

Christopher W. Garrett
+1.858.523.5400
christopher.garrett@lw.com

12670 High Bluff Drive
San Diego, California 92130
Tel: +1.858.523.5400 Fax: +1.858.523.5450
www.lw.com

LATHAM & WATKINS LLP

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VIA EMAIL AND U.S. MAIL

Mr. Jacob Armstrong
Branch Chief
Caltrans District 11 - Planning Division
Development Review Branch
4050 Taylor Street, MS 240
San Diego, California 92110

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File No. 025388-0011

Re: Alternative Designs for Evaluation in Caltrans' Project Study Report re Interstate 15/Deer Springs Road Interchange

Dear Mr. Armstrong,

As you know, we represent the Golden Door Properties LLC (the "Golden Door"), an award-winning spa and resort that opened in 1958. This historic haven is situated on approximately 600 acres on the south side of Deer Springs Road in northern San Diego County ("North County"). The Golden Door focuses on the health and fitness of its guests, and its property encompasses a peaceful array of hiking trails, luxurious spa amenities, tranquil Japanese gardens, and a bamboo forest. Agricultural cultivation on the property includes avocado groves and fresh vegetable gardens as well as citrus and olive trees.

We write with regard to the Project Study Report ("PSR") Caltrans is preparing for the Interstate 15/Deer Springs Road interchange in conjunction with the proposed Newland Sierra Project (the "Project"). We appreciate you taking the time on previous occasions to meet with us about this Project and share information regarding the PSR. As you likely know, the County of San Diego (the "County") has issued a Notice of Preparation ("NOP") for the Project and has determined that it will publish an environmental impact report ("EIR"). The Project proposes a drastic density increase in a rural area that contradicts the recently adopted General Plan Update as well as regional plans developed by the San Diego Association of Governments ("SANDAG"). The Golden Door is proposing that the County's EIR study alternatives that reduce density on the Project site, mitigate impacts from density increases, and shift density increases to alternate locations in order to mitigate or avoid traffic, greenhouse gas, fire safety, biological, and other impacts. In particular, the Golden Door is proposing an Alternate Route Alternative and GHG Reduction Alternative that include direct access to Interstate 15 from the Project site, thus impacting Caltrans' facility.

County Planning and Development Services staff has informed us that the EIR will analyze all alternatives studied in Caltrans' PSR. Because the Golden Door's alternatives would impact the eventual Interstate 15/Deer Springs Road interchange re-design, we are informing you of our alternatives proposals and requesting that you study interchange designs in your PSR that provide direct access to the Project site and a potential transit center and park-and-ride facility, as described below. We encourage Caltrans, as a Responsible Agency under CEQA, to consult with the County regarding our proposed alternatives and interchange designs that would mitigate the Project's significant impacts and to secure developer funding for implementation through a Memorandum of Understanding or some other instrument. *See* CEQA Guidelines § 15086(d) (“[T]he responsible . . . agency shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing [significant environmental effects identified by the Responsible Agency] or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures.”). The Golden Door is working with its own expert consultants to develop its proposed alternatives and requests that Caltrans accommodate any requests for information necessary to assist our experts. As noted above, we appreciate your cooperation with our efforts thus far, and look forward to continuing this relationship.

Newland obviously has a strong financial incentive to design its project to minimize infrastructure costs and to avoid any use of Newland's project to handle “through traffic.” As a result, the Newland proposal diverts or “dumps” its own Project traffic from the west side of its Project onto Deer Springs Road, and its Project contains winding circuitous internal loop roads and cul-de-sacs to discourage any through traffic within the Project. Even though Newland proposes a new commercial center that will be a strong attraction for regional trips, Newland has designed its road system to force all the traffic going to and from the commercial center to enter from Deer Springs Road. Newland has also proposed a commercial center design that separates the center from the park-and-ride facilities, presumably to avoid any use of their own land for this type of use, even though this makes the park-and-ride facilities further disconnected from the Project. The interchange designs Newland has proposed to you are designed to reinforce these goals to minimize Newland's own infrastructure costs and burdens of through traffic, transit access and park-and-ride parking, to the detriment of the surrounding community.

