



June 19, 2014

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1635 Faraday Avenue
Carlsbad, CA 92008

Subject: Comments on General Plan, Climate Action Plan
and Draft Program Level EIR

Dear Ms. Jesser :

These comments on the draft General Plan (GP), and EIR are made on behalf of Preserve Calavera. Preserve Calavera is a grassroots organization whose mission is to preserve, protect and enhance the natural resources of coastal north San Diego County. Separate comments are being submitted on the Climate Action Plan.

This GP is the single most important project for the future of Carlsbad. It determines how land will be used and how the natural resources will be protected, or not protected. While there are many changes that will have positive impacts, such as increased support for walking, bicycling and public transit, there are other areas where the GP fails. It fails to adequately protect natural resources, to identify the adverse impacts from adding thousands of residents, commercial and hotel units, and to mitigate for those impacts. Our organization has been expressing our concerns about impacts to these resources for over 14 years. Fixing the GP is one of the best ways to address them in a comprehensive way.

Our primary concerns with the GP and the associated DEIR include the following:

- Loss of open space below 40%
- Failure to comply with performance standards for parks and open space
- Insufficient response to climate change

Many of the concerns that we have raised have been raised in comments over previous projects, have been the subject of numerous meetings with city staff and presentations before city Commissions and the City Council. Our concerns have also been repeated in numerous comment letters you have received from other organizations and residents of this community. This is a project with far reaching consequences. We hope that at the end of this process the interests of all of these community stakeholders have been addressed.

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The following are our specific comments.

A. General Comments on General Plan/EIR

1. Several of the stated goals are in conflict with existing requirements and with each other, leaving related policies meaningless as mitigation for potential impacts.

For example Goal 2-G-1 “Maintain a land use program with amount, design, and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.” This vague goal provides no assurances of compliance with the required citywide goal of 40% open space. In fact the GP provides no quantified goal or minimum required open space. The actual acres of open space stated in the GP is inconsistent throughout and in all cases is substantially less than 40% (varying between 37 and 38%). Since each 1% change is 250 acres of land the actual amount of open space is substantially reduced, up to as high as 750 acres. This loss of open space indirectly affects aesthetics, biological resources, and water quality.

Furthermore the GP includes increases in housing of about 18%, commercial/ industrial square footage 37% and hotel rooms 65%- while open space is actually being reduced. That is not really development that is balanced with protecting open space as is claimed. Given the loss of acres of open space what is being done to achieve the goal of “preservation and enhancement of open space.” If this is not acres of land then what is it? There is nothing in the open space policies that demonstrates any enhancement of open space. Those policies merely repeat what is already included as minimum requirements in the HMP. Doing the minimum required by a binding agreement is hardly enhancement.

2. Several of the policies actually changed very specific existing restrictions into a vague generality.

For example 2-P-10 “Development on slopes, when permitted, shall be designed to minimize grading and comply with the hillside development provisions of the Zoning Ordinance and the Carlsbad Local Coastal program.” What does minimize grading mean? There are existing guidelines about height of retaining walls are these still included? The Hillside Development Ordinance specifies no construction on slopes over 40%. Is that still operative or can that be modified with new implementing ordinances that are supposed to be the next step to assure the policies in the GP are carried out?

3. Some policies may actually cause adverse impacts that have not been identified or mitigated.

For example 2-P.11 on density and development rights transfers. Leaving developable property in its existing condition could create all kinds of impacts- for example- failure to meet the RHNA housing numbers. Density transfers could move density from areas of smart growth to areas where they contribute to adverse traffic impacts. The EIR identifies 2-P.11 as mitigation for visual impacts (EIR at ES12) . But visual impacts are not the reason that density bonuses are being applied. Furthermore there is nothing that says density would move from an area of higher visual impacts to one with lower visual impacts. In fact it is just as likely that allowing a density bonus on part of a site to provide more open space results in a reduced project footprint by increasing height. It is often

building height that causes visual impacts which is why height restrictions/setbacks are often used to mitigate for the adverse aesthetic impacts caused by of building heights. There is nothing provided in the EIR that substantiates the conclusion that 2-P.11 will mitigate for visual impacts, and not cause them.

Another example is 2-P.71 “Address parking demand by finding additional areas to provide parking for the Village and beach areas, and by developing creative parking management strategies....”. Adding more parking is in conflict with Mobility Element policies. Parking can also support increased auto use which increases air quality, GHG and traffic impacts- all potential adverse impacts associated with this policy that have not been identified or mitigated.

4. Some policies really do not even seem achievable.

For example 2-P.25 “Limit general industrial development within the community to those areas and uses with adequate transportation access. These areas should be compatible with surrounding land uses including residential neighborhoods.” (GP 2-41) Per Table 2.4-1 100% of the new industrial development will be in the Palomar Corridor (EIR 2-17). The land use map on Figure 2-1 of the GP shows all of the industrial land use generally in that corridor, but the corridor is very wide, and much of it is not directly accessed off Palomar Airport Road (PAR). Not all of the industrial parcels have arterial/ employment oriented or industrial street access which would seem to be a basic requirement to determine adequacy. (See parcels west of Faraday and south of Camino Vida Roble for example). Furthermore several of the roads serving the industrial areas are being allowed to fail the traffic standards (GP 3-19). Failing traffic conditions is not consistent with the stated policy requiring adequate transportation access.

The Mobility Element includes improved public transit along PAR. But that does not cover the entire corridor or those parts of the industrial land use that will not be accessed by PAR or that are not within ½ mile of a transit stop which is the standard measure for adequate transit access.

This is the kind of policy that sounds good on the surface, but closer review shows it is not achievable considering other conditions/policies included in the GP.

B. Specific Comments on General Plan and Related EIR Section

Land Use and Community Design

P2-3 Please clarify the statement “Text and Maps should be considered collectively as project approvals or future amendments are made. “ As stated this does not apply to preliminary project reviews which occur well before “project approval.” We do not think that is the intent. If it were the intent then the EIR has failed to evaluate such potential impacts from project level approvals incorporated in the GP.

P2-6 The summary of land use acres in paragraph three is not consistent with the numbers shown on Table 2-1 and several other places in the document where a summary of open space acres is provided. It is hard to know what the end result of open space acres will be when at least four different numbers are stated throughout this document. Please correct these inconsistencies and provide a single number for overall open space acres as well as the acres in each of the 4 sub-categories of open space. This lack of consistency results in confusion about exactly what land use

totals are included the analysis of impacts in the EIR.

P 2-9 The land use vision includes the statement “Looking ahead, the community envisions a future in which there is greater mix of uses, density is linked to public transportation, and services are available closer to existing neighborhoods.” This general statement of vision is further expanded in the more detailed statement about core values included in Chapter 1. However there is no assessment as to whether these objectives have been met, although that is critical to determining if the GP is actually consistent with the vision/objectives. For example- how much development is linked to public transportation? There are standard quantified ways to assess this such as what percentage of the population is within ½ mile of a transit stop. The Mobility Element provides performance standards for new development, but that will represent a relatively small percentage of the total developed land in the city. The vision is for the entire community-not just new development, yet there is no assessment as to whether the complete GP, including already built and future projects to be built is consistent with the stated vision.

Additional tools that could be used to objectively assess if the GP has achieved the vision include the Healthy Communities Atlas. (HCA) (Incorporated by reference) The HCA “is a tool developed by SANDAG under a contract with the County of San Diego Health and Human Services Agency (HHS) for the Healthy Works program. The Atlas reflects the Healthy Works program's focus on obesity prevention through physical activity and access to healthy foods. A set of Geographic Information System (GIS) tools were used to display environmental factors related to health outcomes based on public health research. The Atlas was produced as a report and is available for download ”at <http://www.sandag.org/index.asp?classid=12&projectid=482&fuseaction=projects.detail>.

Assessments are provided on active transportation, air quality, complete neighborhoods and injury prevention (pedestrian/cyclist injury rates from traffic.) This kind of quantified, objective data should have been part of the analysis as to whether the GP met the project objectives.

Furthermore achieving the “vision” is really a key part of the project objectives. Meeting the objectives is a key factor that is supposed to be evaluated in the EIR and alternatives to the EIR. The GP and EIR make numerous statements throughout that the policies in the GP result in achieving the vision (project objectives). However there is no quantified evaluation of this except in the Chapter on Mobility in the GP/Transportation in the EIR. Failure to clearly demonstrate how the project objectives are met is a critical failure of the EIR.

P 2-17 The explanation of “allowable density and development constraints” is unclear. This seems to mix up what is used for counting residential density/developable land , overall developable/undevelopable land and what is supposed to be used to determine “constrained “ open space. Understanding what is included in each category is critical to determine compliance with the GMP performance standard of 15% open space by LFMZ which first excludes the constrained, undevelopable land. The statement about exclusions for j,k and d make this even more confusing. Please provide a simple table that shows what the intent is for each of the identified constraints indicating if it is counted as a residential constraint, counted as developable land (which would apply to all land uses) , and counted as part of the constrained, undevelopable land that is then excluded when calculating the 15% performance standard. This is essential to determine compliance with performance standards and whether the draft GP includes conflicts between the GP proposed land uses and the existing GMP and its associated performance standards.

In the absence of such clarification and the complete failure of the EIR to assess compliance with the

GMP performance standard for open space it must be assumed that the project will have a significant adverse impact on land use, and that it fails to meet the GMP performance standard for 15% open space by LFMZ which is a further significant adverse impact to public facilities.

