

A-2 California Department of Transportation

- A-2-1** The comment is an introductory paragraph that references the project's Draft EIR and general information about the project's location. The County acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.
- A-2-2** The comment states that Caltrans does not have an interchange project at I-15 and Deer Springs Road as identified in the DEIR and, consequently, the project's traffic analysis and mitigation is insufficient and misleading. The comment states that direct impacts from the project are the responsibility of the County and the developer to fully and adequately mitigate. The comment states that any work done in the State right-of-way (ROW) will require Caltrans oversight and encroachment permits, including all required studies to be funded by the County or the developer, adding that any traffic mitigation within the State's ROW needs to include feasible alternatives that adhere to the Highway Design Manual Standards without design exceptions.

In response to Caltrans' comments, the County acknowledges that Caltrans has not announced or initiated a Caltrans-sponsored project to improve the I-15/Deer Springs Road interchange. Instead, in 2014, at the project applicant's request, Caltrans entered into a Cooperative Agreement, effective April 16, 2014 (2014 Agreement), to initiate the process of evaluating alternative I-15/Deer Springs Interchange improvements (Interchange) *to mitigate* the project's impacts to the Interchange. As such, the Interchange project is a privately-funded project proposed by the Newland Sierra Project in accordance with Caltrans's current Project Development Procedures Manual. This process includes the development of a Project Initiation Document (PID) consisting of a Project Study Report-Project Development Support (PSR-PDS) that establishes the framework and project objectives for the next two phases of the Interchange project, the Project Approval and Environmental Document phase (PA&ED) and the Plans, Specifications, and Estimate (PS&E) phase. The PSR-PDS defines the purpose and need for any proposed improvements, identifies a reasonable range of alternatives, estimates project cost and schedule, assigns funding and construction responsibilities to the project applicant (Newland Sierra), and outlines an action plan for implementation of the Interchange improvements.

Further, the County is aware that Newland Sierra is currently preparing the PSR-PDS under Caltrans's purview and in accordance with the 2014 Agreement. As required by the 2014 Agreement, all of the Caltrans's activities in this regard are fully reimbursed by Newland Sierra. The range of alternatives considered in the PSR-PDS will follow the applicable policies and guidance of state highway projects and will be evaluated

Comment Letter Responses

to ensure the proposals provide adequate traffic impact mitigation. After completion of the PSR-PDS, the County understands that Caltrans and Newland Sierra will enter into the next phase — the PA&ED phase. The PA&ED phase will involve preparation of the appropriate environmental documents for the Interchange project, along with the selection of a range of reasonable alternatives and feasible mitigation in accordance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA); and that Caltrans, as the lead agency under CEQA, will oversee, ultimately approve or deny the joint NEPA/CEQA environmental document for the Interchange project, and if approved, allow Newland Sierra to proceed with implementing the Interchange improvements.

Additionally, the County is fully aware Caltrans has been coordinating with the County during this concurrent, but separate, planning and environmental review process. (See, for example, the enclosed letter from Jacob Armstrong, Department, to Francisco Ortiz, San Diego County, dated February 4, 2016.)⁵¹

If Caltrans ultimately approves the selected Interchange project, Newland Sierra, as the project applicant/permittee, will fund 100% of all Interchange improvements and mitigation. Accordingly, there is no intent by the County or the project applicant to direct or assign responsibility to Caltrans for the environmental analysis, studies, or mitigation associated with the interchange improvements. The 2014 Agreement with Caltrans confirms this fact, as does the preparation of the PSR-PDS through Caltrans's normal project development approval process, and Caltrans's coordination with the County as it continues its own evaluation the Newland Sierra Project EIR.

Moreover, as it pertains to the traffic analysis and mitigation in the Draft EIR, the traffic impact analysis and mitigation address the project's direct and cumulative impacts to roadways and intersections, including daily and peak hour traffic impacts, to County and City of San Marcos roads and intersections as well as to Caltrans's I-15 and SR 78 freeway and interchange facilities. The analysis of the project's impacts to local roadways and intersections was done in conformance with County and San Marcos CEQA guidelines and significance thresholds. The analysis of the project's impacts to Caltrans facilities was done in conformance with the Highway Capacity Manual.

As to the comment that "(d)irect impacts from this Project are the responsibility of the County and the Developer to fully and adequately mitigate (and) (a)ny work done in State Right of Way (ROW) will require Caltrans oversight and encroachment permits,

⁵¹ The letter from Jacob Armstrong, Department, to Francisco Ortiz, San Diego County, dated February 4, 2016, is incorporated by reference and available for review upon request to the County.

Comment Letter Responses

including all required studies to be funded by the County or Developer”, to the extent the comment is referring to the identified impacts at the I-15 and Deer Springs Road interchange, the County agrees with this comment. The Draft EIR’s Transportation and Traffic section has been revised to clarify that improvements are the responsibility of the project (i.e., project applicant). Refer to revised Mitigation Measure M-TR-1 on page 2.13-105 of the Final EIR and addressed in **Response to Comment A-2-12** below.

As to the statement that “any traffic mitigation within the State’s ROW needs to include feasible alternatives that adhere to the Caltrans Highway Design Manual Standards without design exceptions”, the County agrees the Highway Capacity Manual must be followed in the planning and selection of an interchange design; however, the Interchange improvements would likely require certain design exceptions depending on which configuration is ultimately approved by Caltrans.

