

Letter I51j

July 8, 2014

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
(858) 495-5172

Subject: Revised DEIR Public Comments Regarding Water, Noise Impacts, and DEIR Chapter 2 Noise Impacts, Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP).

Dear Mr. Slovick:

Attached are the August, 2013 Noise Impact Comments regarding the County's Lilac Hills Ranch DEIR.

The REIR factually did not directly respond to each of the items and failed to adequately respond to the issues raised in this letter.

Specifically, the REIR did not provide an answer to the questions raised on every questioned element of the attached Cumulative Impact Comment letter.

Published County policies and specific assurance from County Staff have clearly stated that all August 2013 DEIR comments if resubmitted, will be responded to. Therefore, respond to each specific issue raised in the attached letter as part of the County's Response to Public Comments for the revised DEIR.

Sincerely,



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I51j-1

I51j-1 The comment is an introduction to comments that follow. Specific comments on the proposed project are addressed below.

I51j-2

I51j-2 The comment is an introduction to comments that follow. Specific comments on the proposed project are addressed below.

I51j-3

I51j-3 The comment is an introduction to comments that follow. Specific comments on the proposed project are addressed below.

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RESPONSE

August 16, 2013

To: Mark Slovick, Project Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Mark.Slovick@sdcounty.ca.gov
(858) 495-5172

Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA), PDS2012-3810-12-001 (SP), DEIR Chapter 2.8 Noise; Noise Report of the proposed Lilac Hills Ranch (LHR) Project

By way of brief summary, the County has failed to include assessment of Impact areas which are directly related to the proposed LHR Project Noise generation. The Noise analysis was not performed for these Noise Sensitive Land Uses (NSLUs), Environmental Impact is impossible to assess.

There are contradictory values for projected Community Noise Evaluation Level (CNEL) values presented without reconciliation of the differing values.

The evaluation of Existing Noise Conditions appears too limited and not at the correct locations to establish a meaningful baseline for assessment of the Noise Impacts of the proposed LHR Project.

A major component of the proposed LHR Project is Traffic Generated Noise. The Noise Analysis relies on the June 28, 2013 Chen Ryan Traffic Impact Study assessment of Average Daily Trips (ADTs) Traffic volume and distribution. The August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study presents factual evidence that the Chen Ryan Traffic Impact Study understated the Traffic volume and distribution. The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate Traffic Generated Noise levels.

Significant potential Impacts outside the Subdivision boundaries are not evaluated, or properly evaluated and need to be.

A. Impacted existing NSLU's not evaluated for Noise Impacts

TABLE 12 – "FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER LOCATIONS" p. 47 of the Noise Report has errors and exclusions of key existing NSLU's.

Every Assessor Parcel Number (APN) listed in the Table is incorrect. Please correct this deficiency.

I51j-4

I51j-5

I51j-4 The comment raises issues related to NSLU and CNEL at a general level of detail, each of which is reiterated in specific detail, and responded to below. Please see responses to comments I51j-5 through I51j-14 below for responses to those specific comments. The comment also raises an issue regarding the evaluation of existing noise conditions and adequacy of the baseline measurements. This issue is responded to in response to comment I51j-9.

The comment also refers to a Darnell and Associates Independent Expert review of the project's traffic study and asserts that the project traffic study underestimated traffic volume and distribution. The referenced Darnell and Associates review was submitted as a public comment during the 2013 public review period of the project and is included as comment I51. Detailed responses to the issues raised by Darnell and Associates are provided as responses to letter I51.

Subsequent to submittal of the Darnell and Associates comment, the referenced traffic study dated June 28, 2013 was revised, in part, to address comments contained in the letter in addition to other comments. The revised study, Lilac Hills Ranch Traffic Impact Study (TIS), is provided in full in Appendix E to the FEIR. The trip generation rates were revised slightly from the version that was circulated in 2013 and the older version was the subject of the Darnell and Associates comments. Since the revision of the TIS, the noise report was updated to reflect revised trip generation rates and that update was circulated for public review in 2014. For details on the trip generation assumptions used in the TIS, refer to response I51 and Appendix E.

I51j-5 The comment asserts that every assessor's parcel number listed in Table 12 of the noise report (revised May 13, 2014) [FEIR Appendix M] ("Noise Technical Report") is incorrect. However, the comment is referring to the prior version of Table 12 contained in the Noise Technical Report (June 5, 2013) that was circulated for public review in 2013, which has since been revised.