P2-22 and others. The footnote to Table 2-5 says that this includes 327 excess residential units that will be eliminated in the final adopted GP. However there is no indication of the locations where such reductions are being considered and therefore the EIR cannot consider this in the assessment of environmental impacts. In most cases one could assume reducing residential units will only reduce the total associated impacts. But there will be relative differences between locations and the failure to provide any information about where these units will be removed has in effect eliminated all consideration of environmental impacts from the decision. For example some places will have greater visual impacts than others. Furthermore the EIR indicates there are several adverse impacts with the GP that will not be mitigated below the level of significance. There is no determination if removing these 327 units would substantially reduce these adverse impacts. For example, would any of the street segments that will be allowed to fail have their level of service improved up to the threshold of significance depending upon where these units are removed? Since the EIR includes no information about alternatives being considered for the location of these 327 units there is no ability to include any evaluation of the environmental impacts of this choice.

P 2-29 and 30 Airport Land Use Compatibility. The GP discusses recent changes at the airport and the required Airport Land Use Compatibility Plan (ALUCP). Figure 2-2 identifies the related review areas and safety zones per the ALUCP. The EIR on page 3.9-11 identifies the ALUCP as one of the regulatory codes affecting land use. However there is no discussion in the impact analysis that shows compliance with the ALUCP or if it was even evaluated. Given that the Palomar Airport Road corridor is identified in the GP as one of the focus areas for employment growth (GP p 1-31), that the Housing Element allows residential mixed use development on commercial sites along this corridor (GP 10-45), and that several of the proposed changes to land use occur within the boundaries of the Airport Influence area as shown on Figure 2-2 it appears that there could potentially be significant conflicts with the ALUCP. The EIR has failed to properly consider potential conflicts of the changed land uses with the adopted ALUCP. This remains a potentially significant impact.

P2-31 The statement that the Flower Fields are already preserved "in perpetuity" is not correct. There is a key limitation on this such that they are only preserved as long as agricultural use on the land is determined to be economically viable- that falls far short of preserving them "in perpetuity." This loss of agricultural use is one of many areas where required open space acres are not really assured of being provided. These acres are currently counted as one of the 4 subcategories of open space, managed production of resources. But if this use is no longer economically viable then there could be a loss of open space acres. It is unclear if these acres have been counted toward the 15% open space performance standard in the associated LFMZ. If so, then this loss would result in a failure of a GMP standard. There is nothing in the GP that prevents such a conflict from occurring. Nor is there anything in the GP or EIR that provides a mechanism to correct this failure condition if it should occur.

Since it is reasonable to assume that such future changes could occur to open space the GP should either acknowledge and mitigate for this future impact, or include contingency plans to address them if they should occur. This is a potential land use conflict that has not been evaluated or mitigated in the EIR.

P 2-31/32 and Figure 2-1 The city has two consultant efforts underway to relook at land use and design standards- we thought this included both the Village and the Barrio. Figure 2-1 identifies the boundaries of the “Village” and presents this as one of the categories of land use. However a place designation is not a land use. It is unclear how this designation as “Village” translates back into factors that are critical for evaluating the GP impacts- for example air quality, traffic, housing, and commercial space. Obviously there are assumptions about what is included in the areas shown as “Village” but these have not been specified in the GP.

What is even more confusing is that what is shown as “Existing Land Use” on Figure 2-1 in the GP is not the same Figure as Existing Land Use Figure 3.9-1 in the EIR. The EIR shows detailed land uses in the Village. But there are numerous other areas that are not consistent between Figure 2-1 in the GP and 3.9-1 in the EIR. For example:

- Robertson Ranch is shown per the approved Mater Plan on Fig 2-1 (residential, open space, local shopping center) but as primarily agriculture with some residential in Fig 3.9-1.
- Carlsbad Oaks North is shown as planned industrial and office on Fig 2-1 but as undeveloped on Figure 3.9-1.
- The footprint of the Palomar Airport has changed both east and west of El Camino Real.

Since neither the GP or the EIR provides a Figure that shows “proposed land use” exactly what land used is being evaluated in the EIR?

Furthermore Figure 3.9-1 in the EIR identifies three different data sources from three different years “ Sources City of Carlsbad , 2009; SANDAG, 2008; Dyett and Bhatia, 2011.” Figure 2-1 in the GP cites the same three sources, but all for a single year- 2013. Using multiple data sources, different time periods and different land use categories makes it impossible to know if the EIR is even evaluating the same data as is being shown in the GP.

P 2-47 Policies 2-P.56 and 2-P.59 require compliance with the public facilities performance standards of the GMP. However the EIR completely fails to evaluate compliance with the performance standard for open space. The Citywide Facilities and Improvements Plan has been updated at least twice since the original standards were adopted shortly after passage of the 1986 GMP. The GP states “Public facilities may be added, however, the City Council shall not materially reduce public facilities without making corresponding reductions in residential capacity.”

Please clarify if this means there will be no reduction in any of the public facility performance standards per the most recent version amended in 1997 through build-out of the General Plan in 2035. That is essential to determine if the GP is in compliance with the requirements of the GMP.

Mobility/Transportation Vehicles

P3-13 and Figure 3-1 Street System identifies the street segments as “Employment Oriented Street” that per the Figure 2-1 are not really employment based segments. These include

Poinsettia between Aviara and I-5 and Aviara west of El Camino Real. Please clarify the rationale for considering these two segments as “Employment Oriented” when the adjacent land uses are primarily residential and open space? It appears the only practical difference is prioritizing transit.

Table 3-1 – Please clarify how this table is intended to be used when evaluating individual project compliance with the GP.

EIR Table 3.13-6 Existing Roadway Operations only evaluated 6 roads and 2 freeways for vehicle level of service. Those 6 roads are all arterial streets. However Melrose and La Costa Ave are two arterials that are not evaluated at all for existing conditions. Per Table 3.13-10 Melrose is also not evaluated for future operations and only one segment of La Costa is. This incomplete evaluation makes it impossible to determine if Melrose and La Costa will have level of service below the threshold of significance. They also are not identified on p 3.13-26 as a street segment that is anticipated to operate below LOS, but will be allowed to operate at that level. The result is that potential failing road segments are not evaluated, may be in failure and are not included as segments allowed to fail. This potentially results in further significant traffic impacts that have not been identified or mitigated.

Furthermore it is not clear why both La Costa Ave and Aviara have only some segments designated as arterials. Please clarify what is being used as the basis for treating some segments along an arterial differently than others- like Aviara/Alga which has 4 different designations between El Camino Real and Melrose

Bicycle

The GP includes numerous policies that are designed to support increased bicycle use. The CAP includes substantial bicycle mode share increase as part of the required actions to reduce GHG. The GP states on p 3-17 that the new Carlsbad Multi-Modal Levels of Service (MMLOS) will be used to evaluate the adequacy of bicycle facilities. Yet the EIR only measures bicycle MMLOS on sections of 4 streets as shown on Table 3.13-7- Carlsbad Blvd, Carlsbad Village Dr, Faraday Avenue, and Tamarack Avenue. Only one of the evaluated roads has a segment identified as failing: Carlsbad Blvd between Poinsettia and Palomar Airport. The EIR analysis of impacts is limited to this single area that fails the MMLOS criteria. The only mitigation that is proposed are general policy statements for the existing segment LOS failure. It is unclear how P -2.48 improving beach access or 2-P.52 plan and design of Carlsbad Boulevard will result in any improvement in the failure until they are actually built- and there is no time frame for that, no approval from regulatory agencies nor is there a funding plan in place. The EIR in fact is allowing this failing condition to continue for an indeterminate time frame- and perhaps it will never be addressed- that is not mitigation.

The GP says that the standard will be applied to all streets where bicycles are a prioritized mode. Per GP Table 3-1 this includes: identity streets, village streets, connector streets, coastal streets, school streets, employment oriented streets local/neighborhood streets, bicycle/pedestrian pathway, and streets within ½ mile of a transit center. The vast majority of these streets were not evaluated in the EIR. Furthermore we find nothing in the EIR that justifies such a narrow evaluation of impacts. The GP will add several road segments, thousands of additional cars, and miles of bicycle improvements which are described in the CAP and Bicycle Plan. Will all of the

streets prioritized for bicycle use meet the MMLOS performance standard for bicycles? The EIR has not evaluated that and therefore it can't be determined if the GP will result in significant impacts on bicycle travel.

The CAP has assumed there will be major increases in bicycle use as a result of the policies included in the GP and the construction of several additional facilities. But the EIR has not evaluated whether such streets that are prioritized for bicycles will meet the threshold of LOS D for bicycles, even when a substantial investment is made in a new facility or increased use is required to reduce GHG.

There also needs to be a much clearer explanation for how the MMLOS criteria will actually be used in determining project level impacts. What determines the roadways/ length of the corridor to be included in the analysis? The point system includes things like "6 points for multiple bicycle facilities ...along the corridor", ".5 points if bicycle racks are provided along the street segment corridor" and ".5 points if posted speed limits are .5 miles per hour or less." How will fair share costs of addressing bicycle facilities along a "corridor" be determined? The EIR has arbitrarily limited the evaluation of impacts to a very small number of street segments. It has not established a threshold for significance. It has not specified criteria that will trigger a project to evaluate impacts. It has not provided any mitigation for existing or future impacts.

Pedestrian

The GP includes numerous policies that are designed to support increased pedestrian travel. GP 3-22 identifies four areas of high pedestrian concentrations: entire NW quadrant, entire coastal area along Carlsbad Blvd, several locations along El Camino Real, and the southeastern portions of the city around La Costa Ave and Rancho Santa Fe Rd.

