



North County Group
Sierra Club San Diego
P.O. Box 2141
Escondido, CA 92033

December 1, 2021

Mayor McNamara and City Council
City of Escondido

Via Email

RE: Sierra Club NCG opposition to #11 action on eminent domain of land in Felicita Park for private developer economic benefits

Dear Mayor and City Council Members:

Sierra Club North County Group (NCG) strongly opposes eminent domain to extract land from a public County Park to enrich a private developer. The findings required for this action simply cannot be made by the city. The city cannot find that this action is in the public interest, is planned or located for the greatest public good, proposes (or even knows) an adequate area of impact or real property or provided just compensation. The taking of public property without adequate information on negative impacts to public resources for the benefit of a developer is not in the public interest. Because this impacts to the park and downstream residents and uses are unknown and unprotected, this taking cannot be justified.

The drainage issue has been well-known to the developer, local residents, and the city. The developer, KB Home Coastal (KB Home), now infamous for its flagrant disregard for rules that apply to this development, namely the mitigations required in the FEIR (of which they were fully aware when they purchased the property) and stormwater regulations which they significantly violated in 2019-2020.

The downstream neighbors, Escondido Neighbors United, and the County have been consistent in their positions since the project was proposed. There is inadequate information in the record to assure that water quality, designated and protected beneficial uses, and cultural assets will not be degraded. **Felicita Park should not have to be degraded to enrich the developers.** There are multiple things KB Homes could do on-site to address the drainage issues. They just refuse to do them.

Please understand, Felicita Park is not just any park. It has been a gathering place for people for centuries and its rich Native American and pioneer history have landed this park on the National Register of Historic Places. It was the site of a large Kumeyaay Indian village. It a jewel precious to the region and especially to park-users. It deserves better treatment than this.

Suggestions on how on-site accommodation of water retention were made by ENU and others such as to reduce the number of home sites to accommodate adequate runoff and detention. The claim that this taking has nothing to do with the drainage from the project is laughable.

However, KB Home refused to re-design the project and, instead, sued the city. The city, in turn, appears to now be attempting to bail KB Home out at the expense of a heavily used, historic public park.

It is unjust, inequitable, and unconscionable. Please do not reward this kind of behavior on the part of KB Home. This is not the precedent you should set for our city. It is not the kind of precedent that serves the public.

We also endorse comments made by the local community group most impacted, Escondido Neighbors United, and by the County on this action as well.

Please vote no on eminent domain in Felicita Park for KB Home and Oak Creek.

Sincerely,



Laura Hunter, Chair
NCG Conservation Committee



Richard Miller
Chapter Director and Escondido resident

cc.

Escondido Planning Commission
County DPR
Supervisor Terra Lawson-Remer