The assessor's parcel numbers were updated in both subchapter 2.8, Noise, and the Noise Technical Report based on the revised analysis conducted for the FEIR, which expanded the number of parcels beyond the original analysis. Please see Table 12 of the Noise Technical Report, and FEIR Table 2.8-12.

Also, Figures 6a and 6b geo-locate On-Site Local Receiver locations, and provide a reference back to Table 12. Figure 7 for Off-Site Local Receivers does not label Local Receivers with a reference back to Table 12. Remedy this by labeling Figure 7 Off-Site Receivers with a reference back to Table 12. Also, include a Table in similar format to Table 9 which cross references Off-Site Local Receivers to map locations.

151j-6

Rodriguez Private Road is indicated on Sheet 9 of 9 of the Tentative Parcel Map. Rodriguez Road is being improved to a 24' paved surface. Consequently, the Traffic Study should indicate the traffic volume and the Noise Report should assess Traffic Generated Noise for all NSLU's along the route of Rodriguez Road.

There is no indication in the discussion beginning at page 47 of the Noise Report that the Noise Impacts of Rodriguez Private Road increased traffic volume directly related to the proposed LHR Project was assessed. Please discuss specifically if and how Rodriguez Road is included in the Noise modeling results.

151j-7

The following NSLU's on the eastern border of Rodriguez Road were not included as Specific Local Receivers in Table 12 "Future Off-Site Noise Levels at Specific Local Receiver Locations" p.47 of the Noise Report:

- APN 129-190-37-00
- APN 129-190-30-00
- APN 129-380-01-00

Were these NSLU's assessed as Local Receivers? If not, why were these residential NSLU's omitted from analysis??

B. Contradictory CNEL Values for the same Local Receiver Location

Table 12 at p. 47 of the Noise Report specifies a predicted future Noise Level of 54 CNEL for 128-290-77-00 (APN corrected to proper value from the erroneous value in Table 12). This Assessor Parcel Number corresponds to the existing residence at 9550 Covey Lane.

Table 13 (page not numbered) "TABLE 13 - CUMULATIVE OFF-SITE TRAFFIC CNEL AT 100 FEET FROM CENTERLINE (continued)" lists an existing value of 44.2 CNEL and a LHR Project Build out value of 55.7 CNEL at the LHR project eastern boundary, which is approximately 190 feet from the property line of the 9550 Covey Lane NSLU.

151j-8

From 2.3.2 Cumulatively Significant Noise Impacts p. 56 "The nearest residence to the future centerline of Lilac Hills Ranch Road is approximately 200 feet to the west and 50 feet north of Covey Lane, which would result in a combined noise level of 61 CNEL at the building façade." This location is the residence at 9550 Covey Lane.

There is a conflict with the cumulative CNEL value as presented in the text on Page 56 with Table 13's value. Which value is correct?

151j-6 The comment requests certain revisions to the Noise Technical Report. As part of the FEIR, Figures 7a and 7b of the Noise Technical Report were revised to more clearly identify which locations and receivers are being evaluated; additionally, the figures have been updated to provide the numbering for all off-site noise sensitive land uses (NSLU) listed in Table 12 of the Noise Technical Report.

151j-7 The County acknowledges the commenter's concerns regarding Rodriguez Road. The identified off-site receivers along Rodriguez Road were not included in the noise assessment because project traffic would not result in potential noise impacts that would exceed the requirements pursuant to the County Noise Element. The project would not use Rodriguez Road on a daily basis and is considered an additional access point for emergencies. Therefore, project-related traffic on Rodriguez Road would not result in off-site noise impacts because traffic contributions to this roadway are substantially low and is considered less than significant. Please refer to Appendix M - Noise Report, Section 1.1.2.3.

151j-8 The comment states that there is a conflict between CNEL values presented in the text and tables in the Noise Technical Report for the existing residence at 9550 Covey Lane. Table 12 of the Noise Technical Report indicates a CNEL of 55 (not 54 as stated by the commenter) for receiver location 93, APN 128-290-7700. This table identifies the off-site receivers and identifies the exterior noise levels at these NSLUs.

Table 13 provides the noise levels at 100 feet from centerline in the existing, build-out, and cumulative condition. Noise levels 100 feet from the centerline of Covey Lane from the eastern project boundary to West Lilac Road are estimated to be 55.7 with both project build-out and in the cumulative condition.

