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March 8, 2006

Stonegate Merriam Mountains
Attention: Joseph Perring
27071 Cabot Road, Suite 106
Laguna Hills, California 92653

RE: MERRIAM MOUNTAINS PROJECT, SP 04-006, GPA 04-006, R04-013,
TM5381, S04-035, S04-036, S04-037, AD 06-007, ER 04-08-028, SECOND
ITERATION REVIEW OF INITIAL STUDIES/INFORMATION

The Department of Planning and Land Use (DPLU) has completed the review of your Extended Initial Study/Information and determined it to be "incomplete" as defined by the California Environmental Quality Act (CEQA). At this time, additional information or revisions will be required to determine your project's potential impacts on the environment and complete the CEQA Environmental Initial Study. The reasons for this determination and the revisions/information required are as follows:

NOTE: The next submittal will represent the third submittal iteration for your project. If the next iteration of submitted documents are determined to remain substantially inadequate after staff review, the Department may make a recommendation for denial of your project to the appropriate decision-making authority based upon inadequate progress pursuant to CEQA Guidelines Section 15109.

MAJOR PROJECT ISSUES

The following project issues were identified during the project scoping and are further discussed in the attachments to this letter. These issues may require substantial redesign of the proposed project or, if not resolved, would result in a recommendation for project denial by DPLU. These issues discussed below, were identified based upon information presently available to the County and are subject to change upon submittal of further information and studies:

Cultural Resources

1. RPO significant sites CA-SDI-4558 (also known as the Caltrans site) and CA-SDI-9822 (know as the Deer springs site): The request for waiver of RPO can only apply to the portion of these sites that will be impacted by the improvements to Deer Springs Road. RPO requirement cannot be waived for the portion of CA-SDI-4558 that borders the proposed Merriam Mountains Parkway, a private access road. Figure 11-2 (Confidential Appendix) shows a small portion of CA-SDI-4558 in the southwest corner appears to be impacted by the Parkway; the road design will have to be modified to avoid this site in that area.
2. Mitigation sections (DEIR and reports) will have to be expanded to show in more detail how both RPO significant sites are to be preserved: a separate diagram of each site should show areas to be capped in preparation for road improvements on Deer Springs (a very small section of CA-SDI-4588, and approximately half or CA-SDI-9822), and which sections will be capped to protect areas of indirect impact (bedrock is not to be capped). Although the capping description for the direct impact areas of sites are explicit, there is no description of the capping for the indirectly impact areas. Easement location and fencing should also be shown. Additional, specific information is provided in comments below.
3. Please be consistent with language of mitigation requirements throughout all of the documents relating to the Merriam Mountain Project. Following is a summary of our current understanding of the significant sites mitigation:
 - Grading Monitoring – entire project area
 - Curation – all artifacts including those collected during previous studies (Palomar College collections, for example)
 - Capping – indirect impacts to SDI-4558 and SDI-9822
 - Capping – direct impacts from Deer Springs Road
 - Temp Fencing – indirect impacts to SDI-4558 and SDI-9822 during grading
 - Permanent fencing – SDI-4588 and SDI-9822
 - Data Recovery – direct impacts areas– SDI-4588, SDI-9822
 - Pregrade and data recovery to locate artifacts from the 1901 historic site
 - Comprehensive reports for SDI 4588, SDI-9822 and 1901 historic site

Air Quality

1. As it stands, there will more than likely be unmitigable significant impacts to air quality for construction emissions of PM₁₀ and NO_x and operational emissions of CO that will require a statement of overriding considerations.

Fire Protection Plans

1. The portion of the project within the jurisdiction of the San Marcos Fire Protection District has an emergency response time of approximately 7 minutes as reported by the San Marcos Fire Protection District. This is inconsistent with the County General Plan Public Facilities Element which requires a 5 minute response time.
2. Please note that the San Marcos Fire Protection District has raised the concern that auto-aid for this project may not apply with the Deer Springs Fire Protection District.
3. The Deer Springs Fire Protection District has not yet given their approval of the Fire Protection Plan submitted for the project.
4. The project does not propose the construction and on-going funding to operate a new fire station to serve the development. This may degrade the level of fire protection service to the surrounding area.

