

**LandWatch Monterey County**  
P.O. Box 1876, Salinas, CA 93902-1876  
**Carmel Valley Association**  
**North County Citizens Oversight Coalition**  
**Highway 68 Coalition**  
**Ventana Chapter, Sierra Club**  
**Prunedale Neighbors Group**  
**Prunedale Preservation Alliance**  
**Rancho San Juan Opposition Coalition**  
**Citizens for Responsible Growth**

October 6, 2006

Mike Novo  
Acting Planning Director  
168 West Alisal St, 2<sup>nd</sup> Floor  
Salinas, California 93901

SUBJECT: COMMENTS ON DEIR FOR 2006 GENERAL PLAN

Dear Mr. Novo:

The following comments are respectfully submitted by LandWatch Monterey County, the Carmel Valley Association, North Monterey County Citizens Oversight Coalition, Highway 68 Coalition, the Ventana Chapter of the Sierra Club, Prunedale Neighbors Group, Prunedale Preservation Alliance, Rancho San Juan Opposition Coalition, and Citizens for Responsible Growth on the Draft Program EIR on the 2006 Monterey County General Plan Update.

## INTRODUCTION

### 1. Project Description and AProject@ Under CEQA

Because the data used to analyze project impacts does not reflect the Project Description, the DEIR is fatally flawed. The most serious omission is the absence of a traffic model specifically tied to the buildout anticipated under the Plan. Without such a Plan specific modeling effort, it is impossible to make the findings required for certification of an EIR, even a Program EIR, such as the present document that the County is seeking to use to adopt the 2006 General Plan.

The DEIR fails to analyze the whole of the 2006 General Plan as a Aproject@. CEQA defines a project as Athe whole of an action, which has a potential for or result in either a direct physical change@ or Aa reasonably foreseeable indirect change on the environment.@ (Guidelines Sections 15378[a] and [c]). Thus, CEQA requires that an agency take an expansive view of any particular project as it conducts the environmental review for that project.

Under state law, the general plan is the Aconstitution@ for future development to which all local land use decisions must conform. At the heart of the general plan is the land use element that sets forth standards for building density and intensity applicable to the territory covered by the general plan (Govt. Code, Section 65302[a]). Typically, the land use element and land use map establish the specific land use designations; define the range of density and intensity of development allowed under each designation; and map the designations over the territory of the plan. Thus, the local general plan, through the land use element, defines the jurisdiction=s commitment to a particular level of development for the area covered - in this case, the entire unincorporated area of the county.

An EIR must disclose and analyze the project=s impacts as compared with the environment, including level of development that existed at the time the Notice of Preparation was released. If the project description does not describe the amount of development, including new parcels that could be created and development on each parcel allowed under the plan, the EIR cannot fully evaluate the impacts of the project. In this case, the DEIR fails to describe the amount of development allowed by 2006 General Plan, including both residential and non-residential uses and the location of those uses.<sup>1</sup> The 2006 General Plan does not quantify all new land uses and land use designations.

The DEIR=s failure to analyze the impacts of the development allowed by the 2006 General Plan contravenes the most basic principles of CEQA and forecloses identification of mitigation measures and alternatives that could reduce significant impacts. Prior settled cases hold that the approval of land use planning enactments, such as general plans, serve as the crucial first step toward approval of any particular development project, and thus the impact of the planning enactment itself must be analyzed under CEQA. Case law instructs that an EIR must analyze not only the policies for growth allowed by the planning enactment, but the ultimate amount of development allowed by the planning enactment (City of Redlands v. County of San Bernardino, (2002) 96 Cal.App.4<sup>th</sup> 398 ). Critically, environmental review of the development allowed by a planning enactment must take place regardless of whether that development will actually materialize (Bozung v. Local Agency Formation Commission (1975), 13 Cal.3d 279, 282; Christward Ministry v. Superior Court, (1986), 184 Cal.App.3d 180. 194-95).

The County must analyze the impact of all development allowed under the 2006 General Plan. The 2006 General Plan, when adopted, will constitute a present commitment to future development of the unincorporated county, whether or not construction of particular projects are imminent. Therefore, future planned development must be analyzed in the EIR.

In this case, the DEIR fails to fully describe the amount, type and location of development that could occur under the 2006 General Plan. Specifically, the DEIR=s assumptions and methodology are based on growth projections for the county through the year 2030 (DEIR P.3-

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<sup>1</sup> Allowable land uses must include all allowable land uses, including but not limited to: second units, rural uses, density bonus units, etc.

94 and 3-95). The DEIR (P. 3-95) states , A...the AMBAG projections are being used as the basis for the growth assumptions,...@ Using projections is not permitted by CEQA, which requires the whole of the project be described and the impacts of the project analyzed as compared with existing environmental conditions. Further, there is no commitment in the Plan to constrain growth to 2030 levels of approximately 135,375 residents - the new growth forecast by AMBAG=s . Moreover, the 2006 General Plan allows for more growth than projected by AMBAG making the use of forecasts even more problematic.

The DEIR calculations and assumptions for buildout are not described or explained. The DEIR states that the 2006 General Plan is based on the 1982 General Plan which states that its maximum build-out potential is 229,377 dwelling units with a population holding capacity of 746,709. Since the 2006 General Plan allows more development than the 1982 Plan, it is misleading to say that it is based on the 1982 General Plan.

The DEIR frequently fails to analyze the project=s impacts on the existing environment. In many cases, the DEIR=s analysis compares impacts to those the 1982 General Plan would have on the environment. Under well-settled law, an EIR must analyze a project=s effect on the existing environment ( Environmental Planning and Information Council v. County of El Dorado (1982), 131 Cal.App.3d 350, 358 [EPIC]). As the EPIC court explained, comparing the project with an existing plan "can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result." (Id.; see also Christward Ministry v. Superior Court, 184 Cal.App.3d 180, 186-87 [1986] "The local agency must examine the potential impact of the [project] on the existing physical environment; a comparison between the proposed amendment and the existing general plan is insufficient.").

The DEIR also fails to adequately describe B and therefore, analyze B the proposed services and infrastructure needed to support full development of the project at buildout.

## 2. The CEQA Requirements, Due Process, Public Participation

LandWatch Monterey County, the Leagues of Women Voters of the Monterey Peninsula and Salinas Valley, several non-governmental organizations, the Ventana Conservation and Land Trust, and both responsible and trustee agencies requested extensions of the DEIR review period ranging from 15 to 30 days to ensure adequate time for public participation. The County declined to provide for any such extension although the length and complexity of the DEIR, its obscure sources of buildout data, the absence of critical technical information such as a traffic study directly tied to the buildout anticipated under the Plan, are absent from the baseline data made available to the public. The comments to follow present in detail both what is missing and what should have been provided to the public for this document to be considered minimally acceptable. However, due to the fact that additional time to comment was not granted, the comments herein are not as exhaustive as they could have been had additional time been granted.

Statute section 21091 (a) sets the required minimum review period for an EIR; this section does not distinguish between a focused EIR or a program EIR addressing a proposed change to the

regime of land use and resource management for an entire county. Most jurisdictions with an interest in permitting the public to really participate actively and completely in a general plan update set review periods of between 60 and 90 days for an EIR. Monterey County set a review period of 50 days, a similar period allocated for a 20 unit subdivision with four issues of concern. Why?

Section (b) of 21091 makes it clear that the distribution of the EIR and related documents to public agencies through the State Clearinghouse governs the length of the public review period for an EIR. Section (a) of 21091 states that the minimum review period is 45 days; section (b) clarifies that if the State review period does not coincide with the noticed review period, the Clearinghouse review period is superior legally and governs. Further, the distribution of the DEIR through the Clearinghouse resulted in substantial delay of receipt of the document by various agencies, including the US Fish and Wildlife Service and other agencies. Written correspondence with the US Fish and Wildlife Service, for example, documents that the distribution of the DEIR to this agency took place on September 1, 2006, some two weeks after the noticed release date. Further, LandWatch Monterey County and the Open Monterey Project have made Public Record Requests for transportation and buildout data. LandWatch's request of August 30, 2006 was partially responded to almost one month later on September 21, 2006. This certainly does not facilitate public dialogue and the study of the DEIR.

Another general point of great significance is that although CEQA Guidelines require that the EIR be readable and to the point, appendices must be provided that enable the public to understand how an analysis has been conducted, what model inputs are programmed into a scientific model, and how other variables have been weighted. The essence of ethical science is the ability to test the accuracy of a model and replicate results using the same inputs as the model presented as a projection of future impacts. This is very basic science but cannot be done with the 2006 General Plan DEIR due to the Aproprietary nature@ of certain aspects of the traffic model which are explained, partially, in County Counsel=s letter of September 21, 2006 and in an attachment from Kimley-Horn, the traffic consultants for the General Plan Update EIR. We must point out that the guidelines are clear on this point:

(Section 15150 (b): AWhere part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIRYshall state where the incorporated documents will be available for inspection.@

Referencing the availability of an AFTP@ on a partially operating website with a proprietary model whose operations and inputs are not available for inspection, does not even begin to comply with this requirement.

Further, Section 15147 of the Guidelines is also very clear that technical appendices containing the model data relied upon by the County are to be made available in a Technical Appendix; a Traffic Report reflecting the consequences of a major undertaking such as a General Plan Update, is a critical component of a meaningful and accurate EIR. This Appendix is not

included in the DEIR. Section 15147 of CEQA Guidelines further states:

Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.”

Neither of these two requirements has been met in this case. Accordingly, environmental review for the General Plan does not comply with CEQA. It also means that responsible and trustee agencies cannot participate meaningfully as set forth in the Statutes and Guidelines. Traffic data, and ensuring its accuracy and completeness, is critical to modeling impacts of buildout under the General Plan. Traffic Trip Generation data are used to calculate air quality impacts; trip generation and trip generation data are used to calculate noise impacts; usually, trip generation is also used to convert new housing and commercial uses to demands on infrastructure, and not just traffic infrastructure.

### 3. Mitigation Measures

The DEIR employs a strategy throughout the document of citing numerous proposed policies, followed by the assertion that they in combination with other procedures such as Area Plan policies, federal and State statutes, and CEQA review would collectively provide sufficient mitigation to reduce impacts to a level below significant. Yet the DEIR repeatedly fails to provide supporting evidence that such measures would reduce impacts to less than significant.

Additionally, the DEIR repeatedly finds that existing policies and regulations ensure that impacts would be less than significant. However, the DEIR does not address if the same policies and regulations would be in effect after adoption of the Plan because many would be re-written in implementation plans. A table should be prepared identifying impacts that have been determined to be less than significant in whole or in part because of existing policies, ordinances and regulations.

### 4. Implementation of the 2006 General Plan

The 2006 General Plan includes over 50 actions to implement the policies and mitigation measures included in the Plan and DEIR. Please produce a table containing the following information:

- 1) Task (such as study, criteria to be developed, database to be developed)
- 2) The General Plan policy requiring the task
- 3) The timeframe for completion
- 4) The budgetary impact of completing, implementing and maintaining the task
- 5) The responsible agency or department
- 6) The type and location of development dependent upon the task=s completion.

A mitigation measure that requires implementation of policies and mitigation measures prior to processing or acting upon affected projects should be adopted as a condition of the 2006 General Plan.

5. Response to Comments

Clearly, both Monterey County planning staff and Michael Brandman and Associates prepared the 2006 Monterey County General Plan and the 2006 Monterey County General Plan DEIR using word processing programs. As such, both are proficient in using Acopy and paste@ functions of those programs. Please do not respond to our comments in the FEIR by referring us to your responses to others= comments. If the comments and responses to others are identical to ours, please copy and paste them in your responses to our comments. If they are not identical, please respond to our comments specifically. This will result in a much more coherent FEIR without requiring any additional time or effort from planning staff or from Michael Brandman and Associates. Please also paginate the FEIR.

PROJECT DESCRIPTION

6. P. 1-8 The DEIR indicates the Plan would add 146,000 persons over the life of the plan, a 45 percent increase from 2000. Assuming a population per household size of 3.14, this means the addition of 46,497 residential units, not the 16,900 new units identified on P. 4.15-7 of the DEIR.

7. P. 3-10 The DEIR states that as of Jan. 2006 there were 6,586 undeveloped residential parcels in unincorporated Monterey County. This conflicts with the 7,939 Lots of Record identified in the BAE Report that is used as part of the buildout assumption for the DEIR (p. 4.15-7). Why are these two numbers different?

8. P. 3-10, Table 3-5 indicates that the 1982 General Plan buildout potential is 50,617 residential units. This contrasts with what is stated in the 1982 General Plan showing a buildout of 229,377 units. The estimated buildout for GPU3 was 57,792 units which included growth in only Community Areas, Rural Centers and the Affordable Housing Overlay with no further rural subdivisions beyond those allowed within a 40 acre minimum.

If the 2006 General Plan as stated in the DEIR allows subdivisions and second units in Farmlands, Rural Grazing, Permanent Grazing, Resource Conservation, and Residential categories along with new Community Areas, and Rural Centers, why are the buildout numbers only 53,947 or 3,845 units less than GPU3?

Plan	1982 General Plan (p. 121)	GPU3	2006 General Plan
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Buildout	229,377	57,792	53,947
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Additionally, the 2006 General Plan buildout of 53,947 is significantly underestimated for the following reasons:

- 1) The 16,900 new units were added to 2000 existing units rather than 2005 existing units;
- 2) The 16,900 new units only account for development in Community Areas excluding Chualar, Rural Centers and Lots of Record. (Bay Area Economic Report, Appendix A-1);
- 3) The 2006 General Plan estimate does not account for:
  - a. 950 acres in Chualar with a potential buildout of 3,000 to 10,000 units,
  - b. Projects approved but not built,
  - c. Projects in the planning process,
  - d. Units that could be built in Atransition areas@ between Rural Centers and adjacent land,
  - e. Subdivisions that can be built anywhere in unincorporated areas,
  - f. Property Owner Requests,
  - g. Special Treatment Areas and Study Areas, and
  - h. Development potential in Farmland, Rural Grazing Land, Permanent Grazing Land, and Residential land outside of Community Areas and Rural Centers.
- 4) The 2006 General Plan is based on the 1982 General Plan with added growth as noted above. It also eliminates the adopted maximum densities for all lands outside of growth areas in the 1982 General Plan.
- 5) At a minimum, the 2006 General Plan has a buildout potential of 229,377 units, not the 53,947 used in the DEIR. Accordingly, the DEIR is seriously flawed.

9. P. 3-24 indicates that 496 acres of residential use would be added to residential land designated in the 1982 Plan. This number is significantly underestimated. For example, POR #13 alone would change 504 acres from Farmland and Permanent Grazing to Low Density Residential. Hundreds of acres in the triangle between East Garrison and Reservation Road would also be changed from public/quasi-public (Fort Ord) to Urban Reserve. There are 27 PORs requests totaling 4,107 acres outside of Community Areas; many of these requests are for residential development. These changes are just three examples of new residential land that appear to be excluded from the 496 acres estimate.

10. P. 3-59 states that Coastal Plans are not evaluated in the DEIR Aexcept where impacts from the 2006 General Plan buildout would affect these areas (e.g., cumulative air quality emissions)@. A significant portion of the Castroville Area Plan is within the Coastal Zone, requiring a consistency evaluation with the North Coast LCP. The Del Monte Forest Rural Center is in the Coastal Zone also requiring a consistency evaluation. Additionally, numerous countywide policies in 2006 General Plan would affect coastal areas, e.g., reduction of the LOS goal from C to D, slope policies, etc.

11. P. 3-59 (There are two page 3-59s), Table 3-19 indicates the potential buildout for Chualar is

295.9 acres. This is inconsistent with Policy LU-2.23 that states, ABoundaries for the Chualar Community Area are to be considered by a Citizen Group with recommendation to the Board of Supervisors, but shall not exceed 350 acres over the first seven years of this Plan and 950 acres over the life of this Plan (20 Years).@ Why are these numbers different?

12. P. 3-94 As described above, the DEIR states, AAMBAG=s growth projections between 2000 and 2030 are being used as the basis for the growth assumptions contained in the 2006 General Plan. This Program EIR considers AMBAG=s growth projections in relation to physical constraints such as potable water supply available...and roadway capacity.@ Using population forecasts rather than the project description of the land uses accommodated by the Plan does not meet CEQA requirements as discussed above. Additionally, while the 2006 General Plan shows significant growth for the Monterey Peninsula particularly for Carmel Valley, AMBAG=s population forecasts show declining population for most of the cities on the Monterey Peninsula. Please address this discrepancy.

13. P. 3-94 AMBAG=s population forecasts shows an increase of 35,123 units in unincorporated areas which was used for impact assessments. Please explain the inconsistency of this estimate with the statement on P. 1-8 that the Plan would accommodate 146,000 people in unincorporated areas over the life of the Plan.

14. P. 3-94 The DEIR further states,. AIn order for future development proposals to be found consistent with the 2006 General Plan, it would need to demonstrate that adequate resources and facilities are available or can be provided. Where projects are found to be consistent with the 2006 Plan, the environmental impacts would be less than significant. Where such physical constraints cannot be fully mitigated, the impacts must be considered potentially significant and a separate EIR shall be prepared.@ Does this mean that projects deemed consistent with the General Plan would not require additional environmental review? The County cannot excuse projects from environmental review based on a consistency determination. Further, the DEIR finds nine significant and unavoidable environmental impacts after mitigation which means that projects implemented in accordance with the 2006 General would have significant cumulative impacts and require added environmental review.

15. P. 3-95 The DEIR states, AThe adopted 1982 General Plan land use map serves as the basis for the above projections. Once adopted, the 2006 General Plan will serve as the basis for population growth projections in unincorporated Monterey County@. AMBAG=s population forecasts are based on numerous factors including employment forecasts, land availability and resource constraints. While the land use map is a key factor in the distribution of the County=s share of countywide population, housing units and employment forecasts, it is not accurate to say that the 1982 General Plan land use map served as the basis for the AMBAG projections.

#### LAND USE



16. P. 4.1-3 The DEIR references the Growth Management Policy suggesting that it is still applicable. While the 1982 General Plan included this policy in the Appendix, the 2006 General Plan does not. The Growth Management Policy was controversial in 1982, and for this reason it was removed from the document and placed in the Appendix. In subsequent years, it was never implemented. To imply that this policy is also included in the 2006 General Plan is not correct. Are there plans to add this as an appendix or any section of the new plan?

17. P. 4.1-4 The DEIR uses significance thresholds that are unconventional and diverge from the State CEQA Guidelines. The Land Use section applies the following threshold:

AConflict with any applicable land use plan, policy or regulation@

This is a truncated version of the threshold for land use given in Appendix G of the State CEQA Guidelines, which reads in full:

AConflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) *adopted for the purpose of avoiding or mitigating an environmental effect* [emphasis added].@

In using the abridged version of the CEQA threshold, the DEIR indicates that (except for the other two thresholds drawn from Appendix G) land use impacts are limited to potential inconsistencies with existing land use plans, when in fact the CEQA threshold includes conflict with any policy or regulation . . . Aadopted for the purpose of avoiding an environmental effect@.