As an independent public agency, we believe that Caltrans should also consider alternatives to Newland's proposals to provide for an interchange alternative that will allow for a direct connection to Newland's commercial center and to Newland's internal road system, rather than designing the interchange to funnel traffic to the south onto Deer Springs Road. Such a direct connection will also facilitate the necessary transit center which should also be incorporated into Newland's commercial center. Additionally, Caltrans should consider integrating the new park-and-ride facilities into Newland's commercial center.

The following sections describe the Golden Door's proposed Alternate Route Alternative and GHG Reduction Alternative.

A. The Golden Door's Alternate Route Alternative Includes a Four-Lane Road Through the Project Site that Avoids Dumping Traffic onto Deer Springs Road

The Project is configured to dump Project traffic on to Deer Springs Road, which already accommodates substantial bypass traffic from regional trips fleeing the congested freeway system, as indicated by a license plate conducted last year by Linscott Law & Green (“LLG”). See LLG License Plate Survey (May 5, 2014), attached hereto as Attachment A. With the County’s projection that Interstate 15 will reach Level of Service “F” and be extremely congested for many hours of the day, many more motorists will be encouraged to “flee the freeway” and find any surface street that can provide a more passable route.

The Project would add trips to Deer Springs Road both from trips traveling to and from the Project, but also from external trips with origins and destinations within the Project. Indirect, winding roads within the Project, featuring many cul-de-sacs, grade changes, and intersections, and no connections to the north, northeast, or northwest, cause trips from the western portion of the Project to exit the Project and travel across Deer Springs Road to reach the commercial center and school located on the eastern portion of the property. A traffic study completed by LLG, prepared as part of the PSR process and provided to us by Caltrans, indicates that the Project will cause a net 5,110 annual trips across the segment of Deer Springs Road between Mesa Rock Road and Sarver Lane by 2040. LLG, Traffic Volumes Report I-15/Deer Springs Road Interchange. pp. 25, 29 (Dec. 10, 2014). The most direct route for many residents on the Project’s west side—where the majority of residential units are located—to reach the commercial center would be to exit the Project at Sarver Lane and cross Deer Springs Road, re-entering the Project at Mesa Rock Road. Further, the Project proposes to add pedestrian, bicycle, and equestrian traffic to a multi-purpose trail adjacent and parallel to Deer Springs Road. Dumping project traffic on to Deer Springs Road poses a safety threat to the non-vehicular traffic on that road, including the non-vehicular traffic accommodated on the Project’s proposed multi-use path.

The Golden Door proposes that the County’s EIR study an alternative that constructs a four-lane road traveling through the Project that keeps trips off of Deer Springs Road, causing them to instead travel through the Project on the north side of the ridgeline immediately north of Deer Springs Road (the “Alternate Route Alternative”). This road would connect the dense residential configuration on the west side of the Project with the commercial center and Interstate 15 on the east side of the Project. The Alternate Route Alternative would also feature a direct connection from the Interstate 15 access ramps to the commercial center within the Project directing trips onto the new four-lane road rather Deer Springs Road. The new four-lane road could also connect to an expanded park-and-ride facility and transit center near the Project’s commercial center with direct access to Interstate 15. Direct access would cut down on stops and turns for trips leaving the freeway to access the Project and provide infrastructure to increase transit and park-and-ride facilities that makes strides toward complying with the County’s and

SANDAG's transit-oriented planning principles. Attached hereto as Attachment B is a rudimentary map depicting the approximate location of such a road.¹

The Alternate Route Alternative would also include a traffic circle or four-way intersection with a full stop at the Sarver Lane/Deer Springs Road intersection. This design would increase safety to motor vehicles as well as pedestrians, cyclists, and equestrians. It could also substantially decrease the need to condemn private property near the intersection—particularly through the TERI, Inc., property—that would be needed to facilitate a high-speed curve.

