

**LILAC HILLS RANCH
FEIR GLOBAL RESPONSES
SIGNIFICANT AND UNAVOIDABLE IMPACTS TO I-15**

This global response responds to comments submitted on the Draft REIR regarding the identified significant cumulative impacts to Interstate-15 (I-15) and the FEIR's conclusion that mitigation is infeasible and, therefore, the impacts are significant and unavoidable.

I. Necessary Mitigation Is Additional Mainline Capacity

The FEIR determined that the proposed project would contribute to a significant cumulative impact along I-15 between the Riverside County boundary and SR-78; I-15 is a Caltrans facility. (FEIR, subchapter 2.3; Lilac Hills Ranch Traffic Impact Study (June 3, 2014) [FEIR Appendix E] (TIS), Table 6.5, Figure 4-14A.) The analysis further shows that the highest number of daily trips the project would add would be 4,580 daily trips to the segment of I-15 between Gopher Canyon Road and Deer Springs Road. (FEIR Table 2.3-13; TIS Table 6-5.Id.) Under build-out cumulative conditions, this segment of the freeway is projected to carry 167,120 average daily trips (ADT) including project traffic. (Id.) The project would contribute 2.7% of the overall traffic volume (4,580/167,120) and result in a significant cumulative impact.

In order to mitigate the identified impact to below a level of significance and achieve acceptable level of service (LOS) D or better, freeway mainline capacity would need to be increased by widening the freeway from the current 4 lanes in each direction to 5 or more lanes in each direction. (See **Attachment A** for supporting technical analysis.)

II. Additional Mainline Capacity Is Infeasible

Under the California Environmental Quality Act ("CEQA"), a public agency must mitigate or avoid a significant environmental impact *when feasible* (Pub. Resources Code, §21002.1, subd. (b)). However, the mitigation of extrajurisdictional traffic impacts (i.e., impacts outside of the jurisdiction and control of the lead agency) is not feasible where the public agency has no jurisdiction over the impacted roadways, and there is no enforceable plan or program in place to assure the impacted roadways will actually be mitigated. In such a situation, extrajurisdictional impacts are significant and unavoidable, and the project proponent is not required to provide funding towards improvements. (*Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 936; see also *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1189 [to be adequate, mitigation fees must be part of a reasonable, enforceable plan of actual mitigation that the relevant agency commits itself to implementing; the plan must be sufficiently tied to the actual mitigation of the traffic impacts at issue].

In this case, the impacted facility (I-15) is outside of the jurisdiction and control of the County, and, as shown below, there is no enforceable plan or program in place into which the project could contribute a pro-rata payment that would assure the necessary improvements would be constructed within the necessary timeframe, i.e., before the cumulative impact occurs.

The San Diego Association of Governments (SANDAG) 2050 Regional Transportation Plan (2050 RTP), which is the long-range transportation plan for San Diego County, includes in its revenue constrained scenario the addition of 4 toll lanes (2 in each direction) on the I-15 between SR-78 and the Riverside County Boundary. (2050 RTP (http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf), Appx. A, pp. A-5 and A-9.)

However, the improvement is not planned to be built until sometime between 2040 and 2050. (2050 RTP, Appx. A, Table A.3, Phased Highway Projects for Revenue Constrained Plan, p. A-19.) Additionally, although the cost of the improvement has been estimated at \$1,005 Million in 2010 dollars (i.e., \$1.005 Billion), no specific secured funding sources are identified in the RTP.

Accordingly, even if funding were to be identified and available, the improvements would not be in place in time to mitigate the identified cumulative impacts, which would occur under 2020 cumulative conditions. (TIS, p. 229.) Moreover, Caltrans has no funding program in place for the necessary I-15 improvements into which the project could pay a fair-share amount. As such, mitigation that would assure construction of the improvements necessary to mitigate the identified significant cumulative impact is infeasible.

Caltrans does not dispute this conclusion, recognizing that no mitigation program, which the EIR could rely upon, is currently in place to implement the necessary improvements, and that based on the 2050 RTP, improvements to the I-15 are not planned to be in place until sometime between 2040 and 2050. (Letter, Jacob Armstrong to Mark Slovick, October 22, 2014)

III. Suggested Mitigation Is Infeasible; Trip-Reducing Project Features

One of the comments suggested that the proposed project provide funding for either expanded transit services to link to the SANDAG transit system, construction of expanded bus rapid transit lanes, and/or expanded Park n' Ride facilities. However, such improvements are evaluated in terms of needs and alternatives by both SANDAG and the transit operating agency, in this case the North County Transit District (NCTD). In this regard, the suggested measures are not included in any SANDAG/NCTD approved developer fee plan or program. As there is no program into which the project could contribute a fairshare amount, these potential mitigation measures are infeasible.

