

LAW OFFICES OF EVERETT L. DELANO III

220 W. Grand Avenue
Escondido, California 92025
(760) 510-1562
(760) 510-1565 (fax)

March 12, 2007

**RESPONSE TO COMMENTS
HALL PROPERTY COMMUNITY PARK**

VIA HAND DELIVERY

Scott Vurbef
City of Encinitas Planning and Building Dept.
505 S. Vulcan Ave.
Encinitas, CA 92024

Re: Hall Property Community Park Draft Program Environmental Impact Report: 04-197 CDP/MUP; SCH No. 2004121126

Dear Mr. Vurbef:

These comments are submitted on behalf of Citizens for Quality of Life in response to the Draft Program Environmental Impact Report ("DEIR") for the proposed Hall Property Community Park project ("Project").

INTRODUCTION

The California Environmental Quality Act ("CEQA"), Pub. Res. Code §§ 21000 – 21177, must be interpreted "so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. App. 3d 247, 259. CEQA is essentially "an environmental full disclosure statute, and the EIR is the method ... [for] disclosure ..." *Rural Landowners Assn. v. City Council* (1983) 143 Cal. App. 3d 1013, 1020. An EIR's purpose is "to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment." Pub. Res. Code § 21061. The EIR is the "heart of CEQA," CEQA Guidelines § 15003(a), and "protects not only the environment but also informed self-government." *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564. Its purpose is "to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." *County of Inyo v. Yorty* (1973) 32 Cal. App. 3d 795, 810 (emphasis added).

INADEQUATE DISCUSSION OF PROJECT IMPACTS

If an EIR fails to provide the agency decision-makers and the public with all relevant information regarding a project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient and the agency's decision must be set aside. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 712. This is because an EIR is "aptly described as the 'heart of CEQA,'" and it is the primary means of achieving the state legislature's declaration to "take all actions

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CITY OF ENCINITAS
CITY CLERK

B1-1

B1-1

These comments will be provided to the city's decision-makers for consideration when they take action on the proposed project. No specific comment on the EIR is provided within this comment and no response is necessary.

B1-2

B1-2

These CEQA citations are noted for the record and do not specifically address the sufficiency or adequacy of the subject EIR in identifying and analyzing the project's environmental impacts; therefore, no response is necessary.

necessary to protect, rehabilitate, and enhance the environmental quality of the state.” *Laurel Heights*, 47 Cal.3d at 392; *see also* 14 C.C.R. (hereinafter “CEQA Guidelines”) § 15003(a).

An EIR must analyze possible significant environmental impacts of a proposed project. CEQA Guidelines § 15126(a). A “significant effect on the environment” is defined as “a substantial, or potentially substantial, adverse change in the any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” *Id.* at § 15382. As one court has stated, a “legally adequate EIR must contain sufficient detail to help ensure the integrity of the process of decision making by precluding stubborn problems or serious criticism from being swept under the rug.” *Kings County Farm Bureau*, 221 Cal.App.3d at 733.

Land Use and Aesthetic Impacts

The Project description indicates that the Project will require a Coastal Development Permit; however, there is no discussion in the DEIR about the applicable standards for such a permit or whether the Project is consistent with those standards. Municipal Code Chapter 30.80. “A statement of reasons is necessary to assure meaningful judicial review in the event, as here, the EIR is challenged in court. ‘Mere conclusions simply provide no vehicle for judicial review.’” *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1111 (quoting *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 171).

Similarly, the DEIR fails to discuss the applicable requirements for a Major Use Permit (“MUP”). For example, Municipal Code Section 30.74.170(B) provides that no MUP should be issued where there is an “inadequacy of public facilities, services and utilities to serve the proposed project.” Similarly, where the project is unsuitable or where there will be a harmful effect on environmental quality, no MUP is to be issued. The DEIR identifies several significant impacts to traffic as a result of the Project, demonstrating inadequacy of public facilities and services and otherwise showing that the Project cannot meet the standards for an MUP. The DEIR should address these considerations.

Traffic/Transportation Impacts

The DEIR assumes that traffic from parks in other parts of San Diego County are comparable, yet no discussion is provided to demonstrate that this coastal area has similar park needs to these other locations. Nor does the DEIR discuss whether these other communities have a shortage of parks to a degree comparable to the City of Encinitas.

The DEIR claims that several significant impacts cannot be mitigated because they cost too much and involve the State Department of Transportation (“Caltrans”).

B1-2

B1-3

CEQA does not require an EIR to address whether a project meets the codified standards of a discretionary permit. City staff makes a preliminary determination on this matter when the discretionary permit application is deemed complete. The city’s decision-makers ultimately make this determination when considering whether to approve the discretionary permit findings for a project. An EIR is not required to determine whether the discretionary permit findings can be made for a project.

B1-4

See response to comment #B1-3. It should be noted that Section 3.11 of the EIR addresses the impacts of the project on public services and utilities. The EIR determined that these effects would not be significant.

B1-3

B1-5

The commentor states that the EIR assumes that traffic from parks in other parts of San Diego County are comparable but that there is no discussion provided to demonstrate that this coastal area has similar park needs to these other locations. When determining a project’s trip generation, the typical traffic engineering practice is to use industry standard rates that are published by a regional planning agency (e.g., SANDAG) or nationally-accepted standards published by the Institute of Transportation Engineers. The analysis for the subject project did not use SANDAG’s trip generation rate for public parks (50 ADTs/acre). In an attempt to determine the best real-world estimate of the project’s trip generation rate, the traffic analysis averaged trip generation rates from actual traffic counts at three existing community parks with use intensities that are representative of the proposed project (see Section 3.2.3 of the EIR). When performing this type of analysis, it is not a standard traffic engineering practice to compare the demand for the representative uses with the proposed use. Since these parks and the project site are located within suburban communities having urban population densities, it is believed that the demand is similar. However, to conduct a research effort beyond this conclusion is beyond the reasonable scope of a standard traffic analysis. Although there are many variables to be considered in conducting traffic analyses, CEQA does not require a lead agency to conduct every test or perform all research in an EIR [CEQA Guidelines 15204 (a)]. It should be noted that the EIR’s traffic analysis (Appendix B to the EIR) used a higher trip generation rate (60.8 ADTs/acre) than the standard SANDAG rate of 50 ADTs/acre.

B1-4

B1-5

B1-6

Please refer to Response A1-5.

B1-6

No consideration is given to coordinating with Caltrans or otherwise determining an appropriate “fair share” to the needed improvements. The California Supreme Court has ruled that an agency may not avoid analyzing and mitigating the impacts of its project merely on the basis that it did not have the authority to address such impacts:

[I]f campus expansion requires that roads or sewers be improved, the Trustees may do the work themselves on campus, but they have no authority to build roads or sewers off campus on land that belongs to others. Yet the Trustees are not thereby excused from the duty to mitigate or avoid [the project’s] off-campus effects on traffic or wastewater management, because CEQA requires a public agency to mitigate or avoid its projects’ significant effects not just on the agency’s own property but “on the environment” with “environment” defined for these purposes as “the physical conditions which exist within the area which will be affected by a proposed project.”

City of Marina v. Board of Trustees of the California State Univ. (2006) 2006 39 Cal.4th 341, 360 (emphases in original) (citations omitted).

Air Quality Impacts

The DEIR does not account for the existing air quality conditions. Assumed compliance with air emission requirements does not ensure that impacts will not be significant. “The relevant question to be addressed in the EIR is not the relative amount of precursors emitted by the project when compared with preexisting emissions, but whether any additional amount of precursor emissions should be considered significant in light of the serious nature of the ozone problems in the air basin.” *Kings County Farm Bureau*, 221 Cal.App.3d at 718.

Noise Impacts

The DEIR inappropriately attempts to discount noise impacts by averaging noise. DEIR at 3.4-7; see *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Commissioners* (2001) 91 Cal. App. 4th 1344, 1381 (“the fact that residential uses are considered compatible with a noise level of 65 decibels for purposes of land use planning is not determinative in setting a threshold of significance under CEQA”). Without an improper averaging of noise levels, the Project would exceed applicable noise standards.

The DEIR also fails to adequately analyze the existing noise problems in the area. See *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025 (“the relevant issue to be addressed in the EIR ... is not the relative amount of traffic noise resulting from the project when compared to existing traffic noise, but whether any additional amount of traffic noise should be considered significant in light of the serious nature of the traffic noise problem already existing around the schools”).

Water Quality Impacts

B1-7

The EIR’s thresholds of significance are consistent with the thresholds set forth in Appendix G of the CEQA Guidelines. Due to the ever-changing and dispersive nature of air borne pollutants, Air Quality significance thresholds are slightly different from thresholds for resources like biology or agriculture. It would be impractical to require an agency to determine the ambient air pollutant concentrations at a specific project site for each proposed project. The federal EPA and the California Air Resources Board (CARB) themselves regularly assess ambient air quality in air basins throughout California. Based on these assessments, the EPA and CARB publish air quality standards (NAAQS and CAAQS) designed to improve or maintain ambient air quality at a healthy level. EPA and CARB also publish guidelines for agencies to follow that will ensure projects do not cause air quality standards to be exceeded (see Table 3.3-4). The significance thresholds of 50 tons per year are one-half of the federal General Conformity Rule de minimis thresholds. The 50 percent reduction was taken to acknowledge the existing nonattainment of the stricter state standards. The EIR air quality analysis does not compare project emissions with pre-existing emissions (e.g., total emissions in the San Diego Air Basin) as was the concern in the Kings County Farm Bureau Case.

B1-6

B1-8

The descriptor for the average one-hour exposure is the Hourly Equivalent Sound Level, abbreviated here as L_{eq} . It is an hourly measure that accounts for the moment-to-moment fluctuations in A-weighted sound levels due to all sound sources during that hour, combined.

The word average leaves many people with the impression that the maximum levels, which attract their attention, are devalued or ignored when using the L_{eq} descriptor. They are not. All sounds are included in the one-hour noise exposure. The L_{eq} noise exposure descriptor includes all events and all noise levels that occur during the measurement period without exception. Scientific evidence strongly indicates that total noise exposure is the truest measure of noise impact.

B1-7

Noise measurements of park activities used in the evaluation included the measurement of peak noise level events such as whistles blowing during soccer games, skateboards slapping the ground and other surfaces, crowds cheering, children yelling, and other similar events. Thus, these noise events are not ignored as part of the evaluation of potential impacts of the park.

B1-8

The EIR overturned by the court case identified by the commentator used 24-hour noise level metric (CNEL). The reliance solely on this noise descriptor was considered inadequate by the courts because it did not adequately address the disturbance associated with single event flyovers during sleeping periods. The EIR for the Hall Property Community Park assesses impacts to residences surrounding the park using the Hourly Sound Level Equivalent (L_{eq}) as appropriately required by the City’s Municipal Code (Chapter 30.40.010) for determining impacts from adjoining properties. A 24-hour noise descriptor would be inappropriate for assessing daytime impacts from the park, as the identified activities would not occur between 10:00 p.m. and 7:00 a.m. and would generally last for a few hours during the daytime. Furthermore, unlike the project referenced by the commentator, the proposed project would not include activities over a 24-hour period, as the would close at 10:00 PM.

B1-9

B1-9

The proposed project was assessed using the appropriate standards taken from the City General Plan, Noise Element. Policy 1.1 of the Noise Element, in part, states that mitigation must be evaluated for a project that would increase traffic and results in a relative increase in noise levels of 5 dBA where noise levels at affected residential properties will exceed 55 Ldn or when a 3 dBA relative increase would occur where noise levels at affected residential properties will exceed 60 Ldn. The 3 dBA criterion was conservatively used to assess impacts at all locations regardless of the existing or future noise environments. The case cited in the comment was related to the absolute noise level at specific locations exceeding the State Department of Health’s Noise Compatibility Guidelines for residential uses, i.e., 70 dBA CNEL, which is also used by the City. Based on the noise impact

The DEIR discusses contaminated soils, but fails to discuss the potential impacts to surface and ground water.

Public Services Impacts

The DEIR acknowledges that even with the addition of another park, the City will be significantly below the General Plan standards, yet the DEIR fails to discuss other possible strategies to address those deficiencies.

Population and Housing Impacts

The DEIR fails to discuss the fact that the park is taking land that would otherwise be used for homes. This impact should be discussed.

INADEQUATE ALTERNATIVES ANALYSIS

CEQA requires that an EIR “produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750 – 51. “[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” CEQA Guidelines § 15126.6(b). “Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process.” *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 404.

Here, the Project and its objectives are defined too narrowly, thereby resulting in a narrowing of the consideration of alternatives to the Project. *See Rural Landowners Assoc. v. City Council* (1983) 143 Cal.App.3d 1013, 1024 (“Responsibility for a project cannot be avoided merely by limiting the title or description of the project”). The Project objectives listed on page 2-4 of the DEIR emphasize athletic fields and “active park uses” to such an extent that there is no ability to consider alternatives that provide a balance between recreational uses and other park uses. In fact, five of the six Project objectives focus on athletic uses. Also, the objectives emphasize maximizing the number and use of athletic fields and maximizing use of recreational facilities during park hours. The only reference to non-athletic uses is a vague reference to “other desired features of the park site.” DEIR at 2-4.

Additionally, CEQA contains a “substantive mandate” that agencies refrain from approving a project with significant environmental effects if “there are feasible alternatives or mitigation measures” that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002. It “requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can

B1-9 (continued)

analysis, no future residences affected by the proposed project would be exposed to noise levels in excess of 70 dBA CNEL, with the exception of modeled receptor 21. Receptor 21 represents a residence on Loch Lomond Drive, on the opposite side of I-5 from the project. Based on measurements and modeling, this receptor is currently exposed to noise levels in excess of 70 dBA CNEL, however, as shown in Table 13 of the project’s noise analysis, the projects contribution at this location in 2010 and 2030 would be 0. Thus, the proposed project would not alter the ambient noise levels at this location.

B1-10

Section 3.7 of the EIR and Appendix I of the technical appendices addresses potential water quality impacts of the project. With the mitigation measures provided in Section 3.7.5 of the EIR, water quality impacts of the project would be reduced below a level of significance. The geotechnical evaluation (Appendix J to the EIR) indicates that groundwater is anticipated to be at a depth of 30 to 40 feet on the project site. There is no substantial evidence that the park project would result in significant groundwater contamination.

B1-11

The EIR was prepared to address the potential environmental impacts of the proposed project. Significant impacts associated with the proposed project were identified and mitigation measures were recommended to reduce or avoid impacts. The project is proposed to help reduce an existing parkland deficiency within the City. However, additional methods to alleviate the exiting parkland deficiencies of the City are not required to be analyzed in the EIR. Additionally, goals and policies to reduce the existing deficiencies are included within the Recreation Element of the City’s General Plan.

B1-12

With project implementation, the loss of potential residential development on the site may result in social and economic impacts. Under CEQA, social and economic impacts are not treated as significant effects on the environment [CEQA Guidelines Section 15131 (a)].

B1-13

As designed, the primary use and function of the park project is characterized as active. Other than its total size and expected service area, the project as proposed is consistent with standard facilities and the primary active function as described for Community Parks in the city’s General Plan (see Figure 1 and Table 2 of the Recreation Element). Although the project is designated as a Special Use Park, it has the typical facilities and use characteristics defined by the General Plan for a Community Park. This active character of the project is reflected in the project objectives listed on page 2-4 of the EIR. However, the project objectives do not necessarily rule out the provision of passive uses. Two of the six project objectives (Objectives #1 and #2) emphasize the need for active park use of the project. Other desired features in Objective #2 include passive uses. Objectives #3 and #4 do not focus on the provision of active uses. Recreational facilities, as described in Objective #5, may consist of active or passive park uses. Although the park buffer cited in Objective #6 is a passive use, it is necessary for the active uses. By its very nature, the park design does not focus on providing a balance between active and passive park uses.

Chapter 7 of the EIR considered and analyzed seven project alternatives that would reduce significant impacts of the project and feasibly attain most of the project objectives. After thorough analysis through the EIR process, it has been determined that the proposed project and the Through Access on Mackinnon Alternative are the most effective in implementing the project objectives. Other alternatives could attain the project objectives, though not to the same degree as the proposed project.

B1-10

B1-11

B1-12

B1-13

B1-14

substantially lessen such effects.” *Sierra Club v. Gilroy* (1990) 222 Cal.App.3d 30, 41. The DEIR fails to consider a viable reduced ball field intensive alternative. It is insufficient to assert that the Reduced Intensity Alternative does not meet all the Project objectives. DEIR at 7-38. “Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment [], the discussion of alternatives shall focus on alternatives to the project or its location which are capable avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” CEQA Guidelines § 15126.6(b) (emphasis added). The DEIR should provide sufficient evidence, including an analysis of other scenarios to address the alleged “need for athletic fields in Encinitas,” showing why and how a reduced intensity alternative is impracticable. “An environmentally superior alternative cannot be deemed infeasible absent evidence the additional costs or lost profits are so severe the project would become impractical.” *Kings County Farm Bureau*, 221 Cal.App.3d at 736.

Additionally, CEQA requires that the “no project” alternative “discuss the existing conditions ..., as well as what would be reasonably expected to occur if the project were not approved, based on current plans and consistent with available infrastructure and community services.” CEQA Guidelines § 15126.6(e)(2). The DEIR does not consider a “no project” alternative consistent with this requirement. For example, the No Project-Development of Residential Per Zoning Alternative assumes development at a level that is inconsistent with available infrastructure and community services.

NEED TO RECIRCULATE THE EIR

As the California Supreme Court held in *Laurel Heights Improvement Ass’n v. Regents of Univ. of California* (1993), 6 Cal.4th 1112, recirculation is required where “[t]he draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment was essentially meaningless.” *Id.* at 1130. A failure to recirculate the EIR would deny the public “an opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom.” *Sutter Sensible Planning, Inc. v. Board of Sup.* (1981) 122 Cal.App.3d 813, 822. In this instance, the EIR is sufficiently lacking that the only way to fix these issues is to revise it and recirculate an adequate report.