The use of this unconventional threshold cannot be justified, as the County has not adopted other thresholds as an alternative to those published in the State Guidelines Appendix G. The DEIR=s use of a fallacious land use threshold leads to a failure to address several impacts that would result from the 2006 General Plan conflicts with land use plans, policies and regulations not cited in the DEIR=s land use section, or elsewhere in the document. Examples of such impacts are:

The DEIR fails to address:

- \$ Potential conflicts with goals, objectives and policies of the County=s Housing Element adopted for the purpose of avoiding environmental impacts adding to jobs/housing imbalances and urban sprawl.
- \$ Potential conflicts with Section 30250 and Section 30241 of the California Coastal Act which include applicable land use policies adopted for the purpose of mitigating an environmental effect, i.e., loss of farmland in the Coastal Zone (Castroville area).
- \$ Potential impacts between land uses, e.g., industrial and residential, or agricultural and residential.
- \$ Impacts of a jobs/housing imbalance and the several regionally significant impacts that would result as a direct consequence. These secondary impacts include increased

demands on the circulation system (due to increased home to work commuter trips), increased levels of vehicular emissions and ambient noise (due to increased trips), and visual impacts resulting from widening and construction of new roads to accommodate increased commuter trips.

- \$ Potential adverse impacts of the AWCP on visual character of Elm Avenue, Arroyo Seco Road, Jolon Road, Chaular Road and River Road B all of which are designated as significant scenic corridors in the Central Salinas Valley Area Plan. These impacts would violate thresholds related to visual impacts as well as the land use threshold that identifies conflicts with policies adopted for the purpose of mitigating environmental impacts@ (See CEQA Guidelines, Appendix G, IX b).
- \$ Inconsistencies with adopted habitat conservation plans. The DEIR does not examine adopted plans in detail nor does it provide any information of the number of acres of potential habitat affected by the 2006 Plan.
- \$ Inconsistencies with the 2004 Air Quality Management Plan for the Monterey Bay Region. The 2006 General Plan is clearly inconsistent with that Plan.

18. P.4.1-4 The DEIR states that residential growth would occur in the Community Areas and Rural Centers under the 2006 General Plan. The plan lacks necessary mechanisms to limit new subdivisions outside of proposed growth areas, e.g. Community Areas and Rural Centers for the 2006 General Plan. In fact the 2006 General Plan contains fewer mechanisms to prevent further sprawl than does the 1982 General Plan. Property owners can subdivide in all rural categories under the 2006 Plan. They need only have a well and a stand-alone septic system. Rural subdivisions can be approved even if the roads in the area are operating at the LOS D. LU2.12 allows for subdivisions of five or more lots outside of Community Areas and Rural Centers. While these subdivisions must prepare a residential development evaluation, LU2.13 weakens this requirement by saying that this system is not intended to be a pass/fail evaluation. All together, these policies would not lead to managed growth.

19. P.4.1-9 The Impact Discussion regarding A Division of an Established Community@ fails to fully discuss the impact of the proposed plan. To address this issue would require presenting the boundaries for each of the Community Areas and the Rural Centers, describing the criteria that were used to establish the boundaries, and the potential impacts of separately established linkages. Since this information is not presented in the DEIR, it is impossible to assess the impacts. Additionally, it is not clear how the boundaries for the Special Treatment areas were drawn. The DEIR concludes that A implementation of the 2006 General Plan would not result in significant community divisions. Impacts in this regard would be less than significant.@ How can this conclusion be supported without a detailed discussion of each of the boundaries for Community Areas, Rural Centers, and Special Treatment Areas? Please provide this detailed discussion for each area.

20. P. 4.1-10 The DEIR concludes, A Buildout of the 2006 General Plan would result in the development of new urban uses and new infrastructure that could potentially divide established communities by creating physical barriers between existing community elements such as

residential areas and parks or other public facilities. However, the implementation of the 2006 General Plan and Area Plan policies would ensure that potential division is avoided or minimized to the furthest extent possible through the use of land use concepts that emphasize compatibility with surrounding land uses. The impact regarding community division impacts is found insignificant.

The analysis is conclusionary without any supporting data. It concludes, for example, that the potential for the division of communities is minimized to the furthest extent possible. No examples of where this is minimized are provided.

When all policies are evaluated, the 2006 General Plan is a plan for countywide sprawl. In its totality, it divides communities by creating development throughout the unincorporated area and destroying communities by eliminating areas of concentrated development. It would:

- a. Create seven Community Areas and 11 Rural Centers.
- b. Add new, vaguely defined areas outside Rural Centers as Rural Transition Zones for additional low-density development.
- c. Allow 14 property owners to develop outside of Community Areas and Rural Centers affecting over 4,000 acres.
- d. Create 13 Special Treatment Areas with significant potential for development and three Study Areas.
- e. Allow for subdivisions outside Community Areas and Rural Centers with criteria for development to be determined later.
- f. Specifically, allow for major new residential development adjacent to Salinas, Marina and King City which would divide those communities.
- g. Eliminate maximum parcel densities as shown on the 1982 Area Plan and Land Use maps.
- h. Allow commercial and industrial development to leapfrog throughout the county.
- i. Allow lot line adjustments smaller than minimum parcel size, thus increasing the potential for more legal lots of record (Policy LU-1.19).

Overall, the impact analysis is too general or nonexistent to allow for a meaningful evaluation of the extent to which the plan conflicts with adopted plans. The DEIR must be recirculated and provide a more complete analysis. It should include tables showing the amount of land that is being designated under each land use category for each of the Community Areas, the Rural Centers, the Rural Center Transition Zones, and the Special Treatment Areas. The section should discuss for each of the seven Community Areas, 11 Rural Centers, Transition Zones, and 13 Special Treatment areas, the potential impacts on existing communities and the surrounding rural areas. It should also include detailed discussion of the impact of growth adjacent to each of the cities. Detailed analysis is needed in terms of the County's potential growth impacts on the cities of Salinas, Marina, and King City. Additional analysis is also needed of the impacts of Special Treatment Areas on the cities.

21. P.4.1-13 Where is the detailed analysis of each of the Special Treatment Areas? Why is there no presentation of the total acreage being proposed, the types of changes that would occur, and the analysis of the land use designation changes for these areas? Where is the same type of analysis for the property owner requests?

22. P. 4.1-16 The DEIR concludes, AThe 2006 General Plan is a comprehensive update to the existing 1982 General Plan. As a comprehensive planning document, it establishes land use concepts, and sets forth goals and policies to guide future development and preserve natural and agricultural areas from urban encroachment. Inherently, the goals and policies...must be internally consistent with each other as well as the land use concept and with each other and with the supplemental policies of each Area Plan.@ Because the DEIR finds that there are no internal conflicts, it finds the impacts less than significant.

We find the following horizontal and vertical inconsistency of Policies in the 2006 General Plan:

- a. P. LU-7, LU-2.4 provides that areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit. The Land Use Element is inconsistent with this policy because it allows development to be dispersed throughout unincorporated areas and, therefore, makes this policy infeasible.
- b. P. LU-8, LU2.10 a. states that adequate water and sewer facilities may include on site wells and septic. This undermines efforts to improve water quality in areas that already have water contamination problems. Therefore, the allowance of these types of facilities would cause significant environmental impacts.
- c. P. LU-9, LU-2.11 increases potential for undersizing infrastructure for the purposes of calculating allowable density on parcels, accessory dwelling units, caretaker units, guesthouses, senior citizen units, farm employee or farm worker housing units. Therefore, the DEIR fails to consider the environmental impacts of such additional development, and the true impacts are masked.
- d. P. LU-9, LU-2.12 allows development of five or more lots outside of Community Areas and Rural centers. This is inconsistent with the main vision of the Land Use Element and Policy LU-1.2 which discourages premature and scattered development.
- e. P. LU-9, LU-2.13 undermines the effectiveness of a residential evaluation system to limit sprawl. It states that the residential evaluation system is not intended to be a Pass/fail@ evaluation nor a competition among developments.
- f. P. LU-10, LU-2.16 calls for designating sufficient land in coordination with the cities to locate new housing as close to employment centers as feasible. This is a vague policy without a specific timeframe that suggests additional land would be developed for housing within unincorporated areas beyond land designated in the Land Use Element.
- g. P. LU-13, LU-2.32 allows creating four or fewer lots, the first single family home and one accessory units on an existing lot, on-site employee housing and caretaker units, small-scale neighborhood uses, and public/quasi public use to proceed prior

to an Infrastructure and Financing Study. This is inconsistent with Policy PS-1.5 (P. PS-4) calling for the provision of infrastructure and public services either prior to or concurrent with development.

- h. P. LU-13, LU-2.37 provides for transition between Rural Centers and adjoining properties which is inconsistent with the main vision of the Land Use Element and Policy LU-1.2 which discourages premature and scattered development.
- i. The following policies are inconsistent with the Land Use and/or Circulation Elements which allows development to be dispersed throughout unincorporated areas:
  - 1) P. Circ-10, C-6.3. A New development should concentrate along major transportation corridors and near cities to make transit services to these areas more feasible@
  - 2) P. LU-7, LU-2.4. A Areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit.
- j. P. CIRC-6, C-2.5 states that overall land use patterns that reduce the need to travel by automobile shall be encouraged. However, the Agricultural Element Policy AG-2.1 encourages development of employment centers located in agricultural and rural areas and not in close proximity to urban centers where travel by automobile would be less.
- k. P. CIRC-10, C-6.3 states that new development should concentrate along major transportation corridors and near cities to make transit services to these areas more feasible. The Land Use Element which allows urban development to sprawl throughout unincorporated areas is inconsistent with this policy.
- l. P. C/OS-17, OS-9.2 provides that development shall be directed toward cities, Community Areas and Rural Centers where energy expended for transportation and provision of services can be minimized. The Land Use Element is inconsistent with this policy.
- m. P. AG-3, AG-1.2 allows subdivisions on any and all farmland as long as A adjacent agricultural viability is protected or in accordance with policies of a specific plan.@ This is inconsistent with the promotion of the Along-term conservation of productive and potentially productive agricultural land@ (Goal AG-1).
- n. Because they allow sprawl and low density ranchette and suburban-style development which result in the conversation of designated agricultural lands, the Area Plans are inconsistent with the following policies:
  - 1) P. LU-1. The main vision of this element is to create a general framework that encourages growth within or near developed/developing areas in order to reduce impacts to agricultural.
  - 2) P. LU-4. LU-1.2. Premature and scattered development shall be discouraged.

- 3) P. LU-4, LU-1.4. Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exist or can be assured concurrent with growth and development. Phasing of development shall be required as necessary in growth areas in order to provide a basis for long-range services and facilities.
- 4) P. LU-5, LU-11.11. Outside of cities, Community Areas, Rural Centers and areas where urban services exist, only low to very low residential density shall be allowed.
- 5) P. LU-7, LU-2.4. Areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit.
- 6) P. CIRC-4, C-1.2. LOS D to be achieved by 2026 through Capital Improvement and Financing Plans.
- 7) P. CIRC-10, C-6.3. New development should concentrate along major transportation corridors and near cities to make transit services to these areas more feasible.
- 8) P. C/OS-4, OS-1.9. Development that protects and enhances the County's scenic qualities shall be encouraged. All routine and ongoing agricultural activities are exempt from the viewshed policies of this plan.
- 9) P. C/OS-17, OS-9.2. Development shall be directed toward cities, Community Areas, and Rural Centers where energy expended for transportation and provision of services can be minimized.
- 10) P. PS-7, PS-2.3. Development that is subject to a discretionary permit and that intensified water usage on a site that is located in an area that does not have a proven long term sustainable water supply shall not be allowed.

## AGRICULTURAL RESOURCES

23. P. 4.2-1 The DEIR states that buildout of the 2006 General Plan would result in the loss of 5,497 acres of Important Farmland. This number is underestimated based on the following data:

Rancho San Juan Community Area	400 acres
Castroville Community Area	139
Pajaro Community Area	33
Boronda Community Area	32
Pine Canyon Rural Center	
Guidici POR	10
Harris	13
Salinas Land Co.	76

Subtotal	99
Chualar	950
PORs (excludes Pine Canyon PORs)	4,008
Farmland within City Spheres (DEIR p. 4.2-15)	1,674
TOTAL	7,734

The 7,734 acres does not include development on farmland for most Rural Centers, expansion of Rural Centers (transitional areas), Special Treatment and Study Areas, subdivisions outside of Community Areas, and development on farmland allowed by agricultural policies. The DEIR therefore hides, or fails to disclose, the true impact of development of farmland in the county.

24. P. 4.2-20 The DEIR concludes that the 2006 Plan would not result in environmental pressures resulting in the conversion of farmland to non-agricultural use because of proposed 2006 Plan policies. Because Policy AG-1.3 allows subdivisions on all farmland if it can be demonstrated that subdivisions would not be detrimental to the agricultural viability Aof adjoining parcels@, please explain why this impact would not be significant and unavoidable. Where is the number of acres in the rural residential categories presented? Where is the analysis of what the impacts would be on agricultural as further subdivision occurs in these areas? Why hasn't a quantitative presentation be completed?

This section should be rewritten. Information should be provided on the acres of farmlands expected to be converted to urban uses for each Community Area, Rural Center, and Special Treatment Areas. It should also include acres of existing farmlands previously allocated to urban uses, making it possible to determine the net loss.

#### AIR QUALITY

25. P. 4.1-9 The AQMP only addresses State ozone standards, not federal standards as stated. It does not address federal planning requirements as stated.

26. P. 4.1-11 The DEIR notes that the 2004 AQMP for the NCCAB anticipates a forecast level of growth implying that 2006 General Plan would remain consistent with those forecasts. 2006 General Plan does not include any policies that require development in unincorporated Monterey County to stay within the forecasts accommodated in the 2004 AQMP.

The 2004 AQMP accommodates an increase of 35,123 people in unincorporated areas between 2000 and 2030. The DEIR, P. 1-8, states that growth would be 146,000 people, 110,877 people in excess of what is accommodated in the AQMP. The DEIR then contradicts itself by indicating that 16,900 new dwelling units are accommodated in the 2006 General Plan which

equals 53,066 people (assuming 3.14 persons/household) - 17,943 people in excess of what is accommodated in the AQMP.

Based on our analysis (see above), 2006 General Plan would accommodate at a minimum a total of 229,377 units or an increase of 190,508 units over the 38,869 existing units estimated by DOF. Thus the new units would accommodate 607,000 people, orders of magnitude in excess

of the population accommodated by the 2004 AQMP.

Under any scenario, the 2006 General Plan would have a significant impact on ozone levels in Monterey County. Further, control measures needed to offset emission growth associated with any of the growth projections would have an adverse economic effect on stationary, area and mobile sources of emissions. Please explain why the impact of 2006 General Plan on ozone levels in Monterey County would not be **significant and unavoidable**. Please explain why population growth accommodated by 2006 General Plan combined with that of the cities would not result in a **significant and unavoidable** cumulative impact on ozone levels.

27. P. 4.1-12 The DEIR claims major benefits from the 14-Year Plan Traffic (Table 4.1-5). It is unclear if this references the 14-Year Traffic Plan which was defeated at the polls in June 2006. Further, it is unclear what this table references since the time frame of the 2006 General Plan is 24 years, not 14 years. Finally, since the traffic model used AMBAG's population forecasts rather than buildout potential, any conclusions from the model are invalid as discussed later.

28. P.4.1-13 The DEIR does not address an increase in PM<sub>10</sub> emissions resulting from increased vehicle miles traveled. This is a significant oversight since PM<sub>10</sub> emissions increase with travel. A revised and recirculated DEIR should include this analysis.

29. P. 4.1-14 The DEIR does not address disturbance during construction of asbestos that is entrained in soil throughout Monterey County. A revised and recirculated DEIR should include this analysis.

30. P. 4.1-15 The DEIR addresses diesel exhaust and includes Mitigation Measure AIR-3 which recommends that the County require that construction contracts be given to contractors who show evidence of the use of soot traps, ultra-low sulfur fuels and other diesel engine emissions, etc. Since these controls do not always reduce diesel exhaust emissions to levels that protect the public health, the mitigation measure should require that all project applicants work with the Monterey Bay Unified Air Pollution Control District to assure that health based standards are met.

Since urban development intensifies the concentration of diesel exhaust, please explain why it is unlikely that the cumulative impact of diesel exhaust emissions would not be **significant and unavoidable**. A mitigation measure requiring project applicants work with the Air District to

assure that the cumulative impacts of diesel exhaust emissions fall within public health standards where possible should be included in a revised and recirculated DEIR.

31. P. 4.1-16 Wineries as a source of ozone precursor emissions is not addressed. Since the 2006 General Plan would accommodate up to 50 wineries in the Winery Corridor, emissions from these facilities should be calculated and compared to those accommodated in the 2004 AQMP. If they are not accommodated, the Winery Corridor Plan would have a **significant and**



**unavoidable cumulative** impact on ozone levels.

## WATER RESOURCES

32. P. 4.3-5 The DEIR states, ADuring the spring and summer months, the two reservoirs on the Nacimiento and San Antonio Rivers regulate flow to minimize the outflow to the ocean and to maximize ground water recharge through the Salinas River bed.@ During precisely which spring and summer months do these releases occur, and during which months does river channel maintenance occur? In order to halt seawater intrusion, wouldn't it be necessary to release the same volume of water as is being pumped from the basin? If this is inaccurate, please explain.

33. P. 4.3-6 The DEIR states, AThe ground water basin in the Salinas Valley consists of one large hydrologic unit comprised of four subareas (Exhibit 4.3-2). These subareas have different hydrogeologic and recharge characteristics, but barriers to horizontal flow do not separate them and water can move between them.@ The DEIR then goes on to describe the differences between the subareas.

This is somewhat different from the description found in the current Central Salinas Area Plan, a part of the current Monterey County General Plan, which states (page 13 of the Inventory and Analysis), AThe largest groundwater basin in the County, the Salinas Valley Basin, has been divided into subareas *for the monitoring of groundwater*.@ The paragraph concludes, ASince there are no geologic barriers dividing these areas, there is free groundwater movement between them. *The valley, therefore, should be considered as a single hydrologic unit*.@ The description continues, AThe down-valley movement of this subsurface water is *essential to the containment of saltwater intrusion at the mouth of the valley*.@ [Emphasis added]

The DEIR description seems to imply that the subareas can be managed separately, without concern for the cumulative impacts of one subarea upon another. The current general plan description, however, would lead to a completely different conclusion B that the connectivity of the subareas demands analysis of the cumulative impacts of one subarea upon another. This latter conclusion is substantiated by the North Monterey County Hydrogeologic Study, Volume II B Critical Issues Report and Interim Management Plan prepared for the Monterey County Water Resources Agency by Fugro West, Inc. On page 38 of that report, Elements of the Issue, Seawater Intrusion, bullet 3, Fugro West states, ASeawater intrusion impacts only coastal landowners, however, seawater intrusion is caused by water levels at the coast being below sea level B the result of both coastal *and* inland pumping.@

If the current general plan language is the more accurate, please revise the DEIR description in keeping with the current plan. If not, please explain and document the change in the description.

34. P.4.3-9 The DEIR description of the Carmel River Watershed states, AThe level of ground water in this aquifer is influenced by pumping from wells operated by California-American Water Company (Cal-Am), as well as evapotranspiration of riparian vegetation, seasonal

infiltration and subsurface in- and outflows.@ No mention is made of the impacts of individual wells or agricultural wells within the watershed. Please include these individual and agricultural wells in the DEIR description or document and explain why they were omitted.

35. P.4.3-15 The DEIR states that the Pajaro River is defined by FEMA as a Special Flood Hazard Area (SFHA). However, there is no mention of what this FEMA designation entails. Please define SFHA and describe what it means in terms of constraints and availability of federal assistance in the event of future flooding, especially as it pertains to proposed land use in the Pajaro Community Area.

36. P. 4.3-15 The Estrella Watershed is discussed but is not mapped. Please provide a map of the Estrella Watershed.

37. P. 4.3-16 The Big Sur Coast Watershed and the El Toro Watershed are discussed but are not mapped. Please provide mapping of both.

