

Attachment H
Public Comments

See Attached

August 31, 2017

City of San Marcos
Planning Department
1 Civic Center Drive
San Marcos, CA 92078

Re: A Portion of University District West
Known as Discovery Village North
HG Fenton Group
TSM 16-0003

To Whom It May Concern:

The San Marcos Unified School District (District) is providing this letter of comments for the proposed Tentative Site Map (TSM 16-0003) labeled Discovery Village North Project (Project), which includes a portion of the future school site located in the University District Master Plan of 4.11 acres. The San Marcos Unified School District will address the impacts the proposed number of units planned north of Discovery Road although that actual number of units has not been determined. This letter also addresses the future school site that will serve Discovery Village North and South, and the University District.

Please be advised that the District periodically updates enrollment data, capacity data, and other relevant data contained in this letter. Therefore, information contained in this letter is accurate as of the date of this letter, but is subject to change. Additionally, the information provided is in response to the ongoing discussion of adequate educational facilities, and does not represent an opinion of the District for approval or disapproval of the Project. The letter was based on current known facts and information supplied to the District, and any changes to those facts and information may change the District's response at a later date.

The following schools currently serve the Project area:

School	Grade Level	Distance	Enrollment	School Capacity
Discovery Elementary	K-5	1.1	634	676
San Elijo Middle	6-8	4.7	1,933	1,300
San Marcos High	9-12	2.42	3,274	3,000

The existing school capacity within the District is not adequate to meet the estimated student population growth from this project, as well as the approved and planned future developments of the San Elijo area, University and Creekside Districts, and Rancho Tesoro. As illustrated above, the current serving schools are currently at capacity before the approval of the proposed Project. Although the Project falls in the attendance area for these schools, there is potential for students being required to attend other schools throughout the District where excess capacity may exist.

The Governing Board has recently approved an Attendance Boundary Committee (Committee) to review the current boundaries for each school, based on current enrollment and developments in the near future. The Committee will work with District staff to develop recommendations for attendance boundary adjustments, which will be presented to the Governing Board at a future date.

Governing Board: Stacy Carlson Victor Graham Pam Lindamood Janet McClean Randy Walton
Melissa Hunt, Superintendent

PC Agenda Item # 3

Page 2

City of San Marcos

HG Fenton Group

TSM 16-0003

The University District Master Plan designated eight (8) acres for a future school site. However, the Discovery Village North Pad Project Map designates only 4.11 acres for the school site. While the District is appreciative regarding the ongoing conversations and dialog regarding possibly locating a new school within the University District Master Plan, the District remains concerned that 8 acres is not sufficient for the type of educational facilities needed within the District. The number of acres needed will be based on the type of school (i.e. elementary or K-8) as well as the number of students projected to attend the school. At this time, it would be mutually beneficial to the District and the developers to discuss the various options that will be acceptable for locating a school within the project areas.

The District is also interested in providing information for options on mitigating the cost of providing facilities with established programs to levy and collect developer fees, as authorized by State statute and local ordinances. The developer fees serve as a method to assist in providing financial resources to provide the necessary educational facilities. However, current developer fees are not sufficient to fully mitigate the additional school fees needed for the 100% cost of new school construction. Other forms of mitigation can also include the formation of a community facilities district.

We anticipate that with respect to the above comments the City and HG Fenton Company will have further discussions with the District relative to the project and propose agreements for mitigation.

Please do not hesitate to contact me if you have any questions or comments regarding the foregoing.

Sincerely,



Mark A. Schiel
Assistant Superintendent
Business Services

MS/km

cc: Tova K. Corman, Executive Director, Facilities



PECHANGA TRIBAL HISTORIC PRESERVATION OFFICE
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 770-6300 • Fax (951) 506-9491

September 1, 2017

Tribal Historic Preservation
Officer:

Gary P. DuBois, JD, MSW

THPO Historian:

Lisa Woodward, Ph.D.

Advisory Review Board:

Neal Ibanez

Bridgett Barcello

Darlene Miranda

Evie Gerber

Andrew Masiel, Sr.