CONCLUSION

Thank you for your consideration of the above. Do not hesitate to contact me if you have questions or need additional information.

Sincerely,



Everett DeLano

B1-14

See response to comment #B1-13. The EIR is consistent with the CEQA citations presented in this comment. The EIR considers a reasonable range of alternatives that would reduce or mitigate the potentially significant impacts of the proposed project, including alternatives that could feasibly meet most of the project objectives.

B1-14

In Section 7.1 of the EIR, the Through Access on Mackinnon Avenue Alternative is identified as a project alternative that effectively implements most of the project objectives. In addition, Section 7.2 of the EIR considers a Reduced Intensity Alternative. For reasons provided in this section, it is sufficient to conclude that the Reduced Intensity Alternative would not as effectively implement most of the basic project objectives in comparison to the proposed project. As part of the CEQA findings, the city’s decision-makers will determine, based on substantial evidence, whether the project should be approved as proposed or whether a project alternative should be selected.

B1-15

B1-15

Section 2.4 of the Final EIR has been expanded to include additional information documenting the unmet recreational needs of Encinitas and Appendix P has been added to include the Recreational Element Technical Report and the Needs Assessment for Specialized Facilities. Section 7.2.2 of the EIR contains a discussion of why the Reduced Intensity Alternative would not as effectively implement most of the basic project objectives to the same degree as the proposed project. The Final EIR has been revised and indicates that the Reduced Intensity Alternative and the Citizens for Quality of Life Alternative are both equally considered to be the environmentally superior alternative. These alternatives were found to be the environmentally superior alternatives because they both reduce the same number of environmental impacts when compared to the proposed project as summarized in Table 7-2 of the Final EIR. These alternatives were not deemed infeasible. Economic considerations were not a factor in this determination.

B1-16

B1-16

Existing conditions for the No Project-Development of Residential Per Zoning Alternative are identical to the environmental setting conditions described in Section 2.1 of the EIR. For this project alternative, it is anticipated that available infrastructure and community services would be developed to serve the project. The commentor provides no evidence to support the conclusion that this alternative is inconsistent with available infrastructure and community service levels.

B1-17

B1-17

As discussed in Section 1.6, the City recirculated the Draft EIR to provide the public with opportunity to comment on additional analysis that was conducted regarding greenhouse gases, and health risk impacts. Any other revisions that were made to the Draft EIR are minor, and are reflected in underlines and strikeout in the Final EIR. The City has determined that no further analysis is necessary.

B1-18

B1-18

The foregoing comments will be provided to the city’s decision-makers for consideration when they take action on the proposed project. No specific comment on the EIR is provided within this comment and no response is necessary.

CQL

Citizens for Quality of Life

P.O. Box 46, Cardiff-by-the-Sea, CA 92007

March 12, 2007

Scott Vurbef
Planning and Building Department
City of Encinitas
505 S. Vulcan Avenue, Encinitas, CA 92024

SUBJECT: Draft Program EIR Hall Property Community Park
Case Number 04-197 MUP/CDP/EIR

Dear Mr. Vurbef;

For your evaluation of the Hall Property I have enclosed a twenty-five (25) page document detailing the findings of Ms. Sue O'Carroll regarding the Draft Program EIR. Ms. O'Carroll represents the CQL (Citizens for Quality of Life) for analyzing the draft EIR. Her qualifications (19 pages) are also enclosed for your consideration.

Please direct your attention to the summary on page 23, which declares Alternative 3 — Citizens for Quality of Life Alternative as the environmentally superior solution. This alternative also meets and even exceeds the compliance with project objectives (page 6).

Of prime importance also are the findings on "Health Impacts" from page 15 through page 20, which points out the potential health risks to children.

There appears to be many impact items that are not accurate; traffic, parking, park utilization, etc. all of which are addressed in this analysis.

We appreciate your careful, objective consideration in going forward with the evaluation process.

Sincerely,

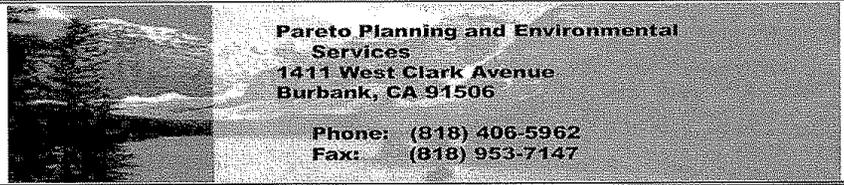


Audrey Bromstad
Tel: 760-944-7568
Fax: 760-944-0135
E-mail: jjohnedgar@aol.com

B2-1

B2-1

The commentor summarizes Sue O'Carroll's letter, which is addressed in the following responses to comments (#B2-2 through #B2-30). Sue O'Carroll's qualifications have been provided to the city's decision-makers and are on file with the city's records for the project. No specific comment on the EIR is provided within this comment and no response is necessary.



March 11, 2007

Scott Vurbef
Planning and Building Department
City of Encinitas
505 S. Vulcan Avenue, Encinitas, CA 92024

SUBJECT: Draft Program EIR Hall Property Community Park, Case Number
04-197 MUP/CDP/EIR

Dear Mr. Vurbef:

I am an environmental consultant with over 15 years experience in the preparation of Environmental Impact Reports (EIRs). I have been retained by Citizens for Quality of Life to review the EIR for the Hall Property Community Park. I offer the following comments regarding the adequacy of the impact analysis and mitigations, and the identification of the environmentally superior alternative on their behalf.

B2-2

B2-2

The commentor explains that this letter was written on behalf of the Citizens for Quality of Life. No specific comment on the EIR is provided within this comment and no response is necessary. See responses to comments #B2-3 through #B2-30.

PROPOSED PROJECT

The proposed project is an approximately 44 acre "community park" located immediate adjacent to the I-5 freeway in the City of Encinitas. The proposed park includes the following components:

- 3 joint soccer/baseball fields
- 2 multiuse fields
- Basketball court
- Teen center (5,000 sf)
- Dog Park
- Skate Park (13,000 sf) – unsupervised with lighting
- Aquatic facility

B2-3

B2-3

The commentor's description of the project is noted for the record. No specific comment on the EIR is provided within this comment and no response is necessary.

- Gardens
- Picnic areas
- Trails
- Scenic Overlook
- Two toddler play area
- Four covered picnic areas
- Two restrooms
- 419 parking spaces

B2-4

B2-4 Refer to Response #B2-3.

The DEIR states: "To address the environmental implications of lighting the athletic fields at the Hall Property Community Park, athletic field lighting is being considered and analyzed in this EIR. However, the City has not formally decided whether the athletic fields would be lit." The City has thus not formally decided the hours of operation of the proposed park.

B2-5

B2-5

Park hours of operation are discussed in Section 2.5.9 of the EIR. These hours would be in effect regardless of whether athletic field lighting is proposed.

Significant Impacts

Implementation of the proposed project would result in significant impacts to transportation and circulation, noise, air quality, aesthetics and lighting, hazardous materials, hydrology and water quality, geology and paleontology, biological resources, cultural resources, and public services and utilities. According to the DEIR most of these impacts would be mitigated to below a level of significance with implementation of mitigation measures identified in the EIR.

Significant Unmitigatable Impacts

According to the Draft EIR, the proposed project would have the following significant unmitigated impacts:

- Traffic – Existing Plus Project Intersections
 - I-5 Southbound Ramps/Santa Fe Drive intersection
 - Villa Cardiff Drive/Birmingham Drive intersection
 - I-5 Northbound Ramps/Birmingham Drive intersection
 - I-5 Southbound Ramps/Birmingham Drive intersection
- Traffic – 2010 Intersections
 - I-5 Southbound Ramps/Santa Fe Drive intersection
 - Villa Cardiff Drive/Birmingham Drive intersection
 - I-5 Northbound Ramps/Birmingham Drive intersection
 - I-5 Southbound Ramps/Birmingham Drive intersection
- Traffic – Special Events
 - I-5 Southbound Ramps/Santa Fe Drive

B2-6

B2-6

The commenter's summary of the significant and unmitigable traffic impacts described in the EIR and the citations of the CEQA Guidelines are noted for the record. No specific comment on the EIR is provided within this comment and no response is necessary.

ALTERNATIVES

CEQA Guidelines Section 15126.6 requires in part (emphasis added) that:

- (a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, **which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project**, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).
- (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
- (c) Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination.

B2-6

Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

(e) "No project" alternative.

(1) The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).

(2) The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

(f) Rule of reason. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.

B2-6

(1) **Feasibility.** Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; see *Save Our Residential Environment v. City of West Hollywood* (1992) 9 Cal.App.4th 1745, 1753, fn. 1).

(2) Alternative locations.

(A) Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.

(B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

B2-6

The EIR includes analysis of the following seven alternatives:

1. Through Access on Mackinnon Avenue
2. Reduced Intensity Alternative
3. Citizens for Quality of Life Alternative

B2-7

B2-7

The commenter's summary of the project alternatives discussed in the EIR is noted for the record. No specific comment on the EIR is provided within this comment and no response is necessary.

4. No Athletic Fields Lighting Alternative
5. No Project-Development of Residential Per Zoning Alternative
6. No Project-No Build Alternative
7. Offsite Location-Strawberry Fields Alternative

B2-7

Alternatives 5 and 6 are the required No Project Alternatives. Alternative 7 is the other location alternative.

Pursuant to CEQA Guidelines Section 15126.6(f), Alternatives 1, 2, 3, and 4 are alternatives that would feasibly attain most of the basic objectives of the project, but would reduce or eliminate significant impacts. According to Chapter 2 of the Draft DEIR:

The objective of the project is to develop a community park that:

1. Provides a variety of recreational facilities that are predominately active park uses,
2. Maximizes the number and use of athletic fields that help to offset the unmet needs of Encinitas while preserving other desired features of the park site,
3. Provides multiple vehicular and pedestrian access points,
4. Provides adequate recreational facilities for all user groups,
5. Maximizes use of recreational facilities during park hours, and
6. Provides a buffer to separate active park uses from the adjacent residential uses.

B2-8

B2-8

See response to comment #B1-13 and #B1-14. The Final EIR determined that Alternatives 2, 3, and 4 would meet most of the basic project objectives, though not to the same extent as the proposed project. As indicated in Section 15126.6(f) of the CEQA Guidelines, the range of alternatives "shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the project objectives." Alternatives 1, 2, 3, and 4 are a range of alternatives selected with the intent of avoiding or substantially lessening significant impacts of the project. Of these alternatives, the traffic impacts of Alternative 1 (Through Access on Mackinnon Avenue Alternative) were examined in detail as the resulting reduction in traffic impacts was critical in the alternatives comparison to the proposed project.

Alternatives 1, 2, 3 and 4 thus must feasibly attain most of the basic objectives of the project, or the City has failed to comply with CEQA alternatives requirements.

Compliance of Alternative 3 – Citizens for Quality of Life Alternative With the Project Objectives

The following table provides a comparison of the uses provided by the proposed project and by the Citizens for Quality of Life Alternative

B2-9

PROPOSED PROJECT	ALTERNATIVE 3
• 3 joint soccer/baseball fields	• 2 joint soccer/baseball fields
• 2 multiuse fields	• ---
• Basketball court	• Basketball court
• Teen center (5,000 sf)	• ---
• --	• Multi-purpose Community Center
• --	• Tennis courts
• --	• Volleyball courts
• Dog Park	• Dog Park
• Amphitheatre (75-100 seats)	• Theater
• --	• Open space
• --	• Horticultural/ecological museum
• --	• Wetlands restoration with permanent pond
• --	• 4-H Activity area
• --	• Arts and Crafts Area
• Skate Park (13,000 sf) – unsupervised with lighting	• --
• Aquatic facility	• Indoor swimming pool
• Gardens	• Gardens
• Picnic areas	• Picnic Areas
• --	• Tea House
• Trails	• Pedestrian and bike trails
• Scenic Overlook	•
• Two toddler play area	• Tot lots
• Four covered picnic areas	• Picnic areas
• Two restrooms	• Two restrooms
• 419 parking spaces	• 450 parking spaces

Alternative 3 – the Citizens for Quality of Life alternative feasibly obtains all of the project objectives:

1. Provides a variety of recreational facilities that are predominately active park uses.

Although the Citizens for Quality of Life Alternative provides for less soccer/baseball fields, it includes tennis and volleyball courts, not

B2-9

B2-9

As discussed in Section 7.3.2, the Citizens for Quality of Life Alternative would not meet most of the project objectives to the same extent of the proposed project. It would meet Objective #1 to a lesser degree because more passive areas would be proposed and the recreational facilities provided by this alternative are not predominately active park uses. With respect to Objective #2, the Citizens for Quality of Life Alternative would not fully maximize the number and use of athletic fields on the project site to help offset the unmet needs of Encinitas to the same degree as the proposed project while preserving the other desired features of the project site. Due to the lack of athletic field lighting, it would not provide recreational facilities for all user groups to the same extent as the proposed project as specified in Objective #4. Also, the Citizens for Quality of Life Alternative would not meet Objective #5 to the same degree as the proposed project because it would not maximize the use of recreational facilities during park hours. Without lights to facilitate nighttime play on the athletic fields, sporting events and practices could only occur during daytime hours, thus limiting the use of recreational facilities during evening hours while the park would still be open. This would also specifically limit use of the athletic fields by after-school and adult user groups. Most adult sports league games are scheduled for evening hours after work and require night lighting. During fall and winter months, the children's after-school user group would also be limited, along with the adult user group, because it gets dark very early and games or practices could not be scheduled into later hours after school. With less use during the evening hours, weekend use of the park would be expected to increase as user groups would have more need to schedule events during weekend days. By not lighting the athletic fields, this alternative would substantially limit the usable hours of the athletic fields. Moreover, this alternative has fewer athletic fields than the proposed project and thus would further reduce the ability of the park to serve all members of the community.

provided by the proposed project. It thus provides for a variety of active park uses. It should be noted that proximity to the I-5 freeway would argue against making this predominantly an active use (i.e. cardio-intensive uses) park.

2. Maximizes the number and use of athletic fields that help to offset the unmet needs of Encinitas while preserving other desired features of the park site.

Numerous soccer and baseball fields are available in Encinitas. Although this alternative does include these uses, this alternative provides for other unmet or underserved recreational needs within the City.

3. Provides multiple vehicular and pedestrian access points.

As with the proposed project, this alternative provides for multiple vehicular and pedestrian access points and includes both north and south parking lots. This alternative provides for more parking than the proposed project and can thus accommodate more users.

4. Provides adequate recreational facilities for all user groups,

This alternative provides for a broader array of recreational uses than does the proposed project and thus meets the needs of more potential user groups.

5. Maximizes use of recreational facilities during park hours

By providing for a broader array of user groups, this alternative maximizes the use of recreational facilities during park hours. It should be noted that maximizing use during park hours is fundamentally different than maximizing park hours.

6. Provides a buffer to separate active park uses from the adjacent residential uses.

This alternative provides a much greater buffer to separate active park uses from adjacent residential uses.

This alternative meets all of the project objectives.

B2-9

Environmentally Superior Alternatives

CEQA Guidelines Section 15021 (emphasis added) imposes on the Lead Agency a:

Duty to Minimize Environmental Damage and Balance Competing Public Objectives

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social, and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

As stated in Section 15021(c), this duty is implemented through findings required by Section 15091, which states in part:

15091. Findings

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant

B2-9

environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

B2-9

Based on the analysis contained in Chapter 7 of the DEIR, Alternative 1 – Through Access on Mackinnon Avenue, Alternative 2 – Reduced Intensity, Alternative 3 – Citizens for Quality of Life, and Alternative 4 – No Athletic Field Lighting would result in fewer impacts than the proposed project.

However, the discussion of the environmentally superior alternative is fatally flawed, because it identifies Alternative 1 as the environmentally superior alternative, by ruling out Alternatives 2-4 due to the alleged failure of these alternatives to fully meet all of the project objectives, even though these alternatives meet most of the basic objectives of the project and are feasible. The DEIR thus treats full compliance with the objectives as more important than environmental protection, and treats alternatives which allegedly fail to fully meet all of the project objectives as infeasible. Failure to fully meet an objective is not consistent with the definition of feasibility contained in Section 15126.6(f)(1) of the CEQA Guidelines, quoted above. In addition, it is the job of the City's decision-makers, not the EIR, to make the required findings regarding feasibility. The DEIR thus improperly dismisses three environmentally superior alternatives out of hand.

B2-10

B2-10

The EIR's alternatives analysis (Chapter 7) determined that project alternatives #2 through #4 would not meet most of the project objectives to the same extent as the proposed project. The commentor does not provide substantial evidence to the contrary. When compared to the other alternatives, the EIR determined that Alternative #1 would meet all of the project objectives to the same degree as the proposed project while avoiding some significant traffic impacts of the project. However, the Final EIR has been revised and indicates that the Reduced Intensity Alternative and the Citizens for Quality of Life Alternative are both equally considered to be the environmentally superior alternative. These alternatives were found to be environmentally superior alternatives because they both reduce the same number of environmental impacts when compared to the proposed project as summarized in Table 7-2 of the Final EIR.

Section 7.8 of the Draft EIR must be corrected to reflect the fact that, Alternative 2 – Reduced Intensity Alternative and Alternative 3 – Citizens for Quality of Life Alternative are both environmentally superior to the project and to Alternative 1 –

B2-11

Through Access on Mackinnon, as both would have fewer traffic and circulation, noise, and aesthetics and lighting impacts than the proposed project. Alternative 1 – Through Access on Mackinnon Avenue would only have fewer traffic impacts than the proposed project.