The CAP includes substantial pedestrian mode share increase as part of the required actions to reduce GHG. The GP states on p 3-17 that the new Carlsbad Multi-Modal Levels of Service (MMLOS) will be used to evaluate the adequacy of pedestrian facilities. Per GP Table 3-1 pedestrians are a prioritized mode for all of the following street types: identity streets, village streets, connector streets, coastal streets, school streets, employment oriented streets local/neighborhood streets, bicycle/pedestrian pathway, and streets within ½ mile of a transit center. The vast majority of these streets were not evaluated in the EIR. Furthermore we find nothing in the EIR that justifies such a narrow evaluation of impacts. The GP will add several road segments, thousands of additional cars, people and businesses and some pedestrian improvements over time. Yet the EIR only measures pedestrian MMLOS on sections of 4 streets as shown on Table 3.13-8- Carlsbad Blvd, Carlsbad Village Dr, Faraday Avenue, and Tamarack Avenue. Carlsbad Blvd was identified as failing to meet the threshold standard between La Costa and Tamarack.

Many areas of high pedestrian activity as identified in the GP were not evaluated at all. Many of the streets that are now prioritized for pedestrians were not evaluated. The EIR analysis of impacts was arbitrarily limited to a very small number of streets that will be impacted by the GP.

In addition GP policy 3-P.28 includes "New residential development should demonstrate that a safe route to school and transit is provided to nearby school and transit stations within a ½ mile walking distance." There was no evaluation of this in the EIR nor is this identified as one of the mitigation measures for either bicycle, pedestrian or transit modes. This is of particular concern because the adopted pedestrian plan failed to include the new Sage Creek High School in its Safe Routes to School program. This existing failure was not even identified.

SANDAG's model guidelines for pedestrians include specific consideration access for persons with disabilities. These include "Consideration must be provided to ensure that persons with disabilities are provided equal access to work, home, shops...". It also addresses ease of street crossing "Wide streets can be intimidating and more dangerous for pedestrians to cross. Methods for shortening crossing distances, providing a safe transition and building stronger visual connections must be employed." The GP or EIR failed to evaluate any potential differential impacts on this part of the population.

There is no analysis of future pedestrian level of service so it is not possible to determine if all such prioritized roadway segments will meet the minimum performance standards. In addition there is no mitigation, other than general policy statements for the existing segment LOS failure.

There also needs to be a much clearer explanation for how the MMLOS criteria will actually be used in determining project level impacts. The MMLOS criteria/point system shown on EIUR Table 3.13-3 includes things like " 1 point for active building frontages", ".5 points for twinkle light in trees along the corridor," ".5 points for a sense of security by the presence of people and clear sight lines." How close do such features have to be to be counted? How will fair share costs of addressing pedestrian facilities along a "corridor" be determined?

The EIR has arbitrarily limited the evaluation of impacts to a very small number of street segments. It has not established a threshold for significance. It has not specified criteria that will trigger a project to evaluate impacts. It has not provided any mitigation for future impacts.

Transit

The GP includes numerous policies that are designed to support increased transit use. The CAP includes a substantial transit mode share increase as part of the required actions to reduce GHG. The GP states on p 3-17 that the new Carlsbad Multi-Modal Levels of Service (MMLOS) will be used to evaluate the adequacy of transit facilities. The GP at 3-23 assumes two major transit service improvements will be in place: Coaster rail improvements and Route 471 rapid bus along Palomar Airport Rd. It also notes the importance of "first mile/last mile" facilities like bike lockers and racks and better connectivity from the transit stop to the ultimate destination. Yet the EIR only measures transit MMLOS on sections of 6 streets as shown on Table 3.13-9- Carlsbad Blvd, Carlsbad Village Dr. , El Camino Real, Palomar Airport Rd, Faraday, and College. Every single one of the identified segments fails to meet the threshold MMLOS standard of D or better. The only mitigation proposed is five general policy statements for the existing segment LOS failures.

Again, these policy statements fail to demonstrate that the threshold will actually be met or when this might occur, if ever.

The GP says that the standard will be applied to all streets where transit is a prioritized mode. Per GP Table 3-1 this includes: arterial streets, employment oriented streets, industrial streets, and streets within ½ mile of a transit center. The vast majority of these streets were not evaluated in the EIR. Furthermore we find nothing in the EIR that justifies such a narrow evaluation of impacts. The GP will add several road segments, thousands of additional cars, and two specified transit improvements. The CAP has assumed there will be major increases in transit use as a result of the policies included in the GP and the two improved transit services. But the EIR has not evaluated whether the majority of

the streets that are now prioritized for transit in the GP will meet the threshold of LOS D.

There also needs to be a much clearer explanation for how the MMLOS criteria shown on EIR Table 3.13-5 will actually be used in determining project level impacts. What determines the roadways/length of the corridor to be included in the analysis? The point system includes things like “1.5 points for good on-time performance”, “.5 points for a bus that has available seats on the bus,” and “1 point for buses that provide on-board bike racks.” These quality-of-service measures are determined by the funding levels for the transit service provider. Some of them will have wide variability depending upon the time of day that is evaluated (such as having an available seat). How and when will the evaluation of impacts take place? What is built in to assure that the policies that are dependent upon transit service funding can be maintained for the life of a project? How will the fair share cost of addressing transit improvements be determined? In the past this has been limited to providing basic bus stop amenities. The GP assumes much more than that, but there is nothing that assures that most of these actions will be provided for- at the time of approval and for the life of a project. Such assurances are required to support the conclusion that the threshold performance standard will be met for the life of the project.

Furthermore the discussion in the GP makes it clear that TDM programs are a key part of implementing the Mobility Element, yet none of the TDM actions have been discussed in the EIR. The EIR has arbitrarily limited the evaluation of impacts to a very small number of street segments. It has not specified criteria that will trigger a project to evaluate impacts. It has not provided enforceable mitigation for either existing or future adverse impacts.

Open Space

General

The total number of existing open space acres is shown as 9,252 or 37% on Table 2-1 and 9,473 acres or 38% on Table 4-1 and other acres/percentages throughout the GP and EIR. Please explain the discrepancies between these two tables and clarify which version was used as the basis for determining existing conditions and evaluating the significance of impacts.

The description of the Open Space Management Plan referenced on EIR p 3.11-20 is completely inaccurate. The latest version dated May 2004 clearly is limited to hardlined natural lands as described in the adopted Habitat Management Plan (HMP). It does not include numerous other kinds of open space that exists in the city, including other natural lands, developed parks, and drainage basins as is stated in the EIR.

SANDAG does not designate regional open space parks but does define regionally significant open space. The statement in the draft EIR appears to be based on a description in the city’s current Parks & Recreation Element (p. 5) which is incorrectly stated in the EIR.

40% Open Space Goal

The existing performance goal of 40% open space is not mentioned anywhere in the GP or EIR. This goal goes back to the ballot argument for the 1986 GMP that says “Proposition E puts a permanent cap on the total number of residential units that can be built in Carlsbad: reduces the overall density of the city and guarantees that we will always be a low density residential community with 40% open space.” It has been included in numerous city publications over the years, for example, Carlsbad

Avenues Let's Talk About Open Space from 2002.(Included in the Att). This 40% open space goal is still included on the city website as of the writing of this letter. This commitment of 40% open space at build-out began in 1986 and has continued to the present day- but is completely missing from these documents.

There are significant impacts associated with reducing the amount of open space in the city. None of these impacts have been identified or evaluated in the EIR.

Biological Resources

The EIR has concluded the project will have no adverse impacts on wildlife movement (EIR Impact 3.3-4) but has failed to provide adequate analysis to support that conclusion. This should include at least minimal discussion of barriers to movement. The EIR says a majority of development under the GP "will be redevelopment of or new development within existing developed areas" (EIR 3.3-25) and therefore will not result in significant impacts. It further concludes that Goal 4-G.2 and Policy 4-P.8 and 4-P.14 will address any direct or indirect impacts. However the goals are broad statements that provide no mitigation. Policy 4-P.8 is to maintain and implement the city's HMP. However section E.5 of the HMP on page E-6 says that phase 2 of implementation "shall be completed within three years of approval of the HMP" and shall include "A detailed plan to implement zone-specific preserve and management recommendations. This plan shall also review the feasibility of providing undercrossings and/or bridges in certain zones where major roads cross linkage areas. It is recognized that this could add to the cost of these public improvements and the effectiveness of an undercrossing or bridge needs to be weighed against the additional costs." It is now over nine years since the HMP was adopted and this plan has not been done and as a result the existing barriers to wildlife movement have not been addressed. Furthermore the GP adds road segments and more traffic to existing roads. The EIR should have assessed the impacts of roads, not just the footprint of development.

Policy 4-P.14 is to "maintain functional wildlife corridors and habitat linkages...". The EIR is supposed to evaluate potential impacts and provide mitigation. The existing linkages in the HMP are not functional and just making such a policy statement does not change that. Furthermore the existing linkages will be further degraded and result in additional impacts from adding to the development footprint (at least some of which is within defined linkages), additional traffic on roads that cross/parallel linkages, and additional road segments that cross linkages and roads.

In Best Management Practices for Wildlife, Beier et al specifically discuss design issues related to roads and bridges. They found that "For ungulates such as deer that prefer open crossing structures, tall, wide bridges are best. Mule deer in southern California only used underpasses below large spanning bridges(NG et al. 2004), and that "Because most small mammals, amphibians, reptiles and insects need vegetative cover for security, bridged undercrossing should extend to uplands beyond the scour zone of the stream, and should be high enough to allow light for vegetation to grow underneath." ¹ The EIR discussion is incomplete as it failed to discuss current standards to support successful movement, including those for deer. Coyotes are the top meso-predator in this area and providing for their movement is also a significant issue for the health of local ecosystems. (See Crooks and Soule for more detailed discussion of the importance of meso-predators.)

