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Comment Letter I-211

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August 12, 2017

To: Ashley Smith, LUE Planning Manager
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Ashley.Smith2@sdcounty.ca.gov
(858) 495-5375

CC:
Supervisor Greg Cox
Supervisor Diane Jacob
Supervisor Kristen Gaspar
Supervisor Ron Roberts
Supervisor Bill Horn

Subject: DEIR Public Comments regarding feasibility of proposed Direct and Cumulative Traffic mitigation claims for Newland Sierra General Plan Amendment and Specific Plan PDS2015-GPA-15-001 (GPA), PDS2015-SP-15-001 (SP).

Dear Ms. Smith:

Summary

The County of San Diego, the Developer, and Opponents all agree on one aspect of Newland Sierra. The project creates massive direct and cumulative traffic impacts to regional road networks under the jurisdiction of the County, City of San Marcos, and Caltrans.

A major question for Decision Makers is whether enough financial resources are available to pay the huge cost of mitigation in a timely manner.

This Draft EIR (DEIR) does not provide that information. Unless proved feasible, the mitigations claimed by the DEIR are unsubstantiated.

The County acknowledges **19 Direct Impacts** (9 Intersections and 10 road segments) and **26 Cumulative Impacts** to regional transportation network elements.

Additional Right of Way (ROW) is required from 20 parcels just to widen Deer Springs Road (Option B) and 30 additional parcels just to widen Twin Oaks Valley Road. Given the need to acquire this much real estate, use of Eminent Domain seems likely. Eminent Domain proceedings will take a lot of time to acquire needed ROW.

The DEIR identifies the impacted road segments and intersections, but does not provide essential information to Decision Makers to determine whether the mitigations proposed

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are feasible, and whether or not the improvements can be funded and implemented in the timeframe required to mitigate the Project's impacts.

There are three top level defects in the traffic section of the County's DEIR:

- A) 1) What are the impacts of I-15/Deer Springs Road ramp improvements and other direct and cumulative impacts to Caltrans jurisdiction roads and intersections required for Project mitigation?
2) What are the impacts of the mitigations and are they feasible?
- B) 1) How much funding is required to implement the Project's 19 Direct Impacts and 26 Cumulative Impacts?
2) Who is providing the mitigation funding?
3) Can the mitigation reasonably be completed in time to mitigate Project impacts?

C). The County also presents an ineffective D-11 "Option A" mitigation for widening Deer Springs Road from Mesa Rock to Sarver Lane to a 2.1 B Community Collector two lane road. The result is buildout Level of Service (LOS) F, which does not effectively mitigate Project impacts. Why is Option A even considered?

Required disclosure information and rationale for the information

Issue A) – Inadequate disclosure of impacts for Caltrans jurisdictions roads and intersections

The County discloses massive impacts without any substantiated mitigations for 4 Direct Impacts and 5 cumulative impacts to Caltrans jurisdiction roads and intersections. The impacts include a To Be Determined (TBD) redesign of the I-15/Deer Springs Northbound and Southbound Ramps and intersections.

The impacted Caltrans roads and intersections are listed in the table below and in detail in Attachment 2 - Rough Order Magnitude Cost Estimates and funding sources

Table 1 – Caltrans jurisdiction Direct and Cumulative Project Impacts

	Jurisdiction
Direct Impacts/Proposed Mitigations	
Intersections	
TR-1A/M-TR-1 Deer Springs Road / I-15 NB Ramps	Caltrans
TR-1A/M-TR-1 Deer Springs Road / I-15 SB Ramps	Caltrans
Road Segments	
TR-9/M-TR-8 Deer Springs Road: Mesa Rock Road to I-15	Caltrans
TR-18/None I-15: Deer Springs Road to	Caltrans

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Pomerado Road	
Cumulative Impacts/Proposed Mitigations	
Intersections	
TR-19A/M-TR-1 Deer Springs Road / I-15 NB Ramps	Caltrans
TR-19B/M-TR-1 Deer Springs Road / I-15 SB Ramps	Caltrans
Road Segments	
TR-29/M-TR-8 Deer Springs Road: Mesa Rock Road to I-15	Caltrans
Freeway Mainline Segments	
TR-41/NONE I-15: Old Highway 395 to Pomerado Road	Caltrans
TR-42/NONE SR 78: Mar Vista Road to Sycamore Avenue	Caltrans

NO SUBSTANTIATED MITIGATION IS PROPOSED FOR 4 DIRECT AND 5 CUMULATIVE IMPACTS.

