

Appendix S

Response to Comments

Responses to Comments

This chapter contains all comments received on the Draft Environmental Impact Report (EIR) and responses thereto and is organized as follows:

1. List of Commenters
2. Comment Letters Received and Responses to Comments

The focus of the responses to comments is on the disposition of significant environmental issues raised in the comments, as specified by Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines. When a comment is not directed to significant environmental issues, the responses indicate that the comment has been acknowledged and no further response is necessary.

1 List of Commenters

During the public review period, a total of 20 comment letters were received on the Draft EIR. The comment letters have been categorized by sender (e.g., agency, organization, individual) and assigned a unique letter-number designation based on category.

The list of commenters and the unique letter-number designators for each letter are shown in Table 1, List of Commenters. Individual comments within each letter are bracketed and numbered in the right-hand margin of the comment letter. Bracketed/numbered comment letters are placed before the responses to the letter in Section 2.

Table 1. List of Commenters

Commenter	Letter Date	Letter No.
Agencies		
Poway Unified School District	November 30, 2023	A1
Poway Unified School District	December 11, 2023	A2
California Department of Fish and Wildlife	December 28, 2023	A3
Organizations		
Poway Historical and Memorial Society	December 29, 2023	O1
Tribes		
Barona Band of Mission Indians	November 15, 2023	T1
Individuals		
Lynn Moore	November 15, 2023	I1
Emily Carl	November 17, 2023	I2
Robin Franceschi	November 20, 2023	I3
R.W. "Nick" Stavros	November 26, 2023	I4
Scott and Teresa Sellers (Teresa Sorg)	December 3, 2023	I5
Timothy Handley	December 12, 2023	I6
Buzz Mann	December 17, 2023	I7
Kathy Wright	December 19, 2023	I8
Emily Carl	December 22, 2023	I9
Chris Cruse	December 27, 2023	I10
Anne Ponsford Tipps, MD	December 28, 2023	I11

Table 1. List of Commenters

Commenter	Letter Date	Letter No.
Christine Vickers	December 28, 2023	I12
Kim Gollner	December 29, 2023	I13
Anne Ponsford Tipps, MD	December 29, 2023	I14
Juzar Merchant	December 29, 2023	I15

2 Comment Letters Received and Responses to Comments

Comment Letter A1

From: Hector Salgado <HSalgado@poway.org>
Sent: Thursday, November 30, 2023 12:37 PM
To: David Shepherd; Vanessa Scheidel; Hayley Ward; Ranie Hunter
Cc: Stan Donn
Subject: FW: Harmon Ranch Project - EIR

Importance: High

From: Alschbach, Rheia <ralschbach@powayusd.com>
Sent: Thursday, November 30, 2023 9:59 AM
To: Hector Salgado <HSalgado@poway.org>; Bob Manis <BManis@poway.org>
Cc: Alex Plishner <alex.plishner@lennar.com>; Kibbe, Kari <kkibbe@powayusd.com>
Subject: Harmon Ranch Project - EIR

You don't often get email from ralschbach@powayusd.com. [Learn why this is important](#)

EXTERNAL EMAIL

Good morning, Hector,

Just this week, I was provided a copy of the Notice of Availability for the Draft EIR prepared by Dudek for Harmon Ranch.

My office was not provided the Notice of Preparation, nor did Dudek seek input from the District is preparation of section 4.13 Public Service – Schools, how could they know or justify the enrollment impacts they have claimed. I will be preparing an official response but want to let you know this process was not completed in the proper way.

Respectfully,
Rheia Alschbach
Director, Capital Planning



Poway Unified School District
13626 Twin Peaks Road
Poway, CA 92064
858.748.0010 x.2447
Internal: 8-01-2447

A1-1

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The Poway Unified School District (PUSD) is an equal opportunity employer/program and is committed to an active Nondiscrimination Program. PUSD prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived protected characteristics under the law, including but not limited to ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. For more information, please contact the Title IX/Equity Compliance Officer, Associate Superintendent of Personnel Support Services, Poway Unified School District, 15250 Avenue of Science, San Diego, CA 92128-3406, 858-521-2800, extension 2121.

A1-1
Cont.



Response to Comment Letter A1

Poway Unified School District
Rheia Alschbach, Director of Capital Planning
November 30, 2023

A1-1 The commenter states that the Poway Unified School District (PUSD) did not receive the Notice of Preparation (NOP) for the Harmon Ranch Project (project) Draft Environmental Impact Report (EIR), and that Section 4.13, Public Services (Schools) of the Draft EIR was not prepared with input from PUSD. The comment also mentioned that an official response is forthcoming.

The NOP period for the project was held from February 1, 2023, to March 3, 2023. PUSD was included on the City's distribution list for the NOP. On March 22, 2023, a letter titled "AB 181, Section 1, Section 11010 Department of Real Estate Notice of Intention" was received from PUSD regarding the project. From this, it can be assumed that PUSD received the NOP for this project.

Section 4.13 of the Draft EIR analyzed the project's impacts to Valley Elementary School, Meadowbrook Middle School, and Poway High School. These are the same schools identified in the March 22, 2023, letter from PUSD. In order to analyze the project's impacts on these schools, the Draft EIR relied on information from PUSD's 2020 Long Range Facility Master Plan. Therefore, the analysis in Section 4.13 of the Draft EIR was based on information from PUSD. The comment does not raise any issues regarding inadequacies of the Draft EIR and the comment does not require any revisions to the Final EIR.

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Comment Letter A2

BOARD OF EDUCATION
Ginger Couvrette
Michelle O'Connor-Ratcliff
Darshana Patel, Ph.D.
Heather Plotzke
Cindy Sytsma, Ph.D.



PLANNING DEPARTMENT
13626 Twin Peaks Road
Poway, CA 92064-3034

Rheia Alschbach
Director, Capital Planning
ralschbach@powayusd.com

SUPERINTENDENT
Marian Kim Phelps, Ed.D.

POWAY UNIFIED SCHOOL DISTRICT

858.679.2570

December 11, 2023

Via USPS and e-mail hsalgado@poway.org

Hector Salgado, Senior Planner
City of Poway
Planning Division
13325 Civic Center Drive
Poway, CA 92064

RE: Draft Environmental Impact Report (EIR)

Poway Unified School District appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) and in reviewing the DEIR the District found a few minor errors that we request be corrected prior to finalization of the EIR.

The areas of concern are:

- Section 4.13 – Public Services, Schools?
 - The student generation rate was updated April 2022 and should be the source for the EIR.
 - There is no reference made to the document/report used to gather this data in the tables. The source is noted at Appendix Q, which doesn't notate a valid source of reference information either, see Section 6.8 – Schools.
 - Table 4.13-2 – Projected School Enrollment as a Result of the Proposed Project is out of date.
 - Table 4.13-3 – Projected School Enrollment for 2024-2024 School Year has no prepared data incorrect.
- Appendix Q – Section 6.8 – Schools
 - Paragraph one references Table 6.1: Projected Students but this table is Estimated Parkland Requirement, Table 6.2 is the correct reference.
 - Footnote 3 should note the report this data was extrapolated.
 - Paragraph three discusses Twin Peaks Middle School as the area served by the Specific Plan Area, while the Draft EIR specifies Meadowbrook Middle School.

Using the Draft EIR 63-unit Single Family Dwelling, the District estimates that the following students may be generated using a student generation factor (single family detached cohorts) from Table 3 of the Poway Unified School District 2022 Development Fee Justification Study, dated April 26, 2022:

Elementary Students	17
Middle School Students	5
High School Students	11

A2-1

A2-2

A2-3

A2-4

A2-5

A2-6

A2-7

A2-8

DISTRICT OFFICE: 15250 Avenue of Science, San Diego, CA 92128-3406 • (858) 521-2800 • www.powayusd.com

We have also prepared the following table showing the schools of the District that may be considered to accommodate students from the proposed project, along with their capacity and projected enrollment for the 2024-2025 school year:

School Level	Grade Level	Capacity	Month 2 Enrollment 2023-2024	Over/Under Capacity	Projected Enrollment 2024-2025	Over/Under Capacity
Elementary School						
Valley	Tk-5	709	659	93	669	94%
Middle School						
Meadowbrook	6-8	1,458	982	67	1,110	76%
High School						
Poway	9-12	2,754	2,137	78	2,087	76%

A2-9

As stated in Appendix Q, Section 6.8 Schools, paragraph five; although capacity appears to be available, the District cannot provide assurances that students generated from the proposed project will be accommodated at these schools.

A2-10

Pursuant to Education Code Section 17620, the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the District, for the purpose of funding the construction or reconstruction of school facilities. The levy of school fees will offset the impact of the projected development and the District agrees with Draft EIR's finding of an impact that is less than significant.

A2-11

In the future the District hopes the City and its consultants seek out the support and guidance from the District prior to preparing future environmental studies to ensure accurate data and information is being provided to the public. Please continue to include us on the circulation list for the proposed project.

If you have any questions or require any additional information, me at 858.679.2570 or ralschbach@powayusd.com.

Regards,

Rhea Alschbach,
Director, Capital Planning

A2-12

cc: Ron Little, Associate Superintendent of Business

Response to Comment Letter A2

Poway Unified School District
Rheia Alschbach, Director of Capital Planning
December 11, 2023

- A2-1** This comment is an introduction to comments that follow, and states that the Poway Unified School District (PUSD) found a few minor errors that they request be corrected prior to finalization of the Environmental Impact Report (EIR). Please see responses to comments that follow.
- A2-2** The comment states that the student generation rate was updated in April 2022 and should be the source for the EIR. Additional details concerning student generation rates are provided by PUSD in Comment A2-8. Refer to Response to Comment A2-8 for additional information concerning student generation rates and updates that have been made in the Final EIR.
- A2-3** The comment states that Section 4.13, Public Services, did not identify what document/report was used to gather data associated with schools serving the project area. The Draft EIR relied on information from PUSD's 2020 Long Range Facility Master Plan, as cited. Please also see Response to Comment A2-8.
- A2-4** The comment states that Appendix Q of the Draft EIR (Harmon Ranch Specific Plan) did not notate a valid source of reference information in Section 6.8, Schools. Please see Response to Comment A2-7 for information regarding revisions that have been made to the Harmon Ranch Specific Plan as part of the Final EIR.
- A2-5** The comment states that Table 4.13-2, Projected School Enrollment, in Section 4.13 of the Draft EIR is out of date. Additional details regarding school enrollment are provided by PUSD in Comment A2-9. Please refer to Response to Comment A2-9 for additional information regarding student enrollment and revisions that have been made in the Final EIR.
- A2-6** The comment states "Table 4.13-3 – Projected School Enrollment for 2024–2024 School Year has no prepared data incorrect." The City assumes this comment is meant to say that school enrollment data for the 2024 school year is available, or the information in the Draft EIR is incorrect. Please see Responses to Comments A2-8 and A2-9, which outline revisions made to the Final EIR with the most up-to-date data provided by PUSD.
- A2-7** The comment provides corrections to information in Section 6.8, Schools, of the Harmon Ranch Specific Plan (Appendix Q to the Draft EIR). These revisions have been applied to the Harmon Ranch Specific Plan. The comment does not raise any issues regarding inadequacies of the Draft EIR.
- A2-8** The comment provides the student generation factor for the Harmon Ranch Project (project) using "Table 3 of the Poway Unified School District 2022 Development Fee Justification Study, dated April 26, 2022." As requested in Comment A2-2, the Final EIR has been updated to reflect the provided student generation rates. These changes are reflected in ~~strikeout~~/underline in Section 4.13, Public Services, of the Final EIR. Implementation of these minor revisions does not change the environmental significance determination made in the Draft EIR.

- A2-9** The comment provides the capacity and projected enrollment for the schools of PUSD that may be considered to accommodate students from the project. As requested in Comment A2-5, the Final EIR has been revised to include this updated information. These changes are reflected in ~~strikeout/~~underline in Section 4.13, Public Services, of the Final EIR. Implementation of these minor revisions does not change the environmental significance determination made in the Draft EIR.
- A2-10** The comment states that PUSD agrees with the following statement from Appendix Q of the Draft EIR: “although capacity appears to be available, the District cannot provide assurances that students generated from the proposed project will be accommodated at these schools.” The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- A2-11** The comment references Education Code Section 17620 and states that the levy of school fees will offset project development and that PUSD agrees with the Draft EIR’s significance determination of less-than-significant impacts to public services, specifically related to schools. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- A2-12** The City acknowledges the comment and notes that it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR.

Comment Letter A3

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 28, 2023

Hector Salgado
Senior Planner
City of Poway
13325 Civic Center Drive
Poway, CA, 92064
hsalgado@poway.org

SUBJECT: HARMON RANCH SPECIFIC PLAN (PROJECT), DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR), SCH #2023020009

Dear Hector Salgado:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (DEIR) from City of Poway (City) for the Harmon Ranch Specific Plan Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments on the Notice of Preparation for the Project in a letter dated March 8, 2023.

A3-1

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

A3-2

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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Hector Salgado
 City of Poway
 December 28, 2023
 Page 2 of 7

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 *et seq.*)

A3-2
 Cont.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City participates in the NCCP program by implementing its approved Poway Subarea Habitat Conservation Plan / Natural Community Conservation Plan (PSHCP) and Implementing Agreement (IA). The Mitigation Area identified in the PSHCP represents large contiguous blocks of natural habitat that are important to the overall preserve function and/or are recognized as locally important for sensitive resources.

PROJECT DESCRIPTION SUMMARY

Project Location: The 11.5-acre Project site is located along Oak Knoll Road, south of Poway Road, west of Carriage Road, within the southern area of the City of Poway. The Project site consists of land north and south of Oak Knoll Road that is partially developed with four uninhabited buildings, one of which is City of Poway Historical Site 113 named the "Harmon House." This historic building was built in 1933 and would be retained. Surrounding land uses include commercial development to the north and west, the Kumeyaay Ipai Interpretive Center to the north, Poway Creek to the south, and residential homes to the south and east. The Project site is within the City's PSHCP boundary and is designated as Residential Single Family 7 (RS-7) in the City's General Plan which allows a maximum density of 8 dwelling units per acre.

A3-3

Project Description: The proposed Project will demolish three uninhabited buildings and construct a 5.7-acre residential neighborhood consisting of 63 homes, private streets, and parking, 2.2 acres of natural open space, and 1 acre of open space recreation areas. In addition, the Project will create a segment of the City's General Plan Community trail connecting the northern portion of the site to an adjacent retail area north along Poway Road. The public trail would be for passive recreational use and would be maintained by the Homeowners Association (HOA). The proposed Poway Creek "overlook" area and public park located in the southern portion of the site would also be maintained by the HOA. The Project would require a General Plan Amendment/Zone Change from RS-7 to Planned Community to accommodate a higher density of 8.8 dwelling units/acre.

Biological Setting: Per the Biological Resources Technical Report (BRTR), the Project site is partially developed and has been utilized by SDG&E periodically as a staging yard. Vegetation communities within the Project area include southern willow scrub (0.02 acre), fresh water (0.14 acre), disturbed wetland (0.18 acre), disturbed land (7.94 acres), non-native riparian (0.59 acre), *Arundo donax* (*Arundo*)-dominated riparian (0.40 acre) and developed land (1.45 acres) located outside of the PSHCP Mitigation Area (Dudek 2023). Poway Creek at the southern boundary of the Project flows east to west and functions as a wildlife corridor for small vertebrates including non-migratory birds. An unnamed tributary to Poway Creek occurs within the northwestern property boundary. Sensitive species that

A3-4

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Hector Salgado
City of Poway
December 28, 2023
Page 3 of 7

were identified with the potential to occur within the Project area include least Bell's vireo (*Vireo bellii pusillus*; Endangered Species Act (ESA)-listed Endangered, California Endangered Species Act (CESA)-listed Endangered), white-tailed kite (*Elanus leucurus*; California Fully Protected Species), burrowing owl (*Athene cunicularia*; California Species of Special Concern (SSC), Cooper's hawk (*Accipiter cooperii*; SSC), spotted bat (*Euderma maculatum*; SSC), and yellow warbler (*Setophaga petechia*; SSC).

The Project will directly impact 6.75 acres of disturbed habitat, 1.45 acres of developed land, and 0.02 acre of *Arundo*-dominated riparian habitat. No compensatory habitat mitigation is proposed given that the Project site is located outside of the City's Mitigation Area, impacts to native vegetation will be avoided, and impacts to sensitive species would be mitigated through implementation of Mitigation Measures (MM) BIO-1 thru BIO-5 (Dudek 2023) as summarized below:

- MM BIO-1: Construction fencing will be established, a worker awareness training will be conducted, and a biological monitor will be required to be on-site during vegetation clearing and grading.
- MM BIO-2: Construction fencing will limit access to adjacent wetland and riparian areas until permanent perimeter walls are established.
- MM BIO-3: Seasonal avoidance of the nesting bird breeding season (February 1-September 15) or pre-construction nesting bird surveys will be conducted within 72 hours of work and appropriate avoidance buffers (300 to 500 feet) will be established by the qualified biologist.
- MM BIO-4: Project activities and staging areas will be limited to the development footprint, kept free of trash and debris, and prohibit any pets. In addition, any construction lighting will be shielded away from adjacent habitat.
- MM BIO-5: Grading restrictions and erosion control measures consistent with the Poway General Plan and Grading Ordinance will be implemented in areas adjacent to wetland habitat.

In addition, Appendix Q of the DEIR states that all permanent exterior lighting within the Project area will be shielded away to avoid light spillage into adjacent properties.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

- 1) Sensitive Bats. Various bat species, including spotted bat, a California SSC, have the potential to roost within the abandoned buildings on-site that are proposed to be demolished as part of the Project. Clearance of structures occupied by bats would



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Hector Salgado
City of Poway
December 28, 2023
Page 4 of 7

result in direct take of the species. Indirect impacts to bats may result from increased noise disturbances, human activity, dust, ground disturbing activities (e.g., staging, access, mobilization, and grading) and vibrations caused by heavy equipment. Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish and Game Code § 4150, California Code of Regulations § 251.1). In addition, spotted bat is not covered under the PSHCP and the DEIR does not include mitigation measures to avoid and/or minimize the potential impacts to this species from the Project-related removal of structures. To reduce potential impacts to special-status bat species to less than significant, we recommend the following protocol be incorporated into the FEIR:

- a. CDFW recommends that Project demolition and construction activities occur outside of the general bat maternity roost season of March through August to reduce any potentially significant impacts to maternity roosting bats.
 - b. If avoidance of a maternity roost season is not feasible, CDFW recommends that a pre-construction survey be conducted by a qualified bat biologist within the structures proposed to be demolished a week prior to the commencement of Project activities to determine whether these structures are occupied by bats.
 - i. If a maternity roost is present, eviction of any bats found should be avoided and we recommend notifying CDFW and coordinating on development of any mitigation and exclusion plans for concurrence prior to implementation. The mitigation plan should detail the methods of excluding bats from the roost and the plans for a replacement roost in the vicinity of the Project site.
 - ii. If the pre-construction survey determines that no active roosts are present, the suitable habitat should be removed within a week following the pre-construction survey. All potential roosting structures should be removed in a manner approved by the qualified bat biologist, which may include the presence of a biological monitor. Additionally, all construction activity in the vicinity of an active roost should be limited to daylight hours.
 - c. Even if a maternity roost is not present, CDFW suggests that a bat box be considered for installation near the on-site woodland as a possible attractant for various bat species. This is because the bat species commonly found in San Diego County are known to consume large numbers of mosquitoes and could benefit the residents.
- 2) Cooper's Hawk. The on-site trees offer potential roosting, foraging, and nesting habitat for various bird species including the Cooper's hawk which is a California SSC and covered species under the PSHCP. CDFW appreciates the Project's inclusion of Mitigation Measure BIO-3, which requires pre-construction nesting surveys within 72 hours if work occurs during the general migratory bird breeding season (February 1 to September 15). If this species is detected during pre-construction surveys, CDFW recommends that the qualified biologist maintain an appropriate buffer from construction activities if the nest is occupied (eggs, nestlings, etc.); that is, until the

A3-6
Cont.

A3-7

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Hector Salgado
 City of Poway
 December 28, 2023
 Page 5 of 7

young have fledged and are no longer dependent on the nest. Other potential nesting raptors should receive similar consideration. CDFW generally recommends a 500-foot buffer from active raptor nests.

A3-7
 Cont.

3) Potential Burrowing Owl Habitat. The BRTR states that that burrowing owl, a California SSC, is not expected to occur due to the disturbed nature and lack of suitable open habitat within the Project site (Dudek 2023). A review of historic aerial imagery indicates that the central disturbed habitat area on-site may have exhibited grassland habitat in the late 1990s and early 2000s prior to disturbance by SDG&E (Historic Aerials, 2023). In addition, CDFW is aware of burrowing owls occupying highly disturbed sites elsewhere in San Diego County. To ensure that the site is not suitable for burrowing owl, CDFW recommends that a qualified biologist conduct a focused habitat assessment for the species (e.g., suitable ground squirrel burrows, signs of owls) within the Project area prior to the start of Project activities as outlined in Appendix C of the Staff Report on Burrowing Owl Mitigation (CDFW 2012). The results, including negative findings of the habitat assessment, should be included in the FEIR. If burrowing owl is confirmed within the Project area, we recommend that the Project Proponent notify the City, CDFW, and USFWS to analyze Project-related impacts and develop appropriate measures to avoid, minimize, and/or mitigate impacts to burrowing owl.

A3-8

4) Fencing. Per Appendix Q, Exhibit 3.7 Conceptual Fencing and Wall Plan, the Project does not propose perimeter fencing between the public recreation areas (OSR-1, OSR-3) and preserved open space (OS-1, OS-2). CDFW recommends that the Project establish fencing in these areas to deter trespassing into biological resource areas.

A3-9

5) Compensatory Mitigation. Per the DEIR, four open space parcels (titled OS-1 through OS-4, 2.2 acres total) will be permanently conserved as part of the proposed Project. These open space areas will be deed restricted and be managed by the HOA to ensure that biological and/or cultural resources are protected. Section 7.4 of the PSHCP specifies that compensatory mitigation for Project impacts located outside of the City's Mitigation area should be addressed through in-kind habitat acquisition within the Mitigation Area unless biological information suggests that habitat outside of the Mitigation Area would add greater value to the Preserve than areas within the Mitigation Area (City of Poway 1996). In this circumstance, CDFW would like to clarify that the Project's proposed preservation areas on-site are considered a Project bonus feature and do not count as a compensatory mitigation "contribution" to the PSHCP preserve.

A3-10

6) Lake and Streambed. Due to direct impacts to 0.02 acre of *Arundo*-dominated riparian habitat and proximity to Poway Creek in the southern portion of the Project, CDFW recommends that the Project Proponent submit a Lake and Streambed Alteration Notification to CDFW. Additionally, it is unclear if there are any proposed fuel modification zones that may extend into the riparian habitat on-site. Please note that any fuel modification zone activities adjacent to riparian habitat may require Notification to CDFW. Notifications can be submitted through CDFW's Environmental Permit

A3-11

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Hector Salgado
City of Poway
December 28, 2023
Page 6 of 7

A3-11
Cont.

Information Management System (EPIMS) at
<https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

A3-12

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)


A3-13

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating the Project's impact on biological resources and ensuring consistency with the requirements of the PSHCP.

Questions regarding this letter or further coordination should be directed to Alison Kalinowski, Environmental Scientist, at Alison.Kalinowski@wildlife.ca.gov.

Sincerely,

DocuSigned by:

070004520375406

David Mayer
Environmental Program Manager
South Coast Region

A3-14

ec: **California Department of Fish and Wildlife**

Melanie Burlaza, San Diego
Melanie.Burlaza@wildlife.ca.gov

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Hector Salgado
City of Poway
December 28, 2023
Page 7 of 7

Jennifer Blackhall, San Diego
Jennifer.Blackhall@wildlife.ca.gov

Cindy Hailey, San Diego
Cindy.Hailey@wildlife.ca.gov

Office of Planning and Research

OPR State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov

U.S. Fish and Wildlife Service

Jonathan Snyder, USFWS
Jonathan_D_Snyder@fws.gov

City of Poway

Stan Donn, City of Poway
SDonn@poway.org

REFERENCES

California Department of Fish and Wildlife. 2012. Staff Report on Burrowing Owl Mitigation. Available from:
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Response to Comment Letter A3

California Department of Fish and Wildlife
David Mayer, Environmental Program Manager, South Coast Region
December 28, 2023

- A3-1** This is an introductory comment, explaining that the California Department of Fish and Wildlife (CDFW) received the Notice of Availability of the Draft Environmental Impact Report (EIR) and had previously submitted comments on the Notice of Preparation for the Harmon Ranch Project (project) in March 2023. The comment expresses gratitude for the opportunity to provide comments and recommendations concerning the project's potential impacts. Please see responses to comments that follow.
- A3-2** This comment outlines CDFW's role as California's Trustee Agency for fish and wildlife resources. As a Responsible Agency under the California Environmental Quality Act (CEQA), CDFW may exercise its regulatory authority and provide biological expertise during public agency environmental review efforts, focusing on projects that have the potential to adversely affect state fish and wildlife resources. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- A3-3** The comment provides a summary of the project location and project description. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- A3-4** The comment provides a summary of the biological setting at the project site and a summary of project impacts identified in the Draft EIR. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- A3-5** This is an introductory comment to comments that follow, specifically related to direct and indirect project impacts on biological resources. Please see Responses to Comments A3-6 through A3-11.
- A3-6** The comment states that various bat species may have the potential to roost in the abandoned buildings on site that are proposed to be demolished as part of the project. The potential-to-occur analysis for special-status bats was inaccurately based on the assumption that the homes on the project site were not currently occupied. However, the homes are currently occupied; therefore, there is no potential for any bat species to occupy the project site. The Biological Resources Technical Report and the Final EIR have been updated to change the following species from having a moderate potential to occur to having no potential to occur: spotted bat (*Euderma maculatum*), western red bat (*Lasiurus blossevillii*), western small-footed myotis (*Myotis ciliolabrum*), long-eared myotis (*M. evotis*), and Yuma myotis (*M. yumanensis*).
- A3-7** The Draft EIR prepared for the proposed project already addresses the potential for the presence of Cooper's hawks (*Accipiter cooperii*) and other birds of prey. The comment by CDFW provides a summary of **Mitigation Measure (MM) BIO-3** of the Draft EIR. No updates to this mitigation measure or to statements in the EIR are needed, because **MM-BIO-3** already states that pre-construction nesting surveys shall be conducted within 72 hours of work during the general migratory bird breeding season (February 1 to September 15). If any active avian nests are detected, an appropriate buffer (between 300 and 500 feet

[raptors]) from construction activities will be established until the young have fledged and are no longer dependent on the nest, and/or it has been determined that the nest is no longer active.

A3-8 The comment states that potential burrowing owl (*Athene cunicularia*) habitat may exist within the site due to historic aerial imagery showing disturbed grassland habitat. Due to the heavily developed and disturbed nature of the site, including the use of the site by San Diego Gas & Electric Company as a storage yard, Dudek believes the likelihood that burrowing owl would utilize the project site is very low. Furthermore, multiple visits to the site for a general reconnaissance survey, vegetation mapping, and a rare plant survey did not yield any burrowing owl or burrowing owl sign. Please see Response to Comment A3-7. If burrowing owls are discovered during the nesting bird survey, appropriate measures would be taken to avoid, minimize, and/or mitigate impacts to burrowing owl.

A3-9 This comment recommends that the project establish fencing between the public recreation areas (OSR-1, OSR-3) and preserved open space (OS-1, OS-2) in these areas to deter trespassing into biological resource areas. Based on this recommendation, the project will be incorporating a 6-foot-tall fence to deter trespassing into these biological areas. Refer to the Harmon Ranch Specific Plan (Appendix Q to the EIR) for fence details and locations that have been added to the project.

A3-10 This comment discusses compensatory mitigation, which is not proposed as a part of the proposed project. The Draft EIR does not state that the on-site open space parcels would contribute to the overall preserve. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

A3-11 This comment states that activities from the proposed project would impact 0.02 acres of *Arundo*-dominated riparian habitat in the southern portion of the project site and that a Lake and Streambed Alteration Notification should be submitted to CDFW. However, during the virtual pre-application meeting held in June 2022 with regulatory agencies including CDFW, it was determined that these impacts would not warrant a Lake and Streambed Alteration Agreement based on the following reasoning:

The *Arundo*-dominated riparian habitat associated with Poway Creek currently extends over the property line and therefore would need to be trimmed back to the property line, resulting in a potential temporary loss of 0.02 acres of this vegetation community. It is anticipated that the vegetation will grow back following construction and therefore no mitigation is proposed for impacts to this invasive plant community. The project would not result in construction of improvements or permanent development in the riparian habitat area.

Per the Technical Fire Protection Memorandum authored by Dudek in September 2023, based on the project site's location and surrounding land uses, a formal fuel modification zone is not considered necessary for acceptable defensibility of the proposed project. Therefore, no proposed fuel modification zones will extend into the riparian habitat on site.

A3-12 The comment provides a summary of CEQA and the California Natural Diversity Database. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

A3-13 The comment provides a summary of CDFW filing fees payable upon filing of the Notice of Determination. The comment does not raise any specific issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

A3-14 The comment includes concluding remarks. The comment does not raise any specific environmental issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

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Poway Historical and Memorial Society

Old 14114 Midland Road
Poway P.O. Box 19
Park Poway, CA 92074-0019

Telephone No. (858) 679-8587
www.powayhistoricalsociety.com

STEVE VAUS, Mayor
CAYLIN FRANK, Deputy Mayor
PETER DEHOFF, Councilmember
BRIAN PEPIN, Councilmember
ANITA EDMONDSON, Councilmember

December 29, 2023

Re: Cultural Resource Inventory Report for the Harmon Ranch Project

To the Honorable Poway City Council:

The Poway Historical and Memorial Society Board have voted in support of the recommendations of Dudek and the choice of Lennar to preserve the historic "Harmon House". This locally designated historic site was built in 1933 and highlights the cobblestone architecture used in the early buildings in the community.

01-1

We also take this position based upon the findings in the "Cultural Resource Inventory Report". This site and surrounding areas have significant value as is evidenced by the Kumeyaay Ipai Interpretive Center and the present resources directly adjacent. Additionally, there is strong preservation support for the prehistoric resources, cultural artifacts, and possible human remains from several of the local tribes. The responses from The Viejas Band of Kumeyaay Indians, The San Pasqual Band of Mission Indians, The Jamul Indian Village of California, and The Barona Band of Mission Indians have highlighted many concerns that have been voiced in the past and are an intractable part of Poway's development.

01-2

The Poway Historical and Memorial Society commends Dudek and agrees with these findings, however we would like to see the City of Poway take a more active approach in preservation and the value of our history.

We appreciate your consideration on this historically significant matter.

Sincerely,

01-3

Chris Olps
President

Poway Historical and Memorial Society • P.O. Box 19 Poway, CA 92074

Preserving Poway's Past for the Future

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Response to Comment Letter O1

Poway Historical and Memorial Society
Chris Olps, President
December 29, 2023

- 01-1** The comment states that the Poway Historical and Memorial Society Board support the recommendations made in the Draft Environmental Impact Report (EIR) to preserve the historic “Harmon House.” The comment expresses sentiments in support of the Harmon Ranch Project (project) and does not raise issues related to inadequacies of the Draft EIR. The comment does not require any revisions to the Final EIR.
- 01-2** The comment states that the conclusion reached in Comment O1-1 is also based on the findings in the Cultural Resource Inventory Report, which was included as Appendix F of the Draft EIR. The comment also states that the project site and surrounding area have tribal cultural significance, and further states that historically, tribes have expressed concerns to the City regarding development.
- Section 4.4, Cultural and Tribal Cultural Resources, of the Draft EIR discusses these findings in greater detail. As described in Section 4.4 of the Draft EIR, implementation of **Mitigation Measure (MM) CUL-1** through **MM-CUL-3** would ensure that potential impacts to cultural and tribal cultural resources would be less than significant. Additionally, this project is subject to Assembly Bill 52 and Senate Bill 18, which require tribal consultation, as described in Section 4.4 of the Draft EIR. The comment does not raise any specific environmental issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- 01-3** The comment includes concluding remarks, including that the Poway Historical and Memorial Society agrees with the findings of the Draft EIR. The comment does not raise any specific environmental issues related to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

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Comment Letter T1

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Tuesday, November 21, 2023 3:00 PM
To: Vanessa Scheidel; Hayley Ward; Ranie Hunter; David Shepherd
Cc: Stan Donn
Subject: FW: Harmon Ranch Draft EIR - Public Review

From: Ondria Aviles <oaviles@barona-nsn.gov>
Sent: Wednesday, November 15, 2023 3:23 PM
To: Stan Donn <SDonn@poway.org>
Cc: Hector Salgado <HSalgado@poway.org>
Subject: RE: Harmon Ranch Draft EIR - Public Review

You don't often get email from oaviles@barona-nsn.gov. [Learn why this is important](#)

EXTERNAL EMAIL

Hello Stan,

After consulting with our attorney he said that the mitigation measures noted in the cultural resources report need to be incorporated as conditions for any approval of the project, with appropriate follow-up if anything is discovered during ground disturbance.