¹ Paul Beier, Dan Majka, Shawn Newell, and Emily Garding; Best Management Practices for Wildlife Corridors, Northern Arizona University, January 2008, p2.

In Principles of Wildlife Corridor Design, Monica Bond identifies a 6 step process developed by Beier and Lee (1992) to evaluate the effectiveness of a wildlife corridor. These include:

1. Identify the habitat areas the corridor is designed to connect.
2. Select several target species for the design of the corridor.
3. Evaluate the relevant needs of the target species.
4. For each potential corridor, evaluate how the area will accommodate movement by each target species.
5. Draw the corridor on a map.
6. Design a monitoring program.²

The EIR has failed to provide any basis for its conclusion that the GP will cause no direct or indirect impacts that have not been mitigated by very general goals and policies. The GP could significantly reduce the size, width, and visibility of the existing connecting linkages. This remains a potentially significant impact to wildlife movement.

Numerous studies have documented a whole series of adverse impacts on biological resources from roads and other linear developments. These are summarized in Spellerberg 1998 and included as Attachment 1. The EIR has not considered the full range of adverse impacts to biological resources related to the construction of roads and has failed to provide adequate mitigation for these including all of those shown on Attachment 1.

Numerous studies have evaluated the impacts of domestic cat predation on wildlife. As discussed in a paper by the American Bird Conservancy it is estimated that cats kill hundreds of millions of birds and more than one billion small mammals each year.³ They cite a 1997 nationwide poll that found only about 35% of the 77m pet cats in the U.S. are kept indoors. Since there is about 1 cat for every 3 residential units, adding over 7,000 residential units will add thousands of cats. The Crooks study in San Diego found that the average cat returned 24 rodents, 15 birds and 17 lizards per year” and concluded “This level of bird predation is not sustainable.”⁴ Many of these additional cats will be hunting in the hardline open space which will not be increasing in proportion to this expansion of the predator population.

Furthermore deer moved back into Core Area 5 and from there to Link C and Core Area 3 over the last 4 years.⁶ There have now been reports of two years of sightings of does with fawns. Further dispersal is certainly possible- and will extend their range into more areas where roads will be a problem. This key change in local wildlife populations was not identified or evaluated in the DEIR. Conflicts with wildlife should be expected given the proximity of riparian and regional wildlife movement corridors with hundreds of residents. Education on the value of wildlife and learning the fundamentals of coexistence is key to reducing such conflicts. The elimination of perceived pest/threatening wildlife by lethal means should never be the first course of action. This includes coyote, the top predator and an essential player in the health of the overall wildlife community, as well as snakes. None of these conflicts are addressed in the GP or EIR, nor are there provisions for dealing with the reasonably expected conflicts between wildlife and people.

² Principles of Wildlife Corridor Design, Minica Bond, Center for Biological Diversity, October 2003, p 2.

³ Domestic Cat Predation on Birds and Other Wildlife, see www.abcbirds.org/abcprograms/policy/cats/materials/predation.pdf

⁴ Crooks, p17.

⁶ See HMP Annual Reports and Preserve Manager Reports

The EIR discussion of wildlife movement corridors fails to comply with the basic requirements of the regional conservation plan. These specify that “Functional wildlife corridors and habitat linkages shall be assessing the dispersal characteristics of the target species (habitat preferences, dispersal capabilities, structural and spatial characteristics of the landscape, distance between batches of suitable habitat...”⁷ The EIR has failed to identify target species, assess their species related movement requirements, and then evaluate whether the wildlife corridors/linkages as identified in the HMP, given the changing local populations of wildlife and the changes associated with the GP, are still adequate. The MHCP Biological Goals, Standards and Guidelines for Multiple Habitat Preserve Design states “constricted sections of a corridor should have a maximum length of less than 500 ft. and a minimum width of 400 ft.”⁸ These guidelines also say that “the width of a corridor should be based on biological information for the target species (e.g. home range size and dispersal capabilities), the quality of the habitat within and adjacent to the corridor, topography, and edge effects of adjacent land uses.”⁹

The function of many linkages are further compromised by the edge effects of a proposed trail, road and housing. Will the GP create any new pinchpoints? Will the footprint of development add to edge effects? Neither of these have been evaluated.

Furthermore these guidelines specify that “A corridor should maintain visual stimuli (E.G., vegetative cover) along its entire length, or at least continually within site, to keep animals moving through it. Developments along the rim of a canyon used as a corridor should be set back or visually screened to minimize their visual impacts and possible edge effects.”¹⁰ There is nothing in the EIR to indicate if the GP will comply with these guidelines or not. This remains a potentially significant adverse impact that has not been addressed.

We also find inadequate provisions to prevent spread of invasive species. There are general provisions about not including invasives in landscaping plans. This does not address the potential for homeowners to plant invasive species in their yards, or for the ground disturbance associated with construction to result in increased spread of invasives, particularly since numerous such species are known to be present. The seed of invasive species can be spread by pets, birds, attaching to humans walking the trails and just by the wind. The land manager of the BVCER spends thousands of dollars every year removing invasive plant species- and none have been planted there- they are being spread onto this site primarily from plants on the adjacent lands. Additional mitigation is required to assure there will be no spread of invasives onto the hardline open space as a result of all of the ground disturbance from construction, increased trails through or adjacent to hardline preserve lands or other activities that will result from the GP. Mitigation measures should include things like restricting the use of all known invasive species anywhere in the city, immediate revegetation of disturbed areas; requirements for HOA’s to control all invasive plants within their areas of control, and adequate funding for hardline open space invasive plant monitoring and control. (Note many of the natural lands included with the HMP are not managed to the MHCP standards and many have little or no management of invasive species).

Trails cause significant indirect impacts which have not been identified or mitigated. The city is in the process of preparing a comprehensive trails plan. Much more extensive trails are assumed as

⁷ MHCP Biological Goals, Standards and Guidelines, Ogden, 1998, p 6-2..

⁸ IBID p. 6-3.

⁹ IBID, p 6-3.

¹⁰ IBID, p 6-3.

part of mitigation for GHG addressed in the CAP. The EIR has failed to identify the potential extent of such impacts or provide adequate mitigation. The EIR should specifically identify acres of direct impact, edge effects along trails and include appropriate mitigation. This remains a potentially significant direct and indirect impact.

4-P.4 “Provide public access to all open space areas.” Many of the policies in the GP have been identified as mitigation for potential impacts of the GP. This policy, and others, could actually cause significant impacts which have not been identified or mitigated. This is a broad expansion of public use of open space. As stated it places public access as a basic right on all public lands, which is only restricted if the identified conditions are met. The restrictions fail to identify all of the cases where public access would be problematic, such as through a wildlife movement corridor where there is no listed species, or parts of a watershed where there may be a concern about erosion or pollutants. It places no restriction on the type of public access. Is this intended to just mean a trail? It says for “unprogrammed recreational use” which could mean a pickup game of softball, flying remote controlled airplanes, practicing one’s golf swing, etc. Even along trails numerous studies have documented impacts on natural lands from differences in what is allowed to occur along the trail- from just pedestrians walking, to pedestrians with dogs, to allowing dogs off leash. Are there even any restrictions on dog access? For years the storm water permits have raised concerns about the non-point pollution of pet waste in the watershed. Expanding public use often means expanding pet access and the associated disruption of wildlife and pollution of the watershed. This policy could have significant indirect impacts that have not been identified or addressed.

4-P.16 This says the city will partner with other agencies “when it **is necessary**(emphasis added) to acquire open space land”. What does this mean? We won’t partner unless we have to? We won’t acquire any additional open space unless we are required to? We won’t acquire any land unless we partner with others? If the intent is really to explore partnering opportunities as a way to increase natural open space and reduce the cost to the city it should say that.

4-P.29 Language should be changed from “natural plant species” to “ southern California native plant species.”

4-P.64 It sounds like the intent of this is to integrate all of the beneficial uses of water- it should be restated to make that clear. Other policies focus on water quality but this could be more integrative by including reference to beneficial uses which then incorporates the specific items listed as well as others.

There is no policy that recognizes that land needs to be managed in a way that is consistent with its use. The MHCP documented a huge gap in current funding and what was required to manage hardline open space to the standard identified in the regional plan. New projects are being required to fund management, but there is no mechanism in place to address all of the parcels set aside for open space before those provisions were imposed. The EIR failed to identify this existing shortfall in enforcement/management of hard lined open space. The result is continuing damage from things like unplanned trails, invasive plants, erosion and pet waste. These impacts are increased when thousands of more people are added and less open space is provided. This is an indirect impact that has not been identified or mitigated.

No policies were found about equestrian use, where it would be allowed and under what conditions. 4-P.39 mentions equestrian as one of the categories of trail user but horses have impact on a lot

more than trails. Equestrian access in parks, open space and trails is another area with potential significant impacts. This includes erosion, pollution of the watershed, and impact on endangered species by increasing the presence of cowbirds.

Agriculture

This section does not recognize some of the new types of agriculture that use land differently- things like hydroponics, vertical gardens, rooftops gardens and front yard gardens. The GP should be consistent with the community vision and include policies that work to remove barriers to the use of these new alternative types of agriculture in addition to the traditional ones- particularly those that support local food production.