The Alternate Route Alternative should be designed to encourage trips on the new four-lane road through the Project rather than on to Deer Springs Road in order to avoid traffic, noise, air quality, and safety impacts to the community and the pedestrians, cyclists, and equestrians traveling along Deer Springs Road, and instead route trips through the Project. County Road 12 would be re-designated to include this four-lane road across the Project rather than Deer Springs Road to the east of Sarver Lane. The Project's commercial center portends to be a significant draw for trips from the west, which should be routed through the Project site rather than impacting the existing community's uses on Deer Springs Road.

This proposal would also provide for direct access for traffic coming off of Interstate 15 to Newland's new planned commercial center. To encourage transit, shuttle connections and carpooling, the existing Caltrans park-and-ride lot should be integrated into the parking facilities for Newland's new commercial center.

The Golden Door requests that Caltrans study an option in the PSR to provide direct access to a new four lane "*Newland Sierra Parkway*" that would connect to Newland's Project (as proposed in the Golden Door's Alternate Route Alternative), rather than funneling traffic to the south to connect to Deer Springs Road. This would include a realignment of the current Deer Springs Road interchange bridge so that instead of being configured diagonally to run from the northeast to the southwest, the bridge would run east-west so that traffic can directly enter Newland's project rather than being diverted to the southwest into the Deer Springs Road valley.

B. The Golden Door's GHG Reduction Alternative Would Develop a Transit-Oriented Community to Reduce Greenhouse Gas Emissions

The Golden Door also proposes that the County's EIR should study an alternative with the Project's residential units clustered around the commercial center on the eastern side of the Project near Mesa Rock Road and Interstate 15 that would reduce greenhouse gas ("GHG") emissions (the "GHG Reduction Alternative"). The GHG Reduction Alternative would allow all Project residents to walk to the commercial center as part of a mixed use project and provide a transit connection via an expanded park-and-ride facility and a transit center with direct access to Interstate 15. This alternative would eliminate units on the west side of the property and the

¹ Note that the map has not been drawn to scale, nor does it depict the route's precise contours. This map is intended for general illustrative purposes only.

steep, winding roads throughout the Project, thus eliminating the need to drive from one side of the Project to the other. This design could also limit the Project's primary entrance to Mesa Rock Road—with direct access to the Project from Interstate 15—and limit additional ingress and egress points to emergency access. The residential units could be designed as multistory town homes, and would extend further north along Interstate 15, but would not necessarily result in a reduction in the total number of residential units proposed by the Project, though the number of units that could be accommodated by a transit-oriented design should be studied by the County as well. A key feature of this GHG Reduction Alternative would be to allow transit more direct access to the commercial center, so that buses or shuttles provided by the Project can operate more effectively with greater usage.

As with the Alternate Route Alternative, the Golden Door requests that Caltrans' PSR analyze direct freeway access from Interstate 15 to the Project. This clustered, transit-oriented design of the GHG Reduction Alternative would minimize the Project's single-occupant vehicle trips by providing transit for longer trips and walkability for trips internal to the Project, thus reducing vehicle miles traveled ("VMT") and GHG emissions. The County General Plan embraces smart-growth communities and a multi-modal mass transit system, stating that "[t]he General Plan will reduce GHG emissions primarily through minimizing vehicle trips and approving land use patterns that support increased density in areas where there is infrastructure to support it, increased opportunities for transit, pedestrians, and bicycles, and through green building and land development conservation initiatives." San Diego County General Plan at 1-16 (Aug. 2011). In addition, the County Mobility Element states the following:

Reducing vehicle miles traveled is also an important component of reducing greenhouse gas emissions. Along with compact land use patterns, a well-connected road network contributes to reducing vehicle miles traveled. The Mobility Element requires the provision of multi-modal facilities to accommodate alternative modes of travel, such as public transportation, bicycling, and walking. In addition, goals and policies are included to minimize single occupancy vehicular travel through carpooling, vanpooling, and other transportation demand management methods.