Moreover, the Highway Capacity Manual allows for design exceptions subject to certain parameters. Section 82.2 of the Caltrans Highway Design Manual, Approval of Non-Standard Design, contains the following provisions related to design exceptions:

- (1) **Mandatory Standards.** Design features or elements which deviate from mandatory standards indicated herein require the approval of the Chief, Division of Design...The current procedures and documentation requirements pertaining to the approval process for those exceptions to mandatory design standards as well as the dispute resolution process are contained in Chapter 21 of the Project Development Procedures Manual (PDPM). Design exception approval must be obtained pursuant to the instructions in PDPM Chapter 9.
- (2) **Advisory Standards.** The authority to approve exceptions to advisory standards has been delegated to the District Directors. A list of advisory standards is provided in Table 82.1B. Proposals for exceptions from advisory standards can be discussed with the District Design Liaison during development of the approval documentation.
- (3) **Decisions Requiring Other Approvals.** The authority to approve specific decisions identified in the text are also listed in Table 82.1C. The form of documentation or other instructions are provided as directed by the approval authority.
- (4) **Permissive Standards.** A record of deviation from permissive standards and the disclosure of the engineering decisions in support of the deviation should be documented and placed in the project file. This principle of documentation also applies when following other Division of Design guidance, e.g., Design Information Bulletins and Design Memos. The form of documentation and

Comment Letter Responses

other instructions on long term retention of these engineering decisions are to be provided as directed by the District approval authority.

The construction of Interchange improvements may require certain design exceptions, and the Highway Design Manual outlines the procedures that must be followed for design exceptions to be considered and approved. This issue will be further evaluated as part of the concurrent, but separate Interchange improvement project — as part of the requirement to mitigate the Newland Sierra Project’s traffic impacts.

A-2-3 The comment states that an Intersection Control Evaluation (ICE) is required for the Deer Springs Road/I-15 NB and SB Ramp intersections, adding that this analysis needs to be completed, finalized, and concurred by Caltrans’s Traffic Engineering and Analysis (TEA) Branch to ensure that all proven and emerging solution concepts are considered to mitigate for the traffic impacts generated by the development.

The County agrees with this comment. An ICE process was conducted as part of the Project Initiation Documents (PID) process initiated by the project applicant in 2014. The multi-step ICE process was conducted and included three separate formal workshops on January 1, 2015, February 12, 2015, and March 25, 2015. The ICE process evaluated several interchange alternatives and different types of intersection controls for each. Multiple parameters were evaluated as part of this ICE process, including level of service, public safety, feasibility, multimodal (bicycle, pedestrian, etc.) goals, and environmental factors, and the different interchange alternatives were refined, certain alternatives were rejected, and the balance of the alternatives were ranked. Based on this process, with Caltrans’s concurrence, three alternatives were selected, including a diamond interchange, a diverging diamond interchange, and a roundabout interchange.

A-2-4 The comment refers to the following statement in the EIR: “Caltrans has not completed this phase nor initiated the Project Approval & Environmental Documentation (PA&ED) phase. To date, the Project Study Report-Project Development Support (PSR-PDS) document includes preliminary interchange alternatives consisting of an expanded diamond interchange, a diverging diamond interchange, and a roundabout interchange”. The comment states this statement is misleading, adding that Caltrans does not have a project to improve the Interchange, that it is the developer’s responsibility to initiate Interchange improvements per the ICE analysis and “to pay for all construction improvements to mitigate all traffic impacts generated by the development within the States ROW which in this case is I-15”.

In response to Caltrans’ referenced statement in the Draft EIR, as shown below, this statement has been revised to clarify the roles of Newland Sierra and Caltrans

Comment Letter Responses

regarding the Interchange improvements, which, as explained in **Response to Comment A-2-2** above, are part of a privately-initiated Interchange improvement project to be fully funded by Newland Sierra:

As of this writing, Newland Sierra Caltrans is within the first PID phase; it ~~-Caltrans~~ has not completed this phase nor initiated the PA&ED phase. To date, the PSR-PDS document includes preliminary interchange alternatives consisting of an expanded diamond interchange, a diverging diamond interchange, and a roundabout interchange.

Even when a private party such as a developer initiates the process to build or improve a Caltrans facility such as an interchange, the three-phase process (PID, PA&ED, and PS&E phases) is still a Caltrans-controlled process and subject to Caltrans's oversight, concurrence, and approval at each step in each phase of the process, including the review and approval of the various required document submittals and technical reports, the selection of project alternatives, and the environmental review process (PA&ED Phase) with Caltrans as the "lead agency" under CEQA.

To the point that it is "the responsibility of the developer to pay for all construction improvements to mitigate all traffic impacts generated by the development within the States ROW which in this case is I-15", to the extent that feasible mitigation in the form of improvements can be identified, the County agrees it is the responsibility of the developer to pay for the improvements necessary to mitigate the project's impacts to Caltrans facilities, and the EIR has identified feasible mitigation for its impacts to the Interchange, however, no feasible mitigation exists to fully mitigate the project's impacts to the I-15 mainline. Notwithstanding, subject to Caltrans approval, the Interchange improvements would include additional ramp capacity, ramp meters, and acceleration and deceleration lanes, which would partially mitigate project impacts to the I-15 mainline.

A-2-5 The comment cites language in Draft EIR Section 2.13.1.3, Significant Direct Impacts to Freeway Segments, and states that traffic mitigation is required for this segment of the freeway on I-15, adding that the EIR statement that "there is no feasible mitigation that would reduce the identified impact to less than significant", is not acceptable and that "direct impacts are not mitigated through 'fair share'".

It is the opinion of the County that there is no feasible mitigation to fully mitigate the project's direct and cumulative impacts to the I-15 mainline and Caltrans does not currently have a plan or program in place to add capacity to the I-15 mainline segments impacted by the project in the near term to which the project could contribute to mitigate its impacts. Typically, there are not fair share payment

Comment Letter Responses

programs or mitigation options available to mitigate direct traffic impacts. As addressed in **Response to Comment A-2-4** above, the project's Interchange improvements would serve to partially mitigate project impacts to the I-15 mainline.