Of the two environmentally superior alternatives, Alternative 2 – Reduced Intensity Alternative and Alternative 3 – Citizens for Quality of Life Alternative, Alternative 3 – Citizens for Quality of Life Alternative would do a greater job of meeting the project objectives, as it would provide for a broader array of both passive and active uses. Alternative 3 should be identified in the EIR as both one of the two environmentally superior alternatives, and as the environmentally superior alternative which most meets the project objectives.

According to Public Resources Code Section 21002:

Approval of projects; feasible alternative or mitigation measures

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

Because the proposed project would result in both significant mitigatable and unmitigatable impacts, and because Alternative 3 – Citizens for Quality of Life Alternative would have fewer impacts than the proposed project, while meeting most of the basic objectives of the project, the City must select Alternative 3, the Citizens for Quality of Life Alternative, should it certify the EIR and act on the project.

B2-11

The commentor states that the EIR should conclude that Alternatives 2 and 3, as described in the EIR, are environmentally superior to the proposed project and Alternative 1. Specifically, the commentor states that Alternatives 2 and 3 would have fewer traffic and circulation, noise, and aesthetics and lighting impacts when compared to the proposed project. The Final EIR has been revised and found that the Reduced Intensity Alternative and Citizens for Quality of Life Alternative (Alternatives 1 and 2, respectively) are equal as the environmentally superior alternative. Both alternatives reduce the same number of environmental impacts when compared to the proposed project as summarized in Table 7-2 of the Final EIR.

Chapter 7 of the EIR compares the significant impacts of the project with Alternatives 2 and 3. The following discussion responds to the commentor's claims on each of the environmental issues noted and summarizes the comparative analyses provided in Chapter 7:

Traffic and Circulation. While Alternatives 2 and 3 would reduce the park's contribution to traffic impacts when compared to the proposed project, these alternatives would likely continue to result in significant (and unmitigable) traffic and circulation impacts prior to the planned improvements to the I-5 corridor.

Noise. Section 3.4.4 of the EIR indicates the project's significant noise impacts would only be associated with the dog park use, potential landscape maintenance activities prior to 7:00 AM, and the potential use of sound amplification during special events occurring three to four times a year. Alternatives 2 and 3 would provide for a dog park at the same location as the proposed project, would have similar noise effects related to landscape maintenance, and may have sound amplification during special events. Therefore, the Alternatives 2 and 3 are anticipated to have significant noise impacts that are similar to the proposed project. In addition, these effects would be mitigated below a level of significance with implementation of Mitigation Measures Noise-1, Noise-2, and Noise-3.

Aesthetics and Lighting. Chapter 7 acknowledges that Alternatives 2 and 3 would avoid potentially significant light trespass effects of the project. However, it should be noted that these effects of the project would be substantially lessened or avoided with mitigation measures provided in Section 3.5.5 of the EIR.

The commentor notes that Alternative 1 would only have fewer traffic impacts. However, Section 7.1.2 of the EIR indicates that Alternative 1 would avoid the following significant traffic impacts:

Street Intersections:

- Villa Cardiff Drive/Windsor Road (existing plus project, Year 2010, Year 2030 conditions)
- Villa Cardiff Drive/Birmingham Drive (existing plus project, Year 2010 conditions)

Street Segments:

- Santa Fe Drive between Mackinnon Avenue/Nardo Road and Windsor Road/Bonita Drive (existing plus project conditions)
- Birmingham Drive between the I-5 Northbound Ramps and Villa Cardiff Drive (Year 2030 conditions)

B2-11

DEFECTS IN THE IMPACT ANALYSIS

Traffic and Circulation

Trip Generation

The Trip Generation in the Draft EIR is based on an average rate derived from a study of three community parks in San Diego County: Poway Community Park, Poinsettia Community Park and Kearny Mesa Community Park. Based on trip counts for the three parks an average per acre trip generation rate was derived. This rate was then multiplied by 43 to calculate project trip generation. Calculated project trip generation is understated for two reasons: first, the proposed project is described in the EIR as being 44 acres, not 43 acres; second, use of an average rate, rather than the rate from the most comparable park results in an underestimation of project trip generation.

The Traffic Study included as an appendix to the Draft Program EIR for the Hall Property Community Park does not include the appendices to the Traffic Study. It is therefore not possible to review the rationale for the selection of the three parks used to develop the trip generation estimate for the proposed project. However, a review of on-line information for the three parks would indicate that the EIR should have used the trip generation rate for Poway Community Park, rather than a rate based on the average of the three parks.

According to: <http://www.sandiego.gov/park-and-recreation/centers/kearny.shtml>, Kearny Mesa Community Park is a 70 acre park with contains the following facilities: "Outdoors there are multi purpose fields, two lighted and four unlighted ball fields, a tot lot, a BMX track, soccer field, comfort stations, picnic areas, fenced leash free dog park and a swimming pool. Inside the rec center you will find an indoor gym, a game room and craft room, and a large meeting room which is available for rent."

This park has substantially greater acreage than the proposed project, but similar or lesser facilities than the proposed project. Therefore a per acre trip generation rate based on this park will understate project trip generation.

According to: <http://www.carlsbadca.gov/parks/poinpark.html>, Poinsettia Community Park is described as follows: The first phase of a three phase project is near completion at the 42 acre park. Currently the park features three lighted baseball fields, a lighted soccer field, basketball court, tot lot, picnic area and three lighted tennis courts. Future construction phases will include a community center, enclosed soccer field, eight tennis courts and clubhouse.

B2-11 (continued)

It should be noted that Alternative 1 would avoid the project's significant and unmitigable traffic impacts at the intersection of Villa Cardiff Drive/Birmingham Drive during existing plus project and Year 2010 conditions. Because there are not identified feasible mitigation measures to address these impacts in the near-term, they are particularly important in the consideration of alternative project scenarios.

The commentor notes that, when compared to Alternative 2, Alternative 3 would do a greater job of meeting the project objectives. The EIR provides the environmental evaluation of each of the alternatives to allow the City's decision-makers to make an informed decision on the proposed project, or any variation of the project such as the evaluated alternatives, in consideration of the potential environmental effects of each of the alternatives. While there could be differing interpretations of each project alternatives ability to meet the project objectives, these views do not affect the environmental evaluation contained in the EIR.

B2-12

When the traffic study began, 43 acres was the size supplied to the traffic consultant. If 44 acres had been used, the average daily trip generation would have increased by 56 ADT, an increase of 2.1%. The forecasted amount of weekday AM peak hour/ PM peak hour trips would have increased by 2 and 9 trips, respectively. These changes are very small compared to the overall ADT, and would not have changed the traffic study results.

B2-13

The trip generation associated with the project will change daily depending on the events occurring at the park on that particular day. Based on a review of potential sources for park trip generation rates, the San Diego Association of Governments (SANDAG) rate is the highest with a rate of 50 trips per acre. In order to provide the most accurate estimate of anticipated park trip generation, actual weekday and weekend counts at three different parks were conducted. The average of the counts from the three parks was found to be 60.82 ADT per acre, over 20% higher than the rate adopted by SANDAG. The traffic study thus used a higher trip generation rate than that recommended by SANDAG. Of the three parks incorporated into the average, there is not one that is more comparable to the proposed park than the others. Appendix G of the traffic study shows a detailed comparison of the three parks in terms of overall amenities. Therefore, it is reasonable and appropriate to utilize the average of the three counts.

B2-14

The commentor states that the traffic report appendices were not available for review. The appendices to the traffic report have been made available for public review at City Hall and were provided to members of the public that requested them. They were not included in the published versions of the Draft EIR due to the large volume of the reports.

While the Poway Park does produce the highest trip generation, this does not mean it is the most accurate. The Poway Park, for instance, is only 25 acres and in terms of trip generation, smaller sites tend to have greater per acre trip rates. It is appropriate to use several sites to determine an accurate trip generation. See Response #B2-13.

B2-12

B2-13

B2-14

B2-15

Thus, although Poinsettia Park contains similar acreage, it is a work in progress and as of the time of the writing of this comment letter, it lacks many of the facilities of the proposed project, such as the dog park, amphitheatre, skate park, aquatic facility and teen center. In addition, construction activities may have depressed park use during the time that counts were conducted. A trip generation rate based on this park is therefore also likely to understate trip generation from the proposed project.

The proposed project is thus probably most similar to Poway Community Park. According to: http://www.ci.poway.ca.us/comm_park/index.html and http://www.ci.poway.ca.us/parks_map.pdf, Poway Community Park includes the following facilities: the Community Swim Center, Senior Center, Community Center, and Adventure Playground, Valley Elementary Soccer Field, 2 – Pony Colt regulation ball fields, Tennis Courts and Bocce Ball Courts. The following park facilities are lighted: Two pony/colt ballfields, Two tennis courts, Basketball court, Two bocce ball courts, Dog park (3 fenced areas), Skate park, and Soccer field.

The following Table compares trip generation for a 44 acre park based on the average trip generation rate used in the traffic study and the rate observed for Poway Community Park.

COMPARISON FOR DEIR TRIP GENERATION AND CORRECTED TRIP GENERATION USING POWAY COMMUNITY PARK RATE AND 44 ACRE PROJECT SIZE				
	ADT	AM	PM	SAT
FROM DEIR				
TRIPS 43 ACRES	2615.26	62.35	332.82	379.26
RATE USE IN TRAFFIC STUDY				
RATE PER ACRE	60.82	1.45	7.74	8.82
TRIPS 44 ACRES	2676.08	63.8	340.56	388.08
POWAY COMMUNITY PARK RATE				
RATE PER ACRE	86.96	3.32	8.24	11.92
TRIPS 44 ACRES	3826.24	146.08	362.56	524.48
DIFFERENCE FROM DEIR	1210.98	83.73	29.74	145.22

Use of the Poway Community Park trip generation rates and 44 rather than 43 acres shows that project trip generation will be substantially greater than assumed in the Draft EIR. This will result in additional significant impacts and more severe intersection and segment impacts than shown in the Draft EIR. The Traffic analysis must be redone using correct acreage and trip generation.

B2-15

The trip generation associated with the project would change daily depending on the events occurring at the park on that particular day. Based on a review of potential sources for park trip generation, the San Diego Association of Governments (SANDAG) rate is the highest with a rate of 50 per acre. In order to provide the most accurate estimate of anticipated park trip generation, actual weekday and weekend counts at other similar parks were conducted. An exhaustive search was conducted to determine comparable parks in the area at which to conduct traffic counts. Three parks were considered comparable. The average of these counts was found to be 60.82 ADT per acre, over 20% higher than the published rate.

B2-15

Based on data supplied by RJM Design Group the active acreage associated with the Hall Property park is 69%, in line with the average of the active acreage of the three parks. In addition, there are other factors such as location and types of uses, which are also very important to consider for comparison purposes and in these regards the three parks all compare favorably to the proposed park. It would be inaccurate to simply utilize the highest trip rates just because they are higher. The use of a rate over 20% higher than any published rate and consistent with counts at three similar parks in the nearby area provides a conservative analysis.

Parking

There are a number of problems with the parking analysis. First, the DEIR only assumes that playing field will be fully utilized during special events. The DEIR only calculates the parking demand for tournament soccer use and fails to consider that other components of the park, such as the dog park, teen center, amphitheater, skate park, aquatic facility, gardens, picnic areas, trails, toddler play areas may also be in use and generate parking demand at the same time. The DEIR thus underestimates parking demand during special events.

B2-16

Second, the DEIR fails to address parking demand during normal weekend and evening use of the multiple facilities which make up the park. Based on trip generation rates from the Poway Community Park, on Saturdays, unless park users stay one hour or less, parking demand will exceed capacity. The DEIR fails to recognize significant non-special event parking impacts or to provide mitigation for these impacts. The project will result in significant unmitigated periodic parking impacts during normal park use.

B2-17

Air Quality

Local Air Quality

The DEIR on page 3.3-18 to 3.3-19 states: As shown in Section 3.2, Traffic and Circulation, of this EIR, no signalized intersections would operate at LOS E or F under existing, 2010, or 2030 conditions with or without the proposed project (LLG 2006). Therefore, no further CO hotspot analysis is required. Impacts resulting from potential local CO levels are considered less than significant."

However, this statement is not correct. As shown on Tables 3.2-2, 3.2-5, and 3.2-7 of the DEIR the following intersections operate at LOS E or F based on existing and 2010 conditions with and without the project:

- I-5 southbound ramps/Santa Fe Drive
- I-5 Northbound Ramps/Birmingham Drive
- I-5 Southbound Ramps/Birmingham Drive

In 2030 the following intersections operate at LOS E or F with and without the project according to Table 3.2-9 of the DEIR:

- I-5 southbound ramps/Santa Fe Drive
- I-5 Northbound Ramps/Birmingham Drive
- I-5 Southbound Ramps/Birmingham Drive
- Alley/Santa Fe Drive (PM)

B2-16

The EIR acknowledges that during special events at the park, such as large soccer tournaments, it is possible that adequate parking within the park may not be available to accommodate all vehicles. The special events parking analysis provided Section 3.2.3 of the EIR concludes that potential secondary traffic effects associated with the lack of parking during these events may be significant. The lack of parking availability within the park during large special events may result in spectators searching for parking offsite, which may result in significant secondary traffic impacts at intersections having unacceptable midday operating conditions. The commentor questions the approach used in the special events analysis and claims that it does not adequately consider the addition of other park users not associated with the special events. While the commentor is correct that the special event analysis focuses on the attendees of the highest use special event possible (a soccer tournament), the methodology employed more than adequately considers other park users that may be present during the special event. Because a soccer tournament would utilize most of the park grounds, these additional users are anticipated to be a small proportion of the overall user population of the park. The additional users not associated with the special events is anticipated to add an additional parking demand that substantially less than the normal use demand of 264 parking spaces (see Section 2.5.11 of the EIR) because regular users of athletic fields are not expected to access the park when special events are scheduled on the fields. During special events, the additional parking demand associated with other park users would not change the EIR's conclusion that secondary traffic effects may be significant and that these effects can be mitigated below a level of significance. Furthermore, a key assumption in the special event analysis to convert the number of visitors to vehicle trips was the vehicle occupancy rate (VOR, i.e., people per car). A VOR of only 2.0 was assumed when the anticipated VOR will likely be higher due to carpooling for special events. This low VOR assumption essentially results in a factor of safety already built into the analysis. In addition, the mitigation measures provided for special events acknowledge the lack of detailed information available at this juncture to adequately analyze each special event. For this reason, any special event would require an event-specific traffic and parking analysis, which would be required to address the particular conditions of the special event and identify the measures necessary to address the parking and circulation conditions attributable to the special event. Implementation of such measure would be required as a condition of approval of any Special Event Permit. Mitigation Measure Traffic-8 has been expanded to include the requirement for a traffic and parking consultant to monitor and assess parking during the first special event held at the park and prepare a study summarizing the findings and provide specific recommendations and measures that can be implemented in necessary to avoid adverse parking situations.

B2-17

Section 15.0 of the traffic study contains a detailed normal (non-special event) time of the year parking analysis. The project's parking analysis addresses normal operating conditions of the park in Section 2.5.11 of the EIR and Appendix B (Section 15) of the EIR's Technical Appendices. Detailed parking counts were conducted at three existing parks (Poway Community Park, Poinsettia Community Park, and Kearny Mesa Community Park) having park uses and intensities that are representative of the proposed project. The parking analysis is based upon parking rates derived from taking parking counts during separate periods of time (two Saturdays and one weekday) at these existing parks. The peak parking rate, calculated by averaging the highest number of parking spaces demanded in a five-hour period, was determined to be 6 spaces per acre. This parking rate would generate a need of 264 parking spaces for the project. The project provides 419 total parking spaces, which is 155 more spaces than the calculated maximum demand. Therefore, as discussed in Section 3.2 of the EIR, the proposed project would provide parking spaces in excess of expected demand. As standard traffic engineering standards dictate, the parking analysis is based on actual parking counts at the three similar parks and would not result in significant impacts. It would be inaccurate to use trip generation estimates to determine parking demand.

B2-18

- Scripps Hospital Driveway/Santa Fe Drive (PM)
- Villa Cardiff Drive/Birmingham Drive

A CO hotspot analysis should have been performed for the project. The project has the potential to result in significant hotspot impacts not addressed in the DEIR.

Operational Air Quality

The analysis should be re-run using trip generation rates consistent with the Poway Community Park

Health Impacts

In April 2005, the California Environmental Protection Agency, California Air Resources Board issued: "Air Quality And Land Use Handbook: A Community Health Perspective." It contains "ARB recommendations regarding the siting of new sensitive land uses near freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities." According to the ARB: "Because living or going to school too close to such air pollution sources may increase both cancer and non-cancer health risks, we are recommending that proximity be considered in the siting of new sensitive land uses."

For freeways and high traffic roadways, the ARB makes the following recommendation: "Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. According to the Traffic Study, the average daily volume on the I-5 between Santa Fe Drive and Birmingham Drive is currently 220,000 vehicle, anticipated to increase to 305,000 by the year 2030. Most of the active park uses are located within 500 feet of the I-5 freeway in violation of ARB's health based recommendations.

The ARB provides the following justification for it's recommendation:

Air pollution studies indicate that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. Many of these epidemiological studies have focused on children. A number of studies identify an association between adverse non-cancer health effects and living or attending school near heavily traveled roadways (see findings below). These studies have reported

B2-18

As stated in the comment and EIR Section 3.2, CO hotspot analyses should be considered at signalized intersections. All of the intersections listed in the comment are not signalized, except the intersection of Scripps Hospital driveway/Santa Fe Drive. In the traffic forecast for 2030, the Scripps Hospital driveway/Santa Fe Drive intersection would operate at LOS F in the PM peak hour without the project, and would be further degraded with the project. Therefore, a CO analysis for this intersection was conducted in the Final EIR. As described in Section 3.3.3 of the Final EIR and in Table 3.3-7, the anticipated 1-hour and 8-hour CO concentrations would be less than the national and state standards and the impact would be less than significant.

B2-18

B2-19

B2-19

The analysis uses the trip generation rates derived for the traffic analysis. Please refer to Response #B4-2.

