



September 6, 2022

Chair Desmond and Commissioners
Mr. Keene Simonds
Ms. Priscilla Mumpower
LAFCO
Via Email

RE: Opposition to special consideration for Harvest Hills in Escondido MSR

Dear Commissioners, Mr. Simonds, and Ms. Mumpower:

The undersigned organizations are submitting this comment letter to urge the removal of staff recommendation 9 (b) of the draft Staff Addendum to the Escondido MSR.

It is unusual and concerning that the proponent of Harvest Hills was secured to write the MSR for the entire city of Escondido. That said, we support the wisdom of the staff addendum in rectifying the deficiencies in the Concordia proposal.

However, making the accommodation provided in 9 (b) is unacceptable. A 'special study' designation would allow the project to be brought forth out of synch with the normal comprehensive LAFCO sphere and services analysis and is tantamount to fast-tracking this complex and dangerous project. It is inappropriate and contrary to the public interest.

The 9 (b) recommendation reads:

9. ... b) Notwithstanding other determinations, San Diego LAFCO should proceed to establish one or more special study areas for the City of Escondido sphere of influence as part of a limited update and provide the affected areas eligibility to proceed in the next five years with an actual amendment without necessitating a new municipal service review. This includes a special study area for the Harvest Hills (previously Safari Highlands) project site.

We request that staff recommend and the Commission eliminate recommendation 9 (b) from the staff addendum.

There are several existing conditions with this project proposal that require it to follow the normal LAFCO review process. These are discussed below:

A. Harvest Hills would result in a major impact on the region and the City, and must have a full and comprehensive analysis prior to any SOI adjustment or annexation.

Harvest Hills is one of the most dangerously located development projects in the region, and probably the state. It has had more than enough time (eight years since first proposed as Safari Highlands Ranch in April of 2014 and 20 years since Valley View Estates) to complete the process. The failure of the development interests to bring this project forward in a timely manner should not be rewarded with special consideration that, effectively, reduces the comprehensiveness of the analysis required.

A major change in municipal services, such as would be required for the Harvest Hills project, should be part of a comprehensive services and sphere review rather than considered in a piecemeal fashion.

This project, and others before it, have failed to advance over a multi-decade period for good reasons. The location for a sprawl project like this is infeasible and indefensible.

The reasons for this include recent information on the project's insurmountable fire and evacuation issues. There is even more evidence of the severe threat that this project would pose to existing neighbors and neighboring communities, including the San Diego Zoo Safari Park. Under these circumstances, waiting for the next comprehensive review is eminently justified and should be required.

B. New analyses demonstrate excessive fire and evacuation danger from project.

Four expert reports and reviews clearly demonstrating the significant fire threat of Harvest Hills are attached for your convenience and summarized below. We request that these be included in the record and reflected in the analysis of staff final recommendation.

1. Fire Risk Assessment of Harvest Hills, August 26, 2021. Rohde and Associates

This report was commissioned by the City of Escondido for a fire risk assessment of the project and analysis of Harvest Hills' proposed Fire Protection Plan. They found the plan's proposed evacuation strategies deficient and the tenuous 'shelter-in-place' strategy unworkable.

Many concerns are raised in this assessment. Here are just a few:

- Proposed secondary access road is not in compliance with standards.
- Significant hazards for public use during wildfire have been identified with the proposed routes in this study.
- Numerous studies have identified that human wildfire ignition is directly tied to population growth and is an inescapable outcome of any development in the Wildland-Urban Interface.
- Lack of a certified traffic study.
- Lack of a specific, detailed evacuation plan.
- Shelter-in-place provisions are inadequate.
- Expected fire behavior that is likely to overwhelm the evacuation routes given topography.
- Inadequate fuel reduction zones.
- Consideration of 'in-street' refuge should not be considered for the public.
- **Significant areas of concern exist for both proposed emergency evacuation routes.** Both routes travel through and across steep terrain with moderate to heavy fuels. Neither route is developed to municipal road standards and travel safety, especially during presence of fire or smoke, will likely be hazardous.
- Outputs from these studies indicate potential for extreme fire behavior and rates of spread for both onshore and offshore wind driven fires at the project site; wind gusts in the area have reached 100 mph in past fires.