A-2-6 The comment states that the Draft EIR does not address impacts to the existing park and ride facilities and existing Transportation Demand Management (TDM) efforts. The comment refers to leases Caltrans has with the County related to three park and ride facilities that are either next to or in proximity to the project, including lots #33, #34, and #35 at Deer Springs Road, Mountain Meadow Road, and Gopher Canyon Road, respectively. The comment provides a brief description of the size and location of each lot.

The County acknowledges the comment and recognizes that the referenced park and ride lots currently experience capacity issues. The project would not be expected to have significant impacts to these park and ride facilities and existing TDM efforts. As part of its improvements to the Interchange, and discussed in more detail at the end of this response, the project has identified potential capacity and multi-modal enhancing improvements that could be made to the park and ride lot on the west side of the interchange adjacent to the project's entrance. These improvements are subject to Caltrans's approval through the PID process.

The project also includes a TDM Program with a broad range of measures, including a community-sponsored electric bike-share program with kiosks throughout the community, demand-responsive shuttle service that would operate within the project and with service to the Escondido Transit Center, transit subsidies for the project's residents and employees along with multimodal transportation improvements and land use strategies, including 19 miles of trails and 6 miles of bike lanes within the community and along Deer Springs Road and Twin Oaks Valley Road.

As part of its offsite road improvements to Deer Springs Road and Twin Oaks Valley Road, the project would provide continuous trail and bike lane facilities from the City of San Marcos to the project's eastern most entrance at Mesa Rock Road (i.e., effectively to the Deer Springs Road Interchange and the park and ride facility at the northwest quadrant of the Interchange). The project's proposed trail and bike facilities would then continue throughout the project along the project's backbone road system and to the project's parks and open space areas providing seamless trail and bicycle connectivity between the project's neighborhoods, park facilities, open space areas, and offsite facilities such as the park and ride lots and all the way to the City of San Marcos.

The project's Town Center neighborhood (immediately adjacent to the existing park and ride lot at the northwest quadrant of the Interchange) has been planned to

Comment Letter Responses

accommodate a future shuttle stop within a short walk of the Town Center's commercial uses as well as the park and ride lot. The Town Center would also include electric-bike kiosks. Most of the project's residents wishing to carpool from the park and ride lot at the northwest quadrant would be expected to utilize these two transportation alternatives to access the park and ride lot, thereby minimizing the need for additional parking at this park and ride lot.

Finally, the project's proposed improvements to Mesa Rock Road include realigning the road inside the project's Town Center neighborhood in a manner that would free up space to increase the size and capacity of the existing park and ride lot (in the northwest quadrant of the I-15/Deer Springs Road Interchange) to the extent that the lot could be roughly doubled in size to accommodate up to 50 parking spaces. More broadly, as part of building the interchange improvements, subject to Caltrans's evaluation and approval through the PID-PA&ED-PS&E process, the project would expand the capacity of this existing park and ride lot to include additional parking spaces, electric vehicle parking spaces, bicycle facilities, including racks, lockers, etc., where appropriate, accommodations for car-share and ride-share services, and, potentially, a shuttle or transit stop. The planning of pedestrian, bicycle, and accessible pathway improvements within the expanded park and ride lot would also be coordinated with the design of the same improvements in the project's Town Center neighborhood and bicycle and pedestrian improvements along Deer Springs Road, at the intersection of Deer Springs Road and Mesa Rock Road, and through the interchange to ensure safe and convenient access for these alternative forms of transportation.

A-2-7 The comment states that all three park and ride lots (at Deer Springs Road, Mountain Meadow Road, and Gopher Canyon Road) are at 100% plus capacity and the need for additional parking spaces is imminent, adding that expansion of all or any of the three lots would be optimal for assisting in the reduction of GHG impacts. The comment states that the three park and ride lots are in need of asphalt, restriping, lighting, and security upgrades and since the Deer Springs Road lot (lot #33) is at the entrance to the Newland Sierra project, the lot would provide a better presentation if it was upgraded.

The County agrees with the comment that the park and ride lots are operating at or above capacity, that the lots would benefit from improvements and upgrades, and that expansion of the park and ride lots could assist the County in its goal of reducing GHG impacts from transportation. As addressed in **Response to Comment A-2-6** above, the project proposes capacity and multi-modal enhancements to the Deer Springs Road park and ride lot (lot #33) as part of its proposed improvements to the Interchange.

Comment Letter Responses

A-2-8 The comment states that the project proposes a park right across the street from the existing park and ride lot at Deer Springs Road (lot #33), adding that there is no additional capacity at this lot and the project does not propose any additional parking near the park. The comment asks whether the project going to expand the park and ride lot to accommodate the Town Center park usage.

The County acknowledges the comment and the concern about parking for the park that would be across the street from park and ride lot #33 (at the northwest quadrant of the I-15/Deer Springs Road Interchange). Please see **Response to Comment A-2-6** above. Subject to Caltrans's oversight and approval, the project would increase the size and capacity and incorporate multimodal facilities at this park and ride lot as part of the project's proposed improvements to the Interchange. The project's Town Center would not be expected to generate significant demand for parking at this existing (or expanded) park and ride lot. The Town Center's commercial, school, and park uses would be required to meet County parking requirements (for patrons/customers, visitors, and employees), and street parking would be provided along many of the streets within the Town Center, thereby avoiding an "overflow" condition occurring at the park and ride lot. Through implementation of the project's TDM Program, the project's residents would not be expected to drive and park at this park and ride lot. Nevertheless, the need for additional capacity at the park and ride lot at the northwest quadrant would be addressed as part of Caltrans's three-phase process to plan, design, and construct the Interchange improvements.

A-2-9 The comment refers to park and ride and carpooling references in the EIR and states that "the Caltrans Park and Ride Coordinator should be part of the discussion regarding any coordinated communication or promotion at a park and ride facility". The County agrees with this comment. This coordination will occur as part of the Caltrans's three-phase process to plan, design, and construct the Interchange improvements.