B2-20

The comment states that young athletes would be at high risk for cancer and asthma. There is considerable data linking traffic-generated pollutants with both cancer and asthma. These two health effects were analyzed separately in two studies completed in July 2007. The results are described in the Final EIR and portions of the Draft EIR were recirculated to allow the public to comment on these studies.

B2-20

For cancer, the report is *Air Toxics Risk Evaluation, Hall Property Community Park*. The analysis, as summarized in the Final EIR, demonstrates that the cancer risk for children would be less than 7.2 in one million to all typical user areas of the park. The risk for adults would be less than for children. These risks would be less than the 10 in one million significance criterion and the impact would be less-than-significant.

For asthma and other respiratory effects, the report is *Focused Air Quality Analysis, Children's Health and Exposure to Pollutants from I-5*. The report concludes that because of the site meteorology, distance of the activity areas at varying distances from the freeway, and other factors, the impact to children's health would be less-than-significant.

associations between residential proximity to high traffic roadways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children.

One such study that found an association between traffic and respiratory symptoms in children was conducted in the San Francisco Bay Area. Measurements of traffic-related pollutants showed concentrations within 300 meters (approximately 1,000 feet) downwind of freeways were higher than regional values. Most other studies have assessed exposure based on proximity factors such as distance to freeways or traffic density.

These studies linking traffic emissions with health impacts build on a wealth of data on the adverse health effects of ambient air pollution. The data on the effects of proximity to traffic-related emissions provides additional information that can be used in land use siting and regulatory actions by air agencies. The key observation in these studies is that close proximity increases both exposure and the potential for adverse health effects. Other effects associated with traffic emissions include premature death in elderly individuals with heart disease.

B2-20

Key Health Findings

- Reduced lung function in children was associated with traffic density, especially trucks, within 1,000 feet and the association was strongest within 300 feet. (Brunekreef, 1997)
 - Increased asthma hospitalizations were associated with living within 650 feet of heavy traffic and heavy truck volume. (Lin, 2000)
 - Asthma symptoms increased with proximity to roadways and the risk was greatest within 300 feet. (Venn, 2001)
 - Asthma and bronchitis symptoms in children were associated with proximity to high traffic in a San Francisco Bay Area community with good overall regional air quality. (Kim, 2004)
-

- A San Diego study found increased medical visits in children living within 550 feet of heavy traffic. (English, 1999)

In these and other proximity studies, the distance from the roadway and truck traffic densities were key factors affecting the strength of the association with adverse health effects. In the above health studies, the association of traffic-related emissions with adverse health effects was seen within 1,000 feet and was strongest within 300 feet. This demonstrates that the adverse effects diminished with distance.

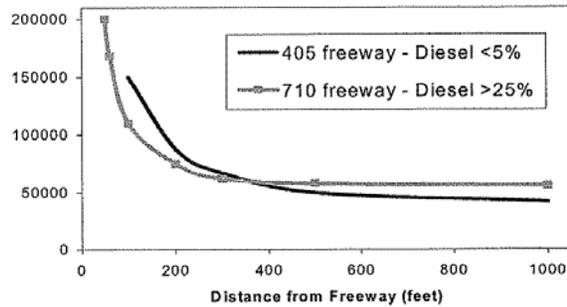
In addition to the respiratory health effects in children, proximity to freeways increases potential cancer risk and contributes to total particulate matter exposure. There are three carcinogenic toxic air contaminants that constitute the majority of the known health risk from motor vehicle traffic – diesel particulate matter (diesel PM) from trucks, and benzene and 1,3-butadiene from passenger vehicles. On a typical urban freeway (truck traffic of 10,000-20,000/day), diesel PM represents about 70 percent of the potential cancer risk from the vehicle traffic. Diesel particulate emissions are also of special concern because health studies show an association between particulate matter and premature mortality in those with existing cardiovascular disease.

B2-20

Distance Related Findings

A southern California study (Zhu, 2002) showed measured concentrations of vehicle-related pollutants, including ultra-fine particles, decreased dramatically within approximately 300 feet of the 710 and 405 freeways. Another study looked at the validity of using distance from a roadway as a measure of exposure to traffic related air pollution (Knape, 1999). This study showed that concentrations of traffic related pollutants declined with distance from the road, primarily in the first 500 feet.

Figure 1-1
Decrease In Concentration of Freeway Diesel PM Emissions
With Distance



These findings are consistent with air quality modeling and risk analyses done by ARB staff that show an estimated range of potential cancer risk that decreases with distance from freeways. The estimated risk varies with the local meteorology, including wind pattern. As an example, at 300 feet downwind from a freeway (Interstate 80) with truck traffic of 10,000 trucks per day, the potential cancer risk was as high as 100 in one million (ARB Roseville Rail Yard Study). The cancer health risk at 300 feet on the upwind side of the freeway was much less. The risk at that distance for other freeways will vary based on local conditions – it may be higher or lower. However, in all these analyses the relative exposure and health risk dropped substantially within the first 300 feet. This phenomenon is illustrated in Figure 1-1.

State law restricts the siting of new schools within 500 feet of a freeway, urban roadways with 100,000 vehicles/day, or rural roadways with 50,000 vehicles with some exceptions.¹ However, no such requirements apply to the siting of residences, day care centers, playgrounds, or medical facilities. The

B2-20

¹ Section 17213 of the California Education Code and section 21151.8 of the California Public Resources Code. See also Appendix E for a description of special processes that apply to school siting.

available data show that exposure is greatly reduced at approximately 300 feet. In the traffic-related studies the additional health risk attributable to the proximity effect was strongest within 1,000 feet.

The combination of the children's health studies and the distance related findings suggests that it is important to avoid exposing children to elevated air pollution levels immediately downwind of freeways and high traffic roadways. These studies suggest a substantial benefit to a 500-foot separation.

The impact of traffic emissions is on a gradient that at some point becomes indistinguishable from the regional air pollution problem. As air agencies work to reduce the underlying regional health risk from diesel PM and other pollutants, the impact of proximity will also be reduced. In the meantime, as a preventative measure, we hope to avoid exposing more children and other vulnerable individuals to the highest concentrations of traffic-related emissions.

B2-20

Recommendation

- Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.

References

- Brunekreef, B. et al. "Air pollution from truck traffic and lung function in children living near motorways." Epidemiology. 1997; 8:298-303
 - Lin, S. et al. "Childhood asthma hospitalization and residential exposure to state route traffic." Environ Res. 2002;88:73-81
 - Venn. et al. "Living near a main road and the risk of wheezing illness in children." American Journal of Respiratory and Critical Care Medicine. 2001; Vol.164, pp. 2177-2180
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-

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- ARB Diesel Risk Reduction Plan. (2000)
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- English P., Neutra R., Scalf R. Sullivan M. Waller L. Zhu L. "Examining Associations Between Childhood Asthma and Traffic Flow Using a Geographic Information System." (1999) Environmental Health Perspectives 107(9): 761-767

B2-20

B2-21

The *Focused Air Quality Analysis, Children's Health and Exposure to Pollutants from I-5* report uses wind data from Del Mar, which is considered most representative of the project site. It is speculative whether the Citizens for Quality of Life Alternative would have fewer health impacts than the proposed project. While the pool would be indoors, the active children's playing fields would all be within 500 feet of the freeway, with no fields further away than 500 feet, as in the proposed project. In the Citizens for Quality of Life Alternative, the fields appear to be closer to the freeway and with less vegetative barrier. Finally, the CQL Alternative proposes the location of the children's playground considerably closer to the freeway than with the proposed project. Please also refer to Responses #B2-20.

The DEIR inappropriately dismisses proximity to the freeway, based on the Wind Rose Plot for Lindbergh Field, which shows the predominate wind direction is from west to east. However, the Wind Rose Plot also shows that between approximately 27-30% of the time, the wind direction would blow pollutants from the I-5 toward the proposed park. The DEIR also ignores the fact that the ARB's recommendation is not qualified by wind direction. The DEIR fails to identify the potential significant health impacts of locating a park with active sports uses in close proximity to the I-5 freeway. Potential health impacts would argue for limiting the number of active playing fields and hours of use and would indicate that the Citizens for Quality of Life Park Alternative would have fewer health impacts than the proposed project.

B2-21

B2-22

As detailed in the Response #B4-2, the trip generation that was used for the traffic analysis is considered to be conservative and accurate for the type of park proposed. Therefore, it is not necessary to conduct an additional modeling run for noise.

Noise

The noise analysis should be re-run to address trip generation consistent with the Poway Community Park rates. Given the substantial increase in project trip generation using these rates and the fact that project traffic generated noise results in a 2.8 dBA increase using the inaccurate current trip generation rates, the potential for significant unmitigated traffic noise impacts exists.

B2-22

B2-23

The discussion of traffic noise generation throughout Section 3.4.3 is specific only to the proposed project, which includes the elimination of through traffic on Mackinnon Avenue as described in the project description. The elimination of through traffic on Mackinnon Avenue is part of the project and is not an alternative as the comment describes. No alternatives are discussed or evaluated in Chapter 3.

The discussion of traffic noise generation on pages 3.4-12 and 3.4-13 should be rewritten to more clearly distinguish between project noise generation and noise

B2-23

generation from the Alternative of Elimination of Through Access on Mackinnon Avenue. As currently written it is hard to tell if project impacts are described.

B2-23

Aesthetics and Lighting

The DEIR has incorrectly translated the Municipal Code's standard into a threshold of significance for lighting impacts. The DEIR's threshold (citing Section 30.40.010(1)(2) of the Municipal Code is: "Result in a light trespass as a direct result of project lighting of more than 0.5 foot-candles at a distance of 25 feet beyond the property line to any adjacent property zoned for residential use." It seemed odd to have a threshold that allows for a 25 foot trespass of light. In fact, the threshold is in error. Municipal Code Section 30.40.010(1)(2), states:

- I. PERFORMANCE STANDARDS - RESIDENTIAL LIGHTING STANDARDS. THE FOLLOWING STANDARDS SHALL APPLY TO ALL RESIDENTIAL AND COMMERCIAL ZONES: (2003-10).
 1. All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties.
 2. All residential zones and commercial uses adjoining residential zones **shall not have a measured sustained light standard in excess of one-half (0.5) foot-candle at the property line.** Outdoor lighting fixtures shall be fully shielded so as to cause all emitted sustained light to be projected below an imaginary horizontal plane passing through the lowest point of the luminary, lamp or light source used in the fixture. **The luminary, lamp, or light source shall not be directly visible from any adjoining residential property.** The shielding requirement shall not apply to decorative landscape lighting fixtures of 50 watts or less, holiday lighting, fossil fuel lighting, or lighting within front yard areas intended to illuminate pedestrian and vehicular entries, landscaping/architectural accents, and the like. Skylights, greenhouses, and agricultural production activities are exempt. Public recreational facilities are not subject to the performance standards, but shall be reviewed through the use permit process for minimizing lighting impacts to surrounding properties, and may be subject to restrictions on operating hours and/or the number and type of lighting fixtures.

B2-24

B2-24

As discussed in Section 3.5.1 of the EIR under the heading Regulatory Setting for Lighting, the proposed project is exempt from the City's Municipal Code requirements limiting light to 0.5 footcandles at the property line. In the absence of City defined lighting requirements applicable to the proposed project, the EIR utilized other existing guidance to determine project-level impacts. The Draft EIR included the use of the International Dark Sky Association's recommended standard of 0.5 footcandles at a distance of 25 feet from the property line. However, the use of this reference has resulted in a significant amount of confusion. As such, Mitigation Measures Visual-1, included in the Draft EIR has been revised to limit light trespass as direct result of project lighting to 0.5 foot-candles at the property line to any adjacent property zoned for residential use (please refer to Section 3.5.5 of the Final EIR for this revision). As shown in Table 3.5-2 of the EIR, lighting levels at the property line of the proposed project are anticipated to be 0.5 footcandles or less at the proposed project property line.

The DEIR should therefore be corrected to include the following thresholds of significance:

- Result in a light trespass as a direct result of project lighting of more than 0.5 foot-candles at a distance of 25 feet beyond the property line to any adjacent property zoned for residential use.
- Result in lighting which is not shielded in such a manner that the light is directed away from streets or adjoining properties.
- Result in a luminary, lamp, or light source is directly visible from any adjoining residential property.

B2-24

The lighting analysis should be redone to address the issue of whether lighting of more than 0.5 foot-candles would trespass past the property line onto a residential parcel and whether the park luminary, lamp or light sources would be visible from adjoining residential properties.

B2-25

B2-25

The commentor recommends a different methodology for the lighting analysis, including recommendations for revisions to the thresholds of significance. However, the thresholds of significance identified for the lighting analysis are consistent with the recommendations made by the International Dark-Sky Association, as noted in Response #B2-24. For this reason, no further analysis is warranted. Please also refer to Response #B2-24, above.

The DEIR states: "The lighting analysis found that while the lighting design would not create glare that would cause disability (i.e., reduction in the ability to see or identify objects), there may be locations where a pedestrian within the park or offsite may view directly onto the athletic field light, which would cause discomfort." If this occurs from residential properties, as would appear to be indicated by the lighting analysis, then a significant unmitigated impact, which is not adequately addressed in the DEIR would occur.

B2-26

B2-26

The commentor notes that the EIR identifies that there may be incidents where discomfort glare could occur. The commentor states that this should be identified as a significant unmitigated impact. While this potential glare impact is considered a potentially significant impact, as identified in Impact Visual-1, mitigation is possible. Therefore, it is not accurate to classify it as unmitigated. Mitigation Measure Visual-1 includes measures to address these potential glare effects (specifically, measures a and d.). With implementation of these measures, the potential glare effects summarized by the commentor would not occur.

To address the potential for lighting to be visible from residential properties, the following elements should be **added** or corrected in Mitigation Visual -1 for significant project lighting impacts:

- b. Light trespass of 0.5 horizontal foot-candles or more, shall not occur 25 feet beyond the property boundaries of the park. Light shall be shielded within the proposed project site by the location, mounting, and aiming of luminaries; the use of shielding; and or the use of cutoff reflectors and refractors.
- d. To ensure that no more less than 0.5 horizontal foot-candles of light trespass onto adjacent properties beyond existing light levels does not occur, inspection of the luminaires shall occur immediately after light installation, and every 6 months for the first 2 years of operation and every 2 years thereafter, to ensure that no starbursts or significant light trespass occurs beyond the park property boundary. If starbursts are present that would be obtrusive to nearby residences or roadways, the lights shall be manually adjusted (e.g., through the use of the special aiming and locking

B2-27

B2-27

The commentor recommends additional measures to address lighting visibility from residential properties. While these measures could be considered as additional measures to further reduce lighting effects, they are not necessary to reduce lighting impacts to a less-than-significant level for the reasons summarized in Responses #B2-24 and #B2-26.

gear adjustments that each luminaire shall be equipped with) or with the use of shielding or other cutoff mechanisms. Similarly, luminaires shall be adjusted to ensure no light trespass occurs 25 feet beyond the park boundary. A light meter shall be used to measure, at grade, the amount of horizontal foot-candles obtained around a 25-foot perimeter from at the project property line to ensure a quantitative measure of light trespass.

- f. **In order to insure that no luminary, lamp, or light source is directly visible from any adjoining residential property the City shall establish a complaint hotline and reporting and resolution process. If a resident demonstrates that a park luminary, lamp, or light source is directly visible from a residential property, the City shall immediately discontinue use of the light source in question and shall not resume use until such time as appropriate actions have been taken by the City (adjustment of the light source, modification of the light source, installation of shielding, installation of landscape or other screening on the park site) to insure that the light source is no longer visible from the residential property. Failure of the City to take appropriate action within one week of complaint receipt shall subject the City to the potential of civil penalties.**

B2-27

Summary

As currently written the DEIR fails to accurately identify significant project traffic, air quality, health, noise, and light and glare impacts. These analyses must be redone and the DEIR recirculated for public review.

B2-28

B2-28

Please refer to Responses #B2-2 through #B2-27. No substantial evidence has been identified in the foregoing comments that constitute significant new information as defined by CEQA. Therefore, recirculation of the EIR is not warranted.

In addition, the DEIR fails to accurately identify the environmentally superior alternative. Draft EIR must be corrected to reflect the fact that, Alternative 2 – Reduced Intensity Alternative and Alternative 3 – Citizens for Quality of Life Alternative are both environmentally superior to the project and to Alternative 1 – Through Access on Mackinnon, as both would have fewer traffic and circulation, noise and aesthetics and lighting impacts than the proposed project. Alternative 1 – Through Access on Mackinnon Avenue would only have fewer traffic impacts than the proposed project.

B2-29

B2-29

Please refer to Responses #B2-8 through #B2-11.

Of the two environmentally superior alternatives, Alternative 2 – Reduced Intensity Alternative and Alternative 3 – Citizens for Quality of Life Alternative, Alternative 3 – Citizens for Quality of Life Alternative would do a greater job of meeting the project objectives, as it would provide for a broader array of both passive and active uses. Alternative 3 should be identified in the EIR as both one of the two environmentally superior alternatives, and as the environmentally superior alternative which most meets the project objectives.

Thank you for your consideration. I look forward to reviewing the Revised Draft EIR and would ask that you add me to your mailing list for receipt of information and notices regarding this project.

Sincerely,



Susan J. O'Carroll, Ph.D

B2-30

B2-30

The foregoing comments will be provided to the city's decision-makers for consideration when they take action on the proposed project. No specific comment on the EIR is provided within this comment and no response is necessary.

SUSAN JONES O'CARROLL, PhD

EDUCATION

Ph.D. University of Southern California, School of Urban and Regional Planning, October 1989.

Master of Planning (M.Pl.) University of Southern California, School of Urban and Regional Planning. August 1981.

Bachelor of Arts (B.A.), Experimental Psychology. University of California, Santa Barbara. June 1977.