No information is provided on design, cost or schedule on the scope of required solutions to the impacts the Project creates

M-TR-1 is a totally ineffective mitigation that makes a mockery of planning. Rather than say straight out that the Developer is unwilling to pay for any Caltrans improvements, the County offers a circular discussion that faults the Caltrans planning process, and provides no information whatever. The County is employing deficient reasoning by allowing M-TR-1 to be called mitigation for the **direct** and cumulative Project I-15 ramp impacts. .

The obvious remedy for this major defect is to not process the Project EIR until the Caltrans jurisdiction mitigations can be quantified and disclosed to the Decision Makers and the Public.

The information required for Decision Makers is engineering preliminary design, and an estimate of mitigation costs and implementation schedule. Funding sources need to be identified and binding commitments made. A schedule assessment needs to be performed to determine whether the Project's impacts will be able to be mitigated in the timeframe in which the Project's traffic loads enter the network.

A Project decision without this information is a flawed decision. Is there enough money available to fix the I-15 freeway to handle the Project's impacts? Will the Project pay or will taxpayers be required to subsidize direct and cumulative Project impacts?

Required Action: Provide the required design, cost, and schedule information for Caltrans jurisdiction impacts and proposed mitigations prior to making a Project

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decision. The format and information content is provided in Attachment 2 - Rough Order Magnitude Cost Estimates and funding sources.

Issue B) – Assess funding sources, probability of funding being secured, and assessment of County and City of San Marcos jurisdiction mitigations and assess whether they can be completed in time to reduce project impacts.

There are **15 Direct and 21 Cumulative** Project impacts to County and City of San Marcos jurisdiction roads and intersections. The impacts are listed below and in detail in Attachment 2 - Rough Order Magnitude Cost Estimates and funding sources.

Table 2 – County and City of San Marcos jurisdiction Direct and Cumulative Project Impacts

Direct Impacts/Proposed Mitigations	Jurisdiction
Intersections	
TR-2/M-TR-2 Deer Springs Road / Mesa Rock Road	San Diego County
TR-3/M-TR-3 Deer Springs Road / Sarver Lane	San Diego County
TR-4/M-TR-4 Twin Oaks Valley Road / Deer Springs Road	San Marcos
TR-5/M-TR-5 Twin Oaks Valley Road / Buena Creek Road	San Marcos
TR-6/M-TR-6 Buena Creek Road/Monte Vista Drive	San Diego County
TR-7/M-TR-7 Buena Creek Road/South Santa Fe Avenue	San Diego County
TR-8/NONE Robelini Drive/South Santa Fe Avenue	San Diego County
Road Segments	
TR-10/M-TR-9 Deer Springs Road: Sarver Lane to Mesa Rock Road	San Diego County
TR-11/M-TR-10 Deer Springs Road: Twin Oaks Valley Road to Sarver Lane	San Marcos/ San Diego County
TR-12/M-TR-11 Twin Oaks Valley Road: Deer Springs Road to Buena Creek Road	San Marcos
TR-13/NONE Twin Oaks Valley Road: Buena Creek Road to Cassou Road	San Marcos
TR-14/NONE Buena Creek Road: Monte Vista Drive to Twin Oaks Valley Road	San Diego County
TR-15/M-TR-6 & 7 Buena Creek Road: S. Santa Fe Avenue to Monte Vista Drive	San Diego County
TR-16/NONE South Santa Fe Avenue: Robelini Drive to Buena Creek Road	San Diego County
TR-17/NONE Robelini Drive: Sycamore Avenue to South Santa Fe Avenue	San Diego County

