



Carmel Valley Association

preserving the beauty, resources, and rural character of the Valley since 1949

08/20/2017

To: Brandon Swanson, RMA- Planning Manager
David J.R. Mack, Monterey County Resource Management Agency

CC: Carl Holm, Jacquelin Onciano, Mary Adams

In response to the Notice of Preparation of a Draft Environmental Impact Report (undated; received approximately August 3, 2017) for PLN150668 (called Rio Ranch Marketplace Project), the Carmel Valley Association provides the comments that follow, pertaining to CEQA's requirement for baseline data on "physical environment conditions in the vicinity of the project, as they exist."

A Draft Environmental Impact Report is an informational document intended to provide substantial evidence, "based to the extent possible on scientific and factual data" concerning a project's environmental effects, in order to "inform public agency decision-makers and the public generally." In order to facilitate objectivity and the achievement of the "adequacy, completeness, and good faith effort at full disclosure" that CEQA demands.

General Plan (including CVMP) traffic standards for Monterey County are stated in terms of LOS and its underlying measures of effectiveness (e.g., vehicle volume per unit time, delay, PTSF), and the comments below are stated so as to provide consistency of the plan and with the County's Guide for the Preparation of Traffic Impact Studies. If there is any confusion or conflict between the standards implied by our comments that follow and the standards or approaches applied to this project, possibly related to SB 743 or other considerations, we ask to be informed in a timely way so that public participation as mandated by CEQA can be fully exercised.

Sincerely,

Pris Walton, President CVA

Date: August 20, 2017

**Re: Notice of Preparation (NOP) of DEIR for PLN150668
(Rio Ranch Marketplace Project)
Transportation and Traffic portion**

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In response to the NOP (undated, but apparently released July 27, 2017) referred to above, the Carmel Valley Association requests that the DEIR contain the following at a minimum:

Traffic Measurement, Data Acquisition and Reporting

1. Segments: Complete time-labeled vehicle count data for existing traffic, at 15-minute intervals, during least one full and continuous 7-day week when public schools are in session, for
 - Highway 1 between Fern Canyon Road (on the south) and the most northerly entrance ramp to Highway 1 from Munras Avenue
 - Rio Road between its eastern terminus and Atherton Dr.
 - Carmel Valley Road, segments 1 through 10 (western terminus at Highway 1 through Carmel Valley Village)
 - Carmel Rancho Blvd. between Carmel Valley Road and Rio Road
 - Crossroads Blvd between Rio Road and CVS store
 - Carmel Center Place between Rio Road and southern terminus
2. Intersections: Complete time-labeled existing vehicle count and intersection delay data for existing traffic, at 15-minute intervals, during least one full and continuous 7-day week when public schools are in session, for
 - All intersections on Highway 1 between the most northerly ramp to/from Munras Avenue and Fern Canyon Road (on the south).
 - Intersections of Rio Road with
 - Crossroads Blvd.
 - Carmel Center Dr.
 - Via Nona Marie
 - Carmel Rancho Blvd.
 - Intersections of Carmel Valley Rd. with
 - Carmel Rancho Blvd.
 - Carmel Middle School
 - Via Mallorca
 - Rancho San Carlos Rd.
 - Valley Greens Dr.
 - Dorris Dr.
 - Berwick Dr.
 - Laureles Grade Rd.
 - Boronda Rd.
3. Data format: Excel spreadsheet, providing accessibility for analysis by the public:
 - a. Raw data
 - b. EIR data analyses

Analysis of data and determination of environmental significance for EIR

All analyses are to be carried out in terms of rural two- and four-lane highways as appropriate (e.g., as described in HCM); no analysis may be in terms of urban streets or other non-rural descriptions.

1. Principal quantitative variables

a. For segments

- i. 24-hour volume (a.k.a. ADT or AADT): maximum daily vehicle volume during the continuous 7-day measurement interval
 - Day and date identified
 - Unit: vehicles per day
- ii. Peak hour vehicle volume
 - Hour, day and date identified; highest and second-highest peak, with values in two units tabulated
 - vehicles per hour
 - average inter-vehicle headway in seconds (= sec/vehicle pair = (3600 sec/hr)/(vehicles per hour))
- iii. PTSF
 - As mandated in CVMP
 - As required, and normally used, for analysis of the southbound lane of Highway 1 between Ocean Avenue and Carmel Valley Road, and
 - Ancillary data needed to clarify “standard” PTSF reports (e.g., HCS 2010) as described below
- iv. Other variables, units and time identifications in addition to those listed above, as may be required for accurate description and representation of traffic on relevant two- and four-lane rural road or highway segments

b. For intersections

- i. Signalized intersections: Control delay and v/c as prescribed in Highway Capacity Manual (HCM)
- ii. Unsignalized intersections: Maximum delay times for worst-approaches during intersection peak hours, and intersection v/c (volume-to-capacity ratio). **Note** that for two-way stop-controlled (TWSC) intersections HCM2010 states that “LOS [level of service] is not defined for the intersection as a whole or for major-street approaches” (page 19-1); thus intersection average, or intersection-as-a whole, or major approach delays are irrelevant, for the reasons given on p. 19-1 of HCM2010, and should not be reported as significant data in EIR summaries or conclusions. Assigning LOS letters to such data is falsification of data,

since no LOS value is defined; the LOS assignments provided Exhibit 19-1 are for “minor street movement”.