Kind regards,
Ondria

Ondria Aviles, Executive Assistant ✂
Chairman Raymond J. Welch
Barona Band of Mission Indians
1095 Barona Road
Lakeside, CA 92040
Phone 619 443-6612 ext.230
Fax 619 390-5378
Mobile 619 592-0257
oaviles@barona-nsn.gov

T1-1



From: Stan Donn <SDonn@poway.org>
Sent: Wednesday, November 15, 2023 8:47 AM
To: Ondria Aviles <oaviles@barona-nsn.gov>
Cc: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch Draft EIR - Public Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Honorific, Executive Assistant Avilese, Barona Group of the Capitan Grande,

*This email is to notify you that the Draft EIR for the Harmon Ranch project is now available for public review and comment. The public review period runs from November 15 – December 29, 2023. The Draft EIR is available for review at the City's office and on our website here: [Recent Projects / Environmental Documents | Poway, CA - Official Website](#). Please direct all comments to: Hector Salgado, Senior Planner; Development Services; City of Poway, 13325 Civic Center Drive, Poway, California 92064 or via email to hsalgado@poway.org. All written comments on the adequacy of the Draft EIR must be received **no later than 5:00 P.M. on December 29, 2023**. Following the close of the public comment period, responses to comments on the Draft EIR will be prepared and, together with the Draft EIR, will constitute the Final EIR. Thank you for working with the City during the SB18 and AB52 consultation process.*

Stan Donn, AICP
City Planner
Development Services
City of Poway | 13325 Civic Center Drive | Poway, CA 92064
Phone (858) 668-4604 | Fax (858) 668-1211
sdonn@poway.org



Response to Comment Letter T1

Barona Band of Mission Indians
Ondria Aviles, Executive Assistant
November 15, 2023

- T1-1** The comment states that the mitigation measures outlined in the Cultural Resource Report need to be incorporated as conditions of approval for the Harmon Ranch Project (project). The proposed mitigation measures addressing cultural, archaeological, and tribal cultural resources are included in Section 4.4, Cultural and Tribal Cultural Resources, of the Draft EIR as **Mitigation Measure (MM) CUL-1** through **MM-CUL-3**. All mitigation measures proposed for the project would be included in the Mitigation Monitoring and Reporting Program as part of the Final EIR process, and these mitigation measures would be included as conditions of approval for the project. This comment does not raise an issue with the adequacy of the Draft EIR, and does not require any revisions to the Final EIR.

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Comment Letter I1

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Thursday, November 16, 2023 8:43 AM
To: Vanessa Scheidel; David Shepherd; Ranie Hunter; Hayley Ward
Cc: Stan Donn
Subject: FW: Harmon Ranch

Hello all,

Please see the comment below regarding the Harmon Ranch project.

Thanks,

Hector

From: lynn moore <lynn.lynnmoore@gmail.com>
Sent: Wednesday, November 15, 2023 2:36 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch

You don't often get email from lynn.lynnmoore@gmail.com. [Learn why this is important](#)

EXTERNAL EMAIL

Dear Mr. Salgado,

I live on La Vista Way, my home is next to the Harmon Ranch development. The vacant lot usually floods each year after rain and turns a large area next to my home into a marsh. I am worried that if Lennar installs a retaining wall beside my property as they have planned, rain runoff would be diverted to my property and flood it! I have voiced my concerns to Lennar, they informed me they are planning to put a catch basin next to my home. I honestly doubt that that would be sufficient to deal with all the water. I think they should come up with a better solution, maybe a drainage ditch or storm drain.

Yours Sincerely, Lynn Moore

I1-1

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Response to Comment Letter I1

Lynn Moore
November 15, 2023

I1-1 The commenter is a neighbor of the project site and voices concerns regarding drainage. The commenter states that the vacant lot floods each year after rain and turns the vacant area next to their home into a marsh. The commenter has concerns that a proposed retaining wall would divert stormwater to their property, and that the proposed infrastructure would not be sufficient to deal with the stormwater drainage.

The vacant lot in question directs its drainage eastward through Roca Grande Drive and the backyards of properties, entering the project site from its eastern boundary. The proposed Harmon Ranch Project (project) will preserve the existing off-site drainage pathways and capture the runoff that previously entered the project site at two low points via proposed catch basins, which are adequately sized to handle 100-year peak flows. The collected runoff will then be conveyed through an on-site underground storm drain system. These proposed storm drain improvements are designed to safely collect and convey the 100-year peak flow without adversely impacting any of the existing off-site properties. A Drainage Study and Stormwater Quality Management Plan have been prepared for the project, which were included as Appendices I and J of the Draft EIR, respectively. The comment does not raise issues related to any inadequacies of the Draft EIR, and no revisions to the Final EIR are required.

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Comment Letter I2

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Friday, November 17, 2023 12:50 PM
To: David Shepherd; Ranie Hunter; Vanessa Scheidel; Hayley Ward
Cc: Stan Donn
Subject: FW: DRAFT ENVIRONMENTAL IMPACT REPORT,Harmon Ranch Specific Plan Project

-----Original Message-----

From: Emily Carl <emilyac@poway.seada.com>
Sent: Friday, November 17, 2023 12:13 PM
To: Hector Salgado <HSalgado@poway.org>
Cc: 'emilyac@poway.seada.com' <emilyac@poway.seada.com>
Subject: DRAFT ENVIRONMENTAL IMPACT REPORT,Harmon Ranch Specific Plan Project

[You don't often get email from emilyac@poway.seada.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

EXTERNAL EMAIL

Hello Hector,

I am starting to review the Draft-EIR, and so far have a question with the Geotechnical Investigation report provided by Geocon (Appendix G):

<https://poway.org/DocumentCenter/View/10314/Appendix-G---Geotechnical-Investigation->

I couldn't find the Logs of Air Track Borings assumed to be related to T11 (only AIR TRACK BORING AT-1 through AT-10 is found in FIGURE A-12 through FIGURE A-21).

Is similar information available for drilling point at T11?

Thank you for your time and consideration!

--

Emily, 12724 Roca Grande Drive

I2-1

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Response to Comment Letter I2

Emily Carl
November 17, 2023

I2-1 This comment is in regard to Appendix G of the Draft EIR, the Geotechnical Investigation Report. The commenter is asking where information regarding Air Track Boring for T11 is. To provide clarification to the commenter, a detailed explanation is provided below.

The Geotechnical Investigation took two types of samples as part of their data collection on site: trenches and air track borings. An excerpt explaining the two types of samples is provided below (from Appendix G, p. 49):

The initial field investigation was performed on May 28, 2021, and consisted of a visual site reconnaissance and drilling 10 air-track borings in anticipated cut areas. On May 18, 2022, eleven exploratory trenches were excavated to evaluate the thickness and condition of surficial soils requiring remedial grading. The approximate locations of the exploratory trenches and air-track borings are shown on the Geologic Map, Figure 2.

Therefore, only 10 Air Track Borings were taken and there is no Air Track Boring Data for T11. T11 refers to an exploratory trench. The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

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Comment Letter I3

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Tuesday, November 21, 2023 8:12 AM
To: Vanessa Scheidel; David Shepherd; Hayley Ward; Ranie Hunter
Cc: Stan Donn
Subject: FW: Harmon Ranch Question

-----Original Message-----

From: Robin Franceschi <sendlein87@gmail.com>
Sent: Monday, November 20, 2023 9:16 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch Question

[You don't often get email from sendlein87@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

EXTERNAL EMAIL

Hi Mr. Salgado,

I just read through the draft EIR for Harmon Ranch—and it occurred to me that the impact as measured on traffic in the report doesn't take into account other new builds taking place in the area. We also have apartments being built Poway Road, plus I believe more condos, both of which are likely to add additional traffic from those looking for a bypass of Poway road through the neighborhood on Oak Knoll. Was this considered in the Harmon Ranch report? Seems like the confluence of projects and people will come together for a very backed up Oak Knoll road.

Thanks!
Robin

Sent from my iPhone

I3-1

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Response to Comment Letter I3

Robin Franceschi
November 20, 2023

I3-1 The commenter expresses concern regarding the traffic analysis. The comment states that the report does not take into account other new development in the area, including construction of new apartments along Poway Road.

As part of the Local Transportation Assessment prepared for the Harmon Ranch Project (project),¹ included as Appendix L to the Draft Environmental Impact Report (EIR), cumulative project traffic was considered as part of the Near-Term Analysis. Cumulative projects analyzed in addition to the proposed project included the following residential projects:

- **Poway Commons project** – Located on the corner of Poway Road and Civic Center Drive with 141 condominium units
- **Fairfield project** – Located at the existing Carriage Center West Shopping Center and recently closed Poway Bowl with 221 apartment units
- **Outpost project** – Located at 13249–13253 Poway Road; is proposed to develop 72 dwelling units

These cumulative projects are also outlined in the Draft EIR Project Description chapter, Section 3.6, List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area. All three projects are located on Poway Road and include residential units. Section 4.15, Transportation, of the Draft EIR and the Local Transportation Assessment (Appendix L of the Draft EIR) both analyze nearby cumulative projects that also include residential development. As analyzed in Section 4.15 of the Draft EIR, cumulative impacts were calculated where project-added traffic resulted in a degradation in measures of effectiveness greater than the allowable thresholds in the Near Term (the year the project will open) Plus Project condition. As analyzed, cumulative impacts were determined to be less than significant. However, cumulative impacts related to vehicle miles traveled (VMT) generated by the project would be potentially significant, as the project's generated VMT is above the regional VMT per capita threshold.² Therefore, based on the applied significance criteria, the proposed project would contribute to a cumulatively considerable impact relative to VMT and impacts were determined to be significant and unavoidable because no feasible mitigation measures exist that would reduce the project's cumulative impacts related to VMT to a less than significant level. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

¹ The Local Transportation Assessment is a report that evaluates the current roadway operations around the proposed project site and assess the potential change in those operations that is anticipated with the implementation of the proposed project. Should any intersection or roadway operations degrade to sub-standard conditions with the implementation of the proposed project, improvements are recommended to restore the roadway operations.

² The regional VMT per capita threshold is set as 85% of the typical number of miles the average resident in the San Diego Region drives in a day. The typical San Diego County resident drives 18.9 miles per day (source: SANDAG Series 14 model); therefore, the VMT per capita threshold is 16.1 miles driven per day (18.9 × 85%).

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Comment Letter 14

To: City Of Poway

Subject: Draft Environmental Impact Report (EIR),
Harmon Ranch Specific Plan Project
State Clearinghouse No. 2023020009
EIR No. EA 23-0001

From: R. W. "Nick" Stavros
13639 Jackrabbit Road,
Poway, California, USA, 92064
(858) 254-2864
nick@DrStavros.com

Date: 26 November 2023

14-1

To Whom It May Concern:

I have read most of the EIR, and my comments follow:

No Project/No Development Alternative

Only three alternatives were considered, and the No Project/No Development Alternative is presented in negative framing. This is NOT what the "No Project" alternative is supposed to do. Look at the following statement:

14-2

*The No Project/No Development Alternative assumes that the proposed project would not be developed, which **means there would be no residential, recreational, trail, and other community and conservation uses developed onsite.** Traffic improvements would not be constructed. None of the proposed project sites would be permanently preserved as open space. In its existing condition, the site would remain as an undeveloped dirt lot with the four existing residences*

14-3

Recreational uses, trails, and other community and conservation uses are directly tied to development. This is a tautology. It is quite possible to build recreational facilities and trails on the land without developing it with housing. This would require the City of Poway to decide if they want to do that. For example, the City of Poway could use Park and Recreation in lieu fees from other developments to provide recreational facilities and trails on this site.

14-4

Therefore, the No Project alternative is completely flawed and needs to be rejected requiring the City of Poway to actually create the EIR instead of it being created by the very biased developer.

14-5

The same would apply to traffic improvements and open space. Obviously, the developer or his agents can not fill in this section because it inherently creates a conflict of interest.

14-6

The No Project Alternative also uses leading and derogatory phrases such as "undeveloped dirt lot".

| 14-7

Therefore, until the City of Poway creates the No-Project section content, the EIR must be rejected as flawed and biased.

| 14-8

Existing Zoning Alternative

This "alternative" is schizophrenic at best.

| 14-9

The Existing Zoning Alternative would have the project site retain its original zoning designation, Residential Single Family 7 (RS-7), instead of changing its zoning to Planned Community (PC).

This would imply the development would not be a Planned Community with an implied Home Owner's Association. However, during the discussions, the document routinely implies that the HOA would be responsible for certain costs (see Table 1.1 TRA-1, Table 4.9-1, section 4.15) and the streets would remain private instead of public right-of-ways. (See Figure 3-1)

| 14-10

*RS-7 zones in the City of Poway permitsingle-family homes on a minimum of 4,500-square-foot lots and a maximum density of 8 dwelling units per acre(City of Poway 1991). Since the residential project area is 7.26 acres, that means that the project site could havea maximum of **58 housing units, five fewer than the proposed project's goal of 63 units.***

| 14-11

This means the existing Zoning would be for 58 units, yet the rest of the document assumes the goal number of 63 units. Then, it assumes that since the 58 units are roughly the same as the 63 units, "it's not a big deal". By my calculations, an 11% increase in the number of units is a big deal. Especially when you consider those 5 units are on steep terrain, which is granite, requiring extensive terrain modification. In Figure 4.9-3 included below, the top right 4 units are in the cut zone.

| 14-12

| 14-13

Other Comments:

Section 3.1:

*Develop a residential neighborhood within **an underutilized site** with quality architecture and community design aesthetics that respect and enhance the existing neighborhood's appeal and character*

I4-16

This is definitely of the mindset that open land is bad. Who determines underutilized? The Developer? The Director of Development Services? The people of Poway?

Contribute new housing units to the City of Poway and the region by providing new single-family housing

I4-17

This is NOT part of an EIR. It may be part of the City of Poway's goals or responsibilities but should have no bearing on whether the project is environmentally sound or not.

*Create an internal network of **private streets** that minimizes traffic impacts on existing neighborhoods and incorporates a trail connection to the adjacent commercial/industrial land use*

I4-18

Why is this part of this alternative, and why is it essential environmentally? Next, you'll be saying gated streets are better, too.

Section 3.2.1

*The new land uses proposed by the Specific Plan include two open space uses and one residential land use. Parcels designated as open space would be permanently preserved as open space through **deed restriction**.*

I4-19

Why Deed Restricted? This implies there will be someone holding the deed, the HOA? This is an example of why the alternatives need to be split. What happens when the HOA refuses to pay for the maintenance of this Open Space? Or when the HOA decides to restrict access?

I4-20

Project Approvals The proposed project consists of the following entitlements and agency approvals, which would be processed concurrently unless otherwise noted:

- *General Plan Amendment*
- *Zone Change*
- *Specific Plan*
- *Tentative Map*
- *Development Review Permit*
- *Final Map*
- *EIR Certification*

I4-21

I think the School District needs to be involved. Indian Tribes, California Department of Fish and Wildlife (CDFW), and San Diego Regional Water Quality Control Board.

Figure 3.1

OSR1 needs to provide public access to OS-1. Also needs to provide vehicle ingress and egress for maintenance of creek and OS-1.

Why Private streets if this is the Existing Zoning?

I 14-22

Figure 3.2

Why all the private Streets?

Why is there no public parking on the pink road? Parking in the area is already at a premium. All streets should be public and should include public parking.

I 14-23

I 14-24

I 14-25

Figures 3.3 and 3-4

The existing ratepayers paid for the water and sewer line improvements made on Oak Knoll. These houses need to pay for their share of the increased capacity added to support this development

I 14-26

Figure 3-5

The new development should include a detention basin, probably on OS-1.

Figure 3-6

The model parking is going to be on OSR-1 unless this will remain as general open parking to the public in the future.

I 14-27

I 14-28

4.1 Aesthetics

Aesthetics is a branch of philosophy that deals with the nature, appreciation, and perception of beauty and the principles and criteria involved in judgments of taste and style. Aesthetics can only be determined by the existing residents. Therefore, the developer or city staff cannot fill in this section.

I 14-29

4.2.2 Relevant Plans, Policies, and Ordinances

- *Strategy 2: Seek to promote a development pattern that reduces daily trips for shopping, school, and recreation.*
- *Strategy 3: Encourage ridesharing, the use of transit and other transportation systems management programs to reduce the number of vehicle miles traveled and traffic congestion.*

I 14-30

A major way to accomplish this is to not design a development around the car. This requires thinking about more than roads. For example, are there easy ways for people to walk to Poway Road to catch public transportation? Can you walk or bike on the existing local streets,

I 14-31

such as Roca Grande? There are lots of stores, restaurants, and services on Poway Road. Can I walk directly there, or must I walk to Pomerado or Carriage?

14-31
Cont.

4.2.3.1 Approach and Methodology

... following subset area schedule assumptions(duration of phases is approximate):

- Demolition – 2 months
- Site Preparation – 1 month
- Grading – 6 months
- Paving – 3 months
- Building Construction – 18 months
- Architectural Coating – 15 months

14-32

Yet, the site is "The terrain in the vicinity of the modeled project site is generally flat." Table 4.2-6. SO, why six months of grading? If the site requires that much grading, then it is probably the wrong plan for the site.

4.9.6 Mitigation Measures

No mitigation measures are required, as all impacts are determined to be less than significant.

A major problem along Poway Creek is cattails. Cattails are limited by two factors: sn and phosphate. For example, there are no cattails along Poway Creek upstream from the car dealers on Poway Road, after the car dealers, the creek is choked with cattails. This is because of the phosphate used to wash the cars on the lots. The extra runoff from driveways and streets where phosphate fertilizers are used on lawns is significant. Add to that the occasional car wash and it is a big problem. To mitigate this, add a detention basin to capture all the runoff from the development.

14-33

4.11 Noise

A major problem during the construction of the farm was the continuous hammering (there is a reason it was called Stone Ridge)!! Every attempt should be made to reduce the amount of "cut" required on the site.

14-34

Figure 4.13-2 Poway Fire Station #3

Providing emergency access to the area from Roca Grande and La Vista would drastically improve this, especially if Oak Knoll Road is blocked for some reason.

14-35

Figure 4.15-4 Local Transportation Network

Noice, all the public transportation is on Poway Road. To get to public transportation, a person must walk or bike at least a mile+. It's a classic case of designing a city around the car.

14-36

Provide pedestrian and bike connectivity directly to Poway Road from the north. Also, provide pedestrian and bike access along Rocca Grande Drive and La Vista Way.

14-37

4.17 Wildfire

Provide Emergency access through Rocca Grande Drive and La Vista Way.

I 14-38

6.7 Determination of Environmentally Superior Alternative

It is completely invalid since the No Project Alternative is so poorly designed, and the Existing Zone is not valid.

I 14-39

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Response to Comment Letter I4

R.W. "Nick" Stavros
November 26, 2023

- I4-1** This comment is an introduction. The City acknowledges the comment as an introduction to comments that follow.
- I4-2** The commenter claims that the No Project/No Development Alternative was presented in negative framing, and that the No Project Alternative was analyzed incorrectly. This comment suggests that recreational facilities and trails could be built as a No Development Alternative.
- According to California Environmental Quality Act (CEQA) Guidelines Section 15126.6(e)(1), an Environmental Impact Report (EIR) must always evaluate a "No Project" alternative. The No Project Alternative represents conditions in the study area in the absence of approval of the proposed project. Evaluation of a No Project Alternative compares impacts of a proposed project with impacts that would occur if a proposed project were not approved and implemented. The purpose of describing and analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project/No Development Alternative in Chapter 6, Alternatives, of the Draft EIR was drafted in accordance with Section 15126.6(e)(1) of the CEQA Guidelines. The recreational facilities suggested would constitute development and are therefore inconsistent with CEQA Guidelines for the No Project/No Development Alternative. The comment does not raise issues related to any inadequacies of the Draft EIR, and does not require any revisions to the Final EIR.
- I4-3** The comment provides an excerpt from Chapter 6 of the Draft EIR (p. 6-5). The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR
- I4-4** The comment discusses the fact that the development of recreational facilities and trails do not need to be tied to housing. Under the No Project Alternative, no development is assumed; therefore, development of recreational facilities and trails are not proposed. The No Project Alternative is discussed in further detail in Response to Comment I4-2. The comment does not raise issues related to any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I4-5** The comment states that the No Project Alternative is flawed, but the commenter does not provide any details. The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I4-6** The comment implies that traffic improvements should be included in the No Project Alternative. Under the No Project Alternative, no development is assumed, therefore, traffic improvements associated with the Project are not proposed. The No Project Alternative is discussed in further detail in Response to Comment I4-2. The comment does not raise issues regarding any inadequacies of the EIR and does not require any revisions to the Final EIR.
- I4-7** The comment states that the No Project Alternative uses derogatory phrases to describe the project site. The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I4-8 The comment states that the City must write the No Project Alternative, and the EIR must be rejected as flawed and biased.

According to CEQA Guidelines Section 15084(d), the Lead Agency may choose one of the following arrangements or a combination of them for preparing a Draft EIR: (1) Preparing the Draft EIR directly with its own staff. (2) Contracting with another entity, public or private, to prepare the Draft EIR. (3) Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person. (4) Executing a third-party contract or Memorandum of Understanding with the applicant to govern the preparation of a Draft EIR by an independent contractor. (5) Using a previously prepared EIR.

Dudek has prepared the Draft and Final EIR on behalf of the City. The City reviewed the Draft EIR prepared by Dudek prior to release of the Draft EIR for public review. In accordance with Section 15084(e) of the CEQA Guidelines, the City reviewed the Draft EIR, and the Draft EIR reflected the independent judgment of the Lead Agency. Therefore, the City is not required to rewrite the No Project Alternative. The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I4-9 The comment provides an excerpt from Chapter 6 of the Draft EIR (p. 6-7). The comment does not raise issues relating to any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I4-10 The comment states that the Existing Zoning Alternative implies that the alternative would not be a Planned Community with an implied Home Owner’s Association (HOA).

Under the Existing Zoning Alternative, a specific plan would not be prepared, and the project site would retain the zoning of RS-7. Chapter 17.20 of the City’s Municipal Code does not state whether or not sites zoned as “Planned Community” are required to have a HOA. HOAs are not analyzed under CEQA, and the discussion of an HOA is independent from the proposed rezone of Planned Community as part of the project. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. The comment does not require any revisions to the Final EIR.

I4-11 The comment provides an excerpt from Chapter 6 of the Draft EIR (p. 6-7). The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I4-12 The comment states that the existing zoning would be 58 units, while the Draft EIR assumed 63 units. The analysis of the Draft EIR takes the General Plan Amendment, zone change, and the project’s proposed number of units into consideration. The commenter seems to think that the Draft EIR’s analysis relied on the 58 units that would be allowed under the existing zoning, but this is incorrect. The Existing Zoning Alternative compared the project’s 63 proposed units to the 58 units that would be allowed under the existing zoning. The excerpt provided was outlining the difference in units between the project and the Existing Zoning Alternative. The comment does not raise an issue regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-13 The comment states that the five additional units in the project compared to the Existing Zoning Alternative would be located on steep terrain. As part of the project, grading would occur to level the site. Grading for the project site is balanced at 19,250 cubic yards of cut and fill to avoid export or import of dirt. Therefore, no units constructed as part of the project will be located on steep terrain.

The comment also discusses their proposed layout of the Existing Zoning Alternative providing reconfiguration details using the project's site plan. Grading would still be required for the Existing Zoning Alternative. The comment does not raise any issue regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

- I4-14** The comment requests that the Existing Zoning Alternative be split into two separate alternatives as a summary to the comments made within Comments I4-10 through I4-13. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I4-15** The comment discusses concern with the Density Bonus Alternative. The Density Bonus Alternative is proposed as an alternative considered in the Draft EIR as a result of community feedback requesting low-income/affordable housing. The number of units under the Density Bonus Alternative were calculated using the state's Density Bonus Program base density calculation. If the project were to incorporate low-income housing, the developer may acquire the right to develop at a specific density under State of California Density Bonus Law (California Government Code Sections 65915–65918), and the City would have much more limited discretion over the project. The state's Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions, or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations.
- I4-16** The comment provides Project Objective 2 from the Draft EIR, and asks who determines if the project site is underutilized. The project site is in a developed area of the City and is intended for residential uses, as outlined in the City's General Plan and Zoning Map. The project site is currently vacant; therefore, the lack of development on a site intended to be developed for residential uses leads to the site being considered underutilized. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I4-17** The comment provides Project Objective 4 from the Draft EIR, and states that this is not part of an EIR. As stated on page 3-1 of the Draft EIR, Section 15124(b) of the CEQA Guidelines requires an EIR to include a statement of objectives sought by a project. The creation of objectives is part of the project description of an EIR. The comment does not raise an issue regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I4-18** The comment asks why Project Objective 7 is part of the alternative and why private streets are essential environmentally. Project objectives are different from proposed project alternatives. Section 15124(b) of the CEQA Guidelines requires an EIR to include a statement of objectives sought by a project. The creation of objectives is part of the project description of an EIR. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I4-19** The comment provides an excerpt from Section 3.2.1, Project Components, of the Draft EIR (p. 3-2). The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-20 The comment asks why the parcels designated as open space will be deed restricted and asks if the HOA would be holding the deed. The comment then refers back to Comment I4-14, stating that the alternative should be split.

This text is not part of the alternative discussion, but part of the project description.

Deed restrictions are recorded to prevent inappropriate land use. As stated in the excerpt provided in comment I4-19, the deed restriction would ensure that the parcels designated as open space would be permanently preserved. Please refer to the Harmon Ranch Specific Plan (Appendix Q to the EIR), which outlines HOA responsibility for maintenance requirements and inclusion in community covenants, conditions, and restrictions (CC&Rs). Maintenance of open space areas and allowable access would also be specified in the project's conditions of approval. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-21 The comment lists out the project approvals listed on page 3-3 of the Draft EIR, and lists agencies and organizations that the commenter believes are not, but should be, involved in the project.

The Poway Unified School District (PUSD) and the California Department of Fish and Wildlife (CDFW) are listed here by the commenter. PUSD and CDFW are and have been involved with this project. Refer to Comment Letters A1 through A3 for comments from PUSD and CDFW. The tribes are involved with the project through the Assembly Bill 52 and Senate Bill 18 tribal consultation processes. Refer to Section 4.4, Cultural and Tribal Cultural Resources, of the Draft EIR for additional information regarding tribal consultation. The Notice of Preparation of the Draft EIR and Notice of Availability of the Draft EIR have been sent to the San Diego Regional Water Quality Control Board.

I4-22 The comment refers to Figure 3-1 of the Draft EIR, the Land Use Plan, and includes suggested edits to the Land Use Plan related to OS-1. Slight modifications have been made to the site plans as a result of final engineering. Please refer to updated figures throughout Chapter 3 of the Final EIR. This comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-23 The comment refers to Figure 3-1 of the Draft EIR, the Land Use Plan, and asks why private streets are shown if this is the existing zoning. This is not the existing zoning of the project site; this is the proposed Land Use Plan for the project. The private loop road within the project site is required to serve the proposed homes. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-24 The comment refers to Figure 3-2 of the Draft EIR, the Conceptual Mobility and Parking Plan, and asks why there are so many private streets as part of the project. The private loop road within the project site is required to serve the proposed homes. The color-coded key reflects private roadway widths. This comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-25 The comment refers to Figure 3-2 of the Draft EIR, the Conceptual Mobility and Parking Plan, and asks about public parking. The comment then goes on to discuss parking in the project area. The private loop road within the project boundary is required to serve the proposed residences. As shown in the key on Figure 3-2, perpendicular parking and parallel parking spaces would be available along the

private loop road, in addition to each single-family residence's garage and driveway parking spaces. Parking is analyzed in Section 4.15 of the EIR.

- 14-26** The comment refers to Figures 3-3 and 3-4 of the Draft EIR (Conceptual Water and Sewer Master Plans) and discusses water and sewer line improvements. The comment also states that the new houses proposed under the project should pay for their share of increased capacity of water and sewer lines.

As discussed in Section 4.16, Utilities and Service Systems, of the Draft EIR, no off-site water infrastructure improvements are necessary to serve the project. Additionally, the existing sewer lines have adequate capacity to handle the additional flows from the project. The City prepared a Water System Analysis (Appendix N of the Draft EIR) and the applicant team had a Sewer System Analysis (Appendix O of the Draft EIR) prepared for the project, both of which confirm there is existing capacity to serve the proposed project. Please refer to Chapter 3 and Section 4.16 of the EIR for a detailed description of proposed utility connections for the project.

As outlined in Chapter 3 of the EIR, the City's Public Works Department would provide domestic water to the proposed project. The proposed water system for the project consists of a series of 8-inch pipes to create a looped system that would serve all properties within the project site. The internal looped system will connect to the existing 6-inch line in Roca Grande Road and the existing 10-inch line in Oak Knoll Road. The proposed project would connect to the City's sewer system. Wastewater collection and the City's sewage system are maintained and operated by the City's Public Works Department to ensure sufficient capacity is available for dry weather peak-flow conditions and storm or wet weather events. Existing sewer facilities in the vicinity of the project include existing 8-inch public sewer lines and a 30-inch public trunk sewer within Oak Knoll Road located along the project frontage. The existing 8-inch public gravity sewer lines convey sewer flows from existing residences along Oak Knoll Road from east to west and tie into the existing 30-inch public trunk sewer. The 30-inch trunk sewer conveys flow west in Oak Knoll Road to Pomerado Road. The proposed project would construct new 8-inch gravity sewer lines to connect the project site to the existing gravity sewer system. The proposed on-site 8-inch public sewer lines would convey sewage from the 59 homes south to the existing 8-inch public sewer line directly fronting the project's south entrance in Oak Knoll Road. The remaining 4 homes south of Oak Knoll Road would connect to the same existing 8-inch public sewer line in Oak Knoll Road via individual lateral connections. This existing 8-inch public sewer line will convey flows west to the existing 30-inch public trunk sewer in Oak Knoll Road.

The applicant would be responsible for all proposed off-site improvements and would be required to pay all applicable City fees, including sewer and water impact and capacity fees, prior to building permit issuance.

- 14-27** The comment refers to Figure 3-5 of the Draft EIR (Conceptual Drainage Plan) and states that the project should include a detention basin. The project proposes the development of catch basins and an underground vault system for storage to meet the water quality and hydromodification requirements, as required by the project's Drainage Study (Appendix I of the Draft EIR) and the project's Stormwater Quality Management Plan (Appendix J of the Draft EIR).

- 14-28** The comment refers to Figure 3-6 of the Draft EIR (Conceptual Phasing Plan) and states that the model parking will be OSR-1 unless this remains as general open parking to the public in the future. During Phase 1 of the construction of the project, a number of model homes would be constructed, and the portion of the project site south of Oak Knoll Road where four future homes would be constructed would

serve as parking for the model homes. OSR-1 would be included as model home parking before that portion of the project site is developed as part of Phase 3 of construction. OSR-1 would eventually serve as the public “outlook” open space area, upon project completion.

I4-29 The comment provides a definition of aesthetics, and states that only existing residents can determine aesthetics, and the City staff or developer cannot fill in this section.