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Cumulative Impacts/Proposed Mitigations

Intersections

TR-20/M-TR-2 Deer Springs Road / Mesa Rock Rd.	San Diego County
TR-21/M-TR-3 Deer Springs Road / Sarver Lane	San Diego County
TR-22/M-TR-12 Deer Springs Road / Sycamore Rd	San Diego County
TR-23/NONE Twin Oaks Valley Road /Deer Springs	San Marcos
TR-24/NONE Twin Oaks Valley Rd/ Buena Creek Rd	San Marcos
TR-25/M-TR-13 Twin Oaks Valley Road / San Marcos Boulevard	San Marcos
TR-26/M-TR-6 Buena Creek Rd/South Santa Fe Ave	San Diego County
TR-27/M-TR-7 Buena Creek Rd/Monte Vista Drive	San Diego County
TR-28/M-TR-14 Robelini Dr/South Santa Fe Ave	San Diego County

Road Segments

TR-30/NONE Deer Springs Rd:Sarver Ln to Mesa Rock	San Diego County
TR-31/NONE Deer Springs Road: Twin Oaks Valley Road to Sarver Lane	San Marcos/ San Diego County
TR-32/NONE Twin Oaks Valley Road: Deer Springs Road to Buena Creek Road	San Marcos
TR-33 Twin Oaks Valley Road: Buena Creek Road to Cassou Road	San Marcos
TR-34/NONE Twin Oaks Valley Rd: Richmar Ave to San Marcos Boulevard	San Marcos
TR-35/NONE Buena Creek Road: Monte Vista Drive to Twin Oaks Valley Road	San Diego County
TR-36/NONE Buena Creek Road: S. Santa Fe Ave to Monte Vista Drive	San Diego County
TR-37/NONE Monte Vista Drive: Foothill Drive to Buena Creek Road	San Diego County
TR-38/M-TR-14 South Santa Fe Ave: Robelini Dr to Buena Creek Road	San Diego County
TR-39/M-TR-14 Robelini Drive: Sycamore Avenue to South Santa Fe Avenue	San Diego County
TR-40/M-TR-14 Gopher Canyon Road: Little Gopher Canyon Road to I-15 Ramps	San Diego County

San Marcos Horizon 2035 Impacts

TR-43/MTR-15 Twin Oaks Valley Road: Deer Springs Road to Buena Creek Road	San Marcos
TR-44/M-TR-16 Twin Oaks Valley Rd/Richmar Ave Intersection	San Marcos
TR-45/NONE Twin Oaks Valley Road from Deer Springs Road to Buena Creek Road	San Marcos

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Improvements to County Roads are accomplished in the 5 year Capital Improvement Plan (CIP) process. The FY 2016/17 CIP has a single placeholder page (Att 1 Deer Springs Road CIP placeholder) for Deer Springs/Twin Oaks Road widening with zeros and blanks in the budget and schedule column. There are 12 other County Impacts with no planning whatsoever in the CIP. The fidelity of this "information" indicates to the Public that implementation of effective mitigation for Direct and Cumulative impacts is at high risk of having adequate funding in time to provide feasible mitigation of Project Impacts, given design, ROW acquisition, and construction lead times..

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Based on process lead times, there are potential 5 to 10 year disconnects between need for mitigation and feasible completion of the mitigation.

MTR – 14, the Project contribution to RTCIP and TIF is offered as the primary Developer contribution to regional cumulative impacts. The Project at the end of a ten year build out will contribute a grand total of \$ 5.1 million of Regional Transportation Congestion Impact Fees and \$ 3.8 million of County Transportation Impact Fees (TIF).

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\$ 8.9 million is inadequate to mitigate the Project's Cumulative Impacts.

So, where is the balance of the money coming from to pay for Cumulative Impact mitigation?

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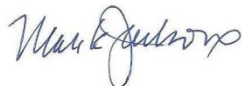
Required Action - Please complete the worksheet enclosed in Att 2 – Rough Order Magnitude Cost Estimates and funding sources for Direct and Cumulative traffic impacts for Caltrans, County, and City of San Marcos Direct and Cumulative Impacts.

