the farm is located at the southern edge of the parking lot at the front of the ECC so it will be within 500 ft. of the existing street. What mitigation measures will be taken to address the traffic related issues that are inherent with the new community center? Plus what about pedestrians who will dart across the street to the farm or convenience store.</p> <p>The DEIR has not covered the alternate route that is used during the morning commute to circumvent the intersection. This alternate route involves commuters taking Ruby Rd. to Rosemary and then onto El Norte Parkway. The surrounding neighborhood will be inundated with new arrivals looking to save time. The additional traffic from the housing development will increase issues with safety, noise and air pollution problems with increased traffic gridlock. This intersection is already at LOS E (am) and LOS D (pm).</p> <p>M-TRA-3</p> <p>The DEIR's mitigation to restripe the roadway at Bourbon Road and the I-15 southbound ramps will not do anything to mitigate the traffic gridlock that is not only present during the am/pm rush hour but throughout the day as well. Removing the left turn from Bourbon Road, which is rarely used by commuters, is a non-issue for anyone who has lived in the area.</p> <p>Removing the eastbound U-turn restriction at the freeway entrance is the height of stupidity and Caltrans will never approve it. Again, anyone who lives here knows that would be a suicide mission to even attempt a u-turn there. There is too much traffic from the southbound off-ramp of the I-15 (right turn and through) as well as westbound traffic going through the intersection to even consider this as a mitigation solution. Since there is no indication about</p> <p>³⁷ Final Draft EIR, Chapter 5 Project Implementation, pg. 60.</p> <p>16</p>	<p style="text-align: center;">↑ I15-33 Cont. ↓</p> <p style="text-align: center;">I15-34 ↓</p> <p style="text-align: center;">I12-35 ↓</p> <p>I15-33</p> <p>where there is no fronting property and, accordingly, on-street parking it is not utilized under current conditions. (<i>Ibid.</i>)</p> <p>Lastly, the comment asserts bike lane widths will be insufficient. As discussed above, the proposed Class II buffered bike lanes on Country Club Lane will provide approximately 8 feet of total width, comprised of a 5-foot lane plus a 3-foot buffer. (<i>See</i>, EIR Figures 2.7-1a and 2.7-1b.) This is more than sufficient to allow for legal overtaking of cyclists in buffered bike lanes by motorists in the travel lanes without violating the “3-foot law” cited in the comment. This is also well above the 4 to 6 feet in width requested by the comment.</p> <p>The comment states potential traffic impacts would result from the proposed removal of a left turn lane at Intersection #8 (El Norte Parkway and Woodland Parkway) and the addition of a through lane to Borden Road pursuant to mitigation measures M-TR-1.</p> <p>The City has modeled traffic impacts with and without this mitigation and, on that basis, does not concur with the comment. The existing condition for the westbound (WB) approach at this intersection includes two lefts, one through, a striped out lane (presumably to become a through at a future date), and a right-turn lane. The mitigation and accompanying analysis conservatively assume a single left-turn lane post-mitigation, together with two through lanes and one</p>
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right turn lane. (EIR page 2.7-31 through 2.7-36.) The analysis and modeling of comprehensive “existing + cumulative + project” conditions with this conservative assumption (*i.e.*, with only one left-turn lane) showed *improved* LOS over the pre-project condition for both the overall intersection LOS (shown in the study) and also for the WB approach on its own. (EIR, Table 2.7-14.) As such, the EIR demonstrates that the mitigation proposed with a single WB left-turn lane would improve the overall intersection operations. (*Id.*)

Nevertheless, the removal of one of the existing dual WB left-turn lanes is not necessary to incorporate the second WB through lane required for Project mitigation. There is, in fact, adequate right-of-way to complete this improvement while retaining existing dual WB left-turn lanes. The City will coordinate with the City of San Marcos on the best design prior to improvements being made by the developer, and may ultimately determine to retain two left turn lanes. However, at this time, the City of San Marcos has reviewed the EIR, including the proposed mitigation and did not raise any concerns with this mitigation measure.

In addition, the comment generally asserts traffic flow will stop when through lanes combine into a single lane after Amber Drive due to addition traffic

	<p>from Emerald Heights. Please note that, in response to comments from the City of San Marcos, the second WB through lane will be dropped prior to Amber Drive, in the vicinity of La Cienega Road. The through lanes will thus combine prior to the addition of traffic from Emerald Heights. The Project’s mitigation has been revised accordingly in the Final EIR.</p> <p>I15-34 First, the comment states mitigation measure M-TR-2 will remove the existing median strip eastbound. As a point of clarification, as stated at M-TR-2, while the median will be removed, it will then be reconstructed to accommodate a second eastbound left-turn lane. The median will thus be retained at this intersection.</p> <p>Second, the comment suggests the City reconsider the existing convenience center at the corner of Country Club Lane and El Norte Parkway to ensure customers can make a left from Country Club Lane into the parking lot. In response to this comment, the City has reviewed the access to this center and confirmed that full access to the commercial center will be maintained via both existing driveways to Country Club Lane. The commenter is referred to the Specific Alignment Plan, which depicts the planned access to this center. (EIR, Figure 2.7-1a.)</p> <p>Third, the comment states concerns the proposed convenience grocery store will create traffic problems.</p>
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As detailed in the EIR at Table 2.7-5 (Table 7-1 of Appendix 2.7-1, Transportation Impact Analysis), the traffic analyses accounted for traffic related to the restaurant and market components of the Project and for the local HOA Amenities. As such, all traffic analyses and modeling evaluating impacts under “with Project” conditions included the traffic generation related to these uses. Within the neighborhood surrounding the convenience grocery store, all traffic impacts would be less than significant or reduced to less than significant levels with mitigation incorporated. (EIR pages 2.7-34 through 2.7-36.)

As to the commenter’s concerns regarding parking and traffic safety, adequate parking (approximately 150 spaces) for the restaurant, market, and local HOA amenities will be provided for users of the Village Center that drive to those amenities. (*See*, Specific Plan, page 20 and Figure 3.4 – Village Center Illustrative.) The Specific Alignment Plan also shows parking will be allowed on both sides of this intersection. (EIR Figure 2.7-1a) Note, however, that the site design and land uses are intended to promote the use of the interconnecting trail and sidewalk systems in lieu of motor vehicles to access the Village Center amenities. (*Ibid.*) As to safety, the Country Club Lane/Golden Circle Drive intersection located proximate to the Village Center area is to be improved with a roundabout that will provide traffic calming

(i.e., speed reductions), and will provide full pedestrian access across all four legs of the intersection. (EIR Figure 2.7-1a.)

Lastly, the comment states alternative routes to Ruby Road and Rosemary Court were not evaluated in the EIR. In its Traffic Impact Analysis Guidelines (2014), the City has established thresholds for inclusion of street segments in a Traffic Impact Analysis (TIA) to ensure impact analyses incorporate all potentially impacted roadway segments and intersections. For streets classified as “Local Collector and other,” the minimum trigger-point for evaluation is 200 Average Daily Trips (ADT). Ruby Road and Rosemary Court are unclassified local roadways subject to a minimum 200 ADT trigger for inclusion in the TIA. These roadways were not included within the scope of the TIA as the City considered the Project’s effect to these roadway segments, and determined that the Project would not generate the minimum 200 Average Daily Trips (ADT) needed for inclusion in the TIA at these segments.

Nonetheless, the Project will actually reduce, not increase, alleged cut-through traffic on these streets by improving the El Norte Parkway/Country Club Lane signalized intersection. With the addition of turn lanes from El Norte Parkway, the overall intersection operations at El Norte Parkway and Country Club Lane will improve by the more efficient processing of

<p>providing an additional lane for the eastbound U-turn, the cars behind the U-turn vehicle will be forced to wait until the signal changes which will cause a major backup (if there isn't an accident first). This will negatively impact the traffic trying to get on the I-15 going north on-ramp under the freeway. Since Caltrans will not approve this, it is better to use the U-turn at El Norte Parkway and 7 Oaks signalized intersection.</p> <p>M-TRA-3/5</p> <p>The DEIR also puts forth that it will improve increased traffic flow onto the I-15 southbound ramp, which will be doubled given the mitigation measure at El Norte Parkway and Nutmeg with 2 left turn lanes, by going into the emergency lane on the right side of the freeway and creating another SOV lane. Again, if you read the current signage, there are 2 right turn lanes on El Norte Parkway and there is the HOV lane entrance as well. Traffic queues already exceed ramp storage capacities with just 3 lanes. If a 4th lane is added, it will be a parking lot. The fact that existing freeway access cannot handle the traffic volume is another indicator that large housing developments in NW Escondido is not a good decision. It will take Caltrans years to study and approve/disapprove the mitigation and then more time for budgeting for construction of this mitigation measure. It will do nothing for the increase in traffic volume that will result from this project.</p> <p>The I-15 Integrated Corridor Management System spent \$10 million on a project that effectively moves commuters through the City of Escondido using surface roads and not using the highway which is already tapped out to solve the I-15 commuter traffic problem. Commuters who live here know that it takes approximately 23 additional minutes to go from Country Club Lane to the I-15 metered on-ramp. Additional housing already in place in northeast Escondido has caused Center City Parkway to back up during rush hours and beyond. This new housing project will only make it worse and there is no mitigation available to lessen the impact.</p> <p>M-TRA-4</p> <p>The DEIR states that NUWI or its designee "shall construct interim improvements in the existing right of way on Southbound Nutmeg Street between La Paloma Ave. and Via Alexandra to provide a wider travel lane, and curb, gutter and sidewalk improvements to the satisfaction of the City Engineer. There is also mention of bicycle circulation as well to mitigate the massive development being proposed. This would involve City enforcement of easements as well as eminent domain on existing properties on the west side of the street. Street parking will need to be eliminated when bicycle lanes are added given the 3 foot rule and state guidelines.</p> <p>This area of Nutmeg is narrower than City standards and the curve is a feature of the neighborhood's retirement design at inception to slow down traffic flow going southbound. It widens after Via Alexandria for homeowners on cul-de-sac streets and businesses that operate in the area. Trash collection, mail delivery and additional parking are currently permitted on Nutmeg; but this will be eliminated if this project is approved. There is existing double striping in the middle of lanes to prevent cars from going around delivery or trash or mail trucks which results in occasional traffic backups. It also provides a lane for cars making left turns to go into the housing that border Nutmeg after Via Alexandra. The additional traffic flow from this</p> <p style="text-align: center;">17</p>	<p style="text-align: center;">↑ I15-35 Cont.</p> <p style="text-align: center;">I15-36</p> <p style="text-align: center;">I15-37 ↓</p> <p>I15-35</p> <p>eastbound left-turns. As a consequence, more green-light time will be made available for intersection movements from southbound Country Club Lane to westbound El Norte Parkway. Improved traffic flow at this intersection and reduced delays on southbound Country Club Lane will result, as is shown in the mitigation summary located at Table 13–1 of the TIA, EIR Appendix 2.7-1. Levels of Service (LOSs) will thus be improved on southbound Country Club Lane from a LOS E to LOS D during the AM peak hour, and from LOS D to LOS C during the PM peak hour.</p> <p>This indicates the Project and its mitigation measures will reduce or eliminate the incremental congestion on southbound Country Club Lane. By reducing the congestion allegedly creating cut-through traffic, the Project would result in reductions to any cut-through traffic on neighboring streets. Hence, the Project will reduce, not add to traffic utilizing neighboring roadways to avoid this intersection.</p> <p>The comment states the portion of mitigation measure M-TR-3 removing the left turn from Bourbon Road to westbound El Norte Parkway will not mitigate traffic impacts. The City does not concur with this opinion. Initially, the removal of the stop-controlled left-turn from Bourbon Road to El Norte Parkway will augment the suite of proposed mitigation measures for the subject segment of El Norte Parkway. The City has</p>
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	<p>identified a history of serious collisions at the location. Thus, by restricting this left-turn movement, the mitigation measure will enhance operations and safety. This measure will also enhance operations by removing a conflicting movement from the mid-block location. This results in less interruption in flow and better arterial operations.</p> <p>The comment also states that the commenter disagrees with mitigation measure M-TR-3's proposed removal of the eastbound U-turn restriction at the El Norte Parkway/I-15 northbound ramps intersection. As a point of clarification, this signalized intersection already has a dedicated left-turn lane, so removal of the U-turn restriction would not result in backups to through-lanes on El Norte Parkway, as stated by the commenter. Nevertheless, U-turns could, as suggested by the comment, also be accomplished at the Seven Oaks signalized intersection further to the east. Removing that portion of M-TR-3 concerning removal of the eastbound U-turn restriction would not affect the analysis or conclusions of the EIR. The opinion of the commenter on this point will thus be included in the Final EIR for review and consideration by the decision-makers prior to making a final decision on the Project.</p> <p>I15-36 The comment states mitigation measures M-TR-3 and M-TR-5 are inadequate to reduce traffic impacts to I-</p>
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15 southbound. As an initial point of clarification, the Project's impact to the I-15 southbound on-ramp is concluded to be significant and unmitigable as, despite incorporating all feasible mitigation, the proposed improvement to the I-15 southbound on-ramp would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can ensure that Caltrans will permit the improvement to be made. (EIR pages 2.7-35 through 2.7-36.)

The proposal to improve the southbound on-ramp with an additional mixed-flow lane 770 feet in length is thus presented as a Project Design Feature. As such, the results of the Transportation Impact Analysis are not dependent upon its implementation. The provision of the proposed second mixed-flow lane on the on-ramp is intended to allow for storage of approximately 31 vehicles (based on the assumption of 25 feet per vehicle) that would otherwise be queued on City streets. The additional lane is, accordingly, considered to be an improvement. With respect to timing, there is no evidence presented by the comment to suggest that Caltrans approval will be untimely as suggested, particularly where the Project itself will be developed in phases over a five-year period.

The comment also generally implies that the Project will worsen traffic on Centre City Parkway. The City

project will not be mitigated by a wider travel lane (singular), curbs, gutters and sidewalk improvements. This mitigation solution is lacking by design since cars are prohibited from driving on sidewalks or in gutters.

Traffic will back up because Nutmeg will still be only a 2 lane "local collector with parking". To anyone who lives here, an alternate route is available by taking La Paloma to La Mirada to La Brea as a detour around this predictable traffic jam like they do now. There is nothing that will mitigate increased traffic flow from this development on Nutmeg. Per Appendix 4-1, it's capacity is 7,750 (Mid-D) and without mitigation, it operates at LOS D and v/c .85.

There has been no discussion concerning mitigation of excessive traffic flow for commuters using northbound Nutmeg to get to the I-15 further north to avoid the El Norte Parkway on-ramp. This should be covered under the DEIR as it does impact traffic flow in the neighborhood by at least 50-100 peak hour trips, especially given the new T intersection at Gary Lane and K St. per the proposed plan.

M-TRA-6

The DEIR suggests that restriping Nutmeg southbound at El Norte Parkway intersection with 2 southbound left-turn lanes for the I-15 freeway, one shared thru-right turn lane and a bike lane will mitigate the traffic problems that currently exist and will be created if this new development is allowed. The outermost left turn lane will be close to the middle of the intersection so that the new thru-lane traffic will need to make a lane adjustment to avoid colliding with the raised concrete island with street lights.

There is no bike lane on southbound Nutmeg/Nordahl due to lack of available roadway on the 2 narrow lanes that persist up to Knob Hill. Though, I did notice it was part of the DEIR's figure 5.2 Bicycle Routes diagram. There is no way you can put a bike lane on this street until you get past Knob Hill. No one is stupid enough to walk on the edge of the narrow street; much less ride a bike on it.

There is no traffic study for southbound Nutmeg/Nordahl included in the DEIR and there should be since this is used to access the SR-78 in both directions. Additional traffic from this project that will add at least 50-100 peak hour trips, will make this single lane roadway a nightmare during the morning and evening commute. It is already busy with traffic in both directions due to the Costco and Walmart shopping centers. The SR-78 ramp at Nordahl already exceeds ramp storage capacity at peak hours. There is no way to mitigate this traffic nightmare and additional housing will only make it worse.

M-TRA-7

The DEIR suggests that restriping Bennett Avenue going north from Toyon Glen to El Norte Parkway to include 2 left turn lanes between these streets. This would involve the City of San Marcos approving the removal of left turn lanes already in place for side streets. I don't know why this mitigation is even being considered since it does not have high traffic patterns going



has analyzed the Project impacts to intersections and mainline segments of Center City Parkway. Based on the analysis and modeling incorporated in the Transportation Impact Analysis, EIR Appendix 2.7-1, the EIR demonstrates that all potentially significant impacts to Center City Parkway would be reduced to less than significant levels with mitigation incorporated. The commenter is referred to Chapter 2.7, Transportation and Traffic, of the EIR. Moreover, as shown in the Transportation Impact Analysis, Figure 7-3, the Project's peak hour contribution in traffic to Centre City Parkway is relatively minor—just 44 directional trips peak hour or less. Based on the determination impacts would be less than significant, no further mitigation is required.

I15-37

The comment states general concerns that eminent domain and “City enforcement of easements” would be required to construct the improvements proposed in mitigation measure M-TR-4. To clarify, the mitigation measure states the interim improvements will occur “in the existing right-of-way.” Therefore, no eminent domain will be required.

The comment also states street parking will need to be eliminated to add bicycle lanes. Currently, there is no street parking available along this roadway segment due to slope with the exception of the single property on the northwest corner of Nutmeg Street/Turtle Dove

	<p>Lane. This portion of Nutmeg Street/Turtle Dove Lane has been recently improved. The improvements proposed by M-TR-4 will align very closely with the existing improvements at this property.</p> <p>Moreover, no Class II bike lanes exist or are proposed to be constructed on this street segment. Rather, this portion of Nutmeg Street will only be widened to provide a wider travel lane, and curb, gutter, and sidewalk improvements to the satisfaction of the City engineer, which will serve to enhance overall corridor operations and circulation.</p> <p>The comment additionally states adverse effects to trash collection, mail delivery, and parking on Nutmeg Street would result from implementation of mitigation measure M-TR-4. Contrary to the comment, no changes in trash pickup and mail/parcel deliveries will occur with the interim widening proposed with mitigation measure M-TR-4.</p> <p>The comment also states the opinion of the commenter that mitigation measure M-TR-4 will not mitigate traffic impacts. The City has analyzed and modeled traffic impacts on Nutmeg Street and area roadways, as evidenced in the EIR Chapter 2.7, Transportation and Traffic, and Appendix 2.7-1, and on that basis does not concur with the comment. Based on this analysis and modeling, the City has determined that the interim widening of this portion of Nutmeg Street,</p>
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in conjunction with the proposed improvements at Country Club Lane and El Norte Parkway, will mitigate the Project's potentially significant impacts on this roadway. The commenter provided no evidence the analysis in the EIR is inaccurate.

Lastly, the comment states there "has been no discussion concerning mitigation of excessive traffic flow for commuters using northbound Nutmeg to get to the I-15 further north to avoid the El Norte Parkway on-ramp." As shown on Figure 7-3 of the Transportation Impact Analysis, Project average daily traffic (ADT) on Nutmeg north of Country Club Lane would be less than even the threshold 200 trips warranting inclusion in the traffic analysis. See Response to I15-34. Nevertheless, this street segment, Segment #14, was evaluated in the Transportation Impact Analysis, and Project impacts were shown to be less than significant. (EIR p. 2.7-4, 2.7-18 through 2.7-19, 2.7-26 through 2.7-27, Table 2.7-7.)

The commenter is also incorrect in the assumption the Project would add 50-100 peak hour trips to Nutmeg Street north of Country Club Lane. The Transportation Impact Analysis, Figure 7-3, Total Project Traffic, shows the peak hour Project contribution to this area to be less than 10 directional trips in either peak hour. Nevertheless, the TIA evaluates Project impacts to the Nutmeg Street/Country Club Lane intersection

	<p>(Intersection #6) and the Nutmeg Street/Coyote Hill Glen/Centre City Parkway intersection (Intersection #1) based on the Project’s additional trip generation. Under existing + project and existing + project + cumulative conditions, Intersection #6 would operate at an acceptable LOS. (EIR p. 2.7-4, 2.7-18 through 2.7-19, 2.7-26 through 2.7-27, Tables 2.7-6 and 2.7-10.) Intersection #1 would operate at an acceptable LOS under existing + project conditions, but would operate at LOS D in the AM peak hour under existing + project + cumulative conditions. (EIR p. 2.7-4, 2.7-18 through 2.7-19, 2.7-26, Tables 2.7-6 and 2.7-10.) However, Project traffic would result in no change to delays at this intersection. (EIR Table 2.7-6.) Accordingly, Project impacts to these intersections are shown to be less than significant.</p> <p>The City acknowledges the comment expresses concerns with existing conditions not resulting from the Project, and is sensitive to the commenter’s concern. However, mitigation cannot be required of this Project to address wholly <i>existing</i> conditions where the Project will not result in significant impacts. (CEQA Guidelines § 15126.4 (a)(3), <i>Paulek v. Department of Water Resources</i> (2014) 231 Cal.App.4th 35, 44.) No further response can be provided.</p> <p>I15-38 The comment generally expresses concerns with Nutmeg Street south of El Norte Parkway southbound,</p>
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	<p>and with the effectiveness of mitigation measure M-TR-6. Regarding the proposed improvements at this intersection, the commenter is referred to the Specific Alignment Plan, which shows the proposed improvements which will enhance this intersection. The mitigation measure would retain the bike lane which currently exists on Nutmeg Street north of El Norte Parkway, to connect to bike lanes on El Norte Parkway. No new Class II bike lane would be provided at this intersection.</p> <p>Figure 5.2, Bicycle Routes, in the Specific Plan (as a point of clarification, the Figure is not, in fact, located in the EIR) shows a Proposed Class III bicycle route on Nordahl Road south of El Norte Parkway. This is a bicycle route proposed by the City in its Bicycle Master Plan and General Plan, Figure III-3. A Class III bicycle route is a signed shared roadway that provides for shared use with pedestrians or vehicle traffic. There is nothing different about a roadway classified as a Class III bicycle route except that it has signs posted identifying it as a bike route. (See, City of Escondido Bicycle Master Plan, Adopted October 17, 2012, page 19. Available at https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/BicycleMasterPlan.pdf.)</p> <p>The comment lastly states there will be 50 to 100 peak hour trips on Nordahl south of El Norte Parkway, triggering the need to evaluate intersections further to</p>
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<p>north. Traffic does backup in the opposite direction so that commuters can access Rock Springs and Mission to get to schools and the SR-78.</p> <p>General Traffic Discussion:</p> <p>The mitigation measure to install Adaptive Signalization along El Norte Parkway to improve traffic flow and improve circulation connectivity needs to go through the City's Traffic Engineering department. The staff regularly evaluates a number of intersections within the City to determine the need for future signalization or signal modification work, such as adding protected left-turn phasing. It then goes through. Next, the list is reviewed and approved by TCSC and, subsequently, City Council. The Traffic Signal Priority List is then used to determine which projects will be funded from the current and future capital budgets from the city. In other words, this improvement will be a retirement project and traffic will only get worse with this large housing development.</p> <p>Appendix 2.7-1 shows that during construction, each phase will not generate more than the 4,500 ADT that the project will generate as completed. This includes construction workers, contractors and equipment as well as trailers to transport the equipment. This will add to the already congested roadways around the ECC which were designed for lower traffic volumes and speeds. As The DEIR's appendix 2.6-1, Noise Assessment states, the current vehicle volume along West Country Club Lane adjacent to the project site is approximately 5,330 ADT; North Nutmeg Street is approximately 3, 210 ADT and West El Norte Parkway carries approximately 17,780 ADT.³⁸ My reservations concerning the validity of these numbers is based on minimum requirements that have been the mainstay for this DEIR.</p> <p>The DEIR lists 6 existing peak hour unacceptable operations at LOS D, E, F in am/pm hours. Daily street segments of unacceptable operations involve Nutmeg St. The freeway I-15 between El Norte Parkway and SR-78 is LOS F southbound in the am and northbound in the pm. These areas cannot be mitigated and are deficient.</p> <p>The City of Escondido does not have a published capacity for two-lane roadways with raised medians. Thus, the project's mitigation improvements for traffic issues is lacking as stated in the DEIR involving El Norte Parkway to Golden Circle Dr., Golden Circle Dr. to Gary Lane, Firestone Dr. to La Brea Street needs to be re-evaluated. The City needs to review and adopt standards for two-lane roadways with raised medians for circulation element roadway classifications capacity and LOS standards. Therefore, Appendix B, City of Escondido Roadway Capacity Table cannot be used for this mitigation study and the V/C is incorrect. The approval process for this DEIR should be postponed until the analysis for this roadway capacity is completed and the City publishes their findings.</p> <p>Removing the option to turn left on westbound Country Club Lane at Firestone will not calm down traffic flow and it will create a traffic bottleneck instead. It will force homeowners who live in the neighborhood to go up Sunbury to get home. In addition, commuters will use</p> <p>³⁸ Linscott Law & Greenspan, 2016 (Dudek Noise Assessment, June 2017, pg. 6)</p> <p>19</p>	<p>↑ I15-39 Cont.</p> <p>I15-40</p> <p>I15-41</p> <p>I15-42</p> <p>I15-43</p> <p>↓ I15-44</p> <p>I15-39 The comment questions why mitigation measure M-TR-7 is being proposed. The proposed mitigation to install a two-way left-turn lane for the subject segment of Bennett Avenue is based on the volume to capacity ratio increase caused by the Project where the street segment will operate at LOS D, in exceedance of City standards, under near-term, existing + cumulative + project scenario. (See, Table 2.7-7.) The benefit of a two-way left-turn lane is that it allows drivers turning into residences to queue in the center turn lane instead of in the through lane, which is what occurs under the current condition. As a point of clarification, this portion of Bennett Avenue is located in the City of Escondido, and would not, as posited in the comment, require City of San Marcos approval.</p> <p>I15-40 The comment questions the effectiveness of Adaptive Signal Control as a mitigation measure.</p> <p>Preliminarily, implementation of the Adaptive Signal Control is proposed as a Project Design Feature, rather than mitigation for a specifically identified significant</p>
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	<p>impact. As such, the results of the analysis are not dependent upon its implementation. While it is the Project applicants' desire to implement this improvement, implementation will ultimately be left to the discretion of the City's engineering staff. To the extent the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment, the City has considered the comment and will include the comment for review and consideration by the decision-makers prior to a final decision on the project.</p> <p>I15-41 The comment generally raises concerns with construction traffic. While the comment correctly restates the information in the EIR, please note that a supplemental construction traffic analysis has been prepared for the Project and is incorporated in the Final EIR as Appendix 8.0-2. As detailed therein, Project construction traffic will result in less than significant impacts to roadway capacity and intersections on all studied area roadways.</p> <p>This supplemental construction traffic analysis does not add significant new information to the EIR as no new or more severe substantial adverse environmental effect has been identified by the analysis. (CEQA Guidelines § 15088.5.) Accordingly, based on the standards set forth in CEQA Guidelines Section 15088.5, it is not necessary to recirculate the EIR with</p>
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	<p>this information incorporated because the EIR was adequate and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.</p> <p>I15-42 The comment states that unacceptable operations at six (6) intersections cannot be mitigated. The City has analyzed and modeled traffic impacts at these intersections, and on the basis of this analysis does not concur with the comment. As shown at EIR Table 2.7-14 summarizing intersection impacts, the three identified intersections that would experience potentially significant impacts as a result of the Project will be mitigated to less than significant levels with Project mitigation incorporated. EIR Table 2.7-15 summarizes impacts at roadway segments, and demonstrates that all three impacted roadway segments will be mitigated to less than significant levels with Project mitigation incorporated. EIR Table 2.7-16 summarizes the ramp meter impacts, and demonstrates that the impacted ramp meter locations will not be mitigated to less than significant levels with Project mitigation, but only due to the fact that completion of the proposed mitigation is contingent on Caltrans' approval for implementation of the proposed mitigation.</p> <p>The comment also states that the Project must mitigate for impacts to I-15 between El Norte Parkway and SR-</p>
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	<p>78. The Project will not result in a significant impact to I-15 as the Project’s traffic contribution does not exceed the allowable thresholds. Mitigation cannot be required of this Project to address this existing condition where the Project will not result in a potentially significant impact. (CEQA Guidelines § 15126.4 (a)(3), <i>Paulek v. Department of Water Resources</i> (2014) 231 Cal.App.4th 35, 44; <i>see also, Dolan v. City of Tigard</i> (1994) 512 U.S. 374 [ruling mitigation must be “roughly proportional” to a project’s significant impact].)</p> <p>I15-43 The comment states the City does not have a published capacity for two-lane roadways with raised medians, and requests the City adopt such standards.</p> <p>The Transportation Impact Analysis uses a 2-lane Local Collector capacity of 15,000 Average Daily Trips (ADT) to evaluate the two-lane with raised median segments of Country Club Lane with the Specific Alignment Plan, as described in the comment. According to the City of Escondido Proposed Level of Service Standards Street Segment Average Daily Vehicle Trip Thresholds shown in Appendix B of the Transportation Impact Assessment, this capacity reflects a two-lane local collector with a 42’ paved width in 66’ of ROW, without parking. While these segments do include some parking, they more importantly include a raised median, which prevents</p>
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Sunbury to go around traffic at West Country Club Lane and El Norte Parkway as well as Woodland Parkway and El Norte Parkway. The DEIR report shows a bike route on Firestone which will not work given the on-street parking and narrow lane width. The street is barely wide enough for 2 lane traffic with street parking. This mitigation measure is lacking because it will not solve any traffic problem; instead, it will move additional traffic to another street down the block.