The applicant does not prepare the EIR. The EIR is prepared by City staff and environmental consultants. The definition of aesthetics under CEQA is a broad term used to identify the particular scenic qualities that define a place of landscape. The landscapes that define a particular area are a combination of four visual elements: landforms, water, vegetation, and human-made structures. Section 4.1, Aesthetics, of the Draft EIR evaluates the potential impacts from the project on scenic vistas, scenic resources, visual character, and light and glare. The comment does not raise any issues regarding the adequacy of the Draft EIR Aesthetics Section and does not require any revisions to the Final EIR.

I4-30 The comment provides an excerpt from Section 4.2, Air Quality, of the Draft EIR (p. 4.2-19); specifically, Strategies 2 and 3 of Policy E of the City’s General Plan. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-31 The comment asks questions regarding pedestrian and bicycle facilities that would connect the project site to nearby existing uses. These topics are discussed in Section 4.15, Transportation, of the Draft EIR. Pedestrian circulation throughout the project study area is mainly provided by sidewalks and the extension of the Community Trail. The project would potentially add 1,000 feet of Community Trail that would connect the project to the commercial uses and a Metropolitan Transit System bus stop along Poway Road, north of the project site. Overall, pedestrian facilities would be improved with implementation of the proposed project. All bicycle facilities along the project frontage have already been implemented. The project would not have a significant impact on existing bicycle facilities. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-32 The comment provides an excerpt from Section 4.2, Air Quality, of the Draft EIR (p. 4.2-21) regarding the construction schedule used for modeling. The commenter notes that the terrain is described as flat and questions why it needs 6 months of grading. The commenter states that if the site requires this much grading, then this is the wrong plan for the site.

Any construction site requires preparation before building begins, including land leveling and grading activity. Grading is necessary to ensure a level base for proposed structures, and to ensure a proper drainage system. Grading can also reduce environmental impact by incorporating a stormwater runoff system and thereby reducing erosion and pollutant runoff. Grading plan requirements are outlined in Section 16.48.020 of the City’s Municipal Code. The construction schedule outlined in the Draft EIR is a conservative schedule for purposes of air quality modeling. The comment does not raise any issues regarding inadequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-33 The comment provides the mitigation measure discussion from Section 4.9, Hydrology and Water Quality, of the Draft EIR (p. 4.9-20). The commenter then goes on to discuss the issue of cattails in Poway Creek due to phosphates and requests that a detention basin be added to capture all runoff

from the project. Refer to Response to Comment I4-27 for detailed information regarding the request to include a detention basin, which is in fact being included as part of the project. Please also refer to Section 4.3 of the EIR for a detailed analysis on habitat within the creek and associated mitigation measures related to biological resources. The comment does not raise any issues regarding inadequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-34 The comment discusses the construction noise of a different development project. Please refer to the noise analysis in Section 4.11 of the EIR for project-specific noise impacts and associated mitigation. The comment does not raise issues relating to any inadequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-35 The comment refers to Figure 4.13-2 of the Draft EIR (Poway Fire Station #3 ISO Drive Times) and states that providing emergency vehicle access (EVA) to the area from Roca Grande and La Vista would drastically improve response times.

An EVA was included in the project design for release of the public review draft of the EIR. The EVA off Roca Grande Drive was initially incorporated as a result of community feedback requesting an additional emergency access point/evacuation point from the project site. However, after review of conflicting public comments opposing the EVA at Roca Grande (which is a private road), and after further review of the site plan with the Poway Fire Department, the EVA at Roca Grande will not be included as part of final project design. The EVA has been removed from the final site plans and removed from text in the Evacuation Plan and the Final EIR. This revision does not change any impact determinations of the EIR.

I4-36 The commenter discusses how all public transportation is located on Poway Road, and states that the project is designed around the use of cars.

The project site is an infill site in a developed part of the City. As shown on Figure 1-2, the proposed development would be consistent with the residential uses to the east, west, and south, and beyond the commercial development to the north. The majority of the development in this area is served by vehicle use. Please refer to Response to Comment I4-31 for a description of pedestrian, bicycle, and bus service for the project site. The comment does not raise any issues regarding inadequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-37 The comment refers to Figure 4.15-4 of the Draft EIR (Local Transportation Network) and states that the project should provide pedestrian and bike connectivity directly to Poway Road from the north, and requests that the project provide pedestrian and bike access along Roca Grande Drive and La Vista Way. The project site boundary does not connect to Poway Road to the north. Existing commercial development separates the project's northern boundary from Poway Road. The project is not responsible for improvements to Roca Grande Drive and La Vista Way, as the project would not be accessible from either of these streets. Further, Roca Grande and La Vista Way are both private roads. The comment does not raise any issues regarding inadequacy of the Draft EIR and does not require any revisions to the Final EIR.

I4-38 The comment requests that emergency access be provided through Roca Grande Drive and La Vista Way. Please refer to Response to Comment I4-35.

I4-39 The comment states that the No Project Alternative and that the Existing Zoning Alternative are invalid due to poor design. Refer to Responses to Comments I4-2 through I4-8 for detailed responses regarding the No Project Alternative, and Responses to Comments I4-9 through I4-14 for detailed responses regarding the Existing Zoning Alternative.

Comment Letter 15

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Monday, December 4, 2023 8:29 AM
To: David Shepherd; Ranie Hunter; Hayley Ward; Vanessa Scheidel
Cc: Stan Donn
Subject: FW: Harmon Ranch

-----Original Message-----

From: Teresa Sorg <sellers-sorg@cox.net>
Sent: Sunday, December 3, 2023 11:13 AM
To: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch

EXTERNAL EMAIL

Good afternoon, Hector

We have a few comments and questions in regards to specific plan.

1) 5.2.1 Conceptual tree plan does not have trees behind are home, 12920 Meadow Glen way , we are the 3rd house adjacent to historic house East side. Tree line (HOA common area trees stop at ourside property line??

15-1

2) We are against the deviation in backyard setbacks adjacent to established homes , There will be zero privacy for us to enjoy are backyard.

15-2

3) We are against the home behind ours having a CA. room, this will only be a 5ft setback from are fence. Exhibit 3.7 and 5.3 show the home directly behind ours with a Ca. room or some kind of upstairs balcony??

15-3

4) We do not want any second story balconies or decks facing our home.

5)There needs to be a 2nd entrance to development. The traffic on to Oak Knoll is bad enough now. It is very dangerous turning out of Meadow Glen Way cul-de-sac.

15-4

6) Would like to know why the historic house is being saved? It really is un inhabitable, Is the property going to be fixed up? could be a nice little park area instead of the eyesore it is today.

15-5

We did call and speak to Arlene with Lennar prior to Thanksgiving, very friendly on phone but she never got back with us on any of the questions we had?

15-6

Scott&Teresa Sellers, 12920 Meadow Glen Way 858-204-5105

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Response to Comment Letter I5

Scott & Teresa Sellers (Teresa Sorg)

December 3, 2023

- I5-1** The commenter states they have comments and questions on the Specific Plan prepared for the project, as outlined herein. The commenter states that there are no proposed trees between their home and the development and that the proposed tree line stops at their property. In response, the landscape plan has been updated to address the commenters' concerns regarding lack of landscaping adjacent to their home. As shown in the new Figure 3-7 of the Final EIR, the project would incorporate trees in the backyards of homesites 7 and 8, to complete the proposed tree line along the eastern project boundary. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any further revisions to the Final EIR.
- I5-2** The commenter expresses opposition to the project's design, specifically the deviation in backyard setbacks. The project has been designed to conform to City requirements through preparation and implementation of a Specific Plan for the project. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any revisions to the Final EIR.
- I5-3** The commenter expresses opposition to the project's design, specifically the proposed California rooms. The comment is acknowledged; however, this is not a California Environmental Quality Act (CEQA) issue. This comment does not require any revisions to the Final EIR.
- I5-4** The commenter requests a secondary entrance to the proposed development. The main entry/exit point off Oak Knoll Road was analyzed as part of the Local Transportation Assessment (LTA) and the Transportation Impact Study prepared for the project, included as Appendices L and M, respectively, to the Draft EIR. Based on the Fire Response Technical Memorandum (Appendix P to the EIR), it was found that only one entry/exit is required to adequately serve the project site. The proposed project will not be adding any additional driveways on Oak Knoll. It will replace the one existing driveway that currently provides access to the site. As shown in Table 5.3 of the LTA, Oak Knoll Road between Pomerado Road and Carriage Road will still operate well below its design capacity with the implementation of the proposed project (4,536 daily trips on a roadway with a daily capacity of 10,900 daily trips). Additionally, a secondary project access point would not change the number of trips that would occur on Oak Knoll Road, because the project trips would use the same path of travel to reach their destination. The LTA was conducted in conjunction with the Draft EIR to analyze the effect the proposed project traffic would have on Oak Knoll Road and Poway Road. As outlined in the LTA, the proposed project is not anticipated to substantially change the existing operations on either roadway.
- I5-5** The commenter asks why the historic house is being saved as part of the project. As discussed in Section 4.4, Cultural and Tribal Cultural Resources, of the Draft EIR, the property located at 12702 Oak Knoll Road (Harmon House) is eligible as a City of Poway Category C building, making it a CEQA historical resource.
- A Built Environment Inventory and Evaluation Report (BEIER) was prepared for the project and is included as Appendix E of the Draft EIR. According to the BEIER, a Category C building is a good example of a period of architecture design or construction with a commonplace design and appears to be an important resource. with substantial alterations that have severely compromised its historic, cultural,

or architectural significance. The Harmon House meets the minimum requirements of a Category C building, as it does embody some the character-defining feature of the rock house typology but its integrity has been diminished due to the 1974 addition at the north rear and other smaller alterations, such as window replacements.

Because the Harmon House is a historical resource under CEQA, mitigation measures are proposed to ensure the proper treatment of historical resources on the project site (**Mitigation Measure [MM] CUL-1** and **MM-CUL-2**, provided in full in Section 4.4.6 of the Draft EIR). As part of **MM-CUL-1**, impacts to the Harmon House shall be avoided and the structure shall be protected during all phases of construction of the proposed project. The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I5-6

The commenter mentions that they had a phone call with the project applicant team, and the commenter has unresolved questions. A member of the project team met with the commenter on December 20, 2023 to resolve non-CEQA questions. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any revisions to the Final EIR.

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Monday, December 18, 2023 1:30 PM
To: David Shepherd; Hayley Ward; Ranie Hunter; Vanessa Scheidel
Cc: Stan Donn
Subject: FW: Harmon Ranch Comments - A bad deal for Poway

From: Tim Handley <tim.handley@mindfulmammoth.com>
Sent: Tuesday, December 12, 2023 6:42 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch Comments - A bad deal for Poway

You don't often get email from tim.handley@mindfulmammoth.com. Learn why this is important
EXTERNAL EMAIL

Mr. Salgado,

Based on the state of the world, the current draft EIR, and my personal knowledge of Poway - I believe the Harmon Ranch project would be a win for developers at the expense of current and future Poway residents. Given that there are many obvious ways to create a more healthy and sustainable development, one much better than the current proposal, the Harmon Ranch project seems an inexplicably bad deal for Poway.

16-1

We, the people of Poway and California, are facing multiple simultaneous crises - housing, climate change, disinformation, traffic, health care, and more. The Harmon Ranch development would exacerbate housing issues and increase local traffic while doing nothing for climate, traffic, or health care. The small quantity of million-dollar-plus homes would be far outside the budget of most people in the county, including myself. The proposed open spaces would be nice, as would the handful of public parking spaces, but they're really just candy to camouflage the profiteering poison that is the Harmon Ranch development.

16-2

When I moved to Poway in June, in the course of two weeks of searching, I found only one apartment in Poway that was within my price range. Today, I experimented with Zillow's Affordability Calculator, and it told me that I could afford a house up to \$310K - a pittance in a county where the median home listing price is \$949K (according to realtor.com). And I am a highly-educated human, privileged to have an annual income more than double the county median. This is a housing crisis indeed.

16-3

Is this who we want to be? A place where even the wealthy can only just barely get by? A place where one must be a one-percenter to own a home? This is shameful. It is also dangerous - not dangerous to the rich, but to all the hundreds of thousands of humans whose lives are diminished by these entirely solvable crises.

Somewhat cynically, the draft EIR notes that, "None of the residential homes are below market rate (BMR) housing" (Appendix M, page 12). On that same page, in row T-4 where one is supposed to describe mitigation measures for improving the affordability of housing - the EIR lists zero measures. This is a self-serving lack of imagination. A clear error in the draft EIR. There are countless ways of improving the affordability of this development while also bringing actual good to the people of Poway and San Diego County.

16-4

Instead of single family homes, the project could create a modest apartment complex of 63 rental units. Such units could be made to be affordable. The affordability would be a small but real step towards solving the housing crisis. With the smaller footprint of this apartment development, there would be more land for open space. The people of Poway might then return some land to the Kumeyyay-lpay. Or create a community garden. Or a childcare center. Or a health clinic. Or one could build a public parking garage, close one side of Oak Knoll to on-street parking, create a turn lane down the middle of Oak Knoll, and thereby reduce the impacts of the 63 apartment units on local traffic. Any of these options would be better for Poway.

The Harmon Ranch development is an antiquated design drawn from a 1950's America, a time before the housing crisis and the climate crisis, a time when we didn't know any better. But today, we know better. Today, in the midst of multiple crises, we need something better. Rather than a profiteering development tying us to the errors of the past, we need a plan that launches us towards a better future.

Please, do better. Be better. All of us, both the living and unborn, deserve better than the current Harmon Ranch plan would offer.

Timothy Handley
12529 Oak Knoll Rd Apt 19
Poway, CA 92064

I
16-5
I

Response to Comment Letter I6

Timothy Handley
December 12, 2023

- I6-1** This comment is an introduction to comments that follow and expresses general opposition to the project. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any revisions to the Final EIR.
- I6-2** The commenter states that the project would exacerbate housing issues and increase local traffic. As discussed in Section 4.12, Population and Housing, of the Draft EIR, the project would not induce substantial unplanned population growth, and impacts would be less than significant. With regard to traffic, Section 4.15, Transportation, of the Draft EIR concludes that the project would have a less-than-significant impact to intersections and roadway segments with buildout of the project. However, impacts related to vehicle miles travelled (VMT) would be potentially significant, as the project's generated VMT would be above the regional VMT per capita threshold. Therefore, based on the applied significance criteria, the proposed project would contribute to a cumulatively considerable impact relative to VMT and impacts were determined to be significant and unavoidable. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I6-3** The commenter discusses concern over home prices in the City and the cost of living. Home prices for the proposed units on site have not been determined. The cost of homes would be evaluated based on the market at the time they are ready to sell. Home value and cost of living is not analyzed under CEQA, but rather the project's impacts on the environmental topics outlined in the Draft EIR. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. Because the comment does not raise issues related to the adequacy of the Draft EIR, it does not require any revisions to the Final EIR.
- I6-4** The commenter discusses Table 3.2, VMT Impact Feasible Mitigation, located in Appendix M of the Draft EIR, Transportation Impact Study. T-4, Integrate Affordable and Below Market Rate Housing, is listed as VMT mitigation but is deemed infeasible because none of the proposed residential homes are designated as affordable/low-income units.
- As stated in Section 3.4 of the Transportation Impact Study (Appendix M of the Draft EIR), if all potential Transportation Demand Management measures identified in the previous section (including Table 3.2) were fully realized, the project's VMT reduction would not be sufficient to reduce the VMT per capita below the regional threshold. Therefore, even with incorporation of all Transportation Demand Management measures, the project would still result in a significant and unavoidable impact to VMT. The commenter's reference to Appendix M is specific to VMT findings, not necessarily to affordable housing. Because no affordable/low-income units are proposed as part of the project, the applicant would be required to pay the City Housing In-Lieu Fee. Inclusion of affordable units was analyzed in the Draft EIR Alternatives chapter (Chapter 6), under the Density Bonus Alternative. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I6-5 The comment suggests an alternative of 63 apartment units on site instead of the proposed project. Please refer to Chapter 6, Alternatives, of the Draft EIR, which outlines project alternatives analyzed, including an existing zoning alternative (58 units) and a Density Bonus Alternative (92 units). As discussed in the Response to I6-4, because no affordable/low-income units are proposed as part of the project, the applicant would be required to pay the City Housing In-Lieu Fee. This comment serves as a conclusion to the letter and expresses general opposition to the project. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any revisions to the Final EIR.

Comment Letter 17

Hayley Ward

From: Hector Salgado <HSalgado@poway.org>
Sent: Monday, December 18, 2023 9:13 AM
To: David Shepherd; Hayley Ward; Vanessa Scheidel; Ranie Hunter
Cc: Stan Donn
Subject: FW: Harmon Ranch at Oak Knoll development

From: Buzz Mann <bandcmann@cox.net>
Sent: Sunday, December 17, 2023 3:54 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Harmon Ranch at Oak Knoll development

You don't often get email from bandcmann@cox.net. [Learn why this is important](#)

EXTERNAL EMAIL

Mr. Salgado,
My name is Buzz Mann, address 12711 La Vista Way in Poway adjacent to the Harmon Ranch project. I have notified the city of concerns regarding this progress in the past and am bringing up those concerns again on behalf of myself as well as at least the 4 residences at the end of the street next to Harmon Ranch.

17-1

Our continuing concern is the mitigation of rainwaters which flow eastward and have for at least 40 years drained into the field at the end of our road. We are very concerned that the development will result in an elevation change that will not give our area the drainage it needs, possibly resulting in flooding of our homes.

17-2

I've been told that some measures have been taken to avoid that. My biggest question is how can I see what is being proposed, and how can I/we insure that it actually takes place. Will the city of Poway be monitoring it?

17-3

Thanks in advance and I will be looking forward to hearing from you regarding our concerns.

Buzz Mann
858-231-9080

17-3

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Response to Comment Letter I7

Buzz Mann

December 17, 2023

I7-1 The commenter is a neighbor of the project site. This comment is an introduction to comments that follow.

I7-2 The comment voices concerns regarding drainage on the project site and how it will impact the neighboring residences. The commenter states that rainwater flows eastward and drains into the field at the end of their road on La Vista Way, and is concerned that the development of the project would result in an elevation change that could potentially flood their homes. The commenter asks what measures are being proposed to avoid potential flooding and whether the City will be monitoring it.

As mentioned in Response to Comment I1-1, the area in question directs its drainage eastward through Roca Grande Drive and the backyards of properties, at which point the drainage enters the site from its eastern boundary. The proposed project will preserve the existing off-site drainage pathways and capture the runoff that previously entered the site at two low points via proposed catch basins, which are adequately sized to handle 100-year peak flows. The collected runoff will then be conveyed through an on-site underground storm drain system. These proposed storm drain improvements are designed to safely collect and convey the 100-year peak flow without adversely impacting any of the existing off-site properties. The rough grading plans will specify the locations and required dimensions for these catch basins. Additionally, the City will verify that all construction adheres to the plans before issuing as-built documents. As outlined in Section 4.9, Hydrology and Water Quality, of the Draft EIR, because there would be no increase in runoff as a result of project development, there would be no negative impacts to downstream drainage facilities. Furthermore, in compliance with federal and state regulations, as well as municipal guidelines such as the City's Jurisdictional Runoff Management Program, Water Quality Improvement Plan, and Municipal Separate Storm Sewer System Permit, the proposed project would incorporate site design, structural, and source control best management practices to help minimize surface runoff and prevent flooding. With implementation of the proposed drainage improvements, and compliance with applicable regulations, the proposed project would not substantially increase the rate of surface runoff such that flooding would occur. The proposed drainage improvements would be a condition of approval for the project. The comment does not raise issues regarding any inadequacies of the Draft EIR and no revisions to the Final EIR are required. Please refer to the Drainage Study and Stormwater Quality Management Plan prepared for the project, which are included as Appendices I and J of the EIR, respectively.

I7-3 The comment serves as a conclusion to the letter. The comment does not identify specific areas where the Draft EIR is inadequate and does not require any revisions to the Final EIR.

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Comment Letter 18

December 19, 2023

Attn: Hector Delgado, Senior Planner

Development Services, City of Poway

Dear Mr. Delgado

Below are my public comments related to the Draft Environmental Impact Report (DEIR) for Harmon Ranch. Of particular concern is the omission of proposed construction methodology and potential impact, as described to the residents of Roca Grande Dr. by the Lennar hired geologist as noted in the first bullet below.

18-1

Below are my concerns that I would like to have addressed:

- Appendix G - Report indicates blasting will be used as part of the excavation process. The blasting type is not specified in the report. Per conversations with the geologist hired by the developer, blasting was not to be used. EIR should address the actual proposed rock excavation process, rock breaking, as communicated by the contractor geologist to residents of Roca Grande Drive. Specifically, the impact of rock breaking and whether it would result in cumulative considerable contribution to excess ground born vibrations.
- Please describe in greater detail construction dust mitigation strategy to keep loose soil from becoming airborne and impacting air quality for health reasons and overall dust accumulation in and on existing residential homes including those on Oak Knoll, La Vista and Roca Grande. Additional request for developer to create a mitigation plan to remove construction dust from existing residential solar panels (Roca Grande, La Vista and Oak Knoll), throughout the construction phases of demolition and grading. Excess construction dust will diminish solar energy production for existing residents. Diminished solar energy production will result in higher energy costs for existing residents with solar panels.
- Please provide additional descriptions of how water pressure will not be negatively impacted for residents of Roca Grande where a 6" water main will be connected to an 8" water line in the Harmon Ranch.
- Table 4.2-5 Construction Scenario Assumptions does not include dump trucks along with other construction equipment. The Health Risk Assessment should be updated to include additional pollution from dump trucks. Dump trucks are not listed in the equipment and appear to not be part of the calculation for Table 4.2. Increased dump truck traffic should be addressed.
- The population for Harmon Ranch project is listed as 191 in Table 1.1 Summary of Significant Effect and Mitigation Measures section TRA-1 and 183 in Appendix Q. Furthermore, section 4.13 Public Services Police Protection section notes approximately 184 people. There should be consistency in the expected population used for all analysis. Please describe the reason for the

18-2

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discrepancy in population. Re calculate anticipated environmental impacts using consistent population.

- Appendix Q - Population of children in the Harmon Ranch project is low as is projected at 3.12 people per residence. 36 children listed in Appendix Q is not realistic for 63 homes of the proposed size. Actual density/population of similar sized home development should be included in the DEIR for more realistic/accurate impact analysis on existing infrastructure and environment.
- Appendix Q – The Specific Plan Area noted to be served by Twin Peak Middle School as noted in Appendix Q. Section 4.13 Public Services section of DEIR lists Meadowbrook Middle School. Please describe the reason for inconsistency and make corrections/adjustments, if appropriate.
- Appendix R - Emergency Vehicle Access (EVA) off Roca Grande was not agreed to by residents on Roca Grande and is not required by the Poway Fire Department. References to EVA need to be removed throughout the document.
- Pedestrian traffic access from Harmon Ranch to Roca Grande is not addressed by the developer in their plan. Pedestrian traffic access to/from Harmon Ranch needs to be eliminated from Roca Grande. DEIR only mentions pedestrian traffic to Poway Road via sidewalk and not surrounding neighborhood.
- Traffic – Increased traffic in the area noted as an issue with current zoning (RS7) and proposed zoning change (PC). What is the compelling reason to consider a change to existing zoning (RS7) for this area? Mitigation plan to address traffic could be approval of single-story ranch style homes on slightly larger lots to reduce congestion and mitigate privacy issues created by 2 story home next to existing homes. This would align better with existing neighborhoods and provide traffic relief from the proposed PC density.
- OS R – Open Space (Northeast Corner) as proposed would adjacent to existing residential property. There is no mention of how the Harmon Ranch Homeowners Association (HOA) will maintain that area, ensuring it is free from litter and trash in addition to mitigation plans for eliminating pedestrian traffic onto Roca Grande, a private road.
- Storm water drainage plan from OS-R area in northeast corner is not described in the DEIR. Proposed solid vinyl Harmon Ranch fencing will impact runoff flow from the OS-R and mitigation plan is not noted for this specific area.
- Locations of Noise Measuring Stations (Figure 4.11-1) does not include a Noise Measuring Station near the existing hillside (northeast corner of planned development) where rock excavation and hillside grading create the greatest potential for noise and air quality pollution. Request consideration to place Noise Measuring Station in the northeastern section of the project to ensure compliance with noise ordinances.



Page 3 of 3 in Comment Letter I8

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Response to Comment Letter I8

Kathy Wright
December 19, 2023

I8-1 This comment is an introduction. The City acknowledges the comment as an introduction to comments that follow.

I8-2 The comment states that Appendix G of the Draft EIR, the Geotechnical Report, indicates that blasting will be used as part of the excavation process, which was not assessed in the Draft EIR. The comment then states that according to conversations with the developer's geologist, rock breaking would be used instead of blasting, which should be analyzed within the Draft EIR.

After further review of the soils testing data and a physical review of the site, the applicant and its grader have concluded that blasting will not be required. Instead, the rock will be broken over the course of several days with a D-349 excavation machine with a hammer and bucket. The rock-breaking operation will not result in any underground vibrations that could damage adjacent property. As a precautionary measure to prevent flying rock or debris from extending to adjacent properties, Lennar will install a high fence to contain all material on site.

The Geotechnical Investigation, dated June 15, 2022, was included as Appendix G of the Draft EIR. Within that Geotechnical Investigation, rock blasting was assumed to be the method that would be used. Since the preparation of that Geotechnical Investigation, the method has been updated to rock breaking. The Geotechnical Investigation has been updated (now dated January 2024) and will be included within the Final EIR as Appendix G. Please refer to Responses to Comments I9-7, I9-8, and I9-9 regarding noise from construction activities.

I8-3 The commenter requests that construction dust mitigation strategy be discussed in greater detail.

As discussed in Section 4.2.2 (Air Quality) of the Draft EIR under SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust, construction of the proposed project, primarily during earth-disturbing activities, may result in fugitive dust emissions that would be subject to San Diego Air Pollution Control District (SDAPCD) Rule 55. This rule regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles, and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project area. As outlined in the Air Quality and Greenhouse Gas Technical Report prepared for the project (Appendix B to the EIR), construction of the proposed project components would be subject to SDAPCD Rule 55, which requires that proposed construction include steps to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust that may be generated during proposed grading and construction activities. Dust control measures, such as use of water trucks, would be used as necessary.

In addition to SDAPCD Rule 55, the Draft EIR's **Mitigation Measure (MM) BIO-4** requires that "appropriate dust control measures (such as use of water trucks) should be implemented to reduce the amount of fugitive dust created by the project."

I8-4 The commenter states that the developer should create a mitigation plan to remove construction dust from existing residential solar panels through the construction phases of demolition and grading.

Construction dust impacts to existing structures are not analyzed under the California Environmental Quality Act (CEQA), but rather the project's impacts on the environmental topics outlined in the Draft EIR. Please refer to Response to Comment I8-3. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. The comment does not require any revisions to the Final EIR.

- I8-5** The commenter expresses concerns regarding water pressure for the neighboring development being negatively impacted by the proposed development. Water pressure is not analyzed under CEQA, but rather the project's impacts on the environmental topics outlined in the Draft EIR. Water supply is discussed within Section 4.16, Utilities and Service Systems, of the Draft EIR. An excerpt from page 4.16-15 of the Draft EIR has been provided below:

As stated in the Specific Plan, water demand was estimated using water demand factors provided in the City of Poway 2009 Water Master Plan. The estimated average potable water demand for the project is 19.34 gpm [gallons per minute] or 27,850 gallons per day (gpd) (Appendix N). The peak hour water demand for the project would be 57.44 gpm or 82,714 gpd. The City of Poway Water Master Plan requires a 1,500-gpm fire flow requirement and a minimum residual pressure of 20 psi [pounds per square inch] under maximum day demand plus fire flow in residential areas. As concluded in Appendix N, the proposed water system would be able to deliver 1,500 gpm fire flow and minimum residual pressure 20 psi, as required by the City.

The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. The comment does not require any revisions to the Final EIR.

- I8-6** The commenter states that Table 4.2-5, Construction Scenario Assumptions, of the Draft EIR does not include dump trucks among construction equipment. The commenter then states that the Health Risk Assessment and Air Quality Modeling need to be updated to include this increased truck traffic.

Table 4.2-5 discusses haul trucks (i.e., dump trucks) in the middle column titled One-Way Vehicle Trips. As stated in Table 4.2-5, the demolition phase of construction would include an estimated 40 total haul truck trips, and this assumption was used in the Air Quality and Greenhouse Gas Emission modeling, Health Risk Assessment modeling, and traffic modeling.

- I8-7** The comment states that the population for the project is estimated at 191 people in **MM-TRA-1** of the Draft EIR (located in Table 1-1 of Chapter 1, Executive Summary, and in Section 4.15, Transportation); 184 people in Section 4.13, Public Services, of the Draft EIR; and 183 people in Appendix Q (Specific Plan) of the Draft EIR. The commenter then asks for an explanation for these discrepancies.

The language in **MM-TRA-1** is from the Transportation Impact Study (TIS), which is included as Appendix M of the Draft EIR. The TIS assumed a household population of 2.99 people using U.S. Census Data for the average number of people per household in the City. The analysis in the Draft EIR assumed a household size of 2.92, using the U.S. Department of Finance's 2022 E-5 estimate. This Department of Finance estimate incorporates the 2020 Census counts. The Specific Plan assumed a household size of 3.12, using the Department of Finance's 2019 E-5 estimate. This estimate incorporates the 2010 Census counts. These slight differences in population were based on different household size

estimates used. The Final EIR has been revised to reflect 2.99 persons per household throughout the document, for consistency with the TIS and for the most conservative approach. This minor revision does not change any impact determinations of the EIR.

18-8 The comment states that the population of children listed in Appendix Q, 36, is not realistic for the project. The comment also states that accurate density/population of similar sizes homes should be included in the Draft EIR for more accurate analysis. Please see Response to Comment 18-7.

Please refer to Comment Letter A2 from the Poway Unified School District (PUSD) for a discussion of their student generation rates. As stated in Comment Letter A2, the student generation estimate (or “population of children”) would be 33 students. As discussed in Response to Comment Letter A2, revisions have been made in the Specific Plan and the Final EIR to reflect the most recent PUSD data.

18-9 The commenter states that Appendix Q of the Draft EIR identified Twin Peak Middle School as the assigned middle school while the Draft EIR identified Meadowbrook Middle School. Comment Letter A2, from the PUSD, states that Meadowbrook Middle School is the assigned middle school for the project. As such, the Specific Plan (Appendix Q of the Draft EIR) has been revised to reflect this information. Please refer to Response to Comment Letter A2.

18-10 The commenter states that the emergency vehicle access (EVA) off Roca Grande was not agreed to by residents and needs to be removed from Appendix R, Evacuation Plan, and from the Final EIR. The EVA off Roca Grande Drive was incorporated as a result of community request for an additional emergency access point/evacuation point from the project site. However, after further review with the Poway Fire Department and discussions with the homeowners on Roca Grande Drive, the EVA off Roca Grande Drive will not be included as part of final project design. The EVA has been removed from the final site plan and removed from text in the Evacuation Plan and Final EIR. This revision does not change any impact determinations of the EIR.

18-11 The commenter states that pedestrian traffic access from the project site to Roca Grande is not addressed and that the Draft EIR only mentions pedestrian traffic to Poway Road via sidewalk and does not include discussion of the surrounding neighborhood.

Pedestrian facilities are discussed in Section 4.15, Transportation, of the Draft EIR. Pedestrian facilities are discussed in the context of existing conditions in the project study area on page 4.15-3 of the Draft EIR and are discussed in the context of access to transit and pedestrian mobility through the use of sidewalks and trails on page 4.15-15 of the Draft EIR. Pedestrian access to/from Roca Grande is not proposed as part of the project. The fencing exhibit in the Specific Plan (Appendix Q of the EIR) has been updated to restrict access to Roca Grande (a private road).

18-12 The commenter states that the proposed zone change as part of the project would result in increased traffic in the area. The EIR analyzes the project as a whole, including the request for a General Plan Amendment and rezone of the site to Planned Community. The Local Transportation Assessment and TIS prepared for the project and included as Appendices L and M, respectively, of the EIR analyze both project traffic impacts and cumulative project traffic impacts.