A-2-10 The comment states that Mesa Rock Road will be expanded to a six-lane entry with a median and raises the question of how ingress and egress at the park and ride lot (lot #33) would be accommodated.

The County acknowledges the comment and the concern about ingress/egress to the park and ride lot. The project proposes to realign Mesa Rock Road internal to the project with new access roads providing direct access into and through the project's Town Center neighborhood. Access to the park and ride lot (lot #33) would be maintained as part of these improvements. The specific location of access point(s) to the park and ride lot would be addressed as part of the planning and design of the Interchange improvements. A preliminary concept of the expanded park and ride lot

Comment Letter Responses

would plan a fully improved two-way entrance/exit to the lot near the location of the existing northernmost entrance, with the new entrance being along a side street off of the realigned and improved Mesa Rock Road.

A-2-11 The comment states that the EIR states there will be no parking along Mesa Rock Road, adding that Mesa Rock Road handles the overflow parking from the park and ride lot, and asks “what plans are in place to accommodate the overflow parking”. Please see the **Response to Comment A-2-6** above. The project proposes to expand the parking capacity of lot #33 as part of its proposed improvements to the Interchange.

A-2-12 The comment is separated into three parts (a, b, and c). Part *a* refers to language on Page-2.1-1 of the EIR, pertaining to Mitigation Measure M-TR-1, stating “Caltrans is the lead agency for the 1-15 interchange improvement project” and “Caltrans will analyze the I-15 interchange improvements, and whether the existing park and ride lots should be expanded, reconfigured, and/or enhanced to support transportation alternatives (e.g., ride- share, care-share, and transit)”. The comment states that the park and ride lot at Deer Springs is owned by the County of San Diego and leased by Caltrans; therefore, it is up to the County of San Diego to decide what they are going to do with their land, adding that the Caltrans Park and Ride Program would prefer to continue with a park and ride lot on this piece of land. Part *b* states that “Caltrans should be involved in the mitigation process about the established park and ride since it is right next door to the project”, adding that the State directives and policies are to maximize mobility benefits of all facilities and transportation modes including park and ride lots, that enlarging or upgrading lot #33 to meet the needs of the traveling public would be the best decision, and including #34 (the Mountain Meadow Road park and ride lot) in this process would be even better since it is on the east side of the freeway overpass. Part *c* refers to language on page 2.1-2 of the EIR stating that Caltrans is responsible for all interchange improvements but does not address what land will be used to widen Mesa Rock Road.

The County acknowledges the comment and offers the following response. As it pertains to part *a* of the comment, the language pertaining to Mitigation Measure M-TR-1 has been revised as follows:

M-TR-1 Prior to the issuance of the certificate of occupancy for the 370th EDU, the project applicant, or its designee, shall coordinate with the California Department of Transportation (Caltrans) to ~~implement improve~~ the Interstate 15/Deer Springs Road ~~Interchange improvements to implement the lane configuration~~ ultimately selected by Caltrans as part of the

Comment Letter Responses

Caltrans subject to their PID, PA&ED, and PS&E processes required for the planning, environmental review, design, and construction of the upgraded or improved new interchange.

Subject to Caltrans concurrence, the Interchange improvements would include ramp meters, acceleration/deceleration lanes, and improvements to the existing park-and-ride facility. Newland Sierra shall provide full funding for the construction of all Interchange improvements, including costs incurred by Caltrans with regard to the associated planning, environmental review, and design of such improvements, with Caltrans serving as the lead agency for the joint environmental documents required under CEQA and NEPA.

As it pertains to who owns the land under the existing park and ride at Deer Springs Road (lot #33), the majority of lot #33 is within existing Caltrans ROW with a portion within the County's ROW. To the extent that the improvements to the Interchange include improvements and expansion of lot #33 and those improvements require additional County ROW, the County will work cooperatively with Caltrans and the project applicant to secure the required ROW and implement the improvements and expansion of the park and ride lot. Relatedly, as it pertains to who owns the land that will be used to widen Mesa Rock Road as raised in part *c* of this comment, the project applicant (Newland Sierra, LLC) owns the majority of land required for the widening and realignment of Mesa Rock Road, while the County owns a portion near the existing intersection. No existing Caltrans ROW would be used to widen and realign Mesa Rock Road.

The County agrees that Caltrans should be involved in the process of reviewing and approving the Interchange improvements, including improvements to the park and ride lots and the revisions to Mitigation Measure M-TR-1 clarify Caltrans's role in that regard. As it pertains to lot #34 (at Mountain Meadow Road and I-15), the County supports the analysis of improvements and/or enhancements to that lot being conducted as part of the PID phase underway for the Interchange improvements and lot #33.

As it pertains to part *c* of this comment, the language on page 2.1-1 and 2.1-2 of the Draft EIR, in the Aesthetics section, has been revised as follows:

Analysis of I-15 Interchange Improvements (Mitigation Measure M-TR-1)

Caltrans ~~is~~ will serve as the lead agency with purview over ~~for~~ the project's proposed I-15 interchange improvements ~~project~~. Accordingly,

Comment Letter Responses

in a separate environmental review and approval process under CEQA and the National Environmental Policy Act (NEPA), Caltrans will review and hold final approval of the environmental analysis of ~~analyze~~ the project's proposed I-15 interchange improvements, including interchange alternatives, and whether one or both of the existing park and ride lots (lots #33 and #34 at Deer Springs Road and Mountain Meadow Road, respectively) should be expanded, reconfigured, and/or enhanced to support transportation alternatives (e.g., bicycle facilities, electric vehicle charging stations, ride-share, car-share, and/or transit). This EIR identifies the I-15 interchange improvements and improvements to the park and ride lots as a mitigation measure that will be initiated and fully funded and constructed by the project (See EIR Section 2.13, Transportation and Traffic, Mitigation Measure M-TR-1 above). Because the interchange improvements are a mitigation measure, this EIR discusses the potential environmental effects of the interchange improvements as required by CEQA (see CEQA Guidelines Section 15126.4(a)(1)(D)).