Agricultural land can provide substantial benefits for wildlife. It can functionally expand wildlife movement corridors and provide important foraging for raptors. Such benefits could be expanded through things like birdhouses, bat houses and bee hives. The GP and policies should look at the interface between natural lands and agricultural lands and strengthen their interrelationship instead of just being silent on this issue.

To our knowledge the Carlsbad zoning ordinance has no restricted agricultural zoning. Figure 2-1 Land Use Map shows no agricultural land. Some is included as open space- even though it may in the future be converted to other non-agriculture uses. Some is shown in its underlying zoning which also leaves agriculture as a temporary use. Other places have taken action to permanently protect agriculture. For example in Napa County voters approved a sales tax measure to fund agricultural easements to acquire and permanently protect agricultural land.

The only funding source the city has is the agricultural conversion mitigation fee that only applies to land in the coastal zone. Other permanent ways to support agriculture should be considered.

Air Quality

Operational emissions are also understated as there has been no consideration of the urban heat island effect. The project proposes substantial development, much of which will convert open space or other permeable surfaces to roads, buildings and parking lots. Such conversions indirectly increase ozone by replacing open space with blacktop or other heat increasing surfaces from roads, parking lots and roofs thereby increasing temperatures and contributing to the urban heat island effect. This heat island effect would exacerbate existing violations of ozone standards in the project area. This is an additional operational impact that was not discussed in the EIR.

Impact 3.2-2 is determined to be significant and unavoidable, yet nothing other than applying existing regulatory requirements is proposed as mitigation. The EIR states at 3.2-25 that “No mitigation is available beyond measures identified in the city’s SWPPP, Green Building Standards Code and the goals and policies in the General Plan that would reduce impacts to a level that is less than significant.” Table 3.2-6 shows that the emission threshold in every single case is not just exceeded by a little bit, but by huge margins. For the lowest failure, NOX, it is almost 400%. For others it is in the thousands. Furthermore there is no analysis as to how much reduction is assumed to be achieved with the identified GP policies. The EIR simply concludes they would reduce the long term operational impacts.

It seems inconsistent that basically the same policies are cited in the CAP as the basis for concluding that no action is needed to reduce GHG to meet the 2020 threshold, and fairly minimal actions are needed to meet the 2035 threshold, but for the other air quality pollutants related to motor vehicles” no mitigation is available.” Surely more extreme actions to reduce auto VMT would reduce these pollutants, the question is only how much would they be reduced. Other projects have considered the following air quality mitigation measures, which are all feasible and should be considered here :

For operational traffic impacts mitigation should include:

1. provide public transit subsidy through direct payment or provision of transit passes
2. provide preferential carpool/vanpool parking
3. provide direct pedestrian connections to transit stops
4. implement parking fee programs

For stationary source emissions, mitigation should include the following feasible measures:

1. increase wall and attic insulation beyond Title 24 requirements
2. plant shade trees in parking lots
3. install solar cooling/heating
4. reduce standard paving by 20%
5. use electric lawn and garden equipment for landscaping
6. pay an air quality mitigation fee and secure emission offsets

Further mitigation for these impacts is feasible, and required.

Furthermore this significant air quality impact should trigger consideration of a project alternative that would reduce these impacts below the threshold- but no such alternative has been considered. The Alternatives Analysis needs to be revised to identify at least one alternative that seriously tries to eliminate this significant air quality impact.

Noise

The noise analysis indicates that an unknown number of residences may need to use mechanical ventilation. Please explain how this has been reflected in the computations for air quality as this is not mentioned as one of the considerations in the discussion of methodology. (IE there will be more operational emissions as homes in the noise impact area will be using mechanical ventilation all the time resulting in significantly higher emissions than has been assumed for homes that meet current energy requirements.

The noise analysis identifies several sensitive receptors (EIR at 3.10-17) but fails to show that the analysis of impacts considered the distribution of these sensitive receptors. Figure 3.10-3 simply shows the roads with traffic noise boundaries, but with no distinction for residential or other land

uses like schools and parks. It is also not clear from reviewing the GP policies if the differential impacts of sensitive receptors have been considered. Several parks are located within the 70+ and 65-70 CNEL areas shown on Figure 3.10-3 Future Noise Contours. This level of exterior noise exceeds the threshold and is of particular concern because of the impacts on sensitive receptors. The EIR failed to consider the noise impacts on these land uses that clearly exceed the thresholds. Please correct the noise analysis and add mitigation measures as required.

There is no discussion of noise impacts on sensitive species where roads cross or are near to sensitive habitat. Two of the listed species protected in the HMP are Least Bell's Vireo (LBV) and California Coastal Gnatcatcher (CCG). Noise impacts on these species are usually evaluated at the same thresholds as people- 60 dBL. Please add analysis of impacts on these and any other sensitive species.

Public Safety/ Hydrology/Flooding

P 6-13 discusses sea level rise just south of Carlsbad BLVD of as much as 17" by 2050 and five feet by 2100. Figure 6-1 identifies the potential coastal flood zone all along the coast.(EIR Figure 3.8-1) The GP will add extensive development close to this area of potential flooding. Figure 6-3 identifies the potential maximum Tsunami run-up area. (EIR Figure 3.8.3) It is not clear from comparing these similar, but slightly different impact areas if there is any building allowed within any of these impact zones. The EIR mentions only a single land use change within the flood zone- a 10 acre parcel in Sunny Creek proposed for a residential density increase (EIR at 3.8-29). Please confirm that this is the only new development proposed within either the flood or Tsunami zones.

Please also confirm if there is any other existing development within either of these zones? Since the size of the zones is increasing existing development also needs to be considered.

The EIR discusses direct impacts only. But the indirect impacts of placing so much additional development so close to this area that will have greater risk of flooding is not addressed. How will this and the policy that allows some roads to fail traffic standards affect the ability to evacuate such areas when necessary? This is just one example of an indirect impact that has not been considered.

Furthermore some of the policies in the GP public safety element may be in conflict with other provisions cited as mitigation in the EIR and/or have other impacts that have not been identified or mitigated. For example 6-P5 "Require installation of protective structures or other design measures to protect proposed building and development sites from flooding." Does this include any of the measures commonly referred to as armoring the coast- things like seawalls or concrete surfacing that prevent normal bluff erosion? If so there are indirect impacts associated with such policies that have not been addressed.

We also did not find anything in the policies that addressed things like bluff collapse/ moving structures back from the edge of coastal bluffs. There are already sections of the pedestrian walkway along Carlsbad Blvd at the top of the bluff that show the impacts of bluff loss. Moving the sidewalk will impact the adjacent roadway and the ability to accommodate extensive coastal development as is being proposed in the GP. The EIR does not evaluate any of the impacts associated with continued bluff erosion that will be exacerbated by sea level rise. This is a significant impact that the EIR has not addressed.

Public Facilities

15% Open Space Standard

GP 4-6 describes the GMP performance standard for open space of 15% of the total land area of each LFMZ “exclusive of environmentally constrained non-developable land.” It further explains that at the time this standard was established that LFMZ’s 1-10 and 16 “were already developed or met/exceeded the open space standard, and therefore, are not subject to the open space standard.” Please clarify how much/what percentage of open space each of the 11 excluded zones actually had at the time of adoption of their respective LFMZ’s and how much they have today. Certainly this GP update is the appropriate time to relook at the differential treatment of these zones and consider some way to bring them closer to parity with the rest of the city.

The EIR has evaluated all of the other public facility performance standards, except for open space. Please add the required analysis of this performance standard in the EIR.

4-P.5 – It is not clear what this policy means. It fails to include the specific public facility performance standard which is 15%. (Except for those zones that have been excluded from the standard) The list of areas that shall not be counted does not exactly mirror the language in the OSCRMP so it is not clear if it is intending to change anything or not. Furthermore this is one of the performance standards that inexplicably is not evaluated in the EIR. The GP has not demonstrated that it has met the open space performance standard so this remains a significant impact.

We have reviewed numerous background documents, Growth Management Plan Monitoring Reports, and many of the LFMP’s. We have found numerous discrepancies in how these LFMP’s have identified “environmentally constrained, unbuildable lands.” Most of the LFMP’s have been prepared by developers whose objective is certainly not to increase their own mandate to set aside land for open space. Given the historic inconsistencies in exempting some areas from the standards, and in applying standards consistently in others, it is necessary to provide full analysis of compliance with these standards in the new GP. Please provide full documentation of the new GP compliance with the 15% open space standard.

Parks

Overall Park Acres

The attachments include a summary of all of the existing Community Parks and Special Use Areas that are counted towards meeting the GMP performance standard of 3 acres parkland/1,000 residents/quadrant. Column A shows the number of acres credited for each park as shown in Envision Carlsbad Working Paper # 3. Column B shows the number of park acres as shown in the GP Table 4-4 and repeated in the EIR as Table 3.11-1. 33 of 42 parks, or almost 79% of total parks changed size in a little over one year. A few of these are understandable- such as the addition of 32.1 acres for the new park at Alga Norte and the elimination of the school yards at Kelly and Hope from the joint use agreement. But most of these are a complete mystery. Please explain the basis for the change in park acres for which no explanation has been provided.

Industrial Land Use

GP 4-9 states that the City’s growth management ordinance “authorizes special facility fees to pay

for improvements or facilities that are related to new industrial development. Since there is a substantial impact on existing recreation facilities from an increasing industrial employment base, the city recognized a need to impose and implement a park mitigation fee for industrial development. In November 1987, the City Council adopted its first park mitigation fee for the Zone 5 Local Facilities Management Plan. Additionally, a park mitigation fee was required as part of the Zone 13 and Zone 16 Local Facilities Management Plans. The purpose of this fee is to ensure adequate recreational facilities to accommodate the demand created by the daily influx of the industrial work force and population as industrial development grows." This is reflected in policy 4-P.21 "Maintain appropriate recreational standards for employment areas."