PROFESSIONAL EXPERIENCE

President. Pareto Planning and Environmental Services. May 2002-Present
Duties: Provide direct planning and environmental services to local agencies and law firms. Act as an independent contractor to Chattel Architecture and to Willdan.

Principal Planner. Willdan. October 1992 – May 2002.
Duties: Responsible for environmental, advanced planning, and special projects. Duties included project management, preparation of environmental and other planning studies, supervision of environmental staff, and marketing. Advanced planning and special projects have included: acting as contract staff; preparation of housing and community development studies; preparation of grant applications; and grant administration. Contract staff assignments have included: serving as the Assistant Project Director for the Foreign Trade Zone Training Program, a grant-funded project of the four San Gabriel Valley Community Colleges; serving as interim Senior Planner for the Cities of Agoura Hills and Malibu; providing environmental expertise to the City of Lake Forest in the form of preparation of comments on Environmental Impact Reports (EIRs) for controversial projects in preparation for two successful lawsuits by the City. Housing and community development activities have included the preparation of a Fair Housing Assessment, a Comprehensive Housing Affordability Strategy, a Housing Element, comments on the Regional Transportation Plan, and management of an Infrastructure Analysis for an Enterprise Zone Application. Grant writing duties have included the preparation of: an Enterprise Community Grant Application for four cities in the San Gabriel Valley; Housing and Urban Development (HUD) grant applications; a request for Intermodal Surface Transportation Act (ISTEA) funding; and a four grant applications to the Chancellor's office of the Community College System. Grant management duties have included oversight or financial reporting for Oil Grant, Community Development Block Grant (CDBG), and Chancellor's Office of the California Community Colleges Model Economic Development grant funded activities.

Part-Time Faculty. Troy State University's Masters of Public Administration Program - Pacific Region. September 1998 – June 2001.
Duties: Taught Public Administration courses for a Master's Program offered by Troy State University at military installation in Japan, Korea and Hawaii. Courses taught: Introduction to Public Administration, Intergovernmental Relations, Research Methods, and Economics for Public Managers.

Supervisory Associate. Environmental Science Associates. May 1990 - October 1992.
Duties: Served as Project Manager or Associate-In-Charge for Environmental Impact Reports (EIRs) for projects and plans, including: Los Angeles County's Congestion Management Plan, two hotel projects and an office tower in downtown Los Angeles, two shopping center developments in Lompoc, a shopping center in North Hollywood, a housing development in Santa Clarita, and the Initial Study of Los Angeles' Housing Linkage Fee. Project management duties included: oversight of document production; budget management; coordination with lead agency staff and the project sponsor; and attendance at City Council, Planning Commission and other lead agency meetings, as necessary. Served as a team supervisor, providing

B2-31

B2-31

Please refer to Response B2-1.

supervision and counsel to other Project Managers on the staff. Prepared proposals at the request of the office director.

Faculty. University of Southern California(USC), School of PublicAdministration. September, 1985 - 1991.

Duties: Taught courses in Policy Analysis, Transportation Policy, Urban Redevelopment, Urban Studies, and Urban Economics.

Coordinator Los Angeles Semester Program. USC. 1986 - 87 academic year.

Duties: Supervised the teaching staff. Responsible, along with the director, for the design and implementation of the curriculum, program policies and grading procedures. Conducted staff meetings and assisted with student admission interviews. Involved in evaluation of staff performance and student advisement.

Planner. Southern California Rapid Transit District, Administration and Special Projects Section of the Planning Department. June 1982 - September 1985.

Duties: Under the direction of the Department head, prepared and helped to administer the Department's 5 million dollar budget. Involved in preparation and administration of the Overall Work Program, planning consultant contracts, and the Department's employee training program. Performed special Metrorail and bus planning Ad Hoc studies requested by the General Manager and Board of Directors. Special projects included: "The Incremental Service Standards Study," an application of the UTPS computer routines to service standards cost evaluation; work on the development of an Automatic Data Collection System; Joint Development related work, including preparation and presentation of a paper on "Joint Development and the Los Angeles Metro Rail: A Status Report" at the annual Transportation Research Board conference in Washington D.C.; and, preparation of an evaluation of "The RTD's Crime Prevention Efforts."

Teaching Assistant. University of Southern California, School of Urban and Regional Planning. September 1979 - April 1986.

Duties: Assisted with: PLUS 203g-Urban Geography (Sp86), PLUS 455- Introduction to Planning Analysis (F82) and PLUS504- Statistics (F79).

Research Assistant for Prof. Winkler, School of Public Administration, University of Southern California. October 1979 - September 1981.

Duties: Performed the statistical analysis of project data using SAS on the university mainframe for a project that investigated the effect of international investment in education.

Co-Director/Co-Founder/Paralegal. Isla Vista Legal Clinic. November 1977- November 1978.

Duties: Helped to design the structure and function of the clinic as well as the general office procedures. Involved in long range planning and goal setting for the clinic. Involved in funding: wrote several grant proposals, gave oral funding presentations, and tapped local resources for materials and equipment. Planned community education programs, and executed a pilot program. Acting under the supervision of the attorney, handled individual cases from initial interview to resolution, including legal research and drafting of legal documents. Acted as client advocate to other agencies. Responsible for advertising, statistics and maintenance of trust account books.

Training Coordinator and Telephone Counselor. Santa Barbara Helpline. (Pro Bono). September 1975 - October 1978.

B2-31



Technical Consultation, Data Analysis and
Litigation Support for the Environment

201 Wilshire Blvd., 2nd Floor
Santa Monica, CA 90401
Fax: (310) 393-3839

Lisa Cuellar
Tel: (949) 292-7077
Email: lisa@swape.com

March 12, 2007

Attn: Scott Vurbef
Planning and Building Dept.
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

**Subject: Comments on the Proposed Hall Property Community Park,
Encinitas, California**

Dear Mr. Vurbef:

Soil/Water/Air Protection Enterprise (SWAPE) is pleased to submit the following comments on behalf of Citizens for Quality of Life for the Hall Property Community Park Draft Environmental Impact Report (DEIR) in Encinitas, California. After review of the DEIR for the proposed Hall Property Community Park (Hall Property), SWAPE identified several issues that require further investigation. These issues are discussed in the following letter.

According to the DEIR, the proposed project comprises approximately 43 acres of land formerly developed with greenhouses. The Hall Property is to include development of several recreational areas including: baseball and soccer fields, a skate park, dog park, teen center, aquatic facility, amphitheater, walking trails and picnic areas.

COMMENTS

Detections of Chlorinated Pesticides Exceed California Hazardous Waste Criteria

Chlorinated pesticides, including toxaphene, 4,4-DDE and 4,4-DDT have been detected at concentrations that exceed criteria for hazardous waste in the State of California at the Hall Property. A March 2, 2006 Subsurface Assessment Report¹ compared pesticides in soil to regulatory screening levels but did not compare the results to California Hazardous Waste Criteria (California Code of Regulations Title 22). In a comparison to the

¹ Subsurface investigation and Limited Human Health Risk Assessment, March 2, 2006

B3-1

The commentator explains that this letter was written on behalf of the Citizens for Quality of Life and that several issues are discussed in detail within the letter. No specific comment on the EIR is provided within this comment and no response is necessary.

B3-2

This commentator briefly describes the proposed project and does not include a comment on the analysis of the EIR. No response is necessary.

B3-3

California Hazardous Waste Criteria values are not health risk-based standards; rather, they are concentrations at which a constituent of concern (CoC) would be considered a hazardous waste if excavated and exported from a property. They apply only to contaminated media (i.e., soil or water) that are actually removed from the site as waste material. Hazardous waste criteria are inappropriate for use as remediation goals (see Martz, "Total Threshold Limit Concentration (TTL) Values are not Appropriate for Remediation of Pesticides in Farmland." According to Martz, TTLs provide a legal basis in California for classification of waste as being hazardous; they are not health-risk-based. If soil is left in place (i.e., not excavated and removed from a property), then California Hazardous Waste Criteria do not apply. However, if soil is excavated and exported from a property and concentrations of CoCs exceed, on the basis of representative samples and statistical analysis in accordance with EPA guidance found in SW-846, California Hazardous Waste Criteria, then the soil exceeding these criteria would need to be disposed of as a hazardous waste at an appropriate disposal facility. As indicated in the Phase 1 Environmental Assessment (Appendix H to the EIR) prepared for the project, soil is not proposed to be exported from the site. Therefore, based on concentrations of CoCs at the site, SCS prepared health risk assessments for the CoCs. As discussed in Appendix H, the findings indicate that concentrations of CoCs are below CHHSLs, PRGs, or calculated risk screening levels for adult and child community park visitors.

B3-1

B3-2

B3-3

California Hazardous Waste Criteria conducted for this report, we have determined that soil at the Hall property contains toxaphene, 4,4-DDE and 4,4-DDT at concentrations as follow (California Code of Regulations Title 22 Hazardous Waste Criteria dry weight equivalents are provided for comparison):

- Sample B15-1: Toxaphene at 6,140 ug/kg (5,000 ug/kg)
- Sample B47-1: 4,4-DDE at 2,050 ug/kg (1,000 ug/kg)
- Sample B48-1: 4,4-DDE at 1,820 ug/kg (1,000 ug/kg)
- Sample B48-1: 4,4-DDT at 1,630 ug/kg (1,000 ug/kg)
- Sample B49-1: 4,4-DDT at 3,050 ug/kg (1,000 ug/kg)

B3-3

All samples listed above were collected at a depth of one foot. Sample B-15 was collected in areas of former greenhouses. Samples B47 – B49 were collected in “chemical storage areas” (p. 7, March 2, 2006 Subsurface Assessment Report).

B3-4

Given the exceedences of the California Hazardous Waste Criteria, the shallow depth of the samples, and unrestricted access to contaminated soil, we believe that the California Department of Toxics Substances Control (DTSC) should be notified immediately to identify and remove contaminated soil for disposal in a Class I landfill. We have documented other sites that required soil removal and disposal in a Class I landfill by DTSC where contamination exceeded hazardous waste levels for pesticides. Toxaphene-contaminated soil was removed from a site in Solano County, California to achieve a cleanup goal of 360 ug/kg for unrestricted site use (http://www.dtsc.ca.gov/SiteCleanup/Projects/upload/Mangels_Ranch_FS_RAW.pdf). At a school site in Newmark, California contaminated soil was removed to achieve a cleanup goal of 440 ug/kg for toxaphene and 500 ug/kg for 4,4-DDE (http://www.dtsc.ca.gov/SiteCleanup/Projects/upload/Ohlone_FS_dRAW.pdf).

B3-4

We acknowledge that San Diego County Department of Environmental Health is overseeing the assessment of the Hall Property under a voluntary program; however, given the high levels of contaminants in the soil and the potential for human exposure, we believe it is appropriate to refer this case to DTSC, an agency with resources to adequately evaluate health risks.

Finally, we note the March 2, 2006 Subsurface Assessment Report used a statistical analysis that calculated a 95% upper confidence level for the chlorinated pesticides detections in soil to conduct exposure point concentrations. This technique is generally only valid if specifically approved in a sampling workplan which would include agreed-upon soil sampling locations, depths, sample types (i.e. discrete or composite), analytes, analytical methods, and identification of how results will be used (i.e. for a screening level risk assessment or for identification of hot spots to be sampled further). The March 2, 2006 Subsurface Assessment Report provides documentation that a workplan for the soil sampling was approved; however, the workplan was not included in the materials obtained from the City of Encinitas. We request information in response to these comments to show that approval of the 95% upper confidence level was expressly approved for determination of exposure point concentrations.

B3-5

An evaluation of the properties presented by the commentor has been completed. At Mangels Ranch, soil removal was required as a result of toxaphene and DDE above health risk-based cleanup levels, not because DDE and toxaphene concentrations exceeded hazardous waste criteria. Under these circumstances, soil excavated and transported off-site was a hazardous waste, but this criterion only applied because soil exceeding risk criteria was disposed of off-site. With respect to Newark Campus, this property also required soil removal due to exceedences of health risk-based criteria, not because of exceedences of the hazardous waste criteria. Notably, the proposed remedial action, soil relocation and capping, is a potential remedial alternative for the site.

Assessment and subsurface assessment activities conducted at the site were submitted to the San Diego County Department of Environmental Health (DEH) under authority delegated to them under Sections 101480-101490 of the California Health and Safety Code. Both the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB) have been consulted by the DEH in accordance with the above referenced sections and the DEH is serving as the lead agency in accordance with the statute and the concurrence of the DTSC and RWQCB. There is no legal or statutory obligation to refer the case to the DTSC. A comment letter from DTSC regarding the project has been received by the City and is included in the response to comments to the supplemental information packet that was circulated for public review and is numbered as comment letter S2. DTSC did not request regulatory oversight of the proposed project.

B3-5

This statement is not true. Although a good sampling design is always preferred when calculating the 95 percent upper confidence limit or any other statistics for a contaminated site, there is no requirement that a sampling workplan must be formally approved before this particular statistical procedure can be applied. This statistical procedure is the same one that has been recommended by USEPA and virtually every state environmental agency since the USEPA Superfund site risk assessment guidelines were published in 1989 (USEPA 1989). Furthermore, just because a sampling design has been approved by an oversight agency does not guarantee that the statistical analysis of the collected data will be improved or be more technically valid. The technical validity of a statistical analysis depends not only on the sampling plan design, but often even more importantly on the intrinsic statistical properties of the data itself (e.g., variance, underlying distribution). This cannot be determined until the samples are actually collected and analyzed.

Mitigation of Airborne Exposure to Contaminated Soils is Inadequate

The DEIR acknowledges the potential for receptor exposure to airborne contaminants by suspension of particulates during construction activities, such as grading, as a significant risk (DEIR, page 3.3-14). This determination is based on shallow soil sampling and analysis results reported in the most recent Phase I and II and the 2006 Subsurface Assessment Reports, which indicated soil contamination across the site by pesticides and at least one metal above regulatory screening levels.

The DEIR states that the following sensitive receptors reside in the vicinity of the project site (DEIR, page 3.3-9):

- The single-family homes along Rubenstein Avenue located adjacent and immediately west of the project site.
- The single-family residential area surrounding the proposed dog park.
- The single-family neighborhood located to the south of the project adjacent to Warwick Avenue.
- The residential neighborhood east of I-5 and west of Nardo Road.
- Scripps Hospital located to the north of the project site.

Additional receptors include construction workers.

Mitigation measures for airborne exposure in the DEIR are based on the Phase I and II and the 2006 Subsurface Assessment Report findings. These reports failed to identify detections of toxaphene, 4,4-DDE and 4,4-DDT in soil as hazardous wastes (as explained in the previous comment). Before development can occur the hazardous soils must be removed from the site. The DEIR does not consider export of hazardous soils off site nor provide mitigation measures to limit airborne exposure to receptors during export. The DEIR explains that 126,000 cubic yards of soil will be graded as part of project construction. The potential for this graded soil volume to contain hazardous waste must be assessed in a revised DEIR and appropriated handling methods described.

Furthermore, since the grading, excavation, and removal of hazardous soils will occur as part of the project development, more stringent mitigation measures will need to be implemented to protect receptors from exposure. The DEIR should be revised to include an airborne exposure mitigation plan which includes continuous monitoring at the project fence-line. A particulate matter (PM) meter should be installed at the project fence-line prior to construction activity to characterize PM concentrations as background. During excavation activities, if the PM concentrations exceed background all excavation activities should be halted.

Impacts to Groundwater are Inadequately Addressed

Agricultural operations have been reported as early as 1928 for the southern portion of the Hall Property. The presence of pesticide contaminated soils from historical applications across the Hall Property is evident from the Phase I and II and the 2006 Subsurface Assessment Report soil sampling and analysis results.

B3-6

Included in Appendix H to the EIR is a Subsurface Investigation and Limited Health Risk Assessment. Section 4.7.2 of this report (Exposure Pathway Analysis for Pesticides, Potential Receptors) does discuss construction workers as potential receptors as follows:

B3-6

"We understand that the site will be extensively graded; however, the final grading plan has not been provided to EBS. Therefore, we judge that temporary construction workers at the site could potentially come into direct contact with residual pesticides present in shallow soils via inhalation (of fugitive dust), ingestion, or dermal exposure. These risks are, in our experience, routinely addressed by site-specific health and safety plans and appropriately trained workers and are not given further consideration here. Additionally, please note that fugitive dusts that could potentially migrate off-site as part of construction-related activities would be, in our experience, routinely addressed by a community health and safety plan and rigorous dust suppression and control measures."

Mitigation Measure Hazardous Materials-1 requires the preparation of a worker health and safety plan prior to the initiation of demolition, grading, and construction operations at the site. Mitigation Measures Hazardous Materials-1 has been expanded in the Final EIR to include additional specifications and performance measures. Implementation of the recommended mitigation measure would reduce potential impacts to construction workers to less-than-significant levels.

B3-7

B3-7

Please refer to Responses #B3-3 and #B3-4 for a discussion regarding California Hazardous Waste Criteria and calculated risk screening levels.

B3-8

B3-8

Airborne exposures to soil resuspended by construction activities, wind, or other disturbances will be monitored through a Community Health and Safety Plan and an ambient air monitoring program as identified in Mitigation Measure Hazardous Materials-1 in the EIR. Particulates will be included in the ambient air monitoring program discussed above. If air concentrations exceed appropriate benchmarks based on monitoring, construction will not be stopped and appropriate measures will be implemented to reduce air concentrations. These mitigation measures and air concentration benchmarks will be included in Community and Site Health and Safety Plans. In addition, Mitigation Measure Hazardous Materials-1 would be consistent with the measures identified in Mitigation Measure Air Quality-1.