Although Rohde made several recommendations, they would be very costly and have not been evaluated in any of the environmental review for this project. Further, as the next report demonstrates, the recommendations do not resolve the problems noted.

2. **Harvest Hills Evacuation Plan Review** by Neal Liddicoat¹ of Griffin Cove Transportation Consulting, February 17, 2022.

This analysis looked at five fire documents² evaluating the effectiveness of the proposed plans and analyzed several evacuation scenarios. The findings of the proposed Harvest Hills analysis showed many additional deficiencies including:

- The roadway capacity assumptions are substantially flawed and, specifically, they overstate the capacity of the evacuation roadways.
- The travel speeds assumed in the analysis are unsupported by facts or analysis.

¹ Mr. Liddicoat is a licensed civil engineer with a particular expertise in the analysis of traffic operations at major event centers, at which large volumes of traffic arrive and depart in short periods of time such as event centers, amusement parks, and convention centers. As traffic operations principles in these analyses are similar to those that apply to wildfire evacuation planning, he is frequently retained to provide expert comments on the evacuation effects of large-scale residential and mixed-use projects,

² Dudek, *Fire Protection Plan* (Dec. 2020, Dudek *Evacuation Analysis Memo*, Jan. 16, 2020; LLG *Road Capacity Assessment Memo*, Oct. 10, 2019; LLC *Travel Time Calculation Assumptions*; Rohde *Fire Risk Assessment* prepare for City of Escondido.

- The methodology used to derive travel times was flawed and represents a failure to understand the basic characteristics of traffic flow, particularly under conditions when traffic demand exceeds the capacity of a road. The methodology further fails to represent an understanding of traffic flow when drivers are under extreme duress, as they would be during a wildfire evacuation.
- The analysis includes traffic only from the proposed Project and nearby communities; it ignores ambient traffic that is already on the area road system at the time an evacuation is ordered, as well as other evacuating traffic, such as vehicles departing Ramona along State Route 78 (SR 78).
- The evacuation times presented are incomplete and misleading, as they ignore pre-evacuation notification and preparation time.
- Insufficient consideration has been given to the potential for the northern segment of the Project to be cut off from safety by a fire encroaching on the middle segment of Safari Highlands Ranch Road.
- Topography in the area would favor rapid fire spread, increasing the chances of Safari Highlands Ranch Road and the proposed northern evacuation route being cut off.

The findings of the GCTC Revised Evacuation Traffic Analysis include:

- None of the evacuation scenarios provide sufficient road capacity to allow for safe evacuation of Harvest Hills or nearby communities
- Evacuation traffic demand will exceed road capacities by as much as 54%
- If SR 78 traffic is included, demand will exceed capacity by up to 64%
- Simultaneous evacuation of Ramona would potentially overwhelm SR 78, consuming all available capacity
- Drivers evacuating via Zoo Rd. will have extreme difficulty entering SR 78 flow
- Traffic flow on evacuation routes will be unstable and susceptible to major disruptions
- Significant congestion & stop-and-go operation will prevail
- Safari Highlands Ranch Rd. passes through an area with steep slopes potentially increasing the odds of road being cut off by fire

We direct your attention to Attachment 1 of this memo which clearly demonstrates that in every scenario, **even with** the Rohde recommendations, traffic capacities and volumes are exceeded, meaning ... *none of the evacuation scenarios provide sufficient road capacity to allow for safe evacuation of Harvest Hills or the neighboring communities.*

Last, stranding of future residents within the project is a critical concern. GCTC found:

A significant risk exists that residents in the northern portion of the Project could be stranded with no means of escape if fire encroaches upon the middle segment of Safari Highlands Ranch Road. That road passes through an area with challenging topography, potentially increasing the odds of the road being cut off by fire. This is a particular concern given that a fire risk assessment commissioned by the City of Escondido specifically recommended that the proposed north evacuation route not be included in the evacuation road system.

It is clear the current northern evacuation route is unworkable, which leaves the project without a viable second evacuation route.

3. A Memorandum from Chief Rick Vogt in response to the Rohde Assessment listing nine major areas of concern. September 21, 2021

Chief Vogt's memo, attached, requests nine major areas be addressed, including identifying if a source of sustainable funding exists to staff a fully functional municipal fire station.