This identification of the impacts of increased industrial employment has been ignored in the EIR. Industrial development will increase almost twice as much as residential. The impacts of this increase in industrial employment have not been addressed in the park standards or the analysis of impacts. Zero park acres have been added to accommodate this increase in industrial employment making the impacts even more significant. In fact this increase all by itself could result in a failure to meet the minimum GMP standards for parks. The required minimum number of park acres- just for residents, is 3 acres/1,000 residents per quadrant. Two parks are included within the compliance analysis that are intended to at least partially meet recreational needs for employees in industrial land uses, not residents. (Zone 5 and Veteran's) Park impact fees have been paid by current and future industrial employers in that area.

The Zone 5 park is not within LFMZ 5 although it sounds like park impact fees were collected from Zone 5 industrial businesses to pay for that park. Furthermore 100% of the existing and future Zone 5 Park is located within and charged to the minimum required park acres for the NW quadrant, even though funding and many of the intended industrial users are not even within that quadrant. LFMZ 13 is located within the NW quadrant and LFMZ 16 is in the NE quadrant. Please explain what existing fees have been collected from industrial land uses, what parks they have been allocated to, what fees are anticipated from future industrial development and what parks these fees will be allocated to. Then explain why these parks are allocated to meet the minimum park acres for residents. This is of particular concern for residents of the NW quadrant who are charged with these park acres although the park is not located near any residents and they are clearly intended to serve employees in the industrial businesses.

Policy 4-P.21 is to "maintain" the appropriate recreational standards for industrial areas. This implies there is an existing standard. Please clarify what this existing standard is and how this is reflected in the allocation of park acres which currently shows zero acres of park land has been provided to meet these needs. The GP identifies a "significant impact" on parks from industrial users. This impact will be increased with the increase in industrial land use per the GP. The EIR has failed to evaluate the existing and future adverse impacts and has provided no mitigation.

Double counting Land as Natural Resource and Park

Figure 4-2 in the GMP (included as Figure 3.3-1 in the EIR) shows land that is part of the hardline preserve land as identified in the Habitat Management Plan(HMP) and subject to a legally binding agreement between the city of Carlsbad and the state and federal wildlife agencies. All land included within the HMP preserve lands are subject to the conditions of the HMP. This land is set aside for the protection of endangered species. Public use is limited, and in many preserves not allowed at all.

Where it is allowed this is limited to a defined public trail and specifically says this is for “passive “use only.

GP Figure 4-3 Parks (EIR Figure 3.11-1) proposed General Plan Parks and Recreation shows each of the existing and proposed Community Parks and Special Use Areas that are listed on GP Table 4-4. Comparison of the Figures clearly shows that 4 existing parks (Hidden Canyon, La Costa Canyon, Leo Carillo, and Poinsettia) and one future Park (Veteran’s) have substantial acres that are counted as hardline Open Space in the HMP for purposes of counting land required for compliance with the related agreements. Portions of these same areas are also counted as park acres for purposes of measuring compliance with the GMP performance standard for parks. This double counting of these acres allows the city to use the same land to meet the minimum requirements of the HMP (no active recreation) and the minimum requirements of the GMP for parks (active recreation). The same land is being counted twice. This land that is now double counted had been counted as parkland prior to the city adopting the HMP. When the HMP was adopted some land that had been included as parks was then reallocated as hardline open space, but the city never subtracted this land from the park inventory as should have been done.

This double counting is shown on Column D of the Att summary of park acres and totals 51 acres for existing parks, and 54.1 acres for future parks or a combined total of 105.1 acres. Eliminating this double counting of hardlined open space leaves 3 of the 4 quadrants of the city with less than the required minimum park acres.

Veteran’s Park

The future Veteran’s Park has been treated differently than any other park in the city. No others are counted in more than one quadrant. No other major city-wide facility is counted towards meeting the minimum park requirements per quadrant. The original GMP performance standards were very specific that parks are counted by quadrant and that only land within a quadrant was counted towards meeting the requirements for the quadrant. In the 1997 amendment to the Facilities these standards are unchanged. However in the detailed list of parks included in the attachments, Veteran’s Park (shown as Macario Canyon) is divided into four parts with $\frac{1}{4}$ counted in each quadrant. There was no discussion in the document, or in the staff report where this change occurred that explained why this was being done although it was a clear violation of the standard and no other park was counted in more than one quadrant. Furthermore it is clear that Veteran’s Park provides little recreational benefit to residents as it is not located in a residential area. It was recently characterized by the Mayor as a “Regional Park”¹¹ and by staff as likely to be the location of the future “Adventure Park” identified in the 2013 Park Needs Assessment.¹² Of the 90 acres now shown for this park, 54.1 acres are double counted as hardline open space.

The future Veteran’s Park does not meet the definitions for a community park or special use park and should not be counted at all toward meeting quadrant minimum park acres. It is properly categorized as a Special Resource Area – a recreational amenity that serves a broader area than a quadrant, is typically larger than a community park, and provides unique amenities- similar to the Crossings Golf Course, the beaches and Lake Calavera Preserve. The GP on page 4-22 includes a discussion of “regional recreation.” This discussion includes three of the city’s special resource areas and one future park, Veteran’s. We find nothing in city policy, the prior recreation element, recently

¹¹ Personal telephone conversation Mayor Hall and Diane Nygaard April 2014.

¹² City Council Workshop March 18, 2014 discussion on Ballot Initiative Update.

completed park Needs Assessment, or any other document that explains what regional recreation is and how it is distinguished from what is shown on Table 4-4 as existing special resource areas, which do not include Veteran's Park. On Table 4-5 Veteran's Park is shown as one of the anticipated Future Parks. However, it is the only park in the entire city that is designated as "city-wide" rather than allocated to a quadrant. Counting this park towards the minimum required park acres in all four quadrants treats it different than every other park in the city. This is a violation of the intent and spirit of the GMP. Correctly categorizing Veteran's park as a Special Resource Area and eliminating the hardlined open space acres leaves the city short 90.6 park acres at build out. All 4 quadrants of the city fail to meet the minimum requirement for park acres. (See for detailed computations).

The EIR failed to identify these issues with the park inventory, failed to identify the failure to meet the public facilities standard for parks, and failed to provide any mitigation for this significant adverse impact.

Neighborhood Parks/Park Access

Throughout the GP from the vision statements about connectivity, enhancing neighborhoods to throughout the discussion of the Mobility, Land Use, and Open space and Parks elements it is clear that neighborhood parks should be more formally included in the performance standards. In fact the early citizen's committee proposed that park standards would include 2.5 acres/1,000 residents per quadrant for community parks and another .5 acres for neighborhood parks. This was simplified to just a combined total of 3.0 acres but with subcategories addressing the intention to provide park access to every neighborhood.

All of the following parks policies support this :

2-G-1 "Maintain a land use program with amount, design and arrangement of varied land uses that serve to protect and enhance ...the Carlsbad Community Vision."

2-G.2 " promote a diversity of compatible land uses ... that allow people to live close to...parks..."

2-G.18 " Ensure that new development fosters a sense of community and is designed with a focus on residents ... by providing walkways to common destinations such as ... parks and

3-G.2 " Improve connectivity for residents, visitors and businesses."

4-P.19 – "reflect the needs of residents at the neighborhood level"

4-P.24 "Consider accessibility...local resident access... whenever possible parks should be located near schools..."

4-P.25 " Locate new parks ...in existing infill neighborhoods..."

A recent study by the San Diego Foundation Parks for Everyone evaluated access to parks throughout San Diego County. We contracted for updated versions of two of the key summary tables looking at park access by income levels and minority status, and access within ½ mile. These updated Figures are included in the Att. These Figures show that many areas of the city fail to meet the minimum thresholds of 3 acres /parkland when considering income levels, minority status and distance. We recognize that these factors are not currently formally included in the performance standards. But they illustrate how arbitrarily applying the standards results in disparate impacts which also is not consistent with the intent of the GP. The EIR analysis of parkland has failed to consider any such indirect impacts of the current number and distribution of parks.

4-P.25 It is not clear what this means as there is no new park added that is shown on the detailed parks inventory on Tables 4-4 and 4-5 . It also is not clear why this appears to just be limited to the Village and Barrio. Please explain.

School Yards Counted as Parks

There have been a number of issues in the last few years that impact school security and the use of school yards as recreational facilities. This increased concern with school security has resulted in school yards becoming fenced, gated, and locked facilities. When the GMP performance standards were developed that was not the case. Many school yards had open access during the times school was not in session and could provide a substantial recreational benefit to the nearby neighborhood. Now there is no longer any general public access to school yards. Public access to selected schools is governed by a joint use agreement between the city and the school district. In the case of the Carlsbad Unified School District this agreement further restricts access just to those times the school is not using the yard for their activities, and to organized youth sports groups. Schools can be added or deleted from the agreement at any time. These restrictions make the use of schools yards as public parks impossible. In the best case a school yard subject to the joint-use agreement has only a few hours of use/week to a very limited number of people that are members of an organized sports team.

Including such restricted facilities as part of the minimum required park is acres not consistent with the provisions of the GMP. This is another area where such historic policies need to be updated, result in disparate impacts for some neighborhoods, and are no longer consistent with the goals and policies of the proposed GP.