The 61 CNEL value referenced by the commenter and in Section 2.3.2 of the Noise Technical Report represents the noise levels that would be experienced at 9550 Covey Lane (receiver location 93) due to the proximity of this residence to the intersection where the combined traffic noise levels from Covey Lane and Lilac Hills Ranch Road traffic could be experienced. The 61 CNEL value is higher than what is reported in Table 13 because that table considers the traffic noise levels along individual segments, rather than noise levels at intersections where noise from more than one segment could result in

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	<p>I51j-8 (cont.)</p> <p>a higher noise level. The Noise Technical Report goes on to explain that the 61 CNEL at 9550 Covey Lane is based on the conservative modeling and does not account for intervening topography. The Noise Technical Report appropriately evaluates noise levels at individual NSLUs to obtain more accurate noise levels. This more detailed modeling showing future off-site noise levels is shown in Table 12. Based on the detailed modeling, the future noise level at 9550 Covey Lane would be 54 CNEL.”</p>
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There is a conflict with the cumulative CNEL value as presented in the text on Page 56 with Table 13's value. Which value is correct?

C. Evaluation of Existing Noise Conditions

Please discuss and justify the following regarding the baseline Existing Noise Conditions evaluation taken Wednesday, July 25, 2012 between 11am and 3:30 PM:

1. Why were only 8 locations evaluated? Please justify the adequacy of the 8 location sample size to construct a rational baseline for the project.
2. Please elaborate in detail the rationale for each of the 8 site locations selected.
3. Please elaborate in detail and justify the use of 15 minute mid-afternoon single samples as an adequate baseline for establishing Existing Noise Conditions.

D. Traffic Generated Noise Analysis relies on the June 28, 2013 Chen Ryan Traffic Impact Study

Table 12 - "FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER LOCATIONS" p. 47 of Noise Report is presented as the basis for ADT traffic volume for modeling the LHR project Traffic Generated Noise.

The August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study submitted as Public Comments for the LHR DEIR presents factual evidence that the Chen Ryan Traffic Impact Study (TIS) understated the Traffic volume and distribution.

In summary, the Chen Ryan TIS understated ADT trip generation 11.9%. Additionally, Chen Ryan overstated internal trip capture, which would change ADT distribution assignment to area roads. Further, the Darnell August 16, 2013 Independent Study assigns far greater traffic volume to Mountain Ridge and Covey Lane Private Roads, where a large population of Offsite NSLU receivers are located.

The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate modeling of Traffic Generated Noise levels.

Fact based assessment of Noise Impacts mandates revision of the Chen Ryan Traffic Impact Study, and corresponding revision of the Traffic Generated Noise modeling from RECON.

E. Impacts outside the Subdivision Boundaries

I51j-9

I51j-10

I51j-11

I51j-12

I51j-13

I51j-9 The County acknowledges the commenter's concerns regarding the noise measurements taken on Wednesday, July 25, 2012. The eight noise measurement locations are an adequate sample size to construct an acceptable noise model because they represent a reasonable range of noise locations throughout the site. The eight noise measurement locations were chosen because they represented typical noise sources or environments in the project area and are considered acoustically equivalent. Selected measurements included traffic counts which were required to validate the traffic noise model.

The locations where noise measurements were taken are detailed in Figure 5 of the Noise Technical Report. Please see subchapter 2.8.1.2 of the FEIR, for a discussion of the measurement locations. (Please also see Section 1.2.2.1 of the Noise Technical Report). In addition, the commenter does not provide specific rational to support the assertion that the selected locations are not adequate.

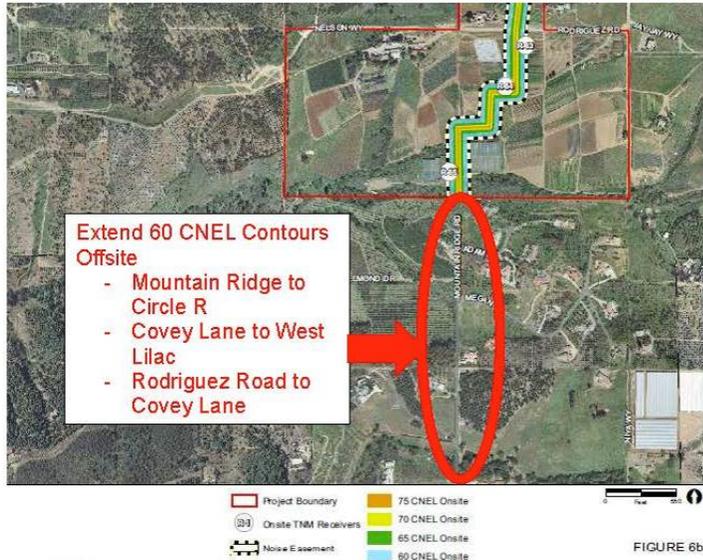
I51j-10 The County acknowledges the commenter's concerns regarding the eight noise measurement locations. The noise measurement locations were chosen to represent the general noise environment in the project area and are sufficient to identify major noise sources and to characterize typical noise levels in the project vicinity. Please see subchapter 2.8.1.2 of the FEIR for a discussion of the measurement locations. (Please also see Section 1.2.2.1 of the Noise Technical Report and Figure 5 of the Noise Technical Report that shows the locations where noise measurements were taken.)