4. Review of Fire Safety Engineering Issues Presentation, March 3, 2022, by Joseph B. Zicherman³, Ph.D., SFPE, Berkeley Engineering and Research

Dr. Zicherman's review of the plans yielded comparable concerns about evacuation and highlighted additional fire-related issues as well. His review of the DEIR the fire evacuation plan found:

- Dependence on these tortuous and unfamiliar private roads as emergency routes and ensuring their availability to evacuate the project is inconsistent with reasonable minimum safety standards.
- Dependence on unfamiliar and irregularly routed roads for evacuation which can take place in darkness and/or with smoke obscuration and reduced visibility are extremely likely to result in injuries and loss of life.⁴

His recent findings included:

- Project site is a high hazard area with a verified risk of repeated wildland fires.
- The project would be built at a site with a 1,400 foot elevation gain – which on a macroscale supports accelerations of wind that are far greater than accelerations and flame-lengths affecting lesser slopes.
- Beyond unfavorable traffic flow analysis during emergency situations, project design with separate pods of homes connected by a single two-lane road creates a highly dangerous situation of potential entrapment during fire events.
- A single accident would cut off northerly areas of project from the southerly areas.
- Other factors of note include the following:
 - Road-width issues
 - Roads between neighborhoods follow surface contours made necessary by project topography and as a result are irregular with twisted contours.
 - Evacuation routes would be unfamiliar to drivers. Some would be on private roads, inaccessible during normal times and therefore unfamiliar during emergencies.
 - Smoke obscuration along unfamiliar roads would make matters worse. Additionally, a single vehicle accident resulting from drivers attempting to evacuate on unfamiliar roads in exigent circumstances could block the 2-lane evacuation route and leave many evacuees trapped.

³ Dr. Zicherman is a leading scientist specializing in the fire performance of materials and systems. His analyses have been used to guide policy for the California Department of Forestry and Fire Protection.

⁴Review of Safari Highlands Ranch EIR of October 2017 <https://www.spvpa.org/wp-content/uploads/2018/01/Zicherman-Report-and-CV-2017-12-27.pdf>

- Availability and maintenance of Fire Department and other first responder ingress is questionable during a foreseeable wildland fire.
- Shelter in place proposals are not adequate for foreseeable numbers of residents and emergency flows of residents, pets, and vehicles.
- Suggestions that the proposed shelter in place safe havens will provide fail safe areas of refuge are not supported by project concepts or in project design.
- Consumer products and furnishings cannot be regulated and pose serious ignition hazards from flying embers.

Finally, Dr. Zicherman stated that:

- Project has highest level of fire risk seen by reviewer in any area in Northern or Southern California.

This statement by a very experienced fire analyst should be meaningful to LAFCO.

C. Evacuation with a high number of animal trailers coming from San Diego Zoo Safari Park and the San Pasqual Valley Ranch Horse stables has not been fully accounted for.

While assumptions have included an average or assumed amount of animal trailers, none have fully assessed the potential impact of the evacuation of 3,600 endangered and other animal species from the 1,800-acre San Diego Zoo Safari Park and horses from the San Pasqual Valley Ranch, a large horse boarding and training center nearby.

D. Harvest Hills is not ‘orderly’ development and does not comply with Govt. Code 56301.

The justification at the August 1, 2022 hearing for considering Harvest Hills out of process in the name of LAFCO’s role of ensuring ‘orderly development’ was misleading. Harvest Hills is one of the worst examples of urban sprawl in the County. There is no scenario under which this project can be considered 'orderly formation and development'. While municipal annexation of unincorporated islands and consolidation of areas adjacent to existing urban development is ‘orderly’ under many circumstances, in this case the term is inapplicable. The site is a *leapfrog development* away from urban areas, jumping over limited and isolated low density hillside subdivisions that are themselves problematic for fire safety and municipal services, and open space. **Annexation of this area, not even included in the current sphere of influence, is an expansion of the city in a fully ‘disorderly’ manner.** We are compelled to point out that the beginning of the LAFCO statute quoted at the hearing begins with,

“Among the purposes of the commission are discouraging urban sprawl, preserving open space....” (Government Code Section 56301. Emphasis added)

Chaos and panic are the predictable results of evacuation failure in a fire emergency and *cannot* be the consequences of truly orderly patterns of growth. Harvest Hills is exactly the kind of project LAFCO was designed to prevent.