Public Safety/Police and Fire Service

The EIR states “The city’s Fire service standard established by the Citywide Facilities and Improvement Plan requires no more than 1,500 dwelling units be outside of a 5 –minute response time. “There is no specific standard for police services and per the EIR “neither department uses staffing standards to determine quality of service.” (EIR at 3.11-22.) GP Policies 6-P.27-35 includes the policies related to police, fire, and emergency services. The EIR concludes there is a less than significant impact because staffing will be adjusted to meet the demand, new building standards will reduce the risk and the identified policies will mitigate any potential impacts.

However the EIR fails to evaluate compliance with the single numeric standard required in the GMP- no more than 1,500 dwelling units outside the 5- minute response time. The EIR has failed to demonstrate that either under existing or future population levels that this standard will be met. In a recent EIR for the Quarry Creek project it was stated that project would be outside the 5 minute response time and therefore construction of the relocated fire station to Robertson Ranch will be triggered by that development.

Furthermore the EIR has failed to consider the impact of the Mobility Element roadway changes that are allowing traffic failure conditions on several roads during peak hours (GP 3-19). In addition numerous roads that will not be at failure conditions will still experience increasing congestion. Please explain how response times will still be met for emergency personnel when College Blvd is in traffic failure and gridlock. The failing traffic will certainly adversely impact these response times. There will also be impacts from failing traffic conditions in adjacent cities. For example the traffic analysis for the Quarry Creek project found traffic failures along sections of College Blvd in Oceanside that are required to be used to reach homes in that Carlsbad development. These kinds of traffic issues will all impact response times in Carlsbad. Please correct the analysis of response times to

account for all such changing traffic conditions.

Furthermore the City of Carlsbad has extensive fire response provided by adjacent cities under the existing border drop agreements. Please identify historical patterns of the impact of these border drop agreements and what assurances there are that such support from adjacent cities will continue. Putting a policy statement like 6-P.32 "Coordinate the delivery of fire protection services through mutual aid agreements with other agencies when appropriate." How would response times be impacted if there were not such agreements in place?

Also the GP and the EIR have not looked at conflicts between provisions for vegetation clearing for fire prevention/response and habitat protection under the HMP. There are areas like the Ocean Hills neighborhood of Oceanside that borders on hardline preserve in Carlsbad where development does not meet current standards and the area is in high severity fire zone. There are older neighborhoods in Carlsbad that do not have the full fire buffer areas that are standard with new development.

For the recent Quarry Creek project fire service response was based on the average response per thousand residents in the city of Oceanside. (.92 calls/1,000 residents or $.92 \times 1541 = 141$ calls/year). This is a Carlsbad project so Carlsbad numbers should be used to assess the service demand. What is the Carlsbad data for number of fire response calls/1000 residents?

The fire service analysis failed to consider the impacts of adding so many residential units in what is defined as the Wildland/Urban Interface Zone. Recent updates of fire severity zones have classified homes in areas like this as in the severe hazard area. Such a designation is based on increased risks for frequency and severity of fire. Local studies by the San Diego Foundation and others conclude that by 2050 "Wildfires will be more frequent and intense." (San Diego's Changing Climate, page 10.) The fire analysis failed to consider the increasing demand placed on fire service overall because of the impacts of global warming. They also failed to consider the increased risks of placing so many homes in what will be rated as a severe hazard zone. The EIR analysis is incomplete and no mitigation has been provided for these significant impacts.

Climate Change and GHG

P 9-9 Discussion of the impacts of climate change should also note the potential extinction of numerous plant and animal species (not all plants and animals can migrate to higher elevations where they have any chance of survival).

P 9-11 is one paragraph on Climate Adaptation Planning- yet there really is no such adaptation plan. The particular threats identified for Carlsbad "drought, fire and rising sea level "are not addressed in the GP or the CAP. Each of these has significant potential adverse impacts which have all been ignored in the EIR.

One of the major concerns with climate change is the increased frequency and severity of wildfire. This issue is not addressed in the CAP, EIR or GP. The HMP has provisions for adaptive management, but that only addresses the areas covered by the plan, and not numerous other natural open space areas that are not hardlined preserve but that will still have an indirect impact on what is often nearby. There is also increasing pressure from homeowners for excessive vegetation clearing which contributes to impacts of erosion, water quality degradation, and visual impacts. The city of Carlsbad does not have one fire safety person assigned to public education about these issues. The result is

that there are adverse impacts on natural lands and the watershed that eventually can lead to habitat type conversion and significant impacts on sensitive resources. The GP should provide some certainty that these threats are being considered and that this will be accounted for in staffing analysis- which is not the case today.

Note: See separate comments submitted on the CAP.

Sustainability

The discussion of LEED and Build it Green on GP 9-17 and 9-18 is very interesting but it is not carried forward into any policy or action in the GP or CAP. Please consider adding policy that would provide incentives to actually use these programs.

No discussion of waste reduction/recycling. Other cities like Oceanside have zero waste goals. To our knowledge Carlsbad has no such goal. Sustainability programs usually include recognition of the importance of reducing the amount of waste created and recycling as much waste as possible. Residential, commercial and public facilities should all be integrated into a comprehensive program. This should result in review of current waste contracts and consideration of how these might be restructured over time to reduce the volume of waste and the amount of it that get recycled. The city is starting a program to replace old trash cans at the beach with new ones that include separate container for cans/bottles. This should be standard for all public facilities.

9-P.11 Think you stated this backwards- don't you really want **maximum** tree canopy coverage and **minimum** asphalt and paving coverage?. The Landscaping Manual needs to be updated to reflect new approaches to Urban Tree Canopy, maximizing use of southern California native plants and to tie in more specifically with other policies such as fire related brush clearing, plant selection, and water conservation.

9-P.16 This policy seems to artificially restrict food growing to back yards. There are lots of opportunities to use front yards that can also be integrated with landscaping programs and still result in visually attractive spaces. The policy should allow more flexibility as many backyards may not be suitable for food growing where front yards would be. There are also common areas for HOA's that should be considered for inclusion.

Arts, History, Culture and Aesthetics

There are a number of policies in the existing General Plan that seem to have been dropped from this update. Our concern is that eliminating these policies could have adverse impacts that have not been identified in the EIR. Please clarify if each of these has been eliminated and if so include some discussion of potential impacts. Number reference is to existing GP.

"C.5 Combine historically significant sites with recreational learning opportunities, where possible."

"C.7 Utilize community parks in support of historical and cultural programs and facilities ..."

" C.8 Coordinate the efforts of the Historic Preservation Commission on the sighting and care of historic ruins within parks."

” C.9 Enhance the availability of special resource and or open space areas and promote awareness of the educational opportunities associated with them.”

” C.11 Work cooperatively with the Historic Preservation Commission and Cultural Arts Commission to effectively sustain and promote awareness of historically and/or culturally significant facilities and programs.”

Cumulative Impacts

The SANDAG Sustainable Community Strategies in the 2050 Regional Transportation Plan (RTP) (incorporated by reference) includes numerous mitigation measures that have not been brought forward, or have only partially been addressed in the GP. Table ES-2 in the FEIR Summary of Environmental Impacts and Mitigation Measures of the RTP (entire document incorporated by reference) details what is expected of member agencies to include in their related plans. Impacts and Mitigation Measures are identified for horizon years 2020, 2035, and 2050. All such measures for horizon years 2020 and 2035 should have been evaluated in the EIR for this Carlsbad GP in order to determine consistency with the regional RTP/SCS. While some of them are at least partially addressed in the GP policies that are identified as mitigation measures, many are completely absent. The EIR completely fails to evaluate to what extent the mitigation as proposed is consistent with the SANDAG RTP/SCS. These mitigation measures where local member agency policy/action is included in the RTP should have been evaluated include the following(and others not mentioned) :

Aesthetics

VIS-C add significant natural elements along highway corridors

VIS- D replace and renew landscaping along corridors with road widenings

Agriculture and Forest Resources

AG-A encourage agriculture conservation easements or farmland mitigation banks

FR-B when offsite mitigation is needed provide it through acquisition and restoration of lands contiguous with areas of native habitat

Air Quality

AQ- A1 incorporate planning and land use measures from the Attorney general’s latest list of example policies to address climate change

Incorporate AG list of project specific mitigation measures

AQ-C –evaluate localized project specific localized particulate (PM 10 and PM 2.5)

Assess health risks associated with CO and particulates

Biological resources

BIO-A avoid impacting sensitive vegetation communities and provide mitigation as described

BIO-B avoid impacting wetlands

BIO-D limit grading and earth moving activities within the planned transportation footprint

BIO-E acquire and restore land for off site mitigation to maximize biological value

BIO-M conduct wildlife movement studies for projects that may fragment or constrict regional or local corridors

BIO-N provide for continued movement of wildlife during construction

BIO-O limit edge effects of development

Greenhouse Gas Emissions

GHG-B adopt a local Climate Action Plan- including list of specific items to include

GJHG- C require Best Available Control Technology during construction and operation of projects

Hazards and Hazardous Materials

HM-B consider wildfire risks and incorporate climate change adaptation measures into project design

Hydrology and Water Quality

WQ-A develop detailed erosion control mitigation measures tailored to the site and included in the SWPPP

Noise

NOI-A implement specific noise reduction features near sensitive receptors

NOI-B incorporate design measures for projects that would generate transportation noise

Public Services, Utilities and Energy

PS-A, US-A, US-B, US- C, US-D, US-E and US-F apply specific mitigation measures to reduce the impacts of any new or expanded public facilities

Water Supply

WS-A implement all feasible water conservation measures

WS-B utilize reclaimed water to the greatest extent feasible

Alternatives Analysis

The analysis of impacts is so flawed it is not possible to do a meaningful review of the proposed alternatives. The following comments are just a few examples of the problems that have been carried forward to the review of alternatives.