38. P.4.3-16 and P. 4.3-17 In discussion of the B-8 zoning in the El Toro Watershed, the DEIR states, AThe amount of overdraft has not yet been accurately determined due to an insufficient number of monitoring wells throughout the basin. Additional data obtained from monitoring wells is needed to identify interactions between sub-basins.@ However, despite the lack of adequate data, the DEIR states the Calera Canyon Acould accommodate 300 additional units, pursuant to land use plan densities. Please explain how accommodation of *any* additional units can be contemplated prior to obtaining the above-mentioned data.

39. P.4.3-17 Does the development advocated in the San Benancio/Corral de Tierra Rural Center and/or the Toro Park Estates/Serra Village Rural Center fall within the Calera Canyon, and is it included in the A300 additional units@ which might be accommodated for the Calera Canyon?

40. P. 4.3-17 Please map the Laguna Seca Watershed and the Canyon Del Rey Watershed.

41. P. 4.3-22 and P.4.3-23 The DEIR states, ARecent research indicates that nitrates in the topsoil can take as much as 17 years to migrate downward into the ground water and up to 50 years to reach the depth of most well intakes. This suggests that nitrate levels measured today reflect nitrate loads as they existed 20 to 50 years ago. The widespread use of nitrogen-based fertilizers in the intensive, high-productivity irrigation agriculture of vegetable and truck crops practiced in the Salinas Valley has greatly accelerated in the past twenty to fifty years, leading to a condition in which present estimates of nitrate contamination may underestimate actual future nitrate concentrations in ground water.@ Adding to this nitrate problem are septic systems (even when functioning properly), livestock (especially when kept in high concentrations), and sewage treatment ponds (even when operating under normal conditions). Treatment to remove nitrates is characterized as Acost prohibitive@ in the DEIR, so AAll the Salinas Valley water utilities, as well as many small water systems throughout the County@ have chosen to drill new and deeper wells with a deep seal to prevent contaminated water from entering. The DEIR concludes, AIt is unknown how long this approach will be successful, and in some areas it may have the

undesirable effect of drawing the nitrates deeper into the aquifer system.@ Fifty percent of wells sampled throughout the Salinas Valley exceed drinking water standards for nitrates. One-third of all systems in North County is high in nitrates or may be in the very near future. What is the proposed source of potable water once the deeper wells= water has nitrates in concentrations exceeding drinking water standards?

42. P. 4.3-24 The DEIR states, AAlthough seawater intrusion can be halted by stabilizing ground water levels and may be reversed to some degree, it may not be possible to restore the seawater/freshwater interface completely to its pre-intrusion location. The difficulty is being able to reduce the pressure of a larger body of water (ocean) enough to push the line back. There are no documented instances of fully restoring ground water basins to pre-intrusion conditions.@

On average, to what degree have other coastal water basins reversed seawater intrusion? Since the seawater/freshwater interface is generally wedge-shaped, with the deeper portion of the interface extending further inland due in part to the higher density of the seawater, and therefore can=t be completely restored, then wouldn=t this be true for every incremental imbalance created by over-pumping the aquifer? If not, why not?

Again, (question from P. 4.3-5) during precisely which spring and summer months will releases occur, and during which months does river channel maintenance occur? In order to halt seawater intrusion, wouldn=t it be necessary to release the same volume of water as is being pumped from the basin? If not, why not? What volume of water is pumped from the Salinas Basin during months when river channel maintenance occurs?

43. P.4.3-24 The DEIR estimates that seawater intrusion, which has impacted coastal wells within the Salinas Basin since the 1930s, is advancing at approximately 425 feet per year. However, the DEIR does not indicate which of the three aquifers seawater intrusion is continuing to contaminate or how it is distributed within or among the aquifers. How much of that contamination occurs in the 180-foot aquifer, the 300-foot aquifer or the deep aquifer (900 to 2000 foot)? Using data collected using discrete sampling methodology, what is the furthest inland that the leading edge of intruding seawater has been detected in each of these aquifers? According to the DEIR, agriculture, public utilities and some industries are drilling deeper wells. However, many individual wells and small mutual system wells rely on wells in the 180-foot aquifer, making seawater intrusion into the shallower aquifer of critical importance. Why is the information presented based upon seven year old data? Why are the maps based upon 8 year old data? How many acres and what land is underlain by seawater intrusion at the 180-foot depth? The 400-foot depth?

44. P.4.3-31 The DEIR states, AAny significant pumping of ground water between Salinas and the coast causes seawater intrusion.@ Please define Asignificant@ in terms of acre feet. Seawater intrusion is also occurring along parts of the North Coast outside the Salinas basin and along the coast near Marina. At what location within each of these watersheds would significant

pumping of groundwater cause seawater intrusion? Again, please define A significant @ in terms of acre feet.

45. P.4.3-31 The DEIR states, A the Deep Aquifer has become a major source of water, @ but it=s an unsustainable source because its origin is ancient (at least 30,000 years) and is not rechargeable. How many acre feet of water are stored in the deep aquifer? What is its quality, and if not of potable quality, how costly is it to make it potable?

46. P. 4.3-31 In the DEIR description of North County watersheds, the Pajaro Valley Water Management Agency (PVWMA) projects are mentioned along with anticipated construction dates and completion dates for the water recycling phase of the project. Where exactly is the PVWMA in its construction of pipelines to deliver recycled waste water from the Watsonville Wastewater Treatment Plant to Pajaro Valley? What is the status of the pipeline that will be used to import water from the San Felipe Unit of the Central Valley Project?

47. P. 4.3-32 Hard rock formations in North County and along parts of the Highway 68 corridor result in naturally occurring levels of arsenic that approach or exceed federal standards. Please map the location of these formations. What is the County=s plan for replacing the water that is no longer considered potable? What planning mechanisms, for example zoning overlays, are planned to prevent development in these areas?

48. P. 4.3-49 According to the DEIR, A Growers are also required to conduct water quality monitoring and have the option to either perform individual monitoring or participate in a Cooperative Monitoring Program in which individual growers pool resources and conduct group monitoring. Under the Conditional Waiver, a group of twenty-three Central Coast agricultural organizations have agreed to implement the Cooperative Monitoring Program. @ Must all landowners in a watershed participate in a Cooperative Monitoring Program? If not, how can the Cooperative Monitoring Program work?

49. P. 4.3-52 and P. 4.3-53 Include a discussion of groundwater management through state adjudication. Little is mentioned about the threat of adjudication in the Salinas Basin. However, seawater intrusion is such a threat to the Salinas Basin that the State began adjudication of the basin in 1998. According to the Salinas Valley Water Project, adjudication to halt seawater intrusion would result in a uniform reduction in pumping on the order of 30 percent to 50 percent throughout the Salinas Valley. This is a huge impact. Why was this information omitted from the discussion?

50. P.4.3-54 The DEIR states that the Salinas Valley Water Project has two main goals, 1) stopping seawater intrusion and 2) providing adequate water supply to meet existing and future (2030) water demand. The main components of the Salinas Valley Water Project are enumerated, including the diversion facility (the rubber dam). However, no mention is made of the diversion facility=s planned capacity, 9700 acre-feet. The diverted water, which will be used to supplement recycled water and replace groundwater pumped from irrigation wells, is essential to halting seawater intrusion. This phase of the project has not yet been permitted by National

Marine Fisheries Service (NMFS) due to concerns about impacts to steelhead migration. The DEIR claims that construction of the rubber dam is to begin in 2007 but does not estimate a completion date.

Moreover, the Salinas Valley Water Project as currently constituted is simply intended to halt seawater intrusion, not increase the supply. The record for the SVWP explicitly states that as currently envisioned, it is

Believed sufficient to halt seawater intrusion in the short term,  
But may not be sufficient to meet the water demand through the year 2030.  
An expanded distribution system and expanded deliveries would probably be  
necessary to halt seawater intrusion in the long termY

The project=s main objective is to halt seawater intrusion in the Pressure Area.  
The project will not reverse (i.e., mitigate) the intrusion that has already occurred,  
but is designed to prevent further intrusion in the future.

Moreover, when will NMFS grant construction permits for the rubber dam? Has NMFS reduced the volume of water the diversion facility can impound? If so, what will be the permitted volume of impounded water, and how will that level of impoundment affect the project=s effective lifespan (currently projected for less than 24 years B 2030)?

More than three years ago, voters approved the SVWP based upon a project designed to impound 9,700 acre feet of water and projected to halt seawater intrusion until at least 2030. Now the DEIR states, AThe SVWP is in the final design stages.@ Is this because of changes required by NMFS? If so, please re-evaluate the impacts of development proposed in the 2006 General Plan in light of the reduced capacity of the rubber dam.

Please provide both a start date and a completion date for the Arubber dam.@

51. P. 4.3-63 The DEIR lists the responsibilities of the Monterey County Health Department as it applies to drinking water protection. The Department regulates and monitors individual water systems (2 to 199 connections); local small water systems (2 to 4 connections); public water systems (15 or more connections), and state small water systems (5 to 14 connections).

How many of each type of system does the Department regulate? With the levels of rural development allowed by the 2006 General Plan in the unincorporated areas of Monterey County (Rural Centers, Rural Center transition areas, Property Owner Request parcels and vacant legal lots of record), how would the number and type of systems the Department regulates change?

How would that affect the Department=s ability to effectively and safely regulate these systems?

Currently, the Department allows the use of septic pits, even in areas with perched aquifers that serve as the sole source of water for residents. Under the 2006 General Plan, how would the Department regulate the use of septic pits in Rural Centers, Rural Center transition areas, Property Owner Request parcels and vacant legal lots of record? How would that regulation differ from system in which septic pits have already been established?

52. P. 4.3-65 The DEIR states that water supply in Carmel Valley may be impacted by individual wells along the Carmel River. According to the DEIR, AAs the allocated water has been exhausted, an increase in claims of riparian rights has been observed. It is unclear whether these claims represent an increased demand on the water resource system and whether there are environmental impacts associated with the potential increased demand.@ Please explain how it can be Aunclear@ whether increased pumping from private wells in a basin under court order to reduce pumping along the river by more than 10,000 acre feet per year is increasing demand in the watershed?

53. P. 4.3-65 and P. 4.3-66 According to the DEIR, the Pajaro Valley Water Management Agency=s strategy to halt seawater intrusion and meet water supply demands in the Pajaro Valley is a combination of conservation, extraction limitations, and importation of water. Local elements of this plan B construction of coastal distribution system, delivery of imported and local water to irrigate approximately 8,000 acres of agricultural land, and conservation programs B will yield less than 10,000 acre-feet per year. Of the annual shortfall of 28,000 acre-feet per year, this leaves a deficit of at least 18,000 acre-feet per year. Although most of the project water is earmarked for agricultural use, some of the water will be used by the Aromas Water District which serves mostly non-agricultural uses. The PVWMA has a 19,900 acre-foot entitlement from the San Felipe Unit of the Central Valley Project. This water will be piped to the PVWMA, subject to availability. On average, what percentage of the Central Valley Project is available to its participants? How much of the San Felipe water will be sent, by agreement, to the Aromas Water district primarily for residential use? Is the water from the San Felipe Unit to be used only for agriculture?

54. P. 4.3-81 to 4.3-83 The DEIR concludes (WR-1) that the 2006 General Plan would result in no significant impacts to water quality due to non-point source pollution from urban runoff. According to the DEIR, Monterey County is protected by existing local, state and federal regulations as well as several General Plan goals and policies.

This conclusion is questionable for the following reasons:

- Every major watershed in Monterey County is designated as impaired because none of them attains the level of water quality required by Section 303(d) of the Clean Water Act. These are listed in the tables found on DEIR pages 4.3-40 through 4.3-48. When existing federal, state and local regulations haven=t successfully prevented Monterey County surface waters from failing to attain the Clean Water Act standards, how can those regulations be characterized as sufficient? Please explain.
- P. 4.2-1 The DEIR states that buildout of the 2006 Plan would result in the loss of 5,497 acres of Important Farmland to urban development. This number is underestimated based on the following analysis:

Rancho San Juan Community Area	400 acres
Castroville Community Area	139

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Subtotal	99
Chualar	950
PORs (excludes Pine Canyon PORs)	4,008
Farmland within City Spheres (DEIR p. 4.2-15)	1,674
TOTAL	7,734

This total does not include development on farmland for most Rural Centers, expansion of Rural Centers (transitional areas), Special Treatment and Study Areas, subdivisions outside of Community Areas, and development on farmland allowed by agricultural policies and Winery Corridor policies. The result is that urban run-off is drastically underestimated and therefore will not be adequately mitigated.

Please re-calculate urbanized acreage resulting from the 2006 Plan policies, including Rural Centers, Rural Center transitional areas, Special Treatment and Study Areas, subdivision outside of Community Areas and development on farmland allowed by agricultural policies, including Winery Corridor policies. Alternatively, please explain and document the lower urbanized acreage presented in the DEIR.

55. Please explain how the following policies mitigate non-point source pollution.

- Policy OS-3.3, as currently written, merely requires that *criteria would be developed* for evaluating and addressing various runoff problems. The policy does not say when they will be developed and does not say if, when or how they will be implemented.
- Policy OS-5.11 suffers a similar inadequacy. Land use practices that could result in siltation and pollution would be reviewed and evaluated; but review and evaluation would not necessarily result in prevention of either problem. Nor is there any indication of which land use practices might typically be subject to review and evaluation.
- Policy S-3.2 does not define Best Management Practices in the General Plan text or in the General Plan Glossary. There is no inkling of the source for such ABest Management Practices, and there is no indication of who would compile, maintain or enforce them.
- Policy S-3.6 promises that an inventory of high-risk erosion areas would be maintained. Surely there must be existing data on these areas, but they are not inventoried or mapped in the 2006 Plan. Specifically, the Plan does not provide any maps showing high-risk erosion areas and their proximity to any of the designated Community Areas, Rural Centers or Property Owner Requests where urbanization is supposed to occur. This makes it impossible for the public to comment on these potential risks for areas that will be urbanized during the term of this General

- Plan. Furthermore, no timeframe is established in which this inventory would be completed. Without such a timeframe, there is no reasonable certainty that this mitigating policy would be applied to development allowed under the 2006 General Plan. Please explain how S-3.6 would help reduce impacts to less than significant if development is allowed prior to completion of the inventory and mapping.
- Policy PS-2.7 promises development of a Hydrologic Resources Constraints and Hazards Database. However, there is virtually no indication how the information would be used except that it could Apotentially impact the type or level of development allowed in these areas.@ This is so vague as to be useless. As in policy S-3.6, there is no indication whether any areas targeted for urbanization in the General Plan occur in water constrained or water hazardous areas. No timeframe is established for completion of a constraints and hazards database; and no contingency plan is proposed for development allowed under the 2006 General Plan until the database is completed. Please explain how this mitigating policy would reduce impacts to less than significant if development is allowed prior to completion of the database.
  - Policy PS-2.6 states that ARegulations shall be considered for water quality testing for new individual wells.@ Again, considering regulations is NOT the same as developing and implementing them. Please explain how considering regulations for water quality testing reduces impacts to less than significant.
  - Goal PS-3 is undermined by the vagary of the policies that follow it. A long-term water supply is defined as 20 years B less than the term of most mortgages and the 2006 General Plan.
  - PS-3.2 allows credit up to 50% for the average annual water use of the previous 20 years. This has NOTHING to do with whether there is, in fact, a 20-year supply of water available. This is designed to protect developers and agriculture landowners from the consequences of historical over-pumping. It would allow them to profit by passing risk of aquifer failure onto unsuspecting urban water users. It would also continue the abuse, common under the current General Plan, of land owners, in anticipation of development, intentionally increasing water use (waste) in order to claim sufficient water supplies to support urban development. Please explain and justify with documentation, that this policy does provide a long-term water supply (20 years).
  - PS-3.3 Specific criteria for long term water use would be developed; but again there is no timeframe for completion and the suggested criteria are vague B Athey may include@ or may not include six listed criteria. Please explain and justify with documentation how this results in any certainty of mitigation.
  - The same is true for all new wells at PS-3.4.

Ultimately, most of the policies that are supposed to fully mitigate non-point source pollution from urban runoff have no time frame in which they will be accomplished. The result is that evaluating the impacts of development allowed under the 2006 General Plan is deferred until after the plan is adopted. Please explain and justify with documentation how the DEIR fully analyzes and discloses the impacts of the 2006 General Plan, when the tools for doing so will not



be developed until after adoption of the plan.

56. P. 4.3-83 to P. 4.3-84 The DEIR states that increases in soil erosion caused by construction consistent with the 2006 General Plan can be reduced to less than significant levels with mitigation. According to the DEIR, most soil erosion problems caused by development and impacting water quality will be controlled by existing county grading and erosion control requirements and Phase II NPDES (National Pollution Discharge Elimination System) permitting requirements.

As pointed out in our earlier comments, every major watershed in Monterey County is designated as impaired because none of them attains the level of water quality required by Section 303(d) of the Clean Water Act. Once again, the DEIR claims that existing regulations would prevent most water pollution caused by development, even though these regulations have not been successful to date.

The DEIR discusses various state and federal regulations at P. 4.3-37 through P. 4.3-40. On P. 4.3-39, it explains that the Phase II NPDES storm water program regulates storm water discharges from industrial facilities and municipal storm sewer systems (MS4s). It also suggests that the following unincorporated areas do not create storm water runoff problems because they are served by these MS4 municipal storm sewer systems: Carmel Valley, Coral de Tierra/San Benancio; Toro Park; a large area bounded by the Salinas River, Davis Road, Highway 68 and the City of Salinas; a second large area southeast of San Juan Grade Road and northeast of Salinas; Pajaro and its surrounding; Castroville and Prunedale..

There is no map showing the extent of territory served by each municipal storm sewer system. Without such mapping, how is it possible to determine whether existing development or new and proposed development are adequately served by a municipal storm sewer system? Please provide this mapping. Please also describe and map the municipal storm sewer systems which would serve Community Areas, Rural Centers, Rural Center Transition Zones, Special Treatment Areas and Property Owner Request parcels B all of which the 2006 General Plan targets for urbanization. Please also discuss the fact that Community Areas and Rural Center Transition Zones have uncertain boundaries (see policy LU-2.23(g) and policies LU-2.36 and LU-2.37) which may place them outside of areas served by municipal storm sewer systems. How would this possibility be adequately addressed? If some of these urbanized areas in the county=s unincorporated lands lack sufficient population or land area to require individual municipal storm sewer systems, how would cumulative storm water runoff caused by such widely dispersed urbanization be addressed?

57. P. 4.3-86 According to the DEIR, limited timber harvesting (including conversion of oak woodland to other agricultural uses) and mineral resources extraction will have significant unavoidable impacts, mostly because Avery few agricultural land uses require discretionary or even ministerial permits from the County.@ To reduce this significant and unavoidable impact, the DEIR recommends adding three new policies.