B3-9

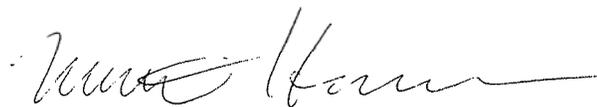
According to the 2006 Subsurface Assessment Report perched groundwater most likely exists on the Hall Property. Therefore the potential exists for transport of soil contaminants to shallow groundwater. However, a groundwater sampling and analysis investigation has not been conducted on the Hall Property. It is pertinent that shallow groundwater be characterized for contaminants, such as pesticides and metals, to understand potential exposure to construction workers during grading and any unexpected dewatering activities.

The DEIR states that “contaminants at the site appear to be limited to shallow soils, and there is a low likelihood that they have migrated to the groundwater beneath the site” (DEIR, page 3.6-12). The relative measure of a “low-likelihood” is not explained in the DEIR and does not represent a validated scientific conclusion. A more appropriate assessment for groundwater contamination would consider subsurface migration potentials for each constituent and the existence of subsurface preferential pathways. A revised site investigation to determine environmental impacts must include groundwater sampling and analysis.

Status of UST is Undetermined

A UST was discovered on the Hall Property in 2005 and was subsequently removed. Documentation of formal closure for the tank removal was not mentioned or provided within the DEIR. During the 2006 Subsurface Assessment two pit samples were taken to assess if any soil contamination exists around the former location of the UST (DEIR, page 3.6-4). The analytical results for these samples were not reported in the DEIR. Without the results and a formal closure letter from the DEH, there is no way to assess the environmental impacts associated with the UST. The results of the soil samples along with the UST closure status must be reported within a revised DEIR.

Sincerely,



Matt Hagemann



Lisa Cuellar

B3-9

B3-9

As discussed in Appendix H to the EIR, based on the shallow extent of organochlorine pesticides in the soil at general production and application areas of the site (interpreted to be less than 5 feet below grade) and the interpreted depth to groundwater at the site (30 to 40 feet below grade), it is not likely that the groundwater beneath the site has been impacted from the application of pesticide across the site.

With regard to the relative measures, Page 46 of the Subsurface Investigation and Limited Health Risk Assessment contained in Appendix H includes a full definition of all likelihood statements.

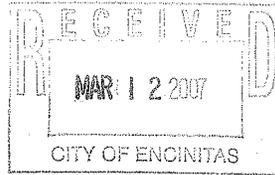
B3-10

B3-10

An underground storage tank (UST) was encountered at the site during subsurface assessment activities. The UST was removed and soil sampling was conducted with the oversight of the DEH. Based on results of the soil sampling in a form entitled, *Land and Water Quality Division Underground Storage Tank Closure Report*, dated November 22, 2005, the DEH indicated, “Tank closure complete – No further action required.”



SMITH ENGINEERING & MANAGEMENT



March 12, 2007

Mr. Scott Vurbeff, Environmental Coordinator
Planning and Building Department
City of Encinitas
505 South Vulcan Avenue
Encinitas CA 92024

Subject: **Hall Property Community Park Draft Environmental Impact Report
(Case No. 04-197 CDP/MUP)**

Dear Mr. Vurbeff:

At the request of concerned neighbors of the proposed Hall Property Community Park (hereinafter "the project") I have reviewed the Draft Environmental Impact Report on the subject project (hereinafter "the DEIR") with particular focus on the sections pertaining to traffic and circulation.

My Qualifications as a Traffic Expert

My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and 38 years of consulting engineering practice in traffic engineering practice. I have extensive experience in both preparation and in review of the traffic and transportation components of environmental documents, on behalf of both public agencies and on behalf of private entities. My comments follow.

B4-1

The DEIR Underestimates Project Traffic for Both Normal and "Special" Events

The DEIR understates peak traffic that would be generated by typical usage of the park and by usage during what it refers to as "special event" periods. As a consequence, there may be traffic impacts at locations where impacts are not disclosed in the DEIR and the traffic impacts at locations where impacts have been

B4-2

B4-1

The commentor explains that this letter was written on behalf of concerned neighbors specifically regarding traffic issues and provides credentials as an experienced traffic engineer. No specific comment on the EIR is provided within this comment and no response is necessary.

disclosed may be more severe and require more extensive mitigation than disclosed in the DEIR.

Reasons why we are convinced that trip generation for the project is understated are as follows:

Normal traffic generation understated

The DEIR estimates normal traffic for the project based on traffic studies of three other parks in San Diego County it asserts to be comparable to the proposed project. The DEIR analysis relies on an average of the per-acre trip generation rates of the three parks for which data was available. However, DEIR Table 3.2-4 indicates that the per-acre trip rates for one of the parks used to compile the average rate used in the DEIR analysis varies radically from those of the other two. In specific, the highest hourly trip rate for a Saturday at the Kearny Mesa Park is only about 46 percent of that at the Poinsettia Community Park and about 39 percent of that at the Poway Community Park. Including the radically low rate for the Kearny Mesa Park in the average drags the trip rate down considerably. If one consults the underlying traffic study (Appendix B to the DEIR) and the underlying study's own trip generation appendix (Appendix G), the reason why the Kearny Mesa data is inconsistent with the trip generation rate for the other parks becomes obvious. The trip generation rate per acre for each park was computed based on gross acreage rather than active recreation acreage. Kearny Mesa has only 50 percent of its gross acreage in active recreation use as contrast with Poinsettia which has 60 percent in active recreation use and Poway which has 100 percent in active recreation use. The proposed project would have 88 percent of its acreage in active recreation use. Clearly the Poinsettia and Poway parks are more comparable to the proposed project than is Kearny Mesa.

If the inconsistent data from Kearny Mesa Park were dropped from the analysis, the Saturday peak trip rate as compiled from the other two parks would be 10.93 trips per acre, 24 percent higher than the Saturday peak hour trip rate used in the DEIR traffic analysis. If one compiled the trip rates based on active recreation acres rather than gross acres, the average Saturday peak hour trip rate (all three other parks considered) would be 12.6 trips per active use acre or 43 percent higher than the trip rate employed in the DEIR traffic analysis (or 38 percent higher after Hall Property's active recreation percentage is factored in). In order to analyze the traffic issue in a manner consistent with the good faith effort to disclose impact required by CEQA, the analysis should be redone using one of the above suggested approaches.

B4-2

The trip generation associated with the project would change daily depending on the events occurring at the park on that particular day. Based on a review of potential sources for park trip generation, the San Diego Association of Governments (SANDAG) rate is the highest with a rate of 50 per acre. In order to provide the most accurate estimate of anticipated park trip generation, actual weekday and weekend counts at other similar parks were conducted. An exhaustive search was conducted to determine comparable parks in the area at which to conduct traffic counts. Three parks were considered comparable. The average of these counts was found to be 60.82 ADT per acre, over 20% higher than the published rate.

It is true that the active acreage at the Kearny Mesa park is quite a bit less than the proposed park, but by the same token the Poway Park has a much higher percentage of active acreage. Based on data supplied by RJM Design Group the active acreage associated with the Hall Property park is 69%, in line with the average of the active acreage of the three parks. The active acreage of 69% for the proposed project is very conservative as it includes the proposed project's parking areas in the calculation (only gardens and buffers were excluded from the calculation). In addition, there are other factors such as location and types of uses, which are also very important to consider for comparison purposes and in these regards the three parks all compare favorably to the proposed park. It would be inaccurate to simply utilize the highest trip rates just because they are higher. The use of a rate over 20% higher than any published rate and consistent with counts at three similar parks in the nearby area provides a conservative analysis.

Special event traffic generation understated

The DEIR understates the maximum weekend event traffic that would be generated by the project in several ways.

1. The DEIR assumes the maximum event would be a soccer tournament. In fact, the maximum event condition would be a soccer tournament *combined with* ordinary typical weekend use of the proposed components of the project (walking trails, teen center, skateboard area) excepting the ball fields that are co-located with the soccer fields.
2. The DEIR misinterprets the structure of most soccer tournaments. It assumes that the structure is a "knock-out" competition that translates to a traffic pattern of all the competitors and their supporters arriving just before the tournament start time, but departing at staggered intervals over the course of the event as individual teams are eliminated. However, the structure of most soccer tournaments (and those of similar field events like rugby that could be held on the same fields) is quite different; the typical structure is a "play-to-final-position" structure in which all teams play a fixed number of games. This has a critical effect on project traffic since all teams and their supporters remain near the venue from the beginning until near the very end of the full event. Hence there is a departure peak as well as an inbound peak.
3. The DEIR trip generation estimates for a maximum weekend event reflect participants and their supporters arriving once and departing once on each day of the event. However, with teams playing a fixed number of games, usually with a significant time interval between games, it is commonplace for some members of teams and their supporters to depart the venue after a game and return before the next one. They do this for many reasons including (but not limited to): to shop, to eat meals or bring back foods and other supplies to the fields, to rest in an air-conditioned place out of the sun between games, and to take care of other errands and needs. Where the competition involves youth teams, parents may drop off participants, depart for other personal business, return to observe an actual game, perhaps depart and return again for subsequent games and ultimately return to pick up the participant and depart. Given the proposed project's location relative to the ocean beaches, numbers of departures and returns for beach visits between games can also be anticipated. Because of these critical considerations, the amount of traffic generated by a "maximum event" on the project site would likely be well more than double and perhaps triple or quadruple the trip generation estimated in the DEIR.

Because both the normal Saturday peak traffic and the special event peak traffic would be significantly greater than estimated in the DEIR, it is possible that there would be impacts at locations not considered in the DEIR. It is also probable that the project's traffic impacts at the locations where impacts were disclosed would be more severe than disclosed and would require more extensive mitigation than the mitigations identified. Also, the greater level of normal and special event project

B4-3

The EIR assumed 3000 people would visit the park for the purpose of the special event analysis. This assumed amount will exceed the attendance on virtually every single day of the year. The analysis concluded that there would be a significant parking impact based on this assumption and mitigation measures are recommended. The analysis results would not change if a greater daily attendance were assumed. It is acknowledged that a parking shortage could occur even with a 3000-person attendance day at the park. It should also be noted that it is standard practice in traffic engineering to not analyze and mitigate for the absolute worst-case day of the year. Rather, a typical peak day is analyzed.

B4-3

In addition the EIR project description states in Section 2.5.8 that "special events would be scheduled at the park through the Parks and Recreation Department. Special events could include programs or other activities that would run until 12:00 midnight on Friday or Saturday nights. Any special event would require a special events operation permit. Special events would only be approved by the Parks and Recreation Department if they did not conflict with other activities and if special conditions for event planning were addressed. It is anticipated that the frequency of special events would be an average of approximately one event per month at the teen center, and one event per month at the amphitheatre. Special events at the athletic fields are anticipated to occur three to four times a year."

For added clarity, the Final EIR has included the following sentences into Section 2.5.8: "Special events taking place at unlit outdoor locations, such as the amphitheatre, would be limited to daylight hours. If lighting were to be approved as part of the project, special events at the athletic fields could take place until 10 PM when the lights would be shut off. Special events at the park are anticipated to include a wide range of activities such as youth group meetings, lectures, athletic tournaments, receptions, community fairs, and other similar types of events."

B4-4

B4-4

While it is possible that the type of tournament described in the comment could occur, these events would be rare (see Section 2.5.8 of the EIR Project Description), and it is not standard traffic engineering practice to analyze and mitigate for the absolute worst-case traffic day of the year. Rather, a typical peak day is analyzed, which is included in the analysis in the EIR. In addition, the EIR includes an analysis of potential special events, which could occur at the athletic fields three to four times a year. As a result of this analysis, two potentially significant impacts were identified, along with mitigation measure to address the potential traffic and circulation impacts associated with special events.

While the analysis did not assume that people would come and go from the park during the course of the day, the number of people leaving the park multiple times during the day is not expected to be high. In addition, a key assumption in the special event analysis to convert the number of visitors to vehicle trips was the vehicle occupancy rate (VOR). A VOR of only 2.0 was assumed when the anticipated VOR will likely be higher due to carpooling for special events. This low VOR assumption essentially results in a factor of safety already built into the analysis.

B4-5

B4-5

The typical non-special event Saturday peak hour analysis is based on actual counts at three similar park facilities. This is the standard of practice in traffic engineering. All impacts were properly disclosed. Regarding the special event analysis, as discussed in responses B4-3 and B4-4, the special event analysis assumes 3,000 people attend the park with a worst case vehicle occupancy rate of only 2.0. While there could be some days that exceed this amount, the mitigation measures for special events are designed to address each specific special event. All special event significant impacts are fully disclosed.

B4-6

traffic would be particularly critical had residential street traffic impacts been evaluated as they should have, a matter discussed in a subsequent section of these comments.

Project Traffic Mitigations Appear Infeasible

Despite the fact that, as demonstrated above, the DEIR understates project traffic generation, the DEIR does find that the project causes traffic impacts at intersections along Santa Fe Drive in the various scenarios analyzed. Included are impacts at intersections of Santa Fe with the I-5 southbound ramps, Santa Fe with the project driveway (described as "Alley" in the DEIR) and Santa Fe with the Scripps Hospital Driveway/Santa Fe Plaza entrance. In each case, the DEIR proposes as mitigation the installation of traffic signals or roundabouts at each location. However, it seems as though the DEIR considered the mitigations for these locations as if they were isolated from one-another. In fact, the proximity of these locations to one-another and to other driveways make the proposed mitigations infeasible.

In the case of the project driveway alley intersection with Santa Fe, the alley is flanked about 30 feet to the west and 25 feet to the east by commercial driveways to, respectively, a medical office complex and a service station/fast-food restaurant combination (currently inactive). The proximity of the other driveways makes a roundabout completely infeasible operationally and makes traffic signal feasibility dependent on eliminating left turn ingress and egress to the medical office complex, a consideration that is itself a significant traffic impact. Additionally, left turn access to the service station/fast food restaurant, that now takes place via the now lightly used alley would become impractical if the alley were heavily used by park traffic.

At the intersection of Santa Fe with the southbound I-5 ramps, a roundabout is infeasible because the ramp intersections are offset. This intersection would need to be signalized.

Signals at both of the above locations may be infeasible because of their proximity to the intersection of the Scripps Hospital/Santa Fe Plaza driveways with Santa Fe. There is only about 190 feet between the east limit of that intersection and the west limit of the I-5 southbound ramp intersection and only about 240 feet between the west limit of the Scripps/Santa Fe Plaza intersection and the east limit of the intersection of the project driveway alley with Santa Fe. These distances appear insufficient for development of adequate queue storage provisions. For instance, the existing eastbound left turn pocket on Santa Fe for the left turn into Scripps extends to within about 60 feet of the project access driveway intersection (the alley) leaving no room to develop a turn pocket serving more than one or two cars.

B4-6

A thorough process was undertaken at the beginning of the traffic study preparation to determine the proper study area to include in the analysis. Traffic analysis study areas are generally comprised of those locations that have the greatest potential to experience significant traffic impacts due to a proposed project, as defined by the Lead Agency. In the traffic engineering practice, traffic analysis study areas generally include those intersections, street segments and freeway segments that are:

- Immediately adjacent or in close proximity to the project site;
- In the vicinity of the project site that are documented to have current or projected future adverse operational issues; and
- In the vicinity of the project site that are forecast to experience a relatively greater percentage of project-related vehicular turning movements.

In review of the traffic analysis study area shown in Figure 3-1 of the traffic study the intersections and street segments selected for analysis are consistent with the criteria noted above. Although not every intersection has been selected for analysis along every roadway (as this number could be extremely large and yield little additional helpful information), analysis locations were selected so as to identify potential project impacts on a corridor level basis.

The study area includes those locations immediately adjacent to the site, key intersections in the project vicinity and those locations with a relatively higher percentage of project-related turning movements. Therefore, the traffic analysis study area used in the EIR is sufficiently comprehensive to identify and represent the potential significant traffic impacts related to the project as it also includes locations along major access corridors.

The locations selected for analysis were based on the above criteria, the project land use and corresponding arrival and departure peak hour vehicle trip generation. A total of 17 intersections and 11 segments were included in the analysis.

The residential roadways in the project area are not expected to carry large amounts of project traffic.

B4-7

The commentor is incorrect regarding the statement that the intersections along the Santa Fe Drive corridor were considered in isolation. The analysis considered the intersections' proximity to each other. While it may be correct to state that roundabouts would be challenging to install at some of the intersections, Caltrans is currently reviewing the concept of improving the interchange with roundabouts and will ultimately determine whether roundabouts or signalization would be the preferred option for mitigating future traffic impacts at the interchange. The proximity of other driveways to each intersection will be taken into account at the design phase of the mitigation. However, it should be noted that the traffic mitigation measure for the Santa Fe Dr./Alley intersection has been revised to provide right-in, right-out, and left-in movements only and the installation of a stop sign for northbound movements. This revised mitigation measure would reduce traffic impacts at the intersection under cumulative 2010 and 2030 scenarios to below a level of significance.

The commentor is also incorrect to infer that roundabouts are recommended at all locations. The mitigation alternatives state that a traffic signal *or* roundabout could be installed such that a combination of traffic signals and roundabouts could be implemented. It is agreed that installing roundabouts at all locations is not feasible; however, that is not what the mitigation measures state.

The suggested mitigation notion that all three of the above intersections might become roundabouts, innocuous-sounding when the intersections are considered in isolation, becomes ludicrous when one realizes that there would be 3 roundabouts along Santa Fe within about 550 feet of one another, or 4 within little over 1000 feet if one considers the one already being implemented at Rubenstein. Such a slalom course, with numerous uncontrolled commercial and institutional driveways in between, would be operationally dysfunctional for normal traffic and wholly inappropriate on the primary access route to a hospital emergency room.

B4-7

The DEIR's actual recommended mitigation for the impacts at the intersection of Santa Fe with the Scripps/Santa Fe Plaza driveways is vague and indefinite. The proposal is to replace the existing traffic signal with a roundabout or some other mitigation measure that City staff might conjure up later. This is inadequate and constitutes an improper deferral of mitigation under CEQA. The public has a right to know what explicit improvements will be committed to at that location before approving the project.¹

B4-8

B4-8

The comment refers to Mitigation Measure Traffic-5, g. This measure requires that the City contribute its fair share towards the mitigation measure approved for the Scripps Hospital Master Plan, which has not been approved. Traffic studies for the hospital and subject project have determined that a round-about would be feasible at this intersection and such a measure would ensure that impacts at this intersection would be reduced to less-than-significant levels regardless of the exact nature of the improvements.