This project will create too much traffic in an already tense situation during the morning and evening commute. SR-78 chokes at the I-15 and SR-78 interchange in both directions. Escondido is a choke point for both freeways and there is no DEIR mitigation measure that will make it tolerable. The jurisdictional approval process involving Caltrans, San Marcos, San Diego County and the City of Escondido will only complicate and delay any mitigation suggestions.

"Recent population and housing growth in southwestern Riverside County has resulted in significant interregional commuter travel into San Diego County on I-15. Due to geographic/land use constraints and a lack of contiguous parallel roadways, the segments of I-15 in the corridor also serve as the local north-south roadway, providing communities local access and connectivity. Current weekday traffic volumes range from 170,000 to 290,000 vehicles on the general purpose lanes of I-15. Approximately 20,000 vehicles use the I-15 Express Lanes during weekdays. During weekdays peak-hour travel has traditionally been southbound during A.M. peak periods and northbound during P.M. peak periods. However, recent growth in manufacturing and industrial parks in the Rancho Bernardo and Carmel Mountain areas are resulting in increased peak-period travel opposite to traditional patterns (i.e., A.M. peak period northbound and P.M. peak period southbound). Peak-period demand exceeds capacity in the traditional and newly emerging P.M. southbound peak directions, resulting in recurrent congestion which can cause corridor delays averaging 30 to 45 minutes."³⁹

Corridor bottlenecks include the SR 163 junction, the SR 56 interchange, the SR 78 interchange, and the Lake Hodges Bridge. Recurrent congestion occurs on various segments of the corridor during the weekends. Given the limited number of alternative routes, peak-period delays will be further exacerbated by incidents, special events, and/or inclement weather. "Future (year 2020) forecasts for the I-15 corridor indicate a 30 percent increase in weekday traffic, which will result in even longer corridor delays and travel times. Corridor travel is anticipated to increase significantly in what are now non-peak travel directions."⁴⁰

"Lake Hodges is another major traffic diversion choke point along the corridor. It is approximately five miles south of SR 78 at the northern boundary of the I-15 corridor and has

³⁹ US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California

⁴⁰ US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California

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I15-44
Cont.

I15-45

conflicting turning movements considered to have a greater negative effect on operations than parking.

By way of comparison, the County of San Diego's Table 1 Average Daily Vehicle Trips tables are included in the EIR's Transportation Impact Analysis, Appendix B, for reference. This table shows a 2.2A Light Collector Standard w/Raised Median with 54' of pavement in 78' of ROW. This includes two 8' shoulders which would allow for parking. The capacity for this roadway is 19,000 ADT.

The Project's paved widths of the subject segments range from 64' to 84'. This is closer to meeting the wider County standards than to the City standards, so may support the County's permitted larger volume of 19,000 trips per day. Nonetheless, to provide a conservative analysis of Project impacts, the City's lower volume, 15,000 ADT capacity was used in the Transportation Impact Analysis.

The City notes the comment requesting the City adopt published capacity standards, and will include the as part of the Final EIR for review and consideration by the decision-makers. However, such action is beyond the scope of the Project and this EIR.

I15-44

The comment states removing a left turn option on westbound Country Club Lane at Firestone Drive will create a traffic bottleneck. The City has analyzed and

only a single bridge crossing, with no arterial frontage roads to which to divert traffic if necessary. I-15 ICMS strategies will also be engaged to address this issue.”⁴¹

Noise:

Common noise sources associated with development include: construction activities (e.g., heavy truck traffic, pile drivers, pumps and compressors); increased motor vehicle traffic; and other increased outdoor or nighttime activity. This will impact the country club neighborhood residents in a negative manner which may involve standard brain functions such as communication, coordination and concentration on a daily basis. Increased noise levels associated with new development as compared to the relative quiet we enjoy now may lead to higher stress levels and elevated blood pressure as well as antisocial behavior in some individuals. This will be a huge shock to everyone here who is used to the lack of noise that an open space is associated with.

The DEIR’s March 2, 2017 ambient noise monitoring measurements at four intersections for a period of ten minutes each does not come close to establishing a baseline for noise conditions and traffic volume in the neighborhood. The project’s developer needs to conduct a more comprehensive study of the noise and traffic volume for longer periods of time and on different days to come up with a more comprehensive baseline for measurement. 10 minutes on a single day at each location doesn’t even come close.

Neither the Escondido General Plan nor Municipal Code identify specific construction noise level limits for blasting activities. Before the EIR for this project is approved, the City should consider setting noise level limits for operations.

Table 1⁴² below lists property line noise limits which I will use for reference concerning the noise effects associated with this large development:

Table 4.12-5 City of Escondido Exterior Sound Limit Levels Zone	Time	Applicable Limit One-hour Average Sound Level (A-weighted Decibels)
Residential zones	7:00 a.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
Multi-residential zones	7:00 a.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial zones	7:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	55
Light industrial/industrial park zones	Anytime	70
General industrial zones	Anytime	75

Source: City of Escondido Municipal Code Section 17-229, Sound Level Limits

⁴¹ US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California

⁴² Atkins 4/24/12, Escondido General Plan, Downtown Specific Plan and Climate Action Plan EIR, pg. 4.12-2

I15-45
Cont.

I15-46

I15-47

modeled traffic impacts at this intersection, as well as the surrounding intersections including Sunbury Street, and on that basis does not concur with the comment. The result of all “with Project” analyses included the left-turn restriction at Firestone Drive, and did not evidence significant impacts would result from the restriction. Therefore, any effects of out-of-direction travel has been accounted for and determined to maintain acceptable levels of operation. Please also note that the measure was suggested to actually reduce the use of Firestone Drive as a through route, and thus benefit the community south of Country Club Lane. (EIR Appendix 2.7-1, page 7)

As to Figure 5.2 Bicycle Routes in the Specific Plan showing a proposed Class III bicycle route on Firestone Drive south of Country Club Lane, again this is a proposed Class III bike route proposed by the City in its Bicycle Master Plan and General Plan, Figure III-3. No separate Class II bike lane would be constructed. See Response to I15-38 above for a description of a Class III bike lane.

I15-45

The comment generally states the Project will add to traffic at the SR-78 and I-15 “choke point,” and provides information concerning freeway corridor bottlenecks in the region.

The Transportation Impact Analysis concludes that the Project does not significantly impact the segment of I-

	<p>15 between El Norte Parkway and SR-78, which is included in the study area per the regional guidelines.</p> <p>While Project traffic is not sufficient to warrant additional analysis of I-15 or SR-78 nonetheless, in response to this comment and others received by the City, the City has prepared a supplemental freeway traffic analysis evaluating Project impacts to additional freeway mainline segments, including I-15 south of SR-78, and SR-78 from I-15 to Twin Oaks Valley Road. This supplemental analysis demonstrates that the Project would also not result in any new or more severe significant impacts to freeway mainline operations at these segments. The supplemental analysis has been incorporated in the Final EIR as Appendix 8.0-2.</p> <p>This supplemental freeway traffic analysis does not add significant new information to the EIR as no new or more severe substantial adverse environmental effects have been identified by the analysis. (CEQA Guidelines § 15088.5.) Accordingly, based on the standards set forth in CEQA Guidelines Section 15088.5, it is not necessary to recirculate the EIR with this information incorporated because the EIR was adequate, and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.</p> <p>I15-46 The comment expresses concerns construction and</p>
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	<p>operational noise will impact the Country Club neighborhood.</p> <p>The comment does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The commenter is referred to the EIR Chapter 2.6, Noise, and Appendix 2.6-1, which evaluates noise from Project construction and operation, and demonstrates that while the Project may result in potentially significant impacts, all significant effects would be reduced below significance with mitigation incorporated. Nonetheless, the City acknowledges the comment as expressing the opinion of the commenter.</p> <p>The comment also cites the commenter’s concern that ambient existing noise in the Project area was based only on measurements at four intersections for 10 minutes. While the commenter is correct four short term measurements were taken, noise was also modeled based on existing traffic volumes. To summarize, as stated in the EIR, four short-term noise measurements were conducted at three locations adjacent to existing roadways onsite and one location near the rear yard boundary for the ROW of residences along the west side of David Drive. (<i>See</i>, EIR Appendix 2.6-1, page 6 through 7; Appendix 2.6-1, Table 2.) The short-term measurements were taken during non-peak traffic hours, and thus conservatively show a quieter noise environment than likely occurs</p>
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<p>4. The DEIR states on Table 7, that construction noise levels at 50 feet to the closest residence will be between 87-90 dBA L_{eq} during the 3 identified construction components. This exceeds the City of Escondido construction noise limit of 75 dBA L_{eq}. I noticed that The DEIR included 200 feet from the nearest residential building (acoustic center of construction noise generation) to be able to comply the City's noise limit of 75-78 dBA L_{eq} and thereby meet the minimum standards set forth by CEQA. This sabotages the process of protection put in place by the city for Escondido residents. Average construction noise levels will be at the maximum of the City's limits for residential structures at 200 feet and will exceed levels at 50 feet. The City needs to establish limits for blasting noise which it does not presently have in place to protect the community.</p> <p>5. Evidence of the rush to get the DEIR completed is shown here. The DEIR states under Section 3.5 <i>Construction Noise</i> that "No special construction techniques (i.e., pole driving or blasting) are anticipated to be necessary for this project."⁴³ Then under section 3.7 <i>Blasting Noise (Construction)</i> discusses that this project will include blasting of hard rock areas. The DEIR Table 8 <i>Blasting Noise Levels Summary at Closest Residences</i> definitely exceeds the City's limits for residential structures at 100 feet 93 dBA L_{eq} and 87 dBA L_{eq} at 200 feet. These noise measurements do not match the noise measurements as stated in item #4 above.</p> <p>The fact that another mitigation proposal is to limit the blasting to no more than 3 minutes within any given hour of operation to meet the general construction noise limit imposed by the city, does not meet the maximum limits set forth by the city. The measurements in the two tables are very different at given distances so how are the 3 minutes of noise impact measured?</p> <p>6. The shortest distance between potential blast locations and existing residences is approximately 100 feet based on OSMRE standards versus the property lines. The 93 dBA L_{eq} is too much for residences that literally back up to the ECC. It will create stress cracks and other foundational issues with neighboring residences. Even if you limit the blasting to no more than 3 minutes within any given hour, it will still have a negative impact on neighboring residences.</p> <p>7. As The DEIR's Noise Assessment Appendix by Dudek states "While determining the vibration levels from the blasting operations at the Project site is difficult due to the variability of conditions (e.g., soil types) at the site, it is possible that some minor structural damage to the closest residences (i.e., within 100 feet) could occur. In order to prevent damage to nearby residential structures from ground vibration due to blasting, an abatement plan is required."⁴⁴ Given that many of the residences that back up to the course have little or no backyards, blasting would have a devastating and significant noise impact on the neighborhood despite the mitigation measures proposed.</p> <p>8. The DEIR's mitigation plan 4.4 <i>Blasting Noise (Construction)</i> is to "Restricting blasting operations to no more than 3 minutes of any given hour during allowable construction time</p> <p>⁴³ Dudek, June 2017 pg. 14, Appendix 2.6-1 Noise Assessment ⁴⁴ Dudek, June 2017, pg. 17 Appendix 2.6-1 Noise Assessment</p> <p>22</p>	<p>during busier traffic conditions. (EIR Appendix 2.6-1, page 6 through 8; and Table 2.)</p> <p>In addition to taking these measurements, existing noise was modeled based on current daily traffic volumes. The measured sound levels were then compared to the modeled levels to ensure the accuracy of modeled calculations. (<i>See</i>, EIR Appendix 2.6-1, page 6 through 8; Appendix 2.6-1, Tables 2 and 3; and Appendix 2.6-1, Attachment 2.) Indeed, measured noise conditions validated the accuracy of subsequent traffic noise modeling. (<i>Ibid.</i>)</p> <p>This comment also states the City does not specify noise limits for blasting, and states the City should consider setting such limits. The City acknowledges the comment and notes the comment raises concerns beyond the scope of the Project and this EIR. However, the adoption of blasting limits by the City is not a necessary measure to validate the conclusions of the blasting noise and vibration analysis presented in the EIR. The City will, nevertheless, include the comment as part of the Final EIR for review and consideration by the decision-makers.</p> <p>I15-47 This comment first cites to a table regarding sound limits in the City of Escondido. While from a source unrelated to the Project, the table appears to accurately reflect the City of Escondido Exterior Property-Line Noise Limits established in the City of Escondido</p>
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I15-47
Cont.

I15-48

I15-49

I15-50

I15-51

	<p>Noise Ordinance Section 12-229 for operational noise. Please see, EIR at Appendix 2.6-1, Table 1.</p> <p>The comment is correct that the EIR identifies construction noise levels would average between 87-90 dBA L_{EQ} at the existing adjacent residences closest to the edge of proposed construction areas. The comment is also correct that construction noise 200 feet from the edge of the construction activity would average 75 – 78 dBA L_{EQ}. However, the comment’s statement that 200 feet from the closest building was chosen for the analysis so that compliance could be demonstrated with the City construction limit of 75 dBA L_{EQ} is not accurate. The analysis was performed to identify at what distance mitigation should be required to protect adjacent residences. The analysis concluded that a noise barrier would be required between the construction activity and adjacent residences <i>wherever the separation distance would be less than approximately 200 feet</i>. The residential building construction phase would have noise levels up to 78 dBA L_{EQ} at 200 feet; these noise levels would be attenuated to 75 dBA L_{EQ} at 260 feet. As such, the preamble to the mitigations for construction noise has been slightly revised to change the referenced 200 feet to 260 feet. It should be noted the mitigation language itself does not specify a separation distance at which noise barriers would not be required between</p>
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	<p>construction activities and adjacent residences.</p> <p>To reduce construction noise impacts Mitigation Measure M-N-1 will be required to reduce construction noise to a performance standard of 75 dBA or less at adjacent property lines unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels. (EIR page 2.6-20.) These reductions will be achieved through the installation of noise barriers. (EIR page 2.6-20.) Further mitigation for construction noise impacts includes requiring construction equipment be maintained in good working order; locating stationary equipment as far as practical from adjacent residences; and minimizing the number of pieces of construction equipment operating simultaneously. (EIR page 2.6-20.) Accordingly, with this mitigation, construction noise will be reduced to less than significant levels of 75 dBA or less at residential property lines.</p> <p>I15-48 The comment notes that the Noise Assessment at Appendix 2.6-1 states, “No special construction techniques, (i.e., pole driving or blasting) are anticipated” at page 14, while evaluating the effects of blasting below at pages 15 through 17.</p> <p>The Final EIR will be corrected to delete this typographical error at page 14. These clarifications to the EIR are presented in strikeout/<u>underline</u> format;</p>
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refer to Section 2.6.5 of the EIR. The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines. The comment does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Noise impacts from blasting received extensive analysis in the EIR. (*See*, EIR pages 2.6-10 through 2.6-11, 2.6-14 through 2.6-15, 2.6-19, 2.6-22 through 2.6-23, Appendix 2.6-1 pages 15 through 17.)

The comment also states blasting noise is estimated to be 93 dBA L_{eq} at 100 feet and 87 dBA L_{eq} at 200 feet. While the comment correctly restates this information contained in the EIR at Table 2.6-5, the commenter is incorrect these levels would exceed the City’s adopted noise significance threshold for blasting, which is separate from non-blasting construction effects. Indeed, the EIR notes,

“The Escondido General Plan and Municipal Code do not identify specific construction noise level limits for blasting activities. Therefore, the OSMRE and CFR lowest maximum Air Blast Limit (30 CFR 816.67(b)) of 129 dBA L_{max} at nearby sensitive uses is used in this analysis as an acceptable threshold for noise levels due

	<p>to blasting activity at the Project site (refer to Section 1.4.2).” (EIR page 2.6-11.)</p> <p>Nevertheless, blasting must comply with the general construction noise restriction of 75 dBA L_{eq}. To achieve these reductions, M-N-5 would restrict blasting to no more than 3 minutes per hour during construction.</p> <p>The comment implies M-N-5 would be inadequate to achieve reductions from blasting noise below the 75 dBA L_{eq} threshold. The comment is incorrect. As stated in the EIR, blasting is measured using L_{max}, which measures maximum or peak noise and is a suitable measure for single-event noise, such as blasting. (EIR page 2.6-11, Appendix 2.6-1 page 4 through 5.) The City’s 75 dBA construction threshold, on the other hand, uses a $L_{eq\ hour}$ limit, which averages noise levels over a one-hour period. (EIR page 2.6-16, Appendix 2.6-1 page 6.) While blasting is anticipated to approach 93 dBA L_{max} at 100 feet, by limiting blasting to 3 minutes per hour, the average noise levels over a one hour period will be reduced to below the 75 dBA $L_{eq\ max}$ limit. (EIR page 2.6-11, Appendix 2.6-1 page 16.)</p> <p>EIR Table 2.6-5 and Appendix 2.6-1 Table 8 incorrectly state blasting noise measurements as dBA L_{eq}. The Final EIR will include a correction of this typographical error to read “dBA L_{max}.” This correction does not impact the EIR’s analysis or conclusions. These clarifications to the</p>
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	<p>EIR are presented in strikeout/<u>underline</u> format; refer to Section 2.6.5 of the EIR. The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.</p> <p>I15-49 The comment expresses concerns blasting noise levels of 93 dBA will create stress cracks or foundational issues to adjacent residences which will not be mitigated by limiting blasting to 3 minutes per hour. As a point of clarification, the comment appears to incorrectly equate blasting noise impacts and vibration impacts. Vibration is the potential cause of structural impacts from blasting; and as evaluated in Section 2.6, Noise, the vibration impacts from Project blasting would be less than significant with Mitigation Measure M-N-6 incorporated.</p> <p>The EIR evaluated vibration impacts associated with blasting at pages 2.6-14 through 2.6-15. As detailed therein,</p> <p style="padding-left: 40px;">“it is unusual for damage to be caused to residential structures from the vibrations caused by blasting activities, given the restrictions imposed under OSMRE (30 CFR 816.67).” (EIR page 2.6-14.)</p> <p>Nevertheless, the EIR concluded potentially significant impacts could occur as minor structural</p>
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damage may result to the closest residences (i.e., within 100 feet) if vibration levels exceed 3.0 in/sec (PPV). (EIR pages 2.6-14 through 2.6-15.)

Mitigation Measure M-N-6 has been incorporated to reduce potential impacts from blasting vibration to less than significant levels. M-N-6 requires:

“To reduce adverse effects related to rock blasting, the following measures shall be adhered to:

- The blasting contractor shall design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area).
- A blast signal (e.g., air horn) shall be used to notify nearby residents that blasting is about to occur per the California Code of Regulations, Title 8, Section 5291 Firing of Explosives regulations.
- All complaints shall be responded to and investigated as they occur” (Citation).

<p>periods." According to DEIR this mitigation measure "would reduce potentially significant short-term blasting-related noise exposure impacts to less than significant levels."⁴⁵</p> <p>I don't know how any reasonable person could think that a 3 minute per hour interval for blasting rock is acceptable and this remediation would amount to "less than significant levels" for impact. It would be like having a sonic boom 3 minutes for every hour during scheduled blasting days. In North County we can feel the ground vibrations, and depending on atmospheric conditions, can hear live fire noise from the Marine Corps at Camp Pendleton during live fire practice. They are 23.7 miles away and not in our backyards. This is not acceptable as a impact mitigation solution for anyone with common sense.</p> <p>9. Just looking at the surrounding hillsides, anyone can see that there are many rocks and boulders inherent in the landscape topography that makes up the ECC property. "These inhomogeneities are likely related to the presence of remnant boulders, intrusions and differential weathering of the bedrock materials. It is also evident in the tomography models that the depth to bedrock is highly variable across the site."⁴⁶ The report states that "A contractor with excavation experience in similar difficult conditions should be consulted for expert advice on excavation methodology, equipment and production rate."</p> <p>A hydrogeologic study of the subsurface hydrologic and geologic conditions at the ECC has never been done. Without it, blasting could result in future ground movement affecting the new housing as well as existing housing. Again, another example of minimalist noise research to meet minimal CEQA guidelines.</p> <p>10. As for other mitigation measures concerning blasting, 5.5 to 8 foot noise barriers will have a minimal impact in relation to negating the noise or ground borne vibrations. The success of this mitigation measure is dependent on the ability of the blasting contractor to limit the ground-borne vibration levels. This is not an acceptable impact remediation measure given the proximity of existing residential structures to the project.</p> <p>11. In addition to blasting, construction ground borne vibration from heavy pieces of equipment will be constant during construction hours. In the construction noise chart, the DEIR uses a distance of 50 ft to the closest residence; yet, in the construction vibration discussion, the DEIR uses 100 feet or more to the closest residence when calculating peak particle velocity. Thus the DEIR's assumption on ground borne vibrations from heavy equipment needs to be reassessed to match the 50 feet from the noise assessment analysis since noise and vibration issues can originate from the same pieces of equipment during operation.</p> <p>12. The DEIR's meeting on July 31, 2017 showed a noise board with 8 foot traffic noise barriers on W. Country Club Lane east of the Nutmeg intersection. The opposite side of the street (south) showed a 6 and 5 foot noise barrier. The DEIR is lacking and should address a noise reduction and traffic noise reduction at this intersection. The DEIR's mitigation measures of</p> <p>⁴⁵ Dudek, June 2017 pg. 19, Appendix 2.6-1 Noise Assessment ⁴⁶ Appendix C, Seismic Refraction Report, Southwest Geophysics, April 14, 2014, pg. 23</p>	<p>I15-51 Cont.</p> <p>I15-52</p> <p>I15-53</p> <p>I15-54</p> <p>I15-55</p> <p>I15-50 As vibration velocity levels will be reduced below the damage threshold of 3.0 inches per second, minor structural damage or more severe impacts to homes is not anticipated to occur.</p> <p>The comment expresses concerns with vibration impacts from blasting. As discussed at Response to I15-49 above, Mitigation Measure M-N-6 has been incorporated to ensure vibration impacts to adjacent residences will be less than significant.</p> <p>I15-51 The comment implies M-N-5, requiring blasting be limited to 3 minutes an hour, would be inadequate to reduce noise below a level of significance.</p> <p>The comment is incorrect for the reasons detailed at Responses to I15-48 and I15-49 above, and at Delano-19.</p> <p>The comment states the mitigation adopted for blasting will be inadequate, and compares the anticipated noise to a sonic boom or bombing activities at Camp Pendleton. To clarify, the comment's comparison extremely overstates the noise levels which are anticipated from blasting at the Project site.</p> <p>Blasting for construction purposes is generally conducted in a very controlled manner which will limit noise impacts and ensure impacts to surrounding residences will be less than significant. Generally,</p>
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blasting includes drilling multiple holes in the hard rock area and placing charges in the multiple holes to fragment the rocks into smaller, crushable pieces. The blasts will be single-event noise sources which occur over a few seconds, with multiple small blasts in each hole occurring milliseconds apart from each other. (EIR page 2.6-10.) As stated in the EIR, before mitigation blasting noise will be 93 L_{max} at 100 feet. With mitigation, these activities will be restricted to no more than 3 minutes an hour, and the blasting contractor shall design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area). (EIR page 2.6-22, Mitigation Measures M-N-5 and M-N-6.) Noise impacts and vibration impacts from blasting will therefore be less than significant.

