

# STAFF MEMO-ATTACHMENT 5

## RESPONSE TO COMMENT LETTER (SAVE OUR COUNTY)

Save Our County Letter – Dated 1/11/18

### Response 1

See Master Response 1 of the Final EIR, for a full discussion of traffic impacts and mitigation measures. The intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive would only operate at an unacceptable condition under near-term (2027) cumulative conditions. However, following the Court's ruling in the Measure E litigation, the near-term cumulative conditions analysis is no longer required by the County for non-residential or non-single family residential subdivisions, and no mitigation for this impact is required under General Plan Policy TC-Xa1, other general plan policies, or CEQA. Regardless, the project applicant has voluntarily agreed to implement the mitigation for this impact identified in the Draft EIR: payment of TIM fees (Mitigation Measure C-TRANS-1).

Even if mitigation at this intersection were required (which is not the case, as discussed above), payment of TIM fees would comply with the General Plan. Pursuant to Policy TC-Xf, the County may condition non-single family residential subdivision development projects on payment of TIM fees, so long as the relevant mitigation project is included in the 20-year CIP. The Saratoga Way Extension Phase 2 project mentioned by the commenter is included in the County's Capital Improvement Program (CIP #GP147), and the applicant would pay traffic impact mitigation (TIM) fees to fund its fair share of the improvement. The County prepares and adopts a priority list of road and highway improvements for the CIP based on a horizon of 1 year, 10 years and 20 years. The County Board of Supervisors must update the CIP every year, or more frequently as recommended by the responsible department. Furthermore, the County's CIP includes about \$35 million for un-programmed traffic signal and operational improvements that are prioritized based on the Community Development Services Long Range Planning Unit's Intersection Needs Report. Therefore, it is expected that the needed improvements to the affected intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive will be made in a timely manner.

### Response 2

The results presented in the revisions to Table 4.8-15 are modifications made to the transportation analysis and to account for two new projects determined to be reasonably foreseeable following preparation of the Draft EIR (i.e., John Adams Academy and Montano De El Dorado Phase II). The revisions to Table 4.8-15, shown on Page 2.0-16, were made to the Draft EIR analysis to correct average delay and LOS tabulations and also account for the addition of the proposed John Adams Academy and Montano De El Dorado Phase II projects. As discussed in Responses 7-4 and 23-12 of the Final EIR, under long-term cumulative (2035) traffic conditions, the addition of the proposed John Adams Academy and Montano Phase II projects to the list of reasonably foreseeable projects would not negatively impact five study area intersections along El Dorado Hills Boulevard and Latrobe Road that would most likely be impacted by these two cumulative projects.

### **Response 3**

In the litigation referenced by the commenter, the court has not issued an injunction or taken any other action that would preclude the County from approving development projects such as the proposed project during the pendency of the lawsuits. As discussed in Master Response 2 of the Final EIR, the proposed project was analyzed and determined to be consistent with the County General Plan and the zoning ordinance.

### **Response 4**

In October 2016, the El Dorado County Community Development Agency received a letter from the California Department of Transportation (Caltrans) titled *US Highway 50 (US 50) Traffic Volumes and Level of Service (LOS) Meetings Summary*, October 11, 2016. The letter summarizes the outcome of several meetings between Caltrans and the County to discuss analysis, inputs, and methodology related to planning-level analysis of westbound US 50 between El Dorado Hills Boulevard/Latrobe Road and the County line. In this letter, Caltrans accepted and agreed with the analysis inputs, methodology, and results, which documented that the westbound segment of US 50 between El Dorado Hills Boulevard/Latrobe Road and Scott Road operates at LOS E.

The Caltrans Table 13 shown as part of the comments is from the *Transportation Concept Report and Corridor System Management Plan, United States Route 50, District 3*, June 2014. The cover of the report includes the following: “Disclaimer: The information and data contained in this document are for planning purposes only and should not be relied upon for final design of any project. Any information in this Transportation Concept Report (CR) and Corridor System Management Plan (CSMP) is subject to modification as conditions change and new information is obtained. Although planning information is dynamic and continually changing, the District 3 Office of System and Freight Planning makes every effort to ensure the accuracy and timeliness of the information contained in the TCR/CSMP. The information in the TCR/CSMP does not constitute a standard, specification, or regulation, nor is it intended to address design policies and procedures.” The information contained in the report has been updated and accepted by Caltrans per their October 2016 letter.

### **Response 5**

At the end of the public review period for the Draft EIR in late August 2017, County staff contacted Caltrans District 3 planning staff to inquire if they had any comment on the analysis and conclusions found in the Draft EIR. In response, Caltrans staff stated, “Our comment letter from April 28, 2017 still stands.” The April 28, 2017 letter from Caltrans was submitted in response to the Notice of Preparation for the Draft EIR, and the traffic analysis presented in the Draft EIR addressed all the issues Caltrans raised in their letter. Please note that the traffic analysis presented in the Draft EIR found that the project

would not negatively affect any highway facility within the study area (see Section 4.8, Transportation and Traffic).

**Response 6**

See Response 5 above. The traffic analysis presented in the Draft EIR addressed all the issues Caltrans raised in their April 2017 response to the Notice of Preparation. Moreover, the County cannot legally require Caltrans to provide comments on the EIR for this project or any other project for which the County is lead agency, and CEQA does not require that Caltrans provide such comments. In its capacity as lead CEQA agency, the County has complied with CEQA's requirements for notification of and coordination with Caltrans by providing that agency with the opportunity to provide comments.