Questionable Suitability of the Alley as a Major Park Access

The "alley" from Santa Fe along the west side of the Santa Fe Plaza property that is one of two proposed primary accesses to the project is about 25 feet wide or less at its narrowest points and is abutted by buildings on its east side. Parking and loading docks exist at right angles to the alley at recesses in the buildings and around corners of the buildings. The width of the alley and proximity of the buildings to it create sight-distance limitations. While the alley has operated satisfactorily for shopping center deliveries, refuse hauling, services and limited employee parking as well as for access to Raspy Growers and the former agricultural use of the Hall Property, the introduction of a high volume of general public traffic that the park proposal involves, including significant numbers of drivers unfamiliar with the limitations and potential conflicts in the alley, poses definite safety concerns. The DEIR is deficient in failing to address these safety issues.

B4-9

B4-9

The configuration of the alley with the recommended improvements at its intersection with Santa Fe Drive is adequate to accommodate the forecasted ADT. The forecasted ADT to utilize the alley entrance is only 1,100 ADT well within its carrying capacity.

Moreover, the narrow width of the alley precludes also development of sidewalk facilities for pedestrian traffic to and from the proposed park, although the nature of the proposed park makes such pedestrian traffic inevitable. The DEIR is deficient for failing to point out the impactful consequences of the inability to develop pedestrian facilities.

B4-10

B4-10

A 30-foot-wide access easement exists along the project's driveway access that extends from Santa Fe Drive. As shown on the project's site plan, proposed improvements along this driveway would include a pedestrian sidewalk to provide safe pedestrian access to the park site. It should be noted that all driveway improvements would be designed in accordance with minimum acceptable engineering standards.

¹ Since a draft traffic study for the Scripps project is already available, the DEIR could readily define what improvements would be required with and without approval of the Scripps expansion.

Freeway Ramp Intersection Mitigations Too Readily Dismissed as “Unavoidable” Without City Effort at Mitigation

Although Caltrans is responsible for and is defining improvements to the I-5 freeway ramp intersections at Santa Fe and at Birmingham, those improvements are not fully funded. The City should not use the fact that Caltrans has jurisdiction in an attempt to evade its responsibility for making fair-share project mitigation contribution toward the improvements. Caltrans has the authority and procedural mechanisms in place to work with other agencies to develop mitigation projects on the State highway system. The DEIR traffic study data can be used to define a nexus-based fair share City contribution to these improvements to mitigate the project's significant cumulative impacts at these locations.

The DEIR Is Deficient in Failing to Disclose and Mitigate Residential Street Traffic Impacts

The DEIR solely considers traffic impacts solely on the basis of *traffic service* alone: that is, the streets and intersections ability to carry certain volumes of traffic without causing undue *traffic congestion*. It completely fails to consider and assess project traffic impacts on local residential streets - '*quality of residential life and character*' issues. This omission in the DEIR is inexplicable since the City is obviously aware of these issues, as witnessed by Encinitas General Plan Circulation Element Policies 2.3 and 2.4, the policy of discouraging traffic in residential neighborhoods articulated in page 31, bullet 4 of the General Plan Circulation element, as well as the City's *Neighborhood Traffic Management Program* document posted on the City web site dated 4-26-04 (actually dated 4-14-04 on the document).

Some local residential streets that would be impacted by the project are not even identified as streets considered in the analysis. For instance, as the result of the project severing the current continuity of Mackinnon Avenue between Santa Fe Drive and Birmingham Drive, most of the residents of the streets between Rubenstein Avenue and Mackinnon who wish to travel between Santa Fe Drive and their homes would obviously choose to use Rubenstein Avenue instead of the logical current route on Mackinnon. The impact of this *project-caused* diversion of existing traffic to Rubenstein is not analyzed in any meaningful way in the DEIR since Rubenstein is not even considered in the segment analysis and since there is no analysis based on *residential street traffic impact* criteria.

Neighborhood Parking Impacts

The DEIR discloses that peak parking demand during special events would be roughly double the number of parking spaces proposed to be provided on-site by the project. As mitigation, the DEIR proposes that special events would be required to provide off-site parking with shuttles to and from the project site.

B4-11

See response to comment A1-5.

B4-12

A thorough process was undertaken at the beginning of the traffic study preparation to determine the proper study area to include in the analysis. Traffic analysis study areas are generally comprised of those locations that have the greatest potential to experience significant traffic impacts due to a proposed project, as defined by the Lead Agency. In the traffic engineering practice, traffic analysis study areas generally include those intersections, street segments and freeway segments that are:

- Immediately adjacent or in close proximity to the project site;
- In the vicinity of the project site that are documented to have current or projected future adverse operational issues; and
- In the vicinity of the project site that are forecast to experience a relatively greater percentage of project-related vehicular turning movements.

In review of the traffic analysis study area shown in Figure 3-1 of the traffic study the intersections and street segments selected for analysis are consistent with the criteria noted above. Although not every intersection has been selected for analysis along every roadway (as this number could be extremely large and yield little additional helpful information), analysis locations were selected so as to identify potential project impacts on a corridor level basis.

The study area includes those locations immediately adjacent to the site, key intersections in the project vicinity and those locations with a relatively higher percentage of project-related turning movements. Therefore, the traffic analysis study area used in the EIR is sufficiently comprehensive to identify and represent the potential significant traffic impacts related to the project as it also includes locations along major access corridors.

The locations selected for analysis were based on the above criteria, the project land use and corresponding arrival and departure peak hour vehicle trip generation. A total of 17 intersections and 11 segments were included in the analysis.

The roadways which were requested to be analyzed in the comment are all minor residential roadways which project traffic will not utilize on a regular basis. It is true that project traffic may utilize these streets if looking for parking during a special event however this would only occur on rare occasions during weekend special events. The amount of traffic using these residential streets will not be high or frequent.

B4-13

The highest volume intersection along Rubenstein Avenue was analyzed at Santa Fe Drive. It is the professional judgment of the traffic engineering consultant that Villa Cardiff Road, not Rubenstein Avenue, will carry the majority of MacKinnon Avenue traffic should through access on MacKinnon Avenue be eliminated. The project is expected to add very little traffic to Rubenstein Avenue and hence an analysis of this roadway is not warranted.

B4-11

B4-12

B4-13

B4-14

Unfortunately, this all-too-facile fix will result in intensified neighborhood parking and traffic impacts, not a mitigation of the project's parking deficiency. Because many of the participants and their supporters desire the ability to come and go readily during the course of a tournament, or to easily stash and retrieve belongings in/from their cars, they will park on nearby residential streets in preference to the more distant off-site shuttle lots. The neighbors of the project desire neither the impacts of this unwanted traffic and parking, nor the nuisance of temporary parking restrictions or residential parking permit programs that would be needed to prevent the parking incursions. To mitigate parking impacts the project must be redesigned to provide on-site parking in balance with the parking demand of a maximum event.

The DEIR Does Not Evaluate Locations Potentially Significantly Impacted by Project Traffic

The DEIR traffic analysis is limited to intersections and street segments relatively close to the project site. Key locations that may potentially be impacted by project traffic but were not analyzed include Santa Fe with San Elijo, Santa Fe with Lake, Birmingham with Lake, Santa Fe with Crest, Birmingham with Crest and Santa Fe with El Camino Real. These intersections and the street segments in between should be added to the DEIR traffic analysis.

The DEIR Fails To Evaluate the Consequences of Unusual Street Geometry

Most of Encinitas streets in the project area were developed under the lenient jurisdiction of the County before the City was incorporated. As a consequence, their physical features and geometry vary considerably (many lack now normally standard features like curb, gutter, sidewalks and improved drainage), and in many instances might be characterized as "substandard" in relation to modern street standards. Increasing traffic on such streets, and especially, introduction of a large population of unfamiliar drivers to such streets can have significant operational and safety consequences. This consideration is not evaluated in the DEIR

Emergency Access Analysis is Incomplete

The DEIR does analyze emergency service response by official emergency vehicles. However, the DEIR does not assess how a feature of the project, closure of Mackinnon to through traffic would affect access to emergency medical service by private vehicles. Since a significant portion of access to emergency medical care is by private vehicle, closure of a key street like Mackinnon would have significant potential impacts on those for whom it would provide the quickest route to emergency medical care. Similarly, the closure could impact of emergency access of some doctors to their work stations.

B4-14

While it would be physically possible to provide on-site parking for all possible events at the park, this would result in a large portion of the parking area remaining unutilized on almost all days. It is standard traffic engineering practice to not build a church for Easter Sunday. For this reason, the City has determined that it would be more desirable to design the park for typical daily use. The parking and circulation needs for special events could be addressed through the implementation of Mitigation Measures Traffic-7 and Traffic-8.

B4-14

B4-15

The commentor does not provide evidence regarding why these roadways should be included.

A thorough process was undertaken at the beginning of the traffic study preparation to determine the proper study area to include in the analysis. Traffic analysis study areas are generally comprised of those locations that have the greatest potential to experience significant traffic impacts due to a proposed project, as defined by the Lead Agency. In the traffic engineering practice, traffic analysis study areas generally include those intersections, street segments and freeway segments that are:

- Immediately adjacent or in close proximity to the project site;
- In the vicinity of the project site that are documented to have current or projected future adverse operational issues; and
- In the vicinity of the project site that are forecast to experience a relatively greater percentage of project-related vehicular turning movements.

B4-15

In review of the traffic analysis study area shown in Figure 3-1 of the traffic study the intersections and street segments selected for analysis are consistent with the criteria noted above. Although not every intersection has been selected for analysis along every roadway (as this number could be extremely large and yield little additional helpful information), analysis locations were selected so as to identify potential project impacts on a corridor level basis.

B4-16

The study area includes those locations immediately adjacent to the site, key intersections in the project vicinity and those locations with a relatively higher percentage of project-related turning movements. Therefore, the traffic analysis study area used in the EIR is sufficiently comprehensive to identify and represent the potential significant traffic impacts related to the project as it also includes locations along major access corridors.

The locations selected for analysis were based on the above criteria, the project land use and corresponding arrival and departure peak hour vehicle trip generation. A total of 17 intersections and 11 segments were included in the analysis.

B4-17

The roadways which were requested to be analyzed in the comment are all minor residential roadways which project traffic will not utilize on a regular basis. It is true that project traffic may utilize these streets if looking for parking during a special event however this would only occur on rare occasions during weekend special events. The amount of traffic using these residential streets would not be frequent nor exceed acceptable operating capacities of the streets as defined by the City's General Plan.

San Diego Traffic Engineer Council (SANTEC) guidelines indicate that intersections and segments to which a project adds over 50 peak hour trips should be included in a traffic analysis. Figure 7-2 in the traffic study shows that the project adds less than 50 trips to numerous intersections including, but not limited to, Santa Fe Drive and Windsor Road, Santa Fe Drive and Rubenstein Avenue, Birmingham Drive and Mackinnon Avenue, Villa Cardiff Drive and Windsor Avenue, and Villa Cardiff Drive and Birmingham Drive.

The DEIR Analysis of Alternatives Makes a Mockery of CEQA Guidelines

The DEIR's designation of the full park development project stripped of a purported traffic mitigation feature (the closure of Mackinnon Avenue to through traffic) as an alternative-to-the-project and then finding that this so-called "alternative" is the "environmentally superior" alternative is a transparent evasion of CEQA's requirement to consider alternatives to the project.

Furthermore, since the project objectives of maximizing the number of athletic fields and maximizing the hours of their availability for use have not been defined through substantive quantitative studies of community needs, the use of these abstract, loosely defined goals as a 'poison-pill' to deny the suitability of the Citizens for Quality of Life Alternative and the Reduced Intensity Alternative, both of which would reduce traffic and other impacts, is clearly not in keeping with a good faith effort to comply with CEQA.

Recommendation

We recommend that the DEIR be revised in accordance with these comments and be re-circulated for public comment in draft status.

Sincerely,

Smith Engineering & Management
A California Corporation



Daniel T. Smith, Jr., P.E.
President



B4-16

The comment does not specify which roadways are of concern. The project will not add a large amount of traffic on a daily basis to smaller Non-Circulation Element roads which do not lead directly to the project site and may not be built-out with curb, gutter, sidewalks, and other urban features. While it is true that project traffic may utilize smaller residential rural streets if the on-site parking was fully utilized during a special event and a patron was looking for parking; however, this would only occur on rare occasions during special events. The amount of traffic using residential streets will not be high or frequent and therefore no vehicular, pedestrian or safety impacts would be determined. See responses to comments #C17-7 and #C17-15.

B4-17

The use of MacKinnon Avenue for private emergency medical service usage is rare. Villa Cardiff Drive is a parallel road located about 1,000 feet east of MacKinnon Avenue. This road could be used for private emergency medical service usage if MacKinnon Avenue is closed to through traffic.

B4-18

The EIR contains the Through Access on Mackinnon Avenue Alternative as an appropriate alternative. The project's roadway configuration has been considered since the project was originally proposed. The EIR also contains additional alternatives that satisfy CEQA's requirement to evaluate project alternatives. As shown through the traffic analysis in Section 7.1 of the EIR, the Through Access on Mackinnon Avenue Alternative avoids significant traffic impacts that would result from the proposed project.

B4-18

B4-19

The commentator claims that the objectives of maximizing the number of athletic fields and hours of their availability for use were not defined through substantive studies. To the contrary, the City based these objectives on the Park Facilities Needs Assessment, which was developed in support of the City's Recreational Element through the Recreational Element Technical Report (December 15, 1987). Both of these documents have been included as Appendix P to the Final EIR. Additional information regarding these documented unmet recreational needs in Encinitas has been added to Section 2.4 of the Final EIR.

B4-19

The commentator states that the Draft EIR should be re-circulated. A portion of the Draft EIR and new technical information was re-circulated. An additional public review and comment period was held for significant new information that was been added to the project's Draft EIR. The new information consisted of an analysis of the project's cumulative effects on climate change in Chapter 5 of the Draft EIR, two technical studies that evaluate toxic air contaminates and respiratory health effects on future park users, and associated revisions to Section 3.3 of the Draft EIR. Other changes to the Draft EIR in response to the comments provided during the public review do not necessitate the recirculation of the Draft EIR. CEQA only requires recirculation when there is significant new information or changes made to the Draft EIR, such as a new significant impact or substantial increase in severity of an impact (CEQA Guidelines Section 15088.5).

DANIEL T. SMITH, Jr.
Principal

EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)
California No. 938 (Traffic) Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.
Personal specialties and project experience include:

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant, I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in charge, Los Angeles General Plan Framework transportation element. Project manager for transportation of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of elevated freeway; replacement by new ramps and a boulevard; internal roadway network overcoming constraints imposed by internal tidal basin; freeway structures and rail facilities; and 20,000 structured parking spaces. Responsible for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.) and for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, downtown Walnut Creek parking program, downtown circulation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon. Projects involved traffic and parking surveys, travel forecasts, circulation network assessment, freeway location, traffic operations and circulation improvements.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts.

Transportation Centers. Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station (including successful funding grant application) plus functional plans for new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco and for integration of BART

B4-20

B4-20

The commentor provides his resume outlining traffic engineering experience. There is no comment on the analysis in the EIR and no response is necessary.

Mr. Scott Vurbef
March 11, 2007
Page 10

station at Tanforan Park shopping center, transit service plan for City of Santa Clarita featuring relocated timed-transfer terminal.

Campus Transportation. Campus transportation plans for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center; San Francisco State Univ.; Univ. of San Francisco; and the Univ. of Alaska and others. Master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Neighborhood Traffic Control. Project manager on FHWA program to develop techniques and guidelines for neighborhood traffic control and for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of residential traffic techniques in U.S. Residential traffic plans for Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana, Menlo Park, Redwood City, Santa Monica and others. Co-author, Institute of Transportation Engineers reference publication on neighborhood traffic.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking .

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning. Project manager on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

B4-20

Litigation Consulting. Consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts, adequacy of environmental documentation; parking and other traffic and transportation matters.

MEMBERSHIPS

Institute of Transportation Engineers
Transportation Research Board

PUBLICATIONS AND AWARDS

Residential Street Design and Traffic Control, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

Residential Traffic Management, State of the Art Report, U.S. Department of Transportation, 1979.

Improving The Residential Street Environment, with Donald Appleyard *et al.*, U.S. Dept. of Transportation, 1979.

Strategic Concepts in Residential Neighborhood Traffic Control, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

Planning and Design of Bicycle Facilities: Pitfalls & New Directions, Transp. Res. Bd., Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.



204 North El Camino Real, Box 225
Encinitas, Ca 92024

Encinitas Youth Sports Council

February 27, 2007

Planning Commission and City Council Member
City of Encinitas
500 South Vulcan Avenue
Encinitas, CA 92024

Dear Council Member or Planning Commissioner:

We are writing on behalf of nearly 6,000 Encinitas children who participate annually in organized youth sports. We strongly support development of the Hall Property Community Park with lighted athletic fields as analyzed by the Draft Program Environmental Impact Report. The benefits of such a park to our children and our community are innumerable.

B5-1

B5-1

The commentor expresses support for the proposed project. No specific comments are provided on the environmental analysis within the EIR and no response is necessary. This comment is noted for the record.

The issues of lighting and traffic associated with an active-use park can be mitigated as described in the DEIR. The recommended, state-of-the-art lighting will be used during limited hours and will have strong directional focus and buffers to minimize "light trespass" on the park's neighbors.