By contrast, noise from individual mortars and other weapons such as those which may be used at Camp Pendleton are above 150-190 dB; and a sonic boom may exceed 200 dB, some ten times as loud as Project noise. (EIR page 2.6-1 [10 dB increase perceived as a doubling of sound], *see*, “Noise levels of Common Army Equipment,” U.S. Army Center for Health Promotion and Preventative Medicine Army Hearing Program, accessed September 8, 2017. <http://www.vi.ngb.army.mil/html/safety/docs/Noise%20in%20Army%20Equipment.pdf>.) It is thus

	<p>inaccurate to compare construction blasting anticipated for Project development to sonic booms or Camp Pendleton’s weapon activities.</p> <p>I15-52 The comment cites concerns with geologic conditions on site; hydrogeologic conditions; that “blasting could result in future ground movement”; and with noise.</p> <p>The comment addresses general subject areas, which received extensive analysis in the EIR. The commenter is referred to the EIR Chapter 2.6, Noise, Chapter 3.1.3, Geology and Soils, Chapter 3.1.4, Hydrology and Water Quality, and their associated Appendices. Given that the comments are general in nature, a general response is all that is required. (<i>Paulek v. California Dept. Water Resources</i> (2014) 231 Cal.App.4th 35, 47.)</p> <p>Regarding noise and vibration associated with blasting, see Response to I15-51.</p> <p>Regarding geologic and hydrogeologic conditions, see Response to I15-23.</p> <p>Regarding ground movement at the site from blasting (beyond the vibration impacts discussed above), the comment cites no factual basis or reasoning for suggesting such movement may occur. The comment raises concerns too speculative for review in the EIR. (CEQA Guidelines § 15145 [agency need not engage</p>
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	<p>in speculation].) The Updated Geotechnical Report, located in the EIR at Appendix 3.1.1, adequately analyzed faulting, seismicity, and other geotechnical issues based on drilling 14 hollow-stem auger borings, 49 exploratory trenches, and 8 seismic traverses and its previous reports entitled <i>Preliminary Geotechnical Investigation, The Lakes, Escondido, California</i>, dated July 3, 2013 and <i>Update Geotechnical Report, The Lakes Escondido, Escondido, California</i>, dated May 26, 2015. No further analysis is required.</p> <p>I15-53 The comment states the 5.5 to 8 foot noise barriers proposed will not reduce construction noise or vibration impacts from blasting.</p> <p>As a point of clarification, the noise barriers referred to in the comment are not intended to mitigate for impacts from construction, or from blasting noise or vibration. The noise barriers are proposed to mitigate for operational noise impacts as a result of traffic noise at the receiver locations. (<i>See</i>, EIR page 2.6- 13, Mitigation Measure M-N-4 and Table M-N-1.) As discussed at Mitigation Measure M-N-4, the barriers will be successful in achieving 5 dB to 15 dB of attenuation for that purpose.</p> <p>As discussed at Responses to I15-48 through I15-51 above, noise and vibration impacts associated with blasting will be reduced to less than significant levels through the incorporation of Mitigation Measures M-</p>
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	<p>N-5 and M-N-6, which, among other things, limit blasting to 3 minutes an hour and require blasts be designed to reduce vibration velocity below 3.0 inches per second at the closest nearby residences. Residences will also benefit from the installation of temporary noise barriers, if needed to achieve attenuation levels, pursuant to Mitigation M-N-1 during Project construction. Note, these temporary noise barriers were included as part of the Project’s mitigation measures, but not relied on in the EIR to reduce blasting impacts to less than significant.</p> <p>I15-54 The comment states that vibration impacts from construction equipment assumed a distance of 100 feet to residences while noise assumed a distance of 50 feet.</p> <p>While the comment correctly restates information contained in the EIR, the commenter incorrectly implies the EIR inconsistently applied noise and vibration standards to varying distances. While noise and vibration would each be caused by the same source-- construction equipment— construction noise would be louder outside than inside, and a person might be trying to enjoy their yard. Thus the City construction noise ordinance applies at the property line, and the closest property lines are at located 50 feet from construction equipment. (EIR page 2.6-4, Appendix 2.6-1, page 13.) The Noise Assessment correctly states that construction noise was evaluated</p>
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block walls around the new development will not do anything for existing residents to mitigate the increased noise impacts expected with increased traffic at this intersection.

10. DEIR's analysis of ground borne vibrations at 100 feet need to be reassessed to match the 50 feet from the noise assessment analysis since noise and vibration issues can originate from the same pieces of equipment during operation.

Utilities:

Overview of Sewer Appendix 3.1.9-2

The proposed NUWI project will require funding for major infrastructure additions or repairs. This induced growth will be significant because it will directly affect the ability of city departments to provide basic services for a project this large. These services will include emergency services, schools, traffic, increased water usage and waste treatment impacts to name a few. The City's Waste Water Master Plan and budget did not assume residential development associated with the SISR Initiative so it is unlikely it did so for this development. HARRF impacts for this development would have to include upgraded infrastructure to accommodate the additional 78,400 additional gallons of daily wastewater generated by this proposal. This in turn, could cause significant environmental impact by increasing GHG emissions associated with the electrical generation of the HARRF equipment.

The City Council Agenda Item No. 10, from February 1, 2017, addressed the emergency repair of the sewer pipeline on North Hale Avenue. The existing 24 inch diameter reinforced concrete pipe (1959) collapsed and debris from the collapsed pipe material caused surcharging from several manholes. What is going to happen when the additional 78,400 gallons of daily wastewater is run through the entire system? How many more pipelines will fail? Especially in the ECC neighborhood where the wastewater lines are 8 inches versus 24 inches and are over 60 years old?

"The Environmental Impact Report (EIR) for General Plan Update concludes that existing wastewater treatment capacity is not adequate to accommodate the growth anticipated under the General Plan Update, which would add over 9,400 units by 2035. The Escondido Water and Wastewater Division (EWWD) updated its sewer master plan to ensure adequate sewage treatment capacity to serve the projected build out population of the updated General Plan. The Regional Housing Needs Allocation (RHNA) for the 2013-2020 Housing Element planning period is accommodated within the City's current General Plan (see Housing Resources section). Adequate sewage treatment capacity exists to accommodate the growth allowed under the current General Plan."⁴⁷ This plan did not include 392 homes or any development at the ECC. Thus, fewer homes at the ECC like the alternate plans of 158 or 138 housing units makes sense when considering the impact 392 homes will have on the wastewater and sewer systems and the city's budget.

⁴⁷ Escondido General Plan 2012 Housing, pg. IV-102

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I15-55
Cont.
I15-56

I15-57

I15-58

I15-59

to the

“property boundary of the closest existing residence ...approximately 50 feet from the edge of the construction area.”
(Appendix 2.6-1, page 13.)

Vibration nuisance, on the other hand, is typically not experienced by humans outdoors. It is not until that vibration is translated to a structure, causing rattling of items or a buzzing sensation of the entire floor, that nuisance occurs – and where structural damage is possible. (See, Appendix 2.6-1 pages 5, 14 through 15) Therefore, the vibration standard is applied at the distance of the closest residential *structure*, not at the property line. The closest residential structures are here located at a distance of 100 feet from construction equipment. (Appendix 2.6-1 pages 14.) Thus, this is not a case of inconsistently applied standards.

I15-55

The comment states that information concerning height of operational noise barriers is lacking. The commenter is referred to EIR page 2.6-21 through 2.6-22, Mitigation Measure M-N-4, Table M-N-1, and Figure 2.6-3 which provide detailed information concerning barrier heights.

The comment asserts barriers “will not do anything...to mitigate the increased noise impacts.” The comment is incorrect. As stated in Mitigation

	<p>Measure M-N-4:</p> <p>“Placing a barrier between the sound source (roadway) and receiver location (backyard) is an effective means of reducing sound levels at the receiver. If the barrier blocks a direct line of site between receiver and sound source, the minimum attenuation is approximately 5 dB; with increasing height of the wall, effective attenuation rates up to approximately 15 dB can be achieved. A standard barrier attenuation calculation was performed to determine the minimum necessary barrier height to achieve compliance with the 60 dBA CNEL criterion. Noise barriers shall either be (1) solid masonry walls, or (2) tongue-and-groove walls with 1-inch-thick lumber”(Citation).</p> <p>Future ambient noise levels at impacted backyards are predicted to range from 60 dBA CNEL to 65 dBA CNEL before mitigation and would thus exceed the City’s 60 dBA CNEL exterior noise standard by up to 5 dBA CNEL. (EIR page 2.6-13, Table 2.6-6.) Noise barriers will achieve a minimum 5 dBA reduction and have been designed to appropriate heights needed to achieve the needed noise attenuation sufficient. (EIR</p>
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	<p>page 2.6-13, 2.6-23.) This mitigation will reduce exterior exposures at existing residences to below the City’s 60 dBA CNEL exterior noise standard. (EIR page 2.6-23.)</p> <p>I15-56 This comment states vibration impacts need to be reassessed at 50 feet to match the assumptions of the noise assessment. This comment has been addressed in Response to I15-54 above.</p> <p>I15-57 The comment expresses concerns with Hale Avenue Resource Recovery Facility (HARRF) capacity to accommodate wastewater from the Project.</p> <p>The EIR details that, based on the 2012 Escondido Wastewater Master Plan, the HARRF has a maximum capacity of 18 million gallons per day (mgd.). (EIR page 3.1.9- 20.) Currently, the facility treats the City’s flow of 11.8 mgd and Rancho Bernardo’s flow of 3.8 mgd, for a total of 15.6 mgd. (EIR page 3.1.9-45.) Furthermore, the City intends to expand the HARRF to a capacity of 27 mgd for secondary wastewater treatment and 20 mgd for tertiary treatment. (EIR page 3.1.9-21.) Based on this information, there is capacity to treat the Project’s average additional flow of 78,400 gallons per day and maximum flow of 128,400 gallons per day. (EIR pages 3.1.9-41 and 3.1.9-45.) The Project would result in a maximum HARRF flow of 15.7 mgd, well within the design</p>
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	<p>treatment flow of 18 mgd. (EIR page 3.1.9-45.)</p> <p>With respect to the commenter’s concern regarding GHG emissions from electrical generation associated with the HARRF, see Response to I15-19.</p> <p>I15-58 The comment expresses concern wastewater from the Project will cause existing pipes within the sewer system to fail.</p> <p>First, the comment raises issues unrelated to the established thresholds of significance which address whether there is adequate wastewater treatment capacity. (EIR page 3.1.9-38 through 3.1.9-39.) Second, the City has considered the comment and determined the particular impact is too speculative to evaluate. (CEQA Guidelines § 15145.) It is infeasible for the City to forecast with any degree of certainty the potential for sewer system failure attributable to the Project.</p> <p>Third, the reinforced concrete pipe of the sort referred to in the comment is not common in the Escondido wastewater collection system. However, the project proposes to tie into portions of the sewer system that include reinforced concrete piping. Corrosion in these pipelines occurs when hydrogen sulfide (H₂S) is oxidized. H₂S has the potential to form in pipelines that have a flatgrade and/or pipelines that do not have adequate flow-through velocity. When oxidized, H₂S produces sulfuric acid (H₂SO₄), which rises to the top</p>
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	<p>of the pipe causing corrosion. Additional flow to the existing system from the Project will act to reduce the potential for this type of corrosion because higher flow velocities reduce the detention time of sewage within a sewer line. This reduces the potential for H₂S production, which subsequently reduces the potential for corrosion due to sulfuric acid. Accordingly, the Project will actually reduce potential impacts from corrosion of reinforced concrete pipes compared to the existing condition.</p> <p>In addition, the existing system was evaluated based on 8-inch wastewater lines, and it was determined that the system has capacity for the additional flows. Adequate sewer line capacity is detailed in the sewer analysis performed by Dexter Wilson Engineering, Inc., incorporated in the EIR at Appendix 3.1.9-2, pages 3 through 4. (<i>See also</i>, EIR, Figure 3.1.9-2.)</p> <p>I15-59 The comment suggests sewage treatment capacity is inadequate. The City does not concur. See Response to I15-57.</p> <p>As to the commenter’s assertion the updated sewer master plan did not include the Project in its growth assumptions based on the General Plan, this is incorrect. The General Plan considered existing and projected levels of development based on land use designations and development capacity under those designations. (<i>See, e.g.</i>, General Plan Figure II-5,</p>
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As stated in the DEIR's Overview of Sewer, Appendix 3.1.9-2, "inflow is a known concern at this lift station and peak flows in February 2017 were near the capacity of the station. This could have been from inflow or from diminished station capacity. A more detailed analysis of Life Station No. 4 is recommended to assess its capacity.⁴⁸ Thus, the DEIR is throwing this problem back to the City for resolution which will mean expansion of the current system to handle the additional flow from 392 homes as well as community center and amenities.

I15-60

As stated in the DEIR, page 1-6, the project's wastewater system will connect to the City of Escondido's wastewater system. This series of relocations and connections to the new sewer system for the project will impact 8 existing 8" lines throughout the country club area. These series of connections do not include recycled water lines on Country Club Lane that are going to be retrofitted to provide recycled water for landscape and park irrigation.

This is considered a growth-inducing project because the property is basically open space whose zoning will be altered through a Specific Plan if passed. The statement that "No extensions or expansion of infrastructure systems will need to be made, only connections to existing infrastructure systems"⁴⁹ is an understatement of what is going to be necessary to support the 392 housing development. This misleading statement is then restated under "Off-Site Improvements" as follows:

"Minor off-site improvements are needed to connect new residential streets to the existing circulation system. Minor off-site utility improvements may consist of making connections to and minor relocation of the adjacent existing water, wastewater, drainage, natural gas, electric and telecommunication systems."⁵⁰

I15-61

These "minor off-site improvements" will cost the City a lot more money than it will ever receive in permit fees. "New development can only be charged for their fair share of infrastructure facilities needed to implement Escondido's General Plan and cannot fund deficiencies. Development fees only fund physical improvements, so other funding sources are needed for ongoing maintenance and operations (M&O)."⁵¹ Furthermore, it will disrupt City and utility service to the existing residents as outlined in the DEIR.

"The Project would minimize impacts of new development on existing public facilities by constructing public improvements prior to or concurrent with issuance of residential building permits. These facilities would include the following:

- Drainage improvements
- Water pipelines
- Sewer pipelines

⁴⁸ Dexter Wilson Engineering, Inc. pg. 4, Appendix 3.1.9-2 Overview of Sewer

⁴⁹ Notice of Preparation and Notice of Public Scoping Meeting, The Villages, Project Description, Infrastructure, pg. 5

⁵⁰ Project Description, Location and Environmental, The Villages, pg. 7

⁵¹ Escondido 2012 General Plan, Factors Involved with the General Plan Population and Buildout, pg. 1

“General Plan (GP) Development Capacity.”) The site is designated in the General Plan as Residential Urban 1 which allows up to 5.5 dwelling units per acre, more units than the currently proposed development at 3.6 dwelling units per acre. (EIR, page 3.1.5-14) Hence, the General Plan’s growth projections and, in turn, in the updated sewer master plan did generally consider residential use of the site.

The commenter’s opinion concerning alternatives will be included as part of the Final EIR for review and consideration by decision-makers prior to a final decision on the Project.

I15-60

As detailed in the EIR and Appendix 3.1.9-2, Lift Station No. 4 currently has a capacity of 1,008,000 gallons per day. The estimated existing peak flow to Lift Station No. 4 is 650,880 gallons per day. At the Project’s buildout, the peak flow to the pump station will be approximately 779,300 gallons per day. The pump station thus has adequate capacity to treat the additional flow as built, and Project impacts are anticipated to be less than significant.

The anomalous constraint to capacity cited by the commented was, in fact, addressed following the preparation of Appendix 3.1.9-2 to confirm adequate capacity at this Lift Station No. 4 remains. The constrained capacity at Lift Station No. 4 in February 2017 resulted from a historic rain event, together with

- ☒ Public park improvements
- ☒ Private road improvements
- ☒ Public road improvements
- ☒ Dry utilities including gas, electricity, and telecommunications⁴⁵²

Per the final DEIR, "In addition, an existing Vista Irrigation District 18" waterline, which traverses the project from Country Club Lane at La Brea Street northerly across the existing golf course and ties into Gary Lane, will need to be relocated into the new circulation system."⁵³ This is not a minor improvement given that it is an 18" line. Vista Irrigation will have to turn off the water to relocate the line which will negatively impact the entire neighborhood. This is in addition to the four other major connections that need to be made for this proposal. The DEIR states that there will be no effect on the existing water pressure; but, that is not true given that additional housing will predictably siphon off available water supply pressure unless more water is added. Water delivery lines will need expansion to handle the additional demand of 192,080 gallons per day for 392 homes.⁵⁴

The Escondido Water and Wastewater Division (EWWD) recently updated its water master plan to ensure adequate water supply to serve the General Plan's projected build out population. The Regional Housing Needs Allocation (RHNA) for the 2013-2020 Housing Element planning period is accommodated within the City's current General Plan (see Housing Resources section). "Adequate water supply exists to accommodate the growth allowed under the current General Plan."⁵⁵ Again, the City's General Plan did not include the additional 392 housing units from this proposal. Again, the alternative proposals of 138 or 158 homes is more cost effective when considering development for the ECC property and its impact on existing utilities that the larger proposals.

Several existing sewer mains from existing neighborhoods go around the ECC property in public sewer easements. This will involve the relocation of five 8" sewer lines and 2 reconstructions of sewer lines. Again, this will not be a minor impact on the neighborhood and will require city resources and time to get the vertical alignment correct for the gravity sewer system to process the development's waste to the HARRF facility correct.

Cultural/Tribal Cultural Resources:

I would like to know if the letters to Native American tribes as listed on the Native American Contact List San Diego County were sent certified mail/return receipt requested. The DEIR lists only 4 responses received back to the 24 mailed out. Were any phone calls or secondary attempts made to contact Native American Tribes as listed on the NAHC list? The Native

⁵³ Project Description, Location and Environmental, The Villages, pg. 8
⁵⁴ Final DEIR, Chapter 3, pg. 27
⁵⁵ City of Escondido Report On the Initiative Measure to Adopt "The Lakes Specific Plan" dated July 23, 2014, pg. 36 with adjustments made for decrease in SFR units
⁵⁶ Escondido General Plan 2012, Housing pg. IV-102

I15-61
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I15-62

I15-63

I15-61

clogged pumps at this station. The pump has since been unclogged. Accordingly, the EIR correctly concluded Lift Station No. 4 has adequate capacity to treat Project flows as built.

The comment states the discussion of sewer connection lines do not include recycled water lines. This is correct in that recycled water lines do not constitute a sewer connection. The EIR at page 3.1.9-44 discusses the recycled water connection. To summarize, the City maintains an existing recycled water line beneath Country Club Lane which would be used for irrigation of proposed greenbelts, pocket parks, community clubhouse landscaping, and the community farm.

To the extent the comment alleges the Project is a "growth-inducing Project," the City does not concur. The EIR at Section 1.8, Growth Inducing Impacts, evaluated the Project's potential for growth-inducement. The analysis concludes that the Project's proposed density would be consistent with the surrounding area and the General Plan. The analysis also concludes that the economic growth attributable to the Project would not result in an indirect adverse environmental impact. Furthermore, as analyzed in Section 3.1.6, Population and Housing, the Project would not remove an obstacle to substantial population growth in the area, or require the

	<p>construction of a substantial amount of new community service facilities or encourage other activities or growth that could significantly affect the environment. For these reasons, the City does not agree the Project would be growth-inducing.</p> <p>As to payment for minor off-site improvements, improvements will be constructed by the applicant, and, in addition, the Project will be required to pay connection fees to the City concurrent with permit issuance.</p> <p>I15-62 The comment generally states there will not be adequate water supply to serve the Project. The comment is general in nature and does not provide any evidentiary support for the claim that the EIR’s water supply analysis is inadequate or must be revised due to a lack of evidence or similar claims. Given that the comments are general, a general response is all that is required (<i>Paulek v. California Dept. Water Resources</i> (2014) 231 Cal.App.4th 35, 47).</p> <p>Nonetheless, the City does not concur with this comment. The EIR considered water supply impacts, and determined based on substantial evidence including estimates of Project demand and information concerning supply, including potential constraints to supply, that adequate water supplies exist to serve the Project currently and in the future.</p> <p>As discussed in the EIR, the Project site is located within</p>
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the boundaries of two water purveyors, Rincon and the City Water Service Area, or Escondido Exchange Area. Approximately 55% of the Project residences would be within the Rincon district, and about 45% would be within the Escondido Exchange Area.

The Project's water demand was considered assuming a worst-case scenario that only potable water be used—despite that recycled water is expected to supply the Project's irrigation demand—and considering all Project facilities including 392 residences, a clubhouse, community farm, and landscape irrigation (EIR page 3.1.9-47, and Appendix 3.1.9-1, Table 3.1.9-2). Total average water demand is estimated at 350,784 gallons per day of potable water based on these assumptions (EIR page 3.1.9-47, and Appendix 3.1.9-1, Table 3.1.9-2)

To estimate water supply availability and evaluate Project water supply impacts, regional and local water demand and supply information was obtained from four sources: (1) the City of Escondido water service area's 2015 Urban Water Management Plan (UWMP) (City of Escondido 2016a); (2) Rincon del Diablo Municipal Water District's 2015 UWMP (Rincon 2016a); (3) San Diego County Water Authority's (SDCWA) 2015 UWMP (SDCWA 2016); and (4) Metropolitan Water District of Southern California's (Metropolitan) 2015 UWMP (Metropolitan 2016)

because the City and Rincon are member agencies of SDCWA, and its supplies, for the most part, are purchased from SDCWA. SDCWA, in turn, purchases a portion of its water supply from Metropolitan (EIR page 3.1.9-46). SDCWA also manages demand during times of limited supply through its approved Water Shortage and Drought Response Plan (SDCWA 2012) and a Model Drought Response Ordinance (SDCWA 2008) (EIR page 3.1.9-46) Notably, no water supply assessment is required for the Project under state law as the Project does not meet the minimum, 500-residential unit requirement for triggering this additional layer of review (EIR p. 3.1.9-46, SB 221, SB 610, and Water Code Section 10910 et seq.)

The EIR discusses each of the applicable UWMPs, including details concerning how adequate, reliable water supplies will be maintained for at least 20 years into the future based on available water sources, supply, and demand, contingency planning and water conservation efforts (EIR Section 3.1.9.1.1; EIR pages 3.1.9-3 to 3.1.9-8; 3.1.9-15 to 3.1.9-20; and 3.1.9-46 to 3.1.9-48; and Water Code Sections 10631–10635 [discussing UWMP]). The EIR also provides a thorough analysis of the circumstances that may affect demand and supply, including from climate and drought response, climate change, environmental and regulatory constraints, etc. (EIR pages 3.1.9-8 to 3.1.9-14). In addition, the EIR discusses that the Hale Avenue

	<p>Resource Recovery Facility is currently being expanded to increase its storage and treatment capacity for recycled water available for use by Rincon and the City (EIR pages 3.1.9-47, 3.1.9-8, 3.1.9-20, and 3.1.9-21).</p> <p>An agency is entitled to rely on an UWMP or other analysis prepared by a water supplier estimating water sources, supply, and demand, including contingency planning and water conservation efforts (<i>Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova</i> (2007) 40 Cal.4th 412, 434-435; Water Code Sections 10631–10635 [discussing UWMP]). In Section 3.1.9, Utilities and Service Systems, the EIR stated that, for water supplied by the City of Escondido, the Project was anticipated in the City of Escondido 2015 UWMP because UWMP forecasts are based on potential future development of available land, including the Project site (EIR page 3.1.9-47). The UWMP used SANDAG projections based on land use in developing land use and growth forecasts, which were incorporated into the UWMP (EIR page 3.1.9-47). Accordingly, the EIR evidences the City has adequate water to supply the project. (EIR page 3.1.9-47)</p> <p>For Rincon, the EIR states that both Escondido and Rincon rely on Metropolitan’s UWMPs and Integrated Resources Plans and SDCWA’s UWMP and Regional Water Facilities Master Plan for documentation of</p>
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supplies available to meet projected demands (EIR page 3.1.9-15). These UWMPs update their demand forecasts based on the most recent SANDAG forecasts, which in turn are based primarily on land use project data. (EIR pages 3.1.9-15 and 3.1.9-47). As to the site's land use within the City of Escondido, the site is designated in the Land Use Element of the General Plan as Residential Urban 1, allowing up to 5.5 dwelling units per acre, a more dense designation than the currently proposed development at 3.6 dwelling units per acre (EIR page 3.1.5-14). The SANDAG forecasts and SDCWA projections thus accounted for the currently proposed level of development at the site.

Rincon estimated future demands for purposes of Rincon's 2015 UWMP using updated population projections provided by SDCWA (EIR page 3.1.9-20). Rincon's 2015 UWMP evidenced it would have adequate supplies to meet future demand, including during drought conditions, accounting for population growth (EIR page 3.1.9-20). Rincon has also indicated it has adequate capacity to support the Project, contingent on the applicant completing necessary infrastructure improvements (EIR pages 3.1.9-46 to 3.1.9-47). The EIR thus adequately evaluates water supply availability and determines adequate supplies exist to serve the Project.

<p>American Heritage Commission's letter of November 10, 2016 states "If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received". I did not see any reference in the DEIR concerning this topic. If not completed, then this would be considered a deficiency or failure to consult for this DEIR.</p> <p>M-CR-2: If on November 3, 2016, a pedestrian survey of experts found 2 potential sites, then it is reasonable to assume that there are more sites that will become evident during grading and other ground disturbing events. "Note that the absence of known archaeological resources in areas not subjected to cultural resources studies does not indicate that ground-disturbing activities would not have the potential to impact resources on the surface or within the subsurface. Rather, in these areas, resources may exist but have not yet been observed or formally recorded."⁵⁶</p> <p>It is important to note that the Benton Burn site's remedial action project which is only 845 feet from the project site has a 2010 Confidential Cultural Resources Technical Memorandum that is deemed confidential and is not appropriate for public distribution. Thus, it is premature to say that development will not represent significant adverse impacts to cultural resources.</p> <p>Merri Lopez-Kelifer, Chief Legal Counsel to the San Luis Rey Band of Mission Indians in her response dated November 29, 2016 to The DEIR's CEQA letter states "Our Tribe has intimate knowledge about the many discoveries made throughout the Project Area and is aware of tribal cultural resource sites within close proximity to the propose Project. We strongly urge caution in assessing the land encompassing the Project for any development purposes, as well as incorporating the presence of a Luiseño Native American monitor during all ground disturbing activities (including but not limited to any and all boring activities) and cultural resource assessment surveys."</p> <p>Government agencies such as US Immigration and Customs Enforcement, are trying to connect with people such as Native Americans, to preserve artifacts crucial to their tribal history. Many in the Native American community have voiced concerns that about loopholes in current laws that "let developers and federal agencies desecrate land and loot artifacts."⁵⁷ CEQA has done some good concerning savings artifacts but many Native Americans believe that CEQA laws need to be updated "because it has loopholes that allows developers to build where they want as long s they follow the act's vague rules. The law says you have to have meaningful consultations with tribes, but there's no definition of what meaningful is."⁵⁸</p> <p>With these statements in mind, any ground disturbing activities related to the site should have approved Cultural Monitors present on-site during all survey and all ground disturbing activities.</p> <p>⁵⁶ Escondido General Plan, Downtown Specific Plan and climate Action Plan EIR, 4.23.1012, pg. 4.5-6 ⁵⁷ San Diego Union Tribune, Sunday August 6, 2017, "Symposium focuses on Tribal Artifacts", pg. B14 ⁵⁸ San Diego Union Tribune, Sunday August 6, 2017, "Symposium focuses on Tribal Artifacts", pg. B14</p> <p style="text-align: center;">27</p>	<p>I15-63 The comment asks about what consultation occurred with Native American tribes. As detailed in the EIR, Appendix 2.3-1 page v. and page 4.0-2, all Native American representatives listed in the Native American Heritage Commission (NAHC) response letter were contacted and, as of the date of the report, responses have been received from the Iipay Nation of Santa Ysabel, the Pala Band of Mission Indians, and the Agua Caliente Band of Cahuilla Indians, and the San Luis Rey Band of Mission Indians. In addition, the City of Escondido conducted Assembly Bill 52 (AB 52) consultation with the Native American representatives identified by the NAHC for this Project. (<i>Id.</i>, See also, EIR, Appendix 2.3-1, Appendix D.) The City has satisfied the legal requirements for tribal consultation and notification.</p> <p>I15-64 The comment expresses concern archaeological resources may be unearthed during construction and requests that mitigation, including monitoring during ground disturbing activities, be required.</p> <p>To summarize the findings of the EIR, the cultural resources survey identified two previously unrecorded prehistoric bedrock milling sites. In order to determine if sites SDI-21,998 and SDI-21,999 represented significant cultural resources, a testing program was implemented and the sites were found to be lacking any significant subsurface deposits or further research</p>
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I15-64

potential, and were therefore evaluated as not significant. (EIR, Appendix 2.3-1 pages 5.0-1, 6.0-1.) Five previous cultural resources studies overlapping Project boundaries did not result in the identification of any cultural resources within the Project site. (EIR, Appendix 2.3-1 page 1.0-12.) Furthermore, a records search did not identify additional cultural resources within or adjacent to the Project. (EIR, Appendix 2.3-1 pages 1.0-12 through 1.0-13.) Accordingly, the likelihood of encountering additional cultural resources on this already developed site is relatively low.