In addition, evaluating the ~~Caltrans~~ interchange improvements in terms of the project's mitigation is appropriate because information concerning the interchange improvements is still under review and scoping through ~~the~~ Caltrans's PID process, including an assessment of alternatives to the interchange improvements, which affect the intersection size, configuration, disturbance zones, and other features that are needed for an overall environmental analysis. Nonetheless, this EIR endeavors to disclose all it reasonably can at this time regarding environmental effects associated with the interchange improvements.

- A-2-13** The comment refers to language on page 2.7-39 of the EIR relating to EV charging stations being added to the park and ride lot at Deer Springs Road and I-15 (lot #33), stating that the project will encourage 3% of the parking spaces to be EV charging stations, but that lot #33 only has 29 spaces, 3% of which would amount to only 1 EV charging station. The comment states that Caltrans is not the owner of lot #33, instead, the County is the owner and Caltrans is the lease holder and overseer at this location, concluding that these type of improvements would have to be discussed by Caltrans and the County.

The County agrees that the inclusion of electric vehicle charging stations would need to be discussed with Caltrans and the County. As part of any improvements to park and ride lot #33, including expansion of the park and ride, Newland Sierra will incorporate EV charging stations as deemed necessary by Caltrans in cooperation

Comment Letter Responses

with the County. As addressed in the **Response to Comment A-2-12** above, both Caltrans and the County own portions of the land used for lot #33.

A-2-14 The comment states that many sections in the EIR reference the usage of the park and ride program or the transit center and references Table 2.7-7, stating that it is specifically spelled out (in Table 2.7-7) that this project is only interested in “coordinating” or “promoting” the use of park and ride facilities. The comment states that “this is a very large project which will generate many vehicles”, and asks “why is there no financial contribution or design plan to increase the existing park and ride facilities” The comment concludes that the project should be contributing to improvements to the local park and ride lots.

The County acknowledges the comment. Please see the **Response to Comment A-2-6** above related to the project’s financial commitment to improve the park and ride lot or lots at the I-15/Deer Springs Road interchange. The County also notes that Table 2.7-7 is a list of the project’s Transportation Demand Management (TDM) measures, which are shown as Project Design Features, and that it is important to clarify the TDM measures related to the park and ride lots and the Escondido Transit Center, specifically that the project would “coordinate a ride share or shuttle system that connects the various project neighborhoods to the Town Center and to external transit facilities and resources such as the park and ride lots and the Escondido Transit Center”, would be implemented once the project has reached a level of occupancy that would support shuttle services and ride-share programs. This would be well after the interchange improvements and related improvements to the park and ride lot or lots (lots #33 and #34) have been completed. Therefore, the project is not proposing to only coordinate and promote the use of the park and ride facilities, subject to Caltrans’s review and approval, the project would expand and enhance the park and ride lot or lots at the interchange as part of the Interchange improvements for the project and work with the County, Caltrans, and NCTD to coordinate the project’s shuttle services and support for car-share and ride-share programs with these agencies in a manner that optimized the benefits of these alternative modes of travel.

A-2-15 The comment refers to County General Plan Mobility Element Goal M-8, Policy M-8.6, stating the following:

- **Goal M-8 Public Transit System.** A public transit system that reduces automobile dependence and serves all segments of the population.
 - **Policy M-8.6 Park and Ride Facilities.** Coordinate with SANDAG, Caltrans, and tribal governments to study transit connectivity and address improving regional opportunities for park and ride facilities and transit

Comment Letter Responses

service to gaming facilities and surrounding rural areas to reduce congestion on rural roads.

The comment states that, “according to the plan in the Newland Sierra project, there will be no parking on Mesa Rock Road” and raises a concern about where buses that go to the gaming facilities (casinos) would park, adding that, “if the park and ride lots are to possibly be used for transit service, to gaming facilities, the structure of the asphalt needs to be evaluated for durability of usage.”

The County acknowledges the concern raised in the comment about transit services to the project and to the park and ride lots. No transit agency currently operates any bus or shuttle service that stops at the Deer Springs Road park and ride lots. NCTD recently discontinued BREEZE Route 389, which provided service to the Pala Casino and stopped at the Escondido Transit Center and the I-15/SR 76 park and ride lot. Riverside Transit Agency (RTA) currently operates Route 217 with service between Mt. San Jacinto College and the Escondido Transit Center. However, neither NCTD Route 389 nor RTA Route 217 has ever included a stop at I-15/Deer Springs Road park and ride lots. Nevertheless, in anticipation that one or both of these transit agencies and/or SANDAG’s Bus Rapid Transit (BRT) service would incorporate the Deer Springs Road Interchange/exit as a stop on their route(s) in the future, the project’s Town Center neighborhood includes space for a bus/shuttle stop just inside the Town Center and immediately adjacent to and outside of the existing park and ride lot (lot #33). The location for this bus/shuttle stop inside the Town Center would not impact the ability to expand the existing park and ride lot. Thus, should any transit agency decide to provide shuttle or bus service along I-15 with a stop at Deer Springs Road, the project has made accommodations inside its Town Center neighborhood to support these potential future services and no impacts would occur to the park and ride facilities.

A-2-16 The comment refers to County General Plan Mobility Element Goal M-9, Policy M-9.4, stating the following:

- **Goal M-9 Effective Use of Existing Transportation Network.** Reduce the need to widen or build roads through effective use of the existing transportation network and maximizing the use of alternative modes of travel throughout the County.
 - **Policy M-9.4 Park and ride Facilities.** Require developers of large projects to provide, or to contribute to, park and ride facilities near freeway interchanges and other appropriate locations that provide convenient access to congested regional arterials. Require park and ride

Comment Letter Responses

facilities that are accessible to pedestrians and bicyclists, and include bicycle lockers and transit stops whenever feasible.