18-13 The comment includes recommendations for redesign of project, including a different style of home and larger lot sizes. Project design (including lot sizes and home design) is not analyzed under CEQA,

but rather the project's impacts on the environmental topics outlined in the Draft EIR. The project, if approved, would be required to comply with the design guidelines outlined in the Harmon Ranch Specific Plan. The Poway City Council would review and ultimately approve or deny the project and associated Specific Plan. The comment does not raise issue with the adequacy of the Draft EIR and does not result in any revisions to the Final EIR.

18-14 The commenter states that the Draft EIR does not include information as to how the Home Owner's Association (HOA) will maintain the Open Space-Recreation (OS-R) area from debris, and how the project will eliminate pedestrian traffic onto Roca Grande. Please refer to the Harmon Ranch Specific Plan (Appendix Q to the EIR), which outlines HOA responsibility for maintenance requirements and inclusion in community covenants, conditions, and restrictions (CC&Rs). Maintenance of open space areas and allowable access would also be specified in the project's conditions of approval. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

18-15 The commenter states that the stormwater drainage plan from OS-R area in the northeast corner is not described in the Draft EIR. The OS-R area in the northeast corner of the site features a landscaped slope that drains toward a proposed brow ditch that would be situated at the slope's toe, just before the fencing. This brow ditch is designed to collect the 100-year runoff from the eastern section of the OS-R area, directing it to the on-site proposed catch basins on Roca Grande Drive, which then feed into the site's proposed storm drain system. Conversely, runoff from the OS-R area's western segment will be intercepted by proposed brow ditches at the slope's toe, guiding it westward to ultimately discharge on site into the existing channel. Details concerning the brow ditch and specific drainage strategies will be outlined in the rough grading plans and the final engineering drainage report. Section 4.9, Hydrology and Water Quality, of the Draft EIR describes the existing and proposed drainage of the project site in detail. This section of the Draft EIR also depicts the existing and proposed hydrology maps on Figures 4.9-1 and 4.9-4.

18-16 The commenter references Figure 4.11-1, Noise Measurement and Modeling Locations, from the Draft EIR and requests that a noise monitoring location be placed on the northeast section of the project site during construction of the project.

Figure 4.11-1 in the Draft EIR depicts the locations where short-term noise measurements were collected on May 4, 2022, to quantify and help characterize the existing pre-project outdoor sound environment. These locations are used for noise modeling purposes and are not long-term noise monitoring locations during construction of the project. The Noise Technical Report (Appendix K of the EIR) took into consideration requirements of the City of Poway Noise Municipal Code. As part of **MM-NOI-1**, outlined in Section 4.11, Noise, of the Draft EIR, prior to issuance of a Construction Permit, the applicant/construction contractor would be required to prepare a Construction Noise Management Plan (CNMP) for approval by the City Planning Division. The CNMP would include a detailed construction schedule, locations for noise level monitoring, and noise mitigation measures to be implemented based on collected noise level data. Additionally, as part of the CNMP, the applicant/construction contractor shall make available a telephone hotline so that concerned neighbors may call to report any noise-related issues. Please refer to Responses to Comments I9-8 and I9-9.

Comment Letter 19

Emily Carl
12724 Roca Grande Drive
Poway, CA 92064

December 22, 2023

Hector Salgado
Associate Planner
City of Poway
13325 Civic Center Drive
Poway, CA 92064

Subject: Public Review and Comment on the City of Poway's Harmon Ranch Draft EIR as made publically available at <https://poway.org/329/Recent-Projects-Environmental-Documents>

Dear Mr. Salgado:

Please accept my comments below to be addressed in the Final EIR.

The proposed EVA between the Site and Roca Grande Drive lacks the approval of Roca Grande Drive property owners

The presented Gated Emergency Vehicle Access (referenced in Exhibit 2.1: Illustrative Site Plan, Page 2-2 of the Harmon Ranch Specific Plan) for a connection between the Project Area from Roca Grande Drive looks to require a gate that swings open into Roca Grande Drive based on the placement of Site homes that butt up to Roca Grande Drive properties. In use, such a Gate would block driveway access to the existing single family residence residing on the SW corner of Roca Grande Drive. There is no evidence of there being any mitigation planning within the Harmon Ranch Specific Plan that minimizes or prevents a repercussion of issues falling on this Roca Grande Drive property owner.

While the idea of EVA access between these private communities might be desired by some Poway-local community members, its proposed design is woefully incomplete and contains a bias that favors specific residential lot placements within the Specific Plan Area Plan over what has historically existed on Roca Grande Drive.

Incomplete Disclosure of Existing Conditions - Roca Grande Drive's historical turnabout is completely ignored

The draft EIR contains an incomplete disclosure of reasonably ascertainable information pertaining the Site. The Site's development includes taking over a space of Harmon Family Trust land that has been commonly known for its use as a col-de-sac turn around on Roca Grande Drive for many years. Visible evidence to non Roca Grande Drive property owners is available in areal photographs as provided in Appendix H: PHASE I & II ENVIRONMENTAL SITE ASSESSMENT REPORT, pages 31 and 32.

The dead end of Roca Grande Drive has been servicing as a turn around for public service vehicles, private street owners' vehicles, and both personal and commercial trucks with tow loads, uncontested.

19-1

19-2

19-3

The current temporary fencing at the end of Roca Grande Drive was only recently put in place to accommodate the context of SDG&E contractors' use of the Harmon Family Trust property, and was not removed upon completion of that use; that fencing does not take in to consideration any pre-existing concerns of Roca Grand Drive property owners' assumptive knowledge that Roca Grande Drive is and always has been a private dead end street.

19-3
Cont.

Existing Conditions presented in 2.2 Setting and Existing Conditions page 2.3 of the Harmon Ranch Specific Plan does not include the long time use of Specific Plan Area property at the end of Roca Grande Drive for dead end street cul-de-sac turnaround, and thus the Draft EIR insufficiently addresses the historical and ongoing turnaround needs on Roca Grande Drive.

Proposed rezoning of RS-7 to area identified as OSR-6 is insufficient to satisfy the needs of the area

The Draft EIR does not sufficiently address and mitigate the impact of changing the specific area designated as OSR-6 to a zoning of Open Space Residential (OS-R) bringing with it what would be an unacceptable ongoing disturbance by a whole community of privileged users to a historically non-used peaceful buffer of native vegetation and views that all immediate neighboring properties have enjoyed since the inception of their neighboring property ownership. Nothing less than a protected rezoning to Open Space (OS) similar to what is being proposed for the tiny Northeast corner of the Specific Plan Area would marry the historic usage and views with the expectations of the immediate neighboring property owners to the East and Southeast moving forward.

19-4

While a small corner of the highest elevated portion of the Specific Plan Area (i.e. the Northeast corner) has a proposed rezoning from RS-7 to OS to be secured with a recorded deed, adjacent area bearing the same historical non-use, view, and native vegetation has a proposed rezoning to OS-R (designated as OSR-6) without any such security for perpetuity. Without enforceable controls put in place to plan for the perpetuity of the historical non-use and peacefulness of this area, the ultimate use will evolve at the whim of a whole community of users through the power given to its homeowners association with an inevitable disregard of the historical interests of the pre-existing neighboring property owners. That historic non-use featuring native vegetation and open views is critical to preserve a very unique and desired remnant of Poway's character as "City in the Country".

The Easterly border of the area designated as OSR-6 is directly attached to an RS-7 zoned single family residence property on Roca Grande Drive and is in direct line of site from the next private lot (higher in elevation) directly to its East. The Easterly border of OSR-6 features a private chainlink fence of the immediate neighbor's property. As proposed, both sides of this view-friendly fence are and will be sharing the same geologic sloping features based on the published Harmon Ranch Specific Plan. Regardless of the proposed Harmon Ranch Specific Plan, both sides of this fence have a significance in maintaining the historic "rural character" of the area. The Harmon Ranch Specific Plan, as published, does not contain specific design elements that support, honor, and enforce the perpetuity of the historical character and open views of this area.

The Southern border of the area designated as OSR-6 is directly attached to the private street of Roca Grande Drive. This dead end street has historically enjoyed non-obstructed views to the North and West. While Roca Grande Drive needs to be completely segregated from the Harmon Ranch development to the West, historical open space views must be maintained to the extent possible, which

in this case applies to Northerly views from the end of Roca Grande Drive. The Harmon Ranch Specific Plan, as published, does not contain specific design elements that support, honor, and enforce the perpetuity of the historical character and open views of this area.

Also not addressed within the Harmon Ranch Specific Plan is how the Southern border of the area designated as OSR-6 will deter foot traffic onto the private properties on Roca Grande Drive while at the same time maintaining historic open space views to the North.

Exhibit 2.7 - Conceptual Fence and Wall Plan in the Harmon Ranch Specific Plan does not include sufficient perimeter fencing to prevent pedestrian traffic to/from the adjacent street of Roca Grande Drive. The Specific Plan (as can be seen where the area designated as OSR-6 shares a perimeter line with Roca Grande Drive) does not responsibly thwart trespassing foot traffic into and out of the private properties residing on Roca Grande Drive and thus needs to be specifically addressed to the satisfaction of all Roca Grande Drive property owners.

19-4
Cont.

A Lack of Consideration for a Consistent Perpetuity -- Documentation regarding Second Story Balconies and Decks is incomplete

The Harmon Ranch Specific Plan lacks a lot plan illustration that explains the placement of lots as is necessary to visualize where "Other Residential Accessory Buildings & Structures" constraints are applicable (3.3.2 Residential Development Standards (R-SF) C. Other Residential Accessory Buildings & Structures page 3-14). Of specific interest to adjacent "existing residential lots" is "Second story balconies and decks" being prohibited on "Lots 6-17". Existing residential lots adjacent to the backyards of lots within the development should be those of mention, but that fact is unconfirmable with the documentation's shortfalls.

19-5

Also, there is no declaration of this restriction continuing in perpetuity. This restriction of balconies and decks needs to be secured for perpetuity to the highest extent possible. There is nothing within the Harmon Ranch Specific Plan to confirm the existence of such to the satisfaction of adjacent property owners.

Grading detail is incomplete and thus unable to fully appease concerns of immediate neighbors

The Draft EIR does not contain enough of a disclosure of the Site's grading plans to address the concerns of neighboring property owners, resultant from a lack of disclosure of the severity of and potential repercussions of the "required" blasting (as disclosed in the Geo technical Investigation, Appendix G). The rock formations identified as a part of the CUT areas: 4.9-3 Conceptual Cut and Fill Plan page 269, are a part of rock formations shared with neighboring properties (such as the City of Poway's Kumeyaay Ipai property and those with Northerly Roca Grande Drive addresses) and thus the obvious concerns of those specific neighboring property owners are currently unaddressed as it should be within the scope of the EIR.

19-6

The Geo technical Investigation reporting, in conjunction with there being no disclosure of the needed grading depths throughout the Site, leaves the public unable to assess the extent of what specific rock breaking, blasting, and other such specialized destructive activities for the cutting of rock, will be

19-7

needed and how the many potential repercussions (ground vibrations, noise, and the generation of dust that can be expected to be carried to the East in the prevailing winds) will be specifically mitigated to the satisfaction of the neighboring property owners.

Noise analysis is incomplete

The Noise Technical Report for the Harmon Ranch Project, Appendix K, does not take in to account the way sound originating in the Project Area (of importance because Thresholds of Significance will be breached in unspecified specific rock breaking activities) radiates out and upward to the rock pile to its Northeast corner and creates a compound effect to the Project's Northeast and Southeast.

The Noise Technical Report concludes that "the results indicate that potential impacts during construction would be less than significant with mitigation" page 26. And the mitigation measures in MM-NOI-1, pages 19 and 20, "would be implemented to reduce potentially significant impacts to less than significant". This document contains insufficient disclosure of specific mitigation measures to address the additive effect of construction phase sounds due to bouncing off of the existing Rock Pile (that looms above Westerly Roca Grande Drive properties) to the Project's Northeast. No noise sensor data is provided in the vicinity of Roca Grande Drive and LaVista Way to the South of the Rock Pile to establish a baseline with which to compare and test against those generated during the grading phase of Site construction.

Thank you for your consideration with the submission of these comments as public input on the Harmon Ranch Draft EIR. I would be happy to make myself available for further comment as needed or as may arise to best address issues requiring resolution before the Harmon Ranch Specific Plan is put before the City Council for approval.

Sincerely,



Emily Carl



Response to Comment Letter I9

Emily Carl

December 22, 2023

- I9-1** This comment is an introduction. The City acknowledges the comment as an introduction to comments that follow.
- I9-2** The comment expresses objections to the proposed emergency vehicle access (EVA) between the project site and Roca Grande Drive, and specifically expresses concerns regarding driveway access and the lack of approval from Roca Grande residents. The EVA off Roca Grande Drive was incorporated as a result of community feedback for an additional emergency access point/evacuation point from the project site and utilized an existing access easement, because Roca Grande is a private road. However, after further review with the Poway Fire Department and discussions with property owners, the EVA off Roca Grande Drive will not be included as part of final project design. The EVA has been removed from the final site plans and removed from text in the Evacuation Plan and the Final EIR. This revision does not change any impact determinations of the EIR.
- I9-3** The commenter discusses the dead end of Roca Grande Drive, and states that the Draft EIR insufficiently addressed the historical and ongoing turnabout needs on Roca Grande Drive. The Specific Plan has been adjusted to include a turnaround at the end of Roca Grande, within the project site. This revision does not change any impact determinations of the EIR.
- I9-4** The commenter discusses their objection to the rezoning from RS-7 to OSR-6. The project is proposing the site be rezoned from RS-7 to PC (Planned Community). The Specific Plan would designate areas of the site as both usable and preserved open space areas. OSR-6 under the Harmon Ranch Specific Plan would be developed as part of the project; however, the OS-3 area adjacent to OSR-6 would be preserved as a result of existing topography and sensitive cultural resources. Please see new Figure 3-7, Conceptual Landscape Plan, and Figure 3-8, Conceptual Fence and Wall Plan, of the Final EIR, which reflect final proposed landscaping and fencing for the Specific Plan area.
- I9-5** The comment discusses the proposed balconies and decks of the project and the lack of illustrations of these components in the Harmon Ranch Specific Plan (Appendix Q of the Draft EIR). Although this is not a CEQA issue, the Specific Plan does not permit decks and balconies on certain lots. Please refer to Chapter 3 of the Specific Plan, which confirms that second-story balconies and decks are prohibited on lots adjacent to existing residential lots (proposed lots 6–17). The project’s impacts on the existing aesthetics of the site and surrounding area are analyzed in Section 4.1, Aesthetics, of the EIR. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR.
- I9-6** The commenter states that the Draft EIR did not contain enough information regarding the project’s grading plan. The commenter also had concerns regarding the rock formations that are part of the cut areas of the grading plan and wanted those rock formations discussed in the EIR. Please refer to the Harmon Ranch Specific Plan (Appendix Q of the EIR). Except where there are existing rock outcroppings in the northeastern portion of the site, all exposed graded slopes would be planted with materials compatible with surrounding vegetation, as shown on the project’s landscape plan. The conceptual grading plan is included as Figure 4.9-2 of the EIR.

19-7 The comment states that the Geotechnical Investigation, in conjunction with there being no disclosure of the needed grading depths throughout the site, leaves the public unable to assess the extent of what specific rock breaking, blasting, and other such activities for the cutting of rock will be needed. The commenter also states that the Draft EIR does not discuss how impacts from ground vibrations, noise, and the generation of dust from these grading activities will be mitigated.

Grading depths are discussed on page 2 of the Geotechnical Investigation (Appendix G of the Draft EIR). An excerpt of the grading discussion is provided below (Appendix G, p. 2):

Grading will consist of maximum cut and fill depths of approximately 16 feet and 4 feet, respectively, not considering remedial grading. Cut and fill slopes with maximum heights of approximately 30 feet and 4 feet, respectively, are planned and designed at an inclination of 2:1 (horizontal:vertical) or flatter. Several retaining walls are shown on both properties that range from approximately 1-foot to 6-feet in height. A rear-yard retaining wall is shown along the south development boundary of the southern property to raise building pad elevations above the flood elevation of 447 feet (MSL [mean sea level]).

After further review of the soils testing data and a physical review of the site, the applicant and its grader have concluded that blasting will not be required. Instead, the rock will be broken over the course of several days with a D-349 excavation machine with a hammer and bucket. The rock-breaking operation will not result in any underground vibrations that could damage adjacent property. As a precautionary measure to prevent flying rock or debris from extending to adjacent properties, Lennar will install a high fence to contain all material on site.

The CEQA Guidelines define a project under CEQA as “the whole of the action” that may result either directly or indirectly in physical changes to the environment. Therefore, grading of the project site is included within the analysis of the project. Construction noise and groundborne vibrations during the construction phase are discussed in Section 4.11, Noise, of the Draft EIR. Grading is part of the construction phase of the project and is taken into consideration during the analysis of the construction phase.

Generation of dust is discussed in Section 4.2, Air Quality, of the Draft EIR. Discussions regarding particulate matter during the construction phase of the project include the dust resulting from grading activities.

19-8 The comment is in regard to the Noise Technical Report's analysis (Appendix K of the Draft EIR) and Section 4.11, Noise, of the Draft EIR. The commenter expresses concern about sound originating from the project area and its interaction with the rock pile to the northeast. While it is true that sound can reflect off surfaces and acoustically contribute at a listener position under the right conditions, the nature of the rock pile is important. Unlike a smooth, flat wall or building façade, rocky terrain tends to be porous and includes irregularly shaped surfaces, leading to sound diffraction, scattering, and absorption rather than high levels of acoustic reflection. The comment does not raise specific issues with the adequacy of the Draft EIR and does not result in any revisions to the Final EIR.

19-9 The comment questions the noise mitigation measure **MM-NOI-1** and expresses concern regarding construction sounds bouncing off the existing rock formation located to the northeast of the project site. The implementation of mitigation measures, such as the construction of a temporary noise barrier, has been modeled and shown to be effective. For example, the addition of an 8-foot-tall noise barrier at the project boundary results in an approximately 13-decibel reduction in predicted noise levels at

the residence at 12710 Roca Grande Drive. This demonstrates the feasibility and effectiveness of such mitigation measures to reduce potential noise impacts to less-than-significant levels. A new Construction Noise Model Sheet “RTC” as additional quantitative support for the expected temporary barrier mitigation performance is included in this document as Attachment A.

Concerning the reflection of sound over the temporary barrier and its interaction with the rock pile, the geometry and nature of the rock pile do not suggest a significant potential for sound reflection that would adversely impact the residences’ backyards. Additionally, any reflected sound path would be longer than the most direct source-to-receptor path and thus inherently involve more distance-based attenuation, further reducing its impact. The comment does not raise specific issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I9-10 The commenter discusses noise sensor data and baseline establishment. The absence of noise sensor data in the vicinity of Roca Grande Drive and La Vista Way is noted. However, due to similar geographic conditions, such as general proximity to local roadways, the existing sound environment measured at the Noise Technical Report location ST2 can reasonably represent that of Roca Grande Drive. The Noise Technical Report took into consideration requirements of the Noise sections of the City of Poway Municipal Code. The comment does not raise specific issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I9-11 The comment serves as a conclusion to the letter. The comment does not identify specific areas where the EIR is inadequate and does not require any revisions to the Final EIR.

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Comments/Questions Re: Harmon Ranch EIR

1 Executive Summary

1.1 Description

The Harmon Ranch project (proposed project) consists of approximately 11.5 acres and includes a total of 63 new single-family homes, associated site improvements, and retention of the existing historic home (see Figure 1.1, Site Plan). The project proposes approximately 5.7 acres designated for residential development, a 0.25-acre historic home site, 3.2 acres of open space areas, 1.9 acres for private streets, and 0.5 acres of public right-of-way (Oak Knoll Road). The proposed project would include 63 single-family detached homes plus the 1 existing historic home on site for a total of 64 lots within the Specific Plan boundary. The proposed density is 8.8 dwelling units/acre (64 total residential lots/7.26-acre net project area not including private streets), which is just over the existing RS-7 designation density. The proposed project is located in the southern portion of the City, along Oak Knoll Road, south of Poway Road and west of Carriage Road.

I10-1

The parcels in this project are zoned RS-7, which has a maximum density of 8 residential units/acre. The specific plan density is derived by a different formula than what is used by the city of Poway to determine density in residential zoned parcels. Thus the "proposed 8.8 dwelling units/acre" is not "just over the existing RS-7 designation density because a different formula is used to calculate specific plan density than RS-7 density. If the same formula were to be used, the density of Harmon Ranch would be around 11 houses per acre. If full street widths, as required in RS-7 developments, were to be used, the density of the Harmon Ranch Plan would be over 12 units per acre, which is greater than a 50% increase in the maximum density allowed under the current zoning.

The Harmon Ranch Specific Plan does serve the housing needs of a very limited group of people who have an income significantly above the median income in San Diego County. As it will not contain any affordable housing, it will not have any housing that meets Poway's inclusionary housing ordinance, nor will it meet any of the low income or moderate income RHNA (regional housing needs assessment) units that Poway needs to build in this housing cycle.

The GPA will create a new single family zone that rewards a developer for not building any inclusionary affordable housing in their projects. That new zone will also undermine state laws that incentivize developers for building inclusionary affordable housing units. Note that Lennar has built 160 houses in The Farm and is asking to build 63 houses at Harmon Ranch without building a single very low, low or moderate income in either project. They are only building houses that meet the "above moderate" part of the RHNA. This new zone will be a disincentive for Lennar and other builders to build housing that meets the RHNA mandate.

I10-2

Specific Plan and Zone Reclassification

The existing General Plan Land Use and Zoning Map designates the entire project site as "Residential Single-Family 7 (RS-7)" (City of Poway 1991). A General Plan amendment and zone change would be processed concurrently with the Specific Plan to designate the project site as "Planned Community (PC)." The amendment consists of both a map amendment and a zoning text amendment. In addition, a new section would be added to the Zoning Ordinance that briefly describes the Harmon Ranch Planned Community. This designation and zoning would be consistent with other specific plan areas throughout the City.

Harmon Ranch Project EIR 14452
November 2023 1-1

The Harmon Ranch Specific Plan would not be consistent with Poway's General Plan. It requires a General Plan Amendment and a zoning change. But that amendment and zoning change will not make the Harmon Ranch Specific Plan consistent with the General Plan. It will significantly change the General Plan by adding a new residential zone that allows a smaller lot size and narrower streets with insufficient street parking. This zone would not be a one-time use, so the impact of this General Plan Amendment could be enormous and would require a new EIR for the General Plan. This EIR is insufficient because it only addresses the impact of this zoning change on the Harmon' parcels and does not take into consideration the full impact of a new zone added to the Poway General Plan.

The General Plan amendment would create a new residential zone with smaller lot sizes than that currently allowed. But this new zone would not prohibit developers from also using the bonus density law to further increase density on a parcel. Poway does not need to change their general plan to smaller lot sizes, because developers already have a tool (the bonus density law) to increase density. The tiny lot sizes would allow developers to use the bonus density law to exceed the height limits in Poway to fit in all of their units. This could have severe impacts that are not mitigated by this Harmon Ranch EIR.

1.5 Project Alternatives

Existing Zoning Alternative

The Existing Zoning Alternative would have the project site retain its original zoning designation, Residential Single Family 7 (RS-7), instead of changing its zoning to Planned Community (PC). RS-7 zones in the City of Poway permit single-family homes on a minimum of 4,500-square-foot lots and a maximum density of 8 dwelling units per acre (City of Poway 1991). Since the residential project area is 7.26 acres, that means that the project site could have a maximum of 58 housing units, five fewer than the proposed project's goal of 63 units. Although fewer units would be developed, the footprint of disturbance to construct the reduced number of residences would be roughly the same as the proposed project, since the lot sizes would be larger.

The Existing Zoning Alternative would be consistent with the General Plan and would not create a new zone that would incentivize developers to not build affordable housing in Poway. The existing zoning alternative is also the better environmental choice.

Eliminating the cut and fill of Metate Hill would also be consistent with the General Plan. It would be less noisy and the air would be less polluted during the lengthy period required to move that much dirt. It also would be better for Metate Hill, if the foot of it was not cut away and used as fill.

About that math- RS7 zoning is calculated on the buildable area minus the street and sidewalks. The parcels must meet lot size and width criteria. The buildable area is 5.7 acres according to your first paragraph. At 8 houses per acre, The number of housing units that can be fit in using the current RS-7

I10-3

I10-4

I10-5

zoning is likely 40 or less, not 58 units. These homes will likely be smaller than the 3000 sq ft units envisioned in the HRSP (Harmon Ranch Specific Plan). These houses may therefore be more affordable than the 3000 sq ft houses. As Poway has very few houses that are selling for less than a million dollars, it would add to the diversity of size and price of available housing in Poway.

I10-5
Cont.

Building to the current specifications for RS-7 would mean to put a full width street in and sidewalks. This will make more parking available in an area heavily impacted by too many cars and not enough parking spaces. Sidewalks will make the area safer for pedestrians and encourage walking.

There will also be more space on each parcel for children to play in and for adults to use. The open space on the parcel will also help to soak up rain, and slow the run-off in what is a 100 yr flood plain. Poway's General Plan calls for low density housing in the 100 yr floodplain. The Harmon Ranch project project will be the most dense single family home density anywhere in Poway, not what is called for in the General Plan on a flood plain.

I10-6

Oak Knoll Rd may not be an "all weather road" as it is also in the floodplain. And, it will be more prone to flooding with 2 ½ft of fill on the sides of Oak Knoll Rd. Adding higher density housing and more cars in an area prone to flooding is not only unsafe, it is unwise. Poway's General Plan does not allow a development where the access road is not an all-weather road.

Density Bonus Alternative

Under the **Density Bonus Alternative**, the project site would be developed with up to 92 lots utilizing the state's density Bonus Program. Four (4) of the proposed 92 units under this Alternative would be designated as very low-income units. The 92 units would be single-family homes, with internal circulation and approximately 4,500 square feet of open space recreation area. This Alternative would use the allowed Density Bonus concession request to reduce the zoned minimum lot sizes for the site from 4,500 square feet to 2,400 square feet.

A developer may acquire the right to develop at a specific density under State of California Density Bonus Law (Government Code Sections 65915 - 65918). The State of California's Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City is required to implement these state requirements. The project proposes 63 total single-family homes, which is fewer than the 92 allowed under the density bonus.

I10-7

With approval of the Density Bonus, the City may not legally require a reduced number of units the applicant is permitted to construct below the 92 single-family units proposed under this Alternative. This Alternative would provide affordable housing on site to help satisfy the state and City's current and future demand for housing.

The math appears to be incorrect on the existing zoning alternative. Likely it is also incorrect on the density bonus alternative. Thus, the EIR did not accurately consider these other options. The EIR is flawed.

Despite whether the numbers are accurate or inaccurate, why should a developer get rewarded with an increase in density for not building affordable housing? Giving this density increase for not building affordable housing would undermine state laws which increase density for building affordable housing.

I10-8

Table 1-1. Summary of Significant Effects and Mitigation Measures

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
Air Quality			
AQ-1	The proposed project would result in DPM emissions during construction.	<p>MM-AQ-1 During project construction, the City of Poway shall ensure that the project contractor adheres to the following measures to reduce diesel particulate emissions, including, but not limited to:</p> <ul style="list-style-type: none"> a. All construction equipment greater than 50 horsepower shall be equipped with Tier 4 Interim diesel engines or better. Engines less than 50 horsepower shall be powered by electricity or natural gas (or other alternative fuel). b. The engine size of construction equipment shall be the minimum size suitable for the required job. c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest number is operating at any one time. d. Construction equipment shall be maintained in tune per the manufacturer's specifications. e. The prime contractor will provide the City of Poway verification of equipment type used during construction. 	Less-than-Significant Impact

I10-9

If this is anything like Lennar's other project in north Poway, a great number of people in south Poway are going to suffer from noise and pollution from the cut and fill operations, which are inconsistent with Poway's General Plan.

The additional development potential achieved by cutting away the base of Metate Hill is not worth the health impacts that would occur to achieve it.

BIO-CU-2	The proposed project would potentially contribute to the cumulative impact to riparian habitat or other sensitive natural communities.	<p>MM-BIO-1 (see mitigation measure outlined above)</p> <p>MM-BIO-2 (see mitigation measure outlined above)</p> <p>MM-BIO-4 (see mitigation measure outlined above)</p> <p>MM-BIO-5 (see mitigation measure outlined above)</p>	Less-than-Significant Impact
BIO-CU-3	The proposed project would potentially contribute to the cumulative impact to jurisdictional waters and wetlands.	<p>MM-BIO-1 (see mitigation measure outlined above)</p> <p>MM-BIO-2 (see mitigation measure outlined above)</p> <p>MM-BIO-4 (see mitigation measure outlined above)</p> <p>MM-BIO-5 (see mitigation measure outlined above)</p>	Less-than-Significant Impact
BIO-5	Indirect impacts to the wetland and riparian habitat could potentially occur as a result of the proposed project.	<p>MM-BIO-1 (see mitigation measure outlined above)</p> <p>MM-BIO-2 (see mitigation measure outlined above)</p> <p>MM-BIO-4 (see mitigation measure outlined above)</p> <p>MM-BIO-5 (see mitigation measure outlined above)</p>	Less-than-Significant Impact

I10-10

Parts of the Harmon Ranch parcel are in the floodway, other parts are in the floodplain. None of the mitigation measures explains how there will not be a cumulative impact to neighboring parcels on the creek or to other parcels further downstream.

When the parcels next to the creek (west of Carriage) were built, the soil level was raised, and when it rained, the runoff damaged property at 12643 Oak Knoll. If you raise the soil level on the other side of this parcel, how will you protect that parcel from further damage?

I10-11

Because of Lennar's drainage failures in The Farm area, I don't really have confidence in the storm water plan. What happens if the electricity goes out and the pumps fail? Is there a back-up generator? What if the pumps fail? The area could get flooded rather quickly and without notice.

I10-12

Poway's General Plan calls for lower density housing on a floodplain, Lennar's plan would put the highest density single family housing in all of Poway on a floodplain.

I10-13

NOI-1	The project could result in potentially significant construction noise impacts upon existing residences in the project vicinity.	MM-NOI-1 Prior to the issuance of a Construction Permit, the project applicant/owner or construction contractor shall prepare and submit to the City of Poway Planning Division for its review and approval a Construction Noise Management Plan (CNMP). Prior to the issuance of a Construction Permit, construction plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a qualified acoustician (retained at the project applicant/owner or construction contractor's expense) and feature the following: 1. A detailed construction schedule, at daily (or weekly, if activities during each day of the week are typical) resolution and correlating to areas or zones of on-site project construction activities and the anticipated equipment types and quantities involved. Information shall include expected hours of actual operation per day for each type of equipment per phase and indication of anticipated concurrent construction activities on site.	Less-than-Significant Impact
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I10-14

The EIR deals with keeping the noise level below 75 decibels for 8 hours, but it doesn't consider activities that will increase the noise levels to above 75 decibels for shorter periods of time, or how to mitigate those impacts. Nor does it consider how listening to sustained noise levels over long periods of time (weeks, months) contributes to mental health, and how to mitigate those impacts. In particular, the noise levels from cutting back Metate Hill have not been evaluated, in comparison to not cutting back the hill. Will it require grinding rock? Blasting? How long will it take?

I10-15

Transportation			
TRA-1	The proposed project would generate a VMT per capita over the regional threshold.	MM-TRA-1 Provide Community-Based Travel Planning. The project HOA would provide alternative modes of transportation information to residents and tenant as a part of the "New Resident" or "New Tenant" package. The HOA will also provide residents with transit schedules within the area, and alert residents when new transit services are added, or services are changed. The HOA will also act as Travel Advisor, providing new residents and tenants with information regarding how members of households can travel in alternative ways that meet their needs. Based on US Census data, the average people per household within the City is 2.99. Therefore, the project would be anticipated to have a total of 191 residents (2.99 people per household X 64 units). All project residents would be targeted with the CBTP. (191 CBTP Targeted Residences/191 Total Residents) x 19% x 12% x 1 = 2.3% VMT Reduction.	Significant and Unavoidable Impact

I10-16

This type of dense housing belongs in an area where there is good public transportation. No improvements in public transportation are planned in the area. Some of the impact can be avoided by building according to the General Plan and not to the Specific Plan.