Nonetheless, because of the potential to encounter additional cultural sites that have been buried or masked by the previous development of the golf course, Mitigation Measure M-CR-1 requires implementation of an archaeological resources monitoring program. The monitoring program will include having an archaeological monitor and a tribal representative on site to perform periodic inspections of excavations to ensure any impacts to archaeological resources are reduced to less than significant. (Mitigation Measure M-CR-1.) The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. (*Id.*) The commenter provides no evidence this level of mitigation is inadequate given the low likelihood of impacts where less than significant impacts would

<p>This should apply during all stages of excavation and/or ground disturbing activities. The consulting archaeologist hired by the developer should not be authorized to dictate where or not to modify the monitoring program to exclude Native American Cultural Monitors as the DEIR has proposed nor should the consulting archaeologist have the authority to modify the monitoring program. Cultural Monitors should not have their presence restricted by Archaeologist(s) hired by the developer.</p> <p>M-CR-2: A qualified paleontologist, not paleontological monitor, should be retained to monitor previously undisturbed areas of Pleistocene-age alluvial deposits that are within the project area. Again, this monitoring should be done throughout all excavation and/or ground disturbing activities so fossils (whether well-preserved or not) are not destroyed during the process.</p> <p>"The property is underlain by Cretaceous-age granitic rock and Jurassic-age Santiago Peak Volcanics which are both Mesozoic in origin. The emplacement of the granitic rock through the older metavolcanic and medasedimentary units created mixing zones and outcrops of varying composition across the project area."⁵⁹</p> <p>"The surficial deposits consist of undocumented fill, topsoil, alluvium, and colluvium. The formational units include Cretaceous-age granitic rock and Jurassic-age medasedimentary/metavolcanic rock. Due to their random occurrence and difficulty in identifying these units, we have identified the bedrock as Mesozoic Rock on the <i>Geologic Map</i>."⁶⁰</p> <p>I would like to know if the letters to Native American tribes as listed on the Native American Contact List San Diego County were sent certified mail/return receipt requested. The DEIR lists only 4 responses received back to the 24 mailed out. Were any phone calls or secondary attempts made to contact Native American Tribes as listed on the NAHC list? The Native American Heritage Commission's letter of November 10, 2016 states "If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received". I did not see any reference in the DEIR concerning this topic. If not completed, then this would be considered a deficiency or failure to consult for this DEIR.</p> <p>Chapter 4 titled Project Alternatives:</p> <p>The analysis indicates that Alternative 1 could result in the elimination of the significant air quality and greenhouse gas impacts associated with the General Plan Amendments. However, as required by the State CEQA Guidelines, if the No Project alternative is the environmentally superior alternative, another alternative must be identified.</p> <p>Three more proposals were submitted. NUWI/Schlesinger put another forth for 279 homes (similar to Schlesinger's 270 unit proposal in 2015); ECCHO put forth proposals for 138 homes and 158 homes with a white paper supporting fewer homes on the site.</p> <p>⁵⁹ Appendix 3.1.3-1, Updated Geotechnical Report, Geocoin Inc., 10/31/16, pg. 10 ⁶⁰ Appendix 3.1.3-1, Updated Geotechnical Report, Geocoin Inc., 10/31/16, pg. 8</p> <p>28</p>	<p>occur to identified resources and previous cultural resources studies and records searches did not identify additional cultural resources on site.</p> <p>Also, if previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. (Mitigation Measure M-CR-1) The City must concur with the evaluation before construction activities will be allowed to resume in the affected area. (<i>Id.</i>) Mitigation Measure M-CR-1 will thus ensure impacts to previously undetected archaeological resources, if any, will be less than significant.</p> <p>I15-65 The comment states a paleontologist, not a paleontological monitor, should be retained to monitor Pleistocene-age alluvial deposits.</p> <p>In response to this comment, the mitigation measures CR-2 has been revised as follows:</p> <p>“(1) A qualified paleontologist, or a paleontological monitor <u>under the direction and supervision of a qualified paleontologist</u>, shall be on site during original cutting of Pleistocene-age alluvial deposits. The paleontologist and paleontological monitor shall meet the</p>
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	<p>following qualifications:</p> <ul style="list-style-type: none">• Qualified Paleontologist: The project paleontologist is a person who has a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.); has a demonstrated knowledge of southern California paleontology and geology; and has documented experience unprofessional paleontological procedures and techniques.• Qualified Paleontological Monitor: A paleontological monitor is defined as an individual with at least one year of experience in field identification and collecting of fossil materials <p>Monitoring of the noted geologic unit shall be conducted at least half-time at the beginning of the excavation, and may be either increased or decreased thereafter by the qualified paleontologist depending upon initial results of monitoring.”</p> <p>These clarifications to the EIR are presented in strikeout<u>underline</u> format; refer to Section 2.6.5 of the</p>
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<p>The No Project/No Development alternative is obviously the superior one wherein there will be no harmful environmental impacts on the environment as measured under CEQA guidelines. There are no impacts noted for the No Project/No Development Alternative when compared to all of the other development plans. Unfortunately, everyone knows that there will be some type of development on the site in the future per the settlement agreement with Schlesinger. What type and size of development will be the issue that impacts all of CEQA impact statements.</p> <p>I support the reasonable and viable alternative proposals of 158 and 138 housing units as being superior alternatives relative to the environmental impacts on the site pursuant to this CEQA review process. The 158 and 138 housing unit proposals will "attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project." These lesser housing proposals are feasible alternatives give the "rule of reason." These proposals would represent <i>smart growth</i> through reasonable development that will lessen the negative impacts on the significant CEQA issues versus the larger developments being proposed.</p> <p>The 392 proposal does not fulfill the required "enhancement of human-scale smart growth development" with access to city services. Arguments that the housing project will provide much needed housing and diversity to be in compliance with the General plan is bogus. There are already housing plans in place at the City through 2030 under the General Plan to promote development in the downtown area where there is already "human-scale smart growth" access to transit and bike lanes to reduce the need for automobiles. These transit and bike lanes are already in place and paid for. The housing plans in place for the City through 2030 already include housing diversity. Most importantly, the alternative housing proposals of 138 and 158 homes can achieve the other stated DEIR objectives as well as the larger unit proposals with less negative impacts on the environment.</p> <p>The alternative housing proposals of 158 and 138 housing units agree with the regulatory land-use scheme that has been a historic reality. The concept of Doctrine of Equitable Servitudes which "is a non-possessory interest in land that allows the owners of the benefitted property to use or restrict the use of the burdened property. Equitable servitudes operate similar to a covenant running with the land."⁶² "The Country Club neighborhood was developed in phases over several years pursuant to an established land use scheme that contemplated the enjoyment by home-buyers of the benefits of the club house and the open space of the golf course."⁶³ The alternative development proposals of 158 and 138 housing units " which are based on R-1-7 zoning "respects the preservation of such benefits in a manner consistent with the land-use scheme contemplated for the region."⁶³</p> <p>⁶² White Paper; Country Club Land Use Overview, pg. 1 ⁶³ White Paper; Country Club Land Use Overview, pg. 8 ⁶³ White Paper; Country Club Land Use Overview, pg. 8</p> <p>29</p>	<p>I15-67 Cont.</p> <p>I15-66 EIR. The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.</p> <p>As to that portion of the comment addressing Native American consultation, see response to I15-63 above.</p> <p>The comment restates information contained in the EIR concerning the No Project alternative. (EIR p. 4-19.) Aside from the No Project/No Development Alternative, the City identified the 138-Unit Reduced-Density Alternative as the Environmentally Superior Alternative in compliance with CEQA Guidelines Section 15126.6(e)(2). (<i>Id.</i>)</p> <p>I15-67 The City acknowledges the comment and notes it expresses the opinions of the commenter regarding project alternatives, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.</p> <p>The City will consider the feasibility and desirability of alternatives in making its decision concerning whether to approve the Project or an alternative (Public Resources Code Section 21081(a)(3)). The City has discretion to reject mitigation or alternatives</p>
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The loss of HOA amenities in favor of fewer housing units is a good compromise. Fewer housing units like the 138 or 158 alternative housing proposals on larger lots would require fewer CEQA mitigation measures that might actually work. It will require less tax payer paid infrastructure upgrades to accommodate fewer housing units. Fewer homes are the superior alternatives because they will impact to the environment with fewer consequences.

Mary Coffey
Escondido, CA 92026

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I15-68
Cont.

if it deems them undesirable or infeasible, meaning they are not capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social, technological, legal, or other factors (Public Resources Code Sections 21061.1 and 21081(a)(3); CEQA Guidelines Sections 15091(c)(3) and 15364).

I15-68 The City acknowledges the comment and notes it expresses the opinions of the commenter regarding project alternatives, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The commenter is referred to Chapter 4, Project Alternative, of the EIR concerning Project alternatives. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Comment Letter I16

August 15, 2017

Mayor Abed, Deputy Mayor Masson, Councilman Morasco, Councilman Gallo, and Councilwoman Diaz:

RE: General Comments Concerning DEIR For The Villages (SCH No. 2017011060)

I have reviewed the Draft Environmental Report on the above-referenced project. Please do not support the project's 392 homes nor NUWI's proposal of 279 homes on the site. Please support the reasonable and viable alternative proposals of 158 and 138 housing units as being superior alternatives relative to the environmental impacts on the site pursuant to this CEQA review process. The 158 and 138 housing unit proposals will "attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project." These lesser housing proposals are feasible alternatives give the "rule of reason." This would represent smart growth through reasonable development that will lessen the negative impacts on the significant CEQA issues versus the larger developments being proposed.

I16-1

If I had any doubts about the undue influence that New Urban West Inc. would exert over the Draft EIR process with their paid planner, I certainly don't now. I am very disappointed with the City's planning staff using NUWI and ROCC's disparaging language against the ECC's supposed crime increase to promote The Villages proposal. It is discouraging that the City would allow itself to be manipulated like this by NUWI or any developer to rush their projects through in four months versus the usual eighteen months. I was hoping that the DEIR, which is a city generated document, would be immune to influence by the NUWI's paid planner but I was wrong. The evidence of definite bias towards NUWI throughout the DEIR as evidenced by the cost effective standards used to reach minimum CEQA guidelines.

I16-2

Developing fewer housing units will result in less adverse environmental impacts on air quality, biologic resources, cultural resources, greenhouse gas emissions, noise, existing utilities and city services, and finally traffic congestion. The latter has significant impacts on the community and the environment which cannot be mitigated. The mitigation solutions to lessen the impact of The Villages project will take years to go through the review process, through four jurisdictions and will undermine the city's budget in the interim. These unrealistic mitigation solutions are discussed in my traffic review attached.

I16-3

The Dudek representative at the July 31, 2017 meeting said that the traffic analysis was done to the *minimum standards* of CEQA and I believe that the entire report was completed in a similar fashion. I also believe that this standard was applied to save NUWI money during the CEQA process. The entire report has several significant environmental impacts that are being dealt with using substandard mitigations that ignore the impact or simply won't work.

I16-4

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Response to Comment Letter I16

Mary Coffey
August 15, 2017

I16-1 The City of Escondido (City) acknowledges the comment as an introduction to the comments that follow. This comment is included in the Final Environmental Impact Report (EIR) for review and consideration by decision makers prior to a final decision on the Project. Regarding the EIR's analysis of Project alternatives, see responses to I15-1, I15-67, and I15-68.

I16-2 The City has considered the comment and does not concur with the commenter's suggestion of the existence of undue influence or bias.

Regarding the existing state of the site, the applicant and lead developer for the Project, New Urban West Inc., was selected by the City as an alternative developer of the site. The applicant is not responsible for the current state of the Project site.

The EIR correctly discloses the existing condition of the site as a blighted condition. The EIR correctly notes the Project site is a nonoperational golf course, which in its current state, has resulted in code enforcement issues for the City. The blighted condition of the abandoned former clubhouse facility

has created ongoing public health and safety hazards for existing, surrounding residents (EIR page 3.1.5-1).

The California Environmental Quality Act (CEQA) requires that an EIR specify the existing physical environmental conditions to establish the “environmental baseline” against which project impacts may be evaluated (14 CCR 15125(a)). Environmental impacts generally should be examined in light of this baseline environment as it exists when a project is approved (14 CCR 15125(a)).

Courts have determined an EIR properly describes the existing environment even where the existing condition arose by a prior applicant or an owner that illegally altered the site. For example, in *Riverwatch v. County of San Diego* (1999), the court upheld the baseline of a disturbed, degraded site where part of a proposed mining site had been illegally disturbed by the site’s owners and predecessors and was subject to enforcement action. The court held that the proper baseline was the existing condition even though that condition was caused by the illegal activity of the applicant owner: “In general, preparation of an EIR is not the appropriate forum for determining the nature and consequences of prior conduct of a project applicant” (*Riverwatch v. County of San Diego* 1999).

Likewise, in *Banning Ranch Conservancy v. City of Newport Beach* (2012), the court held that the

appropriate baseline was the existing condition of the site even though the site was degraded only by illegal mowing. Relying on *Riverwatch v. County of San Diego*, the court reiterated that “any illegal activities affecting the baseline environmental condition are best addressed by enforcement agencies,” not in an EIR (*Riverwatch v. County of San Diego* 1999).

Similarly, the court in *Eureka Citizens for Responsible Government v. City of Eureka* (2007) upheld an existing condition baseline even though there were claims of prior zoning violations that the City of Eureka was responsible for enforcing. The court nevertheless found the more prudent method of addressing alleged illegality was first relying on “direct enforcement by the agencies charged with the responsibility” of enforcement (*Eureka Citizens for Responsible Government v. City of Eureka* 2007). Even where the alleged violations may have been relevant to the City of Eureka’s consideration of the project approval requested, the court found it was not a CEQA consideration (*Eureka Citizens for Responsible Government v. City of Eureka* 2007).

As explained in these cases, CEQA requires evaluation of a project against existing environmental conditions, regardless of how those conditions came about. Therefore, the EIR properly considered the Project’s effects and established Project objectives in

	<p>comparison to existing, blighted conditions at the site. The manner in which the blighted conditions were created is immaterial to the EIR. In addition, the City’s enforcement obligations or authority are not impacted by the Project or the EIR.</p> <p>Nevertheless, the City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I16-3 See response to I15-67.</p> <p>I16-4 The comment raises concerns with the traffic analysis, and traffic impacts received extensive analysis in the EIR. The commenter is referred to EIR Chapter 2.7, Transportation and Traffic; Appendix 2.7-1; and Appendix 2.7-2. Furthermore, the supplemental construction and freeway traffic analyses have been prepared for the Project and are incorporated into the Final EIR in Appendix 8-2. As detailed, the Project will not result in significant traffic impacts during construction and will not result in significant traffic impacts to the freeway mainline. Thus, the analyses confirm the accuracy of the EIR’s findings and conclusions.</p>
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I firmly believe that allowing NUWI to pay \$147,200 for their consultant to expedite the planning and environments services was a mistake since it is obviously biased towards NUWI. This is evidenced by the DEIR's "Effects Not Found Significant" which dismisses what I consider to be significant impacts to the neighborhood and city (e.g. aesthetics, hydrology and water quality, public services, utilities, etc). The people who live in this city and neighborhood deserve better than the results presented in the DEIR.

The Villages project's DEIR compromises the neighborhood and city at large due to the lack of due diligence throughout the city generated document. The DEIR's "expedited processing" is being used by NUWI to get the DEIR done in record time before 2018 when CEQA rules change and become more stringent concerning air quality. If the review and analysis for the DEIR impacts are found lacking, the city will be paying for it, not NUWI or the paid consultant.

The project's SAP will impact the city's budget for years to come with all of the improvements outside of the project's perimeter necessary to reduce ADT throughout the city to address related CEQA guidelines. The Public Facility Fee Amount of \$4,623 per dwelling unit will not come close to what it will cost the city to put in all of these improvements. Street and intersection improvements outlined in the DEIR, designed to calm the undeniable increase in traffic related adverse impacts would include:

- roundabouts or signalization at intersections currently without them;
- painting new pedestrian crosswalks;
- restriping and or repaving of almost all of the streets in the ECC neighborhood to narrow the width of exiting lanes so the city can put in buffered bike lanes-(if feasible);
- construction of curb extensions
- construction of raised medians
- removal of existing medians, and
- flashing signage at designated intersections.

¹ "However, implementation of some of the proposed lanes may be constrained due to a lack of available physical space under existing conditions. The width of the existing lanes, center median/turn lane, presence of on-street parking and/or physical condition of the outside lane/shoulder (such as Second Avenue, Country Club Lane, and Washington Avenue) may preclude the striping of bike lanes. Installation of Class II bike lanes on these roadways would require restriping, possible reduction of lane widths and removal of on-street parking."⁴

The smaller housing unit proposals agree with the regulatory land-use scheme that has been a historic reality. The concept of Doctrine of Equitable Servitudes which "is a non-possessory interest in land that allows the owners of the benefitted property to use or restrict the use of the burdened property. Equitable servitudes operate similar to a covenant running with the land."² "The Country Club neighborhood was developed in phases over several years pursuant

¹ City of Escondido, Planning Department, Bicycle Master Plan, pg. 14
² White Paper, Country Club Land Use Overview, pg. 1

I16-5

I16-6

The supplemental construction and freeway traffic analyses do not add significant new information to the EIR since no new or more severe substantial adverse environmental effects have been identified by the analyses (14 CCR 15088.5). Accordingly, based on the standards set forth in CEQA Guidelines, Section 15088.5, it is not necessary to recirculate the EIR with this information incorporated because the EIR was adequate, and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.

The comment generally asserts mitigation in the EIR will not work. Because the comment does not raise any specific issue regarding the EIR's analysis or specific mitigation measures, no more specific response can be provided or is required.

I16-5

The comment expresses disagreement with the findings that aesthetics, hydrology and water quality, public services, and utilities would be less than significant. These potential impacts received extensive analysis in the EIR. The commenter is referred to EIR Chapters 3.1.1, Aesthetics; 3.1.4, Hydrology and Water Quality; 3.1.7, Public Services; and 3.1.9, Utilities and Service Systems; as well as Appendices 3.1.4-1, 3.1.4-2, 3.1.9-1, and 3.1.9-2. Impacts were assessed against established thresholds and determined to be less than significant based on substantial evidence.

to an established land use scheme that contemplated the enjoyment by home-buyers of the benefits of the club house and the open space of the golf course.³ The alternative development proposals submitted by ECCHO of 158 and 138 housing units " which are based on R-1-7 zoning " respects the preservation of such benefits in a manner consistent with the land-use scheme contemplated for the region."⁴

The General Plans that allowed the development of substandard lots during the build out of the Escondido County Club developments was predicated upon the open space remaining in perpetuity; not, as a precursor to high density development. The various ordinances, starting in February 1963, put forth Special Use Permits for building out the ECC "(with one noted exception) that none of the home sites could be given a final inspection or occupied until the golf course, park, recreation and community center facilities had been constructed, inspected and certified by the City Engineer."⁵ "Effectively, credit was given to each lot for the open space element of the golf course, sometimes referred to as a 'density transfer'.⁶ "The end result of any such transfer, however, is that the open space, for which higher densities have been granted, is no longer capable of supporting more residential capacity. Its capacity has been set aside as open space to serve the undersized residential lots. Stated differently, the open space has been equitably pledged to support the bonus densities."⁷

I strongly disagree with the final DEIR that the marketing appeal of the community changed during build out of the ECC. The residential characteristics of the neighborhood remained that of a retirement community centered around golf operations/open space and related amenities based on the City's promise of the ECC remaining a permanent open space.

The Villages will have "green space" which consists of vegetated open drainage canals, stormwater basins as well as "hard surface, all weather walking trails" (aka asphalt). This faux "green space" will be a poor substitute for the loss of 109 acres of open space. Out of the 29 acres of green belt, 19 acres will be open vegetated conveyance channels with 4 miles of hard surface walking trails right next to them. The remaining 10 acres must include buffering green belt between the existing homes and the new development as well as 4 parks. I wouldn't want to live next to open drainage channels, especially during the rainy season.

The prevailing lot sizes at The Villages of 35' x 73' SFD (78); 45' x 75' SFD (126); 45' x 95' SFD (109); Condominium clusters of 6 units each (11) and 4 units each (2) will only serve make existing residences to feel claustrophobic next to high density tract homes. No one in a single story home (15 ft. high) wants to live near a two story house approximately 38-40 feet high, especially when clustered together on substandard lots five feet apart. The tightly packed tract housing being proposed on substandard lots would diminish the aesthetic design and development standards in place during the build out of the existing neighborhood.

³ White Paper, Country Club Land Use Overview, pg. 8

⁴ White Paper, Country Club Land Use Overview, pg. 8

⁵ City of Escondido Report on the Initiative Measure to Adopt "The Lakes Specific Plan" dated July 23, 2014

⁶ White Paper, Country Club Land Use Overview, pg. 5

⁷ White Paper, Country Club Land Use Overview, pg. 5

I16-6
Cont.

I16-7

I16-8

The comment also states that the City will pay for the traffic improvements included in the Specific Alignment Plan as required by mitigation. This assertion is incorrect. The EIR makes clear that the applicant will be responsible for completing these improvements (see EIR Chapter 2.7 and Mitigation Measures M-TR-1 through M-TR-7).

The comment expresses the opinions of the commenter or concerns regarding economic, social, or political issues. These issues do not appear to relate to any physical effect on the environment. The City acknowledges the comment and will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I16-6

See Responses to Comments I15-1, I15-2, and I15-68.

I16-7

The comment implies Project green space will instead consist of asphalt. This is incorrect. Initially, the commenter cites only a portion of the description of walking trails provided in the Draft Specific Plan (page 34). The full description reads as follows:

The hardsurface, all-weather trail can accommodate a variety of activities and include exercise and rest areas along its length. *The trail will be a mix of paved surfaces and compacted decomposed*

	<p><i>granite or 'grasscrete' pavers</i> [emphasis added] where needed for shared use with emergency fire access. Alternative attractive paving materials, such as 'grasscrete' will be used to create attractive trail while still providing vehicular access where necessary.</p> <p>The EIR further states that the “48-acre Open Space System would consist of 29 acres of landscaped greenbelt and 19 acres of environmental channels and retention basins to convey stormwater from San Marcos Creek through the Project site and stormwater from the Project site” (EIR page 1-3). The commenter is referred to EIR Figure 1-5 for a depiction of proposed open space and park areas, as well as the location of the proposed trail system.</p> <p>In response to the portion of the comment concerning the location of drainage channels, in the site’s existing condition, constructed drainage features and basins occur throughout portions of the Project site. The features were previously created for conveyance of stormwater and irrigation run-on/runoff, as well as aesthetic water features for the golf course (EIR pages 2.2-4 through 2.2-5, 2.2-14). The Project will restore, rehabilitate, and widen channels throughout the property, retaining only limited segments of existing culvert crossings and storm drain segments (see EIR</p>
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	<p>pages 3.1.4-12 and 1-3; EIR Appendix 2.2-1, page 21). Therefore, the Project will improve the biological and hydrological quality of these existing drainages on site (EIR pages 3.1.4-13 through 3.1.4-15).</p> <p>The Project will also reduce runoff through the incorporation of Low Impact Development Strategies into the Project design. For example, the following is stated in Appendix 3.1.5-1, City of Escondido General Plan Policy Consistency Analysis Table, of the EIR regarding Infrastructure Policy 3.10:</p> <p style="padding-left: 40px;">The Project would include pedestrian-friendly streetscape improvements to reduce stormwater and pollutant runoff into the drainage system. For instance, the existing man-made concrete drainage channels will be reconstructed as open environmental drainage channels and biofiltration basins to treat stormwater from the proposed land uses as well as to safely carry stormwater from San Marcos Creek through the Project site.</p> <p>The following is further stated in Appendix 3.1.5-1 of the EIR regarding Infrastructure Policy 14.6:</p> <p style="padding-left: 40px;">Hydrology and Water Quality, Low Impact Development strategies have been incorporated into the Project</p>
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<p>In so far as design and development standards that are comparable to existing housing, there are none. There are no Spanish Monterey two-story themed housing designs as depicted in the DEIR; there are no Craftsman two-story style designs as depicted in the DEIR; and there certainly are no Western Cottage two story style of homes at the ECC as depicted in the DEIR. These project designs do however mimic the Harmony Grove development which was designed by NUWI around 2008. Why pay for new architectural drawings when you don't have to, even if they will stick out like "sore thumbs".</p> <p>I do not agree with The DEIR's statement that the project is located in a "heavily developed area" of the city. Again, the City's classification as of the 2012 General Plan is that the ECC neighborhood is <i>low density residential classification</i>. According to the DEIR, there will be 4500 ADT throughout the neighborhood during and after construction. The neighborhood will become one large parking lot because our streets cannot handle the additional traffic flow.</p> <p>The San Diego Union Tribune's article "Owning Home slips Further Out of Reach, Report Finds" states that "the affordability index puts minimum income needed to buy a median-priced house at \$121K."⁸ Since the homes at this project are going to be priced at median price, sales could be problematic and are subject to world economics and stability. No improvement is predicted and the supposed influx of new buyers from Otay Ranch and Riverside County (as pitched by developers in other failed projects) are coming from homes that are 200K - \$300K less so they will not have the down payment from the sale of their homes to put toward their new homes.</p> <p>Worse yet, we could become another Harmony Grove where Cal Atlantic is doing everything possible to unload those homes. A small portion of the housing tracts have been built and are occupied. Considering that permits were granted in 2008, the build out has taken quite some time and sales at that development seems to have stalled given the low occupancy rate and the sad state of the so called amenities. No one wants to live next door to an delayed development that is surrounded by fencing and acres of graded dirt with abandoned earth moving equipment. Even low interest rates (which are destined to go higher) won't sell the lackluster Harmony Grove development which mirrors what we will be looking at if this is approved.</p> <p>The Specific Plan states that the sale of housing units at this development will provide stable and secure source of funding to ensure the long-term financial health and viability of the trails and parks in the Open Space System as well as the recreational, social and farm amenities at the Village Center. What happens if the sales stall like Harmony Grove during construction? Who will maintain the open space which has the storm water runoff system if there are not enough homes sold to form an HOA?</p> <p>Let's be honest, NUWI will most likely sell the building permits to another developer so that they will have the cash to pay Schlesinger after the development is approved and permits are granted. NUWI's absence will spare the company the burden of explaining to supporters why the promises made before development approval concerning free public access to walking trails/open parks and outside memberships were simply fairy tales. The "community vision"</p> <p>⁸ San Diego Union Tribune, August 10, 2017, pg A1</p> <p>4</p>	<p>design, including:</p> <ul style="list-style-type: none"> • Minimize impervious areas. • Avoid compaction in planned landscape spaces. • Till and amend soil for improved infiltration capacity. • Drain rooftops, roads, or sidewalks into adjacent landscape areas. • Drain impervious surfaces through pervious areas. • Replace pervious drainage ditches with open, vegetated swales. • Collect runoff. • Landscape with native or drought tolerant species. • Manage stormwater within proposed biofiltration BMPs [best management practices]. <p>Thus, the Project will result in significant improvements to drainage and the existing drainage channels located on the Project site.</p> <p>I16-8 See response to I15-3.</p> <p>I16-9 The comment restates information in the EIR and</p>
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	<p>generally raises concerns with construction traffic. The supplemental construction traffic analysis has been prepared for the Project and is incorporated in the Final EIR in Appendix 8-2. As detailed, Project construction traffic will result in less-than-significant impacts to roadway capacity and intersections on all studied area roadways. Based on the substantial evidence incorporated in the EIR and the supplemental analysis, there is no evidence that the Project would result in significant impacts to traffic during construction.</p> <p>This supplemental construction traffic analysis does not add significant new information to the EIR since no new or more severe substantial adverse environmental effect has been identified by the analysis (14 CCR 15088.5). Accordingly, based on the standards set forth in CEQA Guidelines, Section 15088.5, it is not necessary to recirculate the EIR with this information incorporated because the EIR was adequate, and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.</p> <p>I16-10 The comment concerns the affordability of homes and payment for planned features of the Project. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.</p>
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	<p>Regarding payment for mitigation measures, the applicant will be required to implement the measures based on the mitigation monitoring and reporting program and Project conditions of approval. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I16-11 The comment concerns future ownership of the site. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The Project Design Features and mitigation measures will be subject to the mitigation monitoring and reporting program. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I16-12 The comment implies non-residents will be required to pay for the Project’s amenities. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final</p>
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was thrown into the empty pool and surrounding area as well as being left in place inside buildings. Broken windows were boarded up during this time. From April 2013 to October 2013 the property was not fenced. During that time there were incidents of transients trespassing onto the ECC as well as neighboring properties that backed up to the course as well as graffiti tagging. The graffiti was left in place until neighbors covered it up. So ask yourselves, who has keys to the property? Who stands to profit from letting graffiti thugs inside the buildings to provide visual evidence of intrusions to perpetrate ongoing concerns of criminal activity? NUWI is taking pages out of Schlesinger's play book for the Prop H campaign and is trying to influence people who don't know any better.