The comment asks “what contribution is being provided (to the park and ride facilities)”. Please see the **Response to Comment A-2-6** above.

A-2-17 The comment refers to County General Plan Mobility Element Goal M-10, Policy M-10.1, stating the following:

- **Goal M-10 Parking for Community Needs.** Parking regulations that serve community needs and enhance community character.
 - **Policy M-10.1** Parking Capacity. Require new development to:
 - Provide sufficient parking capacity for motor vehicles consistent with the project’s location, use, and intensity
 - Provide parking facilities for motorcycles and bicycles
 - Provide staging areas for regional and community trails

The comment asks where the staging areas are in this project for regional and community trails.

The project includes 19 miles of trails and multi-use pathways along with passive recreational facilities and staging areas at various locations throughout the project and along offsite roads that the project would improve, including Deer Springs Road, Sarver Lane, and Twin Oaks Valley Road. In the project’s Town Center neighborhood, the project proposes multiuse pathways, bike lanes, and traditional sidewalks to support these forms of mobility. For more specific details on these facilities, including the location of staging areas, please refer to the Newland Sierra Specific Plan (Appendix C of the EIR). As addressed in the **Response to Comment A-2-6**, the planning of pedestrian, bicycle, and accessible pathway improvements within the expanded park and ride lot would also be coordinated with the design of the same improvements in the project’s Town Center neighborhood and bicycle and pedestrian improvements along Deer Springs Road, at the intersection of Deer Springs Road and Mesa Rock Road, and through the interchange to ensure safe and convenient access for these alternative forms of transportation.

Comment Letter Responses

A-2-18 The comment refers to language on page 2.13-56 of the EIR, Section 2.13.8, “Consistency with Applicable Plans, Policies, and Ordinances” and raises the following questions and comments:

- a. “A park and ride lot is referred to in paragraph 3. Is this referring to the existing #33-Deer Springs Park and Ride or an additional lot in the project plans?”
- b. “How is the applicant ‘actively working’ with Caltrans to expand the existing park and ride facility?”
- c. “In order to include bicycle lockers at a Caltrans park and ride, coordination will need to include SANDAG (iCommute), Caltrans Bike Coordinator (Seth Cutter), and the Park and Ride Coordinator (Carlena Darrieulat).”

The County acknowledges the questions and comments. Please see the responses above to related comments. The language in the referenced EIR section is referring to park and ride lot #33 and the Newland Sierra has initiated a three-phase process with Caltrans to study Interchange improvement alternatives and, through the same process, improvements to the park and ride lots, analyze the environmental impacts of the alternatives, and to select, design, fund, and construct the Interchange and related park and ride improvements. Coordination with SANDAG commuter and bike programs is addressed through this three-phase process with Caltrans. Beginning in 2014, meetings and conversations have occurred with SANDAG, NCTD, the County, and Caltrans on a wide range of issues related to transportation facilities (e.g., park-and ride facilities), TDM programs, transit services, the process of planning and designing the Interchange improvements and other related issues.

A-2-19 The comment refers to County General Plan Mobility Element Goal M-8, Public Transit System, stating the following:

- **Goal M-8 Public Transit System.** A public transit system that reduces automobile dependence and serves all segments of the population.

The comment states that “with the project's location so close to the #33-Deer Springs Road and #34-Mountain Meadows Road Park and Ride lots, expansion of the lots would encourage increased park and ride lot usage since the (project) is willing to support and encourage the usage of the lots” and asks how and where are the existing park and ride lots being incorporated into the Town Center design for expansion.

The County acknowledges the comment. Please see the responses to previous comments above, which raise similar questions about the relationship of the project to the park and ride lots at the Interchange and how the project would address expansion

Comment Letter Responses

and improvements at the park and ride lots through the process of planning, designing, and constructing the Interchange improvements.

- A-2-20** The comment refers to Chapter 3 of the EIR, Effects Not Found to be Significant, states that both park and ride facilities, lots #33 and #34, are already at maximum capacity, and that the project has potential to overtask the operations of both of these park and ride lots. The comment concludes with the question of why lot #33 is not being included in the project for mitigation improvements in light of the park and ride lot's proximity to the proposed Town Center.

The County acknowledges the concern raised in the comment and notes that, as stated in previous responses to comments above, the project has identified improvements to lot #33 that the project would implement as part of the Interchange improvements. Please see the **Response to Comment A-2-6** above. As it pertains to the potential for the project to overtask the park and ride lots at the Interchange, it is the County's opinion that by implementing the project's TDM Program, specifically the project's shuttle service and other mobility alternatives, the project is not expected to generate a significant demand for parking at park and ride lots #33 or #34.

- A-2-21** The comment states that "(a)ll environmental analysis and mitigation measures recommended for the Interstate 15/Deer Springs Road Interchange Improvements Project (I-15/Deer Springs) should not be directed towards Caltrans," that "(t)he interchange improvements are a direct result of anticipated traffic congestion and cumulative impacts from the Newland Sierra development", and that "(t)he future I-15/Deer Springs project is proposed and funded by the County of San Diego and private development with Caltrans providing oversight as the CEQA/NEPA lead agency". The comment concludes that the "responsibility for environmental analysis, technical studies, and mitigation relating to the potential impacts to the I-15/Deer Springs project should not be prematurely assigned to Caltrans but rather addressed as part of the Newland Sierra Project in the DEIR".