Richard B. Searce

Robert Villalobos

VIA E-MAIL and USPS

Susan Vandrew Rodriquez, Associate Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Re: Pechanga Tribe Request for Consultation Pursuant to SB 18 for Discover Village South Project [P16-0037; SP16-002/TSM16-003/DA16-001; APNs 221-070-19-00, 221-070-20-00, 221-080-11-00; 221-080-12-00; 221-080-18-00; 221-080-19-00; 221-080-23-00; 221-080-24-00; and 221-142-07-00]

Dear Ms. Rodriquez,

This letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to the SB18 notice provided by the City of San Marcos. This letter serves as the Tribe's formal request for consultation under SB 18 for this Project. At this time, we do not have sufficient information to engage in meaningful consultation, as required by SB 18. As such, the Tribe hereby invokes its right to consult with the City of San Marcos under SB 18 and after reviewing the information requested below, we may request additional consultation, which may include a face-to-face meeting.

Further, the Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Pechanga Tribe asserts that the Project area is part of 'Atáaxum (Luiseño), and therefore the Tribe's, aboriginal territory as evidenced by the existence of 'Atáaxum place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history with both this Project and other projects within the area. During our consultation we will provide more specific, confidential information on the resources located on and near this Project.

Pechanga Comment Letter to the City of San Marcos
Re: Pechanga Tribe Request for SB 18 Consultation RE Discovery Village South
September 1, 2017
Page 2

The Tribe has not received any documents for this Project. Please provide us copies of all available documents [reports, drafts, etc.] as soon as possible so that we may review them prior to our initial SB 18 meeting.

As you know, the SB 18 consultation process is ongoing and continues for the duration of the Project. As such, under both CEQA and SB 18 we look forward to working closely with the City of San Marcos on ensuring that a full, comprehensive environmental review of the Project's impacts is completed. Further, we hope to assist the City with ensuring that the Project is designed to avoid impacts to cultural resources, as mandated by CEQA, in addition to developing mitigation measures addressing the culturally appropriate and respectful treatment of human remains, cultural resources and inadvertent discoveries.

In addition to those rights granted to the Tribe under SB 18, the Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in the regulatory process and provide comment on issues pertaining to the regulatory process and Project approval.

The Pechanga Tribe looks forward to working together with the City of San Marcos in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-6313 or at cozdil@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tuba Ebru Ozdil', with a large, stylized flourish extending to the right.

Tuba Ebru Ozdil
Planning Specialist

cc Pechanga Office of the General Counsel

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081

760-724-8505 • FAX 760-724-2172

www.slrmissionindians.org

September 1, 2017

Susan Vandrew Rodriguez
Associate Planner
Planning Division
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069-2918

VIA ELECTRONIC MAIL
svandrew@san-marcos.net

**RE: SAN LUIS REY BAND OF MISSION INDIANS ACCEPTANCE TO THE
CITY'S INVITATION TO CONSULT PURSUANT TO SB 18
REGARDING THE SPECIFIC PLAN AMENDMENT FOR THE
DISCOVERY VILLAGE SOUTH PROJECT (P16-0037)**

Dear Ms. Vandrew Rodriguez:

We, the San Luis Rey Band of Mission Indians ("Tribe") have received and reviewed the City of San Marcos' ("City's") letter dated July 31, 2017 inviting the Tribe to meet and confer pursuant to SB 18 Consultation for the proposed Specific Plan Amendment P16-0037 for the Discovery Village South Project ("Project") within the City's jurisdiction as indicated on the provided map ("Project Site/Area"). We understand that you are currently evaluating the possible negative impacts to our Luiseno Native American tribal cultural resources that may occur from this Project's development. The intent behind SB 18 Consultation (California Government Code Section 65352.3) is for local governments to work with tribal governments to preserve and/or to mitigate the impacts to cultural places. Thank you for requesting direct consultation with our Tribe regarding this Project.

As you are aware, we are a northern San Diego County Tribe whose traditional territory includes Camp Pendleton, the current cities of Oceanside, Carlsbad, Vista, San Marcos and Escondido, as well as the unincorporated areas in northern San Diego County, such as the communities of Valley Center, Fallbrook and Bonsall. We are resolute in the preservation and protection of tribal cultural resource sites within all these jurisdictions.

The Tribe does have concerns that we would like to address with the City this particular project. Therefore, the Tribe does wish to participate in a formal consultation with the City of San Marcos pursuant to SB 18 for this Project.

Our Tribe has intimate knowledge about the many discoveries made throughout the area of this Project and we strongly urge caution in assessing the land encompassing the Project for development purposes. The Tribe also respectfully requests that a Luiseno Native American monitor be present during any evaluation of potential impacts to our Native American tribal cultural resources within the Project's property's boundaries.