Page 6 of 24 in Comment Letter I10

Harmon Ranch EIR 4 Consistency with the General Plan
Comments from Chris Cruse

California state law requires that Specific Plans be consistent with general plans, and with other specific plans.

I10-17

There is no specific chapter in the Harmon Ranch EIR that solely addresses the consistency of the Harmon Ranch Specific Plan with Poway's General Plan. Consistency is mentioned in Chapter 4

under specific plan areas throughout the city.

As described in Chapter 3 of this EIR, Government Code Section 65453(a) authorizes local jurisdictions to adopt specific plans as a tool for the systematic implementation of the general plan. A specific plan must be consistent with the adopted general plan, but can provide a unique set of land uses, design regulations, and development standards not permitted under a city's existing zoning or by a city's current standards. By allowing greater flexibility, development patterns can be specifically tailored to the characteristics of a site, including creative design concepts, density ranges that differ from a city's zoning code, specially designed roadways, and a mix of uses unique to the specific plan area. Specific plans may be adopted, in whole or in part, by either resolution or by ordinance. The Harmon Ranch Specific Plan would be adopted by resolution and ordinance. All development and improvements constructed within the Specific Plan area would be required to be consistent with the City's General Plan, the Specific Plan, and the tentative map(s).

Once again, I do not know where the writers of this EIR came up with these descriptions of a Specific Plan. Here is, once again, California Government Code Section 65453a.

I10-18

65453. (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.

(b) A specific plan may be repealed in the same manner as it is required to be amended.

Specific Plans are intended to implement the General Plan in a more specific way, not to undermine them or to change all of the development rules for the benefit of the developer. And, indeed, the Harmon Ranch Specific Plan requires a General Plan amendment to rewrite the rules in the current general plan.

The reason Powegians incorporated as a city 43 years ago was because they did not like the planning decisions made by the county. One in particular was that the county allowed high density development in the 100 year floodplain. After incorporation, when the city wrote Poway's General Plan, it specified that there would only be low density development in the 100 yr flood plain. The HRSP is asking for higher density development than what is allowed in the current General Plan.

I10-19

Another very important part of Poway's General Plan is the preservation of "the city in the country". GOAL I IT IS THE GOAL OF THE CITY OF POWAY TO PRESERVE POWAY'S UNIQUE AND DESIRABLE CHARACTER AS THE CITY IN THE COUNTRY AND TO MAINTAIN HIGH QUALITY DESIGN AND ENVIRONMENTAL STANDARDS IN ALL NEW DEVELOPMENT AND REDEVELOPMENT

Although this EIR did use the CEQA definition of "urban" to denote that all of Poway is classified as "urban", it failed to note that preserving the rural character that is embraced throughout the general plan. The massiveness of the development in relationship to the openness of space in the Harmon Ranch Specific Plan is inconsistent with that character. Even the apartments adjacent to the Harmon Ranch parcel have more visual open space than this Harmon Ranch Plan where houses are so close together and all open space is hillsides, wetlands, and drainage, and there is nothing like a pool or playground for recreational use, or even a space for kids to creatively play together.

I10-20

The GPA is not consistent with the goals and policies of the current general plan. None of the inconsistencies in the letter I sent for the scoping were addressed.

I10-21

Additionally, Specific Plans are inconsistent with our general plan because the rules in Specific Plan have a 10% squish factor and also allow the director of development services to define new rules and determine whether or not something is "substantially consistent". The general plan has more objective rules. When it says the setback is "x feet", any change (variance) requires a majority vote of the legislative body, not the subjective judgment of the director of development services. The Harmon Ranch Specific Plan is inconsistent with state law which requires all specific plans to be amended only by the legislative body, not a staff person.

Harmon Ranch Specific Plan

Chapter Seven

agent of the property owner shall file an Administrative Adjustment application whenever any one of the following deviations from the provisions of this Specific Plan is proposed:

- (1) Alteration of a condition of approval for an approved Conditional Use Permit or development agreement.
- (2) Reduction of required setbacks by up to 10 percent.
- (3) Other Standards. A reduction in any other numeric development standard, excluding density or height, not exceeding 10 percent.

The Director shall reserve the right to refer any proposed alteration, reduction, or other adjustment to the City Council for consideration.

I10-22

The GPA is not consistent with the goals and policies of the current general plan. Many of the inconsistencies in the letter I sent for the scoping were not addressed:

I10-23

California State Law requires that all specific plans be consistent with a city's General Plan.

Below are statements from Poway's General Plan, and questions about the Harmon Specific Plan's consistency or ability to meet the General Plan Goals.

Policy B- Subdivision Design

Subdivisions should be designed to ensure that future land development supports the goals of the General Plan.

Strategies

"New development should be of density and design compatible with surrounding existing development."

"Lot size and shape should allow for properly spaced buildings, provide areas for landscaping and reduce conflicts between incompatible uses."

The density of the Harmon Ranch does not match the general plan requirements for RS-7 zoning. The street size and sidewalk requirements do not match, nor do the front, side and rear setbacks meet the RS-7 requirements. The density of the Harmon Ranch specific plan is about 50% greater than the general plan specifications for RS-7 parcels that meet street width, sidewalk specifications and front, rear and side yard setback requirements.

There are 4 houses in the Harmon Ranch Specific Plan butted up to each parcel in the adjacent subdivision. How is this compatible with existing development or consistent with general plan specifications for RS-7 zoned parcels?

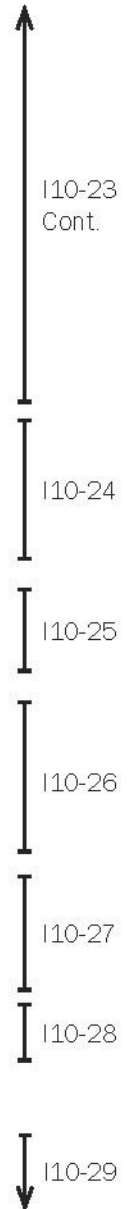
The specific plan does not state the actual number of houses that could be built on these parcels using the current RS-7 zoning requirement. It only states the number of units allowed by the specific plan which the Harmons and the developer made up. How many houses could be built on the parcels without a specific plan, by following the current Poway laws and general plan, including current density, street width, sidewalk requirements, back, front and sideyard setbacks?

Why should the city approve a specific plan that gives the developer more houses that are allowed by the general plan? This will force the city to also give any other developer the right to use greater density and different setbacks and street widths and sidewalks. In effect, this specific plan will gut Poway's general plan. What is the purpose of obliterating the general plan?

The EIR must take into account the greater density that would have to be approved for all RS-7 property owners if this plan is approved.

Policy C- Site Design

Attractive, efficient site design shall be required of all development.



"The layout of a site should consider the planning of adjoining parcels to ensure visual and functional compatibility of surrounding development."

How will increasing the density so that it is greater than what is allowed under the General Plan make traffic more efficient on Oak Knoll Rd. Oak Knoll Rd probably has the highest residential density of anywhere in the city. What measures will mitigate the effect of so many driveways spilling traffic on to Oak Knoll Rd?

"Intermediate ridges and hilltops shall be preserved in a natural state to the maximum extent possible"

"Front yard setbacks should be varied to create greater solar access, to provide more useful private open space in side yards and avoid a monotonous pattern of houses."

Is there any private space in the side yards?
Is the pattern of houses monotonous? Like sardines in a can?

"At least 25 percent of all lots within a subdivision shall provide sufficient side yard area and setbacks for recreational vehicle parking."

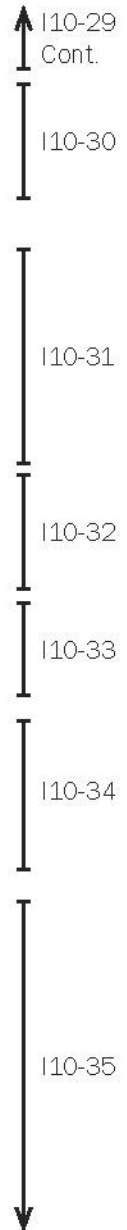
Does the Harmon Specific Plan meet this criteria?

"Private open space should be provided adjacent to dwelling units." Does the Harmon Specific Plan meet this requirement? (note: The HRSP redefines "private open space" to something different than what is in the current General Plan.)

Policy D- Grading
Necessary grading should be done so as to minimize the disturbance to the site and the environmental and aesthetic impacts."

Will the natural contours of the land be changed?
Will the soil level be raised next to the creek, changing the flooding risk for other parcels?

Policy E- Interior Circulation and Parking
"Adequate, safe and efficient on-site circulation and parking areas should be provided for vehicles, which do not conflict with pedestrian areas or visually dominate the appearance of the development."
Why should this development be built to the standards of a multi-family development in Poway?
What is the reason to waive the full street widths and sidewalk requirements for RS-7 zoning? If the city does it for this project, it would mean they have to do it for all RS-7 projects. What would be the cumulative effect of changing RS-7 to multi-family street and sidewalk development criteria?
Why does the pedestrian trail end in the parking area of a car/tire business? There must be a better connection then having pedestrians have to walk through an unsafe parking lot.



The parking requirements are being met by garage parking and driveway parking, but residents can convert their garages to ADUs. Is there sufficient parking to accommodate garage conversions?

I10-35
Cont.

Policy F- Architecture

"All public and private buildings, except those in the South Poway industrial park shall be compatible with the City's small town character and image."

Residential areas should be comprised of custom homes or homes that simulate custom homes to every extent feasible. Tract subdivision construction shall conform with the following:

There shall be sufficient number of exterior architectural elevation designs and interior floor plans to promote and achieve housing variety and the objective of simulating custom home development. The number of designs and floor plans shall be commensurate with the total number of lots in the subdivision pursuant to the Zoning Ordinance;

Rooflines should vary in angle and height to provide a changing profile and should emphasize the natural land forms in the vicinity and help blend the structure into the natural environment.

The use of side entry or rear garages is encouraged." Do the Harmon Ranch houses meet these goals?

I10-36

Floodplains and Floodways

"Land within the 100 yr floodplain should be designated for low density residential and open space uses."

Development in the 100 year floodplain may be approved if the following conditions are met.....Information certifying that no upstream or downstream changes to the 100 yr floodplain will occur must be submitted by a qualified civil or hydrological engineer."

I10-37

Policy C-Land Use and Transportation

Ensure that the City's transportation system does not become overburdened

"Avoid approving any development that will increase the traffic on a City roadway above the existing design capacity at Level of Service C unless traffic/roadway design mitigation is available and/or will be implemented to achieve the desired Level of Service. Or if no feasible alternatives are available, cumulative land use impacts on roadways should be assessed to ascertain the contribution of each new use being considered."

"Prohibit development which will result in Level of Service E or F at any intersection unless no feasible alternative exists and an overriding public need can be demonstrated."

I10-38

What is the overriding public need that would allow you to increase density and development intensity for an RS-7 parcel? Is there really any overriding PUBLIC reason to increase density about 50% for all RS-7 zoning? It seems like the only reason to do so is personal profit. But the EIR must consider the cumulative effect of changing density and setbacks, street width and sidewalks in all RS-7 zones.

I10-38
Cont.

"Developments which will result in a concentration of people (such as multi-family residential developments) should be located in proximity to commercial services and along primary roadway corridors or in other locations of high transit potential or access."

I10-39

Are there plans for bus service on Oak Knoll? Maybe that should be a requirement before adding such a high density project with multi-family street and sidewalk and setback designations.

"Continue to develop neighborhood parks in proximity to residential areas to encourage pedestrian travel to recreation areas."

I10-40

What happens if the homeowners in the HOA vote not to pay the maintenance fees of the park/ open space areas?

Is this going to be a passive park or will there be play equipment for children and/or adults?

Policy A- Parks

"A diversified, comprehensive park system should be provided for the residents of Poway, utilizing adopted standards, contemporary concepts and planning strategies."

I10-41

The city has built no new parks in the last 18 years There really are not enough dedicated parks to meet the needs of current residents, much less the number of new residents already planned for.

"Seek to ensure that every neighborhood is served within a one-half mile radius by an elementary school site or park."

I10-42

Is there sufficient space in a near by school?

"Neighborhood parks shall serve as the day-to-day recreational areas of the City. These facilities should include playgrounds, playing fields, and turf areas where local residents can enjoy the outdoors in a safe and refreshing environment."

I10-43

Are there enough parks to meet the needs of Harmon Ranch residents and other new residents?

I think this is park space, not open space that is used for drainage requirements or is part of the creek or for parking. Is there sufficient park space in this project?

I10-44

What provisions will be made to ensure the private parks will be available in perpetuity?

I 110-45

Policy B- Waterways

"The natural character of creeks and channels should be maintained or restored to the greatest extent possible with consideration for maintaining adequate flood protection."

Strategies:

"Public access to creeks, via trails, paths, and greenways shall be encouraged to the extent possible without negatively impacting riparian habitat value"

I 110-46

Is there a trail along the creek?

Harmon Ranch Draft EIR
Chapter 3 Comments from Chris Cruse

3 - Project Description

Maintenance and operation of the community would be financed through a Community Association that would be responsible for all private streets, private utilities, and common amenities, as well as for the long-term maintenance and preservation of open space resources on the project site. The Community Association would also be required to contract with qualified professionals for the long-term care and maintenance of the bioretention basins, which are described in more detail below. The Community Association would also be responsible for enforcement of the Community Association's Covenants, Conditions, and Restrictions to ensure compliance with the Specific Plan. The proposed community trail along Streets A and C and the Poway Creek Overlook are required to be open to the public (refer to Figure 3-1). Accessory dwelling units are permissible as required by state law.

I10-47

What if the Community Association fails? Several HOAs, including one in Poway's Golden City West, have failed or dissolved over time. In Golden City West, the common recreation area was then sold to several private companies and churches after the HOA bailed. It was privatized, and the uses changed. What prevents that from happening here?

Recently, in one of Lennar's The Farm Specific Plan, a developer requested a CUP to override a deed restriction. And the Director of Development Services was poised to grant that CUP. That CUP would prevent the possible selling of privately owned open space to some entity that uses it for other purposes than allowed in the Specific Plan? What would prevent the director of development services from ministerially approving a CUP to change the original purpose of anything in this plan?

I10-48

Do you plan to build accessory dwelling units? Where would you put them? Why should the city allow Lennar (or any other developer) to have smaller lot sizes as state law allows the developer to also build accessory dwelling units. The smaller lot sizes, reduced setbacks and internal and external ADUs overwhelm those smaller lots and add increases in traffic and parking spaces that may be allowed, but just don't exist in the current infrastructure. With Lennar's redefinitions of "open space" and "lot

I10-49

Private streets without parking (Streets A and C) would consist of a 33-foot-wide private road easement. The paved section of the roadway would include a 24-foot travel-way (one lane in each direction) measured from curb to curb. A 5-foot sidewalk would be provided on one side. Shade trees would be planted in the private front yards, protected with a recorded 6-foot wide landscape easement. Street E would be composed of a 24-foot travel-way (one lane in each direction) with no parking or sidewalk for the short segment serving two residential lots.

I10-50

An 8-foot-wide segment of the Community Trail would be located between Oak Knoll Road and the north portion of the project site. As planned in the Poway General Plan, the Community Trail may connect to the Towne Center Plaza in the future. The Community Trail would be located along Streets A and a portion of Street C.

coverage" requirements, these smaller lots create a mass of dwelling units without very little real open space that is a big part of what Powegians refer to as "country" in our motto "the city in the country".

I10-50
Cont.

Project Circulation

As depicted on Figure 3-2, Conceptual Mobility and Parking Plan, the project site circulation would be composed of three unique private street designs (Streets A & C, B & D and E). Private streets are intentionally designed as low-speed streets to promote pedestrian and bicyclist mobility. A sidewalk or Community Trail would be provided on one side of Private Streets A, B, C and D. Travel lane widths would be a minimum of 24 feet as required for fire access and curved alignments would create a physical condition that reduces driver comfort and forces slower speeds. Low speeds would also allow the private streets to be shared with low-speed vehicles and bicycles. The internal street system would consist of two types of private streets, private streets with an 8-foot parallel parking lane on one side and private streets without parking. The Community Trail would be located along Street A and a portion of Street C and a sidewalk would be provided along Streets B and D.

Private streets with parking (Streets B and D) would consist of a 41-foot-wide private road easement. The paved section of the roadway would include a 24-foot travel-way (one lane in each direction) plus an 8-foot parking lane on one side for a total dimension of 32 feet from curb to curb. The parking lane would be accompanied by a 5-foot sidewalk on one side. Shade trees would be planted in the private front yards, protected with a recorded 6-foot wide landscape easement.

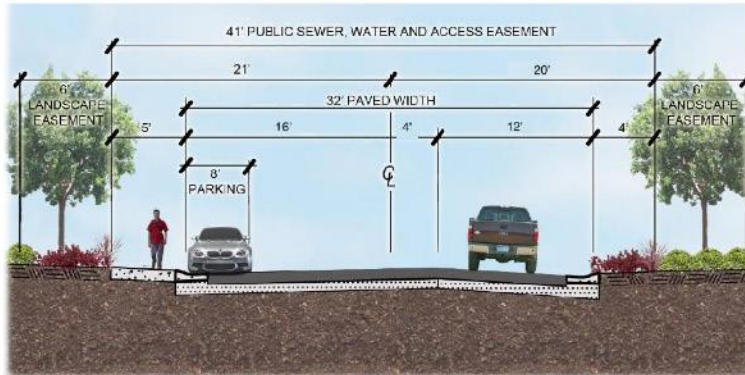
Private streets without parking (Streets A and C) would consist of a 33-foot-wide private road easement. The paved section of the roadway would include a 24-foot travel-way (one lane in each direction) measured from curb to curb. A 5-foot sidewalk would be provided on one side. Shade trees would be planted in the private front yards, protected with a recorded 6-foot wide landscape easement. Street E would be composed of a 24-foot travel-way (one lane in each direction) with no parking or sidewalk for the short segment serving two residential lots.

An 8-foot-wide segment of the Community Trail would be located between Oak Knoll Road and the north portion of the project site. As planned in the Poway General Plan, the Community Trail may connect to the Towne Center Plaza in the future. The Community Trail would be located along Streets A and a portion of Street C.

These streets do not meet Poway General Plan specifications for urban streets which are required for all residential zones RS-4 and above.

The streets are not capable of handling the parking needs of similar neighborhoods.

I10-51



The drawing of the Specific Plan is labeled "Not To Scale" which is true, but also very misleading. The 5' ft sidewalk appears larger than the 8' ft parking area. And the 8 ft parking area should take up about half of the 16 ft paved width.

The 32 ft paved width looks to include 2 ft gutters on each side of the street, making the actually paved area about 28 ft wide. Granted, someone could park in the gutter area. The actual paved street width for both lanes will be about 20 ft. wide, 10 ft for each lane, 12 ft if you are counting the gutter which is pretty tight, especially because of the number of driveways on both sides. The driveways are 20 ft wide, of a 42 ft wide lot, on one side, and the opposite side also. On trash days, there will also be a trash truck collecting trash from cans left out in what are the guest parking spaces. I doubt a fire truck would get through on trash day. Many residents will also have difficulty getting by the trash truck on trash day. There just is not enough room. Drivers will have multiple visual impediments trying to see children or adults. There are no sidewalks on one side which is typical in multifamily housing but not in Poway's single family zones. crossing the street

I10-52

I10-53

I10-54

to get to the sidewalks on the other side. There are no sidewalks on one side which is typical in multifamily housing but not in Poway's single family zones.

I10-54
Cont.

PEDESTRIAN ROUTES

PATHWAYS

The "Community Trail" is adjacent to the street instead of "separated from automobile traffic" as defined in the General Plan.

The Community Trail does not connect to anything. It might be an asset connecting to public bus service if the buses ran every 15 minutes or so, and could be relied upon to get to the transfer station in Sabre Springs. But, right now, the Community Trail doesn't connect to anything. It is just a replacement for a sidewalk because it is located adjacent to the street. It also does not circulate around the whole development, so half the people would have to walk in the street for a ways to access it.

Pathways can be defined as pedestrian ways that are effectively separated from automobile traffic. Most sidewalks do not qualify as pathways, since they are normally adjacent to traffic lanes. Many sidewalk segments do not encourage pedestrian use because "slow" moving pedestrians do not mix well with higher speed vehicular traffic a few feet away. Often, sidewalks offer only a roundabout way to get to places, as they follow streets that are usually laid out in non-grid patterns. Pathways can encourage people to travel on foot, especially if they are well designed, include amenities such as landscaping and benches, and provide direct routes between major points of trip origin and destination. Poway has sidewalks on most streets, and a number of pathway links between streets and sidewalks; however, existing pathways are scattered within the City and do not constitute a comprehensive system.

I10-55

I10-56

IIRC, there was supposed to eventually be a trail alongside the creek. This would greatly benefit people in the area who would like to take a morning walk or jog along a route that has no traffic. Kids could also use a creekside trail to get to school.

The Pedestrian Element builds upon existing trails and activity center linkages that contribute to the ultimate

Project Parking

The proposed project would provide adequate parking within the project site to minimize impacts to existing residential streets in the vicinity and all parking would comply with the requirements of the City of Poway Municipal Code unless otherwise specified within the Specific Plan. Each residential unit would include a two-car garage and two additional uncovered driveway spaces. As described above, on-street parking is provided along certain private streets within the neighborhood to serve as additional guest parking for residents. See Figure 3-2 for street sections and parking locations within project site. Regulations regarding proposed project parking, including number of parking spaces, parking space dimensions, and permitted use of parking spaces, are provided in the Specific Plan (Appendix Q).

I10-57

Parking may "meet spec" but that won't really matter when there is not enough parking in reality. And the surrounding area is already deficient in parking on Oak Knoll.

3.2.5 Project Design Standards and Features

The Harmon Ranch Specific Plan prepared for the project site outlines land use development standards and design standards (Appendix Q to this EIR). The land use development standards regulate the distribution and intensity of land uses and establishes development standards that would govern all future development within the Specific Plan area. The design standards include architectural design guidelines that supplement the land use development standards. The design standards provide regulations for architectural style, open space design, and landscaping within the Specific Plan area. The proposed project would be required to comply with the land use development standards and all design standards outlined in the Specific Plan.

I10-58

Why not use the current general plan standards? What is the purpose of making up your own standards?

3.6 List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area

The following two projects were identified by the City as cumulative projects since they are anticipated to contribute traffic within the Specific Plan area. These projects are presented in Table 3-2

I10-59

This list does not consider the projects that will arise because of the GPA and the creation of a new single family zone which can raise density by 50% or more on current RS=7 parcels. That would require a General Plan EIR amendment to determine the potential impact. The Harmon Ranch Specific Plan is insufficient because it does not consider the potential impact of the creation of a new higher density zone for RS-7 parcels.

I10-60

Harmon Ranch EIR 4
Comments from Chris Cruse

where specific plan areas throughout the city.

As described in Chapter 3 of this EIR, Government Code Section 65453(a) authorizes local jurisdictions to adopt specific plans as a tool for the systematic implementation of the general plan. A specific plan must be consistent with the adopted general plan, but can provide a unique set of land uses, design regulations, and development standards not permitted under a city's existing zoning or by a city's current standards. By allowing greater flexibility, development patterns can be specifically tailored to the characteristics of a site, including creative design concepts, density ranges that differ from a city's zoning code, specially designed roadways, and a mix of uses unique to the specific plan area. Specific plans may be adopted, in whole or in part, by either resolution or by ordinance. The Harmon Ranch Specific Plan would be adopted by resolution and ordinance. All development and improvements constructed within the Specific Plan area would be required to be consistent with the City's General Plan, the Specific Plan, and the tentative map(s).

This is what Government Code Section 65453 (a) actual says:

65453. (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.
(b) A specific plan may be repealed in the same manner as it is required to be amended.

I10-61

I could find nowhere in Government Code Section 65450-65457 where the code said that a specific plan can "provide a unique set of land uses, design regulations, and development standards not permitted under the city's existing zoning or by a city's current standards." In fact, a specific plan is supposed to implement the general plan in a more specific way in an area, not be a total deviation from the General Plan.

Note also that 65453 (a) says that a specific plan shall be prepared, adopted, and amended in the same manner as a general plan. Was the Harmon Ranch Specific Plan prepared as a general plan was prepared? Or was it made by the developer, with zero input from residents?

Note also that the specific plan must be adopted and amended by a LEGISLATIVE body, not by the director of development services. The Harmon Ranch Specific Plan allows the director of development services to amend the specific plan. The director of development services is not a legislative body.

I10-62

**2009 California Government Code - Section 65450-65457 ::
Article 8. Specific Plans**

**GOVERNMENT CODE
SECTION 65450-65457**

65450. After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan.

65454. No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

I10-63

Did Poway's legislative body direct the planning agency to prepare the Harmon Ranch Specific Plan? What part of this Specific Plan was actually prepared by Poway staff?. I asked a planner for this project what was the actual calculation of housing units using RS-7 zoning for the Harmon Ranch parcel. The planner said he did not know, because he hadn't done the calculation. If the planner had not calculated that, how could the planning department have prepared the Harmon Ranch Specific Plan ?

4.1 – Aesthetics

In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

CEQA Section 21071 defines an "urbanized area" as "(a) an incorporated city that meets either of the following criteria: (1) Has a population of at least 100,000 persons, or (2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons." As of July 1, 2018, the U.S. Census Bureau estimated the population of Poway to be 49,704 persons (U.S. Census Bureau 2018a). While the City's population is under 100,000 persons, the City is contiguous with the City of San Diego, which was estimated to have a population of 1,425,976 persons as of July 1, 2018 (U.S. Census Bureau 2018b). Therefore, the City would be considered an urbanized area per CEQA and therefore the first question of this threshold would not apply to the proposed project, as it is directed at non-urbanized areas. CEQA Section 21071 also defines an urbanized area for unincorporated areas; however, the City is an incorporated city, so this definition was not considered.

I10-64

Just to be clear, using the CEQA definition, all of Poway is an urbanized area, correct? So, light-wise, this specific plan could be dropped anywhere in all of Poway without considering the degrading of the existing character or quality of public views, correct? Note that ALL specific plans also must be consistent with each other. Will this be consistent with the Old Coach Specific Plan?

I10-65

Exhibit 2.1, Illustrative Site Plan, in Appendix Q, represents a conceptual design solution that fulfills the vision of the Specific Plan. The Illustrative Site Plan conveys the intended design character and implements the development program permitted by the Specific Plan. The open space recreation areas shown reflect the anticipated land uses and enhance the neighborhood setting envisioned for the project. Recreational uses are distributed throughout the neighborhood and provide ample opportunities for gathering and recreation for residents. Floodways are set aside in separate open space lots to ensure they remain in their existing natural condition.

"Recreational uses are distributed throughout the neighborhood". Do you mean within the Harmon Ranch plan. There are no recreation uses in the HRSP. The open space areas are an actual creek, the steep side of Metate Hill that will be cut away, the storm water collection area, and a shade structure next to the creek. The surrounding neighborhoods are among the densest in Poway and there are very limited recreation opportunities in the neighborhood itself.

I10-66

The shade structure next to the creek is a pretty bit of landscaping, much as the "park" in front of the library is more landscaping than active or passive recreation area. The only "active" recreation appears to be a walking area around the storm drain detention basin. There are no recreation areas with play structures for children or where children or adults can engage in any kind of ball game. Note that adults do play some kind of horseshoe game in the lot by the creek. After development, that active recreation activity will also not be available.

I10-67

4.2 – Air Quality

The 2021 Regional Plan includes an SCS, as required by California SB 375 (Steinberg, 2008), for the San Diego region. This SCS describes coordinated transportation and land use planning that exceeds the state’s target for reducing per capita GHG emissions set by CARB. The state-mandated target is a 19% reduction—compared with 2005—in per capita GHG emissions from cars and light-duty trucks by 2035. The 2021 Regional Plan achieves a 20% reduction by then.

The 2021 Regional Plan also puts forth a forecasted development pattern that is driven by regional goals for sustainability, mobility, housing affordability, and economic prosperity.

Poway Comprehensive Plan: General Plan

The Poway Comprehensive Plan: General Plan (General Plan) includes the following policy and strategies to limit air pollution (City of Poway 1991):

Policy E – Air, Water and Soil Pollution: The City shall work locally and at the regional level to reduce air, water, and soil pollution within Poway.

- **Strategy 1:** Work closely with regional agencies to help control all forms of pollution.
- **Strategy 2:** Seek to promote a development pattern that reduces daily trips for shopping, school, and recreation.
- **Strategy 3:** Encourage ridesharing, the use of transit and other transportation systems management programs to reduce the number of vehicle miles traveled and traffic congestion.
- **Strategy 4:** Consider the use of clean fuel systems for new local government fleet vehicles.
- **Strategy 5:** Implement plans and programs to phase-in energy conservation improvements.
- **Strategy 6:** Investigate incentives and regulations to reduce emissions from swimming pools, residential and commercial water heating and heaters.

Does Poway have a plan to meet state mandates? Does Poway have a plan to implement these strategies? Poway does not have a CAP. Poway does not have a plan to reduce GHG. This project will increase GHG, and it is not mitigated by anything the city is doing, because the city has no CAP.

The cancer risk seems pretty high, But with mitigation, it drops to just under the CEQA threshold. But what if the project takes longer than expected, like breaking up the rock in The Farm is taking much longer than expected? Will the cancer risk stay below the threshold then?

Table 4.2-9. Construction Activity Health Risk Assessment Results

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Cancer Risk	Per Million	133.2	10.0	Potentially Significant
HIC	Not Applicable	0.08	1.0	Less than Significant

Source: Appendix B.

Notes: CEQA = California Environmental Quality Act; HIC = Chronic Hazard Index.

Harmon Ranch Project EIR
November 2023

14452
4.2-29

I10-68

I10-69

I10-70

SANDAG's Regional Plan is a regional growth-management strategy that targets per-capita GHG reduction from passenger vehicles and light-duty trucks in the San Diego region. The Regional Plan will integrate land use and transportation strategies to meet GHG emissions reduction targets that are forecasted to achieve the state's 2035 and 2050 GHG reduction goals. The Regional Plan incorporates local land use projections and circulation networks in city and county general plans. Typically, a project would be consistent with the Regional Plan if it does not exceed the underlying growth assumptions within the Regional Plan.

The HRSP does not consider the full impact of the GPA and zoning change which would have a significant impact on growth of GHG emissions in south Poway. A General Plan EIR would be necessary to calculate the impact.

I10-71

Harmon Ranch EIR comments from Chris Cruse
Chapter 6

If the current General Plan would allow 58 houses (which I doubt), why make all these general plan changes for a handful of houses? Stick with the general plan. Less GHG, less density, more parking, safer neighborhoods with sidewalks on both sides to encourage walking. Less grading, Less noise, far fewer cumulative effects from a general plan change. . . And there will be no need for a specific plan which allows all kinds of squishy decisions to be made by the director of development services after council approval. Existing Zoning Alternative 2 is the best plan, and consistent with Poway's General Plan. Over 200 residents have signed a petition asking the council to stick to the existing plan and not to approve the Harmon Ranch Specific Plan. The public does not support changing the General Plan to allow smaller lot sizes and decreased setbacks.

I10-72

The cumulative effects from a GPA creating a new zone with smaller lot sizes and decreased setbacks has not been addressed in the EIR. The GPA could have a significant effect on transportation, emergency services, and quality of life in Poway.

I10-73

Response to Comment Letter I10

Chris Cruse

December 27, 2023

I10-1 The comment states that the existing RS-7 zone calculates density in residential units per acre, while the Specific Plan and Draft EIR calculate density in dwelling units per acre (DU/acre). The commenter claims that the Specific Plan density is calculated using a different formula than the City uses to determine density. The comment then goes on to do their own calculations of the project's density yet does not cite how their numbers were derived. The comment states that the project would have a density that is more than 50% greater than the maximum density under the existing zoning.