However, in an effort to reduce project vehicle trips, an interim private on-demand transit service would be established as part of the project to facilitate resident access to I-15 transit services and transportation demand management (TDM) facilities until the necessary transit linkage is available. (Lilac Hills Ranch Specific Plan (June 2014) (Specific Plan), Section III, Development Standards and Regulations, pp. III-11 to III-12; see also FEIR, Table 1-3, Additional Project Considerations.) This privately operated transit service would be funded through homeowner association (HOA) fees, would be available to all project residents, and would provide residents with a connection between the project site and nearby transit hubs. (Id.) The service would be an "on demand" service provided upon Project build-out that would terminate when a transit linkage is provided by the local transit district. (Id.) Rides would be subsidized on commercially available services such as taxis and/or shuttle vans, with pick-ups and drop-offs at a central location within the Project site. (Id.)

In addition, the project also includes a requirement that a TDM program be implemented to foster alternative modes of transportation. (Specific Plan, pp. III-11 to III-12; see also, FEIR Table 1-3, Additional Project Design Considerations.) As detailed in the Specific Plan, the TDM is to include the following aspects:

- Implement a ride-share program with transit vouchers.
- Implement bicycle circulation improvements to improve internal bicycle circulation and encourage the usage of bicycles to include requiring provision of bicycle parking

facilities, including the secured bicycle parking facilities in specific locations as specified in this Specific Plan.

- Promote Carpool/Vanpool programs, which may include a Senior Transportation service.
- Promote available websites providing transportation options for residents and businesses.
- Create and distribute a "new resident" information packet addressing alternative modes of transportation.
- Promote programs to encourage workplace peak hour trip reduction, including staggered work hours, regional ride-matching services, and tele-commuting.
- When transit routes are extended to the Community, participate in providing the necessary transit facilities, such as bus passes, shelters, signs, lighting, and trash receptacles.
- Coordinate with NCTD as to the future sighting of transit stops/stations within the project site. As the project is built-out, the NCTD may adjust routes and services to meet the needs of the growing community. The project would allocate a site for public transportation within the Town Center. The applicants will continue to coordinate with NCTD and MTS regarding potential transit options for the project site.

(Specific Plan, pp. III-11 to III-12.)

In conclusion, the improvements necessary to mitigate the identified significant cumulative impacts to I-15 are infeasible and, therefore, the impacts remain significant and unavoidable. However, as part of the project, implementation of an on-demand transit service and TDM program will serve to reduce project vehicle trips to the extent feasible.

**Lilac Hills Ranch
I-15 Improvements Infeasible Global Response**

Attachment A

MINIMUM NUMBER OF LANES PER DIRECTION TO ACHIEVE LOS D on I-15

Source: Chen Ryan Associates; September 2014

Freeway	Segment	ADT	Peak Hour Percent	Peak Hour Volume	Directional Split	Minimum # of Lanes Per Direction	Existing # of Lanes	PHF	HVF	Volume (pc/h/ln)	V/C	LOS
I-15	Riverside County Boundary to Old Highway 395	203,380	8.4%	17,182	0.64	6	4	0.95	6.75%	1,980	0.843	D
	Old Highway 395 to SR-76	239,120	7.4%	17,789	0.73	7	4	0.95	6.75%	2,023	0.861	D
	SR-76 to Old Highway 395	169,920	7.8%	13,291	0.69	5	4	0.95	8.40%	1,999	0.850	D
	Old Highway 395 to Gopher Canyon Rd	167,800	8.1%	13,551	0.67	5	4	0.95	8.40%	1,985	0.845	D
	Gopher Canyon Rd to Deer Springs Rd	167,120	8.1%	13,496	0.67	5	4	0.95	13.20%	2,023	0.861	D
	Deer Springs Rd to Centre City Pkwy	166,530	8.0%	13,379	0.66	5	4	0.95	13.20%	1,995	0.849	D
	Centre City Pkwy to El Norte Pkwy	157,730	8.0%	12,672	0.66	5	4	0.95	13.20%	1,889	0.804	D
	El Norte Pkwy to SR-78	171,720	7.9%	13,516	0.66	5	4	0.95	10.00%	1,986	0.845	D

Notes: ADT - Average Daily Trips
 PHF - Peak Hour Factor
 HVF - Heavy Vehicle Factor
 pc/h/ln - Passenger Cars per Hour per Lane