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OF MISSION INDIANS



SIERRA CLUB  
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EMPAC



SAN DIEGO 350  
CLIMATE CHANGE ACTION



North County  
NCCCA  
Climate Change Alliance

Buena Vista Audubon Society



SAN DIEGO  
COASTKEEPER

Friends of Rose Canyon



SAN DIEGANS FOR  
MANAGED GROWTH



REISSUED

April 15, 2021



Honorable Mayor and City Councilmembers  
City of Escondido  
Via Email

**RE: Coalition request for actions in advance of Harvest Hills consideration**

Dear Mayor and City Councilmembers:

The over 40 undersigned organizations are writing today to repeat our concerns related to and share new information about the insurmountable obstacles faced by the Safari Highlands Ranch/Harvest Hills development proposal slated for 1,100 acres of sensitive habitat adjacent to the Safari Park.

In the three years that the developer has tried to respond to the many significant issues raised in the Draft EIR (October, 2017), several aspects have come to light that make this project even more unacceptable for the region. We are writing to share new information and request certain actions prior to any consideration of Harvest Hills.

## 1. County General Plan policies and MSCP requirements not met.

The project would remove 1,100 acres of habitat designated for protection under both South County and the proposed North County Multiple Species Conservation Plan (MSCP). The adopted South County MSCP requires the County to secure an Annexation Agreement prior to annexation out of the County.

### South County MSCP Implementation Agreement 9.19

“...In the event land within the County’s jurisdiction is annexed to another jurisdiction, **an agreement shall be reached** between the County, the annexing jurisdiction, USFWS, and CDFG, as part of the annexation process, to ensure that any development of the annexed lands proceed in accordance with the conservation goals of the MSCP...”<sup>1</sup> (emphasis added)

No annexation agreement has been executed as of yet in spite of the County’s request over three years ago that the project be conditioned to require such an agreement.<sup>2</sup> The City should not consider a final EIR or project approval until that agreement is successfully executed due to changes to the project that may be required to meet the standards of the agreement.

Further, County General Plan policy LU-4.5 requires County coordination to oppose annexations where the land uses are significantly incompatible.

### LU-4.5 Annexations with Incompatible Land Uses.

“Coordinate with LAFCO to **oppose annexations by neighboring cities that would result in land uses incompatible with unincorporated lands...**” (emphasis added)

These two requirements alone may result in County opposition to the proposed Sphere of Influence adjustment and annexation. The City should require these issues be addressed prior to taking up this decision.

## 2. New LAFCO policy L-101 on preservation of open space adopted.

In 2020, LAFCO adopted a revised Legislative Policy L-101 Preservation of Open Space and Agricultural Lands. It reads, in relevant part,

“It is the policy of the San Diego Local Agency Formation Commission to:

### 2. Protect and preserve open space land—and of most importance lands that support wildlife – against their premature conversions.

- a. **Discourage proposals that would convert open space to other uses.**
- b. The Commission reserves discretion to consider proposals involving the conversion of open space based on local conditions in conjunction with ensuring orderly growth and development **reflecting local habitat planning.**
- c. Encourage the County of San Diego and incorporated cities to coordinate the **designation and protection of open space lands and associated uses as community greenbelts and separators.**<sup>3</sup> (emphasis added)

As a community buffer and high value, wildlife rich open space included in habitat planning, these policies cannot be met by the current Harvest Hills plan.

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<sup>1</sup> South County MSCP Implementing Agreement, March 17, 1998

<sup>2</sup> County of San Diego DEIR comment letter dated December 22, 2017

<sup>3</sup> LAFCO Legislative Policy L-101 Preservation of Open Space and Agricultural Lands, adopted October 5, 2020

### **3. City/School budgets now known to be negatively impacted, fire insurance may not be available.**

The City has conducted financial analyses that show an unfunded gap of over \$500,000 a year from units in annexed lands.<sup>4</sup> A peer-review economic analysis of this project found an unfunded gap of \$850,000<sup>5</sup> a year from units from this project. Additional analysis should be done to also reflect the unfunded impact if the project is not built out on the expected timeline.