To calculate the dwelling units (or residential units) per acre, one must first determine the developable acreage by subtracting the non-developable area from the total Specific Plan area. The total Specific Plan area is 11.51 acres. Therefore, the developable acreage of the project site is 7.26 acres (11.51 acres – 4.25 acres non-developable area = 7.26 acres). A complete land use summary is included in the Specific Plan as Exhibit 3.1. As stated on page 1-4 of the Draft EIR, RS-7 zones in the City of Poway permit single-family homes on a minimum of 4,500-square-foot lots and a maximum density of 8 DU/acre, making the maximum allowable number of housing units for the project site 58 units (7.26 developable acres × 8 DU/acre).

The proposed project would include 63 single-family detached homes and would preserve the 1 existing historic home on site, for a total of 64 homes within the Specific Plan boundary. Of the proposed 63 homes, 4 would be located south of Oak Knoll Road and 59 would be located north of Oak Knoll Road. The project is proposing 8.8 DU/acre (64 dwelling units / 7.26 developable acres = 8.8 DU/acre), which would be allowed under the proposed Planned Community zone (with the creation of a specific plan). Therefore, the project is proposing an approximately 10% increase in density, not an increase of more than 50%, as stated in the comment.

I10-2 The commenter discusses the lack of affordable housing as part of this project and discusses The Farm project. The comment asserts that a new zone is being created as part of the project and that this new zone would undermine state legislation to incentivize the creation of affordable housing.

As discussed in Response to Comment I6-4, because no affordable/low-income units are proposed as part of the project, the applicant will pay an in-lieu fee to the City that would go toward future low-income housing developments in the City. Payment of the in-lieu fee complies with Poway's Inclusionary Housing Ordinance.

The proposed Planned Community (PC) zone is not a new zone for Poway. The PC zone is applied to areas with Specific Plans, including but not limited to The Farm and The Poway Road Corridor. This zone is subject to local discretionary approvals.

As outlined in Section 6.6.3 of Chapter 6, Alternatives, of the EIR, a developer may acquire the right to develop at a specific density under State of California Density Bonus Law (California Government Code Sections 65915–65918). The state's Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions, or incentives and concessions in exchange for providing

affordable housing units in compliance with all current density bonus regulations. The City is required to implement these state requirements. The applicant is not utilizing the State Density Bonus or any state development incentives for this project, which would potentially mandate that the City allow the development of over 90 residential units.

I10-3 The comment states that the Harmon Ranch Specific Plan is not consistent with the City's General Plan. The comment also states that the Draft EIR is insufficient because it does not take into consideration the full impact of a new zone added to the City's General Plan and states the General Plan Amendment (GPA) would create a new residential zone.

As stated on page 4.10-9 of the Draft EIR, the Specific Plan includes a General Plan Consistency Analysis, which demonstrates it is consistent with applicable General Plan goals and policies. The General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q). Refer to Response to Comment I15-5 for a detailed response regarding analyzing all of the actions of the project in the Draft EIR, including the proposed rezone. The EIR analyzes the project as a whole, including the GPA and request for zone change. The City Council would be required to review and approve both the EIR and the Specific Plan. The Specific Plan does not allow for incorporation of density bonus incentives on site.

I10-4 The commenter discusses the bonus density law and states that the density bonus law could have severe impacts not mitigated by the project's EIR. The project does not propose inclusion of low-income housing in the development and therefore would not use the State Density Bonus incentives or waivers. A Density Bonus Alternative was included in the Draft EIR; the discussion of the Density Bonus Alternative is located on page 6-8 in Section 6 of the Draft EIR. Table 6-1 demonstrates that the Density Bonus Alternative would result in increased impacts compared to the proposed project. Because of this, the Density Bonus Alternative was not selected as the Environmentally Superior Alternative in Section 6.7 of the Draft EIR.

I10-5 The comment discusses the Existing Zoning Alternative, and states that the Existing Zoning Alternative would result in less grading, specifically to Metate Hill, and reduced air pollution and noise impacts. The commenter also shares opinions of how the Existing Zoning Alternative's design would compare to the project's design. The commenter also states that building to the current specifications for RS-7 would put a full-width street in and sidewalks, allowing for more parking and safer pedestrian access. A site plan has not been prepared and is not required for the Existing RS-7 Designation Alternative, and street width and sidewalk incorporation is speculative. Further, Metate Hill is not within the Specific Plan area, nor is it contiguous to the site. The Existing Zoning Alternative is described and analyzed in Section 6, Alternatives, of the Draft EIR. Table 6-1 demonstrates that the Existing Zoning Alternative would result in similar or reduced impacts compared to the project. As outlined in Chapter 6 of the EIR, the Existing Zoning Alternative would be considered the environmentally superior alternative. However, this alternative would cover the same development footprint as the proposed project to accommodate home sites and amenities. The Existing Zoning Alternative would also not meet all of the Project objectives to the same extent as the proposed Project. Furthermore, similar to the proposed project, under this alternative, a request for a Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in lieu of providing inclusionary/low-income housing. The comment does not raise issues regarding any inadequacies of the Draft EIR and no further response is required.

I10-6 The comment states that the project is located on a 100-year floodplain, and the City's General Plan calls for low-density housing in the 100-year floodplain. The comment also discusses flooding hazards within the project site and on Oak Knoll Road.

The project includes the construction of a detention facility designed to control the 100-year peak stormwater flow, ensuring that it aligns with pre-development levels. Consequently, this will prevent any increase in the 100-year stormwater discharge into the creek. The fill along Oak Knoll Road, intended to elevate a small portion of the site above the 100-year floodplain elevation, will not diminish the creek's capacity. It will minimally affect the floodplain's width, ensuring no adverse impact on the flood levels. In addition, Oak Knoll Road is already an "all weather road" located in the floodplain in some areas. The project will be required to obtain a Floodplain Development Permit for any improvements within a floodplain prior to receiving the grading permit. Finally, an elevation certificate is necessary after grading to ensure that all structures are constructed above the 100-year flood elevation, thereby adhering to floodplain management regulations and ensuring the safety and resilience of the development against flooding risks.

As discussed in Section 4.9, Hydrology and Water Quality, of the Draft EIR, according to the Federal Emergency Management Agency's Flood Insurance Rate Map panel for the project site, while most areas of the project site north of Oak Knoll Road are identified as minimal flood hazard areas, other portions of the project site are located within a 100-year Special Flood Hazard Area or a 500-year Moderate Flood Hazard Area. However, proposed grades for developed areas of the project site will be raised above the 500-year and 100-year floodplain elevations. Refer to Response to Comment I1-1 for a detailed discussion regarding improvements as part of the project that would reduce flooding risk.

I10-7 The comment states that the math appears to be incorrect when calculating the Existing Zoning Alternative and is likely wrong when calculating the Density Bonus Alternative and concludes that the Draft EIR is flawed. Refer to Response to Comment I15-15 for a detailed response regarding the math that was used to calculate the number of proposed homes as part of the Existing Zoning Alternative. The number of units under the Density Bonus Alternative were calculated using the state's Density Bonus Program base density calculation. The increase in density on site from 8 DU/acre to 8.8 DU/acre would ultimately be allowed under the zone change to Planned Community for the site, upon City Council approval of the proposed Harmon Ranch Specific Plan.

I10-8 The commenter expresses general opposition to the Bonus Density Law. Please see Response to Comment I15-21. The comment does not raise issues regarding any inadequacies of the Draft EIR.

I10-9 The commenter provides the Air Quality section of Table 1-1 from the Draft EIR and states that residents will suffer from noise and pollution from the cut-and-fill operations. The Draft EIR analyzed all impacts from both construction and operation of the project. Mitigation measures have been incorporated to reduce any potentially significant impacts related to air quality and noise. Please refer to the detailed air quality and noise analysis in Sections 4.2 and 4.11 of the EIR. Additionally, please refer to the Air Quality and Greenhouse Gas Technical Report and the Noise Technical Report, included as appendices B and K, respectively, to the EIR.

I10-10 The commenter provides the Biological Resources section of Table 1-1 from the Draft EIR, and states that none of the mitigation measures explain how there will not be a cumulative impact to the floodplain. Project and cumulative impacts to hydrology and water quality, which includes the

floodplain, are analyzed in Section 4.9, Hydrology and Water Quality, of the Draft EIR. As outlined in Section 4.9 of the Draft EIR, project impacts related to hydrology and water quality were determined to be less than significant. The cumulative study area for hydrology and water quality would be the boundaries of the Poway Creek subwatershed. The proposed project would replace three existing homes and a storage yard/staging areas with homes, roadways, open space amenities, and other associated infrastructure/facilities (as discussed in Chapter 3 of the Draft EIR). As a result, the proposed project would increase the amount of impermeable surfaces, which in turn would reduce the ability of the ground surface to absorb potential high-intensity surface runoff and surface water pollutants. The increase in impermeable surfaces would be incrementally greater than under existing conditions and could contribute to downstream impacts to Poway Creek. However, the proposed project would retain permeable surfaces, which would consist of open space, trails, and landscaped areas/slopes. The proposed drainage system, in combination with proposed best management practices (BMPs) outlined in Table 4.9-1 of the Draft EIR, would reduce downstream runoff volumes and flow rates to levels less than or equal to existing conditions.

I10-11 The commenter states that when the parcels next to the creek were built and the soil levels were raised, the runoff damaged property at 12643 Oak Knoll. Please refer to Response to Comment I10-10. As outlined in Section 4.9 of the Draft EIR, the project site's drainage area includes vegetative cover, non-vegetated pervious areas (i.e., the gravel storage yard/staging area), and impervious areas, and the project site currently accepts stormwater drainage from adjoining properties to the northeast. The project proposes 237,485 square feet of impervious area. Impervious features include residential structures, access roads, sidewalks, driveways and walkways. Pervious features include trails, open space, and landscaped areas. The proposed drainage improvements would respect the existing topography to the extent feasible, to minimize drainage impacts to existing neighborhoods surrounding the project site. The proposed grading and drainage improvements would drain stormwater directly to private streets. Once in the streets, stormwater would be collected by catch basins and a private system of pipes. These pipes would then convey water on the northern portion of the project site to an underground vault for hydromodification, which would detain and attenuate 100-year peak flows per City design standards. Post-attenuated flow would then release the stormwater into the City's existing system via proposed and existing pipes located adjacent to the project site on Oak Knoll Road. The proposed grading and drainage changes would comply with the Poway Municipal Code Grading Standards. Under existing conditions, all project site flows would ultimately flow through the existing box culvert and discharge into Poway Creek at the existing point of connection. The proposed drainage system, in combination with proposed BMPs outlined in Table 4.9-1 of the EIR, would reduce downstream runoff volumes and flow rates to levels less than or equal to existing conditions. Furthermore, it should be noted that the home and entire property at 12643 Oak Knoll Road is located completely within the floodway and floodplain. A portion of the proposed project property is in the floodplain and a small portion that will not be impacted is located in the floodway.

I10-12 The commenter refers to drainage failures of The Farm project and asks for more details on the stormwater drainage facilities in the case of a power outage. The proposed project will necessitate obtaining a Construction General Permit before commencement. This mandates the preparation of a stormwater pollution prevention plan (SWPPP) during the construction phase and prior to the installation of post-construction BMPs. The SWPPP will detail the necessary BMPs and their locations and types, tailored to the construction phase and specific site needs. Construction BMPs such as sediment basins, sediment traps, swales, and ditches will be designed in accordance with California

Stormwater Quality Association guidelines and the 2022 Construction General Permit requirements. Additionally, the developer will prepare contingency measures for any unforeseen site challenges or emergencies, such as a generator, backup pump, or other.

The stormwater drainage features are described in detail in Section 4.9, Hydrology and Water Quality, of the Draft EIR. A discussion from page 4.9-13 is provided below:

The project site grading plan for areas north of Oak Knoll Road is designed to drain all stormwater directly to on-site private streets (see Figures 4.9-4 and 4.9-5). Once in the street(s), stormwater would be collected by proposed catch basins and inlets and a system of private underground storm-drain pipes. These pipes would then convey the water to a series of biofiltration units and one underground vault for hydromodification that would release stormwater into the City's system via an off-site pipe connecting to a proposed storm drain on the south side of Oak Knoll Road. Proposed drainage conditions would convey runoff from the northern area of the southern portion of the project site (south of Oak Knoll Road) via overland flow towards a proposed biofiltration unit before comingling with flows in the existing 36-inch RCP [reinforced concrete pipe] and box culvert to the west. After biofiltration and/or hydromodification, all project site flows would drain into the box culvert and discharge into Poway Creek at the existing point of connection.

The stormwater drainage facilities and features proposed on site are designed to operate without electricity.

I10-13 The comment states that the City's General Plan calls for lower-density housing on a floodplain, and that the project would put the highest-density single-family housing in all of Poway on a floodplain. Please refer to Response to Comment I10-6. The proposed Harmon Ranch Specific Plan proposes a density of 8.8 DU/acre, which is slightly more than the 8 DU/acre density per the existing RS-7 zoning. The project proposes to develop five more single-family homes on site than currently allowed under the existing RS-7 zoning for the site.

I10-14 The comment states that the Draft EIR does not assess activities that will increase the noise levels to above 75 decibels (dB) for periods shorter than 8 hours. The comment also states that the Draft EIR does not consider mental health impacts to long periods of sustained noise levels. The Noise Technical Report addresses the concern of noise levels exceeding 75 A-weighted decibels (dBA) for periods shorter than 8 hours. In Section 2, it reproduces the City's permissible noise levels for varying durations within a 24-hour period when measured at residential property lines:

- Noise levels can reach up to 90 dBA for up to 15 minutes.
- Noise levels can reach up to 87 dBA for up to 30 minutes.
- Noise levels can reach up to 84 dBA for up to 1 hour.
- Noise levels can reach up to 81 dBA for up to 2 hours.
- Noise levels can reach up to 78 dBA for up to 4 hours.

These variations of the 8-hour threshold of 75 dBA equivalent noise level over a given period (L_{eq}) realistically allow for cumulative temporary periods during a workday when off-site construction noise exposure may exceed a magnitude of 75 dBA. Similarly, the industry-accepted Federal Highway

Administration Roadway Construction Noise Model, on which the project's construction noise predictions are based, applies "duty cycle" (a.k.a., "acoustical usage factor") values that acknowledge that on-site construction equipment is not operating at full power at all times and thus converts reference greatest sound level measured during a designated time interval or event (L_{max}) values into L_{eq} values that can be compared with the City's standards for impact assessment. **MM-NOI-1** requires development of a detailed Construction Noise Management Plan that will consider parameters such as equipment operation location and duration of activity, so that either 75 dBA 8-hour L_{eq} or any of the above metric variations can be shown (e.g., via sound level monitoring) as compliant when the Construction Noise Management Plan provisions and guidance are properly implemented during actual project construction.

- I10-15** The comment states that the Draft EIR did not evaluate the noise occurring in the northeast corner of the site during the grading period. It also asks whether this grading will require grinding or blasting of rock, and how long that would take. Refer to Response to Comment I8-2 and Responses to Comments I9-8 through I9-10 for detailed responses regarding noise during the construction period of the project.
- I10-16** The comment states that this density of housing belongs in an area with good public transportation. The comment also states that some of the impact can be avoided by building according to the General Plan and not according to the proposed Specific Plan. Public transportation in the vicinity of the project site is discussed in Section 4.15, Transportation, of the Draft EIR. A comparison of the project to the Existing Zoning Alternative is provided in Chapter 6, Alternatives. The project would complete minor off-site improvements, as required by the City, to connect the project site to the existing circulation system. As outlined in Section 4.15 of the EIR, all project impacts related to traffic and circulation were found to be less than significant with the exception of vehicle miles traveled (VMT). As outlined in Section 4.15 of the EIR, because the project's VMT per resident is above the regionwide average, impacts would be significant, and that despite implementation of **MM-TRA-1**, impacts would remain significant and unavoidable. Under the Existing Zoning Alternative, the VMT impact determination would remain the same as the proposed project's. Due to the project site being located in an urban setting and the limited options available to mitigate VMT impacts for residential projects, the Existing Zoning Alternative would still result in a significant and unavoidable transportation impact due to VMT.
- I10-17** The comment states that California State law requires that specific plans be consistent with general plans, and that the Draft EIR did not address the consistency between the Harmon Ranch Specific Plan and the City's General Plan. As stated in Section 4.10, Land Use and Planning, of the Draft EIR, the Specific Plan includes a General Plan Consistency Analysis, which demonstrates that it is consistent with applicable General Plan goals and policies. The General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q of the Draft EIR).
- I10-18** The commenter provides an excerpt of California Government Code Section 65453(a) and asks where the Draft EIR came up with the description of a Specific Plan. In response, the description in the Draft EIR is a summary explanation prepared by Dudek, the certified environmental consultant commissioned to prepare the Draft EIR. It is not portrayed as a verbatim citation from California Government Code Section 65453(a). As stated in Table 3-1 of the Project Description, Chapter 3 of the Draft EIR, the Specific Plan would require approval and adoption by the Poway City Council, which is a legislative body. The Harmon Ranch Specific Plan would be adopted by the Poway City Council by resolution and ordinance. All development and improvements constructed within the Specific Plan area would be required to be consistent with the City's General Plan, the adopted Specific Plan, and the

tentative map(s). Implementation of the Specific Plan would be consistent with the General Plan, as the project is proposing single-family housing on a site that is zoned for single-family housing. Section 3.2.2 of the EIR explains that the existing General Plan Land Use and Zoning Map designates the entire project site as “Residential Single-Family 7 (RS-7).” A General Plan Amendment and zone change would be processed concurrently with the Specific Plan to designate the project site as Planned Community (PC). The amendment consists of both a map amendment and a zoning text amendment. In addition, a new section would be added to the Zoning Ordinance that briefly describes the Harmon Ranch Planned Community. This designation and zoning would be consistent with other adopted specific plan areas throughout the City.

- I10-19** The commenter discusses the project’s location on a 100-year floodplain, and states that the project is proposing a higher density than what is allowed under the current General Plan. Refer to Responses to Comments I1-1 and I10-13 for detailed responses regarding the floodplain.
- I10-20** The commenter provides the goal of the City of Poway to preserve Poway’s character as the “city in the country,” and states that the size of the proposed project is inconsistent with the City’s character. The commenter also discusses the lack of visual open space and recreation area on site. The General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q to the EIR). The EIR analyzes both project impacts and cumulative project impacts to the existing environmental setting. As the commenter states, there is an apartment complex adjacent to the project site. The project site would be an infill development in a portion of the City that is largely developed with single-family homes, multi-family buildings, and businesses, as shown on Figure 1-2 in the EIR. Regarding the perceived lack of open space, the project would preserve portions of the site with sensitive biological and cultural resources, while also incorporating 1 acre of usable open space/recreation area for residents.
- I10-21** The commenter states that the GPA is not consistent with the goals and policies of the City’s General Plan. The commenter also mentions that they provided a comment letter during the scoping period, and the inconsistencies in the letter were not addressed. The comment letter mentioned by the commenter was included in Appendix A of the Draft EIR and was taken into consideration during preparation of the Draft EIR. A General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q to the EIR).
- I10-22** The comment states that specific plans in general are inconsistent with City’s General Plan. The comment also states that the Harmon Ranch Specific Plan is inconsistent with state law because specific plans are to be amended only by a legislative body. Section 7.3.8 of the Specific Plan discusses minor modifications (Section A) and amendments (Section B). Section B regarding amendments stipulates that amendments to the Specific Plan must be approved by the City Council in compliance with California Government Code Section 65453.
- I10-23** The comment starts with a repeat of comment I10-21. Refer to Response to Comment I10-21. The comment also lists policies and strategies from the City’s General Plan. A General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q to the EIR). The comment does not raise issues regarding any inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I10-24** The commenter discusses that the project does not match the RS-7 zoning, including requirements regarding density, setbacks, and street width. The project is proposing a GPA and zone change of the site from RS-7 to Planned Community. The Specific Plan prepared for the project identifies setbacks, density, design guidelines, and development regulations for the proposed project. The comment does not raise any issues related to inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-25** The comment states that there are four homes as part of the project that would abut the adjacent subdivision. The commenter then asks how this is compatible with the existing development or consistent with General Plan specifications for RS-7 zoned parcels. Please see Response to Comment I10-24.
- I10-26** The commenter states that the Specific Plan does not state the number of homes that could be built using the RS-7 zoning. The City’s Municipal Code sets forth ordinances for development within the RS-7 zone. Specific plans serve as stand-alone planning documents, replacing the General Plan and citywide zoning ordinance for the specific plan area, or (in this case) Planned Community zoning designation. The Draft EIR analyzes an Existing Zoning Alternative in Chapter 6. Under the Existing Zoning Alternative, RS-7 zones in the City permit single-family homes on a minimum of 4,500-square-foot lots and a maximum density of 8 DU/acre. Because the residential project area is 7.26 acres, the project site could have a maximum of 58 housing units, 5 fewer than 63 homes in the proposed project. Although fewer units would be developed utilizing the RS-7 zoning, the footprint of disturbance to construct the reduced number of residences would be roughly the same as the proposed project, because the lot sizes would be larger.
- I10-27** The commenter expresses general opposition to the use of a specific plan. The applicant is requesting a GPA and rezone as part of the project and proposed Specific Plan. City Council would ultimately approve or deny the project. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-28** The comment states that the EIR must take into account the greater density of the project compared to the existing zoning. The Draft EIR analyzes the potential for environmental impacts resulting from the project as a whole, as CEQA and the State CEQA Guidelines require. The project includes the zone change, as well as the GPA, adoption of the Specific Plan, and approval of the tentative map. An EIR is required to analyze the potential environmental impacts that would result from the zone change, as well as the other portions of the project, including adoption of the Specific Plan. CEQA requires that lead agencies undertake environmental review of proposed actions (such as a proposed zone change) prior to considering approval of such actions, and that environmental review analyze the whole of the project. Cumulative effects are analyzed throughout each environmental section of Chapter 4 of the Draft EIR.
- I10-29** The commenter provides Policy C – Site Design from the City’s General Plan. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-30** The commenter asks how increasing the density will make traffic more efficient on Oak Knoll Road and asks what measures will mitigate the effect of so many driveways on Oak Knoll Road. The Proposed project will not be adding any additional driveways on Oak Knoll Road. It will replace the one existing driveway that currently provides access to the site. The increased density within the project site will not

result in more efficient traffic patterns on Oak Knoll Road. However, based on the research and guidance provided in the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, an increase in residential density can reduce the number of trips and the distance a person travels in a day, resulting in a lower VMT output per person. Additionally, please refer to Response to Comment I3-1 for a detailed response on traffic. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I10-31** The commenter provides policies C 24 and C 25 from the City’s General Plan and asks questions regarding the design of the project. Refer to page 1-6 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-32** The commenter provides policy C 28 from the City’s General Plan and asks if the Specific Plan will meet this requirement. Refer to page 1-6 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-33** The commenter provides policy C 29 from the City’s General Plan and asks if the Specific Plan will meet this requirement. Refer to page 1-6 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-34** The commenter provides policy D from the City’s General Plan and asks if the Specific Plan will meet this requirement. Refer to page 1-6 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-35** The commenter provides policy E from the City’s General Plan, and asks various questions related to whether the Specific Plan will meet policy E. Refer to pages 1-6 and 1-7 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-36** The commenter provides Policy F from the City’s General Plan and asks various questions related to whether the Specific Plan will meet the goals of Policy F. Refer to page 1-7 of the Harmon Ranch Specific Plan for the General Plan Consistency Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-37** The commenter provides Floodplain and Floodways policies from page 46 of the City’s General Plan. Please refer to Response to Comment I10-6 regarding the Floodplain Development Permit. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I10-38** The commenter provides Policy C, Land Use and Transportation, and Strategies 1 and 2 from the City’s General Plan (page 47). The comment then goes on to express general opposition to the zone change and states that the EIR must consider the cumulative effect of changing density and setbacks, street width, and sidewalks in all RS-7 zones. The project is not proposing to make changes to density and

setbacks, street width, and sidewalks in all RS-7 zones. The project is rezoning this project site to Planned Community, which would implement the density, setbacks, street width, and sidewalks outlined in the Harmon Ranch Specific Plan. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-39 The commenter provides Policy C, Land Use and Transportation, and Strategy 3 from the City’s General Plan (page 47). The commenter asks if there are any plans for bus service on Oak Knoll Road and suggests it should be a requirement. As discussed in Section 4.15, Transportation, of the Draft EIR, San Diego Metropolitan Transit System bus routes 944, 945, and 945A currently provide services on Poway Road, with the closest stop to the project site located on Poway Road and the Countryside Apartments driveway, approximately 0.1 miles away from the project site. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-40 The commenter provides Policy C, Land Use and Transportation, and Strategy 4 from the City’s General Plan (page 47). The commenter then asks what happens if the homeowners in the Home Owner’s Association (HOA) vote not to pay the maintenance fee of the park or open space areas. HOAs are not analyzed under CEQA, and the discussion of an HOA is independent from the proposed actions of the project. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. Because the comment does not raise any issues regarding the adequacy of the Draft EIR, the comment does not require any revisions to the Final EIR.

The commenter also asks additional questions regarding the use the open spaces areas. The Draft EIR discusses recreational uses in Section 4.14, Recreation. The Draft EIR identifies various recreational facilities in the vicinity of the project and concludes that the project is not expected to result in substantial deterioration or adverse effects to existing parks or facilities in the City, and impacts would be less than significant. This section of the Draft EIR also states that 1 acre of the project site would consist of passive open space area and included uses such as gathering spaces, picnic pavilions, trails, and other outdoor land uses. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-41 The commenter provides Goal III, Policy A, from the City’s General Plan Public Facilities Element. The commenter then goes on to say there is not enough park space in the City and expresses concerns with the added residents from the project. Parks and Recreation are discussed in Sections 4.13 and 4.14 of the Draft EIR. As discussed on page 4.14-5, the proposed project would be required to dedicate 0.92 acres of parkland, per the City’s Municipal Code parkland dedication requirements. The project proposes 3.2 acres of open space area on site. Of the proposed 3.2 acres of open space area, approximately 1 acre would be designated as open space recreation area, and the proposed “outlook” would be open to the public. The project is not proposing to receive park credit for the proposed outlook; rather, the applicant would pay the in-lieu fee for parks to cover the required acreage, because the outlook open space area would be owned and maintained by the project HOA. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-42 The commenter asks if there is sufficient space in nearby schools to accommodate the project. Please refer to Comment Letter A2 from Poway Unified School District, which states that there is sufficient space in the Poway Unified School District to accommodate additional students from the project. The

comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-43 The commenter provides a quote from the City’s General Plan Public Facilities Element and asks if there is enough park space to meet the needs of Harmon Ranch residents. Please refer to Responses to Comments I10-40 and I10-41 for detailed responses related to parks. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-44 The commenter wants to ensure that the project’s park space is not open space, creek space, or space used for parking purposes. OSR-1 would be used as temporary parking for model homes during construction of the project. Please refer to Response to Comment I4-28 for additional information. The project is proposing preserved open space (OS 1-4) and open space areas (OSR 2-7) designed to provide active and passive recreation opportunities for Harmon Ranch residents and OSR-1 which is also open to the public. Drainage facilities will be underground so the ground-level open space would be available recreation space. Refer to Response to Comments I10-40 and I10-41 for detailed responses. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-45 The commenter asks what provisions will be made to ensure the private parks will be available in perpetuity. As stated in Chapter 3, Project Description, of the Draft EIR, parcels designated as open space recreation would only permit the uses identified in the Specific Plan, while parcels designated open space would be permanently preserved through deed restriction (page 3-2 of the Draft EIR). The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-46 The commenter provides Policy B, Waterways, and a strategy from the City’s General Plan stating, “Public access to creeks, via trails, paths, and greenways shall be encouraged to the extent possible without negatively impacting riparian habitat value.” The commenter then asks if there is a trail along the creek. The project is not proposing a trail along the creek due to the presence of sensitive biological habitat. However, OSR-1 will be developed with a passive picnic area and sidewalks; OS-1, which is the area adjacent to the creek, will be permanently preserved. As discussed in Chapter 3, Project Description, of the Draft EIR, an 8-foot-wide segment of the Community Trail would be located between Oak Knoll Road and the north portion of the project site. As planned in the Poway General Plan, the Community Trail may connect to the Towne Center Plaza in the future (page 3-4 of the Draft EIR). The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-47 The commenter provides an excerpt from the Project Description of the Draft EIR describing the Community Association. The commenter asks what will happen if the Community Association fails and describes other projects in the City. This is not a CEQA issue. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR.

I10-48 The commenter describes a different project, The Farm, and asks what would prevent the City of Poway Development Services from ministerially approving a conditional use permit to change the original purpose of anything in this Specific Plan. This is not a CEQA issue. The comment does not relate to any

physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. Further, CUPs cannot be approved ministerially.

- I10-49** The commenter asks if accessory dwelling units (ADUs) are part of this project. ADUs are not planned to be built as part of the project or under this Specific Plan. However, ADUs and junior accessory dwelling units (JADUs) are permitted on all residential lots to provide opportunities for multi-generational living and rental units that fulfill the need for diverse and more affordable housing options in accordance with Poway Municipal Code Section 17.08.180(A) and state law. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR.
- I10-50** The commenter provides an excerpt from Chapter 3, Project Description, of the Draft EIR describing project circulation. The commenter also expresses general opposition to the smaller lot size and reduced setbacks. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR.
- I10-51** The commenter provides an excerpt from Chapter 3 of the Draft EIR describing project circulation. The commenter also states that the streets do not meet the City’s General Plan specifications for urban streets, and the streets are not capable of handling the parking needs of similar neighborhoods. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR.
- I10-52** The commenter provides Exhibit 4.2 from the Specific Plan, Appendix Q of the Draft EIR, and makes comments related to the exhibit and the design of the streets. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR. Nonetheless, Exhibit 4.2 in the Specific Plan has been revised.
- I10-53** The commenter raises concerns regarding firetrucks being able to get through the streets of the project on trash day. In response, emergency access and fire protection service are outlined in Section 4.8, Hazards and Hazardous Materials; Section 4.13, Public Services; and Section 4.17, Wildfire, of the EIR. Poway Fire Department has necessary turnarounds and turnouts for fire apparatus access roads within the project area to provide access to all structures—all of which conform to the required diameter for turnarounds and turnouts. All new roads in the City—including any that would be constructed as part of the proposed project—must follow Poway Fire Department’s protocol to ensure adequate emergency access, as noted in the Draft EIR. Poway Fire Department would review and approve all final site plans prior to development.
- I10-54** The commenter raises concerns regarding sidewalks being only on one side of the street. The project would improve existing site frontage improvements along Oak Knoll Road with project development. Please refer to Section 4.15, Transportation, of the EIR, which analyzes pedestrian circulation. The comment does not raise any issue relating to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I10-55** The commenter discusses the Community Trail and claims it is a replacement for a sidewalk and does not lead to anything. As stated in Chapter 3, Project Description, of the Draft EIR, the Community Trail may connect to the Towne Center Plaza in the future, subject to the adjacent property owner’s

cooperation. The comment does not raise any issue relating to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I10-56 The commenter states that there was supposed to be a trail alongside the creek and discusses benefits of that trail. The project is not proposing a trail along the creek. The project would incorporate an open space “overlook” area adjacent to the creek that would be accessible to the public. The project would also include a Community Trail as described in Chapter 3 of the EIR. The comment does not raise any issues relating to the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I10-57 The commenter provides an excerpt from Chapter 3 of the Draft EIR describing project parking. The commenter claims that there is a parking deficit in the area and the project will not provide enough parking, even though the project meets the required number of parking spaces. Please refer to Section 4.15 of the EIR, which analyzes project parking requirements. The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I10-58 The commenter provides an excerpt from Chapter 3 of the Draft EIR describing project design standards and features. The commenter then goes on to ask why the project is not using the General Plan standards. The project is proposing a GPA and zone change of the site to Planned Community. If approved, the project would be required to comply with all design standards outlined in the Specific Plan prepared for the project area. Preparation of a Specific Plan allows for the creation of a plan that responds to the site’s unique constraints, while still implementing the goals and policy objectives in the General Plan.