Id. at 4-3.

In addition, SANDAG has developed a Regional Transportation Plan ("RTP") and Sustainable Communities Strategy ("SCS") that favor a transit-first approach to new development.² The RTP is a regional blueprint for a transportation system that meets the State's

² The Court of Appeal struck down the RTP/SCS in a recent opinion for not going far enough in curbing GHG emissions; however, the Supreme Court has granted a petition to review the case. *See Cleveland Nat'l Forest Found. v. San Diego Ass'n of Gov'ts*, 231 Cal. App. 4th 1056, *modified upon denial of rehr'g*, No. D063288, 2014 Cal. App. LEXIS 1150 (Dec. 16, 2014), *petition for review granted*, No. S223603 (Cal. Mar. 11, 2015).

sustainable development planning priorities through 2050.³ It allocates funding across transportation priorities, including transit, highway improvements (consisting largely of HOV lane additions), and local roads. SB 375, which went into effect in 2009, requires that a SCS be prepared as part of the RTP to integrate land use and transportation planning in an effort to curb VMT and associated GHG emissions. SANDAG published its RTP/SCS in October 2011. The SCS' guiding principles include "focus[ing] housing and job growth in urbanized areas where there is existing and planned transportation infrastructure . . . [and] invest[ing] in a transportation network that provides residents and workers with transportation options that reduce GHG emissions." RTP/SCS at 3-2. In addition, the 2050 RTP "focuses major roadway and transit improvements in urban and suburban areas of the region, encouraging growth away from the region's more rural areas." *Id.* at 6-39.

According to these planning principles, when a rural area is proposed to be transformed into an urban area (such as the Project proposes), transit must be a central focus and not an afterthought. Because the Interstate 15 corridor in North County is not urbanized and lacks existing transit infrastructure, new development should consist of "transit-first" or even "transit-obligate" communities that proceed only after the construction of, and funding of contributions to, planned transit facilities to ensure that their added impacts and increased emissions are fully mitigated or avoided. Direct access to Interstate 15 would improve the convenience of transit and park-and-ride facilities, making transit a more attractive means of transportation to and from the Project and reducing VMT in accordance with planning principles intended to reduce GHG emissions.

The Golden Door requests that Caltrans study an option in the PSR to provide direct access from Interstate 15 to the Newland commercial center and a new east-west direct road across the Newland Project (or to Newland's own proposed more circuitous roadway system) as proposed in the Golden Door's GHG Reduction Alternative.

C. Conclusion

As we have emphasized in our previous communications with you, the Deer Springs Road/Interstate 15 design plans must proceed with consideration of adopted regional plans and near-term and buildout planning for the mainline portion of Interstate 15 and possible regional transportation improvements by SANDAG in this area. As part of our continuing efforts to ensure impacts from the Project's proposed urban development in rural North County are mitigated or avoided, we have proposed the Alternate Route Alternative, GHG Reduction Alternative, and others that would bring the Project more in line with State, regional, and County planning principles. We request that Caltrans' PSR study options that would accommodate these alternatives, as described above, including direct access from Interstate 15 to the Project.

³ The RTP/SCS can be accessed at http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf.

LATHAM & WATKINS^{LLP}

We appreciate your time and attention to our concerns. Please feel free to contact me at (858) 523-5400 or christopher.garrett@lw.com if you would like to discuss these matters further.

Sincerely,

Christopher Garrett

Christopher W. Garrett
of LATHAM & WATKINS LLP

cc: Kathy Van Ness, Golden Door
Jeff Dawson, Golden Door
Mark Slovick, San Diego County Planning and Development Services
Stephanie Saathoff, Clay Co.
Maddy Kilkenny, Clay Co.
Dawn Wilson, Fehr & Peers
Andrew Yancey, Latham & Watkins