Further, according to the San Pasqual Union School District, the project will cause over \$3.4 million in unfunded impacts.<sup>6</sup> In addition, the passage of Proposition 19 may further reduce the amount of property taxes that will be collected from future residents.<sup>7</sup>

Due to the location in a Very High Fire Hazard Severity Zone, it is also likely that residents in this very-high fire risk location will be unable to secure fire insurance, thus risking failure on the part of the development.

### **4. California Attorney General opposing housing development in Very High Fire Risk areas—like Harvest Hills.**

On March 18, 2021, the Union-Tribune reported legal filings<sup>8</sup> by the Attorney General in opposition to two Otay Mesa development projects due to fire risks<sup>9</sup> and which are currently being litigated by some signers to this letter. Evacuation problems at Harvest Hills are as bad or worse. In the case of Harvest Hills, a wind-driven fire would also put local economic, tourist, and educational jewels, including the Safari Park and local vineyards--as well as local residents—at significant risk. Expert analysis demonstrates significant likelihood of evacuation failure.<sup>10</sup>

**The fire danger in this area cannot be mitigated.** It can only be avoided by not putting people in harm's way.

### **5. Harvest Hills is proposed at a time when Escondido is in flux**

Escondido has recently hired a new City Manager, Mr. Sean McGlynn. Since this project, if passed, will have a major, negative economic impact on the City for decades to come, the City Manager McGlynn should have a role in any further recommendations related to it.

We understand that staff intends to bring the project forward soon and that potential action will be considered in the summer.

The undersigned organizations urge the City to require the following actions *prior* to advancing the CEQA review and rendering a decision on the project at the City:

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<sup>4</sup> Community Facilities District Presentation, City of Escondido, December, 2019, slide 10

<sup>5</sup> Keyser Marston [Harvest Hills – Peer Review of Fiscal Impact Analysis](#), p.2 December 16, 2019

<sup>6</sup> Report to San Pasqual Union School District by Cooperative Strategies on impacts of Safari Highlands Ranch Development, May 8, 2018

<sup>7</sup> <https://lao.ca.gov/BallotAnalysis/Proposition?number=19&year=2020,e.g> see expanded special rules for eligible homeowners

<sup>8</sup> <https://oag.ca.gov/news/press-releases/attorney-general-becerra-seeks-intervene-litigation-over-wildfire-risk-san-diego>

<sup>9</sup> <https://www.sandiegouniontribune.com/news/environment/story/2021-03-17/becerra-otay-ranch-development>

<sup>10</sup> Cova, December 28, 2017 Analysis prepared by Thomas J. Cova, [Wildlife Fire Evacuation Plan for Safari Highlands Ranch](#) and Berkeley Engineering and Research Inc, Joseph B. Zicherman, PHD, [Review of Safari Highlands Ranch EIR of October 2017](#).

1. The Annexation Agreement needed to proceed with LAFCO Sphere of Influence and annexation decisions is fully executed;
2. A favorable position for the project has been adopted by the County of San Diego demonstrating that incompatibilities are resolved;
3. A full and detailed economic impact analysis is completed which makes transparent to existing residents and taxpayers the unfunded costs of this project, including an analysis of fiscal impact of a partially completed project; and,
4. The new City Manager is installed at the City.

Please contact Laura Hunter at [LauraHunter744@gmail.com](mailto:LauraHunter744@gmail.com) to let us know of your intent related to these requests.

Respectfully,

*George Courser*  
Conservation Chair and Legal Committee  
San Diego Chapter of the Sierra Club

*Dan Silver*  
Executive Director  
Endangered Habitats League

*NeySa Ely*  
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UNITE HERE Local 30

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Center for Biological Diversity

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Indivisible

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The Surfrider Foundation San Diego County  
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Green New Deal at UCSD

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*Deborah Knight*  
Executive Director  
Friends of Rose Canyon

cc. Escondido Planning Commission  
County Board of Supervisors  
Relevant Agencies