I10-59 The commenter provides an excerpt from Chapter 3, Project Description, of the Draft EIR describing cumulative projects. The EIR analyzes cumulative impacts under each environmental resource topic throughout Chapter 4. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-60 The commenter states that the cumulative projects list does not include projects that will arise because of the GPA and the creation of a new single-family zone. The commenter also states that the project will raise the density allowed on current RS-7 parcels. The project does not propose changes to all RS-7 zones, nor to the Poway Zoning Ordinance. The project is requesting a zone change of the subject site to Planned Community, which is an existing zone within the Poway Zoning Ordinance. The design guidelines for this subject site would be guided by the proposed Harmon Ranch Specific Plan. The cumulative project list outlined in Chapter 3 of the EIR was provided by the City and includes similar projects in the project vicinity that could be developed around the same time as the proposed project. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-61 The comment states that they could not find that a specific plan can “provide a unique set of land uses, design regulations, and development standards not permitted under the city’s existing zoning or by a city’s current standards” in Government Code Section 65450–65457, which was quoted in the Draft EIR. The comment also states that a specific plan is supported to implement the general plan in a more specific way in an area and not be a total deviation from the General Plan.

Chapter 4 of the EIR is the Environmental Analysis, and it does not reference the Specific Plan, nor California Government Code Sections 65450–65457. Section 3.2.3 of the EIR states that California

Government Code Section 65453(a) authorizes local jurisdictions to adopt specific plans as a tool for the systematic implementation of the general plan. A specific plan must be consistent with the adopted general plan, but can provide a unique set of land uses, design regulations, and development standards not permitted under a city’s existing zoning or by a city’s current standards. By allowing greater flexibility, development patterns can be specifically tailored to the characteristics of a site, including creative design concepts, density ranges that differ from a city’s zoning code, specially designed roadways, and a mix of uses unique to the Specific Plan area. Specific Plans may be adopted, in whole or in part, by either resolution or by ordinance. The Harmon Ranch Specific Plan would be adopted by resolution and ordinance. All development and improvements constructed in the Specific Plan area would be required to be consistent with the City’s General Plan, the Specific Plan, and the tentative map(s).

This is the consultant’s description of a specific plan and not a verbatim citation from California Government Code Section 65453(a). Implementation of the Harmon Ranch Specific Plan would not be a “total deviation from the General Plan,” as the commenter states, because the project is proposing single-family housing on a site that is zoned for single-family housing. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-62 The comment states that a specific plan must be adopted and amended by a legislative body, and states that the Harmon Ranch Specific Plan allows the Director of Development Services, who is not a legislative body, to amend the Specific Plan. Please see Response to Comment I10-22. Specific Plan amendments would be subject to City Council review and approval.

I10-63 The comment provides California Government Code Sections 65450–65457. The commenter also states that they called a City planner who did not know how many units would be on the project site under the existing zoning. The commenter asks if Poway’s legislative body directed the planning agency to prepare the Specific Plan, and asked which part of the Specific Plan was prepared by Poway staff. In response, 58 single-family homes would be allowed under the existing zoning. The Specific Plan is drafted by the applicant as part of the entitlement application package. It is then reviewed by City staff. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-64 The commenter provides an excerpt from the impact analysis of Threshold C from Section 4.1, Aesthetics, of the Draft EIR. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-65 The comment states that if Poway is considered an urbanized area under CEQA, then this specific plan would be dropped anywhere in Poway without considering the degrading of the existing character or quality of public views. The analysis included in the Draft EIR is specific to this project site, and the Specific Plan is created for the area within the project site boundary. The Specific Plan for Harmon Ranch could not be applied to a different site because it is based on the analysis of this specific site. If referring to an alternative project location for the proposed Specific Plan, please refer to Section 6.5.1 of Chapter 6 of the EIR. The comment does not raise any issues regarding inadequacies of the EIR and no further response is required. The comment also states that specific plans must be consistent with each other and asks if this will be consistent with the Old Coach Specific Plan. In response, Section 3.2.2 of the EIR explains that the existing General Plan Land Use and Zoning Map designates the entire project site as “Residential Single-Family 7 (RS-7).” A GPA and zone change would be processed concurrently with the Specific Plan to designate the project site as “Planned Community (PC).” The

amendment consists of both a map amendment and a zoning text amendment. In addition, a new section would be added to the Zoning Ordinance that briefly describes the Harmon Ranch Planned Community. This designation and zoning would be consistent with other adopted specific plan areas throughout the City.

I10-66 The comment states that the project does not propose recreational uses and discusses limited recreational opportunities in the area. The comment also suggests that the stormwater basin would be unusable recreation space. The Draft EIR discusses recreational uses within Section 4.14, Recreation. The Draft EIR identifies various recreational facilities in the vicinity of the project and concludes that the project is not expected to result in substantial deterioration or adverse effects to existing parks or facilities within the City and impacts would be less than significant. This section of the Draft EIR also states that 1 acre of the project site would consist of open space recreation area and included uses such as specialty and community gardens, picnic pavilions, trails, and other outdoor uses. The project would include both usable and preserved open space areas. The 1 acre of usable open space/recreation area on site would be available to residents of the project, and the proposed “outlook” would be open to the public. Drainage facilities will be underground so the ground-level open space would be available recreation space. The project is not proposing to receive park credit for the proposed “outlook”; rather, the applicant would pay the in-lieu fee for parks to cover the required acreage, as the “outlook” open space area would be owned and maintained by the project HOA. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-67 The comment states that adults play horseshoe by the creek, and after development, that active recreation activity will not be available. Please see Response to Comment I10-66. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-68 The commenter provides an excerpt from the top of page 4.2-19 in Section 4.2, Air Quality, of the Draft EIR. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I10-69 The comment asks if the City has a plan to meet state mandates and if the City has a plan to implement the strategies within Policy E of the General Plan EIR. The commenters also states that the City does not have a climate action plan (CAP), and that the project’s greenhouse gas (GHG) impacts will not be mitigated by anything the City is doing because the City has no CAP.

The commenter’s questions are not specific to the project but are related to City-wide efforts and policies. Regarding the project’s GHG impact mentioned in the comment, as discussed in Section 4.7 of the Draft EIR, Greenhouse Gas Emissions, the project would have a less-than-significant impact to GHG emissions and no mitigation is required. An Air Quality and Greenhouse Gas Emissions Analysis Technical Report was prepared for the project and is included as Appendix B to the EIR. The technical report analyzed the project against all applicable plans, policies, and ordinances specific to Air Quality and Greenhouse Gas Emissions. An adopted local CAP is not required in order for the EIR to properly conclude that the project would have less-than-significant impacts from its GHG emissions.

I10-70 The comment provides Table 4.2-9 from the Draft EIR and states that the cancer risk seems high but that with mitigation it drops below the CEQA threshold. The commenter then asks if the cancer risk will

stay below the threshold if the project takes longer than expected. If grading takes longer than expected, there would be less air quality emissions per day because the amount of cut and fill would not be changing. Therefore, the cancer risk would stay below the threshold. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-71 The comment states that the Specific Plan does not consider the GHG emissions from the project. GHG emissions are discussed in Section 4.7 of the Draft EIR. As analyzed in detail in this section, the project would have a less-than-significant impact to GHG emissions and no mitigation is required. Both project and cumulative project impacts associated with GHG emissions were analyzed as part of the Air Quality and Greenhouse Gas Emissions Analysis Technical Report prepared for the project (Appendix B to the EIR). The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

I10-72 The commenter states that the project should stick with the existing General Plan Land Use Designation and Zoning, and states that Alternative 2 is the best option. As outlined in Chapter 6 of the EIR, the Existing Zoning Alternative would be considered the environmentally superior alternative because it would potentially provide a reduced level of impact in some environmental analysis areas, including air quality, noise, and transportation, as a result of the slightly reduced unit count. However, under this alternative, impacts to air quality, biological resources, cultural/tribal cultural resources, geology and soils, and noise would remain less than significant with mitigation incorporated, similar to the proposed project. The Existing Zoning Alternative is assumed to cover the same development footprint as the proposed project but would result in a slightly decreased unit count and population count on site. Because the Existing Zoning Alternative would cover the same development footprint as the project, impacts to biological resources, cultural/tribal cultural resources, and geology and soils would remain the same as the proposed project and mitigation measures would still be required to mitigate impacts to these environmental resources. Furthermore, due to the project site being located in an urban setting and the limited options available to mitigate vehicle miles traveled (VMT) impacts for residential projects, the Existing Zoning Alternative would still result in a significant and unavoidable transportation impact due to VMT. Similar to the proposed project, under the Existing Land Use Alternative a request for Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in lieu of providing inclusionary/low-income housing. While this alternative would develop infill housing in an urbanized area and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and would less efficiently promote infill development. The Existing Zoning Alternative would also fulfill fewer of the City's requirements for providing housing under State Housing Element Law and meeting its Regional Housing Needs Allocation imposed by the California Department of Housing and Community Development.

I10-73 The comment states that cumulative effects from a GPA creating a new zone have not been addressed in the Draft EIR.

The Draft EIR analyzes the potential for environmental impacts resulting from the project as a whole, as CEQA and the CEQA Guidelines require. The project includes the zone change, as well as the GPA, adoption of the Specific Plan, and approval of the tentative map. An EIR is required to analyze the potential environmental impacts that would result from the zone change, as well as the other portions of the project, including adoption of the Specific Plan. CEQA requires that lead agencies undertake environmental review of proposed actions (such as a proposed zone change) prior to considering approval of such actions, and that environmental review analyze the whole of the project. Cumulative

project impacts are analyzed in each environmental resource topic throughout Chapter 4 of the EIR. The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

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Comment Letter I11

From: Hector Salgado <HSalgado@poway.org>
Sent: Friday, December 29, 2023 8:26 AM
To: David Shepherd; Hayley Ward; Ranie Hunter; Vanessa Scheidel
Subject: FW: Feedback to Harmon Ranch Project Draft EIR

From: annlaux@mac.com <annlaux@mac.com>
Sent: Thursday, December 28, 2023 8:27 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Feedback to Harmon Ranch Project Draft EIR

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EXTERNAL EMAIL

December 28, 2023

SUBJECT: Feedback to the Harmon Ranch Draft EIR.

To: Mr. Hector Salgado
Senior Planner, Development Services
City of Poway
13325 Civic Center Dr.
Poway, CA 92064

Dear Mr. Salgado:

I value this opportunity to respond to the Harmon Ranch Project Draft EIR. I am a long-term resident of Poway (since 1986), and live at the west end of Roca Grande Drive, adjacent to the Harmon Property. As such, I will be directly impacted by changes to this property as long as I live in my home.

I11-1

Zoning noncompliance: The proposed density is noncompliant with the existing RS-7 zoning. More houses are proposed than would fit under RS-7 zoning, and setbacks are arbitrarily reduced, in particular relative to the existing homes along the eastern border of the development. The developer's solution is to put up a 6-foot wall along the property line. Ugh. Why is this considered an acceptable remedy?

I11-2

There is nothing unique about this development that would fit as a "planned community". It is just a jam-packed housing project. The layout is more in keeping with an RV storage lot than a neighborhood.

If the City of Poway lets Lennar skirt the zoning rules, going forward there will be no teeth left in any of Poway's zoning codes for any future housing plans. There is nothing so special or necessary about this project that merits a significant variance to the existing zoning

I11-3

There is no affordable housing set-aside that would qualify this development for increased density. These are 3000 sq ft, 2 story homes, likely starting at (at least) \$1 million in today's market. The developers have been cagey about revealing their pricing, hiding behind claimed changing market rates. I find it disingenuous that they would not know what their pricing is planned to be. They are shrewd enough not to tip their hand ahead of submitting their plans for approval, because of the outrage that would be incited by their blatant gaming the system.

I11-4

Regrading the slope: I am very skeptical of their estimates of how much blasting and drilling will be required to reshape the significant slope at the west end of Roca Grande Drive. This ground is rock and DG. I live next door and know that if I dig deeper than about 6 inches in my yard, I am at hardpan. I am highly concerned that the vibrations, shocks, and disruptions from rock removal could damage my house or slab or yard, or cause ground or rock movement into my yard from uphill, or eventual subsidence of the west end of my lot. There are large boulders uphill from my back hard (near the Kumeyaay Interpretive Center). The developer's representative proposed placing K-rail in my backyard to catch any rockslide from the knoll, which I regard as likely ineffective against large boulders, and intrusive on my property. There is no flat surface in my yard to secure K-rail. It would require altering or regrading my yard to bring it in. The noise and dust generated from this work would make living in my house unpleasant, and would be solely for their benefit and without any benefit or reimbursement or compensation to me and my household.

I11-5

Drainage concerns: There is always rain runoff from the knoll/hill at the northeast of the property. If the ground is graded/recontoured it will significantly redirect the rain runoff—where is it intended to go? I do not wish to create a situation where my yard will flood, or Roca Grande Drive will flood, in a heavy rainstorm. Roca Grande Drive has no drainage or sewer system. It is a private road covered in a layer of asphalt, and rainwater at present soaks into the dirt in front of and around the existing houses. If my backyard floods, my house will flood as runoff water will come in my back doors. This has already nearly happened a few times during heavy storms since I have lived here (since 1986), without the influence of the runoff being significantly altered. I broached the subject of water runoff with the developer's representative during one of their recent meetings with the Roca Grande residents, and I was abruptly shut down by the Lennar representative, who very emphatically told me to bring it up to the City in the EIR comments, and that he refused to discuss it in our group meeting.

I11-6

Respectfully submitted by:

Ann Ponsford Tipps, MD
12710 Roca Grande Dr.
Poway, CA 92064
Cell: 619-981-3143

Response to Comment Letter I11

Anne Ponsford Tipps, MD

December 28, 2023

I11-1 The commenter introduces herself as a neighbor of the project. This is an introductory comment to those that follow.

I11-2 The commenter states that the proposed density is noncompliant with the existing RS-7 zoning. As discussed in Draft EIR Chapter 3, Project Description, implementation of the proposed project would require amendments to both the City's General Plan and the Zoning Code. The proposed project consists of the following entitlements and agency approvals: General Plan Amendment, Zone Change, Specific Plan, Tentative Map, Development Review Permit, Final Map, and EIR Certification. Should the project be approved, the proposed Harmon Ranch Specific Plan would be adopted by ordinance and serve as the primary zoning document for the project site. Project design requirements, including setbacks, would be based on the Specific Plan guidelines. Refer to the Property Development Standards for the Planned Community Zone below, provided from Section 17.20.030(G) of the City's Municipal Code:

The maximum number of dwelling units within a planned community zone shall not exceed the ability of the City to provide services in accordance with the general plan and applicable local ordinances; provided, that the distribution of units within the zone and the maximum residential density on any individual site or within designated portions of the zone shall be governed by the development plan, conditional use permit, or development review. In the event the general plan does not establish a maximum residential density for said site, the City Council shall determine the appropriate density based on detailed review of the development plan and text and the provisions of this title.

As noted above and in Chapter 3, a rezone of the project site is part of the entitlement package. Since a Specific Plan has been prepared for the project, the proposed density would be allowed under the proposed "Planned Community" zoning. Approval of the Harmon Ranch Specific Plan would set development standards that apply only to the property included in the Specific Plan, rendering the R-7 zoning non-applicable to the Harmon Ranch property. Upon project approval, the Harmon Ranch Specific Plan would be adopted and serve as the primary zoning document for the project site. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I11-3 The commenter states that the project does not fit as a Planned Community and expresses general opposition to the project. According to the City's General Plan Community Development Element, "the Planned Community designation allows a variety of land uses to occur based upon the adoption by the City Council of a specific plan. The purpose of this designation is to encourage comprehensive land planning of large contiguous areas so that parcel-specific issues can be addressed with creative solutions." In addition to on-site residential amenities, the proposed development would include preservation of a designated historic home and a designated open space conservation area that contains sensitive biological habitat and cultural resources. Further, the project addresses existing drainage issues through the provision of infrastructure that would improve on-site drainage. Roca Grande and La Vista Way are private roads in the project vicinity with no curb/gutter. Both of these

adjacent streets drain to the Harmon property that is located within the proposed project boundary, and proposed project improvements would address this existing drainage condition. Preparation of a Specific Plan allows for the proposal of a project that works in today's market and is compatible with the surrounding uses, while still implementing the goals and policy objectives in the General Plan. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I11-4 The commenter discusses the lack of affordable housing as part of this project and discusses how the pricing of the proposed units has not been disclosed. As discussed in Response to Comment I6-4, the applicant will pay an in-lieu fee to the City for future affordable housing projects within the City. Payment of this fee is an option allowed within Poway's Inclusionary Housing Policy. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I11-5 The commenter expresses concern regarding grading, groundbreaking, and possible damage from groundborne vibrations. In response, please refer to Responses to Comments I8-2 and I9-7 for detailed responses regarding grading and vibrations.

I11-6 The commenter expresses concern regarding drainage and references historic flooding of the area during heavy rainfall periods due to lack of drainage infrastructure on Roca Grande Drive. Based on the existing topography and the delineation of the drainage area, there is no runoff from the project site toward the commenter's property; the hill runoff originates off site, beyond the project area. Furthermore, the proposed grading plan would not direct drainage toward the commenter's property. To ensure that no runoff impacts the neighboring property, a brow ditch is planned along the boundary with the neighbor, designed to intercept any potential flow from a 100-year event. Additionally, an on-site catch basin is set to capture water from this ditch, channeling it alongside the site's runoff to the proposed underground detention system. Therefore, the project is designed to have no adverse drainage impact on the neighboring property. Please refer to the Drainage Study and Stormwater Quality Management Plan that have been prepared for the project, which are included as Appendices I and J of the EIR, respectively.

Comment Letter I12

From: Hector Salgado <HSalgado@poway.org>
Sent: Tuesday, January 2, 2024 1:13 PM
To: David Shepherd; Ranie Hunter; Hayley Ward; Vanessa Scheidel
Subject: FW: Harmon Ranch

From: Christine Vickers <cvickersmail@gmail.com>
Sent: Thursday, December 28, 2023 4:42 PM
To: Hector Salgado <HSalgado@poway.org>; Councilmembers <Councilmembers@poway.org>
Subject: Harmon Ranch

EXTERNAL EMAIL

I oppose rezoning Harmon Ranch. The impact to Poway, Poway Road, and the residents of the neighboring streets has not been addressed and parking is sorely inadequate .

I 112-1

We are seeing this at The Farm in Poway development. The Farm in Poway was supposed to be a Specific Plan. The house sizes are 15-25% bigger than what was proposed, they want to turn a 3,000 sf Swim and Tennis club into a 30,000 sf warehouse gym, rearranged infrastructure ect. Overriding the General Plan has become second nature to developers because the City has allowed it at every turn. The implications of rezoning lots because that is what the developer has proposed has become a slippery slope. Furthermore, Specific Plans have NOT been specific. Specific Plans have become a tool to sell the public on an idea and developers are not held accountable to their proposed development.

I 112-2

*Christine Vickers
17014 Cloudercroft Drive, Poway*

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Response to Comment Letter I12

Christine Vickers
December 28, 2023

- I12-1** The commenter expresses general opposition to the project. The comment states that the project would impact Poway Road and the residents of the neighboring streets and that project parking is inadequate. Existing, cumulative, and project-related traffic was analyzed as part of the Local Transportation Assessment and Transportation Impact Study (Appendices L and M of the Draft EIR). Additionally, parking was analyzed as part of the traffic reports. Please refer to Section 4.15, Transportation, of the Draft EIR for a full analysis of project-related traffic/transportation impacts. The comment does not identify specific areas of inadequacy in the Draft EIR and does not require any revisions to the Final EIR.
- I12-2** The commenter expresses concern and discontent with the use of specific plans for rezoning of sites, using The Farm development in Poway as an example. In response, as outlined in the Project Description (Chapter 3) of the Draft EIR, California Government Code Section 65453(a) authorizes local jurisdictions to adopt specific plans as a tool for the systematic implementation of the general plan. A specific plan must be consistent with the goals and policy objectives in the adopted general plan, but can provide a unique set of land uses, design regulations, and development standards not permitted under a city's existing zoning or by a city's current standards. By allowing greater flexibility, development patterns can be specifically tailored to the characteristics of a site and surrounding context, including creative design concepts, density ranges that differ from a city's zoning code, specially designed roadways, and a mix of uses unique to the Specific Plan area. Specific Plans may be adopted, in whole or in part, by either resolution or by ordinance. The Harmon Ranch Specific Plan would be adopted by the Poway City Council by resolution and ordinance. All development and improvements constructed within the Specific Plan area would be required to be consistent with the City's General Plan, the Specific Plan, and the tentative map(s). The comment does not raise any issues regarding inadequacies of the EIR and does not require any revisions to the Final EIR.

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From: Hector Salgado <HSalgado@poway.org>
Sent: Friday, December 29, 2023 10:11 AM
To: David Shepherd; Hayley Ward; Ranie Hunter; Vanessa Scheidel
Subject: FW: Draft Environmental Impact Report (EIR), Harmon Ranch Specific Plan Project State Clearinghouse No. 2023020009 EIR No. EA 23-000

From: Kim Gollner <leilatigress@hotmail.com>
Sent: Friday, December 29, 2023 9:31 AM
To: Hector Salgado <HSalgado@poway.org>
Subject: Draft Environmental Impact Report (EIR), Harmon Ranch Specific Plan Project State Clearinghouse No. 2023020009 EIR No. EA 23-000

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EXTERNAL EMAIL

I have read most of the EIR, and my comments follow:

No Project/No Development Alternative

The No Project/No Development Alternative in the proposed Environmental Impact Report (EIR) is highly flawed and biased in favor of the developer's proposal. It presents a negative framing that misrepresents the true nature of the No Project alternative. The EIR assumes that the site would remain an undeveloped dirt lot with no residential, recreational, trail, traffic improvement, or conservation uses. This assumption is completely flawed and needs to be rejected.

Recreational uses, trails, and other community and conservation uses are not necessarily tied to development. The EIR should acknowledge this fact and supply a neutral and objective analysis of the potential impacts of not developing the land. The No Project alternative should present a range of uses and improvements that could occur on the land, without resorting to leading or derogatory phrases.

The same applies to traffic improvements and open space. The EIR should not assume that these benefits can only be achieved through the proposed project. The No Project alternative should reflect a fair and transparent evaluation of the proposed project's environmental impacts.

In conclusion, the EIR's No Project/No Development Alternative is completely flawed and needs to be rejected until it accurately reflects the range of uses and improvements that could occur on the land. The City of Poway must supply a fair and unbiased evaluation of the proposed project's environmental impacts, rather than allowing the developer to influence the content of the EIR.

I13-1

1. Existing Zoning Alternative

The Existing Zoning Alternative proposes keeping the original zoning designation, Residential Single-family 7 (RS-7), instead of changing it to Planned Community (PC). This means that the development would not have a Homeowner's Association and the streets would remain private. However, the document mentions that the HOA would handle some costs and the streets would be private instead of public rights-of-way.

The RS-7 zoning allows single-family homes on a minimum of 4,500-square-foot lots, with a maximum density of 8 dwelling units per acre. Since the project area is 7.26 acres, the maximum number of housing units that could be built is 58, which is five fewer than the proposed project's goal of 63 units. This means that the existing zoning plan would only allow for 58 units, but the document assumes the goal number of 63 units. It then tries to justify this by saying that it is not a big deal since the difference is only 5 units. However, an 11% increase in the number of units is significant, especially when considering that the added 5 units are on steep terrain, requiring extensive terrain modification. In Figure 4.9-3 included below, the top right 4 units are in the cut zone.

I13-2

To create an alternative for the existing zone, it is recommended to remove four lots and one of the units on the eastern edge. This will allow emergency access to the site from Rocca Grande Drive and La Vista Way, which will significantly reduce air pollution and noise issues of the 64-unit alternative. Moreover, it is suggested to move two units from the south side of Oak Knoll Road to the southeast corner of the northern part of the project. This will help in increasing the riparian habitat and enabling a retention basin to mitigate urban runoff. It is important to note that flat fields produce little to no runoff, while streets, roofs, sidewalks, etc., produce a lot of contaminated water.

This needs to be split into two different alternatives:

- Existing Zoning Alternative (58 Units, NO HOA, Public Streets, etc.) not requiring a Proposition FF vote

- Enhance Zoning Alternative (63 Units, HOA alternative, Private streets, etc.) **requiring a proposition FF vote**

Density Bonus Alternative

2. It is not necessary to consider how the 92 units were reached when assessing the environmental impact, as in the case of Density Bonus. The primary purpose of the EIR is to decide the impact of the 92 units on the environment, and any other factors such as political or economic issues should not be used to decide the best environmental alternative. If any other factors are used, they should be used to mitigate environmental impacts elsewhere, which would require a much larger EIR covering a much larger area. For instance, the increased density could help preserve some environmentally sensitive areas nearby.

3. Other Comments:

1. Section 3.1:

The project aims to develop an underutilized site into a residential neighborhood with quality architecture and community design aesthetics that respect and enhance the existing neighborhood's appeal and character. It will contribute new single-family housing units to the City of Poway and create an internal network of private streets that minimizes traffic impacts on existing neighborhoods. This approach is environmentally sound and aims to improve the project's sustainability.

2. Section 3.2.1

*The new land uses proposed by the Specific Plan include two open space uses and one residential land use. Parcels appointed as open space would be permanently preserved as open space through **deed restriction**.*

Why is the Deed Restricted? This implies there will be someone holding the deed, the HOA. This is an example of why the alternatives need to be split. What happens when the HOA refuses to pay for the maintenance of this Open Space? Or when the HOA decides to restrict access?

Project Approvals The proposed project consists of the following entitlements and agency approvals, which would be processed concurrently unless otherwise noted:

- *General Plan Amendment*
- *Zone Change*
- *Specific Plan*
- *Tentative Map*
- *Development Review Permit*
- *Final Map*
- *EIR Certification*

The School District needs to be involved. Indian Tribes, California Department of Fish and Wildlife (CDFW), and San Diego Regional Water Quality Control Board.

3. Figure 3.1



OSR1 needs to supply public access to OS-1. Also needs to supply vehicle ingress and egress for maintenance of creek and OS-1.

Why Private streets if this is the Existing Zoning?

4. Figure 3.2

Why all the private Streets?

Why is there no public parking on the pink road? Parking in the area is already at a premium. All streets should be public and should include public parking.

5. Figures 3.3 and 3-4

The existing ratepayers paid for the water and sewer line improvements made on Oak Knoll. These houses need to pay for their share of the increased ability added to support this development

6. Figure 3-5

The new development should include a detention basin, on OS-1.

Figure 3-6

The model parking is going to be on OSR-1 unless this will remain as generally open parking to the public in the future.

7. 4.1 Aesthetics

Aesthetics is a branch of philosophy that deals with the nature, appreciation, and perception of beauty and the principles and criteria involved in judgments of taste and style. Aesthetics can only be determined by the existing residents. Therefore, the developer or city staff cannot fill in this section.

8. 4.2.2 Relevant Plans, Policies, and Ordinances

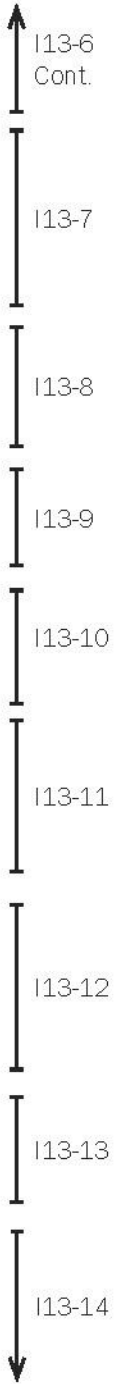
- *Strategy 2: Seek to promote a development pattern that reduces daily trips for shopping, school, and recreation.*
- *Strategy 3: Encourage ride sharing, the use of transit and other transportation systems management programs to reduce the number of vehicle miles traveled and traffic congestion.*

A major way to carry out this is to not design a development around the car. This requires thinking about more than roads. For example, are there easy ways for people to walk to Poway Road to catch public transportation? Can you walk or bike on the existing local streets, such as Roca Grande? There are lots of stores, restaurants, and services on Poway Road. Can I walk directly there, or must I walk to Pomerado or Carriage?

9. 4.2.3.1 Approach and Methodology

... following subset area schedule assumptions(duration of phases is approximate):

- Demolition – 2 months



- Site Preparation – 1 month
- Grading – 6 months
- Paving – 3 months
- Building Construction – 18 months
- Architectural Coating – 15 months

Yet, the site is "The terrain in the vicinity of the modeled project site is generally flat." Table 4.2-6. SO, why six months of grading? If the site requires that much grading, then it is the wrong plan for the site.

10. 4.9.6 Mitigation Measures

No mitigation measures are needed, as all impacts are determined to be less than significant.

A major problem along Poway Creek is cattails. Cattails are limited by two factors: sn and phosphate. For example, there are no cattails along Poway Creek upstream from the car dealers on Poway Road, after the car dealers, the creek is choked with cattails. This is because of the phosphate used to wash the cars on the lots. The extra runoff from driveways and streets where phosphate fertilizers are used on lawns is significant. Add to that the occasional car wash and it is a big problem. To mitigate this, add a detention basin to capture all the runoff from the development.

11. 4.11 Noise

A major problem during the construction of the farm was the continuous hammering (there is a reason it was called Stone Ridge!)! Every attempt should be made to reduce the amount of "cut" needed on the site.

12. Figure 4.13-2 Poway Fire Station #3

Providing emergency access to the area from Roca Grande and La Vista would drastically improve this, especially if Oak Knoll Road is blocked for some reason.

13. Figure 4.15-4 Local Transportation Network

Noice, all the public transportation is on Poway Road. To get to public transportation, a person must walk or bike at least a mile+. It is a classic case of designing a city around the car. Provide pedestrian and bike connectivity directly to Poway Road from the north. Also, provide pedestrian and bike access along Rocca Grande Drive and La Vista Way.

4.17 Wildfire

Provide Emergency access through Rocca Grande Drive and La Vista Way.

14. 6.7 Determination of Environmentally Superior Alternative

It is completely invalid since the No Project Alternative is so poorly designed, and the Existing Zone is not valid.



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Response to Comment Letter I13

Kim Gollner

December 29, 2023

- I13-1** The comment rephrases the No Project/No Development Alternative discussion of Comment Letter I4. Refer to Responses to Comments I4-2 through I4-8 for detailed responses.
- I13-2** The comment rephrases the Existing Zoning Alternative discussion of Comment Letter I4. Refer to Responses to Comments I4-9 through I4-14 for detailed responses.
- I13-3** The comment rephrases the Density Bonus Alternative discussion of Comment Letter I4. Refer to Response to Comment I4-15 for a detailed response.
- I13-4** The comment rephrases the Project Objective discussion of Comment Letter I4. Refer to Responses to Comments I4-16 through I4-18 for detailed responses.
- I13-5** The comment is identical to comments made in Comment Letter I4 regarding Section 3.2.1 of the Draft EIR. Refer to Responses to Comments I4-19 through I4-21 for detailed responses.
- I13-6** The comment is identical to the Figure 3.1 discussion of Comment Letter I4. Refer to Responses to Comments I4-22 and I4-23 for detailed responses.
- I13-7** The comment is identical to the Figure 3.2 discussion of Comment Letter I4. Refer to Responses to Comments I4-24 and I4-25 for detailed responses.
- I13-8** The comment is identical to Comment I4-26 of Comment Letter I4. Refer to Response to Comment I4-26 for a detailed response.
- I13-9** The comment is identical to Comment I4-27 of Comment Letter I4. Refer to Response to Comment I4-27 for a detailed response.
- I13-10** The comment is identical to Comment I4-28 of Comment Letter I4. Refer to Response to Comment I4-28 for a detailed response.
- I13-11** The comment is identical to Comment I4-29 of Comment Letter I4. Refer to Response to Comment I4-29 for a detailed response.
- I13-12** The comment is identical to Comment I4-30 of Comment Letter I4. Refer to Response to Comment I4-30 for a detailed response.
- I13-13** The comment is identical to Comment I4-31 of Comment Letter I4. Refer to Response to Comment I4-31 for a detailed response.
- I13-14** The comment is identical to Comment I4-32 of Comment Letter I4. Refer to Response to Comment I4-32 for a detailed response.
- I13-15** The comment is identical to Comment I4-33 of Comment Letter I4. Refer to Response to Comment I4-33 for a detailed response.