Issue C) – Inadequate capacity offered on Deer Springs Road from Mesa Rock to Sarver Lane

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Required Action - Eliminate D-11 "Option A" and insist on construction of D-11 "Option B" as a 4.1B Major Road that effectively manages Project buildout traffic loads and avoids LOS F gridlock.

Sincerely,



Mark Jackson
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760-731-7327
jacksonmark92026@gmail.com

Attachments: Att 1 Deer Springs Road CIP placeholder
Att 2 – Rough Order Magnitude Cost Estimates and funding sources

Att 1 Deer Springs Road CIP placeholder Page 1 of 1



County of San Diego
Department of Public Works
Five Year Capital Improvement Plan 2016/17 to 2020/21

DEER SPRINGS ROAD WIDENING

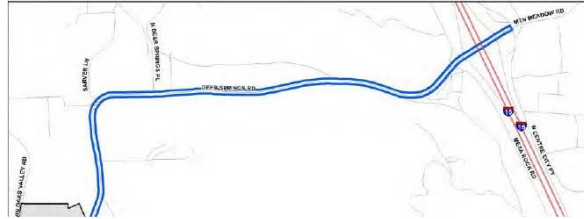
Twin Oaks

This project is for the widening of Deer Springs Rd from Mulberry Dr (San Marcos City Limits) to Champagne Blvd approximately 2.2 miles from Champagne Blvd/North Center City Pkwy to County/City of San Marcos jurisdictional line. This project requested by Private Developer.

Total Length 2.2 miles
Estimate Completion TBD
Planning Group Twin Oaks
Project Manager Nael Areigat
District 5
Estimated Project Cost TBD
Funding/Funding Status TBD / Not Funded

	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
Preliminary Engineering	\$0	\$0	\$0	\$0	\$0
Project Development	\$0	\$0	\$0	\$0	\$0
Right-of-Way	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Totals	\$0	\$0	\$0	\$0	\$0

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Att 2 – ROM Cost Estimates and funding sources Page 1 of 3			(\$ in 0.0 Millions)						
	Jurisdiction	ROM Cost estimate *	Estimated Start date **	Estimated Completion **	Funding Source ***				Total Funding
Direct Impacts					County	State	Developer	Federal	
Intersections									
TR-1A Deer Springs Road / I-15 NB Ramps	Caltrans				Information Definitions:				
TR-1A Deer Springs Road / I-15 SB Ramps	Caltrans								
TR-2 Deer Springs Road / Mesa Rock Road	San Diego County				* ROM Cost estimate – best Engineering estimate in resolution of \$ 0.0 Million. Estimate to include design, planning, ROW acquisition, and construction				
TR-3 Deer Springs Road / Sarver Lane	San Diego County								
TR-4 Twin Oaks Valley Road / Deer Springs Road	San Marcos								
TR-5 Twin Oaks Valley Road / Buena Creek Road	San Marcos				** Start Date = Date in which project work (usually design) commence				
TR-6 Buena Creek Road/Monte Vista Drive	San Diego County				Completion Date = Date in which construction is completed				
TR-7 Buena Creek Road/South Santa Fe Avenue	San Diego County								
TR-8 Robellini Drive/South Santa Fe Avenue	San Diego County				*** Funding Source - enter the \$ amount and source. Indicate whether the amount is secured as a commitment or is a goal subject to future legislative actions				
Road Segments									
TR-9 Deer Springs Road: Mesa Rock Road to I-15	Caltrans								
TR-10 Deer Springs Road: Sarver Lane to Mesa Rock Road	San Diego County				County - TIF, RTCIF, Transnet, General Fund, other (if other, explain)				
TR-11 Deer Springs Road: Twin Oaks Valley Road to Sarver Lane	San Marcos/ San Diego County				State - HJTA, Prop 13 bond, other (if other, explain)				
TR-12 Twin Oaks Valley Road: Deer Springs Road to Buena Creek Road	San Marcos				Developer - Developer fees				
TR-13 Twin Oaks Valley Road: Buena Creek Road to Cassou Road	San Marcos								
TR-14 Buena Creek Road: Monte Vista Drive to Twin Oaks Valley Road	San Diego County								
TR-15 Buena Creek Road: S. Santa Fe Avenue to Monte Vista Drive	San Diego County								
TR-16 South Santa Fe Avenue: Robellini Drive to Buena Creek Road	San Diego County								
TR-17 Robellini Drive: Sycamore Avenue to South Santa Fe Avenue	San Diego County								