In response to Caltrans' concerns, it is the County's position that the Interchange project's environmental effects are currently under consideration as part of Caltrans's three phase process, and Caltrans will be the lead agency under CEQA and NEPA for the environmental compliance required for that project. As to funding, by the 2014 Agreement, the Project applicant has committed to be solely responsible for all expenses incurred in Caltrans's three phase process, including costs to reimburse Caltrans for its staff time throughout the process. The project applicant also has committed to fund the construction of the Interchange project, if approved by Caltrans.

Comment Letter Responses

Second, and in any case, the County's Draft EIR provides environmental analysis of the Interchange project as *mitigation* for the Project. Specifically, the Interchange is one of the mitigation measures set forth in the Draft EIR, Section 2.13, Transportation and Traffic, Mitigation Measure **M-TR-1**, p. 2.13-105. Under CEQA, if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure must be discussed, but in less detail than the significant effects of the project as proposed. (See 14 Cal. Code Regs., § 15126.4(D).)

The Draft EIR provides the requisite analysis of the Interchange improvements by disclosing all it reasonably can at this time regarding the environmental effects associated with such improvements. For example:

- **Aesthetics.** The Draft EIR, Section 2.1, evaluates potential impacts to aesthetics and visual resources of the Sierra Project, and includes an evaluation of the visual impacts of the Interchange improvements. (See Draft EIR, Section 2.1, Aesthetics, pp. 2.1-27, 2.1-42, Figures 2.1-4 and 2.1-6.)
- **Agricultural Resources.** The Draft EIR, Section 2.2, analyzes potential significant impacts to agricultural resources resulting from implementation of the Sierra project, including off-site improvements such as the Interchange improvements. (See Draft EIR, Section 2.2, Agricultural Resources, pp. 2.2-10-11, 2.2-18.)
- **Air Quality.** The Draft EIR, Section 2.3, analyzes the potential air quality impacts resulting from the Sierra Project, including impacts associated with the construction and operation of the Interchange improvements. (See Draft EIR, Section 2.3, Air Quality, pp. 2.3-22-23, 2.3-26, 2.3-37.)
- **Biological Resources.** The Draft EIR, Section 2.4, evaluates biota impacts of the Sierra Project, including the Interchange improvements. (See Draft EIR, Section 2.4, Biological Resources, pp. 2.4-46-48, 2.4-69-70, 2.4-123.)
- **Cultural Resources.** The Draft EIR, Section 2.5, evaluates the potential impacts to cultural resources resulting from the Sierra Project, including the Interchange improvements. (See Draft EIR, Section 2.5, Cultural Resources, pp. 2.5-39, 2.5-41, 2.5-56.)
- **Geology, Soils, and Seismicity.** The Draft EIR, Section 2.6, analyzes the potential geology, soils, and seismicity impacts of the Sierra Project, including the Interchange improvements. (See Draft EIR, Section 2.6, Geology, Soils, and Seismicity, pp. 2.6-11, 2.6-18, 2.6-22.)
- **Greenhouse Gas Emissions.** The Draft EIR, Section 2.7, evaluates the Sierra Project's potential global climate change and GHG emissions impacts, and

Comment Letter Responses

addresses the construction and operational impacts of the Interchange improvements. (See Draft EIR, Section 2.7, Greenhouse Gas Emissions, pp. 2.7-34, 2.7-36.)

- **Hazards and Hazardous Materials.** The Draft EIR, Section 2.8, evaluates potential significant wildfire hazards, hazardous materials, emergency response plans, and vector impacts of the Sierra Project, including those associated with the Interchange improvements. (See Draft EIR, Section 2.8, Hazards and Hazardous Materials, pp. 2.8-21, 2.8-26, 2.8-31, 2.8-36.)
- **Mineral Resources.** The Draft EIR, Section 2.9, evaluates the potential for significant impacts to mineral resources associated with the Sierra Project, including those associated with the Interchange improvements. (See Draft EIR, Section 2.9, Mineral Resources, pp. 2.9-9.)
- **Noise.** The Draft EIR, Section 2.10, evaluates potential noise and vibration impacts resulting from development of the Sierra Project, including off-site construction associated with improvements to the Interchange. (See Draft EIR, Section 2.10, Noise, pp. 2.10-19-20, 2.10-33-34.)
- **Paleontological Resources.** The Draft EIR, Section 2.11, analyzes the Sierra Project's potential impacts to paleontological resources, including those associated with the Interchange improvements. (See Draft EIR, Section 2.11, Paleontological Resources, pp. 2.11-6, 2.11-10.)
- **Population and Housing.** The Draft EIR, Section 2.12, analyzes the Sierra Project's physical impacts with regard to increases in population levels and the housing stock with implementation of the proposed project, and addresses the I-15 interchange improvements. (Draft EIR, Section 2.12, Population and Housing, pp. 2.12-9-11.)
- **Utilities and Service Systems.** The Draft EIR, Section 2.14, evaluates the Sierra Project's potential significant impacts on utilities and service systems resulting from implementation of the project, and addresses the Interchange improvements. (See Draft EIR, Section 2.14, Utilities and Service Systems, pp. 2.14-48-49, 2.14-52, 2.14-59, 2.14-65.)
- **Energy.** The Draft EIR, Section 3.1, analyzes the Sierra Project's potential energy impacts, and includes the construction of the Interchange improvements in its analysis. (See Draft EIR, Section 3.1, Energy, pp. 3.1-11-12.)
- **Hydrology and Water Quality.** The Draft EIR, Section 3.2, evaluates the Sierra Project's potential impacts on hydrology and water quality, and

Comment Letter Responses

addresses the Interchange improvements. (See Draft EIR, Section 3.2, Hydrology and Water Quality, pp. 3.2-18, 3.2-23.)