- WR-3A AA ministerial permit process shall be developed and implemented for agricultural land conversion projects on slopes greater than 15 percent, or 10 percent or more on highly erodible soils. The permit process shall require that an erosion control plan be developed and implemented for all disturbed lands where new cultivation is proposed. Routine and on-going agricultural activities are exempt from this requirement. @ Please define Anew cultivation. @ Given the extent of routine and ongoing agricultural activities allowed in the 2006 General Plan, please provide some examples of agricultural land conversion projects to which this mitigating policy would apply. What is the time frame to complete development of the permit process?
- WR-3B requires that yet another ministerial permit process be developed, but it is so convoluted that it is difficult to understand. This permit process would require a Watershed Management Plan for Any new large (100 acres or more) conversion project or activity, or cumulative new activity from multiple projects within any five-year period that have a reasonable potential to create off-site soil erosion impacts or to violate adopted water quality standards, and that substantially alters land cover in an area that is 25 percent or more of a watershed, develop a Watershed Management Plan. @ This requirements is incomprehensible. Please explain the intent of this policy and explain how most agricultural activities wouldn't be included due to routine and on- going agriculture practices. What is meant by Areasonable potential to create off-site soil erosion impacts? @ How can cumulative new activity from multiple projects within any five-year period be anticipated in order for the impacts from these projects to be adequately mitigated?
- ☐ WR B 3C states that the County shall cooperate with the RCD, NRCS, UC Cooperative Extension, MCWRA, SWRQCB, Agriculture Water Quality Alliance to continue education/outreach and technical assistance programs. How does this change anything? Is the County not already cooperating with these organizations?

58. P. 4.3-90 According to the DEIR, sewer- and septic-related water quality impacts caused by development allowed under the 2006 General Plan will be less than significant with mitigation. This conclusion is unlikely for the following reasons.

The 2006 General Plan buildout of 53,947 is significantly underestimated for the following reasons:

- 1) The 16,900 new units were added to 2000 existing units rather than 2005 existing units.
- 2) The 16,900 new units only account for development in all but one Community Areas, Rural Centers and Lots of Record. (Bay Area Economic Report, Appendix A-1).
- 3) The 2006 General Plan estimate does not account for:

- a. The 950 acres in Chualar with a potential buildout of 3,000 to 10,000 units,
  - b. Projects approved but not built,
  - c. Projects in the planning process,
  - d. Units that could be built in Atransition areas@ between Rural Centers and adjacent land,
  - e. Subdivisions that can be built anywhere in unincorporated areas,
  - f. Property Owner Requests,
  - g. Special Treatment Areas and Study Areas, and
  - h. Development potential in Farmland, Rural Grazing Land, Permanent Grazing Land, and Residential land outside of Community Areas and Rural Centers.
- 4) The 2006 General Plan is based on the 1982 General Plan with added growth as noted above. It also eliminates the adopted maximum densities for all lands outside of growth areas in the 1982 GP.
- 5) At a minimum, The 2006 General Plan has a buildout potential of 229,377 units, not the 53,947 used in the DEIR. Please re-assess the impacts of the 2006 General Plan growth on wastewater disposal in light of the true estimates above.

59. P. 4.3-91 The DEIR also claims that various General Plan policies address water quality issues related to wastewater disposal.

- PS-4.8 requires development of several criteria for septic disposal systems to protect water quality, but no timeframe is established for completing the task and implementing the criteria. Without a timeframe there is no certainty that the criteria would be applied to development allowed by the 2006 General Plan.
- PS-2.7 includes mapping of areas with severe septic tank leachfield suitability constraints. However, once again there=s no timeframe for completing this constraints-and-hazards database, which could Apotentially impact the type or level of development allowedY.@ This policy not only has no timeframe, but there seems to be little idea of precisely how the database would be used.
- PS-4.7 requires development of specific criteria for new wastewater treatment facilities and proof of the adequacy of existing facilities to service new development. Again there is no timeframe for completing this task or phasing development so that it can comply with the policy.
- S-12 encourages all new wastewater treatment facilities to use tertiary treatment standards to minimize water quality impacts. AEncouraging@ is not the same as requiring and provides no certainty that an impact would be mitigated.
- OS-36 requires that a ministerial permit process be developed for existing lots of record which contain hydrologic hazards or constraints which appear on either the County=s GIS Geologic or Hydrologic Hazards Databases. No timeframe is included for either the permit process of the development and maintenance of the databases. Again, there is no certainty these tasks would be completed in sufficient time to be applied to development proposals.

- Failed septic systems will continue to be able to be replaced with septic pits, which are a means of disposal, not treatment. Septic pits will continue to accelerate migration of contaminants to groundwater without adequate treatment.

60. P.4.3-92 through P. 4.3-97 The DEIR states that increased demand on groundwater supplies could continue the decline in groundwater levels and accelerate overdraft. The impact of declining groundwater levels is characterized as a significant and unavoidable impact of development allowed under the 2006 General Plan. The DEIR credits the 2006 General Plan with policies designed to minimize this impact as much as possible. Most of them have already been discussed above. Most of them contain language that is vague B encourage instead of require, monitoring of wells are assured, provided adequate funding is available, regulations shall be considered instead of being developed and enforced; and always there=s a lack of timeframe for completing the database, developing the criteria. Moreover, the impact is underestimated since the plan underestimates the potential growth in development and land consumed as discussed above.

61. P. 4.3-103 The DEIR claims that policies for land use and development in the 2006 General Plan reduce to insignificant the impacts to drainage patterns leading to increased runoff and stream bank erosion. The DEIR claims that existing County Code and the County=s role in administering the NPDES regulations also contribute to the insignificant impact. The authors of the DEIR assume that the County adequately enforces its own regulations. This is far from true.

The DEIR continues, AMore specific Stormwater detention and retention policies are expected to be contained in the Flood Criteria or Drainage Design Manual proposed under Policy S-3.7.@ When this Flood Criteria or Design Manual will be completed is unknown; and why the DEIR necessarily expects the manual to contain more specific storm water detention and retention policies is also unknown. What is the value of such a manual when huge discrepancies exist over population growth and urbanized acreage and impervious surfaces?

Other policies cited that supposedly help reduce the impact to less than significant are OS-3.3, S-3.1 and S-3.3. OS-3.3 exempts routine and on-going agriculture despite the fact that the list of routine and on-going activities has greatly expanded in the 2006 General Plan. Like most of the policies, S-3.1 and S-3.3 read like action items B only none of them contain implementation timeframes. There is no certainty they will be completed in time to be applied to development allowed in The 2006 General Plan.

62. P. 4.3-105 The DEIR characterizes as less than significant, the increased flood risk from drainage system alteration. The DEIR states, AUnless properly planned and engineered, local storm drainage modification, stream channel alterations, and structural bank stabilization measures could potentially create significant localized flooding impacts, in some cases by moving the existing flooding and channel instability problems cross

channel or downstream, or by changing the timing of peak flows and point of discharge of runoff.@ Please explain how changes to storm drain and changes in stream channel can be Appropriately planned@ when growth allowed under the 2006 General Plan is grossly underestimated?

63. P.4.3-106 The DEIR characterizes as less than significant the risks of continuing to develop in the 100-year flood hazard areas. Despite being designated by FEMA as Special Flood Hazard Areas, the county is proposing regulations that supposedly reduce the risk of development in flood zones to less than significant.

- Policy OS-3.6 requires a ministerial permit process for development in floodplain hazard areas, however that process is yet to be developed and the Hydrologic Hazards Database it depends upon is yet to be developed.
- Policy S-2.7 states that subdivisions that create lots where the only developable site for new structures is within the 100-year floodplain shall be discouraged. Already existing lots of record would be one thing, but why shouldn't the county PROHIBIT new subdivisions that create lots within the floodplain to mitigate for impacts caused
- Policy S-2.11 would allow new buildings to be located within the floodplain as long as they satisfied mitigation requirements such as raising the lowest floor elevations to one foot above the 100-year floodplain. Please explain how such requirements would protect existing structures downstream and upstream from re-directed flow, especially when it is common for owners to modify properties once built. Also explain why it should not be anticipated that the height and extent of flood water would increase when increasing portions of watersheds are being devegetated and hardscaped with structures, patios, driveways, etc.
- Policy S-2.12 Aencourages@ new wastewater treatment facilities or expansion/major remodel of existing facilities to upgrade to tertiary treatment standards to minimize any health threat to federal, state and county waters. Please explain why this upgrade is not required as mitigation.

64. P. 4.3-110 There is currently no 2006 General Plan policy specifically related to flood hazards caused by dam failure. With the addition of proposed policy on P.4.3-111, the DEIR characterizes risks due to dam failure as less than significant. ATo assist planners in determining potential inundation hazards for existing and future development, the County shall coordinate the periodic review, completion, and filing (with appropriate State and County Offices of Emergency Services) of inundation maps for all dams and levees whose failure could cause loss of life or personal injury within Monterey County. Where inundation maps indicate dam or levee failure could cause loss of life or property or personal injury, the corresponding responsible party shall investigate levee or dam stability and management, identifying emergency alert, evacuation, rehabilitation, and maintenance needs as appropriate.@ Here is yet another project to be undertaken after adoption of the 2006 General Plan. Reservoirs are becoming more and more common as part of vineyard approvals, some retain a couple hundred acre-feet. Would these be included in this program?

65. P. 4.3-111 The DEIR states that implementation of the Agricultural Winery Corridor Plan

would promote the continued cultivation of important farmland in Monterey County. AThe development of wineries would enhance the economic viability of agriculture and reduce economic pressures to convert agricultural land to urban uses.@

Wineries are processing plants and visitor-serving facilities. They ARE a conversion of agricultural land to urban uses. They do not promote continued cultivation of important farmland, which is mostly good for row crops but not very good for growing wine grapes. Instead of promoting continued cultivation of farmland, the Winery Corridor would promote the conversion of un-irrigated grazing land and oak woodland on moderate to steep slopes to vineyards and wineries. Considering Monterey County=s experience with Rancho San Juan, please explain why it=s sound planning practice to create entitlements before their impacts can be evaluated.

### GEOLOGY, SOILS AND SEISMICITY

66. P. 4.4-40 2006 General Plan Policies lift the existing limits on conversion of any slopes over 25% and only require a permit for conversion, or no permit at all if it is considered Routine and Ongoing Agricultures. How much private and public acreage would be affected by this change? What specific areas would be affected? Please provide maps to identify these the areas. What are the potential impacts to wildlife corridors, water demand, water quality, special status plants and animals, viewshed, air quality, adjacent land uses, and erosion? What methodology did you use to consider the impacts of the proposed the slope policy. What data did you rely upon? What criteria were used to determine impacts? Finally, what are the cumulative impacts of the proposed policy?

67. P. 4.4-30 The DEIR states that the Zoning Code, Chapter 21.64.230 details specific regulations for development on slopes over 30 percent and that the County has an erosion control Ordinance (Chapter 16.12) that generally prohibits development on slopes greater than 30 percent.

This is an incomplete discussion of Chapter 16.08.060 and 16.12.04 of the Monterey County Code. Both sections permit grading on slopes in excess of 30 percent in most of unincorporated Monterey County except in North County coastal where it is 25 percent under the following conditions:

- 1) A permit is required
- 2) There is no alternative which would allow development to occur
- 3) The proposed project better achieves the resources protection objectives and policies of the General Plan, Area Plans and Land Use Plans.

Grading on slopes over 30 percent is common throughout Monterey County under the provisions described above. These activities can and do have significant adverse impacts at a project and cumulative level. Mitigation Measures WR-2a, WR-2b, WR-3a, WR-3b and WR-3c are cited as

measures that would reduce erosion potential to less than significant. WR-2a and WR-2b reiterate provisions already included in the County's zoning ordinance.

WR-3A says that the following will be added to the Open Space and Conservation Element: AA ministerial permit process shall be developed and implemented for agricultural land conversion projects on slopes greater than 15 percent, or 10 percent or more on highly erodible soils. The permit process shall required that an erosion control plan be developed and implemented for all disturbed lands where new cultivation is proposed. Routine and on-going agricultural activities are exempt from this requirement (emphasis added)@.

Policy AG-3.3 defines cultivation, tillage and irrigation of soil and conversion of previously uncultivated rangeland to cultivated agricultural use as routine and on-going agricultural activities and specifically exempts these activities from Policy OS-3.5 on slopes. How can mitigation measure WR-3A be found to reduce impacts from agricultural conversion to less than significant when the measure doesn't apply to routine and on-going agricultural activities?

Further, privately held lands greater than 25 percent slope total 597,764 acres. All of this land would be open for conversion under the new policy unlike the existing policy that does not allow conversion and cultivation of land over 30% anywhere in the county (Title 21, 21.66.030 C. 1.). Please explain how proposed mitigation measures would reduce cumulative impacts on erosion/land stability, water quality, water supply, habitat, special-status plant and animal species, wildlife corridors, viewshed, traffic from farming operations, noise and air quality to less than significant.

68. P. 4.4 The DEIR should identify funding increases that would be needed to staff expanded permitting that would be required under revised slope policies.

69. P. 4.4 Why does this chapter fail to address asbestos entrained in soils throughout the county, particularly the Salinas Valley, and the potential impact of soil disturbance on human health?

## MINERALS

70. P. 4.5-2 Table 4.5-1 and Exhibit 4.5-1 use 1999 and 2001 data. Why wasn't 2006 data used?

71. P. 4.5-6 New oil production in the San Ardo field is expected once the water reclamation plan is implemented and the pipeline completed to the Central Valley. This section should be updated.

72. P. 4.5-7 Under the discussion of mine reclamation, why is there no mention of the abandoned asbestos mine near King City?

73. P. 4.5 Why does this chapter fail to address the potential impact of mineral exploration

on adjacent land uses, particularly residential land uses? Why are buffers not recommended as mitigation measures?

## TRANSPORTATION

74. The transportation impact analysis is flawed and lacks a full disclosure of the potential impacts of the 2006 General Plan. The analysis uses AMBAG's 2030 travel demand projections which are based on regional and countywide economic and demographic forecasts, not on local general plans as stated in the DEIR. Additionally, as noted on P. 4.6-27, development beyond 2030 or unexpected economic growth could significantly change the extent of the impact and/or time frame for when full buildout could occur. Without a complete understanding of what the ultimate impact of travel demand could be under the 2006 General Plan, disclosure of the magnitude of the impacts and appropriate mitigation measures cannot be determined.

The DEIR does not describe assumptions utilized within the AMBAG Travel Demand Forecasting Model 2006. Therefore, it is not possible to determine what roadway improvements may have been included or assumptions made regarding geographic distribution of population or employment utilized in the traffic modeling to identify impacts.

Further, there is no discussion of the cumulative impact of buildout of all local general plans and weekend tourism traffic that may be expected from full development of the Agricultural Wine Corridor Plan. There is also no discussion of the possibility of special events that may be associated with tourism and marketing of the AWCP such as wine tasting festivities, concerts, weddings and the like.

Traffic congestion has reached unprecedented levels on County roads. The DEIR does not fully describe existing road capacity and safety deficiencies in the road network.

Traffic Impact Fees and Regional Impact Fees will not be able to pay to fix these current deficiencies since impact fees must be tied directly to addressing project impacts, not existing conditions. Past history also demonstrates the limited availability of State and federal funds to fully fund improvements to the state highways in the county. Further, there is no assurance that a fully funded and committed program can be in place to make necessary roadway improvements as growth occurs. Therefore, the identified impacts cannot be fully and sequentially mitigated by traffic impact fees as growth occurs or achieve an acceptable level of service by 2026 as described in the 2006 General Plan and the DEIR.

75. The description of improvements needed to improve safety and handle additional traffic from the Agricultural Winery Corridor Plan is incomplete. The County completed a Project Study Report of River Road by Sandis Humber Jones in August 2003 that concluded that LOS would drop below C by 2020 and various safety improvements and storm drain runoff improvements are needed now. The total cost of those improvements was estimated at \$126 million. These improvements are not included in the Regional Transportation Plan. The DEIR states that a Capital Improvement and Financing Plan (CIFP) would need to be completed and a



fair share allocation of costs to those that would benefit within this corridor be assessed. The DEIR states that the CIPF is to address deficiencies and concludes that these impacts are not significant with adoption of a CIPF. What evidence is there that the CIPF can be approved and adopted by those other landowners that may be affected by such an assessment? Without assurances that the CIPF would be adopted, how can the impacts be found to be less than significant? Moreover, would the CIPF have to comply with Proposition 218 making landowner approval less likely?

76. P. 4.6-1 The DEIR states that the primary transportation issue in the county is traffic congestion during peak commute periods. This should be amended to include maintenance of existing roadways and safety.

77. P. 4.6-1 The DEIR states that direct LOS on County Roadways would be mitigated to levels of less than significant. Since AMBAG forecasts were used rather than buildout of the General Plan, this finding is based on inadequate data.

78. P. 4.6-5 Estimated truck data are from a 1995 AMBAG study. Why are not more current data used, e.g., Caltrans Annual Average Daily Truck Volumes?

79. P.4.6-8 Why do Table 4.6-4 and Exhibits 4.6-2b and 2c on LOS levels use data that are 6 years old?

80. P. 4.6-26 The DEIR references the County=s adopted standard as LOS D. The adopted standard is LOS C. LOS D is a proposed standard in the 2006 General Plan. The impact of lowering the standard from LOS C to LOS D is not addressed in the DEIR. Reducing the standard allows more development without mitigation and forces additional traffic delays in the community. A revised DEIR must address this issue.

81. P. 4.6-27 CEQA requires that the impact of the project be addressed. In this case, the project is the growth accommodated by 2006 General Plan, not AMBAG=s population forecasts as discussed above.

82. P. 4.6-27 AMBAG=s Transportation Model was used to address project impacts. The model includes land use and population forecasts that differ significantly from those included in the 2006 General Plan; this is contrary to the statement that AMBAG=s projections reflect Agrowth under the 2006 General Plan@. How could AMBAG=s projections include growth under the 2006 General Plan when the forecasts were done in 2004?

An example of the disconnect between AMBAG forecasts and the 2006 General Plan follows: The AMBAG model includes only nominal growth in dwelling units for the Cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside and Carmel Valley. In fact, Population forecasts for 2030 are lower for Carmel, Del Rey Oaks, Monterey, Pacific Grove and Carmel Valley than 2000 population levels due to a lack of water. Yet, the 2006 General Plan Includes 576 new legal lots of record in Carmel Valley and major development at the mouth of

the Carmel Valley. Added to existing legal lots of record and pending projects, the 2006 General Plan would accommodate at a minimum over 1,900 new units for a total of 19,000 new daily trips, assuming 10 trips per single family dwellings (ITE). The AMBAG transportation model does not address this level of growth in traffic for the Monterey Peninsula.

83. P. 4.6-27 The EIR evaluates two scenarios that are based on the same 2030 projected land uses - one with the TAMC 14 year investment plan and one without the plan. The DEIR states that 67 roadway segments, or 73 miles of roadways, would exceed the LOS D standard established by 2006 General Plan by 2030. This is a 260 percent increase of impacted roadways over existing conditions. And, even with the road improvements included in the 14 year investment plan (which are uncertain to be built or completed by 2030), there would be 57 road segments or 60 miles of roadway that would exceed the LOS D standard established by the 2006 GPU. This would be a 214 percent increase over existing roadway conditions. The DEIR uses as a threshold of significance an increase in traffic that exceeds the County's proposed standard for LOS D (P. 4.6-26). Yet, the DEIR states on P. 4.6-50, A Growth in land uses allowed under the 2006 General Plan would create direct impacts to County roadways which would exceed the level of service (LOS) standard D. **Less Than Significant Impact.** @ How can these impacts be considered less than significant with no mitigation measures required when there is a 214 percent or 260 percent increase in roads that would operate at a less than LOS D?

The DEIR further states, A...development of land uses allowed under the 2006 General Plan by the year 2030, cumulatively with traffic generated by growth in the incorporated areas of the County will result in significant adverse impacts on the County's roadway and highway system. @ (pg 4.6-54). Why is this a significant adverse impact while the DEIR also states there is not a significant impact to County roadways which would exceed LOS D?