I51j-11 The County acknowledges the commenter's concerns regarding the 15-minute mid-afternoon single samples. Based on noise measurement guidance published by Caltrans, a noise measurement representing an hourly equivalent noise level does not need to last the entire hour. As long as noise levels do not change significantly, a shorter time period is sufficient to represent the entire hour of interest. The recommended length of measurements depends on traffic volumes and how much the noise level fluctuates, and generally ranges from 10 to 30 minutes and is an acceptable procedure. Furthermore, the noise measurements taken on-site primarily function as a tool to calibrate and validate the traffic noise model. This measurement should not be mistaken for representing the baseline ambient noise levels of the site.

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	<p>I51j-11 (cont.) In this case, noise levels during the measurement period were steady or, in the case of traffic, continuous. Based on the traffic volumes on I-15, the dominant noise source in the project area, and the steadiness of the noise levels during the measurement period, it was determined that a 15-minute measurement was equivalent to the 1-hour noise level.</p> <p>Thus, the noise measurements were taken over a long enough period to be representative of a typical 1-hour equivalent noise level for characterization of the ambient environment. Please see subchapter 2.8.1.2 of the FEIR for a discussion of the length of the noise measurements. (Please also see Section 1.2.2.1 of the Noise Technical Report.)</p> <p>I51j-12 Refer to response to comment I51j-4.</p>
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151j-13 cont.

151j-13 The comment states that the On-Site Noise Level Contour Graphic, Figure 6b of the Noise Technical Report and Figure 2.8-2b of the FEIR, needs to be extended to include off-site impacts for all of the project's secondary access roads. This Figure 6b was revised to include the continuation of the future build-out noise contours at off-site residences prior to the 2014 public review period. The 60 dB noise contour is now shown for Mountain Ridge Road and Covey Lane as requested. In addition, the project off-site noise impacts to existing residences are assessed in Tables 11, 12, and 13 showing direct and cumulative noise impacts, Figures 7a and 7b showing potential off-site noise impacted locations, and evaluation is provided in Section 2.3.

RECON

On-site 60 CNEL Noise Level Contours (South)

The 60 CNEL Noise Level Contour Graphic needs to be extended to include the Off-Site Impacts for ALL of the Projects Secondary Access Roads:

- Mountain Ridge from the Subdivision boundary to Circle R Drive
- Covey Lane from the Subdivision eastern boundary to West Lilac Road
- Rodriguez Road to Covey Lane

This Graphic will highlight several areas of inconsistencies in the DEIR Subchapter 2.8 – Noise and the Noise Report.

For example, DEIR Subchapter 2.8 – Noise **2.8.2.1 Issue 1: Traffic Generated Noise** p.28 -8:

"Existing receivers along Mountain Ridge Road south of the project site would experience a potentially substantial increase in ambient noise levels of 8 CNEL, however, noise levels within 100 feet of the roadway centerline would be 53 CNEL or less."

When Mountain Ridge Private Road traffic volume is increased to the levels indicated in

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the August 16, 2013 Darnell Associates Independent Expert Review, and the 60 CNEL Noise Level Contour line is plotted on Mountain Ridge, in excess of 60 CNEL will be indicated at the residential façade at 31013 Mountain Ridge (APN 129-430-13-00).

This Graphic will highlight other Off-Site Impacts where Cumulative Noise Levels exceed County Standards on Covey Lane and Rodriguez Road.

Summary

DEIR Subchapter 2.8 – Noise and the Noise Report have many significant errors and omissions, and the reports rely on the flawed LHR Traffic Impact Study.

Informed Environmental Analysis is impossible to perform with this flawed information.

Please revise DEIR Subchapter 2.8 and the Noise Report and notice and recirculate for Public Comment.

Sincerely,

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I51j-13
cont.

I51j-14

I51j-14 This is a conclusory comment. The issues raised have been addressed in the responses provided above. There are no errors or omissions in the Noise Technical Report and recirculation is not required. This comment will be maintained in the administrative record and available for review by the decision making body.