

California Department of Transportation

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June 16, 2021

11-SD- I-805
PM 4.4
Sunbow II, Phase 3 DEIR
SCH #2020110148

Ms. Stacey Kurz
Senior Project Coordinator
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Dear Ms. Kurz:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Sunbow II, Phase 3 Draft Environmental Impact Report (DEIR). The proposed project is located near Olympic Parkway and Interstate 805 (I-805). The mission of Caltrans is to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Traffic

A significant VMT impact was identified in the project's *March 2021-Transportation Impact Analysis (TIS)*. The TIS proposes the use of an Adaptive Traffic Signal Control (ATSC) as one of the project's mitigations. Caltrans recommends that the ATSC be implemented as a mitigation instead of only contributing towards a fair share.

Verification with Caltrans Signal Operations branch will be required to ensure the proposed Adaptive Traffic Signal Control (ATSC) mitigation method will function as proposed at intersection number 1- Orange Avenue/I-805 Southbound Ramps and intersection number 2 - Olympic Parkway/I-805 Northbound Ramps.

The project will produce substantial impacts at intersection 1 and 2. If the signals are already optimized, and if the ATSC will not be implemented or will not function as a proposed mitigation, Caltrans recommends other improvements. Please consider the following:

- Extend the left turn lanes for the southbound I-805 off-ramp to E. Orange Avenue at intersection number 1.
- Extend the right turn lanes at the northbound I-805 off-ramp to Olympic Parkway at intersection number 2.
- Both improvements would add storage for the additional trips being generated from the project.

As part of the TIS, please provide an existing storage and queue length table for all scenarios at intersections 1 and 2. (existing, existing + project, existing + project + cumulative, near-term 2024 and long-term 2035). See table below as an example.

EXISTING INTERSECTION QUEUE SUMMARY

<u>Intersection</u>	<u>Movement</u>	<u>Peak Hour</u>	<u>Existing</u>	
			<u>Storage</u>	<u>Queue Length</u>
Intersection name	<u>EBL</u>	<u>AM</u>	<u>165'</u>	<u>130'</u>
		<u>PM</u>		<u>162'</u>
	<u>SBL</u>	<u>AM</u>	<u>280'</u>	<u>113'</u>
		<u>PM</u>		<u>277'</u>
	<u>SBR</u>	<u>AM</u>	<u>70'</u>	<u>113'</u>
		<u>PM</u>		<u>124'</u>

Signal Operations

The signal timing sheets marked 'Do Not Duplicate' are not to be duplicated or included in the report. They need to be removed from the TIS, and any copies needed should be requested from Caltrans.

The Traffic Impact Analysis needs to show the impact to the I-805 off ramps with the proposed adaptive system. Adaptive systems do not add capacity, so the report must include the additional capacity needed and how this storage will be obtained. Also, please add a discussion of whether the segment is saturated and how these conditions will be mitigated.

Complete Streets and Mobility Network

The City of Chula Vista Active Transportation Plan, approved in May 2020, identifies class II bicycle lanes for Orange Avenue and Olympic Parkway.

The existing conditions for active transportation infrastructure at Orange Avenue/Olympic Parkway and I-805 interchange includes transverse crosswalk markings and narrow shoulders that are not clearly marked as bicycle lanes.

There are improvements that will enhance the pedestrian and bicycle infrastructure at this location and that will also complement the traffic signal improvements.

These active transportation improvements at the Orange Avenue/Olympic Parkway and I-805 interchange include (but are not limited to):

- Pedestrian and bicycle signage
- Enhanced visibility crosswalks
- Lane width reductions and other roadway striping reconfigurations to create wider class II bicycle lanes and improved bicycle facility approaches to the interchange
- Bicycle detection at traffic signals
- Green pavement markings for bicycle lanes

Right-of-Way

Any work performed within Caltrans' Right-of-Way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

If you have any questions, please contact Roger Sanchez at (619) 987-1043 or by email at roger.sanchez-rangel@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development and Intergovernmental Review

Responses to Caltrans Letter on Sunbow II, Phase 3 Environmental Impact Report, dated June 16, 2021

Traffic and Signal Operations

This comment states that the project's Transportation Impact Analysis (TIA) identifies a significant vehicle miles travelled (VMT) impact. The comment further states that use of adaptive traffic signal control (ATSC) is proposed as mitigation. As discussed in the TIA, the project would exceed the VMT threshold by 1.4% (refer to Table 5-1 of the TIA). However, through implementation of CAPCOA measure *LUT-1: Increase Density*, the project VMT calculated via the proxy site would be reduced by 8%, thereby reducing project VMT below the significance threshold. The TIA does not propose ATSC as mitigation for VMT impacts.