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Att 2--ROM Cost Estimates and funding sources Page 2 of 3

		(\$ in 0.0 Millions)							
	Jurisdiction	ROM Cost estimate *	Estimated Start date **	Estimated Completion **	Funding Source***				Total Funding
					County	State	Developer	Federal	
Direct Impacts (continued)									
TR-18 I-15: Deer Springs Road to Pomerado Road	Caltrans								
Cumulative Impacts									
Intersections									
TR-19 A Deer Springs Road / I-15 NB Ramps	Caltrans								
TR-19 B Deer Springs Road / I-15 SB Ramps	Caltrans								
TR-20 Deer Springs Road / Mesa Rock Road	San Diego County								
TR-21 Deer Springs Road / Sarver Lane	San Diego County								
TR-22 Deer Springs Road / Sycamore Road	San Diego County								
TR-23 Twin Oaks Valley Road / Deer Springs Road	San Marcos								
TR-24 Twin Oaks Valley Road / Buena Creek Road	San Marcos								
TR-25 Twin Oaks Valley Road / San Marcos Boulevard	San Marcos								
TR-26 Buena Creek Road/South Santa Fe Avenue	San Diego County								
TR-27 Robelini Drive/South Santa Fe Avenue	San Diego County								
TR-28 Buena Creek Road/Monte Vista Drive	San Diego County								
Road Segments									
TR-29 Deer Springs Road: Mesa Rock Road to I-15	Caltrans								
TR-30 Deer Springs Road: Sarver Lane to Mesa Rock	San Diego County								
TR-31 Deer Springs Road: Twin Oaks Valley Road to Sarver Lane	San Marcos/ San Diego County								
TR-32 Twin Oaks Valley Road: Deer Springs Road to Buena Creek Road	San Marcos								
TR-33 Twin Oaks Valley Road: Buena Creek Road to Cassou Road	San Marcos								
TR-34 Twin Oaks Valley Road: Richmar Avenue to San Marcos Boulevard	San Marcos								
TR-35 Buena Creek Road: Monte Vista Drive to Twin Oaks Valley Road	San Diego County								
TR-36 Buena Creek Road: S. Santa Fe Avenue to Monte Vista Drive	San Diego County								

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Att 2 – ROM Cost Estimates and funding sources Page 3 of 3		(\$ in 0.0 Millions)							Total Funding
	Jurisdiction	ROM Cost estimate *	Estimated Start date **	Estimated Completion **	Funding Source***				
					County	State	Developer	Federal	
Cumulative Impacts (continued)									
TR-37 Monte Vista Drive: Foothill Drive									
to Buena Creek Road	San Diego County								
TR-38 South Santa Fe Avenue: Robelini Drive									
to Buena Creek Road	San Diego County								
TR-39 Robelini Drive: Sycamore Avenue									
to South Santa Fe Avenue	San Diego County								
TR-40 Gopher Canyon Road: Little Gopher Canyon									
Road to I-15 Ramps	San Diego County								
Freeway Mainline Segments									
TR-41 I-15: Old Highway 395 to Pomerado Road	Caltrans								
TR-42 SR 78: Mar Vista Road to Sycamore Avenue	Caltrans								
San Marcos Horizon Year 2035 Impacts									
TR-43 Twin Oaks Valley Road: Deer Springs Road									
to Buena Creek Road	San Marcos								
TR-44 Twin Oaks Valley Road/Richmar Avenue									
Intersection	San Marcos								
TR-45 Twin Oaks Valley Road from Deer Springs									
Road to Buena Creek Road	San Marcos								

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Cont.