B5-2

B5-2

These comments will be provided to the city's decision-makers for consideration when they take action on the proposed project. These comments do not specifically address the sufficiency or adequacy of the EIR in identifying and analyzing the project's environmental impacts and no response is necessary. These comments are noted for the record.

We are strong believers in the value of youth sports programs. In addition to the obvious and well-understood benefits of physical activity, children who participate in these programs learn teamwork, the value of working hard, sportsmanship, and how to have fun in a safe, healthy environment. They develop independence, confidence, a sense of achievement, a positive self-image, and leadership skills. All these qualities will help them throughout their lives.

The City of Encinitas needs more athletic facilities for its citizens. Last year the Encinitas Youth Soccer League alone spent over \$50,000 to rent non-City facilities because not enough fields were available in town. That money would be much better spent improving the soccer program and serving even more children.

B5-3

B5-3

Please refer to Response #B5-2.

We understand there are many things to consider when evaluating a complex proposal such as the Hall Property Community Park. Our belief is that the most important consideration is simple to grasp: When our children win – everybody wins.

Sincerely,

Stephen M. Valois
EPL, President

John O'Connell
PRESIDENT - SDYS

Ray Stoffel
SDPW BOARD MEMBER

Paula H. - operations - Vulcan

Ray Stoffel
SDPW BOARD MEMBER
Myra Ryan
ENCINITAS MUSTANG LACROSSE
ADMINISTRATOR

When our children win- everybody wins!

Tom Delaney
President
San Dieguito Youth Softball

Michael T. Walsh
President
Encinitas Soccer League

Jay Stoffel
President
San Dieguito Pony/Colt Baseball

Amy Taylor
Administrator
Encinitas Mustang Lacrosse

Peter Orr
President
Encinitas National Little League

Rob Mackle
Board Member
San Dieguito Pop Warner

Ron Lelakes
Department Head of Operations
Magdalena Ecke YMCA

Stephen M. Valois
President
Encinitas Little League

February 24, 2007

Scott Vurbef
Environmental Coordinator
Draft EIR for Hall Property Master Plan
505 S. Vulcan Avenue
Encinitas, CA 92024-3633

Dear Mr. Vurbef:

This letter represents a majority of Cardiff Glen residents regarding the draft environmental impact report (EIR) on the Hall Property Plan that is currently open for public review. Cardiff Glen is a community of 26 single family homes west of the I-5 in Cardiff, with over 100 residents including 51 adults and 50 children. All of the homes in our community border directly on or in the immediate vicinity of the Hall Property and are therefore significantly affected by the project.

We discussed the draft EIR in detail at our Homeowners Association meeting on Thursday, February 8, 2007. After this discussion, the residents in attendance unanimously voted in support of the following statements:

1. We support the development of a mixed-use park on the Hall Property.
2. We do not support the development of the current conceptual plan because multiple impacts identified in the draft EIR would have a significant negative effect on our community even if all of the mitigation measures in the draft EIR were implemented.
3. We hope to work collaboratively with the city to modify the conceptual plan and implement additional mitigation measures in the final EIR so that the impacts identified by the draft EIR would have less-than-significant effects on our community.
4. If the city is unwilling to make modifications to the conceptual plan and implement additional mitigation measures in the final EIR, residents of Cardiff Glen will undertake significant efforts to prevent the current conceptual plan from being developed.

Thank you for your thoughtful consideration of our comments.

Sincerely,



Bob Lasswell
President
Cardiff Glen Homeowner's Association

Cc: Mayor James Bond
Deputy Mayor Jerome Stocks
Council Member Teresa Barth
Council Member Maggie Houlihan
Council Member Dan Dalager
Chris Hazeltine, Parks and Recreation Department

B6-1

B6-1

These comments will be provided to the city's decision-makers for consideration when they take action on the proposed project. These comments do not specifically address the sufficiency or adequacy of the EIR in identifying and analyzing the project's environmental impacts and no response is necessary. These comments are noted for the record.

B6-2

B6-2

The commentor expresses opposition to the proposed project. No specific comments are provided on the environmental analysis within the EIR and no response is necessary. This comment is noted for the record.

B6-3

B6-3

Please refer to Response B6-2.

**ENCINITAS SOCCER LEAGUE
204 NORTH EL CAMINO REAL BOX 225
ENCINITAS, CA 92024**

March 12, 2007

**Scott Vurbef
Planning and Building Department
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024**

RE: Draft Environmental Impact Report for the Hall Property

Dear Scott,

Please accept the enclosed 57 letters as a response to the Draft Environmental Impact Report released to the public on January 25th, 2007 and support for the park site plan dated 8-9-04.

Respectfully,



**John Georgeson
ESL Co-Chair for the Hall Property**

B7-1

B7-1 through B7-58

The comment letters express support for the proposed project. No specific comments on the EIR's environmental analysis are provided in the comment letters submitted by the commentor and no response is necessary. These comment letters are noted for the record.

Tom and Karen Sprink
2218 Oxford Ave.
Cardiff, Ca. 92007
March 8,, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

To Whom It May Concern:

As a concerned parent and tax-paying citizen of this fine, North County coastal locale, I feel compelled to perform my civic duty by respectfully submitting this letter to champion the cause of the above-referenced endeavor, as described by the CITY. In my humble opinion, Encinitas, with its ever-increasing, family-oriented population, is seriously in need of additional recreational facilities. I am confident that area residents will be most appreciative to have a safe environment for their children to engage in healthy activities. As you well know, the highly energetic youth of today have many physical, outdoor interests. It would be optimal if these kids could have the invaluable opportunity to pursue the various organized sports offered by regional, non-profit organizations, at a park erected right in their very own neighborhood. For this reason, I would like to strongly encourage the development of the subject multi-use sports fields. Furthermore, I, wholeheartedly, support the installation of permanent lighting fixtures to enhance and maximize the use of the said athletic event grounds. I am very much in favor of this sports complex being built in phases, preferably with construction commencing immediately.

Thank you for your courtesy and careful consideration of the significant proponents presented herein.

Sincerely,



Tom and Karen Sprink

B7-2

Edwin and Marilyn Vogel
2228 Oxford Ave
Cardiff, Ca. 92007
March 8., 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

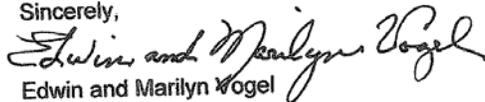
To Whom It May Concern:

As a concerned parent and tax-paying citizen of this fine, North County coastal locale, I feel compelled to perform my civic duty by respectfully submitting this letter to champion the cause of the above-referenced endeavor, as described by the CITY. In my humble opinion, Encinitas, with its ever-increasing, family-oriented population, is seriously in need of additional recreational facilities. I am confident that area residents will be most appreciative to have a safe environment for their children to engage in healthy activities. As you well know, the highly energetic youth of today have many physical, outdoor interests. It would be optimal if these kids could have the invaluable opportunity to pursue the various organized sports offered by regional, non-profit organizations, at a park erected right in their very own neighborhood. For this reason, I would like to strongly encourage the development of the subject multi-use sports fields. Furthermore, I, wholeheartedly, support the installation of permanent lighting fixtures to enhance and maximize the use of the said athletic event grounds. I am very much in favor of this sports complex being built in phases, preferably with construction commencing immediately.

B7-3

Thank you for your courtesy and careful consideration of the significant proponents presented herein.

Sincerely,


Edwin and Marilyn Vogel

Michael and Kathy Skopec
2235 Oxford Ave
Cardiff, Ca, 92007
March 7., 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

To Whom It May Concern:

As a concerned parent and tax-paying citizen of this fine, North County coastal locale, I feel compelled to perform my civic duty by respectfully submitting this letter to champion the cause of the above-referenced endeavor, as described by the CITY. In my humble opinion, Encinitas, with its ever-increasing, family-oriented population, is seriously in need of additional recreational facilities. I am confident that area residents will be most appreciative to have a safe environment for their children to engage in healthy activities. As you well know, the highly energetic youth of today have many physical, outdoor interests. It would be optimal if these kids could have the invaluable opportunity to pursue the various organized sports offered by regional, non-profit organizations, at a park erected right in their very own neighborhood. For this reason, I would like to strongly encourage the development of the subject multi-use sports fields. Furthermore, I, wholeheartedly, support the installation of permanent lighting fixtures to enhance and maximize the use of the said athletic event grounds. I am very much in favor of this sports complex being built in phases, preferably with construction commencing immediately.

B7.4

Thank you for your courtesy and careful consideration of the significant proponents presented herein.

Sincerely,



Michael and Kathleen Skopec

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

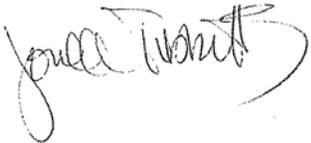
To Whom It May Concern:

As an Encinitas resident, I am writing in support of the development of the Hall Property. A multi-purpose park with lights (to fully utilize the facility) would enhance the city's Parks and Rec offerings and would take pressure off of the schools, which currently provide space for soccer players and skaters alike. I would like to take this opportunity to voice my enthusiastic support of this worthwhile effort.

The city has concentrated its park construction on neighborhood pocket parks, such as Sun Vista. With just two soccer fields, no teen center and one under utilized skate park, Encinitas is at a recreational deficit. These long promised fields and other amenities are sorely needed in our growing community. I'm certain that the traffic flow and parking issues can be adequately addressed and that the fields, teen center, skate park, etc. can come on line in the near future.

B7-5

Sincerely,



March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

To Whom It May Concern:

As an Encinitas resident, I am writing in support of the development of the Hall Property. A multi-purpose park with lights (to fully utilize the facility) would enhance the city's Parks and Rec offerings and would take pressure off of the schools, which currently provide space for soccer players and skaters alike. I would like to take this opportunity to voice my enthusiastic support of this worthwhile effort.

The city has concentrated its park construction on neighborhood pocket parks, such as Sun Vista. With just two soccer fields, no teen center and one under utilized skate park, Encinitas is at a recreational deficit. These long promised fields and other amenities are sorely needed in our growing community. I'm certain that the traffic flow and parking issues can be adequately addressed and that the fields, teen center, skate park, etc. can come on line in the near future.

B7-6

Sincerely,



March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

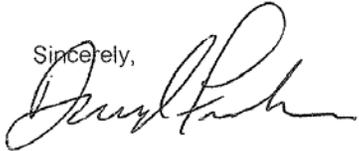
Re: Hall Property Community Park Project

To Whom It May Concern:

As a South Carlsbad resident who also resides in the Encinitas Union School District and whose children play rec soccer in the Encinitas Soccer League, I would encourage the city to develop the Hall Property as an active-use park, including fields and a skate park. The field situation in Encinitas is not what it should be and would definitely be improved by the proposed Hall Property.

B7-7

Sincerely,



March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbef

Re: Hall Property Community Park Project

To Whom It May Concern:

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B7-8

Sincerely,



March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

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B7-10

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March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

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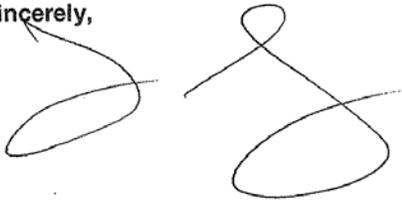
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B7-11

Sincerely,

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March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

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B7-12

Sincerely,



1053 Cottage Way

Encinitas, CA 92024

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

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B7-14

Sincerely,



Kelly J. Horan
1604 Traveld Wy 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
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B7-15

Sincerely,



William D. Horan Jr.
1604 TRAVELD WAY
ENCINITAS CA 92024

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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B7-16

Sincerely,

JUAN STRUTTON



1755 Edge Field Ln
Encinitas, CA 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-17

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G. L. Ford
1435 Calle Christopher
Encinitas 92024

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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B7-18

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168 SEA VIEW CT
ENCINITAS, CA 92024

March 10, 2007

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Encinitas, CA 92024

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B7-19

Sincerely,

 3/10/07

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

Re: Hall Property Community Park Project

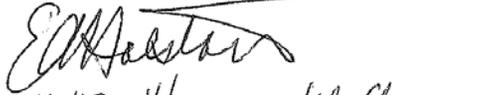
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B7-20

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11242 Honeysuckle Ct
Encinitas 92024

March 10, 2007

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Encinitas, CA 92024

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330 LA VISTA AVE

ENCINITAS, CA 92024

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B7-23

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B7-25

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031007

March 10, 2007

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Encinitas, CA 92024

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B7-26

Sincerely,

Susan J. Bernal
2413 La Pluma Ln.
Carls., CA. 92009

March 10, 2007

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Encinitas, CA 92024

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B7-27

Sincerely,



STEWART DUNCAN
3301 Corte Cadiz
Carlsbad CA 92009

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928 Coler Arbor
Encinitas CA 92024

March 10, 2007

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Sincerely,


1708 Sierra Canyon Dr
Encinitas

March 10, 2007

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B7-30

Sincerely,

Glori McStarawick

*345 Winsome Place
Encinitas CA 92024*

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

Re: Hall Property Community Park Project

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B7-31

Sincerely,

BRAD LEE
8080 PASSED ARRAYAN
CARLSBAD, CA 92009

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbef

Re: Hall Property Community Park Project

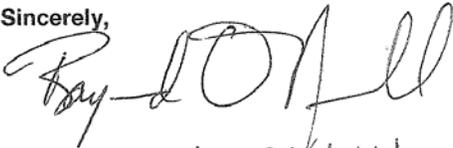
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B7-32

Sincerely,



Raymond O'Neill

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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840 Calle Santa Cruz
Encinitas, CA 92024

March 10, 2007

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B7-34

Sincerely,

David Cowell
3306 Bumann Rd
Encinitas, CA 92024

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

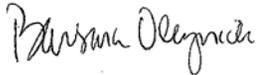
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Sincerely,



1452 Valleda Lane
Encinitas CA 92024

March 10, 2007

CITY OF ENCINITAS
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Encinitas, CA 92024

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B7-36

Sincerely,



Daniel Jay Welsh
2311 Ninth St.
Encinitas, CA 92024

March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
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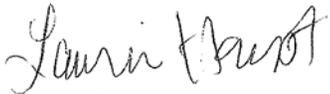
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The city has concentrated its park construction on neighborhood pocket parks, such as Sun Vista. With just two soccer fields, no teen center and one under utilized skate park, Encinitas is at a recreational deficit. These long promised fields and other amenities are sorely needed in our growing community. I'm certain that the traffic flow and parking issues can be adequately addressed and that the fields, teen center, skate park, etc. can come on line in the near future.

B7-37

Sincerely,



1736 Buttercup Rd Encinitas CA 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

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B7-38

Sincerely,



March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

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B7-39

Sincerely,

Cheri Hoffman

*Cheri Hoffman
7824 Sitio Tejo
Carlsbad, CA 92009*

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbef

Re: Hall Property Community Park Project

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B7-40

Sincerely,



LECH BADURA
760 - 944-8417
2019 MILLONRD LN
ENCINITAS

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

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B7-41

Sincerely,


924 Summersong Lane
Encinitas 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

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B7-42

Sincerely,


RESIDENT Since 1990

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

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B7-43

Sincerely,



David Hall

1130 Fruit Garden Cr.

Encinitas CA 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

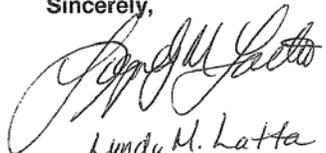
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B7-44

Sincerely,



Lyndy M. Latta
1638 Valleda La
Encinitas CA 92024

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

Re: Hall Property Community Park Project

To Whom It May Concern:

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B7-45

Sincerely,



March 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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B7-46

Sincerely,

Shari Weff
1518 Martinsale Ct.
Carlsbad CA 92011

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

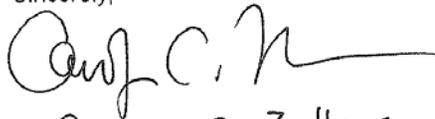
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B7-47

Sincerely,



Carolyn C. Zollars
7923 Sitio Granada
Carlsbad, CA 92009

March 10, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbeff

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B7-48

Sincerely,



211 Margo View Dr.
Encinitas

also business owner in
Encinitas -
North Coast Family
Medical Prof

Keisey Stout
1615 Orange Blossom
Encinitas, CA, 92024

Encinitas, CA 92024

MARCH 6, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

Attention: Planning Commission and City Council
Mr. Scott Vurbef

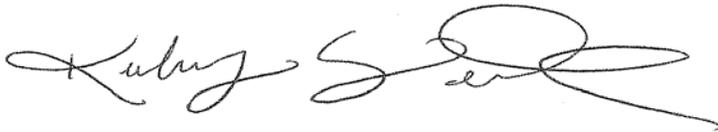
Re: Hall Property Community Park Project

To Whom It May Concern:

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B7-49

Sincerely,



3386 Avenida
Nieve
Encinitas CA 9200

Encinitas, CA 92024

March 6, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-50

Sincerely,

Daniella Lisle

Megan Kenney
8027 Via Arce
Encinitas, CA 92009

Encinitas, CA 92024

, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbeff

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B7-51

Sincerely,

Megan Kenney

772 Corinia Ct
Encinitas, CA
92024

Encinitas, CA 92024

, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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Mr. Scott Vurbef

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B7-52

Sincerely,

Katie McCray

Sarah Schnell
426 Raphael Ct
Encinitas CA 92024

Encinitas, CA 92024

, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-53

Sincerely,

Sarah Schnell

Encinitas, CA 92024

MARCH 6, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-54

Sincerely,

Nicole
Seibert

Encinitas, CA 92024

March 6, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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B7-55

Sincerely,

Nicole Flaska

Encinitas, CA 92024.

march 10, 2007

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505 South Vulcan Avenue
Encinitas, CA 92024

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B7-56

Sincerely,

Lauren Kussing

Encinitas, CA 92024

March 6, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-57

Sincerely,



1857 Orchard Wood Rd
Encinitas CA 92024

Encinitas, CA 92024

, 2007

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, CA 92024

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B7-58

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Michaela Ogden