The CEQA Guidelines and relevant case law provide that: "a lead agency for a project has the authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirement such as the 'nexus' and 'rough proportionality' standards established by case law." CEQA Guidelines 15041. See also *Nollan v. California Coastal Comm'n* 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Cities cannot include the cost attributable to existing deficiencies in public facilities but may include the cost attributable to the increased demand for public facilities reasonably related to the development project. (Gov't Code Section 66001(g).) The City cannot require the entire ATSC to be installed by the applicant or the other improvements listed in the letter because the project's effects are resolved by the applicant's payment of the TDIF fees. There is no nexus for the conditions requested by Caltrans and therefore cannot be legally imposed by the City.

CEQA Guidelines section 15064.3, which implements SB 743, establishes VMT as the most appropriate measure of transportation impacts, resulting in a shift away from the level of service (LOS) analysis that evaluated a project's impacts on traffic conditions and traffic delay on nearby roadways and intersections. SB 743 stated that upon certification of the CEQA Guidelines by the California Natural Resources Agency, "automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment" pursuant to CEQA. See CEQA Guidelines Section 15064.3 that specifically establishes that a project's effect on automobile delay shall not constitute a significant environmental impact. Under CEQA a significant impact must exist for mitigation to be required. Intersection delay does not constitute a significant impact, therefore the ATSC (and the other Caltrans suggested conditions) cannot be mitigation measures.

As part of the TIA, a project-specific Local Mobility Analysis (LMA) was prepared that focuses on automobile delay/LOS. The LOS analysis was conducted to identify roadway deficiencies in the project study area and recommend project improvements to address such deficiency. The LMA was prepared for existing plus project conditions, near-term without project conditions, near-term with project conditions, and year 2035 conditions. The City's goal for acceptable levels of service is generally LOS D or better at signalized and unsignalized intersections and LOS C along roadway segments. The LMA is a City requirement for transportation analysis that is not tied to CEQA; therefore, implementation of measures to address LOS-related effects does not constitute CEQA mitigation.

The LMA determined that the project would result in effects associated with unacceptable LOS under the General Plan LOS standards. While Olympic Parkway is built-out and the provision of additional lanes is considered physically infeasible, it is recommended that payment of the City's Transportation Development Impact Fee (TDIF) should be applied towards other planned network enhancements included in the Eastern

TDIF program that would reduce traffic on Olympic Parkway. The majority of the ADTs on Olympic Parkway are lower under Year 2035 model conditions (which assumes buildout of the City's General Plan Circulation Element and includes Project traffic) as compared to the Existing ADTs, counted in January 2020. Table 17-1 of the TIA shows that, on average, the Year 2035 traffic volumes are 6.1% lower as compared to the Existing ADTs, which supports the assertion that the contribution of TDIF funds towards other planned network enhancements included in the Eastern TDIF study will reduce the amount of traffic on Olympic Parkway, thereby addressing the Project's substantial cumulative effect identified in the LMA.

In addition, it is recommended that the project provide a fair share contribution toward the provision of ATSC modules to each signalized intersection along the Olympic Parkway corridor between the I-805 Ramps and La Media Road (refer to Appendix K for further details). These TDIF and other requirements associated with LOS deficiencies would be included as part of the project's conditions of approval, outside of this EIR. However, as noted above, there is no nexus for installing the entire ATSC system or the other conditions requested by Caltrans and therefore cannot be legally imposed by the City.

In light of the above discussion, neither the additional queueing analysis nor the requested physical ramp improvements are within the scope of CEQA. As there is no significant CEQA impact resulting from this project, the TIA does not need to include a queueing analysis of the I-805 off ramps. In summary, the information and issues raised by this letter revolve around delay/LOS, which is no longer a valid measure of impacts that are to be analyzed in a traffic study. See CEQA Guidelines Section 15064.3.

Signal Operations

The signal timings sheets will be removed from the appendices.

Complete Streets and Mobility Network and Right-of-Way

These comments provide information and do not raise an issue regarding the adequacy of analysis contained in the EIR or TIA.