84. P. 4.6-29 The DEIR states that Exhibits 4.6-6a through 4.6-6c present PM peak hour LOS results for Scenario 1 (Financially Constrained Network-Without 14-Year Investment TIP Plus PIP). Only Exhibit 4.6-6a addresses that scenario. Exhibits 4.6-6b and 6c address 2000 Roadway LOS which are not related to Scenario 1.

85. P. 4.6-29 The DEIR states that the PIP is fully funded. Since the PIP was included as a project to be funded under Measure A which failed, please explain why it is now found to be fully funded?

86. P. 4.6-29 The DEIR states that the Westside Bypass was included as an improvement within Scenario 2 along with other improvements in TAMC's 14 year investment plan. However, there is no mention of the Westside Bypass as one of the improvements to be included in the TAMC's 14 year improvement plan. Yet, the DEIR states that the Westside Bypass would be partially funded by the 14 year plan. Where does this partial funding come from since it is not on the constrained list? Where does the rest of the funding come from?

87. P. 4.6-34 Why does Table 4.6-11 depict baseline data that are over 6 years old?

88. P. 4.6-54 The DEIR indicates that increased heavy duty truck traffic from 12,800 to 18,900 truck trips per day by 2030 would not have a significant impact because A...the 2006 General Plan and Area Plans contain policies that identify the types of improvements necessary to Improve safety and operations for heavy vehicle travel and a means for new development to evaluate and fund these improvements.@ How can this finding be supported when the cumulative impacts on County and regional roads from 2006 General Plan are found to be significant?

89. P. 4.6-58 The DEIR finds that the ACirculation Element provides adequate emergency access by requiring a roadway system designed to accommodate future traffic volumes with acceptable levels of service (LOS D).@ The Circulation Element does not identify road systems needed to meet buildout of the 2006 General Plan. For example, projected growth for the Carmel Valley Area Plan allows for an increase of at least 19,000 daily VMT but the Area Plan does not identify how existing LOS F at the intersection of Ocean Avenue Road and Highway 1 would be addressed and how adequate emergency access would be met and maintained. Provision of adequate emergency access should be found to be **significant and unavoidable**.

90. P. 4.6- 54 The DEIR proposes a mitigation measure to allow development to proceed but limits occupancy until a funding program is in place. This does not adequately mitigate the impact. Unoccupied new development is a financially infeasible solution for private developers. What evidence is there that this is a feasible mitigation measure?

91. P. 4.6-59 The DEIR finds, ADevelopment under the 2006 General Plan would be concentrated in population areas defined as cities, Community Areas and Rural Centers. Land uses would be compatible with walking and bicycling and with provisions of adequate transit service within the population areas...@ How can this finding be supported when the 2006 General Plan would:

- A. Create seven Community Areas and 11 Rural Centers.
- B. Add new vaguely defined areas outside Rural Centers as Rural Center Transition Zones for additional low-density development.
- C. Allow 14 property owners to development outside of Community Areas and Rural Centers affecting almost 3,000 acres.
- D. Create 16 Special Treatment Areas with significant potential for development.
- E. Allow for subdivisions outside Community Areas and Rural Center with criteria for development to be determined later.
- F. Specifically, allow for major new residential development adjacent to Salinas, Marina and King City.
- G. Eliminate maximum parcel densities as shown on the 1982 Area Plan and Land Use maps.
- H. Allow commercial and industrial development to leapfrog throughout the county.
- I. Allow lot line adjustments smaller than minimum parcel size, thus increasing the

potential for more legal lots of record (Policy LU-1.19).

## NOISE

92. P. 4.8-23 The DEIR states, APolicies of Goal S-7 in conjunction with Table S-2 establish development standards related to acceptable noise levels...@. The 2006 Plan does not include established standards. The Plan specifically states, AA Community Noise Ordinance shall be established consistent with said Table that addresses but is not limited to...@ This discrepancy should be addressed.

93. P. 4.8-24 The DEIR finds that future develop activities under the Plan would be less than significant with mitigation. This finding is based on the flawed transportation analysis which used AMBAG=s 2030 population and land use forecasts instead of the buildout of the 2006 General Plan. Since general plan buildout would accommodate significantly higher traffic volumes, conclusions should be deferred until an adequate transportation analysis is undertaken. Further, a mitigation measure references State and federal guidelines requiring inclusion of all reasonable and feasible mitigation measures. Adoption of all reasonable and feasible mitigation measures does not assure that impacts would be reduced to less than significant.

94. P. 4.8-25 All exhibits depicting projected noise contours for the roadways in Monterey County are invalid for the reasons noted above (P. 4.8-24). Additionally, all noise contour maps contain the following disclaimer: AThe map is intended for general reference purposes only, and not for site-specific evaluation of on-the-ground conditions. The map is based on known data available at the time it was produced, and there are no assurances as to its accuracy. Field verification of on-site conditions shall prevail over the information on the map: The source of all maps: AMap prepared by: Monterey County ERP/GIS. Data Produced, Jan. 7, 2004. Sources: Roads - Monterey County It/GIS. City Limits - Monterey County ERP/GIS. Planning Areas & Coastal Zones - Monterey County ERP/GIS;. Parcels - Monterey County IT/GIS. Noise Data and Site location - Mestre Greve & Associates.@ These do not appear to be based on measured data or noise modeling.

95. Exhibit 48-2a depicting raceway noise from Laguna Seca extending to Laureles Grade should be revised to reflect significant noise levels in Carmel Valley.

96. P. 4.8 The Noise section does not address noise impacts from military activities at Fort Hunter Liggett or Camp Roberts. Additionally, the South County Area Plan excludes the 1982 Plan policy that discourages development within a specified distance of these activities. The impacts associated with the policy change must be addressed in a revised and recirculated DEIR.

97. P. 4.8 The Noise section does not address noise impacts on the proposed New Pleyto Rural Center which is within 2 miles of Fort Hunter Liggett.

## BIOLOGICAL RESOURCES

98. Acreage of various land use categories are quantified for existing uses, the 1982 General Plan and 2006 General Plan, and the difference between the 1982 and 2006 Plans are identified on P. 3-9, Table 3.3-4. This is an inadequate substitute for analysis and mapping which would document the significance of impacts of the 2006 General Plan on the existing environment.

The DEIR does not analyze the 2006 General Plan's actual impacts on open space and habitat lands. This is primarily due to the lack of a complete description of residential and non-residential development allowed under 2006 General Plan. This approach contravenes CEQA, which requires a description of the whole of the project as discussed above.

Because this information is missing, the DEIR does not adequately analyze and characterize the impacts of the 2006 General Plan on open space, community separators and biological resources. Instead, the DEIR concludes without analysis, facts or evidence that the strength of the Plan's policies and the mitigation review procedures would avoid sprawl and curb growth pressure in the unincorporated area. There is no guarantee that growth would not fragment habitat in rural areas with high open space and habitat values. Moreover, there is no evidence that planned development under the 2006 General Plan would not have significant and unavoidable impacts on habitat and open space values.

Loss of habitat and fragmentation of habitat are widely recognized as the greatest impact to biological resources. The DEIR does little to provide a full discussion of the threat of rural sprawl and small lot parcelization that are allowed by the 2006 General Plan within the rural areas of the county. Why is there not a full discussion of the extent of rural development and its impacts on biological resources?

Further, the DEIR does not consider the 2006 General Plan policy that provides exemptions to discretionary review for ARoutine and Ongoing Agricultural Activities@. Policy AG-3.3 specifically states, ARoutine and Ongoing Agricultural Activities@ may be exempt from applicable General Plan policies. Without discretionary and public review of these practices, there are no guarantees that oversight and review by regulatory agencies would occur prior to impacts on biological resources. The broad scope and definition of ARoutine and ongoing Agricultural Activities@ include: conversion of previously uncultivated rangeland to cultivated agricultural use, fencing, and any activity recognized as compatible use under the Williamson Act. The impact of these activities on biological resources is not addressed in the DEIR. (It should be noted that fencing may have significant impacts on wildlife movement. Species such as the San Joaquin Kit Fox that is federally listed as an endangered species with a range that includes much of southern Monterey County could be affected by fencing.)

There is no description or discussion of specific wildlife movement corridors that are known to exist within the county. These corridors were noted in the DEIR for GPU3 but are not described in this DEIR. Why not?

Activities that have qualified in Monterey County as compatible with the Williamson Act have included aircraft landing strips, major food processing and office buildings with their attendant

truck parking facilities. What are the impacts to biological resources from these activities?

99. P. 4.9-14 The DEIR cites numerous 2006 General Plan policies which are identified as protecting biological resources. Among these policies is Goal LU-1 that Aensures that future growth in the county will be compact and contiguous to existing urban development and discourage urban encroachment into natural areas@. As noted in previous comments the Land Use Element does not, in fact, ensure that growth in unincorporated areas would be compact and contiguous to existing urban development.

100. P. 4.9-15 and 20 The DEIR acknowledges that the 2006 General Plan would result in a substantial reduction in existing wildlife and fish habitat and could interfere with the movement of native fish and wildlife species, but it does not provide full disclosure of all the impacts that the 2006 General Plan would have on open space and habitat resources. The DEIR includes insufficient mitigation measures to address significant impacts. The DEIR proposes mitigation measures that rely on the adoption of future policies that would direct growth to the cities and procedures for reviewing projects. These procedures, however, would not mandate denial of development that would have significant impacts on biological resources.

101. P. 4.9-20 The DEIR states that buildout of the 2006 General Plan could result in significant adverse effects on the county=s critical biological resources. A mitigation measure is recommended that would add a policy to the 2006 General Plan requiring that Aspecial status@ species be addressed by project applicants. This requirement does not address all species required to be reviewed under CEQA, i.e., candidate and sensitive species. Further there is no discussion or recommended mitigation measure for impacts from routine and on-going agricultural operations which are exempt from permit requirements. The proposed mitigation measures are incomplete, and impacts should be found to be **significant and unavoidable**.

102. PP. 4.9-20 to 4.9-22 The DEIR recommends mitigation measures requiring project level review of impacts on biological resources. The DEIR fails to substantively address cumulative impacts of the 2006 General Plan on biological resources.

103. P. 4.9-22 The DEIR asserts that wildlife movement would not be affected by the AWCP because proposed uses constitute a small footprint within Athe surrounding agricultural area@. This assertion ignores the fact that wildlife movement is disrupted by human activities and physical barriers in the vicinity of existing wildlife corridors. A more thorough analysis is required of the Plan itself.

104. The ministerial permit system proposed for future wine-related facilities would place special purpose agencies in the Lead Agency role. Such agencies could include the Monterey Bay Unified Air Pollution Control District and the Regional Water Quality Control Board. Instead of by-passing the CEQA process, the proposed approach makes it more complex. Additionally, since as stated on P. 4.9-27, the AWCP is a component of the 2006 General Plan that would have numerous significant adverse environmental impacts, an exemption from the CEQA process cannot be justified.

105. The DEIR does not provide substantial evidence to support its assertion that the Plan=s policies, collectively or individually, would effectively avoid significant impacts to wildlife movement. The DEIR asserts that the policies Address potential adverse impacts on significant natural areas that serve as wildlife movement corridors@. Although this statement may be true, where does the DEIR provide supporting evidence that policies would effectively avoid significant impacts to wildlife movement. How can this finding be asserted without identifying current patterns of wildlife movement in the county?

The DEIR fails to adequately identify potential impacts on the federally listed steelhead trout, or on steelhead habitat resulting from erosion and sedimentation from agricultural activities and future development projects.

The revised and recirculated DEIR should address, at a minimum, the following:

- 1) How much development, where and what kind would be allowed by the 2006 General Plan in the unincorporated county. Outside and adjacent to Rural Centers. Within areas of high habitat value and wildlife movement corridors.
- 2) Direct and indirect impacts that rural development would have on wildlife and habitat and impacts resulting from conversion of habitat to incompatible uses?
- 3) The extent to which rural development would fragment existing wildlife habitat and hinder wildlife movement corridors.
- 4) Impacts associated with rural development on the quality of streams and creeks supporting sensitive species.
- 5) The 2006 General Plan=s contribution to cumulative impacts to wildlife and habitat.
- 6) Additional mitigation to achieve the 2006 General Plan goal of limiting the uses and intensity of land development to be consistent with the preservation of important biotic resource areas.
- 7) Land use changes that would achieve the goal.

#### PUBLIC SERVICES AND UTILITIES

106. The DEIR uses incorrect significance thresholds. The State CEQA Guidelines (Appendix G, XIII, Public Services) provides the following threshold:

A Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection? Police protection? Schools? Parks? Other public facilities?@

The DEIR, in contrast, uses a truncated version of the CEQA threshold, much as it did in the Land Use section (CEQA threshold IX b), asking only if implementation of the 2006 General

Plan would require new or expanded facilities. The subsequent impacts discussion then limits its assessment to the issue of whether or not new or enlarged facilities would be provided in phase with proposed growth. The assessment thus misses the point of the CEQA threshold, which is discussion of the **physical environmental impacts** resulting from new or expanded facilities. Discussion of the actual impacts is deferred in the DEIR with the statement that impacts of new facilities would be identified in future environmental impact reports. While that must certainly be the case, this DEIR, as a programmatic document addressing potential impacts of the whole of the proposed action, must identify the potential for significant impacts, until such mitigation measures are identified that can demonstrate that avoidance of impacts to less than significant levels are feasible and ensured. The DEIR should be revised to apply the correct CEQA threshold, provide discussion of impacts as they relate to physical effects of new facilities (not the need to identify them concurrent with development) and mitigation measures and/or alternatives to reduce such impacts (i.e., reduced growth in rural areas to reduce the demand for fire protection in high fire hazard areas).

Overall, the section fails to provide sufficient analysis of the availability of public services in areas outside of Community Areas. This is especially true for fire, sheriff, water supply and wastewater services. Because the 2006 General Plan allows for the creation of new lots throughout all rural areas, the DEIR should analyze public service needs for each geographic area.

107. P.4.11-2 The DEIR does not adequately describe the availability of fire services in the unincorporated area. This section should be rewritten to address the lack of fire coverage along the southern 101 corridor and in other areas. Additionally, it should be revised to describe the types of services provided by CDFFP. The services of the CDFFP are not intended to provide fire protection for structures. These services are focused on wildland fires, and it is not appropriate to imply that residents in these areas have adequate fire protection. Very high fire hazards make many areas unsafe for development and occupancy unless strong fire safety measures are taken. Even where structural protection does exist, fire suppression may be hampered by lack of water, rugged terrain and delayed response times. The DEIR should provide information that will allow for an assessment of high fire hazards and identify those areas that do not have structural coverage.

108. P.4.11-2 The DEIR should describe the availability of sheriff services by geographic area. Areas with less coverage should be described, and a detailed impact analysis prepared for each area. This is particularly true for southern Monterey County where additional mitigation measures are needed to address impacts that would be associated with the addition of new lots in these distant areas.

109. P. 4.11-9 The DEIR states, AWhile the 2006 General Plan proposes only limited development in the unincorporated areas...@ As noted in numerous comments throughout this letter, the 2006 General Plan does not proposes limited development but wholesale growth in the unincorporated areas, and any water demand analysis based on that assumption is invalid.



110. P. 4.11-10 According to the DEIR, the long term objective is to ensure that these two variables (water supply and water demand) are held in balance, and that demand does not exceed supply for a prolonged period. How then will the long term objective be achieved when currently a countywide water budget that compares available and sustainable supply with expected demand associated with the 2006 General Plan land use changes is not available? Please explain why this fundamental piece of information is missing from the DEIR.

111. P.4.11-10 Under Water Sources, According to the MCWRA (Monterey County Water Resources Agency), the County has approximately 1 million acre-feet of potential water supply of which 600,000 acre-feet is currently developed. Please allocate this total among the various watersheds and aquifers within each watershed and indicate how potable the water is in each region. Please provide a water budget for each watershed and discuss the necessary infrastructure to balance each watershed's budget.

112. P. 4.11-11 The DEIR refers to the 1982 2006" General Plan. Please explain.

113. P. 4.11-12 The DEIR states that seawater intrusion has been limited to coastal areas. Seawater intrusion is found as far east as Blanco Road. Is this considered within the coastal area?

114. P. 4.11-13 The 2006 General Plan DEIR asserts that the Salinas Valley Water Project (SVWP) in conjunction with the CSIP (Castroville Seawater Intrusion Project) will halt seawater intrusion in the Salinas Basin until 2030. Although the SVWP was approved by voters more than three years ago, the SVWP has not yet been permitted by National Marine Fisheries Service (NMFS) because of concerns regarding Steelhead migration. When will the project, which the DEIR said is in the final design phase, receive its permit from NMFS? When will construction of the rubber dam actually commence? Monterey County voters cast their votes for a project designed to impound 9,700 acre feet of water. Is the final design phase altering the project voters supported and is the amount of water the rubber dam is permitted to impound lower than the 9,700 acre feet approved by voters? If it is lower, how will this affect the expectation that the SVWP will halt seawater intrusion until 2030? Please amend the analysis to reflect an accurate buildout of the 2006 General Plan.

115. P. 4.11-13 One of the most common refrains the public hears (and it's repeated in the DEIR) is that the overdraft in the Salinas Valley is not a supply problem but rather it's a distribution problem.

One of the unstated goals of the SVWP is to avoid State adjudication of the Salinas Basin, which was threatened in 1996. The SVWP DEIR, in section 2.2.5 on page 2-6, states that if adjudication were to occur, water demand in the Salinas Basin would need to be reduced by 30 percent to 50 percent. Please reconcile this statement from the project's certified EIR/EIS with the statement that the basin doesn't have a water supply problem.

116. In section 2.2.1 (pages 2-2 and 2-3) of the SVWP EIR/EIS, the SVWP=s preferred alternative is described. It says, AThe hydrologic model used for the project shows that seawater intrusion is not halted through deliveries to only the CSIP area in the long term. An expanded distribution system and expanded deliveries would be necessary to halt seawater intrusion in the long-term future. The costs for an expanded distribution system would add an estimated \$41.8 million to the project. If expanded distribution is needed, total project cost would be \$57.6 million. None of these estimates include costs for environmental mitigation or operation and maintenance costs.@ The short-term project cost is \$16.8 million, and to gain approval, MCWRA used a weighted vote by acreage owned B for example one acre, one vote. A land owner who owned 400 acres up Valley was able to cast 400 votes for a project designed to cost small land owners at the mouth of the Valley 4 to 6 times more per acre than the large land owner was paying. Since a long-term water distribution system will only be needed by water users in the northern end of the basin, the same strategy can=t be used. The \$41.8 million price tag, plus mitigation and operations and maintenance costs, will be absorbed entirely by residents at the northern end of the basin.

Before responding, please remember that Monterey County=s current population is just under 500,000. Supporting the Salinas Valley Water Project comes on top of paying regular water utility bills or maintaining individual wells or mutual wells. It is also important to remember that there are huge looming price tags on road deficiencies B \$930 million worth. Six hundred fifty-one million is the cost to existing residents and businesses. The infrastructure financing (CFIP) that is not included in this DEIR is a critical piece of information necessary to determine if solutions and mitigations are, in fact, feasible.

117. P. 4.11-15 The DEIR, in discussing water needs in Chualar, states, AHistoric agricultural land uses and practices have resulted in water quality degradation of the shallow aquifers, however, a potable water supply is generally thought to be available from the deep aquifer system.@ Before proceeding with expanded development in Chualar, the County must be certain there is potable water available. When referring to the deep aquifer system, is it the 400-foot aquifer or is it the 900-foot aquifer which can=t be sustainably pumped?