E. City financial issues worse than reported.

In addition, although the staff addendum analysis notes that, as of FY 2020-2021, the City is meeting its financial commitments, a more recent staff report finding tells a different story going forward:

*WHEREAS, projections for budget deficits over at least the next 20 years reflect dramatic increases in expenditures and obligations that far exceed anticipated revenues resulting in a structural budget gap; (from 2022-15, staff report for item 10 on July 27, 2022 meeting.)*⁵

and

WHEREAS, the City's ability to create and collect revenue has not been able to keep pace with the growing costs of providing municipal services and thereby threatens the City's ability to provide the needed services to ensure safe neighborhoods and quality services to support its residents;...⁶(from resolution 2022-99)

Further, in recent meetings with local activists seeking to partner with the City on funding proposals such as CALFIRE Community Forestry and the California Strategic Growth Partnership, staff stated that the City was so understaffed that they were unable to implement the grant funding the City had already received, much less apply for any additional grants.

We request that this dire funding reality be updated and reflected in the Staff Addendum.

F. The required Safety Element Update has not yet been adopted; Housing Element in non-compliance.

A relevant point was raised in the August 1, 2022 hearing by Mr. Bob Leiter and should also be considered in the staff analysis and recommendation. We do not believe Escondido can bring this project forward until the requirements of California Senate Bill 379 are met. . California Senate Bill 379 states that all local governments must update the Safety Elements of their General Plans no later than January 1, 2022, to, among other things, address the impacts of climate change on the frequency and severity of wildfires, along with its impacts on other types of safety and health hazards. The City of Escondido has not yet adopted this required update to the Safety Element.

Further, on August 2, 2022, CA Housing and Community Development sent the City of Escondido a notice that their Housing Element is still non-compliant. We believe this renders the Escondido General Plan in non-compliance with state law. All documents would need to be brought into compliance prior to advancing a project like Harvest Hills.

⁵ <https://mccmeetings.blob.core.usgovcloudapi.net/escondidca-pubu/MEET-Packet-98122d1ba6ab42078309e8345d234dd5.pdf>

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In conclusion, we hope, by now, there is no need to go through the litany of fire disasters in our region. If permitted, Harvest Hills will be the next chapter in the deadly fire disasters of San Diego County. This issue alone is enough to require proponents follow the normal process of SIO and annexation review.

The problems with Harvest Hills are insurmountable and the project is dangerous. It should not be fast-tracked in any way and only considered as part of a comprehensive review.

Please contact us at conservation@sierraclubcg.org with any questions or for more information.

Thank you for your consideration,

Dan Silver, Endangered Habitats League

Laura Hunter, Sierra Club North County Group

Peter Anderson, Sierra Club San Diego Chapter

NeySa Ely, San Pasqual Valley Preservation Alliance

Pamela Heatherington, Environmental Center of San Diego

Frank Landis, California Native Plant Society

Elizabeth Reid-Wainscoat, Center for Biological Diversity

Jim Peugh, San Diego Audubon Society

Madison Coleman, Climate Action Campaign

Tina Iki, Escondido Neighbors United

Livia Borak Beaudin, Coastal Environmental Rights Foundation

Van Collinsworth, Preserve Wild Santee

Robert Laudy, Friends of Goodan Ranch and Sycamore Canyon Open Space

Barbara Swanson, Buena Vista Audubon Society

Bill Tippets, Southwest Wetlands Interpretive Association

Diane Nygaard, Preserve Calavera

Jerry Harmon, Escondido Chamber of Citizens

Sandra Farrell, Friends of Hedionda Creek

Suzanne Hume, Clean Earth 4 Kids

Atch:

- *Fire Risk Assessment of Harvest Hills, August 26, 2021. Rohde and Associates*
- *Harvest Hills Evacuation Plan Review by Neal Liddicoat⁷ of Griffin Cove Transportation Consulting, February 17, 2022.*
- *Memorandum from Chief Rick Vogt in response to the Rohde Assessment listing nine major areas of concern. September 21, 2021*
- *Review of Fire Safety Engineering Issues Presentation, Summary slide, March 3, 2022, by Joseph B. Zicherman⁸, Ph.D., SFPE, Berkeley Engineering and Research*

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