We appreciate this opportunity to provide comments and share our concerns regarding this Project. We thank you for your assistance in protecting our invaluable Luiseño cultural resources and look forward to our SB 18 Consultation.

Sincerely,



Merri Lopez-Keifer
Tribal Counsel
San Luis Rey Band of Mission Indians

cc: Melvin Vernon, Tribal Captain
Carmen Mojado, Secretary of Government Relations and President of Saving Sacred Sites

VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

September 26, 2017

Phone: 6194453810
Fax: 6194455337
viejass.com

RECEIVED

OCT - 2 2017

**CITY OF SAN MARCOS
PLANNING DIVISION**

Garth Koller
Principal Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

RE: Fenton- Discovery Village South & North Project

Dear Mr. Koller,

In reviewing the above referenced project the Viejas Band of Kumeyaay Indians ("Viejas") would like to comment at this time.

The project area may contain many sacred sites to the Kumeyaay people. We request that these sacred sites be avoided with adequate buffer zones.

Additionally, Viejas is requesting, as appropriate, the following:

- All NEPA/CEQA/NAGPRA laws be followed
- Immediately contact Viejas on any changes or inadvertent discoveries.

Thank you for your collaboration and support in preserving our Tribal cultural resources. I look forward to hearing from you. Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314, or email, rteran@viejass-nsn.gov or epingleton@viejass-nsn.gov, for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

**NORTH COUNTY
TRANSIT DISTRICT**



RECEIVED

OCT - 3 2017

**CITY OF SAN MARCOS
PLANNING DIVISION**

810 Mission Avenue
Oceanside, CA 92054
(760) 966-6500
(760) 967-2001 (fax)
www.GoNCTD.com

September 28, 2017

Mr. Garth Koller
Principal Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Re: Discovery Village South

Dear Mr. Koller:

Thank you for the opportunity to review and comment on the Discovery Village South development project located on Discovery Street near Craven Road.

Upon review of the preliminary site plans received by the North County Transit District (NCTD) on September 22, 2017, NCTD has the following recommendation:

Construct two ADA compliant bus stop pads near the intersection of Craven Road and Discovery Street. The first stop would be located northbound on Bent Avenue, approximately 100 feet north of Discovery Street. The second stop would be located southbound on Craven Road, approximately 200 feet south of Discovery Street.

Please consult with NCTD on the exact location and specifications of the proposed bus stops.

Thank you again for allowing NCTD to review and comment on this project. Should you have any questions related to this review, feel free to contact me at (760) 966-6708 or via email at dblythe@nctd.org.

Sincerely

Damon Blythe
Deputy Chief of Transit Operations Planning

BOARD OF DIRECTORS

Rebecca Jones

City of San Marcos
Council Member

John J. Aguilera

City of Vista
Council Member

Mark Packard

City of Escondido
Council Member

Dave Druker

City of San Marcos
Council Member

Tony Kranz

City of Escondido
Council Member

Ed Gallo

City of Escondido
Council Member

Chuck Lowery

City of Escondido
Council Member

Bill Horn

City of San Marcos
Council Member

Jewel Edson

City of Vista
Council Member

EXECUTIVE DIRECTOR

Andrew J. Taylor

GENERAL COUNSEL

John A. Blythe

RINCON BAND OF LUISEÑO INDIANS

Cultural Resources Department

1 W. Tribal Road • Valley Center, California 92082
(760) 297-2635 Fax: (760) 692-1498



November 28, 2017

Susan Vandrew-Rodriguez
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Re: Discovery Village South Project

Dear Ms. Vandrew-Rodriguez:

This letter is written on behalf of the Rincon Band of Luiseño Indians. We have received your notification regarding the Discovery Village South Project and we thank you for the opportunity to consult on this project. The location you have identified is within the Territory of the Luiseño people, and is also within Rincon's specific area of Historic interest.

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people. Thank you for providing the Rincon Band with a copy of the Cultural Resources Survey and Evaluation Report for the above referenced project. We have reviewed the report and are in agreement with the mitigation measures recommended. We have no further questions or concerns and therefore, conclude consultation for this project. However should there be any changes we request to be notified.

If there are any questions or concerns please do not hesitate to contact our office at (760) 297-2635 at your convenience.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Destiny Colocho
Manager
Rincon Cultural Resources

Bo Mazzetti
Tribal Chairman

Tishmall Turner
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Alfonso Kolb
Council Member