We have compromised from no housing to reasonable housing while Schlesinger has done nothing to compromise or ever maintain the property over the last 4 years as the DEIR has pointed out. Now it is time for NUWI/Schlesinger to compromise and accept one of the reasonable alternatives presented that feature fewer housing units. The 158 and 138 housing unit proposals will "attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project." These lesser housing proposals are feasible alternatives given the "rule of reason." This would represent smart growth through sensible development that will lessen the negative impacts on the recognized significant and not recognized significant CEQA issues as represented in the DEIR.

Again, I ask that you approve the high density project of 392 housing units or 279 housing units submitted by NUWI. Fewer housing units like the 138 or 158 alternative housing proposals on larger lots would require fewer CEQA mitigation measures that might actually work. The loss of HOA amenities in favor of fewer housing units is a good compromise. It will require less tax payer paid infrastructure upgrades to accommodate fewer housing units. Fewer homes are the superior alternatives because they will definitely lessen the impact to the environment.


Mary Coffey
ECC Homeowner

cc: Attachments: DEIR Comments on Noise
DEIR Comments on Traffic
DEIR Comments on GHG

I16-13
Cont.

I16-14

EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue. However, as a point of clarification, the homeowners' association, LMD, and CFD will apply to the Project site and will not apply City-wide.

I16-13 See response to I16-2.

I16-14 See responses to I15-1, I15-67, and I15-68.

August 15, 2017

Mayor Abed, Deputy Mayor Masson, Councilman Morasco, Councilman Gallo, and Councilwoman Diaz:

RE: Comments Concerning DEIR For The Villages On Noise Mitigation Measures (SCH No. 2017011060)

Noise:

1. Common noise sources associated with development include: construction activities (e.g., heavy truck traffic, pile drivers, pumps and compressors); increased motor vehicle traffic; and other increased outdoor or nighttime activity. This will impact the country club neighborhood residents in a negative manner which may involve standard brain functions such as communication, coordination and concentration on a daily basis. Increased noise levels associated with new development as compared to the relative quiet we enjoy now may lead to higher stress levels and elevated blood pressure as well as antisocial behavior in some individuals. This will be a huge shock to everyone here who is used to the lack of noise that an open space is associated with.
2. The DEIR's March 2, 2017 ambient noise monitoring measurements at four intersections for a period of 10 minutes each does not come close to establishing a baseline for noise conditions and traffic volume in the neighborhood. The DEIR is only meeting minimal CEQA guidelines and needs to conduct a well-thought out study of the noise and traffic volume for longer periods of time and on different days to come up with a more comprehensive baseline for measurement. ten minutes on a single day at each location doesn't make the grade.
3. Neither the Escondido General Plan nor Municipal Code identify specific construction noise level limits for blasting activities. Before the EIR for this project is approved, the City should consider setting noise level limits for blasting operations. This area of environmental impact study is definitely lacking and should take priority concerning mitigation of negative impacts on the neighborhood.

I16-15

I16-15 See response to I15-46.

Table 1 below lists property line noise limits which I will use for reference concerning the noise effects associated with this large development:

Table 4.12-5 City of Escondido Exterior Sound Limit Levels Zone	Time	Applicable Limit One-hour Average Sound Level (A-weighted Decibels)
Residential zones	7:00 a.m. to 10:00 p.m.	50
10:00 p.m. to 7:00 a.m.		45
Multi-residential zones	7:00 a.m. to 10:00 p.m.	55
10:00 p.m. to 7:00 a.m.		50
Commercial zones	7:00 a.m. to 10:00 p.m.	60
10:00 p.m. to 7:00 a.m.		55
Light industrial/industrial park zones	Anytime	70
General industrial zones	Anytime	75

Source: City of Escondido Municipal Code Section 17-229, Sound Level Limits

4. The DEIR states on Table 7, that construction noise levels at 50 feet to the closest residence will be between 87-90 dBA L_{eq} during the 3 identified construction components. This exceeds the City of Escondido construction noise limit of 75 dBA L_{eq} . I noticed that The DEIR included 200 feet from the nearest residential building (acoustic center of construction noise generation) to be able to comply the City's noise limit of 75-78 dBA L_{eq} and thereby meet the minimum standards set forth by CEQA. This sabotages the process of protection put in place by the city for Escondido residents. Average construction noise levels will be at the maximum of the City's limits for residential structures at 200 feet and will exceed levels at 50 feet. The City needs to establish limits for blasting noise which it does not presently have in place to protect the community.

5. Evidence of the rush to get the DEIR completed is shown here. The DEIR states under Section 3.5 *Construction Noise* that "No special construction techniques (i.e., pole driving or blasting) are anticipated to be necessary for this project."¹ Then under section 3.7 *Blasting Noise (Construction)* discusses that this project will include blasting of hard rock areas. The DEIR Table 8 *Blasting Noise Levels Summary at Closest Residences* definitely exceeds the City's limits for residential structures at 100 feet 93 dBA L_{eq} and 87 dBA L_{eq} at 200 feet. These noise measurements do not match the noise measurements as stated in item #4 above.

The fact that another mitigation proposal is to limit the blasting to no more than 3 minutes within any given hour of operation to meet the general construction noise limit imposed by the city, does not meet the maximum limits set forth by the city. The measurements in the two tables are very different at given distances so how are the 3 minutes of noise impact measured?

6. The shortest distance between potential blast locations and existing residences is approximately 100 feet based on OSMRE standards versus the property lines. The 93 dBA L_{eq} is too much for residences that literally back up to the ECC. It will create stress cracks and other

¹ Dudek, June 2017 pg. 14, Appendix 2.6-1 Noise Assessment

I16-16
I16-17
I16-18

I16-16 See response to I15-47.

I16-17 See response to I15-48.

I16-18 See response to I15-49.

<p>foundational issues with neighboring residences. Even if you limit the blasting to no more than 3 minutes within any given hour, it will still have a negative impact on neighboring residences.</p> <p>7. As The DEIR's Noise Assessment Appendix by Dudek states "While determining the vibration levels from the blasting operations at the Project site is difficult due to the variability of conditions (e.g., soil types) at the site, it is possible that some minor structural damage to the closest residences (i.e., within 100 feet) could occur. In order to prevent damage to nearby residential structures from ground vibration due to blasting, an abatement plan is required."² Given that many of the residences that back up to the course have little or no backyards, blasting would have a devastating and significant noise impact on the neighborhood despite the mitigation measures proposed.</p> <p>8. The DEIR's mitigation plan 4.4 Blasting Noise (Construction) is to "Restricting blasting operations to no more than 3 minutes of any given hour during allowable construction time periods." According to DEIR this mitigation measure "would reduce potentially significant short-term blasting-related noise exposure impacts to less than significant levels."³</p> <p>I don't know how any reasonable person could think that a 3 minute per hour interval for blasting rock is acceptable and this remediation would amount to "less than significant levels" for impact. It would be like having a sonic boom 3 minutes for every hour during scheduled blasting days. In North County we can feel the ground vibrations, and depending on atmospheric conditions, can hear live fire noise from the Marine Corps at Camp Pendleton during live fire practice. They are 23.7 miles away and not in our backyards. This is not acceptable as a impact mitigation solution for anyone with common sense.</p> <p>9. Just looking at the surrounding hillsides, anyone can see that there are many rocks and boulders inherent in the landscape topography that makes up the ECC property. "These inhomogeneities are likely related to the presence of remnant boulders, intrusions and differential weathering of the bedrock materials. It is also evident in the tomography models that the depth to bedrock is highly variable across the site."⁴ The report states that "A contractor with excavation experience in similar difficult conditions should be consulted for expert advice on excavation methodology, equipment and production rate."</p> <p>A hydrogeologic study of the subsurface hydrologic and geologic conditions at the ECC has never been done. Without it, blasting could result in future ground movement affecting the new housing as well as existing housing. Again, another example of minimalist noise research to meet minimal CEQA guidelines.</p> <p>10. As for other mitigation measures concerning blasting, 5.5 to 8 foot noise barriers will have a minimal impact in relation to negating the noise or ground borne vibrations. The success of this mitigation measure is dependent on the ability of the blasting contractor to limit the</p> <p>¹ Dudek, June 2017, pg. 17 Appendix 2.6-1 Noise Assessment ² Dudek, June 2017 pg. 19, Appendix 2.6-1 Noise Assessment ³ Appendix C, Seismic Refraction Report, Southwest Geophysics, April 14, 2014, pg. 3</p>	<p>I16-18 ↑ Cont.</p> <p>I16-19</p> <p>I16-20</p> <p>I16-21</p> <p>I16-22 ↓</p> <p>I16-19 See response to I15-50.</p> <p>I16-20 See response to I15-51.</p> <p>I16-21 See response to I15-52.</p> <p>I16-22 The comment states that the 5.5- to 8-foot noise barriers will have a minimal impact on reducing blasting vibrations, and that the success of mitigation is dependent on the ability of the blasting contractor to be able to limit ground vibrations and air blast.</p> <p>Regarding air blast, levels anticipated with Project blasting activities will be well below the Office of Surface Mining Reclamation and Enforcement (OSMRE) air blast limits. The EIR notes that "the Escondido General Plan and Municipal Code do not identify specific construction noise level limits for</p>
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blasting activities. Therefore, the OSMRE and CFR [Code of Federal Regulations] lowest maximum *Air Blast Limit* (30 CFR 816.67(b)) of 129 dBA [A-weighted decibel] L_{max} [maximum sound level] at nearby sensitive uses is used in this analysis as an acceptable threshold for noise levels due to blasting activity at the Project site (refer to Section 1.4.2)” (EIR page 2.6-11). Blasting noise associated with the Project is estimated to be 93 A-weighted decibel maximum sound level at the closest residential receiver, and therefore, will be significantly less than the acceptable air blast limitations.

Regarding vibration impacts, the EIR evaluated vibration impacts associated with blasting on pages 2.6-14 through 2.6-15. As detailed, “it is unusual for damage to be caused to residential structures from the vibrations caused by blasting activities, given the restrictions imposed under OSMRE (30 CFR 816.67)” (EIR page 2.6-14). Nevertheless, the EIR concluded potentially significant impacts could occur as minor structural damage may result to the closest residences (i.e., within 100 feet) if vibration levels exceed 3.0 inches per second (peak particle velocity) (EIR pages 2.6-14 through 2.6-15).

Mitigation Measure M-N-6 has been incorporated to reduce potential impacts from blasting vibration to less than significant. Mitigation Measure M-N-6

	<p>requires the following:</p> <p>To reduce adverse effects related to rock blasting, the following measures shall be adhered to:</p> <ul style="list-style-type: none">• The blasting contractor shall design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area).• A blast signal (e.g., air horn) shall be used to notify nearby residents that blasting is about to occur per the California Code of Regulations, Title 8, Section 5291 Firing of Explosives regulations.• All complaints shall be responded to and investigated as they occur. <p>Because vibration velocity will be reduced below the damage threshold of 3.0 inches per second, minor structural damage or more severe impacts to homes is not anticipated to occur. Adequate mitigation has been incorporated to reduce potentially significant impacts associated with groundborne vibration to below a level</p>
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- "ground vibrations" a seismic wave that moves through the ground following a blast
 - "airblast" a concussion (or pressure) wave that moves through air following a blast
8. In addition, no pre-blasting survey has been conducted on neighborhood residences that will be adversely affected by the blast zones.
 9. The DEIR's figures for calculating AP42 emission factors for explosives are noteworthy since the multipliers you are using for calculation are *over 35 years old*. The PM₁₀ and PM_{2.5} are based on blasting operations at western surface coal mines versus the ECC's composition of "hard rock and cemented alluvial and colluvial deposits".⁵ No blasting permits should be issued without further study of AP42 emission factors for explosives with the ECC's geography and proximity to existing housing.
 10. DEIR's analysis of ground borne vibrations at 100 feet need to be reassessed to match the 50 feet from the noise assessment analysis since noise and vibration issues can originate from the same pieces of equipment during operation.

Mary Coffey
ECC Homeowner

⁵ Appendix 3.1.3-01 Updated Geotechnical Report, pg. 9

↑ I16-22
Cont.
I16-23
I16-24
I16-25

of significance.

Regarding noise barriers, see response to I15-53, explaining how the 5.5- to 8-foot noise barriers are proposed to reduce operational impacts from traffic noise, not to reduce blasting noise impacts. Mitigation measures to reduce blasting impacts include Mitigation Measures M-N-5 and M-N-6. These measures would restrict blasting to no more than 3 minutes per hour during construction and require the blasting contractor to design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area).

I16-23

The comment states, "In addition, no pre-blasting survey has been conducted on neighborhood residences that will be adversely affected by the blast zones."

As detailed in response to I16-22, no significant impacts are anticipated to result to residences from potential blasting associated with Project construction with mitigation incorporated. Nonetheless, Mitigation Measure M-N-6 is an excess of caution and states that "all complaints shall be responded to and investigated as they occur." No further mitigation is required because impacts will be less than significant (14 CCR 15126.4(a)(3); *Paulek v. Department of Water Resources* 2014). However, in response to this

	<p>comment, the following language has been added to Mitigation Measure M-N-6: “The contractor shall perform a pre-blast survey at the request of any residences located within 300 feet of the blasting site prior to blasting activities.” The EIR has been revised to clarify this. These clarifications to the EIR are presented in strikeout/<u>underline</u> format; refer to Section 2.6 of the errata of the Final EIR. The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.</p> <p>I16-24 This comment states that the EIR inappropriately relies on studies that are over 35 years old, implying that such studies contain outdated, unreliable information. As stated in the EIR, “estimated emissions of NO_x [oxides of nitrogen], CO [carbon monoxide], and SO_x [sulfur oxides] from explosives used for blasting were determined using emission factors in Section 13.3 (Explosives Detonation) of AP-42 (EPA 1980), and PM₁₀ [coarse particulate matter] and PM_{2.5} [fine particulate matter] emissions were determined using Section 11.9 of AP-42 (EPA 1998)” (EIR page 2.1-19). The analysis employed conservative assumptions in employing the coarse particulate matter and fine particulate matter emissions factors from Section 11.9 of AP-42, as these factors “may overestimate emissions for blasting of hard</p>
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	<p>rock” for this Project (EIR page 2.1-20).</p> <p>The emission factors for blasting explosives questioned by the comment are the industry standard approved by the U.S. Environmental Protection Agency (EIR page 2.1-20). AP-42, Compilation of Air Pollutant Emissions Factors, is a publication of the U.S. Environmental Protection Agency’s emission factor information based on source test data, material balance studies, and engineering estimates (accessible at https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emission-factors). The age of the data sources underlying the AP-42 emissions factors is acknowledged in the EIR; however, these factors continue to be relevant and used within the industry. It is noted that the compounds in the explosive materials have not changed since the development of the emission factors and the studies on which those emission factors were based. As such, there is no reason to conclude that the emission factors are no longer reasonably representative of emissions from the blasting compounds.</p> <p>I16-25 See response to I15-56.</p> <p>I16-26 See response to I15-33.</p> <p>I16-27 See response to I15-34.</p>
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<p>street parking is available within 500 feet of the agricultural site.¹ I did notice that the farm is located at the southern edge of the parking lot at the front of the ECC so it will be within 500 ft. of the existing street. What mitigation measures will be taken to address the traffic related issues that are inherent with the new community center? Plus what about pedestrians who will dart across the street to go to the farm or convenience store?</p> <p>The DEIR has not covered the alternate route that is used during the morning commute to circumvent the intersection. This alternate route involves commuters taking Ruby Rd. to Rosemary and then onto El Norte Parkway. The surrounding neighborhood will be inundated with new arrivals looking to save time. The additional traffic from the housing development will increase issues with safety, noise and air pollution problems with increased traffic gridlock. This intersection is already at LOS E (am) and LOS D (pm).</p> <p>M-TRA-3</p> <p>The DEIR's mitigation to restripe the roadway at Bourbon Road and the I-15 southbound ramps will not do anything to mitigate the traffic gridlock that is not only present during the am/pm rush hour but throughout the day as well. Removing the left turn from Bourbon Road, which is rarely used by commuters, is a non-issue for anyone who has lived in the area.</p> <p>Removing the eastbound U-turn restriction at the freeway entrance is the height of stupidity and Caltrans will never approve it. Again, anyone who lives here knows that would be a suicide mission to even attempt a u-turn there. There is too much traffic from the southbound off-ramp of the I-15 (right turn and through) as well as westbound traffic going through the intersection to even consider this as a mitigation solution. Since there is no indication about providing an additional lane for the eastbound U-turn, the cars behind the U-turn vehicle will be forced to wait until the signal changes which will cause a major backup (if there isn't an accident first). This will negatively impact the traffic trying to get on the I-15 going north on-ramp under the freeway. Since Caltrans will not approve this, it is better to use the U-turn at El Norte Parkway and 7 Oaks signalized intersection.</p> <p>M-TRA-3/5</p> <p>The DEIR also puts forth that it will improve increased traffic flow onto the I-15 southbound ramp, which will be doubled given the mitigation measure at El Norte Parkway and Nutmeg with 2 left turn lanes, by going into the emergency lane on the right side of the freeway and creating another SOV lane. Again, if you read the current signage, there are 2 right turn lanes on El Norte Parkway and there is the HOV lane entrance as well. Traffic queues already exceed ramp storage capacities with just 3 lanes. If a 4th lane is added, it will be a parking lot. The fact that existing freeway access cannot handle the traffic volume is another indicator that large housing developments in NW Escondido is not a good decision. It will take Caltrans years to study and approve/disapprove the mitigation and then more time for budgeting for construction of this mitigation measure. It will do nothing for the increase in traffic volume that will result from this project.</p> <p>¹ Final Draft EIR, Chapter 5 Project Implementation, pg. 60.</p> <p>2</p>	<p>I16-27 Cont.</p> <p>I16-28</p> <p>I16-29</p> <p>I16-28 See response to I15-35.</p> <p>I16-29 See response to I15-36.</p>
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The I-15 Integrated Corridor Management System spent \$10 million on a project that effectively moves commuters through the City of Escondido using surface roads and not using the highway which is already tapped out to solve the I-15 commuter traffic problem. Commuters who live here know that it takes approximately 23 additional minutes to go from Country Club Lane to the I-15 metered on-ramp. Additional housing already in place in northeast Escondido has caused Center City Parkway to back up during rush hours and beyond. This new housing project will only make it worse and there is no mitigation available to lessen the impact.

M-TRA-4

The DEIR states that NUWI or its designee "shall construct interim improvements in the existing right of way on Southbound Nutmeg Street between La Paloma Ave. and Via Alexandra to provide a wider travel lane, and curb, gutter and sidewalk improvements to the satisfaction of the City Engineer. There is also mention of bicycle circulation as well to mitigate the massive development being proposed. This would involve City enforcement of easements as well as eminent domain on existing properties on the west side of the street. Street parking will need to be eliminated when bicycle lanes are added given the 3 foot rule and state guidelines.

This area of Nutmeg is narrower than City standards and the curve is a feature of the neighborhood's retirement design at inception to slow down traffic flow going southbound. It widens after Via Alexandria for homeowners on cul-de-sac streets and businesses that operate in the area. Trash collection, mail delivery and additional parking are currently permitted on Nutmeg; but this will be eliminated if this project is approved. There is existing double stripping in the middle of lanes to prevent cars from going around delivery or trash or mail trucks which results in occasional traffic backups. It also provides a lane for cars making left turns to go into the housing that border Nutmeg after Via Alexandra. The additional traffic flow from this project will not be mitigated by a wider travel lane (singular), curbs, gutters and sidewalk improvements. This mitigation solution is lacking by design since cars are prohibited from driving on sidewalks or in gutters.

Traffic will back up because Nutmeg will still be only a 2 lane "local collector with parking". To anyone who lives here, an alternate route is available by taking La Paloma to La Mirada to La Brea as a detour around this predictable traffic jam like they do now. There is nothing that will mitigate increased traffic flow from this development on Nutmeg. Per Appendix 4-1, it's capacity is 7,750 (Mid-D) and without mitigation, it operates at LOS D and v/c .85.

There has been no discussion concerning mitigation of excessive traffic flow for commuters using northbound Nutmeg to get to the I-15 further north to avoid the El Norte Parkway on-ramp. This should be covered under the DEIR as it does impact traffic flow in the neighborhood by at least 50-100 peak hour trips, especially given the new T intersection at Gary Lane and K St per the proposed plan.

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I16-29
Cont.

I16-30

I16-30 See response to I15-37.

<p>M-TRA-6</p> <p>The DEIR suggests that restriping Nutmeg southbound at El Norte Parkway intersection with 2 southbound left-turn lanes for the I-15 freeway, one shared thru-right turn lane and a bike lane will mitigate the traffic problems that currently exist and will be created if this new development is allowed. The outermost left turn lane will be close to the middle of the intersection so that the new thru-lane traffic will need to make a lane adjustment to avoid colliding with the raised concrete island with street lights.</p> <p>There is no bike lane on southbound Nutmeg/Nordahl due to lack of available roadway on the 2 narrow lanes that persist up to Knob Hill. Though, I did notice it was part of the DEIR's figure 5.2 Bicycle Routes diagram. There is no way you can put a bike lane on this street until you get past Knob Hill. No one is stupid enough to walk on the edge of the narrow street; much less ride a bike on it.</p> <p>There is no traffic study for southbound Nutmeg/Nordahl included in the DEIR and there should be since this is used to access the SR-78 in both directions. Additional traffic from this project that will add at least 50-100 peak hour trips, will make this single lane roadway a nightmare during the morning and evening commute. It is already busy with traffic in both directions due to the Costco and Walmart shopping centers. The SR-78 ramp at Nordahl already exceeds ramp storage capacity at peak hours. There is no way to mitigate this traffic nightmare and additional housing will only make it worse.</p> <p>M-TRA-7</p> <p>The DEIR suggests that restriping Bennett Avenue going north from Toyon Glen to El Norte Parkway to include 2 left turn lanes between these streets. This would involve the City of San Marcos approving the removal of left turn lanes already in place for side streets. I don't know why this mitigation is even being considered since it does not have high traffic patterns going north. Traffic does backup in the opposite direction so that commuters can access Rock Springs and Mission to get to schools and the SR-78.</p> <p>General Traffic Discussion:</p> <p>The mitigation measure to install Adaptive Signalization along El Norte Parkway to improve traffic flow and improve circulation connectivity needs to go through the City's Traffic Engineering department. The staff regularly evaluates a number of intersections within the City to determine the need for future signalization or signal modification work, such as adding protected left-turn phasing. It then goes through. Next, the list is reviewed and approved by TCSC and, subsequently, City Council. The Traffic Signal Priority List is then used to determine which projects will be funded from the current and future capital budgets from the city. In other words, this improvement will be a retirement project and traffic will only get worse with this large housing development.</p> <p>Appendix 2.7-1 shows that during construction, each phase will not generate more than the 4,500 ADT that the project will generate as completed. This includes construction workers,</p> <p>4</p>	<p>I16-31 See response to I15-38.</p> <p>I16-32 See response to I15-39.</p> <p>I16-33 See response to I15-40.</p> <p>I16-34 See response to I15-41.</p>
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<p>contractors and equipment as well as trailers to transport the equipment. This will add to the already congested roadways around the ECC which were designed for lower traffic volumes and speeds. As The DEIR's appendix 2.6-1, Noise Assessment states, the current vehicle volume along "West Country Club Lane adjacent to the project site is approximately 5,330 ADT; North Nutmeg Street is approximately 3, 210 ADT and West El Norte Parkway carries approximately 17,780 ADT."² My reservations concerning the validity of these numbers is based on minimum requirements that have been the mainstay for this DEIR.</p>	<p>↑ I16-34 Cont.</p>	<p>I16-35 See response to I15-42.</p>
<p>The DEIR lists 6 existing peak hour unacceptable operations at LOS D, E, F in am/pm hours. Daily street segments of unacceptable operations involve Nutmeg St. The freeway I-15 between El Norte Parkway and SR-78 is LOS F southbound in the am and northbound in the pm. These deficiencies cannot be mitigated and are lacking a solution.</p>	<p>I16-35</p>	<p>I16-36 See response to I15-43.</p>
<p>The City of Escondido does not have a published capacity for two-lane roadways with raised medians. Thus, the project's mitigation improvements for traffic issues as stated in the DEIR involving El Norte Parkway to Golden Circle Dr., Golden Circle Dr. to Gary Lane, Firestone Dr. to La Brea Street need to be re-evaluated and studied by the City to formulate standards for two-lane roadways with raised medians for circulation element roadway classifications capacity and LOS standards. Therefore, Appendix B, City of Escondido Roadway Capacity Table cannot be used for this mitigation study and the V/C is incorrect. The approval process for this DEIR should be postponed until the analysis for this roadway capacity is completed and the City publishes their findings.</p>	<p>I16-36</p>	<p>I16-37 See response to I15-44.</p>
<p>Removing the option to turn left on westbound Country Club Lane at Firestone will not calm down traffic flow and it will create a traffic bottleneck instead. It will force homeowners who live in the neighborhood to go up Sunbury to get home. In addition, commuters will use Sunbury to go around traffic at West Country Club Lane and El Norte Parkway as well as Woodland Parkway and El Norte Parkway. The DEIR report shows a bike route on Firestone which will not work given the on-street parking and narrow lane width. The street is barely wide enough for 2 lane traffic with street parking. This mitigation measure is lacking because it does not solve the additional traffic flow problems associated with this development; instead, it will shift the problem to another street down the block.</p>	<p>I16-37</p>	<p>I16-38 See response to I15-45.</p>
<p>This project will create too much traffic in an already tense situation during the morning and evening commute. SR-78 chokes at the I-15 and SR-78 Interchange in both directions. Escondido is a choke point for both freeways and there is no DEIR mitigation measure that will make it tolerable. The jurisdictional approval process involving Caltrans, San Marcos, San Diego County and the City of Escondido will only complicate and delay any mitigation suggestions.</p>	<p>I16-38</p>	
<p>²Recent population and housing growth in southwestern Riverside County has resulted in significant interregional commuter travel into San Diego County on I-15. Due to geographic/land use constraints and a lack of contiguous parallel roadways, the segments of I-15 in the corridor also serve as the local north-south roadway, providing</p>		
<p>² Linscott Law & Greenspan, 2016 (Dudek Noise Assessment, June 2017, pg. 6 5</p>		

communities local access and connectivity. Current weekday traffic volumes range from 170,000 to 290,000 vehicles on the general purpose lanes of I-15. Approximately 20,000 vehicles use the I-15 Express Lanes during weekdays. During weekdays peak-hour travel has traditionally been southbound during A.M. peak periods and northbound during P.M. peak periods. However, recent growth in manufacturing and industrial parks in the Rancho Bernardo and Carmel Mountain areas are resulting in increased peak-period travel opposite to traditional patterns (i.e., A.M. peak period northbound and P.M. peak period southbound). Peak-period demand exceeds capacity in the traditional and newly emerging P.M. southbound peak directions, resulting in recurrent congestion which can cause corridor delays averaging 30 to 45 minutes.³

Corridor bottlenecks include the SR 163 junction, the SR 56 interchange, the SR 78 interchange, and the Lake Hodges Bridge. Recurrent congestion occurs on various segments of the corridor during the weekends. Given the limited number of alternative routes, peak-period delays will be further exacerbated by incidents, special events, and/or inclement weather. "Future (year 2020) forecasts for the I-15 corridor indicate a 30 percent increase in weekday traffic, which will result in even longer corridor delays and travel times. Corridor travel is anticipated to increase significantly in what are now non-peak travel directions."⁴

"Lake Hodges is another major traffic diversion choke point along the corridor. It is approximately five miles south of SR 78 at the northern boundary of the I-15 corridor and has only a single bridge crossing, with no arterial frontage roads to which to divert traffic if necessary. I-15 ICMS strategies will also be engaged to address this issue."⁵

In conclusion, the traffic mitigation measures proposed in the DEIR will involve the City of Escondido, the City of San Marcos as well as the County of San Diego and Cal Trans. The changes involved in the SAP will impact the budget of 3 jurisdictions to reduce the ADT throughout the area. The City of San Marcos just repaved Woodland Parkway so I doubt they will want to redo it again in the near future.