- c. **Excluded:** The following list cautions against repetition of known local abuses of the EIR process and of CEQA. It enumerates misleading and unacceptable elements and practices that have appeared in recent County EIRS. Canons of good practice and local experience both dictates that they should not appear in the proposed EIR. That is, in the EIR under preparation there should appear:
- i. No proxies or substitutes or alternates for actually observed vehicle counts and/or delays (e.g., proportions of left-turn lanes and mandated stops on a length of roadway, as utilized in MMLoS) may be included in the EIR analysis. (Rancho Canada RDEIR; Val Verde DEIR by Central Coast Transportation Consultants (CCTC))
 - ii. No redefinition of segments of Highway 1 as an Urban Street to gain access to less rigorous traffic criteria. (Villas de Carmelo EIR by Higgins; Rancho Canada Village by CCTC)
 - iii. No data-creation, such as constructing directional traffic volumes from previously acquired County two-way data, by assuming 60%-40% AM splits and 40%-60% PM splits, and presenting the results as if valid measurements. (Carmel Canine Sports Center initial traffic study by Hexagon)
 - iv. No use, in unsignalized intersection analyses, of overall or average or major-approach intersection delays; they are unauthorized under HCM protocols and methods. They have no defined LOS because they are misleading and not useful, as HCM2010 explains in detail (p. 19-1). (Carmel Canine Sports Center EIR by CCTC; Rancho Canada Village EIR by CCTC)
 - v. No use of LOS-assignment tables that not intended to apply to the variables being considered, as, for example, use of *minor-approach* delay vs. LOS tables in purporting to “evaluate” LOS associated with *major-approach*, or overall or average intersection delays. (Carmel Canine Sports Center EIR by CCTC; Rancho Canada Village EIR by CCTC)
 - vi. No substitution (“referencing”) of improper or inadequate studies in other (previous) EIRs, thereby escaping direct scrutiny in the present EIR of the defective analyses the referenced EIR may contain, and thereby “doubling down” on erroneous claims that potentially violate CEQA, whether or not the “referenced” project EIR has been certified, or the project approved, or is in litigation. (Val Verde project EIR by CCTC, substituting the “referenced” Rancho Canada Village EIR study results for its own study)

- vii. No use of analytical programs or methods that assume roadway or traffic characteristics that are *not* present in the circumstances under study; for example, modes of transportation not present or forbidden on the roadway (e.g., pedestrian, bicycle, or transit, as in MMLoS applied to Highway 1). (Val Verde project EIR by CCTC; Rancho Canada Village EIR by CCTC)

2. Significance Criteria; Thresholds of Significance

- a. All *variables* used in determining significant impact should be determined and specified before the acquisition of data.
- b. All *criteria* for determining significant impact should be determined and specified before the acquisition of data. Thresholds of significance are identical with values of variables at which service becomes “unacceptable” in plan documents.
- c. No time “windows” (e.g., 7 AM - 9AM) should confine the analysis of data; for example, periods of peak traffic are determined by the traffic volume data itself, indeed are part of the observed data, and are not predictable *a priori*.

3. Major Principles

Although the *Carmel Valley Master Plan*, the *2010 General Plan*, and the *Monterey County Guide for the Preparation of Traffic Impact Studies* couch traffic standards in terms of LOS (level of service), there are many definitions of LOS; it is a broad concept that includes, in practice, a somewhat incoherent collection of distinct and even contradictory quantitative and subjective standards. To help resolve ambiguities and insure meaningful analyses, the following principles are to be followed in the EIR:

- a. All variables and criteria for significant impact
 - o Are to represent current (within two years) actually observed traffic volumes and delays, and
 - o Are to be assessed quantitatively in terms of predetermined, known, published, widely recognized and widely available numerical standards.
- b. In order to clarify the meaning and utility of PTSF as environmental significance criterion, all PTSF tabulations in the EIR are to include (whether or not the software or protocols applied to the cases require or report them)
 - o Time and date of data acquisition (in addition to any specification of time of data analysis)
 - o Total two-way peak traffic volume (in addition to any directional volumes otherwise specified) in the data on which the PTSF value is based
 - o The value of v/c (volume to capacity ratio) for the relevant segment
 - o *If the threshold of significance – i.e., threshold of unacceptable condition – has not been reached: The total volume at which the traffic on the relevant segment would produce a significant impact using PTSF criteria*
- c. All peak hour volumes, both segment and intersection, should be tabulated, and the tabulation should include the value of v/c.

- d. Whenever $v/c > 1$, it should be noted explicitly in tables that the roadway element is rated LOS F, and should be stated prominently in the text that “any increase during peak hour (one vehicle) is considered significant”.