- I13-16** The comment is identical to Comment I4-34 of Comment Letter I4. Refer to Response to Comment I4-34 for a detailed response.
- I13-17** The comment is identical to Comment I4-35 of Comment Letter I4. Refer to Response to Comment I4-35 for a detailed response.
- I13-18** The comment is identical to the Figure 4.15-4 discussion of Comment Letter I4. Refer to Responses to Comments I4-36 and I4-37 for detailed responses.
- I13-19** The comment is identical to Comment I4-38 of Comment Letter I4. Refer to Response to Comment I4-38 for a detailed response.
- I13-20** The comment is identical to Comment I4-39 of Comment Letter I4. Refer to Response to Comment I4-39 for a detailed response.

Comment Letter I14

From: Hector Salgado <HSalgado@poway.org>
Sent: Friday, December 29, 2023 1:28 PM
To: Vanessa Scheidel; David Shepherd; Hayley Ward; Ranie Hunter
Subject: FW: Feedback to Harmon Ranch Project Draft EIR

From: annlaux@me.com <annlaux@me.com>
Sent: Friday, December 29, 2023 12:37 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: FW: Feedback to Harmon Ranch Project Draft EIR

You don't often get email from annlaux@me.com. [Learn why this is important](#)

EXTERNAL EMAIL

December 29, 2023

As an addendum to my comments I add the following overall assessment:

My impression of the Draft EIR is that it is excessively long and difficult to navigate. I looked for things like discussion of the water drainage off the hill, and the ground regrading plans to put in the northeast corner, and the diagram referred to was minimal and lacked detail. I smell obfuscation and padding in the document. It reminded me of my physical chemistry professor's favorite word for trying to explain a quantum mechanics concept: "Handwaving explanation" (imagine someone waving their hands as they talk, but not being specific, and never giving a definite answer).

Sincerely,

Ann Tipps

From: annlaux@mac.com <annlaux@mac.com>
Date: Thursday, December 28, 2023 at 8:26 PM
To: hsalgado@poway.org <hsalgado@poway.org>
Subject: Feedback to Harmon Ranch Project Draft EIR

December 28, 2023

SUBJECT: Feedback to the Harmon Ranch Draft EIR.

To: Mr. Hector Salgado
 Senior Planner, Development Services
 City of Poway
 13325 Civic Center Dr.
 Poway, CA 92064

Dear Mr. Salgado:

I14-1

I14-2

I value this opportunity to respond to the Harmon Ranch Project Draft EIR. I am a long-term resident of Poway (since 1986), and live at the west end of Roca Grande Drive, adjacent to the Harmon Property. As such, I will be directly impacted by changes to this property as long as I live in my home.

Zoning noncompliance: The proposed density is noncompliant with the existing RS-7 zoning. More houses are proposed than would fit under RS-7 zoning, and setbacks are arbitrarily reduced, in particular relative to the existing homes along the eastern border of the development. The developer’s solution is to put up a 6-foot wall along the property line. Ugh. Why is this considered an acceptable remedy?

There is nothing unique about this development that would fit as a “planned community”. It is just a jam-packed housing project. The layout is more in keeping with an RV storage lot than a neighborhood.

If the City of Poway lets Lennar skirt the zoning rules, going forward there will be no teeth left in any of Poway’s zoning codes for any future housing plans. There is nothing so special or necessary about this project that merits a significant variance to the existing zoning.

There is no affordable housing set-aside that would qualify this development for increased density. These are 3000 sq ft, 2 story homes, likely starting at (at least) \$1 million in today’s market. The developers have been cagey about revealing their pricing, hiding behind claimed changing market rates. I find it disingenuous that they would not know what their pricing is planned to be. They are shrewd enough not to tip their hand ahead of submitting their plans for approval, because of the outrage that would be incited by their blatant gaming the system.

Regrading the slope: I am very skeptical of their estimates of how much blasting and drilling will be required to reshape the significant slope at the west end of Roca Grande Drive. This ground is rock and DG. I live next door and know that if I dig deeper than about 6 inches in my yard, I am at hardpan. I am highly concerned that the vibrations, shocks, and disruptions from rock removal could damage my house or slab or yard, or cause ground or rock movement into my yard from uphill, or eventual subsidence of the west end of my lot. There are large boulders uphill from my back hard (near the Kumeyaay Interpretive Center). The developer’s representative proposed placing K-rail in my backyard to catch any rockslide from the knoll, which I regard as likely ineffective against large boulders, and intrusive on my property. There is no flat surface in my yard to secure K-rail. It would require altering or regrading my yard to bring it in. The noise and dust generated from this work would make living in my house unpleasant, and would be solely for their benefit and without any benefit or reimbursement or compensation to me and my household.

I14-2
Cont.

Drainage concerns

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always
rain runoff
from the

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Cont.

knoll/hill
at the
northeast
of the

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property.
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ground is
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contoured
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significantly
y redirect

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the rain
runoff--
where is it
intended

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to go? I do
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to create a
situation

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Cont.

where my
yard will
flood, or
Roca

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Cont.

Grande
Drive will
flood, in a
heavy

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Cont.

rainstorm.

Roca

Grande

Drive has

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no
drainage
or sewer
system. It

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is a private
road
covered in
a layer of

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and
rainwater
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the dirt in
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around
the
existing
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backyard
floods, my
house will

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flood as
runoff
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come in

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my back
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has
already

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during
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have lived
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subject of
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runoff

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with the
developer's
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tive during
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their
recent

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meetings with the Roca Grande

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residents,
and I was
abruptly
shut down

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by the
Lennar
representa
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Cont.

very
emphatica
lly told me
to bring it

I14-2
Cont.

up to the City in the EIR comments

I14-2
Cont.

, and that
he refused
to discuss
it in our

I14-2
Cont.

group meeting.

I14-2
Cont.



Respectfully submitted by:

Ann Ponsford Tipps, MD
12710 Roca Grande Dr.
Poway, CA 92064
Cell: 619-981-3143

Response to Comment Letter I14

Anne Tipps

December 29, 2023

I14-1 The commenter states that the Draft EIR is excessively long and difficult to navigate. The commenter also stated that they looked for discussions regarding water drainage and ground regrading plans.

This EIR was prepared in accordance with the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's Environmental Review Procedures. Specifically, this EIR has been prepared as a project EIR, as defined in CEQA Guidelines Section 15161. The Draft EIR includes a Table of Contents outlining chapter/section/page numbers for all environmental resource areas analyzed under CEQA, as well as associated technical report appendices. Water drainage is analyzed in Sections 4.9 (Hydrology and Water Quality) and 4.16 (Utilities) of the Draft EIR. The comment does not raise specific issues with the adequacy of the Draft EIR and does not require any revisions to the Final EIR.

I14-2 The remainder of this comment letter contains the previous letter sent by the commenter, which is included as Comment Letter I11. Please refer to Response to Comment Letter I11 for responses.

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Comment Letter I15

From: Hector Salgado <HSalgado@poway.org>
Sent: Friday, December 29, 2023 5:00 PM
To: Hayley Ward; David Shepherd; Ranie Hunter; Vanessa Scheidel
Subject: FW: Comments on Harmon Ranch Specific Plan

From: Juzar Merchant <juzar.merchant@gmail.com>
Sent: Friday, December 29, 2023 4:57 PM
To: Hector Salgado <HSalgado@poway.org>
Subject: Comments on Harmon Ranch Specific Plan

EXTERNAL EMAIL

Hector,

Here are my comments on the Harmon Ranch Specific Plan from Lennar.

1. Poway has a General Plan. When a developer wants to deviate from the General Plan, Poway City Planning should demand that the Specific Plan submitted is extremely clear, concise, and an easy read. When there are contradictions, to the General Plan, those should be laid out clearly, perhaps in a tabular format. The onus to submit a clear plan should be on the developer (in this case, Lennar - not the general public that is making comments).

2. Before we even get to the comments on the Harmon Ranch Plan, I'll digress a bit and state how poorly Poway City Planning handled the Lifetime Fitness "proposal" or "pre-development". The general public had to find glaring discrepancies for basic items such as the total number of ADT's, then make their own calculations based on expected memberships, total employees, etc. in order to estimate the ADT's - these estimates were orders of magnitude off from what the developer proposed. If City Planning cannot be counted on to ask for these BASIC details, then who can we count on? We're not asking you to approve or disapprove - we're just asking for you to ask questions that are elemental to ANY development - one of those is traffic, and a truthful answer can be provided by both parties who do this FOR A LIVING - the developer and the City of Poway Planning.

3. Harmon Ranch Chapter 6. If the current General Plan would allow 58 houses (which I doubt), why make all these general plan changes for a handful of houses? Stick with the general plan. Less GHG, less density, more parking, safer neighborhoods with sidewalks on both sides to encourage walking. Less grading, Less noise, far fewer cumulative effects from a general plan change. And there will be no need for a specific plan which allows all kinds of squishy decisions to be made by the director of development services after council approval. Existing Zoning Alternative 2 is the best plan, and consistent with Poway's General Plan. Over 200 residents have signed a petition asking the council to stick to the existing plan and not to approve the Harmon Ranch Specific Plan. The public does not support changing the General Plan to allow smaller lot sizes and decreased setbacks.

The cumulative effects from a GPA creating a new zone with smaller lot sizes and decreased setbacks has not been addressed in the EIR. The GPA could have a significant effect on transportation, emergency services, and quality of life in Poway.

4. Harmon Ranch EIR 4. I could find nowhere in Government Code Section 65450-65457 where the code said that a specific plan can "provide a unique set of land uses, design regulations, and development standards not permitted under the city's existing zoning or by a city's current standards." In fact, a specific plan is supposed to implement the



general plan in a more specific way in an area, not be a total deviation from the General Plan. Note also that 65453 (a) says that a specific plan shall be prepared, adopted, and amended in the same manner as a general plan. Was the Harmon Ranch Specific Plan prepared as a general plan was prepared? Or was it made by the developer, with zero input from residents? Note also that the specific plan must be adopted and amended by a LEGISLATIVE body, not by the director of development services. The Harmon Ranch Specific Plan allows the director of development services to amend the specific plan. The director of development services is not a legislative body.

I15-6
Cont.
I15-7

5. Did Poway's legislative body direct the planning agency to prepare the Harmon Ranch Specific Plan? What part of this Specific Plan was actually prepared by Poway staff?

I15-8

6. Reference: CA Government Code 65450-65457. Article 8, Specific Plans. Just to be clear, using the CEQA definition, all of Poway is an urbanized area, correct? So, light-wise, this specific plan could be dropped anywhere in all of Poway without considering the degrading of the existing character or quality of public views, correct? Note that ALL specific plans also must be consistent with each other. Will this be consistent with the Old Coach Specific Plan?

I15-9

7. Just to be clear, using the CEQA definition, all of Poway is an urbanized area, correct? So, light-wise, this specific plan could be dropped anywhere in all of Poway without considering the degrading of the existing character or quality of public views, correct? Note that ALL specific plans also must be consistent with each other. Will this be consistent with the Old Coach Specific Plan?

I15-10

8. Harmon Ranch Specific Plan Exhibit 2.1. Just to be clear, using the CEQA definition, all of Poway is an urbanized area, correct? So, light-wise, this specific plan could be dropped anywhere in all of Poway without considering the degrading of the existing character or quality of public views, correct? Note that ALL specific plans also must be consistent with each other. Will this be consistent with the Old Coach Specific Plan? "Recreational uses are distributed throughout the neighborhood". Do you mean within the Harmon Ranch plan. There are no recreation uses in the HRSP. The open space areas are an actual creek, the steep side of Metate Hill that will be cut away, the storm water collection area, and a shade structure next to the creek. The surrounding neighborhoods are among the densest in Poway and there are very limited recreation opportunities in the neighborhood itself. The shade structure next to the creek is a pretty bit of landscaping, much as the "park" in front of the library is more landscaping than active or passive recreation area. The only "active" recreation appears to be a walking area around the storm drain detention basin. There are no recreation areas with play structures for children or where children or adults can engage in any kind of ball game. Note that adults do play some kind of horseshoe game in the lot by the creek. After development, that active recreation activity will also not be available.

I15-11
I15-12

9. Poway General Plan, Policy E. Does Poway have a plan to meet state mandates? Does Poway have a plan to implement these strategies? Poway does not have a CAP. Poway does not have a plan to reduce GHG. This project will increase GHG, and it is not mitigated by anything the city is doing, because the city has no CAP.

I15-13

10. Harmon Ranch Specific Plan Table 4.2-9. The HRSP does not consider the full impact of the GPA and zoning change which would have a significant impact on growth of GHG emissions in south Poway. A General Plan EIR would be necessary to calculate the impact.

I15-14

11. Harmon Ranch EIR Executive Summary. Section 1.1. The parcels in this project are zoned RS-7, which has a maximum density of 8 residential units/acre. The specific plan density is derived by a different formula than what is used by the city of Poway to determine density in residential zoned parcels. Thus the "proposed 8.8 dwelling units/acre" is not "just over the existing RS-7 designation density because a different formula is used to calculate specific plan density than RS-7 density. If the same formula were to be used, the density of Harmon Ranch would be around 11 houses per acre. If full street widths, as required in RS-7 developments, were to be used, the density of the Harmon Ranch Plan would be over 12 units per acre, which is greater than a 50% increase in the maximum density allowed under the current zoning. The Harmon Ranch Specific Plan does serve the housing needs of a

I15-15
I15-16

very limited group of people who have an income significantly above the median income in San Diego County. As it will not contain any affordable housing, it will not have any housing that meets Poway's inclusionary housing ordinance, nor will it meet any of the low income or moderate income RHNA (regional housing needs assessment) units that Poway needs to build in this housing cycle. The GPA will create a new single family zone that rewards a developer for not building any inclusionary affordable housing in their projects. That new zone will also undermine state laws that incentivize developers for building inclusionary affordable housing units. Note that Lennar has built 160 houses in The Farm and is asking to build 63 houses at Harmon Ranch without building a single very low, low or moderate income in either project. They are only building houses that meet the "above moderate" part of the RHNA. This new zone will be a disincentive for Lennar and other builders to build housing that meets the RHNA mandate. The Harmon Ranch Specific Plan would not be consistent with Poway's General Plan. It requires a General Plan Amendment and a zoning change. But that amendment and zoning change will not make the Harmon Ranch Specific Plan consistent with the General Plan. It will significantly change the General Plan by adding a new residential zone that allows a smaller lot size and narrower streets with insufficient street parking. This zone would not be a one-time use, so the impact of this General Plan Amendment could be enormous and would require a new EIR for the General Plan. This EIR is insufficient because it only addresses the impact of this zoning change on the Harmon' parcels and does not take into consideration the full impact of a new zone added to the Poway General Plan. The General Plan amendment would create a new residential zone with smaller lot sizes than that currently allowed. But this new zone would not prohibit developers from also using the bonus density law to further increase density on a parcel. Poway does not need to change their general plan to smaller lot sizes, because developers already have a tool (the bonus density law) to increase density. The tiny lot sizes would allow developers to use the bonus density law to exceed the height limits in Poway to fit in all of their units. This could have severe impacts that are not mitigated by this Harmon Ranch EIR.

1.5 Project Alternatives. The Existing Zoning Alternative would be consistent with the General Plan and would not create a new zone that would incentivize developers to not build affordable housing in Poway. The existing zoning alternative is also the better environmental choice. Eliminating the cut and fill of Metate Hill would also be consistent with the General Plan. It would be less noisy and the air would be less polluted during the lengthy period required to move that much dirt. It also would be better for Metate Hill, if the foot of it was not cut away and used as fill. About that math- RS7 zoning is calculated on the buildable area minus the street and sidewalks. The parcels must meet lot size and width criteria. The buildable area is 5.7 acres according to your first paragraph. At 8 houses per acre, The number of housing units that can be fit in using the current RS-7 zoning is likely 40 or less, not 58 units. These homes will likely be smaller than the 3000 sq ft units envisioned in the HRSP (Harmon Ranch Specific Plan). These houses may therefore be more affordable than the 3000 sq ft houses. As Poway has very few houses that are selling for less than a million dollars, it would add to the diversity of size and price of available housing in Poway. Building to the current specifications for RS-7 would mean to put a full width street in and sidewalks. This will make more parking available in an area heavily impacted by too many cars and not enough parking spaces. Sidewalks will make the area safer for pedestrians and encourage walking. There will also be more space on each parcel for children to play in and for adults to use. The open space on the parcel will also help to soak up rain, and slow the run-off in what is a 100 yr flood plain. Poway's General Plan calls for low density housing in the 100 yr floodplain. The Harmon Ranch project project will be the most dense single family home density anywhere in Poway, not what is called for in the General Plan on a flood plain.

Oak Knoll Rd may not be an "all weather road" as it is also in the floodplain. And, it will be more prone to flooding with 2 ½ ft of fill on the sides of Oak Knoll Rd. Adding higher density housing and more cars in an area prone to flooding is not only unsafe, it is unwise. Poway's General Plan does not allow a development where the access road is not an all-weather road. The math appears to be incorrect on the existing zoning alternative. Likely it is also incorrect on the density bonus alternative. Thus, the EIR did not accurately consider these other options. The EIR is flawed. Despite whether the numbers are accurate or inaccurate, why should a developer get rewarded with an increase in density for not building affordable housing? Giving this density increase for not building affordable housing would undermine state laws which increase density for building affordable housing.

Sincerely,
Juzar Merchant



Poway Resident

↑ I15-22
Cont.

Response to Comment Letter I15

Juzar Merchant
December 29, 2023

- I15-1** This comment is an introduction. The City acknowledges the comment as an introduction to comments that follow.
- I15-2** The comment states that the City has a General Plan, and if the developer wants to deviate from that General Plan then the City Planning Department should require the Specific Plan be clear, concise, and include a table discussing contradictions to the General Plan. The comment does not relate to any physical effect on the environment and does not raise an issue related to any specific section or analysis of the Draft EIR or the Harmon Ranch Specific Plan (Appendix Q to the EIR). The comment does not raise any issues regarding the adequacy of the Draft EIR and does not require any revisions to the Final EIR.
- I15-3** The comment discusses issues of a different development project and expresses discontentment with the City's Planning Department. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I15-4** The commenter expresses their preference for the Existing Land Use Alternative analyzed in Chapter 6 of the EIR. The comment states that this alternative would result in less impacts and no need for a specific plan. In response, as outlined in Chapter 6 of the EIR, the Existing Zoning Alternative would be considered the environmentally superior alternative because it would potentially provide a reduced level of impact in some environmental analysis areas, including air quality, noise, and transportation, as a result of the slightly reduced unit count. However, under this alternative, impacts to air quality, biological resources, cultural/tribal cultural resources, geology and soils, and noise would still remain as less than significant with mitigation incorporated, similar to the proposed project. The Existing Zoning Alternative is assumed to cover the same development footprint as the proposed project but would result in a slightly decreased unit count and population count on site. Because the Existing Zoning Alternative would cover the same development footprint as the project, impacts to biological resources, cultural/tribal cultural resources, and geology and soils would remain the same as the proposed project and mitigation measures would still be required to mitigate impacts to these environmental resources. Furthermore, due to the project site being located in an urban setting and the limited options available to mitigate vehicle miles traveled (VMT) impacts for residential projects, the Existing Zoning Alternative would still result in a significant and unavoidable transportation impact due to VMT. While this alternative would develop infill housing in an urbanized area and assist the City to implement its housing goals, it would implement less housing compared to the proposed project and would less efficiently promote infill development and fulfill the City's obligations under state Housing Element law. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.
- I15-5** The comment states that cumulative effects, specifically on transportation and emergency services, from a General Plan Amendment (GPA) creating a new zone have not been addressed within the Draft EIR. The Draft EIR analyzes the potential for environmental impacts resulting from the project as a whole, as CEQA and the CEQA Guidelines require. Please refer to Sections 4.13 (Public Services) and 4.15 (Transportation) of the EIR, which include both a project analysis and cumulative analysis related

to transportation and emergency services. The project includes the zone change, as well as the GPA, adoption of the Specific Plan, and approval of the tentative map. An EIR is required to analyze the potential environmental impacts that would result from the zone change, as well as the other portions of the project, including adoption of the Specific Plan. CEQA requires that lead agencies undertake environmental review of proposed actions (such as a proposed zone change) prior to considering approval of such actions, and that environmental review analyze the whole of the project. Cumulative effects are analyzed throughout each environmental section of Chapter 4, Environmental Analysis. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I15-6 The comment refers to Chapter 4 of the EIR, and states that they could not find that a specific plan can “provide a unique set of land uses, design regulations, and development standards not permitted under the city’s existing zoning or by a city’s current standards” within California Government Code Sections 65450–65457, which was quoted in the Draft EIR. The comment also states that a specific plan is supposed to implement the general plan in a more specific way in an area and not be a total deviation from the General Plan.

In response, Chapter 4 of the EIR presents the environmental analysis, and does not reference the Specific Plan or California Government Code Sections 65450–65457. Chapter 3, Section 3.2.3, of the EIR states that California Government Code Section 65453(a) authorizes local jurisdictions to adopt specific plans as a tool for the systematic implementation of the general plan. A specific plan must be consistent with the adopted general plan, but can provide a unique set of land uses, design regulations, and development standards not permitted under a city’s existing zoning or by a city’s current standards. By allowing greater flexibility, development patterns can be specifically tailored to the characteristics of a site, including creative design concepts, density ranges that differ from a city’s zoning code, specially designed roadways, and a mix of uses unique to the Specific Plan area. Specific Plans may be adopted, in whole or in part, by either resolution or by ordinance. The Harmon Ranch Specific Plan would be adopted by resolution and ordinance. All development and improvements constructed within the Specific Plan area would be required to be consistent with the City’s General Plan, the Specific Plan, and the tentative map(s).

This is the consultant’s description of a specific plan and not a verbatim citation from California Government Code Section 65453(a). Implementation of the Specific Plan would not be a “total deviation from the General Plan,” as the commenter states, because the project is proposing single-family housing on a site that is zoned for single-family housing. Please refer to Table 1.1, General Plan Consistency Analysis, in the Harmon Ranch Specific Plan (Appendix Q to the EIR).

I15-7 The comment states that a specific plan must be adopted and amended by a legislative body, and states that the Harmon Ranch Specific Plan allows the Director of Development Services, who is not a legislative body, to amend the Specific Plan.

As stated in Table 3-1 of the Project Description, Chapter 3 of the Draft EIR, the Specific Plan would require approval and adoption by the Poway City Council, which is a legislative body. As provided in Specific Plan Section 7.3.8, Specific Plan Minor Modifications and Amendment, the Director of Development would have the authority to approve minor modifications to the Specific Plan; amendments to the Specific Plan would require City Council approval. The Harmon Ranch Specific Plan would be adopted by the Poway City Council by resolution and ordinance. All development and

improvements constructed within the Specific Plan area would be required to be consistent with the City's General Plan, the Specific Plan, and the tentative map(s). The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I15-8 The commenter asks if Poway's legislative body directed the planning agency to prepare the Specific Plan, and asked which part of the Specific Plan was prepared by Poway staff. In response, the Specific Plan is drafted by the applicant as part of the entitlement application package and it is thoroughly reviewed by City staff. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I15-9 The comment states that if Poway is considered an urbanized area under CEQA, then this specific plan would be dropped anywhere in Poway without considering the degrading of the existing character or quality of public views. The analysis included in the Draft EIR is specific to this project site, and the Specific Plan is created for the area within the project site boundary. The Specific Plan for Harmon Ranch could not be applied to a different site because it is prepared specifically for the project site. If referring to an alternative project location for the proposed Specific Plan, please refer to Section 6.5.1 of Chapter 6 of the EIR.

The comment also states that specific plans must be consistent with each other and asks if this will be consistent with the Old Coach Specific Plan. Section 3.2.2 of the EIR explains that the existing General Plan Land Use and Zoning Map designates the entire project site as "Residential Single-Family 7 (RS-7)." A GPA and zone change would be processed concurrently with the Specific Plan to designate the project site as "Planned Community (PC)." The amendment consists of both a map amendment and a zoning text amendment. In addition, a new section would be added to the Zoning Ordinance that briefly describes the Harmon Ranch Planned Community. This designation and zoning would be consistent with other specific plan areas throughout the City. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

I15-10 This comment repeats Comment I15-9 twice. Please refer to Response to Comment I5-9.

I15-11 The comment states that the project does not propose recreational uses and discusses the limited recreational opportunities in the area. The comment also suggests that the stormwater basin would be unusable recreation space. Please refer to Response to Comment I10-66. The Draft EIR discusses recreational uses in Section 4.14, Recreation. The Draft EIR identifies various recreational facilities in the vicinity of the project and concludes that the project is not expected to result in substantial deterioration or adverse effects to existing parks or facilities within the City, and impacts would be less than significant. Section 4.14 of the Draft EIR also states that 1 acre of the project site would consist of open space recreation area. The project would include both usable and preserved open space areas. The 1 acre of usable open space/recreation area on site would be available to residents of the project, and the proposed "overlook" would be open to the public. Drainage facilities would be underground so the ground-level open space would be available recreation space. The project is not proposing to receive park credit for the proposed "outlook"; rather, the applicant would pay the in-lieu fee for parks to cover the required acreage, as the "outlook" open space area would be owned and maintained by the project Home Owner's Association.

I15-12 The comment states that adults play horseshoe by the creek, and after development, that active recreation activity will not be available. Please see Response to Comment I15-11. The comment does

not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I15-13** The comment asks if the City has a plan to meet state mandates and if the City has a plan to implement the strategies within Policy E of the General Plan EIR. The commenters also states that the City does not have a climate action plan (CAP), and that the project’s greenhouse gas (GHG) impacts will not be mitigated by anything the City is doing because the City has no CAP.

The commenter’s questions are not specific to the project but are related to City-wide efforts and policies. Regarding the project’s GHG impact mentioned in the comment, as discussed in Section 4.7 of the Draft EIR, Greenhouse Gas Emissions, the project would have a less-than-significant impact to GHG emissions and no mitigation is required. An Air Quality and Greenhouse Gas Emissions Analysis Technical Report was prepared for the project and is included as Appendix B to the EIR. The technical report analyzed the project against all applicable plans, policies, and ordinances specific to Air Quality and Greenhouse Gas Emissions. An adopted local CAP is not required in order for the EIR to properly conclude that the project would have less-than-significant impacts from its GHG emissions.

- I15-14** The comment states that the Specific Plan does not consider the GHG emissions from the project. GHG emissions are discussed in Section 4.7 of the Draft EIR. As analyzed in detail in this section, the project would have a less-than-significant impact on GHG emissions and no mitigation is required. Both project and cumulative project impacts associated with GHG emissions were analyzed as part of the Air Quality and Greenhouse Gas Emissions Analysis Technical Report prepared for the project (Appendix B to the EIR). The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I15-15** The comment states that the existing zone of RS-7 calculates density in residential units per acre, while the Specific Plan and Draft EIR calculate density in dwelling units per acre. The commenter claims that the Specific Plan density is calculated using a different formula than the City uses to determine density. The comment then goes on to do their own calculations of the project’s density yet does not cite how their numbers were derived. The comment then states that the project would have a density that is more than 50% larger than the maximum density under the existing zoning. Please refer to Response to Comment I10-1. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I15-16** The commenter discusses the lack of affordable housing as part of this project and discusses The Farm project. The comment asserts that a new zone is being created as part of the proposed project and this new zone would undermine state legislation to incentivize the creation of affordable housing. As discussed in Responses to Comments I6-4 and I10-2, because no affordable/low-income units are proposed as part of the project, the applicant will pay an in-lieu fee to the City that would go toward future low-income housing developments in the City. Payment of the in-lieu fee complies with Poway’s Inclusionary Housing Ordinance.

The proposed “Planned Community” (PC) zone is not a new zone in the City of Poway. The PC zone is defined in the Poway Comprehensive General Plan, Chapter 5, Community Development, and has been applied to areas with Specific Plans, including but not limited to The Farm and The Poway Road Corridor. The PC zone is subject to local discretionary approvals.

As outlined in Chapter 6, Section 6.6.3, of the EIR, a developer may acquire the right to develop at a specific density under State of California Density Bonus Law (California Government Code Sections 65915–65918). The state’s Density Bonus Law was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, reductions, or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City is required to implement these state requirements. The applicant is not utilizing the state Density Bonus Program or any state development incentives for this project.

- I15-17** The comment states that the Harmon Ranch Specific Plan is not consistent with the City’s General Plan. The comment also states that the Draft EIR is insufficient because it does not take into consideration the full impact of a new zone added to the City’s General Plan, and states that the GPA would create a new residential zone.

As stated on page 4.10-9 of the Draft EIR, the Specific Plan includes a General Plan Consistency Analysis, which demonstrates that it is consistent with applicable General Plan goals and policies. The General Plan Consistency Analysis is outlined in Table 1.1 of the Harmon Ranch Specific Plan (Appendix Q). Refer to Response to Comment I15-5 for a detailed response regarding analyzing all of the actions of the project within the Draft EIR, including the proposed rezone. The EIR analyzes the project as a whole, including the GPA and request for zone change. The City Council would be required to review and approve both the EIR and the Specific Plan. The Specific Plan does not allow for incorporation of density bonus incentives on site. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I15-18** The commenter discusses the bonus density law (Density Bonus Law), and states that the Density Bonus Law could have severe impacts not mitigated by the project’s EIR. In response, the project does not propose inclusion of low-income housing in the development and therefore would not use the state’s Density Bonus incentives or waivers. A Density Bonus Alternative was included in the Draft EIR, and the discussion of the Density Bonus Alternative is located on page 6-8 in Section 6, Alternatives, of the Draft EIR. Table 6-1 demonstrates that the Density Bonus Alternative would result in increased impacts compared to the proposed project. Because of this, the Density Bonus Alternative was not selected as the Environmentally Superior Alternative in Section 6.7 of the Draft EIR.

- I15-19** The comment discusses the Existing Zoning Alternative and states that the Existing Zoning Alternative would result in less grading, air pollution, and noise. The commenter also shares opinions of how the Existing Zoning Alternative’s design would compare to the project’s design. The Existing Zoning Alternative is described and analyzed in Section 6, Alternatives, of the Draft EIR. Table 6-1 demonstrates that the Existing Zoning Alternative would result in similar or reduced impacts compared to the project. As outlined in Chapter 6 of the EIR, the Existing Zoning Alternative would be considered the Environmentally Superior Alternative. However, this alternative would cover the same development footprint as the proposed project to accommodate home size and amenities. Furthermore, similar to the proposed project, under this alternative a request for Density Bonus would not be applied, as no affordable housing would be proposed, and the applicant would be required to pay a fee in lieu of providing inclusionary/low-income housing. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.

- I15-20** The comment states that the project site is located on a 100-year floodplain, and the City’s General Plan calls for low-density housing in the 100-year floodplain. The comment also discusses flooding hazards within the project site and on Oak Knoll Road. As discussed in Section 4.9, Hydrology and Water Quality, of the Draft EIR, according to the Federal Emergency Management Agency’s Flood Insurance Rate Map panel for the project site, while most areas of the project site north of Oak Knoll Road are identified as minimal flood hazard areas, other portions of the project site are located within a 100-year Special Flood Hazard Area or a 500-year moderate flood hazard area. However, proposed grades for developed areas of the project site would be raised above the 500-year and 100-year floodplain elevations. Refer to Response to Comment I1-1 for a detailed discussion regarding improvements as part of the project that would reduce flooding risk.
- I15-21** The comment states that the math appears to be incorrect when calculating the Existing Zoning Alternative and is likely wrong when calculating the Density Bonus Alternative, and concludes that the Draft EIR is flawed. Refer to Response to Comment I15-15 for a detailed response regarding the math that was used to calculate the number of proposed homes as part of the Existing Zoning Alternative. The number of units under the Density Bonus Alternative were calculated using the State’s Density Bonus Program base density calculation. The increase in density on site from 8 dwelling units per acre to 8.8 dwelling units per acre would ultimately be allowed under the zone change to Planned Community for the site, upon City Council approval of the proposed Harmon Ranch Specific Plan.
- I15-22** The commenter expresses general opposition to the Density Bonus Law. Please see Response to Comment I15-21. The comment does not raise any issues regarding inadequacies of the Draft EIR and does not require any revisions to the Final EIR.