The traffic mitigations outlined in the DEIR to lessen the impact of this development will cost the city more than the \$4,623 per dwelling unit Public Facility Fee Amount. Implementation of street improvements, as outlined in the DEIR, will take years to review the existing conditions of streets. Then the recommended improvements have to go through the appropriate city departments for analysis and review before the it reaches the city council.

³ US Dept.US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California

⁴ US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California

⁵ US Dept. of Transportation 3/31/2008, Concept of Operations for the I-15 Corridor in San Diego, California



I16-39 See response to I15-45.

I16-40 The comment states that traffic mitigation will impact the budgets of three jurisdictions and take years before the improvements are implemented. The comment also states that freeway ramps will be impacted during the AM/PM commute.

Generally, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City has considered the comment and will include the comment in the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

Regarding Project construction traffic, please note that a supplemental construction traffic analysis has been prepared for the Project and is incorporated in the Final EIR in Appendix 8-2. As detailed in the EIR and the supplemental analysis, Project construction traffic will result in less-than-significant impacts to roadway

What are the neighborhood residents supposed to do in the meantime with the additional 4500 ADT, even during construction? Several intersections are already at loss D-F in the am/pm commute. Traffic queues already exceed ramp storage capacities at the I-15 in both directions during the am/pm commute. There has been no discussion concerning the SR-78 traffic influence on neighborhood streets. This is definitely an oversight that needs to be addressed.

Mary Coffey
ECC Homeowner

↑ I16-40
Cont.

capacity and intersections in the Project area.

In response to the portion of the comment concerning freeway on-ramp conditions, the comment incorrectly states that impacts will occur in both directions during the AM/PM commute. Impacts to the Interstate (I-) 15 northbound ramps were demonstrated to be less than significant in the EIR. However, the Project’s impact to the I-15 southbound on-ramp at El Norte Parkway is concluded to be significant and unmitigable because, despite incorporating all feasible mitigation, the proposed improvement to the I-15 southbound on-ramp would be located within the jurisdiction and control of the California Department of Transportation, and neither the applicant nor the City can ensure that the California Department of Transportation will permit the improvement to be made (EIR pages 2.7-35 through 2.7-36).

Regarding impacts to State Route (SR-) 78 and the I-15 south of SR-78, the City has prepared a supplemental freeway traffic analysis evaluating Project impacts to additional freeway mainline segments, including I-15 south of SR-78 and SR-78 from I-15 to Twin Oaks Valley Road. This supplemental analysis demonstrates that the Project would not result in significant impacts to freeway mainline operations at these segments. The supplemental analysis has been incorporated in the

August 15, 2017

Mayor Abed, Deputy Mayor Masson, Councilman Morasco, Councilman Gallo, and Councilwoman Diaz:

RE: Comments Concerning DEIR For The Villages On Greenhouse Gas Emissions Mitigation Measures (SCH No. 2017011060)

Greenhouse Gas Emission:

This housing project will impact Assembly Bill 32 which requires California cities like Escondido to reduce GHG emissions to 1990 levels by 2020. These reductions are necessary to avoid catastrophic climate change which will affect air quality, quality and quantity of water supplies from the Sierra snowpack, increase in sea levels, damage to marine ecosystems and the natural environment as well as human health related diseases.

"Annual greenhouse gas emissions rose more quickly last year than they have in nearly three decades."¹ "global emissions of greenhouse gases that lead to warming, primarily driven by the burning of fossil fuels and other human activity, increased by 40 percent between 1990 and 2016, a significant measure of man's influence on the climate."² That being the case, less housing means less mitigation for GHG emissions that are spiraling out of control due to human activity. Development such as the alternative proposals of 138 or 158 units makes more sense than this project of 392 homes or 279 homes when evaluating the impact of increased GHG on the environment.

The city emits carbon dioxide, methane and nitrous oxide indirectly through the use of electricity produced by SDG & E. SDG&E generates electricity from natural gas combustion and thus the generation of electricity produces GHG emissions. The city also has the Escondido power plant and Palomar Energy facility which produce GHG emissions.

The Villages Specific Plan states that the "New residential homes and Village Center facilities will use the latest Title 24 energy saving features such as LED light fixtures, timers, materials, windows, etc. and make use of solar energy producing opportunities where feasible."³ In other words, the developer will decide if there is sufficient profit from the development to invest in solar technology and where it will go. "Community Character Policy 1.8: Require development projects to locate and design buildings, construct energy and water efficient infrastructure, reduce greenhouse gas emissions..."⁴ Will each residence and associated buildings have solar panels and tiles; or, will the Title 24 energy savings or energy efficient infrastructure consist of cheaper options such as LED lights, timers, windows, etc.? "Where feasible" hides specifics which translates into cost savings for the developer.

¹ San Diego Union Tribune, 7/14/17, pg. A8
² San Diego Union Tribune, 7/14/17, pg. A8
³ The Villages Specific Plan 7/31/18, pg. 5
⁴ The Villages Specific Plan 7/31/17, pg. 71

I16-41

Final EIR in Appendix 8-2.

The supplemental construction and freeway traffic analyses do not add significant new information to the EIR since no new or more severe substantial adverse environmental effects have been identified by the analyses (14 CCR 15088.5). Accordingly, based on the standards set forth in CEQA Guidelines, Section 15088.5, it is not necessary to recirculate the EIR with this information incorporated because the EIR was adequate, and no new significant impacts or substantial increases in the severity of significant Project impacts have been identified.

The comment expresses concerns with existing conditions at SR-78 and adjacent streets. The City acknowledges that the comment expresses concerns with conditions that are not a result of the Project. While the City is sensitive to the commenter's concern, mitigation cannot be required for the Project to address wholly existing conditions where the Project will not result in significant impacts (14 CCR 15126.4 (a)(3); *Paulek v. Department of Water Resources* 2014). Project impacts have been evaluated and demonstrated to be less than significant in this area.

I16-41 See response to I15-18.

This project, even with mitigation as outlined in the DEIR, would substantially increase greenhouse gas emissions in the following ways:

1. Electricity production for the projected 392 homes would predictably increase greenhouse gas emissions. Electricity represents 45.9% of 2010 Emissions Generated by Source.⁵ The NUWI development would increase consumption of heating, lighting and appliances. Electricity, gas and other fossil fuels for the clubhouse and amenities as well as exterior lighting would also contribute to the GHG emission levels.
2. Transportation to and from the NUWI development will result in 4500 trips per day.⁶ This increase in traffic wherein 100% of the fossil fuel is used for transportation,⁷ will result in increased levels of GHG emissions throughout the city. The 2010 city's draft climate action plan states "employee commute" accounts for 17.3% of GHG emissions by source.⁸ This percentage will go up with the 392 homes proposed and will negatively impact the City's efforts to comply with AB 32.
3. Population increase associated with these 392 homes will increase industry's use of fossil fuels to produce goods from raw materials that the new population will demand.
4. Large land areas like the Country Club property absorb CO₂ from the atmosphere or sources of greenhouse gas emissions. Reduction of available open space from 109 acres to 48 acres or a reduction of 44% of the available open space thus effectively reducing the mitigation of GHG emissions through land absorption while increasing the GHG emissions through human activities associated with increased populations.
5. Increased solid waste and wastewater will result with the 392 unit housing proposal. There will be an increase in solid waste disposal which will impact landfill methane levels due to the increase in population. Wastewater going to the recycling facility will also impact existing infrastructure and may warrant replacement or upgrades to existing waste water facilities. Approximately 7.9% of 2010 emissions are generated by solid waste and waste water treatment facilities per the City's draft climate action plan of 2010.⁹
6. The electricity needed to generate the water pumps from Rincon and the City to deliver water to the new residents will be sourced from fossil fuels and increase GHG emissions.
7. Analysis of construction-related emissions should include the effects of equipment and worker-trip vehicle exhaust as well as fugitive dust. Other potential sources of construction emissions include building materials, asphalt, and architectural coatings.
8. This project would consume nonrenewable energy resources such as fossil fuels, natural gas and gasoline for automobiles and construction equipment. It would increase GHG emissions as a result of these operational activities.

I16-42

I16-42 See response to I15-19.

⁵ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source

⁶ Linscott, Law and Greenspan, engineers, LLG Ref. 3-16-2614 The Villages, pg. 73

⁷ EPA 2014 Report, ES-10 Inventory of US Greenhouse Gas Emissions and Sinks, 1990-2014, pg 33

⁸ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source

⁹ City of Escondido, Draft Climate Action Plan, (2012) pg. 3-3, figure 3-1 2010 Emissions Generated by Source

9. Ongoing maintenance and operation of the new developments would entail a further commitment of energy resources in the form of petroleum products (diesel fuel and gasoline), natural gas, and electricity.

In conclusion, I do support the reasonable alternative proposals of 158 and 138 housing units on the site. These are superior alternatives considering the "rule of reason" in that they will produce fewer GHG emissions from related construction and human activities. Additionally, the 110 acres of open space, which formerly mitigated GHG emissions like CO₂ through ground and tree absorption, will no longer be available to do so.

Mary Coffey
ECC Homeowner

↑ I16-42
Cont.
I16-43

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I16-43 The City acknowledges the comment and notes it expresses the opinions of the commenter and provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

Regarding the portion of the comment related to alternatives, refer to responses to I15-1, I15-67, and I15-68.

Regarding the portion of the comment related to greenhouse gas emissions and carbon dioxide absorption, refer to response to I15-19.

References

Banning Ranch Conservancy v. City of Newport Beach. 2012. 211 Cal.App.4th 1209, 1233.

Eureka Citizens for Responsible Government v. City of Eureka. 2007. 147 Cal.App.4th 357, 370, 371.

New Urban West Inc. 2017. *Villages Specific Plan.* Prepared by Rick Engineering Company. March 2017.

	<p><i>Paulek v. California Dept. Water Resources.</i> 2014. 231 Cal.App.4th 35, 47.</p> <p><i>Riverwatch v. County of San Diego.</i> 1999. 76 Cal.App.4th 1428, 1451–1453.</p>
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Comment Letter I17

From: Carol Collins [adelaisdeswan@yahoo.com]
 Sent: Tuesday, July 04, 2017 3:09 PM
 To: Kristin Blackson
 Subject: Draft EIR Comments and Concerns

It is very disheartening that we must still be discussing the NUW development plan when its extreme density proposed has already been outvoted at the polling booth by the citizens of Escondido.

We have read through the exhaustive EIR and still have many questions.

The property is constantly referred to as "blighted" - the current owner is the one who caused any kind of "blight." His extreme neglect and lack of proper husbandry has caused the death of hundreds of ancient trees and foliage. And the dense development requested will cause more trees to be killed and felled.

What about fencing around existing residences? Hopefully the unsightly falling-down chain link fence will be pulled down, but what will replace it? You mention "landscaped buffers" but what is the definition? How will the privacy of existing homes be protected?

Traffic "calming"? Transforming small residential streets into major thoroughfares is not the answer. Lights at every intersection are not the answer. How do you prevent semis barreling through from Hwy 395, cutting onto Nutmeg to Country Club? More houses=more cars=gridlock in our peaceful neighborhood.

"Public facilities without burden or cost to existing residents" How can that happen? Who will pay for these amenities that are open to the public? "Social and community amenities available to be patronized by nearby residents" Define nearby residents. How will this be supervised?

The plan says it will minimize water usage. How can 392 new dwellings, parks and amenities minimize our current and ongoing water shortage?

Protect natural resources. How, when you will be killing more trees and need 19 acres of channels and retention basins!

"Professionally managed community farm" Where will this be? This residential area was never designated as farmland.

"Traffic trips" Please define.

The existing single family homes were designed and built with little or no back yards. Now you are suggesting "residential clustering" (clustered dwelling units=six dwelling unit cluster) which will appear in our back yards! At all your meetings and in your literature, you mention single family homes but never site or illustrate these dwelling clusters. You say this "residential clustering shall not change the character of the surrounding area." We absolutely disagree!

I17-1

I17-2

I17-3

I17-4

I17-5

I17-6

I17-7

I17-8

I17-9

I17-10

I17-11

Response to Comment Letter I17

Carol and Terence Collins
 July 4, 2017

I17-1 The City of Escondido (City) acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I17-2 As stated in Section 2.2, Biological Resources, no impacts on special-status species are anticipated. Additionally, impacts to raptors are expected to be less than significant, and with implementation of Mitigation Measures M-BI-1, M-BI-2, and M-BI-3, impacts to biological resources would be reduced to less than significant. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I17-3 As stated in Section 3.1.1, Aesthetics, of the EIR (page 3.1.1-16):

Rustic posts and rail fencing would be installed along Country Club Drive, in place

	<p>of the existing dilapidated chain-link fencing.</p> <p>The landscape buffer includes trees and landscaping densely arranged to separate and buffer the surrounding neighborhoods. Additionally, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area (EIR page 3.1.1-12). Therefore, the privacy and visual quality will remain below a level of significance. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-4 The comment cites a general concern regarding traffic, which was analyzed in Section 2.7, Transportation and Traffic, of the EIR.</p> <p>Regarding the performance of the circulation system, as shown in Tables 2.7-14, 2.7-15, and 2.7-16 of Section 2.7, Transportation and Traffic, with mitigation incorporated, potentially significant impacts at all roadway segments and intersections will be less than significant with one exception. The Project would result in a significant impact to the El Norte Parkway on-ramp to Interstate 15 (I-15) southbound during the AM peak hour. Because the improvement necessary to mitigate the identified impact would be located within the jurisdiction and control of the California Department of Transportation</p>
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	<p>(Caltrans), the City cannot ensure at this time that Caltrans will permit the improvement to be made. Therefore, although the impact can and may be mitigated to a less than significant level, the impact at this location is considered significant and unavoidable.</p> <p>If a project results in significant and unavoidable environmental impacts, the lead agency is required to prepare a statement of overriding considerations, which reflects a balancing of competing public objectives (including environmental, legal, technical, social, and economic factors). Therefore, a statement of overriding considerations must be considered and adopted by the decision makers with the EIR, if the Project is approved.</p> <p>The comment does not raise any specific issues related to the adequacy of information and analysis provided in the EIR; therefore, no further response can be provided. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-5 As addressed in Section 3.1.7, Public Services, the Escondido Public Facility Development Fee Ordinance requires that all new residential or nonresidential development pay a fee for the purpose of ensuring that the public facility standards established by the City are met with respect to the</p>
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	<p>additional needs created by such development. The Project applicant is responsible for these fees as well as the cost of the public facilities mentioned in the Project objectives. The City acknowledges the comment and notes it expresses the opinions of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-6 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I17-7 The Project is required to abide by the City of Escondido General Plan Mobility and Infrastructure Element, City of Escondido Water Reclamation Plan, City of Escondido Water Conservation Plan, City of Escondido Municipal Code, Senate Bill 244, Water Conservation Project Act, California Groundwater Legislation, and multiple other water regulations which ensure the Project will minimize its water usage. The City will include the comment as part of the Final EIR for review and consideration by the</p>
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	<p>decision makers prior to a final decision on the Project.</p> <p>7-8 As stated in Section 2.2, Biological Resources, the Project applicant shall prepare and submit to the City and/or other responsible agencies of the Project for approval a Restoration Plan for the establishment/reestablishment and enhancement of sensitive habitat within the Project’s open space. The Restoration Plan shall provide for replacement of impacted sensitive habitat, i.e., wetland/riparian sensitive natural communities and jurisdictional wetlands and waters in an amount to satisfy a no-net-loss standard for both function and spatial area of wetland and non-wetland resources. The Restoration Plan shall include 5 years of maintenance and monitoring to ensure the restoration effort is successful (EIR page 2.2-22). Additionally, the Project applicant shall replace impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The Project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City’s Director of Community Development (EIR page 2.2-23). This will mitigate the removal of trees and other impacts to natural resources on site. The City will include the comment as part of the Final EIR for review and consideration by the</p>
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	<p>decision makers prior to a final decision on the Project.</p> <p>I17-9 The community farm will act as a Project amenity under the open space system. Additionally, the community farm would be under the acreage requirement to necessitate a zoning amendment; therefore, the community farm would not need to be designated as farmland. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-10 As discussed in Section 2.7, Transportation and Traffic, additional traffic trips will be caused by residential Villages 1, 2, and 3; local retail including a restaurant and market; and the various homeowners' association amenities. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-11 As stated in Section 3.1.1, Aesthetics, of the EIR (page 3.1.1-12):</p> <p style="padding-left: 40px;">The pad elevations for the new residential development have been designed to be lower than the existing development in most areas so that existing near views of the golf course are replaced by views of</p>
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	<p>the landscaped Greenbelt/Open Spaces. The Greenbelt/Open Space areas would enhance the screening and buffering of views from surrounding residences and roadways (namely West Country Club Lane, La Mirada Street, La Brea Street and Portola Avenue). Additionally, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area... The Project would not substantially interrupt or obstruct available views from any scenic vistas. No designated scenic vistas would be impacted by the Project.</p> <p>The Project includes a Specific Plan proposal and detailed design guidelines, which provide a framework for requiring the development to be context sensitive and be appropriately sited, scaled, and designed to complement the existing environment. The design guidelines require that the Project be designed to relate to community character, design context, and site design. The Specific Plan design guidelines would ensure appropriate scale of development and an aesthetically pleasing architectural character. Therefore, the Project would not adversely affect public views. In many areas, the site is set back at an appropriate distance and shielded by vegetated slopes or context sensitive landscaping. Therefore, impacts</p>
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<p> <ul style="list-style-type: none"> • It WILL have an adverse effect on a scenic view • It WILL damage scenic resources • It WILL degrade the existing visual character or quality of site </p> <p>How can it not?? The mere mention of the word 'cluster' evokes crowded and cramped.</p> <p>It is indicated that blasting could occur by my residence. (Figure 2.6-2) Because of potential damage to my house, will the builder be responsible for the damage? Will they carry insurance to repair any damage? What kind of bond is required for this work?</p> <p>And all of this will take over 5 years?</p> <ul style="list-style-type: none"> • Road closures • Blasting/leveling back yards • Construction hazards • Demolitions • Road paving • Road widening • Road striping <p>etc. The proposal is inexcusable and unacceptable. The amount of housing suggested is far too dense for the existing space.</p> <p>The only answer is fewer homes to get the Country Club area back to its original design.</p> <p>Sincerely, Carol and Terence Collins</p>	<p>relative to the substantial degradation of visual character and quality as a result of implementation of the Project would be less than significant (EIR page 3.1.1-19). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I17-12 See response to I17-11.</p> <p>I17-13 The Project will include blasting of hard rock areas. However, the only potential impact it may have on nearby residents is noise and vibration impacts. The intensity of the noise and vibration impacts associated with rock blasting depends on location, size, material, shape of the rock, and the spacing of the charges determined to be necessary for successful fracturing (EIR page 2.6-10). The shortest distance between potential blast locations and existing residences is approximately 100 feet (property lines are as close as 50 feet, but the OSMRE standard is based upon distance to residence, rather than property line). Based on the reference blasting noise level, the closest residential receiver will experience noise levels approaching 93 dBA L_{max} over the course of the blast, which will likely occur for only a few seconds. As required to comply with the more general construction noise limit of 75 dBA L_{eq} 1-HOUR, blasting would be</p>
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	<p>limited to no more than 3 minutes within any given hour. Although some blasting noise may be noticeable to nearby residents, the single-event, temporary noise levels generated by the blast will not exceed the OSMRE and the Code of Federal Regulations standards for air blasts, and therefore noise impacts due to blasting would be less than significant (EIR page 2.6-11). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.</p> <p>I17-14 The duration of the activities mentioned in the comment (road closures, blasting, construction hazards, demolitions, road paving, road widening, road striping) would be temporary and in short durations. There will be no road closures as part of the Project. In order to be consistent with the General Plan, the City shall coordinate roadway improvements to ensure that bicycle facilities are temporarily accommodated by identifying alternate routes during roadway construction projects, as well as coordinate with Caltrans for temporary traffic control measures during any activities that interfere with the normal function of a roadway. As stated in response to I17-15, blasting would be limited to no more than 3 minutes within any given hour. Construction would involve the transport of commonly used hazardous substances, however they would be stored in staging</p>
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	<p>areas then transported off-site. These materials would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations. Demolition and construction would also be in compliance with applicable federal, state, and local laws. Demolition is anticipated to take 2 months. Construction is anticipated to take 4 years, as shown in Appendix 2.1-1. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I17-15 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I18

The Villages EIR Comment Card

Name Terry & Carol Collins
 Address 1853 Cortez Avenue
 City Escondido State CA Zip 92026
 Phone (760) 480 7201 Email terence1853@yahoo.com

Comments

* You need to address the traffic issues on La Brea. [I18-1

* Why are you calling them "single family homes" when in fact these will be condos + townhomes. [I18-2

* We don't want to be "Village People"! [I18-3

Please return to the box provided, or email your comments to Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I18

Terry and Carol Collins
 July 31, 2017

I18-1 The comment requests analysis of La Brea Street. Section 2.7, Transportation and Traffic, of the EIR analyzed La Brea Street. Tables 2.7-7 and 2.7-11 of the Environmental Impact Report (EIR) show the street segments that were analyzed in the near term and 2035 horizon year, which includes La Brea Street from Country Club Lane to Cortez Avenue. As shown in these tables, the Project would not create a significant impact at this segment. Additionally, as discussed in Section 2.7 of the EIR, the Project includes a Specific Alignment Plan (SAP) that would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation. As part of the SAP, a roundabout is proposed at La Brea Street. The comment does not raise any issues concerning the adequacy of the analysis provided in the EIR.

I18-2 As stated in Chapter 1, Project Description, the Project includes a total of 392 residential homes. As illustrated in Figure 1-1, Site Plan, the Project consists mostly of single-family detached lots, and some attached housing types as part of the common residential lots. The comment does not raise any issues concerning the adequacy of the analysis

	<p>provided in the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I18-3 This comment does not raise any issue concerning the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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<p style="text-align: right;">Comment Letter I19</p> <p>Mayor and City Council Members,</p> <p>Please find comments regarding the Draft EIR that are being addressed to the developer.</p> <p>Construction Blasting</p> <p>I live within the proposed Village 3.</p> <p>It is indicated that blasting could occur by my residence. (Figure 2.6-2)</p> <p>Because of potential damage to my house, will the builder be responsible for the damage? Will they carry insurance to repair any damage? What kind of bond is required for this work?</p> <p>Sincerely,</p> <p>Terence Collins</p> <div style="position: absolute; right: 0; top: 10%; font-size: 2em;">}</div> <div style="position: absolute; right: 0; top: 20%;">I19-1</div> <div style="position: absolute; right: 0; top: 30%; font-size: 2em;">}</div> <div style="position: absolute; right: 0; top: 35%;">I19-2</div>	<p style="text-align: center;">Response to Comment Letter I19</p> <p style="text-align: center;">Collins</p> <p style="text-align: center;">July 4, 2017</p> <p>I19-1 The City acknowledges the comment as an introduction to comments that follow. The commenter’s location within proximity to Village 3 is noted.</p> <p>I19-2 As indicated in Figure 2.6-2 of the EIR, some blasting will occur in central and southern portion of the proposed Village 3. As discussed on page 2.6-14 in Section 2.6.2.3 of the EIR,</p> <p style="padding-left: 40px;">According to the California Department of Transportation’s <i>Transportation and Construction Vibration Guidance Manual</i> (Caltrans 2008), it is unusual for damage to be caused to residential structures from the vibrations caused by blasting activities, given the restrictions imposed under OSMRE (30 CFR 816.67).</p> <p style="padding-left: 40px;">The EIR further identified that for residential structures, the threshold of damage for vibration is approximately 3.0 inches per second (peak particle velocity) for cosmetic cracking and damage. While it is not common for blasting activities to cause damage to residential structures, the analysis provided in the EIR conservatively assumed that some minor structural damage to the closest residences (i.e., within</p>
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Comment Letter I19

To: Kristin Blackson
Michael Strong
City Council

From: Terence Collins

Subject: EIR - The Villages

Re: Noise & Vibration 2.6

We are homeowners on Cortez Avenue and not experts on noise and vibration in relation to new construction but have serious concerns. Upon examining the documents, it is written that there will be drilling and blasting in close proximity to where we live.