118. P. 4.11-16 The DEIR states that Athe San Lucas County Water District currently provides water service in this area (San Lucas Rural Center). Under current land use conditions, there is adequate supply to meet demand.@ Please analyze and discuss impacts to water supply caused by changes in water demand due to development at San Lucas.

119. P. 4.11-16 The DEIR states that conversion of irrigated farmland to urban development in Castroville would reduce demand for water. It also indicates that the SVWP will halt seawater intrusion, Aand with additional mitigations, the related impact to Castroville water supply can be managed through additional reductions in adjacent agricultural production wells.@

The DEIR summarizes, AIncreased groundwater withdrawals from the Pressure Area to meet

future water demand of the proposed Castroville Community Area would result in declining water levels in the aquifer and further seawater intrusion. This unsustainable condition will eventually lead to seawater intrusion and contamination of the 400-foot aquifer in the Castroville areaY.causing all of the aquifers to be unusable in that area. Alternatives for locally derived water include pumping from the Deep Zone and moving wells inland ahead of intruded areas.@ Please analyze and discuss the fact that the Castroville farmland that will be converted to urban uses has been using non-potable CSIP water. Conversion to urban uses would require potable water and would immediately begin drawing from the aquifers, reducing the supply of potable water and causing sea water intrusion. Mitigating this effect by taking more land out of agricultural production may have significant economic impacts and environmental impacts. Please provide analysis of this likelihood.

120. P. 4.11-17 The DEIR mentions the Aquifer Storage and Recovery (ASR) project partially offsets Cal-Am=s pumping from the Seaside basin. Excess winter flows are pumped from the Carmel River and injected directly into the Seaside Aquifer. Please discuss the risks of aquifer contamination caused by direct injection into the aquifer.

121. P. 4.11-20 In discussing the existing water condition in Prunedale, the DEIR concludes, AThe decrease in pumping pressure near the coast in North County brought on by the SVWP will more than likely provide some improvement to the local water budget at Granite Ridge by decelerating outflows toward the coast. It is doubtful that this beneficial effect will be sufficient to bring the subarea into balance, or rectify the current overdraft conditions sufficiently to allow increased withdrawals to accommodate future growth. Without contributing to further depletion of groundwater supply, future growth in Prunedale could be accommodated only through a combination of offsets through the conversion or fallowing of currently irrigated farmlands (up to 50 percent fallowed) and/or a measurable reduction in groundwater outflow as a beneficial result of the SVWP. The uncertainties associated with either of these two mechanisms for mitigation make it difficult to make a finding of no significant impact, without clearly established phasing and approval procedures.@

In light of this summary, please discuss the likely effect of designating Prunedale a Rural Center with a rural transition zone and allowing future subdivisions in North County. Please also discuss the absence of clear phasing and approval procedures in the Prunedale Rural Center and the likely impacts on water supply.

122. P. 4.11-22 This section fails to address the major source of water for the Monterey Peninsula - the Carmel River- or SWRCB Resolution 95-10 which shows that over 10,000 acre feet per year is illegally taken from the Carmel River.

123. P. 4.11-24 Recycled Water and Reuse is identified as an important component of water supply in Monterey County. With the E. coli outbreak and uncertainty over the source of the contamination, please discuss changes that might be necessary in recycling, treatment and surface water injection into aquifers. Please also discuss the changes that would be required to

the 2006 General Plan if state legislators passed legislation prohibiting these practices statewide.

124. P. 4.11-25 The DEIR states, AThe Regional Water Quality Control Board has not identified any significant issues with any of the present (wastewater) plant operations.@

However, last year, the City of Soledad had to discontinue processing development applications Because its wastewater percolation ponds had reached maximum capacity due to failing percolation. While the Regional Board did not identify this as a problem, the facts are real. Accordingly, simply stating that the Regional Board has not identified any concerns does not mean there are none.

125. P. 4.11-32 (para. 4) The DEIR states, A...and the assessment was only solicited if the project required an EIR, involved in adopting/changing a specific or 2006 General Plan and resulted in an increase...@ We assume that reference is not to the Monterey County 2006 General

Plan. This sentence should be clarified.

126. P. 4.11-42 Reference is made to the Marin County Health Department. This should be corrected.

127. P. 4.11-45 The DEIR states, AThe MPWMD was formed in 1978 to augment to water supply and management water resources...@ The District was not formed to augment water supplies. The DEIR should reference the legislation establishing the District. Under the mandate by State statute the District was formed to provide integrated management of all water resources for the Monterey Peninsula including an obligation to ensure that water demand does not harm public trust resources and that all water us is reasonable and beneficial.

128. P.4.11-48 The DEIR should analyze the adequacy of fire coverage in unincorporated Monterey County and identify the impacts of further development in the area on already Overstrained resources. Specific attention should be given to south Monterey County since there are areas with no coverage and other areas with only structural coverage.

129. P. 4.11-50 The DEIR finds that development and land use activities proposed in the 2006 General Plan may result in a need for new or expanded fire facilities but that the policies in the Plan would mitigate impacts to less than significant. Once again, the DEIR underestimates buildout of the 2006 General Plan. As noted previously, the Plan would allow development throughout rural unincorporated areas. Additionally, under the Infrastructure and Service Standards ( Table PS-1), development would be allowed in areas with a response time of 45 minutes (legal lots of record are excluded). Based on buildout potential in rural areas and a response time of 45 minutes, extensive rural development would be allowed requiring a demand for more fire protection both by numbers of residences and their location near fire hazard areas. The DEIR fails to analyze the impacts associated with dispersing new units throughout the large rural areas of the county. Already overstrained services would be further weakened as a result of emergency personnel having to make more trips to distant sites.

130. P. 4.11-53 The DEIR finds that the 2006 General Plan would result in less than significant impacts in the need for new or expanded Sheriff=s facilities. This section, however, does not address the need for additional personnel. As noted on P. 4.11-2, the Sheriff=s Office has 48 vacant positions. We assume these are vacant because of funding shortfalls. Because of the urban sprawl allowed by the 2006 General Plan, demand for Sheriff services and increased personnel would occur. The Plan does not include provisions for funding additional services. A revised and recirculated DEIR should find that the 2006 General Plan would have a **significant impact** on the provision of Sheriff services to existing and future residents.

131. P. 4.11-55 The DEIR concludes that with the addition of Mitigation Measure PSU-3A, the 2006 General Plan would not have a significant impact on school facilities. The Plan does not include provisions for funding for teachers, administrators, etc. Without such a provision, the project should be found to have **significant impacts** on educational services.

132. P. 4.11-58 The DEIR concludes that development allowed in the 2006 General Plan would not cause potable water demand that can=t be mitigated to a less than significant level.

However,  
the DEIR uses AMBAG forecasts to predict water demand. As pointed out earlier, Monterey County is NOT merely accommodating AMBAG forecasts for development in the unincorporated areas of the county. Rather the sprawling development throughout the unincorporated area far exceeds the AMBAG forecast.

Accordingly, the actual growth the 2006 General Plan would accommodate must be disclosed in the DEIR concerning water resources, and the DEIR re-circulate.

133. The DEIR states, ASustainable water supply requires a comprehensive water budget, as well  
as planning and management contingencies, in the event that water supplies are interrupted from natural and manmade emergencies. On page 4.11-10 the DEIR admits a comprehensive water budget is not available. The comprehensive water budget for the county must be prepared and the DEIR recirculated for public comment. The DEIR must also present contingency plans for water emergencies such as earthquake or manmade emergencies such as potential changes in water law caused by health and safety issues like the recent E. coli problem.

A Winery Corridor water budget also needs to be produced for vineyard establishment and maintenance which will increase water use over conversion of un-irrigated grazing lands and oak woodlands. Analysis of Wineries (an industrial water use) and visitor-serving uses also needs to be included in the Winery Corridor water budget.

134. P.4.11-61 The DEIR admits that Aprospects for alleviating current basin-wide deficits are both uncertain and complex,@ and states that the impact of future growth under the 2006 General  
Plan on regional water supply is difficult to assess. Nevertheless, that is what environmental

documents are expected to do.

The DEIR continues to only summarize the impacts of development of the seven Community Areas, completely ignoring the significant levels of development throughout the unincorporated areas of the county.

Summary of the Pajaro Basin recognizes that water supply and quality problems in Pajaro are huge, but environmental impact analysis of infrastructure solutions and exacerbation of existing problems is deferred until later. Furthermore, none of the proposed solutions has a price tag, which is needed to address the feasibility of mitigation measures.

135. P. 4.11-62 Redevelopment of the Boronda Community Area will require new water distribution facilities. However, the DEIR concludes, Apotential impacts of infrastructure improvements must be addressed within the Community Plan EIR.@ Once again impacts of development are deferred to a later date. This impact must be addressed in the DEIR because it most assess in the first place the environmental impacts of the Community Areas.

136. P. 4.11-64 The DEIR states that the 2006 General Plan Aproposes a number of policies that, (together with state law requiring large subdivisions to obtain written assurance of ability to supply water) would help ensure expanded potable water supplies and facilities would be provided for future growth. Please explain the reasoning behind this statement. There is no mention of impacts to existing resources, and the policies cited (PS-1.1 through PS-1.7 and PS 2.1 through PS 2.7) are full of qualifiers and loopholes that lessen or eliminate their effectiveness. Moreover, the vast majority of subdivisions would not qualify as a large subdivision under state law.

137. P. 4.11-67 According to the DEIR, the 2006 General Plan would result in the necessity to build new water treatment, storage and distribution infrastructure. Since the costs are borne by the ratepayers, this could be a significant impact. However, the DEIR concludes that new development projects would be required to have all the financing, engineering, etc. in place Abefore construction can begin.@

Here are some of the reasons concurrency is not necessarily required.

- Development can occur in Community Areas prior to adoption of a Community Plan as long as that development is in keeping with existing development in the Community Area.
- The policies are written vaguely. Actions are Aencouraged@ Asupported@ Arecommended.@ Very little is actually Arequired.@
- History in Monterey County shows that when potential entitlements are extended, they trump any requirements for solutions prior to or concurrently with development. Rancho San Juan or development in North County is a case in point.

138. The DEIR states that even though Public Services policy PS 3.3 requires development of Criteria for proof of sustainable water supply for new development, Ait does not account for the

range of analysis assumptions, methods, and procedures different professionals could use in establishing conformance to such criteria, therefore, differing conclusions may be reached regarding whether sustainable water supply has been proven.@ For this reason, the DEIR recommends a mitigation measures requiring the development of technical assessment guidelines for consistent evaluation. This approach of deferring substantial analysis is a piecemeal approach which defeats the purpose of environmental review pursuant to CEQA.

Additionally, boundaries for Community Areas, as well as land use designations, may change during the Community Plan process. Therefore, each Community Plan would undergo separate environmental review. When that occurs, project specific impacts of each proposed public facility would be addressed. The physical construction, resource demands and employee requirements associated with future potable water facilities and services would also be addressed with each Community Area Plan. This is just one more example of deferring analysis to a later time.

139. P. 4.11-68 The DEIR recommends mitigation measure, PSU-6A. ATo ensure accuracy and consistency in the evaluation of water supply availability, Monterey County Health Department, in coordination with the MCWRA, shall develop guidelines and procedures for conducting water supply assessments and making firm determinations regarding water supply availability.@ Once again, this is a task that is to be implemented after the General Plan is adopted with no firm guidelines or standards for implementation of specific mitigation. Mitigations must be formulated by the DEIR.

140. P. 4.11-69 The DEIR states that buildout for the 2006 General Plan (which is grossly underestimated) would increase wastewater generation, requiring new or expanded treatment facilities. The DEIR also states that the 2006 General Plan policies may provide the framework for the provision of adequate wastewater treatment facilities but that they Ado not mandate that such facilities be provided.@ The fix for this problem is another set of convoluted and uncertain mitigations. This violates CEQA=s fundamental requirement that alternatives or mitigation be set forth for significant environmental impacts.

141. P.4.11-70 The DEIR fails to identify problems associated with high nitrates and failing septic systems throughout many geographic areas. The areas with septic system failures and mitigation measures should be identified. Special attention is required for North Monterey County and Carmel Valley, two areas with failing septic systems.

## POPULATION AND HOUSING

142. P. 4.15-1 The DEIR finds, AAll potential population and housing impacts from development and land use activities contemplated by the 2006 General Plan would be less than significant and would not require mitigation.@ As noted repeatedly, the 2006 General Plan would far exceed the buildout numbers used in the DEIR and the AMBAG population forecasts. A revised and recirculated DEIR should find that the 2006 General Plan would have a

**significant impact** on population and housing.

143. P. 4.15-5 The 2006 General Plan is inconsistent with the Housing Element adopted by the Board of Supervisors on November 4, 2003. These inconsistencies are both in terms of the density used for the residential land use categories and in terms of policies.

The Plan provides that High Density Residential areas are appropriate for 5-20 units/acre. In contrast, the 2003-2008 Adopted Housing Element provides that densities will be raised. Chapter 4 states, AOne of the most significant of these is that the density ranges and Classifications in the 1982 General Plan need to be increased to allow higher density development of up to 30 units per acre.@

The Housing Element committed the County to much higher densities in order to achieve affordable housing levels required to meet the County=s regional fair share allocation. Is this increase in densities proposed for the Community Areas in the 2006 General Plan? Why hasn=t the density maximum been raised for the High Density category? How would the County be able to receive State approval of future housing elements if the County=s General Plan does not utilize the State recommended densities of 10, 20, and 30 units to the acre? Why has the DEIR failed to address the difficulty of achieving affordable housing production on lots that are designated at much lower density levels?

144. Additionally, the 2006 General Plan conflicts with the following policies within the Adopted Housing Element.

- Housing Element Policy H-2.2 requires that all new residential subdivision shall be timed to be concurrent with the provision of public services and infrastructure and in keeping with job development. The 2006 General Plan is not as clear on the concurrency requirement for all residential types. Why has the DEIR not examined these differences between the concurrency requirements adopted Housing Element and the 2006 General Plan? Please analyze and provide the description of the differences and their impacts.
- Housing Element Policy H-4.2 pertains to diversification and affordability within Community Areas. It states AFifty percent of new housing areas shall be developed at an average density of 10 units to the acre or higher, with a minimum density of 7 units or more.@ Is this a requirement of the 2006 General Plan as well? Why were these differences not analyzed as a part of the DEIR?

145. Finally, the DEIR states that the 2003 Housing Element was based on the 1982 General Plan While the Element makes that statement, it in fact relied on GPU3 by allocating its fair Share allocation to the following Community Areas: Rancho San Juan, Fort Ord, Castroville, Pajaro, Boronda, San Lucas and Pine Canyon. None of these areas was designated a Community Area in the 1982 General Plan. The Rancho San Juan area has been reduced in size, and Pine Canyon has been eliminated as a Community Area in the 2006 General Plan.



146. P. 4.15-7 finds that implementation of the 2006 General Plan would have a less than significant impact on population growth in Monterey County. Table 4.15-8 uses 16,900 new housing units to determine the buildout number of 53,947 units. As noted above, buildout would be about 229,000 residential units, not 53,947. Even using the 53,947 buildout number, the 2006 General Plan would exceed AMBAG's 2030 forecasts by over 10,000 people and over 5,000 units. These data in and of themselves should result in a finding of a **significant adverse impact**.

147. P. 4.15-8 The DEIR finds, AThis difference is attributed to the 2004 AMBAG forecast using the existing 1982 General Plan buildout potential as the basis of the AMBAG forecast.@ As stated above, AMBAG's population forecasts are based on numerous factors including employment and demographic forecasts, land availability and resource constraints. While the land use map is a key factor in the distribution of the County's share of the countywide population, housing units and employment forecasts, it is not accurate to say that the 1982 General Plan land use map served as the basis for the AMBAG projections.

148. P. 4.15-8 The DEIR finds, AIn addition, because the 2006 General Plan largely maintains the Land use map of the 1982 General Plan (which is the basis of the 2003 Housing Element, there would be no conflict between the two plans.@ However, this is simply untrue since the 2006 General Plan allows greater consumption of land for development and greater population growth. See Comment P.4.15-5 above.

149. P. 4.15-8 The DEIR finds, AThe population growth that would occur...would slightly exceed the projections...in AMBAG's 2004 forecasts. However, this would not be significant because the AMBAG growth projects are based upon the level of growth already anticipated by each local city's General Plan, and the County's 1982 General Plan. Impacts in this regard would be less than significant.@ Just as with the County's 1982 General Plan, city general plans

are not the basis of AMBAG's population forecasts. They are primarily used to distribute countywide population and housing forecasts that are primarily based on demographic and economic factors. Further, we disagree that an 8 percent difference between the forecast and buildout is Aslight@ particularly when a cumulative impact analysis including buildout estimates

for city general plans would far exceed the forecasts. Further, as noted previously, the buildout number used in the DEIR for the 2006 General Plan is bogus.

150. P. 4.15-8 The DEIR states, AThe 2006 General Plan Land Use Element emphasized compact city- centered growth and discourages the encroachment of urban uses into undeveloped areas.@ As stated previously, there is a mischaracterization of the Plan and its maps.

## ALTERNATIVES SECTION

151. CEQA states that the alternatives discussion must focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly@ (Guidelines, 15126.6(b)). The DEIR fails to do this, choosing rather to limit its discussion to previously prepared versions of the GPU that are clearly not selected with avoidance of specific impacts in mind. The DEIR does not develop alternative land use plans to avoid or substantially lessen the otherwise unavoidable impacts identified in the DEIR. Thus, the alternatives section fails in its problem-solving function as well as failing to meet the requirements of CEQA. The DEIR should be revised to include alternatives that are designed specifically to avoid identified impacts, including those impacts the current DEIR fails to identify because of its use of erroneous thresholds.

CEQA Guidelines *Title 14. California Code of Regulations*, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 9 describes the requirements for the Alternative Section of an Environmental Impact Report. Section d states,

(d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

The Alternatives Section in the DEIR fails to provide information that would allow for a meaningful evaluation, analysis, and comparison. No qualitative information is provided that would allow for a comparison of the amount of land being considered for future development in each of the alternative plans.

Additionally, the Section fails to provide reliable estimates of projected growth in terms of the number of potential units, population or jobs. This is because the buildout estimates used for the 2006 General Plan are questionable. It appears that no buildout estimates were actually compiled; rather the Alternatives Section relies on a dated report prepared by economists who did not use standard planning practices to estimate units, population, or jobs by land use designation category. The lack of solid projections ripples through the entire Alternative Section, tainting the analysis of all of the impacts sections.

Additionally, it appears that no traffic modeling was completed for the Alternatives. This makes it impossible to consider the impacts of plans on traffic, noise, and air= quality.

Finally, the Alternatives Section misrepresents the plans themselves. It fails to present details of the plans, their policies or their land use maps. The analysis lacks specificity and mischaracterizes the policies and the plans themselves. The DEIR also characterizes the 2006 General Plan as directing growth to Community Areas and Rural Centers, when in fact the 2006 General Plan allows creation of additional low density subdivisions through out the unincorporated area.

The revised and recirculated DEIR should include a rewritten Alternatives Section based on reliable information.

152. P. 5-3. A brief description is provided of GPU3. Why is one of the most important elements of GPU3 not described? GPU3 not only concentrated development in areas where higher density, affordable housing, and needed infrastructure could be built, but it also limited additional subdivision outside of these areas. GPU3 policies limiting the creation of new lots on less than 40 acres and requiring infrastructure in Rural Centers and Community areas. These critical differences should be discussed in an alternatives analysis to satisfy CEQA requirements to fully analyze the differences between alternatives and their associated impacts.