- **Land Use and Planning.** The Draft EIR, Section 3.3, evaluates the Sierra Project's potential land use impacts, and analyzes the Interchange improvements. (See Draft EIR, Section 3.3, Land Use and Planning, pp. 3.3-20, 3.3-27, 3.3-45.)
- **Parks and Recreation.** The Draft EIR, Section 3.4, analyzes the Sierra Project's potentially significant on- and off-site recreational opportunities, and addresses the Interchange improvements. (See Draft EIR, Section 3.4, Parks and Recreation, p. 3.4-11-12.)
- **Public Services.** The Draft EIR, Section 3.5, evaluates changes to the environment resulting from the provision of public services to the Sierra project, and addresses the Interchange improvements. (See Draft EIR, Section 3.5, Public Services, p. 3.5-19.)

Caltrans will conduct its own independent environmental review of the Interchange project, including all such feasible alternatives and mitigation, as part of its PA&ED phase. The PA&ED phase will evaluate the potential impacts of each Interchange alternative/configuration, select the preferred Interchange configuration (a Caltrans decision), and develop the final mitigation for the chosen Interchange configuration. The County understands that Newland Sierra also has acknowledged to Caltrans its responsibility to pay the costs of the identified, feasible mitigation required by Caltrans.

Additionally, the Interchange improvements are not necessitated solely by the Newland Sierra Project. Whether the project is developed or not, traffic volumes along I-15 and through the Interchange are forecasted to grow as the County and North San Diego County cities such as San Marcos, Escondido, and Vista continue to grow, which means that the Interchange would likely require capacity enhancing improvements at some point in the future independent of the project.

Finally, the Interchange project is not part of the Newland Sierra Project; instead, the Interchange is identified by the County as *mitigation* to project impacts. The Draft EIR has evaluated the impacts of the separate Interchange project, but it remains a separate project subject to its own NEPA/CEQA environmental review — with Caltrans serving as the lead agency. Furthermore, and in any case, the County has determined it is not possible at this time to fully analyze the environmental impacts and develop mitigation for the Interchange improvements until the PID and PA&ED phases are completed. During the PA&ED phase, Caltrans will require Newland Sierra to further analyze the environmental impacts of each Interchange

Comment Letter Responses

alternative/configuration, a preferred Interchange configuration will be selected by Caltrans, and all feasible mitigation measures will be identified.

A-2-22 The comment states that additional environmental analysis and technical studies will be required for work within Caltrans ROW, that a Preliminary Environmental Analysis Report (PEAR) will be prepared for the I-15/Deer Springs project, that analysis should state the required technical studies along with potential impacts and avoidance, minimization, and mitigation measures for the Interchange improvements.

The County agrees with this comment. As stated above, the Draft EIR, to the extent that impacts can reasonably be determined, already includes analysis of impacts and mitigation for the construction of the Interchange improvements. Additional environmental analysis will be conducted and supporting technical studies will be prepared during the PA&ED phase.

A-2-23 The comment states that the Interchange project will modify access to the Interstate 15 ramps and, therefore, compliance with the National Environmental Policy Act (NEPA) and other federal regulations will also be required. The County agrees with this comment. The Interchange project will be subject to a combined CEQA/NEPA process.

A-2-24 The comment provides a list of potential resources within the Caltrans right-of-way that may be directly or indirectly impacted by the interchange improvements and recommends that impacts to these resources, as well as avoidance, minimization, and/or mitigation measures, be included in the DEIR analysis:

- Community Character and Cohesion
- Cultural Resources
- Water Quality
- Paleontological Resources
- Hazardous Waste/Materials
- Air Quality
- Noise
- Biological Resources including Wetlands
- Traffic
- Cumulative Impacts

Comment Letter Responses

The County acknowledges the comment. Please see our **Responses to Comments A-2-21, A-2-22, and A-2-23** above. To the extent that impacts from the Interchange improvements can be determined at this phase, the Draft EIR has conducted analysis and mitigation of the Interchange project as *mitigation* for the proposed project. Additional analysis necessarily will be required during the Caltrans PA&ED phase of the Interchange project.

- A-2-25** The comment states that any work performed within Caltrans ROW will require discretionary review and approval and an encroachment permit issued by Caltrans. The comment states that, as part of the encroachment permit process, the applicant must provide an approved final environmental document, including the CEQA determination addressing any environmental impacts within Caltrans ROW, and any corresponding technical studies, adding that, if these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. The comment states that identification of avoidance and/or mitigation measures will be a condition of the encroachment permit approval, as well as procurement of any necessary regulatory and resource agency permits, and that encroachment permit submittals that are incomplete can result in significant delays in permit approval.

The County agrees with this comment. All necessary engineering approvals and permits will be obtained by the project applicant prior to any work being initiated on the Interchange project. The project applicant is also expected to work closely with Caltrans throughout the PS&E phase to prepare engineering documents, construction schedules, traffic control plans and measures, and to work through related issues prior to and throughout the construction process. The Caltrans PS&E phase will necessarily follow completion of the Caltrans PA&ED phase, where the final CEQA/NEPA environmental document may be certified by Caltrans and this document, along with supporting technical studies, will be included with the encroachment permit application as required by Caltrans.

- A-2-26** The comment states that improvement plans for construction within State Highway ROW must include the appropriate engineering information consistent with the state code, and be signed and stamped by a professional engineer registered in the State of California. The comment references the Caltrans Permit Manual, which contains a listing of typical information required for project plans, states that all design and construction must be in conformance with the Americans with Disabilities Act (ADA) requirements, and that any modifications to access and ROW of Interstate facilities will require approval of the Federal Highway Administration (FHWA).

The County agrees with this comment. All design and construction of the Interchange improvements will comply with ADA requirements, as well as other applicable state and federal codes and regulations. These requirements and any approvals required by

Comment Letter Responses

other agencies such as the FHWA will be addressed during the Caltrans PS&E phase of the Interchange project.

- A-2-27** The comment is a brief closing paragraph. The County acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, the County provides no further response to this comment.