I19-3

Our house is extremely close to the old golf course property, less than 20 feet from house to property line. What was addressed in the EIR was noise and vibration at a distance of 100 feet. Looking at the plan, the blasting will be far closer to our house. How will this be addressed?

I19-4

Another concern is how will we and neighbors be notified of the blasting and drilling activity and their consequences? I would think that the minimum requirement would be each person would get one week's notice in writing via US Mail of any activity that is going to occur.

I19-5

Will the developer be required to have special insurance related to drilling and blasting in case of damage to neighborhood property? I would also recommend that a bond be produced for this kind of activity.

I19-6

I did notice also that in the EIR it is stated that there will be strong seismic ground shaking. How will this affect existing homes?

I19-7

Another matter that has not been addressed is what fencing is going to be installed for existing residents. I believe this is very important to keep the public from going from the walking trails to the street using private back yards. There was no picture in the brochure of what the fencing would be.

I19-8

100 feet), could potentially occur without mitigation (Impact-N-5). Mitigation measure M-N-6 requires that the blasting contractor design the blasts to reduce vibration velocity levels below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area). Therefore, the EIR concluded that the Project would not cause damage to surrounding residences due to blasting activities and the project would result in less than significant impacts related to blasting.

I19-3

The City notes the comment provides factual background information and does not raise an environmental issue within the meaning of the California Environmental Quality Act (CEQA). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I19-4

The comment addresses noise concerns relative to blasting activities during construction. As discussed and analyzed in Section 2.6, Noise, of the EIR, the Project will include blasting of hard rock areas. The intensity of the noise and vibration impacts associated with rock blasting depends on location, size, material, shape of the rock, and the spacing of the charges determined to be necessary for successful fracturing. As analyzed in Section 2.6.2.3, of the EIR, page 2.6-10, the shortest distance between potential blast

	<p>locations and existing residences is approximately 100 feet (property lines are as close as 50 feet, but the OSMRE standard is based upon distance to residence, rather than property line). Based on the reference blasting noise level, the closest residential receiver will experience noise levels approaching 93 dBA L_{max} over the course of the blast, which will likely occur for only a few seconds. As required to comply with the more general construction noise limit of 75 dBA $L_{eq 1-HOUR}$, blasting would be limited to no more than 3 minutes within any given hour. Although some blasting noise may be noticeable to nearby residents, the single-event, temporary noise levels generated by the blast will not exceed the OSMRE and the CFR standards for air blasts, and therefore noise impacts due to blasting were determined in the EIR to be less than significant (EIR page 2.6-11).</p> <p>I19-5 As stated in Section 2.6 Noise, mitigation measure M-N-6 requires that, “a blast signal (e.g., air horn) shall be used to notify nearby residents that blasting is about to occur per the California Code of Regulations, Title 8, Section 5291 Firing of Explosives regulations” (EIR page 2.6-22). In response to this comment, M-N-6 will be revised in the Final EIR to include notification of surrounding property owners within 100 feet of blasting activities via U.S. mail at least one week prior to blasting activities. These revisions and clarifications to the EIR are presented in</p>
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	<p>strikeout/<u>underline</u> format; refer to Section 2.6.5 of the EIR. The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines.</p> <p>I19-6 The City acknowledges the comment and notes it raises issues that do not relate to any physical effect on the environment, or the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I19-7 As analyzed in Section 3.1.3, Geology and Soils, of the EIR, any strong seismic ground shaking in or around the Project site would be the result of seismic activity common to the Southern California region and would not be caused or otherwise affected by the implementation of the proposed Project. As stated in Section 3.1.3 Geology and Soils,</p> <p style="padding-left: 40px;">“compliance with the CBC and the seismic design criteria recommendations described in Appendix 3.1.3-1 would reduce exposure of people or structures to potential substantial adverse effects from seismic ground shaking” (EIR page 3.1.3-9).</p> <p>Therefore, impacts regarding seismic ground shaking</p>
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	<p>would be less than significant.</p> <p>I19-8 As stated in Section 3.1.1 Aesthetics,</p> <p>“Rustic posts and rail fencing would be installed along Country Club Drive, in place of the existing dilapidated chain-link fencing” (EIR page 3.1.1-16).</p> <p>Additionally, the proposed landscape buffer includes trees and landscaping densely arranged to separate and buffer the surrounding neighborhoods. The comment does not raise issues related to the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I20

Sid Colquitt
colquitt@cox.net

Via Verde Estates at 1825 North Nutmeg is a 109 home Common Interest development for seniors 55 and over. The average age of residents is close to 75 including several in their 90's and a some at 100 or close thereto. Most of our homeowners would likely support ROCC and the proposed "Villages" development if for no other reason than to permanently clean up the current mess at the former country club.

I20-1

Our concerns focus on possible negative impacts of increased traffic. Most of us have received an ROCC newsletter about the required EIR and describing a variety of road improvements. We need to know more about the proposed new on-ramp at southbound I 15 at El Norte Parkway as well as an extra left turn lane at El Norte & Nutmeg. How is widening of Nutmeg to be accomplished, what are "roundabouts" and where would they be installed? Same for the new "smart" traffic signals.

I20-2

Have any of your members, city planners or the developer visited our site to evaluate the impacts of these proposed changes upon our resident's ability to safely enter or exit the entrances to Via Verde? We are located directly across Nutmeg from the city's fire station No. 3 and would be supportive of a traffic signal at or near our entrance. Please send us a copy of the proposed improvements to Nutmeg.

Sid Colquitt
1825 Lodi Glen
Escondido 92026
760.747.0941

HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_10_5)
AppleWebKit/603.3.8 (KHTML, like Gecko) Version/10.1.2 Safari/603.3.8
REMOTE_HOST: 68.111.175.158
REMOTE_ADDR: 68.111.175.158
LOCAL_ADDR: 10.255.2.55

Response to Comment Letter I20

Sid Colquitt
July 21, 2017

I20-1

The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the Environmental Impact Report (EIR). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I20-2

The City acknowledges the comment and notes it raises questions about traffic resulting from the Project. As shown in Table 2.7-14 in Section 2.7, Transportation and Traffic, in the EIR, all intersections will operate at a level of service (LOS) C or better, and all roadway segments will be mitigated to below a level of significance, with the exception of the El Norte Parkway on-ramp to Interstate 15, which relies on the California Department of Transportation's (Caltrans') approval to implement the proposed mitigation measure. The concept of LOS is defined as a qualitative measure describing operational conditions within a traffic stream and the motorist's perception of operations. LOS designations range from A to F, with LOS A representing the best operating conditions, and LOS F representing the worst operating conditions. According to the City's General Plan Mobility Element, streets and intersections shall be planned and developed to achieve a minimum LOS C as defined by

the Highway Capacity Manual, as amended or updated, or other national standard deemed appropriate by the City. The EIR and traffic impact analysis, including details of the Specific Alignment Plan and proposed roundabouts, can be found on the City's website (<https://www.escondido.org/ecc-deir.aspx>).

The Project will implement a Specific Alignment Plan for Country Club Lane from El Norte Parkway to Nutmeg Street in which the roundabouts are proposed (see Figure 2.7-1a and 2.7-1b (EIR page 2.7-1)). Roundabouts, also known as "traffic circles," are defined as road junctions at which traffic moves in one direction around a central island. The Specific Alignment Plan would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation.

During the preparation of the EIR, site visits were conducted by the applicant, consultants, and City staff. As stated in Section 2.7 of the EIR and in the traffic impact analysis (Appendix 2.7-1 of the EIR), a traffic signal is proposed at Nutmeg Street, along with curb bulbouts, to enhance both peak-hour operations and pedestrian security. Refer to the City's website (<https://www.escondido.org/ecc-deir.aspx>) for access to the EIR and traffic impact analysis, including details on the Specific Alignment Plan and proposed roundabouts and improvements to Nutmeg Street.

Response to Comment Letter I21

**Sid Colquitt
July 31, 2017**

Comment Letter I21

Via Verde Estates at 1825 North Nutmeg (across from Fire station No.3) is a 109 home Common Interest development for seniors 55 and over. The average age of residents is close to 75 including several in their 90's and a few nearing 100. Our concerns with the New Urban West plan to redevelop the former Escondido Country Club property focuses on possible negative impacts of increased traffic on North Nutmeg and the ability of our senior citizen residents to safely enter and exit our residential development.

I21-1

I21-2

Proposed mitigating road improvements appear to include a new on-ramp at southbound I 15 at El Norte Parkway as well as an extra left turn lane at El Norte & Nutmeg, "roundabouts" and a new "smart" traffic signal. None of these will reduce traffic on Nutmeg.

I21-3

Currently vehicle stack-up at Nutmeg & El Norte waiting for the signal to change often extends Northerly past the entrance to the Von's shopping center. An additional left turn lane at El Norte might improve congestion temporarily, but would not seem a long term solution including future increases in traffic.

I21-4

Vehicles currently drive at 50/60 mph on Nutmeg and reducing traffic speed on Nutmeg could be furthered by placing a signal at Nutmeg & Yuma Glen (the entrance to Via Verde). This would also make it possible for our retirees to walk safely to the shopping center, a feat that, for practical purposes, cannot be accomplished today.

I21-5

Wouldn't installing an interchange at Country Club & I 15 do a better job of relieving traffic congestion on Nutmeg?

I21-6

Have planners or the developer visited our site to evaluate the impacts of proposed changes upon our resident's ability to safely enter or exit the entrances to Via Verde? We need a traffic signal at or near our entrance.

Sid Colquitt
1825 Lodi Glen
Escondido 92026
760.747.0941

I21-1

The City of Escondido (City) acknowledges the comment as an introduction to comments that follow. This comment is included in the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I21-2

The City acknowledges the comment and notes it expresses general concern about traffic in the area. As shown in Table 2.7-14 of Section 2.7, Transportation and Traffic, all intersections will operate at a level of service (LOS) C or better, and all roadway segments will be mitigated to below a level of significance, with the exception of the El Norte Parkway on-ramp to Interstate 15, which relies on the California Department of Transportation's (Caltrans') approval to implement the proposed mitigation measure. The concept of LOS is defined as a qualitative measure describing operational conditions within a traffic stream and the motorist's perception of operations. LOS designations range from A to F, with LOS A representing the best operating conditions, and LOS F representing the worst operating conditions. According to the City's General Plan Mobility Element streets and intersections shall be planned and developed to achieve a minimum LOS C as defined by

the Highway Capacity Manual, as amended or updated, or such other national standard deemed appropriate by the City. Therefore, the Project would not create “gridlock” on the existing neighborhood. Additionally, as stated in Section 2.7, Mitigation Measure M-TR-4 would require the construction of the following (EIR page 2.7-33):

Interim improvements in the existing right-of-way on southbound Nutmeg Street between La Paloma Avenue and Via Alexandra to provide a wider travel lane, and curb, gutter, and sidewalk improvements to the satisfaction of the City engineer. These improvements will enhance vehicular, pedestrian, and bicycle circulation and will increase capacity to mitigate the Project’s impact.

Through widening the travel lane on Nutmeg Street, these improvements would improve visibility from Via Alexandra. However, the Project is not liable for existing problems, except when the Project significantly contributes to the issue. With implementation of these improvements, the near-term significant direct and cumulative impacts from the Project would be reduced to less than significant. The City will include the comment as part of the Final EIR for review and consideration by the decision makers

	<p>prior to a final decision on the Project.</p> <p>I21-3 The comment is referring to Mitigation Measures M-TR-5 and M-TR-3 and the proposed Specific Alignment Plan, which were included as part of the Project to create traffic calming and reduce anticipated impacts. Roundabouts and other traffic-calming measures were analyzed in the Traffic Impact Analysis and the EIR (refer to Section 2.7). The following is stated in Section 2.7 (EIR page 2.7-34):</p> <p style="padding-left: 40px;">M-TR-1 through M-TR-5 would reduce the identified near-term significant direct and cumulative impacts (Impact TR-1 through Impact TR-4) to less than significant levels.</p> <p>The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I21-4 The comment is referring to Mitigation Measure M-TR-6, which is a mitigation measure that would mitigate the significant near-term cumulative impacts identified under the Existing + Cumulative Projects + Project scenario. This intersection would remain less than significant under Year 2035 + Project Conditions; therefore, no extra mitigation would be required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers</p>
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	<p>prior to a final decision on the Project.</p> <p>I21-5 Refer to response to I21-4. The City acknowledges the comment and notes it expresses general concern and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I21-6 The comment asks the City to consider providing an interchange at Interstate 15 and Country Club Lane as a mitigation measure. As part of the analysis in Section 2.7 in the EIR, the impacts to intersections and segments were modeled and analyzed, and the data resulted in the requirement for the mitigation measures as outline in the EIR. The mitigation proposed would mitigate impacts to a less-than-significant level. An interchange at Interstate 15 would be the responsibility of the Caltrans, which is out of the control of the City. Therefore, it could not be guaranteed and has not been determined by the City or Caltrans that it is warranted. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I22

Kristin Blackson, Contract Planner
 City of Escondido Planning Division
 201 Broadway
 Escondido CA 92025

Dear Kristin:

RE: EIR FOR NEW URBAN WEST DEVELOPMENT OF FORMER ESCONDIDO COUNTRY CLUB

Recently We attended your brief presentation and overview of the draft EIR prepared for this development proposed by New Urban West. I was stunned that the comments from Escondido appeared to support the development with little or no question as to the size of lots, number of homes and snarl of traffic this proposed development would bring to the Country Club community. There appeared to be no mention of the fact that the General Plan designated the Escondido Country Club property as R-1-7 zoning.

As a family that bought in this location because of the pleasant quiet environment we are shocked that we find so little support for keeping the lot sizes and general configuration of housing like those homes that are currently in the area. Yes, there are condos, but these are not situated that they dominate the entire area. The smaller lots and homes are scattered through the community to allow for persons who desire less area to live among persons with larger lots. These homes do not dominate our area as the homes on small lots do in the contractor's plan. Most of the homes in this area were built under R-1-7 zoning, although some along the golf course surrendered size figuring that the wide green spaces of a golf course would be considered as part of their 7000 square feet of property.

Since it appears to be a forgone conclusion that homes will be built throughout the former Country Club, we would believe that our City planners and council members would seek to direct any developer to continue with the same percentage of large and small lots found in this area rather than change the whole composure of the community.

When we viewed the summation of the plan to deal with the traffic problem, it seemed to only focus on the impact of traffic on Country Club Drive. If we follow the contractor's desires, 600-800 cars could be added to the congestion at these intersections. It is true, for our housing area the most obvious places for traffic problems are Nutmeg and Country Club Dr.; Gary and Country Club Dr.; El Norte Parkway and Country Club Ln.; and El Norte Parkway and Woodland. Every morning and evening Nutmeg and Country Club Dr. can be so busy people wish for a traffic light. We understand traffic signals are planned for Nutmeg and Country Club and Gary and Country Club. However, we believe the other intersections where roundabouts are planned will only exacerbate the problem.

Without question, there will be a great amount of new traffic at the on ramp off El Norte Parkway for South I-15. Although it appeared there were some plans to for the city to make two left turn lanes from Nutmeg to El Norte Parkway, any expansion of the on ramp to 15 would be a decision of CALTRANS and was not considered in EIR. We would have included the impact to the on ramp off Woodland Parkway for 78W. Even now this ramp is very busy and slow every workday morning.

I22-1

I22-2

I22-3

Response to Comment Letter I22

Alan and Pat Colton
 No Date

I22-1

The comment expresses general concern regarding the size of lots, number of homes, and traffic impacts of the Project. The commenter expresses general concern regarding the proposed zoning for the Project. The City of Escondido (City) has an application process for land development proposals, which complies with the California Environmental Quality Act law and California Environmental Quality Act Guidelines. The Project seeks a zone change to Specific Plan SP Zone. As stated in Section 3.1.5, Land Use, of the EIR, the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Section 3.1.5 of the EIR describes and analyzes the Project's land use and design compatibility. Appendix 3.1.5-1 to the EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project's potential conflicts with applicable land use plans or regulations adopted to avoid or mitigate an environmental effect. The analysis provided in the EIR concludes that the Project does not conflict with the City's General Plan and Zoning Ordinance. The comment does not raise an issue related to the

	<p>adequacy of this land use and zoning analysis in the EIR; therefore, no further response is provided.</p> <p>I22-2 The comment expresses general concern regarding the proposed roundabouts. As shown on Figure 2.7-14 in Section 2.7, Transportation and Traffic, all intersections will operate at a level of service (LOS) C or better, and all roadway segments will be mitigated to below a level of significance, with the exception of the El Norte Parkway on-ramp to Interstate (I-) 15, which relies on the California Department of Transportation (Caltrans) to allow the proposed mitigation measure to be completed. Therefore, the Project would not create “gridlock” on the existing neighborhood. The Project proposes the Specific Alignment Plan, which includes the roundabout and other traffic-calming features that have been proven to reduce impacts and improve bicycle and pedestrian circulation. With implementation of these improvements, the near-term significant direct and cumulative impacts from the Project would be reduced to less than significant. The City acknowledges the comment and notes it expresses the opinions of the commenter. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required or necessary.</p>
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<p>A final aspect of our interest in this development is the impact on nature that this development has had and will have. While the three or four years of idleness and lack of watering has had a great impact on the vegetation and animals living in the area, the brief I read seems to gloss over the streams and wetlands that one can see every time we have a good rain indicating that almost all water run-off will be directed to concrete channels. In the past, there were many small animals and birds living in this area. We have seen a Golden Eagle live and fly in this area. There have been other large birds from hawks, ducks and cormorants living off this land. These were areas that supported and sustained much of the wild life I mentioned above.</p> <p>Thank you for allowing me to respond to your Environmental Impact Report for New Urban West's planned development.</p> <p>Sincerely,</p> <p>Alan and Pat Colton 1425 Calle Redonda Ln Escondido, CA 92026 760-294-3612</p>	<p>I22-3 The comment expresses general concern regarding impacts to the on-ramp off of Woodland Parkway for State Route 78 West. Section 2.7 of the EIR demonstrates that all intersections will operate at a level of service C or better, and all roadway segments will be mitigated to below a level of significance, with the exception of the El Norte Parkway on-ramp to I-15, which relies on the Caltrans to allow the proposed mitigation measure to be completed. Because the Caltrans would be the lead agency responsible for the improvement to I-15 facilities, on-ramps, and meters, Section 2.7 concludes that the impact will be significant and unmitigable. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I22-4 The comment expresses general concern regarding biological resources. As described in Section 2.2, Biological Resources (EIR page 2.2-24):</p> <p style="padding-left: 40px;">...with implementation of M-BI-1 through M-BI-3, all impacts associated with biological resources would be reduced to less than significant levels.</p> <p>The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. Therefore, no further</p>
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I19-4

	<p>response is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I23

From: B Christina Conrad [Kleopatra1865@att.net]
Sent: Monday, July 24, 2017 9:38 AM
To: Sam Abed; Olga Diaz; Michael Morasco; John Masson; Kristin Blackson
Subject: Dear Sirs

I totally oppose the plan by ROCC. It is a monstrous plan completely destroying our life here at the former Escondido Country Club. Half the amount and only one story homes could be acceptable. Please consider it.

Please think of the Environmental impact on nature, air quality, safety, water usage.

Not to forget that the areas where the 6 ponds used to be is actually "wetland". What are they going to do with that? Just make cement drainage ditches?

When we had the rains last winter we walked by the ponds and everything was under water even in-between the ponds. The ponds all filled up and some ducks returned. It was so nice.

We were better off with the first plan: "The Lakes". It is almost as if we are getting punished for defending ourselves.

Please reply.

Sincerely yours

Barbara Christina Conrad, 1434 San Carlos Pl.

I23-1

I23-2

I23-3

Response to Comment Letter I23

Barbara Christina Conrad

July 24, 2017

I23-1

The City of Escondido (City) acknowledges the comment letter, and notes it expresses general opposition for the Project, but does not raise any issue concerning the adequacy of the Environmental Impact Report (EIR). Please note that the alternatives analyzed in Chapter 4, Project Alternatives, of the EIR included a No Project/No Development Alternative and three Reduced-Density Alternatives (138 units, 158 units, and 279 units).

I23-2

The comment generally addresses concerns regarding nature, air quality, safety, and water usage. These issues were discussed and analyzed in the EIR in the following sections, respectively: Section 2.2, Biological Resources; Section 2.1, Air Quality; Section 2.5, Hazards; and Section 2.1.9, Utilities. The comment also refers to wetland area existing on the site. As stated in Section 2.2.4, the Project would impact a total of approximately 0.29 acre of wetland/riparian sensitive natural communities and approximately 2.56 acres of wetland and jurisdictional waters. Mitigation measure M-BI-2 requires the restoration, preservation, and management of on-site open space. By developing the Restoration Plan (Mitigation Measure M-BI-2), the

	<p>Project would ensure that its impacts to 0.29 acre of wetland/riparian sensitive natural communities and 2.56 acres of wetland and waterways would be offset by establishment of new, superior habitat to satisfy a no-net-loss standard for both function and spatial area of wetland and non-wetland resources. Additionally, as presented in Section 2.2.6 of the EIR, there would be a considerable net gain in wetland/riparian sensitive natural communities on the site compared to existing conditions, and the Project would result in a biologically superior condition compared what currently exists.</p> <p>I23-3 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I24

The Villages EIR Comment Card

Name Barbara Christina Conrad
 Address 1434 San Carlos Pl
 City Esc State CA Zip 92026
 Phone (760) 781 1495 Email kleopatra1865244.net

Comments *looking*
I'm here at a very bad Plan! | I24-1
The traffic will be horrible! | I24-2
It will wall us in with cement | I24-3
Too many homes no more green space | I24-4
1/2 the amount and only one | I24-5
story please could be accepted | I24-6
Air quality gone | I24-7
Safety gone | I24-8
Crime, accidents, traffic up

please help us existing home
owners who can't afford to
move
B. C. Conrad
Thank

Please return to the box provided, or email your comments to Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I24

Barbara Christina Conrad
 July 31, 2017

I24-1 The City of Escondido (City) acknowledges the comment letter, and notes it expresses general opposition for the Project, but does not raise any issue concerning the adequacy of the EIR. The City will include the comment as part of the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I24-2 The comment cites a general concern regarding traffic, which was analyzed in Section 2.7, Transportation and Traffic, of the EIR.

Regarding the performance of the circulation system, as shown in Tables 2.7-14, 2.7-15, and 2.7-16 of Section 2.7, Transportation and Traffic, with mitigation incorporated, potentially significant impacts at all roadway segments and intersections will be less than significant with one exception. The Project would result in a significant impact to the El Norte Parkway on-ramp to Interstate 15 (I-15) southbound during the AM peak hour. Because the improvement necessary to mitigate the identified impact would be located within the jurisdiction and control of the California Department of Transportation

	<p>(Caltrans), the City cannot ensure at this time that Caltrans will permit the improvement to be made. Therefore, although the impact can and may be mitigated to a less than significant level, the impact at this location is considered significant and unavoidable.</p> <p>If a project results in significant and unavoidable environmental impacts, the lead agency is required to prepare a statement of overriding considerations, which reflects a balancing of competing public objectives (including environmental, legal, technical, social, and economic factors). Therefore, a statement of overriding considerations must be considered and adopted by the decision makers with the EIR, if the Project is approved.</p> <p>The comment does not raise any specific issues related to the adequacy of information and analysis provided in the EIR; therefore, no further response can be provided. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I24-3 The comment generally addresses visual concerns. As stated in Section 3.1.1, Aesthetics (EIR page 3.1.1-12):</p> <p style="padding-left: 40px;">The pad elevations for the new residential development have been designed to be lower than the existing development in most areas so that existing near views of</p>
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	<p>the golf course are replaced by views of the landscaped Greenbelt/Open Spaces. The Greenbelt/Open Space areas would enhance the screening and buffering of views from surrounding residences and roadways (namely West Country Club Lane, La Mirada Street, La Brea Street and Portola Avenue). Additionally, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area... The Project would not substantially interrupt or obstruct available views from any scenic vistas.</p> <p>The comment does not raise any specific issue related adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I24-4 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR.</p> <p>I24-5 The comment generally refers to air quality, which was analyzed in Section 2.1, Air Quality, of the EIR. Section 2.1 concluded that impacts related to air quality would be less than significant. The comment</p>
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	<p>does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.</p>
	<p>I24-6 The comment generally refers to safety. Police protection was analyzed in Section 3.1.7, Public Services, of the EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.</p>
	<p>I24-7 See response I24-2 regarding traffic concerns. The comment does not raise any specific issue regarding the analysis in the EIR and, therefore, no further response can be provided or is required.</p>
	<p>I24-8 The City acknowledges the comment. However, this comment does not raise any issue concerning the adequacy of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>

Comment Letter I25

Dear Kristen Blackson

I love hopping on my bike on cool days, rolling out of my driveway, and coasting down Camino. My shorter rides take me past the clubhouse, by Richland elementary, around Woodland Park, and back up hill to my home. I need more motivation for the longer ride east on Country Club, past the Buddhist monastery, and around the quiet neighborhoods there. I'm 66 and I've had three leg surgeries. These roads are perfect for me: the right distance, convenient, and safe. It's simply the healthiest thing that I do.

I can't pick a better vignette to describe why I love the quality of my life here in Escondido Country Club. Many other things about my community are big reasons for my love of living here - for the quality of life that I enjoy. I realize that you're busy and, out of respect for your time, I'll leave my quality of life story to just the one example, the biking story.

I can't imagine that my bike rides will still be safe if New Urban West's proposal for 392 units in the country club gets built out. Police, fire, school, and water quality issues might be as effectively addressed as they seem to be in the environmental impact report. Traffic, on the other hand, is admittedly a problem in the EIR. The freeway ramp isn't dealt with at all, actually. All of the work on the traffic issue will, at best, only reduce the impact of the great increase in traffic brought on by the 392 units. Even the best crafted language by New Urban West can't hide the fact that the Country Club will be severely impacted with much worse traffic due to the 392 unit proposal.

I do volunteer work with the San Dieguito River Park and Coast Keeper. I realize that few human activities are worse than golf courses for water quality. Comparing the projected water quality

I25-1

I25-2

I25-3

I25-4

Response to Comment Letter I25

Jim Crouch
August 2, 2017

I25-1 The City of Escondido (City) acknowledges the comment as an introduction to comments that follow. The City will include the comment in the Final Environmental Impact Report (EIR) for review and consideration by the decision makers prior to a final decision on the Project.

I25-2 The topics of police, fire, schools, and water quality issues were adequately addressed in the EIR in Section 3.1.7, Public Services, and Section 3.1.9, Utilities. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

I25-3 The comment cites a general concern regarding traffic, which was analyzed in Section 2.7, Transportation and Traffic, of the EIR.