153. P. 5-4 Land Use. Paragraph three states that the 1982 General Plan and the 2006 Plan require that adequate water and wastewater facilities be provided concurrently with development. Which policies in the plans require concurrency? Table PS-1 of the 2006 Plan shows that Individual wells and septic systems are allowed in all categories except Community Areas. In the past the County has had sewer problems with individual systems.

154. P.5-4 Paragraph five states that the 2006 General Plan establishes more detailed policies specifying where new growth would be directed. Where is this reflected on the land use maps? The 2006 General Plan would allow new subdivisions on rural lands. How can new growth be directed when there are no prohibitions against continued subdivisions outside of Community Areas and Rural Centers?

155 P.5-4 Paragraph six states, ATherefore, the existing 1982 General Plan would have slightly greater impacts on land use than the 2006 Plan.@ There are no supporting data for this conclusion. Where are the counts of acreage dedicated to each land use category under each plan? How has the analysis taken into account property owner requests and the associated land use designation changes? Where is the analysis of the impacts related to the expansion of Chualar and the new expansion and land use changes for the Rural Centers? The 2006 General provides for 950 acres in Chualar with a potential buildout of 3,000 to 10,000 units and for units that could be built in Atransition areas@ between Rural Centers and adjacent land. Where is the comparison of the acreage for the new Special Treatment Areas and Study Areas? Where is the estimate of potential development on land where maximum densities in the 1982 Plan have been eliminated? The 2006 General Plan expands allowed development over far greater an area of land.

156. P.5-5 Agricultural. This section states, AAlthough the existing 1982 General Plan has a lower development potential relative to the 2006 General Plan, the policies of the 2006 General Plan focus growth into higher density Community AreasY.@ The discussion of agricultural Impacts does not include any estimates of acres in Important Farmland and other designations in the 1982 General Plan and the 2006 Plan. Nor does it explain how the 2006 General Plan would direct growth, when in fact it adds more land for residential development as a result of the property owner requests, the rural center expansions, rural center transition zones, and removal of maximum densities on other land use categories? Where are the actual acreage comparisons?

How can a conclusion be reached without this information?

157. P.5-5 Water Resources. How much water would be used under each of the plans? How would groundwater be affected by development within in the groundwater basins under each of the plans? Why is there no comparison of erosion impacts resulting from changing the slope requirements in the 2006 General Plan to allow development on much higher slopes? Where are the groundwater impact comparison data?

158. P.5-5 Geology, Soils, and Seismicity. Where are the data supporting the conclusions? Where are the comparisons of areas that would be affected by the change in slope policies? The 1982 General Plan has more restrictive slope policies. Why is this information not addressed? How many areas are affected? How much development can occur in areas with geologic hazards Under each plan?

159. P.5-5 Mineral Resources. Where are the data supporting these conclusions? The 2006 General Plan includes a number of new areas for residential development. Have the new areas added through the property owner request process been analyzed, e.g., POR#13 may be on sand deposits.

160. P.5-6 Transportation. The estimate of the number of new units that would be added by the 2006 General Plan is wrong. It does not account for the large number of units that could be added through the property owner requests, the Rural Center expanded areas, the Rural Center Transition Zones, and the rural land outside of Community Areas and Rural Centers. For this reason the conclusions in this section are invalid. The number of new trips that would be added is substantially understated. The mitigation measures are not valid since there is no time frame to require development of the County Traffic Impact Fee (countywide) or a Regional Traffic

Impact Fee. To-date the County has not been successful in developing these fee programs. Unless a trigger is put in place to restrict creation of new lots until impact fee programs and a schedule for project completion are adopted, it cannot be stated that the transportation impacts for the 2006 Plan are less. Where are the traffic model analyses comparing the road impacts under these plans?

161. P.5-6 Air Quality. Where are the data supporting these conclusions? The estimate of the number of new units that would be added by the 2006 General Plan is incorrect as noted previously. Because the number of new trips that would be added under the plan is substantially understated, the air quality impacts are also understated. For this reason the conclusions are invalid.

162. P.5-6 Noise. Where are the data that support these conclusions? It does not appear that noise impacts have been analyzed in detail. It is impossible, therefore, to compare the 1982 General Plan to the GPU3.

163. P.5-6 Biological Resources. Where are the data that support these conclusions? It does

not appear that the biological resources impacts have been compared for the 1982 General Plan and GPU3. Where are the detailed comparisons of the sensitive habitats, wetlands, riparian areas, wildlife movement, and trees?

164. P. 5-6. Cultural Resources. Where are the data that support these conclusions? Why is no information presented on the potential impact on cultural sites associated with the 2006 Plan policies to allow development on much higher slopes and more rural areas than allowed under the 1982 plan?

165. P.5-7 Public Services and Utilities. Where are the data that support these conclusions? Why is no information provided about public services impacts? Each geographic area has different service availability. Many are severely strained. This is the case in Chualar and San Lucas. Why does this section not include a comparison of public services under the 1982 General Plan and the 2006 General Plan? Where are the impacts on water presented?

166. P.5-7 Parks and Recreation. Where are the data that support these conclusions? Why does the analysis only address the highest scale B the countywide level? Where are there more detailed comparisons of the parks and recreational opportunities in each geographic area?

167. P.5-7 Hazards and Hazardous Materials. Where are the data that support these conclusions? Where are the comparisons of the amount of land that would be developed under each plan for land that is located within high fire hazard areas? Where are the comparisons for other hazards?

168. P.5-8 Aesthetics, Light, and Glare. Where are the data that support these conclusions? Where is the description of the policies for the 1982 General Plan and the 2006 Plan for scenic highways, visual character and light and glare?

169. P.5-8 Population and Housing. A General Plan provides land for residential development through the process of designating land use classifications on a physical map. It also should provide how number of units permitted on a parcel. These steps are needed to prepare estimates of housing units and potential number of people that would be accommodated. It is the responsibility of an alternative section to describe and compare the number of units that could be created under each of the described alternatives, in this case the 1982 General Plan and the 2006 General Plan. Why hasn't this been done? Why hasn't this been done for each geographic area?

Why haven't the comparisons between the plans been presented so that the public can evaluate the differences in the population and housing units that would be allowed under each plan?

170. P.5-8 Conclusions. The Conclusions presented in this section are erroneous. The Land Use impacts of the 2006 General Plan have been understated since they have failed to consider the new land that would be added for residential and other development as described above. As a result, all other aspects of the alternatives analysis are flawed. Housing units are substantially understated, traffic counts are flawed, the noise impacts are understated, and so on. The reality

is that in all categories the 1982 General Plan has fewer and less severe impacts than the 2006 General Plan.

171. P. 5-9 Description. Once again errors are made in the description of the alternative being analyzed, and the 2006 Plan is misrepresented as a compact growth plan. These failures result in flawed conclusions. For example, in regard to the 2006 Plan, it states, AGrowth is to be subject to development of an Infrastructure and Financing Study. Growth outside of Community Areas and rural centers is subject to a residential evaluation system.@ Yet a closer reading of the policy

reveals that this is not the case. On page LU-13 of the 2006 Plan, Policy LU-2.3 APrior to the preparation of the Infrastructure and Financing Study and assuring the infrastructure funding mechanisms the following types of development may proceed:

- 1) Subdivisions creating four or fewer lots;
- 2) The first single family home and one accessory dwelling unit o n an existing lot;
- 3) On-site employee housing and caretaker units;
- 4) Small-scale neighborhood-serving commercial uses; and
- 5) Public/quasi public use may proceed.@)

Additionally, it should be noted in the analysis that the 2006 Plan allows for expansion of Rural Centers through the creation of Rural Center Transition zones and has altered Rural Center boundaries proposed under GPU3 to accommodate property owner requests. This would result in considerable increases in the number of housing units over those allowed under GPU 3. The largest difference may be the number of units resulting from new subdivisions in the Rural Residential category under the 2006 Plan.

Rural subdivision provisions in the 2006 General Plan are in stark contrast to GPU3. The description refers to the residential evaluation system in the 2006 General Plan as a mechanism that would limit growth in the unincorporated area. Yet the 2006 Plan states that this is an evaluation tool only and Athe residential evaluation system is not intended to be a Apass/fail@ evaluation nor a competition. It is intended to provide a systematic, consistent, predictable and quantitative method for decision makers to evaluate development of five ore more lots or units.@ (LU-2.13)

Unlike GPU3 which limited all subdivisions outside of the Community Areas, Rural Centers, and Affordable Housing Overlay Areas, the 2006 General Plan would allow development on thousands of additional acres. These differences between the 2006 Plan policies and GPU3 should be quantified and compared. To represent these plans as similar is incorrect and does not provide full disclosure to the public. To make this analysis meaningful will require a detailed discussion of the approaches, policies, boundaries of the Community Areas, Rural Centers, and Transition zones, and the policies that would regulate development outside of these areas. And if such plans were similar, then the County failed to consider a reasonable range of alternatives as required by CEQA.

172. P. 5-10. Buildout Comparisons. The buildout comparison provided for the 2006 General

Plan are questionable. What is the source for this table? It appears that these numbers were not generated by land use planners after review of the actual land use designations, parcel sizes, potential for subdivision, and potential new units. Instead, it appears that these estimates were prepared as a part of an economic report that was developed by economists before land use designations in the 2006 Plan were finalized. Where are the detailed calculations and side-by-side comparisons that show new units that could be created within each land use category under each of the plans? Did the calculations presented for the 2006 General Plan include new subdivisions and units that could be developed in Farmlands, Rural Grazing, Permanent Grazing, Resource Conservation, and Residential categories? Do the 2006 General Plan numbers include the property owner requests? What boundaries were used for the Community Areas and Rural Centers to determine these estimates? Are the boundaries used in the BAE's report the same as that proposed for the 2006 Plan? The 2006 Plan provides for 950 acres in Chualar with a potential buildout of 3,000 to 10,000 units and for units that could be built in Atransition areas@ between Rural Centers and adjacent land. Are these units included in the buildout estimates presented in the table? How many new units would result from the changed boundaries in the Rural Centers since the BAE report was completed? Do the estimates cited for the 2006 Plan include the Rural Center Transition zones?

173. P. 5-11 The buildout comparison also refers to jobs. Where are the more detailed analysis of job creation by category within the county by geographic area? Please provide a breakdown by each Planning Area. Why did this table not include other land uses such as Industrial or Farmland designations that allow industrial development within them?

174. P.5-12 Land Use. This section fails to provide any land use acreage comparisons between the plans except at the most cursory level. Nor does the section address the distribution of residential development or present changes that are proposed in land use policies that would relax development standards. Yet based on limited information it concludes, ATherefore, GPU3 would have greater impacts on land use than the 2006 General Plan.@ How can these conclusions be reached without supporting information about land use changes? Why is no detailed information provided on the many differences in proposed land use policies between these two plan alternatives? Where can this information be found? Where are the comparisons of the amount of land being designated in each of the land use classifications under the two alternatives?

Why is there no comparison of the two plans= policies regarding additional subdivision in rural residential areas? Where can the total acres resulting from the property owner requests be found? Where can quantitative analysis comparing the amount of land in Community Area designations between the two plans be found? Where is the comparison of land area for Rural Centers? Where is the comparison of the amount of land that can be developed on slopes over 25 and 30 percent provided. Where is the comparison of the acreage for the new Special Treatment Areas and Study Areas? This analysis fails to show that the 2006 General Plan would allow for far more development on steeper slopes than allowed under GPU3.

Under the 2006 General Plan the total amount of new land that is within Community Areas, Rural Centers, Rural Center Transition Zones, and developable land in Rural Residential exceeds the amount allowed under GPU3. To conclude that GPU3 would have greater impacts is questionable without a more detailed analysis and quantitative comparisons.

In addition, why does this section refer to Coastal policies in GPU3 but fails to mention that the County is out of compliance in the periodic review of coastal policies and that it will need to shortly recommend changes in the Coastal Plans? Why does the discussion fail to reveal that the 2006 General Plan would also require Coastal Commission review of the Castroville Community Area and Del Monte Forest Rural Center? This section should identify that the 2006 General Plan is piecemealing the planning process by separating the 2006 General Plan from the Coastal Planning process.

175. P.5-11 Agricultural Resources. This section states, ATherefore, GPU3 would have greater Impacts on agricultural resources.@ This conclusions is made without any information on Agricultural lands under the 2006 General Plan. The discussion of agricultural impacts does not include estimates of acres in Important Farmland and other designations in the 2006 General Plan. Nor does it explain how the 2006 General Plan would direct growth in to Community Areas and Rural Centers, when in fact it adds more land for residential development as a result of the property owner requests, the rural center expansions, rural center transition zones, etc. Where are the acreage comparisons? How can a conclusion be reached without this information? This section also does not include a thorough discussion of the differences in agricultural policies. Both plans include a new permit process for on-going and routine agricultural operations. The policies differences should be compared and contrasted and their impacts evaluated.

176. P.5-12 Water Resources. This section concludes that GPU3 would have an even greater impact on water resources because of higher buildout. Yet the buildout numbers provided for the 2006 General Plan are inaccurate as described previously. How can conclusions be presented without providing information on projected water usage under each of the plans? How might groundwater be affected by development within in each groundwater basin under each plan? Where are the data supporting these conclusions? Why is there no comparison of erosion impacts resulting from changing slope requirements in the 2006 General Plan to allow development and cultivation on much higher slopes? Where are the ground water impact comparison data? GPU3 included extensive policies related to assuring long-term water supplies. These policy differences with the 2006 General Plan are major and should be described and analyzed.

177. P.5-12 Geology, Soils, and Seismicity. This section concludes that because the buildout potential of the GPU3 is greater than the 2006 General Plan, GPU3 has the potential to expose more people and property to hazards. Again, the buildout information provided for the 2006 General Plan is incorrect. It fails to account for large number of potential units. But more importantly, the 2006 Plan also allows for dispersion of new housing units over vast rural areas, potentially exposing large numbers of people to hazards. Why was this not account for in the



analysis? Where are the comparisons of areas that would be affected by the change in slope policies? The 2006 General Plan had more restrictions on development on slopes than proposed for the 2006 General Plan. Why is this information not discussed? How many areas are affected under the 2006 General Plan? How much development can occur in areas with geologic hazards under each Plan? Why is this analysis not included?

178. P.5-12 Mineral Resources. Where are the data that support these conclusions. Why is there no discussion of the differences in the two plans= policies regarding mineral extraction?

179. P.5-12 Transportation. The estimate of the number of new units that would be added under the 2006 General Plan is wrong as described previously. Therefore, the number of new trips that would be added is substantially understated. The mitigation measures are not valid since there is no time frame to require development of the County Traffic Impact Fee (countywide) or a Regional Traffic Impact Fee. To-date the County has not been successful in developing these fee programs. Unless a trigger is put into place to restrict creation of new lots until impact fee programs and project schedules are adopted, it cannot be stated that the transportation impacts for the 2006 Plan are less. Where are the traffic model analyses comparing the road impacts under these plans? Where are the data that support the conclusions? What are the traffic model results for the 2006 General Plan, including the traffic volumes and level of service for all county roads? No conclusions regarding the adequacy of the road system can be made without this information.

180. P.5-12 Air Quality. Where are the data that support these conclusions? The estimate of the number of new units that would be added by the 2006 General Plan is wrong as described previously. Since the number of new trips that would be added under the 2006 General Plan are substantially understated, the air quality impacts are also significantly understated.

181. P.5-13 Noise. Where are the data that support these conclusions? It does not appear that the noise impacts have been analyzed in any detail. It is impossible, therefore, to compare the 2006 General Plan to GPU3. As noted above, the estimate of the number of new units that would be added under the 2006 General Plan is wrong. For this reason the conclusions in this section are invalid.

182. P.5-13 Biological Resources. Where are the data that support these conclusions? It does not appear that the biological resources impacts of the 2006 Plan and GPU3 have been compared. Where are the detailed comparisons of the sensitive habitats, wetlands, riparian areas, wildlife movement, and oak woodlands? The policies under these two plans are significantly different. Please provide an analysis of the impacts of these policy differences.

Since there is greater potential for residential development throughout much larger areas of the unincorporated area under the 2006 General Plan, it is reasonable to conclude that the impacts on resources would be much greater than for GPU3.

183. P.5-13 Cultural Resources. Where are the data that support these conclusions? Why is no information presented on the potential impact on cultural sites associated with the 2006 Plan

policies to allow development on much higher slopes than that which was allowed in GPU3? Why doesn't the analysis compare the impact that could result from new subdivisions in Rural Residential under the 2006 General Plan?

Since there is greater potential for residential development throughout the unincorporated area under the 2006 General Plan, it is reasonable to conclude that the impacts on biological resources would be greater than for GPU3.

184. P.5-13 Public Services and Utilities. Where are the data that support these conclusions? Why is no information provided about public services impacts under the two alternatives? Each geographic area has different service availability. Many are severely strained, e.g., Chualar and San Lucas. Why does this section not include a comparison of public services policies under GPU3 and the 2006 General Plan? Where are the impacts on water presented? The two plans have very different approaches to assuring adequate provision of water and sewer services. GPU3 required the development of regional systems to support Community Area and Rural Center development. The 2006 General Plan is much more lax. Policy LU-2.10 states that adequate water and sewer facilities may include on-site wells and septic systems. Why aren't these policy differences presented and evaluated?

185. P.5-14 Parks and Recreation. Where are the data that support these conclusions? Why does the analysis only address the highest scale B the countywide level? There must be more detailed comparisons of the parks and recreational opportunities in each geographic area.

186. P.5-14 Hazards and Hazardous Materials. Where are the data that support these conclusions? Where are the comparisons of the amount of land that would be developed under each plan for land that is located within high fire hazard areas? Where are the comparisons for other hazards? Since there is much more potential for residential development throughout much of the unincorporated area under the 2006 General Plan, it is reasonable to conclude that the hazard impacts would be much greater under the 2006 General Plan than under GPU3. Please explain why you reach different conclusions.

187. P.5-14 Aesthetics, Light, and Glare. Where are the data that support these conclusions? Where is the description of the policies for GPU3 and the 2006 Plan for scenic highways, visual character and light and glare? Since there is much more potential for residential development throughout the unincorporated area under the 2006 General Plan, it is reasonable to conclude that aesthetics, lighting and glare impacts would be much greater under the 2006 General Plan than under GPU3. Please explain why you reach different conclusions.

188. P.5-14 Population and Housing. The General Plan identifies land for residential development through the process of designating land use classifications on a physical map. It also identifies the number of units that can be placed on a parcel. With this information it is possible to estimate how many housing units and potential number of people would occur under each of the alternatives. It is the responsibility of this alternative analysis to describe and

compare the number of units that could be created under each of the alternatives, in this case the GPU3 and the 2006 General Plan. Why hasn't this been done? Why hasn't this been done for Each geographic area? Why haven't the comparisons between the plans been presented so that the public can evaluate the differences in the population and housing units that would be allowed under each plan? How can conclusions be reached that GPU3's impacts on population and housing would be similar to those of the 2006 General Plan without this information?

189. P.5-14 Conclusions. The Conclusions presented in this section are erroneous. The Land Use impacts associated with the 2006 General Plan have been understated as described previously. As a result, land use of the 2006 General Plan and all other aspects of the alternatives analysis are flawed. The reality is that in all categories GPU3 has fewer and less severe impacts than the 2006 General Plan. This should be clearly stated in the revised and recirculated DEIR.

