



City of San Marcos Planning Division  
1 Civic Center Drive  
San Marcos, CA 92069  
August 21, 2015

Sent by email: [PlanningDivision@san-marcos.net](mailto:PlanningDivision@san-marcos.net)

RE: Comments on DEIR for San Marcos Highlands Project

Dear Sir/Madame:

I am responding to the request for comments on the DEIR for the proposed San Marcos Highlands development project on behalf of the Buena Vista Audubon Society. We are a non-profit environmental organization with more than 2,000 member households in the North County coastal area and are concerned about issues relating to the preservation of wildlife and native habitat in this region.

On December 9, 2013, we wrote a letter to the City of San Marcos to comment on the Mitigated Negative Declaration (MND) for the San Marcos Highlands project; a copy of that letter is attached and included in this comment letter by reference. Although there have been some small changes in the project description, we believe the project still has significant unmitigated environmental impacts.

The footprint of the Highlands project has not changed much since the MND. The project has been reduced in size; 189 dwelling units (du's) are now proposed, compared to 198 du's in 2013. About 52% of the project site is in the County of San Diego and 48% in the City of San Marcos. The project site is covered with sensitive coastal sage scrub (CSS) habitat in which the federally threatened California Gnatcatcher was identified, and wetlands habitat. The project will remove 77.36 acres of CSS and impact the wetlands habitat. It will also severely constrain wildlife movement between two of the largest remaining open space areas in northern San Marcos and the County.

In particular, the portion of the project in the County, consisting of 109 du's, should be scaled down and conform to the current County zoning, which is one du per 10 acres. In addition to conforming to County zoning, the project should be designed in conformance with County requirements, such as the Conservation Subdivision, as described in the San Diego County Code of Regulatory Ordinances, Title 8, Zoning and Land Use Regulations, Division 1, Subdivision of Land. Reduced housing density would allow for a design with better protection of the onsite wildlife.

The arguments stated in the DEIR against the County Zoning Alternative are that: “This alternative could be more impactful from aesthetics and biological resources perspective due to the allowance of patchwork and/or fragmented habitat clearing that would be allowed on the lots in the unincorporated County” (DEIR, p. 1-5). However, the project could be reduced in size in the County portion of the site and designed so that it is an improvement aesthetically and with fewer biological impacts than the proposed project.

Also, it is noted that an Alternative Location was proposed by the developer, but the Planning Staff and Planning Commission were not supportive of that proposal. This is unfortunate, because it is clear that the Highlands project is in the wrong place. Pages 1-7 through 1-31 of the DEIR list the project’s impacts and mitigation measures. Just the sheer volume of mitigation measures required to reduce the project’s impacts should be a red flag to all concerned that this project is inappropriate for the location.

The County portion of the Highlands site is designated as a Pre-Approved Mitigation Area (PAMA) in the County’s draft North County Multiple Species Conservation Program (NC-MSCP). The PAMA is designed to steer development outside the area and set up design criteria and mitigation standards for any development in the area. According to the statement on page 2-19 of the DEIR, “...while the project does not meet the 75 percent target goal of preservation of the areas within the PAMA, the project will preserve 61 percent of the habitat...” Sixty-one percent conservation of valuable habitat on the County portion of the site is not sufficient when the objective is 75 percent. How can the project be redesigned to meet the objective of 75 percent conservation?

The wildlife corridors proposed in the project are still inadequate. The corridor along the north side of the site, running southeast to northwest, is 400 feet wide at its narrowest point(s), not including fuel modification zones. In our letter of 12-9-13, we pointed out that the minimum width for a wildlife corridor normally required by the resource agencies is 1,000 feet. Since the southeast to northwest corridor is a crucial linkage between the conserved habitat on the southeast side of the project to the conserved areas to the northwest, such as the Buena Creek Gnatcatcher Conservation Bank, the corridor needs to be widened. How can the corridor be widened to meet the 1,000 foot guideline?

Wildlife also moves along the creek, which flows southwesterly from the northern side of the site. It is difficult to determine from the DEIR what the width of the corridor along the creek is. Please provide that information. Looking at the aerial maps of the site, it appears that the corridor along the creek is quite narrow and needs to be widened. How can it be widened to better accommodate wildlife movement? The proposed size of the culvert under the road crossing the creek is 10 feet high, 12 feet wide, and 159 feet long. This seems to be too long, narrow, and low to permit movement of larger mammals, such as mule deer, which inhabit the area. The DEIR also states that the ultimate size of the culvert could increase based upon recommendations and requirements of the Wildlife Agencies. The culvert should be increased in size. How can the public be assured that this will happen?

In conclusion, the revised project has significant biological impacts that have not been mitigated. Relocation of the project or redesign for protection of sensitive wildlife and habitats would be required to reduce these impacts to less than significance.

Thank you for the opportunity to comment on this project. If you have any questions, I can be contacted at 760-942-5167 or at [jmherskowitz@yahoo.com](mailto:jmherskowitz@yahoo.com).

Sincerely,

Joan Herskowitz  
Conservation Committee  
Buena Vista Audubon Society

Attachment: Audubon letter of 12-9-13