The EIR has not evaluated compliance with project objectives ie does it actually achieve the core values of the vision? The analysis of the EIR favors the proposed project and fails to properly identify key differences between the alternatives.

Per CEQA alternatives are not defined at the beginning of the project, as was done here. But rather the environmental review is used to identify significant impacts and then alternatives are developed to specifically reduce the adverse impacts and assess the relative impacts of each. The EIR identified two areas with significant impacts that have not been mitigated, traffic and air quality. The challenge for alternatives analysis is to define an alternative that substantially meets the objectives while significantly reducing the impacts. The alternatives analysis, simply evaluated the land use alternatives that were defined in an early stage of the GP development. There is nothing in the EIR that indicates there was any effort to define an alternative whose objective is to reduce the significant impacts to traffic or air quality.

Except for the “No Project “ alternative the others all have very similar amounts of residential, commercial, industrial and hotel development. Per Table 4.2-4 the maximum population change between high and low varies by only 3.5%.

The comparative analysis of air quality impacts has ignored half of the contributing pollutant sources.

The EIR only assesses the VMT or motor vehicle related component of the air quality impacts. Table 3.2-6 identifies five air quality pollutants for which the GP would exceed the threshold. Of those 5, motor vehicle sources constitute less than half of the pollutants for two, about ½ for one and over half for 2. Area sources are as important as motor vehicles but there is no comparative analysis for area sources- which represent about ½ of the problem. Please correct the analysis to include area sources.

Conclusions

The EIR has failed to identify numerous adverse impacts, has failed to adequately evaluate or mitigate those impacts and has not met the basic requirements of an EIR. Numerous issues raised in this comment letter, the related comment letter on the CAP, and numerous letters submitted by others fully support our conclusion that this EIR is unacceptable. An amended document must be prepared that completely and accurately assesses the adverse impacts associated with this project and provides reasonable, enforceable mitigation to address them.

Thank you for your consideration of these comments. We look forward to working with you to address these concerns.

Sincerely,

Diane Nygaard
On Behalf of Preserve Calavera

Attachments

Comparison of Park Acres and future park acres shortfall
Figure of Existing and Proposed Parks Showing Acres Doubled Counted as Open Space
Park Access by Income Lever/Minority Status per San Diego Foundation Research
Park Access by Distance per San Diego Foundation Research
Carlsbad Avenues – Let’s Talk About Open Space
Summary of Negative Ecological Effects of Roads and Traffic and Other Linear Developments
Smart Growth Concept Map- Site Descriptions Last Updated Jan 27, 2012, p6 and 7(Included with CAP letter)
Envision Carlsbad Draft Preferred Plan, Excess Dwelling Unit Bank (EDUB) Availability and Demand, .

References – All Incorporated by Reference

Parks are For Everyone, Green Access for San Diego County, The San Diego Foundation
San Diego’s Changing Climate: A Regional Wake-up Call, the San Diego Foundation and back-up reports at www.sdfoundation.org
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Crooks, K.R., and Soule, M.E., 1991. Mesopredator release and avifaunal extinctions in a fragmented system. *Nature* 400:563-566.
Miller, S.G., Knight, R.L., and Miller, C.K., Wildlife response to Pedestrians and Dogs, 2001, Wildlife Society Bulletin 29, pp. 124-132.

MHCP, Biological Goals, Standards, and Guidelines, Ogden, 1998.

Reed, Sarah, and Merenlender, Adina M., Quiet, Non-Consumptive Recreation Reduces Protected Area Effectiveness, Department of Environmental Science, Policy and Management, University of California, Berkeley, CA, submitted January 28, 2008.

Spellerberg, I.F. 1998. Ecological effects of roads and traffic: a literature review. *Global Ecology and Biogeography Letters*. &:317-333.

Taylor, Audrey R. and Knight, Richard L., Wildlife Response to Recreation and Associated Visitor Perceptions, *Ecological Applications*, 13(4) 2003, pp. 951-963.

Guidelines to Wetland and Riparian Buffers, City of Carlsbad April 9, 2010

City of Carlsbad, Excess Dwelling Unit Bank Summary October 2012

City of Carlsbad 2012 Growth Management Plan Monitoring Report

City of Carlsbad Preserves, 2012-2016 Preserve Management Plan September 2011

Habitat Management Plan for Natural Communities in the City of Carlsbad, Final Approval November 2004.

Attachment 1

Summary of negative ecological effects of roads and traffic and other linear developments

Short Term Effects

- Direct loss of wildlife(road kill) and their habitats
- Immediate habitat fragmentation(loss of feeding, watering or breeding areas)
- Damage and direct loss of soil and flora
- Increased run-off
- Air and water pollution
- Microclimate changes

Long Term Effects

- Continuing direct loss of wildlife (road kill)
- Greater habitat loss due to light and noise disturbance extending into undeveloped areas
- Developed road avoidance by wildlife
- Decreased reproductive success
- Population fragmentation possibly leading to interbreeding complications
- Increased dispersal of non-native plants extending into undeveloped area and leading to further loss of habitat and wildlife
- Further increased run-off, air and water pollution
- Decreased biodiversity

Spellerberg,I.F. 1998. Ecological effects of roads and traffic: a literature review. *Global Ecology and Biogeography Letters*. &:317-333.

From AB 21,003
9/11/12 CB City Council Meeting

**Envision Carlsbad Draft Preferred Plan
Excess Dwelling Unit Bank (EDUB) Availability and Demand**

A. EDUB Availability

The Draft Preferred Plan (Plan) proposes increasing allowed residential densities on various sites throughout the city, as well as changing the designation of some sites from a non-residential use to residential. These changes will require an allocation from the city's Excess Dwelling Unit Bank (EDUB). The Plan, as currently proposed, would utilize 2,812 of the 3,135 available units in the EDUB. Section B, below, provides a summary of the number of units needed from the EDUB for each focus area of the Plan.

In addition to the Plan, an application for the Quarry Creek Master Plan is currently being processed by the city and, if approved, will require an allocation from the EDUB. As currently proposed, the Quarry Creek Master Plan will need 363 units from the EDUB. Together, the Plan and Quarry Creek Master Plan will require more units (3,175) than currently available in the EDUB (3,135). Staff's recommendation on how to address this issue is described below, but first, the following is a brief description of the EDUB and its purpose.

1. EDUB Description

City Council Policy Statement 43 (Proposition E "Excess Dwelling" Unit Bank) established a dwelling unit bank concept in order to assure that residential development will not exceed the city's Growth Management (Proposition E) dwelling unit limitations. The policy also specifies the types of projects that the city can allocate "excess" units to; such as housing for lower or moderate income households, "smart growth" development, mixed use and changing a land use from non-residential to residential.

As shown in Attachment 5, all of the residential land use designations have an allowed density range with a minimum and maximum density, as well as a Growth Management Control Point (GMCP) density. The GMCP density is the density point used to measure compliance with the Growth Management (Proposition E) dwelling unit limitations (maximum number of units that can be built in the city and within each city quadrant), and it is directly linked to the EDUB. When a residential project develops below the GMCP density, the number of units between the developed density and the GMCP density are considered unused "excess" dwelling units, which are then "deposited" into the EDUB. The "excess" units in the EDUB are then available to allow other residential projects to develop at a density that exceeds the GMCP density, but subject to the Proposition E dwelling unit limitations.

2. EDUB Balance

On December 17, 2002, the City Council voted to reduce the accumulated number of units in the EDUB to a total of 2,800. Since December 2002, the EDUB balance has grown as a result of

more residential development occurring below the allowed GMCP density than above it. The EDUB balance, as of May 31, 2012, is 3,135 units.

As mentioned above, the Plan and Quarry Creek Master Plan, as currently proposed, will need more units (3,175) than currently available (3,135). Although the City Council has the option to return some of the units removed from the EDUB in 2002 back into the EDUB, it is staff's objective to present a Plan to the City Council that will not require them to do so.

Consistent with Planning Commission direction, the Quarry Creek Master Plan is being processed separately from the Plan. However, Quarry Creek is a site that is very important to implementing adopted programs in the city's existing Housing Element (2005-2010). Therefore, it is important to ensure that there are adequate units in the EDUB to implement the adopted Housing Element program on the Quarry Creek site. The Planning Commission and City Council will review and make decisions regarding the Quarry Creek Master Plan when the master plan is brought before the Commission and Council at public hearings.

Direction regarding the Plan is the purpose of this report, and therefore, staff is recommending the following minor adjustments be made to the Plan to ensure the EDUB balance is not exceeded:

- a. Do not designate the Aviara Resort site in Focus Area 10 (Aviara) for medium density residential; rather, leave it as currently designated for Travel Recreation Commercial (TR).
- b. Do not designate the area west of Plaza Camino Real for Mixed Use (MU); rather, leave it as currently designated for Regional Commercial uses, which allows for mixed use projects by right as an option but is not mandatory. This is consistent with Planning Commission recommendations on other commercial centers throughout the city.

The two changes described above will reduce the number of units needed from the EDUB by 243 units, resulting in a total need of 2,569 units from the EDUB for the Plan. Combined with the Quarry Creek Master Plan, the total units needed from the EDUB will be 2,932, which are 203 units below the 3,135 currently available.