Additionally the detailed policy differences between these plans are not presented. Instead the reader is led to believe that they are similar because they include some of the same Community Areas and Rural Centers. This, however, is a misrepresentation. GPU3 managed growth by prohibiting new subdivisions on less than 40 acres in rural areas. The 2006 General Plan does

not. This means that impacts of development can occur throughout the unincorporated area under the 2006 Plan. These impacts are not addressed.

190. P. 5-16 Buildout Comparisons. The buildout comparison provided for the 2006 General Plan are questionable as described previously.

191. P. 5-16 The buildout comparison also refer to jobs. Where are the more detailed analysis of job creation by category within the county by geographic area? Why is the material not provided? Why did this table not include other land use uses such as Industrial or Farmland designations that allow industrial development within them?

192. P. 5-16 Land Use. This section concludes that the GPI would have less potential to result in adverse impacts on land use than the 2006 General Plan. We agree. A smaller land area is designated for residential development and tighter slope policies would restrict building on sensitive slopes under the GPI. The section, however, is missing any quantitative comparison of the acreage in each land use designations by type under the two alternatives. Additionally, please explain the section referring to the North County Coastal Plan. No comparison in the GPI and the 2006 General Plan can be made in terms of the Coastal Plans. The 2006 Plan does not address Coastal Plans despite the requirement to complete a periodic review and to correct deficiencies in the Coastal Plans.

193. P.5-17 Agricultural. This section concludes that the GPI would have greater impacts on agriculture resources than the 2006 Plan. We disagree. The GPI protects agricultural land by directing growth to the cities and Community Areas, while the 2006 General Plan allows for continued subdivision in rural residential and agricultural areas. The 2006 General Plan does not

establish limits on subdivisions in agriculture zones. LU-3.1 modifies existing policies by referring to Atypical acre minimum sites= rather than in absolute terms. This would allow an open up-ended process that never establishes firm thresholds. This is a major shift from existing policies and is in sharp contrast with the GPI. This should be addressed. Additionally, it should be noted that in the past the County has had little influence on city growth. To claim that the GPI is weaker than the 2006 General Plan in this regard is unfounded. Please explain how the 2006 General Plan would limit city expansion into agricultural areas more so than that provided for in the GPI. Finally, this section should include quantitative comparison of agricultural acreage affected by each of the plans. Without a comparison of agricultural land by type it is impossible to arrive at any conclusions regarding impacts on agricultural resources.

194. P.5-17 Water Resources. The section concludes that the GPI and the 2006 General Plan would have similar impacts on water resources. Where is the quantitative analysis that supports this conclusion? How much water would be used under each of these plans? How might groundwater be affected by development within in each groundwater basin under each of these plans? Why is there no comparison of erosion impacts resulting from changing the slope requirements in the 2006 General Plan to allow development on much higher slopes? Where is the groundwater impact comparison data?

195. P.5-18 Geology, Soils, and Seismicity. This section concludes that the GPI would have less impacts. We agree. However, where is the comparison of areas that would be affected by the change in slope policies? Why is this information not discussed? Please provide and analyze of how much area would be affected by the differences in slope policies under each plan.

How much development can occur in geologic hazards areas under each plan? Why is this Analysis not included in this section? Without comparison of the actual impacts, the magnitude of the disparity of the impacts between the different alternatives cannot be determined.

196. P5-18 Mineral Resources. The section states that the GPI would have the same impacts on mineral resources as the 2006 General Plan. Where are the data that support these conclusions? The 2006 General Plan includes a number of new areas for residential development. Have the new areas added through the property owner request process been analyzed?

197. P.5-18 Transportation. This section states, AIt is reasonable to conclude that potential adverse impacts on transportation from GPI would be less than those of the 2006 General Plan.@

We agree, but the section should provide an analysis of the traffic volumes and level of service comparisons for each of the alternatives. Additionally, it should be recognized that the estimates that are provided for the number of new units that would be added by the 2006 General Plan are inaccurate as noted above. The amount of road miles operating at unacceptable Levels of Service is therefore also seriously underestimated. Where are the traffic model analyses comparing road impacts under these plans?

The mitigation measures described in this section for the 2006 General Plan are not valid since

there is no time frame to require development of the County Traffic Impact Fee (countywide) or a Regional Traffic Impact Fee. To-date the County has not been successful in developing these fee programs. Unless a trigger is put into place to restrict creation of new lots until impact fee programs and project schedules are adopted, it cannot be stated that the transportation impacts of the 2006 Plan would be mitigated.

198. P.5-18 Air Quality. The section states that the potential adverse impacts on air quality from GPI would be lower than those of the 2006 General Plan. We agree. Moreover, since the number of new trips that would be added under 2006 General Plan are substantially understated, the air quality impacts are also severely understated.

199. P.5-19 Noise. The section recognizes that potential adverse noise impacts from buildout of the GPI would be lower than those of the 2006 General Plan. We agree. It does not appear that the noise impacts have been thoroughly analyzed. The estimate of the number of new units that would be added by the 2006 General Plan is wrong as noted above. Since the number of new trips that would be added is substantially understated, the noise impacts would also be substantially under estimated.

200. P.5-19 Biological Resources. The section states that the GPI would have fewer adverse impacts on biological resources than the 2006 General Plan. We agree, but again the DEIR has an obligation to provide data that allows for comparisons. Where are the data that support these conclusions? Where are the comparisons of the policies that relate to sensitive habitats, wetlands, riparian areas, wildlife movement, and trees?

201. P.5-19 Cultural Resources. This section concludes that the GPI would have similar potential impacts on cultural resources as the 2006 General Plan. This is incorrect since GPI prohibits additional subdivision outside of Community Areas. The 2006 General Plan, on the other hand allows for extensive new subdivisions in Rural Centers, Rural Center Transition Zones, in the large areas that are in Rural Residential, and in the proposed Special Treatment Areas. Why does the analysis ignore these major differences? Please provide acreage totals by land use category where additional subdivisions would be permitted for each plan.

202. P.5-19 Public Services and Utilities. This section concludes that the potential adverse impacts on public services and utilities under GPI would be less than the 2006 General Plan. We agree because the GPI does not allow new subdivision outside of Community Areas. Information should be provided regarding the 2006 General Plan public services impacts in Rural Centers, Rural Center Transition zones, Special Treatment Areas, Rural Residential areas, etc. A comparison of the public service policies should be presented. It should be noted that the 2006 General Plan proposes lower standards for public services than the GPI. This is true for both water (adequate services can include private wells and septic systems) and roads (reduced to LOS D) under the proposed 2006 General Plan.

203. P.5-19 Parks and Recreation. The section states that the GPI would have less impact than the 2006 General Plan. We agree. Why does the analysis only address the highest scale B the

countywide level? Where are there more detailed comparisons of the parks and recreational opportunities in each geographic area?

204. P.5-20 Hazards and Hazardous Materials. The section concludes that GPI would result in potentially greater adverse impacts from hazards than the 2006 General Plan. Where are the data that support these conclusions? The conclusion makes little sense since the GPI directs new growth to compact areas where hazards are low and hazardous materials services are available. By contrast, the 2006 General Plan allows development throughout large areas of the unincorporated area, many of which are in high fire hazard areas. Where are the comparisons of the amount of land that would be developed under each plan for areas that are located within high fire hazard areas? Where are the comparisons for other hazards?

205. P.5-20 Aesthetics, Light, and Glare. The section concludes that the aesthetic, light, and glare impacts of the GPI would be less than those of the 2006 General Plan. We agree; however, the alternative section should provide a comparison analysis. Without comparison of the actual impacts, the magnitude of the disparity of the impacts between the different alternatives cannot be determined.

206. P.5-20 Population and Housing. The General Plan provides land for residential development through the process of designating land use classifications on a physical map. It also provides a determination of the number of units that can be placed on a parcel. This enables planners to prepare estimates of how many housing units and population growth. Why hasn't this been done for each geographic area? Why haven't the comparisons between the plans been presented? The DEIR must provide detailed buildout estimates of population and housing by planning area and land use type.

207. P.5-20 Conclusions. The conclusions provided in this section are confusing and erroneous. Again, because the land use impacts of the 2006 General Plan have been understated, valid comparisons cannot be made. We believe that if a careful analysis is prepared for each of alternatives, it would show that the GPI is superior in all aspects.

Finally, the conclusion states, AHowever, the GPI alternative would not accommodate forecasted

growth in the same manner as the 2006 General Plan would. The GPI alternative also contains strict limitations on growth outside of the designated areas that would limit the County=s flexibility in accommodating growth. Moreover, this alternative was prepared by a private organization and qualified for the ballot by the initiative process@. We do not agree that the GPI

would not accommodate forecasted growth. It would meet AMBAG=s population forecasts for unincorporated Monterey County for the next twenty years. The GPI was developed by representatives from numerous non-profit public interest organizations, not one organization. It was developed based on far more public involvement than the proposed 2006 General Plan. The 2006 General Plan was prepared by the County Board of Supervisors with very few community

meetings. When the GPI is on the ballot, it will allow all citizens to participate in future land use decisions for unincorporated Monterey County.

208. P. 5-21 Environmentally Superior Alternative. Table 5-4 Summary of the 2006 General Plan Alternatives presents an overview of the conclusions of this section, yet it does not seem to be based on the alternative analysis itself. Instead, it finds that in the case of the 2006 General Plan, all but two categories were A Less than Significant@. This is not what is described in the text. Why isn't the text reflected in the summary table?

As described in our previous comments, buildout estimates for the 2006 General Plan are incorrect. Since these estimates are fundamentally flawed, the DEIR understates the potential number of units and their impacts for all categories. For this reason a finding of A Less Than Significant@ for the 2006 Plan is questionable for the following categories: Land Use, Transportation, Air Quality, Noise, Public Services, Parks and Recreation, Population and Housing.

Additionally, the Alternatives analysis is questionable because it fails to accurately represent the intensity and distribution of development. The 2006 General Plan allows for subdivisions throughout large areas of the county. It is a plan that would allow low density development throughout most of unincorporated Monterey County. Of the three plans, the 2006 General Plan allows for the greatest level of population growth and development. Yet the Alternatives analysis provides no information on total acreage or the acreage by category or by plan. Instead the section presents the alternatives as if they were similar. Since the 2006 General Plan allows for A flexibility@ to allow for development throughout the unincorporated area, it also would have far greater impacts. For this reason a finding of A Less than Significant@ is inappropriate for the following categories: Land Use, Geology, Soils, and Seismicity, Mineral Resources, Biological Resources, Cultural Resources, Hazards and Hazardous Materials.

This table should be revised to account for these factors. In all cases the GPI Alternative has a lesser impact than the 2006 General Plan. This should be stated and selected as the preferred alternative. The final statement in the analysis recognizes that A Based on this review, the GPI is

considered the Environmentally Superior Alternative. However, this alternative does not meet the project objections accommodating forecasted growth and incorporating public input from all segments of the County population.@ This is inaccurate. As stated previously, the GPI provides

for more than enough land to accommodate the projected population. Additionally, the Community General Plan which is the basis of the GPI had extensive public input. Meetings were held throughout the county.

The DEIR alternative section is not objective, analytical, or forthcoming in its presentation of the impacts of the three plans. It fails to satisfy the requirements of state law in virtually all regards.

209. P. 5-22 Agricultural Winery Corridor Plan. This section attempts to frame alternatives for

the Agricultural Winery Corridor Plan. However, it fails to meet the requirements of CEQA. CEQA Guidelines *Title 14. California Code of Regulations*, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 9, Section (d) states "The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

The information presented is so generalized that a meaningful evaluation is impossible. Additionally no data are presented that would allow for analysis or comparison. It is understood that the County is attempting to include an environmental analysis of the Winery Corridor Plan in the General Plan DEIR to avoid preparation of a separate EIR. However, the section fails to satisfy the most basic requirements for an alternatives analysis.

The section does not include any quantitative comparison of alternatives. How much acreage is included in each of the alternative plans? What are potential conflicts with adjacent land uses and potential impacts? Where are traffic model results for each alternative? What are the anticipated traffic volumes and level of service for each road segment? How would traffic impacts be mitigated? Why are previous studies that identified the need for costly improvements to roadbeds and alignments not addressed?

210. P. 5.7.1 No Project Alternative. No information is provided on the history of winery development or of the potential developments that might occur. Instead, this section attempts to argue that there would be no limitations on the number of wine-related facilities anywhere in the County and no planned approach. The development of the business cluster and the visitor centers would not be expected to occur. This argument does not address how environmental review for projects under the 1982 General Plan would address these issues. The analysis of the specific impacts of each project would be more carefully evaluated and mitigated under the no project alternative than under the provisions of the Winery Corridor Plan which would exempt most projects from further environmental analysis.

211. P.5-24 Transportation. This section does not include traffic modeling. Where is the traffic analysis? Why does this section state that the corridors operate at acceptable levels of service, when traffic reports indicated problems in the River Road area? Why is traffic volume and level of service information not presented for each road segment?

212. P-5-26 The Conclusion section states, "The No Project Alternative does not fulfill any of the objectives of the AWCP because it does not propose any initiatives to achieve a balance between grape production and wine processing, enhance the appellations of Monterey County, or encourage the growth of the wine industry." What does this mean? When were these objectives adopted?

213. P-2-27 Reduced Density Alternative. Again complete data are not presented for this alternative so it is impossible to compare it with the proposed 2006 plan. The impacts that are



reduced for land use conflicts, agricultural resources, and water resources are not identified. Where are the data and discussion of the comparison of impacts for biological resources, geology, etc? Where is the information on traffic? Where are the data comparing air quality and noise under this plan alternative as compared to the 2006 Plan?

214. P. 5-32 Carmel Valley Alternative. This alternative appears to have been included to enable the Board of Supervisors to expand the winery corridor concept to include Carmel Valley. Yet no substantial information is presented on the number of acres involved, the potential impacts, the conflicts with adjacent land uses, traffic volumes, or the water demand. Instead the section simply states that the Carmel Valley Alternative would fulfill two of the three AWCP objectives. How can the traffic impacts be absorbed on this already overtaxed roadway? What would be the water source? The Alternative Section does not identify any specific impacts. Nor does it identify any mitigation measures. It fails to analyze impacts on biological resources or on public services in anything but the simplest and most generalized manner.

### SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED

215. P. 6-1 The DEIR finds the following **significant and unavoidable environmental** impacts: Loss of Important Farmland, conflicts with Williamson Act Contracts, agricultural and resource use soil erosion, groundwater overdraft, saltwater intrusion, roadway level of service on County and regional roads, visual character, and light and glare. This list excludes the finding on P. 6-6 that the 2006 General Plan would have a significant unavoidable adverse impact on growth. Based on our comments, the following **significant and unavoidable environmental** impacts should be added: air quality, soils and erosion, population and housing, bringing populations into hazardous environments such as fire prone areas, safety in terms of emergency access, biological resources, and public services, i.e., sheriff, fire and schools.

Additionally, the following impacts are significantly underestimated in the DEIR: agricultural resources, roadway level of service, and visual character.

### GROWTH INDUCEMENT

216. P. 6-4 The DEIR says that AMBAG is Acharged by the federal government to research and prepare plans for transportation, growth management, hazardous waste management, and air quality. One of the many responsibilities mandated to AMBAG by the state is the development of demographic projections, which are provided in Section 4.16...@ AMBAG=s only mandates are to prepare the Metropolitan Transportation Plan and the Fair Share Housing Allocation. The other items described above are characterized improperly.

217. P.6-5, Table 6.3.3 Employment and Housing Units under 2000 and 2030 are incorrectly stated. Employment should be 68,915 and 97,113, respectively. Housing Units should be 37,047 and 48,670, respectively.

### CUMULATIVE IMPACTS

218. P. 6-8 The DEIR states, AThe cumulative discussion in this Program EIR analyzes the cumulative effects of the 2006 General Plan as well as buildout of all incorporated cities within the County. The cumulative impact analysis is based upon population growth figures published by AMBAG for the Region...@ As noted numerous times, AMBAG=s population and housing forecasts do not reflect buildout. Contrary to CEQA requirements, the DEIR uses these forecasts to identify cumulative impacts. In addition, no quantitative information is provided to support its findings. A revised and recirculated DEIR should include a cumulative impact analysis based on the buildout for all cities in the County and the 2006 General Plan.

Pending and approved/unbuilt units and other foreseeable projects alone would yield a total of 65,165 units in unincorporated Monterey County and the cities for a population of 204,612 (Attachment I). AMBAG=s forecast show a countywide population increase of 170,131 between 2005 and 2030. Subtracting the prison population of 11,271, shows an increase of 158,860 people under AMBAG=s forecasts. Thus, foreseeable projects in Monterey County exceed AMBAG forecasts by almost 46,000 people. The population associated with foreseeable projects is far less than the number of people who would be accommodated under a buildout scenario.

The Cumulative Impact Analysis finds the following significant impacts: agricultural resources, water resources, transportation, aesthetics, and light and glare. A revised and recirculated DEIR

should add the following to the list of significant cumulative impacts based on buildout data for cities and unincorporated Monterey County: soils, air quality, noise, biological resources, public services, i.e., fire, sheriff and schools, potable water, hazards and population and housing.

Thank you for the opportunity to comment on the DEIR for the 2006 General Plan.

Sincerely,

Chris Fitz  
Executive Director  
LandWatch Monterey County

Bill Theyskens  
Prunedale Preservation Alliance

Rita Dalessio  
Chair, Ventana Chapter, Sierra Club

Alexander Urciuoli  
Spokesman, Citizens for Responsible Growth

Glenn E. Robinson  
President, Carmel Valley Association

Jan Mitchell  
Prunedale Neighbors Group

Mike Weaver  
Marit Evans  
Co-Chair, Highway 68 Coalition

Julie Engell  
Chair, Rancho San Juan Opposition Coalition

Carolyn Anderson  
Chair, North Monterey County  
Citizen=s Oversight Coalition

Enc. Attachment I

# ATTACHMENT I

## SUMMARY OF PENDING/APPROVE AND UNBUILT PROJECT AND OTHER PROJECTS September 8, 2006

Jurisdiction	Units
<b>Unincorporated - Pending</b>	
Big Sur, Carmel Area & Del Monte Forest	121
Carmel Valley * Cachagua	578
Monterey Peninsula	160
North County B Coastal & Inland	639
Central Salinas Valley & Greater Salinas Area (1147 B Butterfly Village)	1273
South County	102
Toro	274
Sub-Total	3147
<b>Unincorporated B Approved/Unbuilt</b>	
East Garrison	1470
Marisole	319
Big Sur	41
Other	546
<b>Sub-Total</b>	<b>2376</b>
<b>Total Unincorporated Pending &amp; Approve/Unbuilt</b>	<b>5523</b>
<b>Incorporated B Pending &amp; Approved/Unbuilt</b>	
Marina	4450
Seaside	158
King City	3850
Greenfield	908
Monterey	141
Salinas	864
Sand City	30
Gonzales	946
Soledad	6160
Carmel, Pacific Grove & Del Rey Oaks	11
<b>Total Cities</b>	<b>17518</b>
Other	
Legal Lots of Record - Unincorporated	7400
Boronda Community Plan	750
Castroville Community Plan	1655
Pajaro Community Area	252
Chualar	5000
Soledad GP-Buidout (remaining new)	3119
Greenfield GP-Buildout (remaining new)	5733
Gonzales-Fanoe Property	3200
Salinas-Proposed Annexation	11762
CSUMB	1025
Army-Ft. Ord-Work Force	512
County Remainder-Fort Ord	1714
<b>Total Other</b>	<b>42122</b>
<b>Grand Total</b>	<b>65163</b>