Regarding the performance of the circulation system, as shown in Tables 2.7-14, 2.7-15, and 2.7-16 of Section 2.7, Transportation and Traffic, with mitigation incorporated, potentially significant impacts at all roadway segments and intersections will be less than significant with one exception. The Project would result in a significant impact to the El

resulting from the densely packed 392 unit proposal with a golf course, of course, makes The New Urban West proposal look good. In fact, the drainage problems caused by the hardscape that will be needed for the 392 unit density, will obviously be much worse than building out in accordance with the current zoning. A less than 9% reduction in density from the proposal that was resoundingly defeated in 2014 is astonishing. A real compromise, a proposal that hears the will of the good people of Escondido, will certainly be much less dense than their proposal. When our Country Club was purchased the buyer knew that it was zoned R-1-7. Please don't grant a variance, it's not needed, a reasonable profit can be made by building it out as it's currently zoned.

In my career, I worked as a negotiator at times. I understand the give-and-take needed in finding a compromise that all sides can live with. I trust that my representatives in City Hall will negotiate vigorously in this matter. I trust that you've heard the wishes of the people of Escondido.

Thank you for your service and your attention to this matter.

Jim Crouch
2026 Camino Dr.
760-715-1048

Sent from my iPhone

I20-4
Cont.
I20-5

Norte Parkway on-ramp to Interstate 15 (I-15) southbound during the AM peak hour. Because the improvement necessary to mitigate the identified impact would be located within the jurisdiction and control of the California Department of Transportation (Caltrans), the City cannot ensure at this time that Caltrans will permit the improvement to be made. Therefore, although the impact can and may be mitigated to a less than significant level, the impact at this location is considered significant and unavoidable.

If a project results in significant and unavoidable environmental impacts, the lead agency is required to prepare a statement of overriding considerations, which reflects a balancing of competing public objectives (including environmental, legal, technical, social, and economic factors). Therefore, a statement of overriding considerations must be considered and adopted by the decision makers with the Draft EIR, if the Project is approved.

The comment does not raise any specific issues related to the adequacy of information and analysis provided in the EIR; therefore, no further response can be provided. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.

I25-4

The comment refers to concerns regarding drainage and water quality. As discussed in Section 3.1.4.2.2,

	<p>Hydrology and Water Quality, incorporation of Project-related surface drains, greenbelts, vegetated swales, and vegetated stormwater detention basins would prevent excessive, concentrated surface flows on site, which in turn could result in erosion induced siltation of downstream water bodies (see PDF-HY-1 through PDF-HY-4). The EIR found that the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and impacts regarding drainage would be less than significant as a result of the Project.</p> <p>I25-5 The City acknowledges the comment and notes it expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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Comment Letter I26

July 15, 2017

City Of Escondido

RE: NUWI-EIR

I have just completed reading the nearly 700 pages of the Draft EIR regarding the intense development proposed for the former ECC. I disagree with the proposed 392 homes. It appears as if the EIR was submitted by the developer and rubber stamped by those assigned to evaluate it. As a result, we Escondido citizens must now take our time to point out some of the many problems in the report that were ignored by the reviewers of any information presented that might not agree with those paying for the report. Objective evaluation was not received.

Those assigned to review the project obviously did not review the history of the ECC whereby density transfers were granted for adjacent developments with undersized lots thereby encumbering many acres of the ECC from future development. They also ignored the City's own report about the immense impacts on the area in their 2014 report relative to Prop H which was defeated by over 60% of the people of Escondido, a project almost exactly like the current proposal. The residents understood what an inappropriate development proposal it was and will not have a problem understanding this is a clone.

The developer's solution to the thousands of new car trips per day is to restripe some roads and add a couple round-a-bouts as a cheap solution and to get around real complaints about traffic. The staff assigned to evaluate these solutions obviously has no clue what will happen to existing neighborhoods with the impact of thousands of cars added each day. An example is the outlet of the area with the multi family housing on old golf holes 12 & 13 onto La Brea. These cars will mostly turn left and then left on Portola going to the intersection at Nutmeg which is already a problem.

This same type of traffic problem exists everywhere in their plan. Thousands of auto trips daily will be added, and by their EIR, the developer does not have to do anything but restripe, pass the buck to Cal Trans and leave the real solutions to the taxpayers of Escondido. The traffic impacts are directly related to the high density proposed which, according to the City, create at least 4,000 new trips per day. Whereas the alternate proposal that fits the allowed density based on past City Council approvals would be less than 1,400 trips, thereby a significantly lower impact.

Initially, those of us that have lived in Escondido a long time, hoped for the return of the golf course. We were subjected to threats of liens against our homes claiming encroachment on Mr Schlesinger's property. An unsightly fence was installed with the property abandoned and not kept up; not to mention the spiteful spreading of raw chicken manure behind our

I26-1

I26-2

I26-3

I26-4

I26-5

I26-6

I26-7

I26-8

Response to Comment Letter I26

Kathryn M. Crowe

July 15, 2017

I26-1

The City of Escondido (City) acknowledges the comment and notes it expresses the opinions of the commenter. The Environmental Impact Report (EIR) has complied with the California Environmental Quality Act (CEQA) law and CEQA Guidelines. It is important to note that, while the EIR was prepared by third-party consultants, it was prepared on behalf of the City. The EIR is an informational document that will inform public agency decision makers and the public of the significant effects of the Project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project (14 CCR 15121(a)).

I26-2

The City acknowledges the comment; however, it does not raise an issue related to the adequacy of the EIR. CEQA requires that an EIR specify the existing physical environmental conditions to establish the "environmental baseline" against which project impacts may be evaluated (14 CCR 15125(a)). Environmental impacts should be examined in light of this baseline environment as it exists when a project is approved (14 CCR 15125(a)). The EIR properly considered the Project's effects against the existing environmental baseline, which has been established as

	<p>required under CEQA and considers the state of the property at the time the Notice of Preparation was issued. The City acknowledges that several encroachments into the Project were made by 43 adjacent private properties. Sliver lots have been created along the perimeter of the Project boundary to encompass these encroachments and vary from 5 feet to 15 feet in depth. The lots are lettered and tabulated in the Project’s Tentative Map (Lots E1 through E-43), which is available for public review and may be downloaded from the City’s website (https://www.escondido.org/ecc.aspx) or by navigating to www.escondido.org, clicking on “Planning” in the contact list on the right side of the page, scrolling down to the “Active Projects” section, and clicking on “The Villages – Escondido Country Club.” Each encroachment lot will be deeded to its respective homeowner. This information is immaterial to the EIR and does not affect any of the analysis or conclusions provided in the EIR.</p> <p>I26-3 The City has an application process for land development proposals, which complies with CEQA law and CEQA Guidelines. The EIR has complied with CEQA law and CEQA Guidelines. The Project applicant and lead developer for the Project, New Urban West Inc., was selected by the City as an alternative developer of the site. The EIR need not evaluate previous proposals for the Project area.</p>
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	<p>Therefore, the comment does not raise an issue related to the adequacy of any specific section or analysis of the EIR.</p> <p>I26-4 As shown in Table 2.7-14 of Section 2.7, Transportation and Traffic, all intersections will operate at a level of service C or better, and all roadway segments will be mitigated to below a level of significance, with the exception of the El Norte Parkway on-ramp to Interstate 15, which relies on the California Department of Transportation (Caltrans) to allow the proposed mitigation measure to be completed. Therefore, the Project would not create a significant impact on Nutmeg Street, as mentioned in the comment. Additionally, with implementation of the Specific Alignment Plan and Mitigation Measures M-TR-1 through M-TR-8, street segments, intersections, and ramps meters would operate at an acceptable level of service. It should also be noted that the Project does not propose any multi-family units as claimed by the commenter.</p> <p>I26-5 See response to I26-4.</p> <p>I26-6 See response to I26-4.</p> <p>I26-7 The commenter is correct that the Project would result in approximately 4,000 daily trips. As shown in Table 2.7-5 of the EIR, the Project is calculated to generate 4,280 daily trips with 319 total AM peak-hour trips</p>
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homes. We have been harassed and bullied from the very beginning. I have witnessed the emotional toll the behavior of a man with lots of money has had on my neighbors who have always been law-abiding, taxpaying citizens. Some grew up during the depression, many honorably served our great country and feel as I that we have been deceived by the NUWI representatives.

We got our hopes up with NUWI meeting with us in our homes, seemingly interested in having our input. They stated they would be building one story homes and there would be no condos. Their proposal calls for a 30 foot high wall of houses on the property, blocking all sight lines. Their plan represents a total disregard for honesty and reflects on their character and trustworthiness.

We have lived in Escondido since 1983, raised our son here. We have always been actively involved in church, school, Scouts and community affairs. Throughout the years we've followed the actions of our City's elected officials. During most of this time, they've supported the good of the residents.

I urge all concerned, staff, commissioners and council members to honestly review the history of the ECC area and relative impacts there will be on long time residents, not the interests of those who only want to take millions out of the community leaving the City to cope with the problems created. A reasonable development of 150 homes would have less impact on the environment and the community as a whole.

Thank you for taking the time to read this letter. I'm a concerned citizen who is skeptical how much credence my one letter holds to you, my representatives. I do know I speak from the heart and for many neighbors who are unable to correspond electronically. It's not my favorite thing to do either. I trust you're provided with wisdom, common sense and integrity in your decision making.

Sincerely,
 Kathryn M Crowe
 1210 La Mirada Ave



(97 inbound/222 outbound) and 420 total PM peak-hour trips (293 inbound/127 outbound). Regarding density, it should be noted that, as stated in Section 3.1.5, Land Use, the Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre. Thus, the proposed density is consistent with the City's General Plan and is not uncharacteristic of the surrounding area, which is generally characterized by low-density single-family neighborhoods with pockets of medium-density single-family development (duplex units and small detached homes). The City acknowledges the commenter's preference for the Reduced Density Alternatives evaluated in Chapter 4, Project Alternatives, of the EIR. The comment will be reviewed by the decision makers prior to a final decision on the Project.

I26-8

The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The applicant and lead developer for the Project, New Urban West Inc., was selected by the City as an alternative developer of the site. The applicant is not responsible for the current state of the Project site. The City will include the

	<p>comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I26-9 The Project includes several one-story housing types and does not propose condominiums. Additionally, as analyzed in Section 3.1.1, Aesthetics, of the EIR, the Project would not result in significant visual or aesthetic impacts. As stated in Section 3.1.1, the significance determination of whether the Project would result in substantial degradation of visual character and quality is based on the analysis of the eight key views, as well as an assessment of the overall character and visual quality of the site and the surrounding area (EIR page 3.1.1-19). The pad elevations for the new residential development have been designed to be lower than the existing development in most areas so existing near views of the golf course are replaced by views of the landscaped Greenbelt/Open Spaces. The Greenbelt/Open Space areas would enhance the screening and buffering of views from surrounding residences and roadways (namely West Country Club Lane, La Mirada Street, La Brea Street, and Portola Avenue). Additionally, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area. The Project would not substantially interrupt or obstruct available views from any scenic vistas. No</p>
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	<p>designated scenic vistas would be impacted by the Project (EIR page 3.1.1-12). The commenter does not provide evidence that is contrary to this analysis.</p> <p>The Project also includes a Specific Plan and detailed design guidelines, which provide a framework for requiring the development to be context sensitive and be appropriately sited, scaled, and designed to complement the existing environment. The design guidelines require that the Project be designed to relate to community character, design context, and site design. The Specific Plan design guidelines would ensure appropriate scale of development and an aesthetically pleasing architectural character. Therefore, the Project would not adversely affect public views. In many areas, the site is set back at an appropriate distance and shielded by vegetated slopes or context sensitive landscaping. Therefore, impacts relative to the substantial degradation of visual character and quality as a result of implementation of the Project would be less than significant (EIR page 3.1.1-19).</p> <p>I26-10 See response to I26-9.</p> <p>I26-11 The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final</p>
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	<p>decision on the Project.</p> <p>I26-12 The City acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the EIR. The City acknowledges the commenter’s preference for the Reduced Density Alternative analyzed in Chapter 4 of the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I26-13 See response to I26-12.</p> <p>I26-14 See response to I26-12.</p>
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Comment Letter I27

The Villages EIR Comment Card

Name Kathryn M. Crowe
 Address 1210 La Mirada Ave.
 City Escondido State CA Zip 92026
 Phone (760) 798-1111 Email Kathe@cox.net

Comments

Why are there not story poles being used to show elevations. This element is used in many other cities for people to visualize. Glossy supposed renderings do not show a true picture. Also extremely concerned about the "mitigation" regarding traffic in proposed 392 "homes". Way too many in this proposal and hoping the Planning Commission & City Council will recognize this development as a problem for our community. Way too dense. By the way, I have read EIR in its entirety. Also concerned for police & fire & what it is doing to our community.

I27-1
I27-2
I27-3

Please return to the box provided, or email your comments to Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I27

Kathryn M. Crowe
July 24, 2017

I27-1 The City of Escondido (City) acknowledges the commenter's preference for story poles. The following is stated in Section 3.1.1, Aesthetics (EIR page 3.1.1-19):

The significance determination as to whether the Project would result in substantial degradation of visual character and quality is based on the analysis of the eight key views, as well as assessment of the overall character and visual quality of the site, and the surrounding area.

The maximum height of buildings associated with the Project would be 35 feet, which is similar to other structures in the surrounding areas. Therefore, story poles are not required to fully and adequately analyze the Project's impacts.

I27-2 The City acknowledges the comment and concern regarding traffic mitigation. Because the comment is general, a general response is all that is required (*Paulek v. California Dept. Water Resources* 2014). The commenter does not provide any specificity as to which traffic mitigation is concerning. The Project, as required under the California Environmental Quality

	<p>Act, has applied mitigation to avoid any potentially significant environmental impacts.</p> <p>I27-3 The City acknowledges the comment and general concern regarding police and fire. Because the comments are general, a general response is all that is required (<i>Paulek v. California Dept. Water Resources</i> 2014). The Environmental Impact Report fully analyzed the Project’s potential impacts to police and fire services and concluded the Project would result in less than significant impacts (refer to Section 3.1.7, Public Services).</p> <p>References <i>Paulek v. California Dept. Water Resources</i>. 2014. 231 Cal.App.4th 35, 47.</p>
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Comment Letter I28

City of Escondido
 RE: NUWI EIR
 July 7, 2017

The EIR written by the developer and promulgated by the City Planning Dept., with the consultant planners paid for by the developer, uses their self serving project objectives as if they are relevant to the City and its residents. When, in fact, there is only one project objective and that is to pull millions of dollars out of Escondido, while creating several years of hell for adjacent property owners, and then leaving the City to deal with the mess.

The following comments evaluate the developers so called objectives, listed in Chapter 1 of the EIR, as they really are rather than the false picture painted by the planners.

- 1) Any blighted condition has been created by the property owner to cause distress and anxiety on the adjacent property owners. It would be quite easy for the owner to obtain a permit to remove his "blight".
- 2) The General Plan calls for the property to be R1-7, the alleged assistance to the City contravenes the existing General Plan with high density rezoning which has already been turned down by over 60% of the entire City.
- 3) The plan does not provide a variety of housing types, they are all imposing two story structures clustered together on miniscule lots that dwarf the existing single story homes.
- 4) Most of the so called open space is actually required storm water retention basins. The proposed trails and other spaces will be part of the gated HOA supported areas and not open to the general public as implied by the developers. The City has said it will not accept the property and will not maintain any property.
- 5) The proposed bar and restaurant facilities would be a separate commercial enterprise operated by private business and not a part of the HOA, just like any other restaurant.
- 6) The current alignment and design of Country Club Lane is quite adequate for the existing residents. The imposition of hundreds of new automobiles will overload the existing streets and cause new traffic problems, restriping will not cure those problems.
- 7) The proposed two story designs on filled raised miniscule building sites will greatly impose on the existing single story homes and invade their privacy.
- 8) Creating a high density small development does not minimize water and utility use, it increases it. The design of the project is an instant blight with no usable yard spaces unless one counts a 5 foot side yard as a recreational area. There has been no effort taken in the designs to conform with the existing neighborhoods of single story homes on much larger lots.
- 9) The proposed "public" facilities consist of a commercial restaurant and bar except for those facilities created for the exclusive use of the members of the HOA behind the gated development.

Additionally, the planners have used the developer's objectives to imply the alternate reasonable density plans are lacking because they don't follow the developer's wishes of high density miniscule size lots.

Robert E. Crowe

I28-1

I28-2

I28-3

I28-4

I28-5

I28-6

I28-7

I28-8

I28-9

I28-10

I28-11

Response to Comment Letter I28

Robert Crowe
 July 7, 2017

I28-1

The City of Escondido (City) has an application process for land development proposals, which complies with the California Environmental Quality Act (CEQA) law and CEQA Guidelines. The Environmental Impact Report (EIR) has complied with CEQA law and CEQA Guidelines. It is important to note that, while the EIR was prepared by third-party consultants, it was prepared on behalf of the City. The EIR is an informational document that will inform public agency decision makers and the public of the significant effects of the Project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project (14 CCR 15121(a)). The City acknowledges this comment, and notes it expresses general opposition for the Project but does not raise any issue concerning the adequacy of the EIR.

I28-2

The Project applicant and lead developer for the Project, New Urban West Inc., was selected by the City as an alternative developer of the site. The applicant is not responsible for the current state of the Project site.

The EIR correctly discloses the existing condition of

	<p>the site as a blighted condition. CEQA requires that an EIR specify the existing physical environmental conditions to establish the “environmental baseline” against which Project impacts may be evaluated. Environmental impacts generally should be examined in light of this baseline environment as it exists when a project is approved (14 CCR 15125(a)).</p> <p>The manner in which the blighted conditions were created, and whether the owner was cited for violations, is immaterial to the EIR. In addition, the City’s enforcement obligations or authority are not impacted by the Project or the EIR.</p> <p>The City acknowledges the comment, and notes it expresses the opinions of the commenter. The comment is included as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required or necessary.</p> <p>I28-3 The commenter expresses concern regarding the proposed zoning and density for the Project. The City has an application process for land development proposals, which complies with CEQA law and CEQA Guidelines. The Project seeks a zone change to Specific Plan SP Zone. As stated in Section 3.1.5, Land Use, of the EIR, the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Section 3.1.5 of</p>
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the EIR describes and analyzes the Project's land use and design compatibility. Appendix 3.1.5-1, City of Escondido General Plan Policy Consistency Analysis Table, to the EIR includes a comprehensive policy consistency analysis for the Project and addresses the Project's potential conflicts with applicable land use plans or regulations adopted to avoid or mitigate an environmental effect. The analysis in the EIR concludes that the Project does not conflict with the City's General Plan and Zoning Ordinance. The Project's density and compatibility with the surrounding area were analyzed in Section 3.1.5 of the EIR. The following is stated in Section 3.1.5 of the EIR (EIR page 3.1.5-14):

The Project site is currently designated in the Land Use Element of the General Plan as Residential Urban I, which allows for up to 5.5 dwelling units per acre. The Project includes a total of 392 dwelling units on approximately 109.3 acres, which results in a density of 3.6 dwelling units per acre... The location, density, and intensity of suburban-style development within this community area have mainly developed through planned residential development and are generally characterized by low-density single-family neighborhoods, with pockets of medium-

	<p>density single-family development (duplex units and small detached homes). The design of the Project site as proposed with the 48-acre Open Space System and greenbelt is context sensitive, and would visually and physically be compatible with surrounding land uses.</p> <p>Therefore, the proposed density is consistent with the City’s General Plan. The comment does not raise any specific issue regarding the analysis provided in the EIR; therefore, no more specific response can be provided or is required.</p> <p>I28-4 The comment claims that the Project does not propose a variety of housing types and that all housing types would be two-story. The Project, as described in Chapter 1, Project Description, Location, and Environmental Setting, and illustrated on Figures 1-1 through 1-4 of the EIR, proposes a variety of lot sizes and a combination of single- and two-story components within three proposed villages. The Project’s Specific Plan contains a distinct set of architectural design requirements for each of the three villages (Craftsman, Western Cottage, and Spanish Monterey), ensuring that all housing types have a related architectural design. Village 3 includes a housing type consisting of four or six homes located on a common residential lot. The common lot with six</p>
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units is designed to have the single-story, detached single-family unit in the portion of the common parcel that is adjacent to the greenbelt that buffers the existing residences from these six-unit clustered homes (Section 3.1.1.2.2 of the EIR). Therefore, although the common lot is unique to Village 3 within the Project site, the stepped-back design is visually consistent with the other homes both proposed and existing in the surrounding area. There is also a series of single-story lots along the southeastern portion of Village 1.

Additionally, as analyzed in Section 3.1.1, Aesthetics, of the EIR, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area. As described in Section 1.4.2, Surrounding Environment, in the EIR, the surrounding area is characterized by low-density, single-family residential uses on small lots and a variety of duplex and condominium complexes. Figure 1-7 in the EIR illustrates surrounding land uses, which includes the existing two-story residential development. Lastly, the City's General Plan includes Residential Development Policy 3.10, which states the following: Encourage proportionate numbers of two-story dwelling units within single-family detached subdivisions to promote variety and avoid monotonous streetscapes and visual impacts. The comment does not raise any specific issue related to the adequacy of

	<p>the analysis in the EIR; therefore, no further response is provided.</p> <p>I28-5 The following is stated in Section 3.1.8, Recreation, of the EIR (pages 3.1.8-8 and 3.1.8-9):</p> <p><i>The Project would replace an abandoned golf course and would result in an increase of approximately 392 single-family dwelling units in the City and provide approximately 48 acres of open space. The Project incorporates an extensive Open Space System that includes approximately 4 miles of walking trails, a series of pocket parks, and environmental drainage/landscape features that act as buffers. . . . The Project’s recreational facilities would be privately developed and maintained; however, they are available for public use... Additionally, the developer would be required to pay the City’s park fee of \$4,129 per dwelling unit, minus the eligible parkland provided on site by the Project. This payment of \$1,618,568 would ensure that the City’s established park land and recreational facility standards are met with respect to the additional needs created by the development.</i></p> <p>The City does not agree that the proposed trails and other spaces will not be open to the public. The commenter incorrectly assumes that the property will be gated. The Project area will not be gated. The trails</p>
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	<p>system will have an irrevocable public access easement over the entire 4-mile segment to ensure it is accessible to the public. This will be a condition of Project approval.</p> <p>I28-6 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I28-7 As shown in Figure 2.7-14 of Section 2.7, Transportation and Traffic, all intersections will operate at a level of service C or better, and all roadway segments will be mitigated to below a level of significance except the El Norte Parkway on-ramp to Interstate 15, which relies on California Department of Transportation to allow the proposed mitigation measure to be completed. Therefore, the Project is not expected to “overload the existing streets or cause new traffic problems” as stated in the comment.</p> <p>I28-8 See Response Crowe-4. As analyzed in Section 3.1.1 of the EIR, the Project would not result in significant visual or aesthetic impacts. Section 3.1.1 describes the key views from multiple public views of the Project. As stated on page 3.1.1-15 of the EIR, the Project residences would be consistent in height, bulk,</p>
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	<p>and scale with the surrounding existing residences. Also, as stated in Section 3.1.1.2.2 of the EIR, given the depressed elevation of the Project area in some areas, the proposed homes are lower in elevation, and therefore, the scale of the Project is reduced. The Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area (p. 3.1.1-12). The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required or necessary.</p> <p>I28-9 The topics of water and wastewater received extensive analysis in the EIR. As expressed in Section 3.1.9, Utilities and Service Systems, the Project would comply with the 2015 Urban Water Management Plan and federal, state, and local legislation limiting water usage. Additionally, water supply impacts are considered less than significant. The comment does not raise any specific issue regarding that analysis; therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p> <p>I28-10 The City acknowledges the comment, and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the</p>
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	<p>environment. However, for informational purposes, the following response is provided. The comment claims that the proposed restaurant and bar would not be open to the general public. The Project site will not be gated, and the Project’s Covenants, Conditions, and Restrictions would require this facility to be open to the public. The restaurant lease will also include terms that require the facility to be open to the public.</p> <p>I28-11 Pursuant to Section 15124 of the CEQA Guidelines (14 CCR 15124), the Project objectives should include the underlying purpose of the Project and help the lead agency determine the reasonable range of alternatives. The comment is general in nature and does not provide any evidentiary support for the claim that the EIR’s alternatives analysis is inadequate.</p> <p>The City disagrees with the assertion that alternatives were not adequately considered. CEQA Guidelines, Section 15126.6(a), states “an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” The range of alternatives required in an EIR is subject to the “rule of reason” (14 CCR 15126.6(f)).</p> <p>The EIR considers a reasonable range of alternatives. The EIR evaluates the following four alternatives in detail: (1) No Project/No Development Alternative,</p>
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(2) 158-Unit Reduced-Density Alternative, (3) 138-Unit Reduced-Density Alternative, and (4) 279-Unit Reduced-Density Alternative (p. 4-6). As required under CEQA, each of these alternatives was selected for its potential to avoid or minimize significant impacts associated with the Project while also meeting most of the basic project objectives (p. 4-2). The 158-Unit and 138-Unit Reduced-Density Alternatives were also selected for analysis because they were proposed by the Escondido Country Club Homeowners' Association during the public scoping process to lessen Project impacts (p. 4-4). The EIR considers an adequate range of potentially feasible alternatives to foster informed decision making and public participation.

In addition to these alternatives analyzed in the EIR, the EIR states that the City considered but rejected an alternative location for the Project. An alternative site would not avoid or significantly reduce significant impacts from the Project and would not achieve basic Project objectives. Therefore, an alternative site was considered but rejected from further analysis (page 4-5).

Comment Letter I29

The Villages EIR Comment Card

Name John Cunningham
 Address 2077 Caraway St.
 City Escondido State CA Zip 92026
 Phone (760) 746-9282 Email jc33ham@att.net

Comments

Please DO NOT change the EIR zoning from R-1-7
 The only way The Villages plan can happen is if you
 change from current zone - The EIR community is ~~not~~ not
 and should not be responsible for ~~the~~ the current
 developer to make unrealistic profit while the overall
 community atmosphere will be forever changed in a
 negative manner in so far as OPEN SPACE is concerned.

I29-1
 I29-2

Please return to the box provided, or email your comments to
 Kristin Blackson (kblackson@escondido.org) by August 11.

Response to Comment Letter I29

John Cunningham
 August 7, 2017

I29-1

The commenter expresses general concern regarding the proposed zoning for the Project. The City of Escondido (City) has an application process for land development proposals, which complies with the California Environmental Quality Act law and California Environmental Quality Act Guidelines. The Project seeks a zone change to Specific Plan SP Zone. As stated in Section 3.1.5, Land Use, of the Environmental Impact Report (EIR), the Project would be consistent with the General Plan and Zoning Ordinance upon issuance of the foregoing approvals. Section 3.1.5 of the EIR describes and analyzes the Project's land use and design compatibility. Appendix 3.1.5-1 to the EIR (City of Escondido General Plan Policy Consistency Analysis Table) includes a comprehensive policy consistency analysis for the Project and addresses the Project's potential conflicts with applicable land use plans or regulations adopted to avoid or mitigate an environmental effect. The analysis provided in the EIR concludes that the Project does not conflict with the City's General Plan and Zoning Ordinance. The comment does not raise an issue related to the adequacy of this land use and zoning analysis as provided in the EIR; therefore, no

	<p>further response is provided.</p> <p>I29-2 The comment addresses the general subject area of open space, which was analyzed in the EIR (refer to Section 2.2, Biological Resources, and Section 3.1.8, Recreation). However, this comment does not raise any specific issue regarding analysis of open space in the EIR. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project.</p>
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