Minerals and Geotechnical

1. The proposed project may have a potentially significant impact to mineral resources within the MRZ-2 areas which may be difficult to mitigate.

The project manager will be contacting you after the subsequent comment letter is issued to discuss these issues and the potential resolutions. No further submittals of studies or information will be accepted until this meeting.

REVISIONS AND ADDITIONAL INFORMATION:

Name of Study

Please make the changes set forth in the following Attachments:

- Attachment A – Planning and Land Use
- Attachment B – Aesthetics (Nothing Submitted with this Iteration)
- Attachment C – Cultural Resources
- Attachment D – Fire Protection Plans
- Attachment E – Air Quality
- Attachment F – Minerals and Geotechnical Studies
- Attachment G – Bonsall Community Planning Group Comments
- Attachment H – GP2020 Frequently Asked Questions About Subdivisions

Comments on the following studies will be provided in a subsequent letter:

- Policy I-119 EIR Review
- Biological Resources
- Noise
- Resource Protection Ordinance Study
- Traffic
- Stormwater Management Plan
- Hydrology
- Growth Induction Analysis
- Cumulative Technical Report
- Hazards
- Geotechnical (DPW)

If you have any specific questions regarding these comments, please contact the Project Manager, Bill Stocks, at (858) 694-3913 or email William.Stocks@sdcounty.ca.gov; or the Project Environmental Analyst, Maggie Loy, at (858) 694-3736 or by e-mail at Maggie.Loy@sdcounty.ca.gov.

PROJECT SCHEDULE: An updated copy of the Estimated Project Schedule will be provided with the subsequent letter.

GP2020: Attached is a GP2020 Frequently Asked Questions about Subdivisions document. Also visit the following website address for more information on GP2020: <http://www.sdcounty.ca.gov/cnty/cntydepts/landuse/planning/GP2020/index.html>.

SUBMITTAL REQUIREMENTS: Submittal requirements and the resubmittal due date will be provided with the subsequent letter.

PROJECT ISSUE RESOLUTION PROCESS: If you have disagreements with the requirements within this letter you may, after trying to resolve issues with project staff, have these issues referred to the Project Issue Resolution process to provide you with an opportunity to quickly and inexpensively have issues considered by senior County management. Issues considered under this procedure can include disagreements with staff interpretations of codes or ordinances, requests for additional information or studies, or disagreements regarding project related processing requirements. This process does not replace any other appeal mechanisms such as those for CEQA determinations or administrative appeals. Please contact me to learn more about this process, the limitations, or to request an application form.

March 8, 2006

If you have any questions or need additional information, please contact me at (858) 694-3913 or at William.Stocks@sdcounty.ca.gov.

Sincerely,



WILLIAM STOCKS, Project Manager
Regulatory Planning Division

WS:ws

Attachments:

(See Page 3 of this letter)

cc: Eric Armstrong, Fusco Engineering, 6390 Greenwich, Suite 170, San Diego, CA 92112
Deer Springs Fire Protection District, 8709 Circle "R" Dr., Escondido, CA 92026
Brice Bossler, 3835 Wildwood Road, San Diego, CA 92107
June Collins, Dudek & Assoc., 605 Third St., Encinitas, CA 92024
Twin Oaks Sponsor Group, ATTN: Gil Jemmott, P.O. Box 455, San Marcos, CA 92084
Bonsall Sponsor Group, ATTN: Margarette Morgan, Chair, 2056 Camino Cantera, Vista, CA 92084.
Hidden Meadows Sponsor Group, ATTN: Robert Frey, 9885 North View Ct., Escondido, CA 92026.
Lee Shick, Project Manager, Department of Public Works, M.S. 0336
Maggie Loy, Project Analyst, Department of Planning and Land Use, M.S. 0650
Claudia Anzures, County Counsel, MS A12.
Larry Hofreiter, DPLU, M.S. 0650