Gonzales 2010 General Plan Environmental Impact Report—Volume 3

SCH# 2009121017

Final EIR





City of Gonzales

December 2010

COASTPLANS

Coastal Plans
Land Use and Housing Plans
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Environmental Reports

Gonzales 2010 General Plan
Environmental Impact Report
SCH #2009121017

Volume 3: Final EIR

Response to Comments and EIR Addendum

Prepared for:

City of Gonzales

Prepared by:

Coastplans

December 2010

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CHAPTER 1. INTRODUCTION

The purpose of this volume is to provide a good-faith, well-reasoned response to each comment received on the *Gonzales 2010 General Plan Draft Environmental Impact Report* (GP DEIR). In addition, an EIR addendum has been prepared that evaluates minor technical project changes that are being made in response to comments received during the comment period for the GP DEIR.

1.0 ORGANIZATION OF VOLUME 3

Chapter 1 is this introduction. Chapter 2 contains each comment letter received with an accompanying response from the Lead Agency (see the Table of Contents for a list of all response letters received). In many cases, the comments received contain new information to be incorporated into the GP DEIR or request some other change to either the GP DEIR or to the *Gonzales 2010 General Plan*. This new information and the requested changes, if appropriate, have been incorporated as part of the Final EIR. Each of these changes has been carefully reviewed to determine if it represents "significant new information" or a substantial change, which would require recirculation of the GP DEIR. It has been determined that none of the proposed changes would require recirculation of the GP DEIR.

Chapter 3 of this volume contains an EIR Addendum that lists minor technical changes to the proposed project, with a justification for the decision not to prepare a subsequent or supplemental EIR.

CHAPTER 2. RESPONSE TO COMMENTS

This chapter presents comments received on the "Gonzales 2010 General Plan Public Review Draft Environmental Impact Report" (GP DEIR) Coastplans, July 2010) hereinafter referred to as.

In all, 17 comments letters were received on the GP DEIR. All letters, except for two—Monterey County Department of Health and California Energy Commission—were received by the comment deadline of September 23, 2010. The letter from the Monterey County Department of Health was received on September 27, 2010, and the letter received from the California Energy Commission was received on October 11, 2010.

2.0 COMMENTS AND RESPONSES

This section presents the comments received on the GP DEIR and the lead agency response to each comment. An identification number has been assigned to each comment and this number is used as a key to the responses, which follow immediately after each letter.

In some cases comment letters also contain comments regarding suggested revisions to the *Gonzales 2010 General Plan (GP)*. These comments are identified with the notation "GP Only." Some of these GP comments has resulted in recommended changes in the *Gonzales 2010 General Plan*, and where this is the case, such changes are listed in Chapter 3 (EIR Addendum) with an evaluation of the environmental effect such a change would have.

2.0.1 TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)

TAMC

Regional Transportation Planning Agency • Congestion Management Planning
Local Transportation Commission • Monterey County Service Authority for Freeways & Expressways

RECEIVED
SEP 20 2010
CITY OF GONZALES

September 14, 2010

Mr. Bill Farrell
Community Development Director
City of Gonzales
P.O. Box 647
Gonzales, California 93926

SUBJECT: Comments on the Draft Environmental Impact Report for the Gonzales 2010 General Plan

Bill

Dear Mr. Farrell:

The Transportation Agency for Monterey County is the Regional Transportation Planning Agency and Congestion Management Agency for Monterey County. Transportation Agency staff has reviewed the Draft Environmental Impact Report for the Gonzales 2010 General Plan.

The proposed updated General Plan adds approximately 2,150 acres of land for a variety of urban and open space uses and approximately 2,130 acres of land for urban reserve, for a total of 3,490 acres if all land is incorporated and developed, with a total buildout population of approximately 37,000 persons and total employment base of 7,300 jobs.

Transportation Agency staff offers the following comments for your consideration:

Regional Road and Highway Impacts

TAMC-1

1. The Draft Environmental Impact Report indicates that build-out associated with the proposed General Plan update will create significant impacts requiring mitigation to regional transportation infrastructure, at both segments and interchanges of Highway 101 through the City of Gonzales. The Transportation Agency has completed a Nexus Study for the regional development impact fee program that analyzed the regional, countywide traffic impacts of development according to adopted city and county general plans. This Nexus Study identifies projects to address countywide impacts to regional infrastructure, including interchange improvements to US 101 in Gonzales and new frontage roads from Salinas to Soledad. Our agency supports that the regional traffic impacts associated with implementation of the updated Gonzales General Plan will be mitigated through the regional development impact fee program and appreciates its inclusion in the draft report as the preferred mechanism for mitigating cumulative impacts to the regional transportation network. Particularly as it relates to *Mitigation Measure TT-1: Interchange Improvements*, payment of the regional fee by new development will contribute towards the funding for planned interchange improvements at Highway 101 and Gloria Road.

55-B Plaza Circle, Salinas, CA 93901-2902 • Tel: (831) 775-0903 • Fax: (831) 775-0897 • Website: www.tamcmonterey.org

TAMC-2

2. Site-specific impacts will still need to be addressed and our agency supports that new development associated with the proposed General Plan build-out will be required to fund circulation infrastructure improvements through local impact fee programs, such as the City of Gonzales', or through fair-share payments to directly impacted facilities. In particular, our agency supports that the draft report requires improvements to widen 5th Street and Gloria Road to provide better circulation and access to Highway 101, as well as that the City will be updating its traffic impact fee program (*Mitigation Measure TT-12*) as part of this process.

TAMC-3

3. The Transportation Agency will also be conducting a required update to our Regional Development Impact Fee program starting in 2012. With the City's planned update to its local impact fee program, this provides an opportunity to coordinate the program updates to ensure a consistent and equitable application of fees continues to occur throughout the region, and that both regional and local transportation concerns are properly addressed. Our agency requests that, where appropriate, agency staff is included in discussions and circulated documents related to the City's impact fee update.

Pedestrian & Bicycle Travel

TAMC-4
GP Only

4. The Transportation Agency supports accommodation of alternative forms of transportation (rail, bus transit, bicycle and pedestrian transportation), both through the design of transportation facilities, and through the design and orientation of land uses. As such, our agency supports the City's proposed policies to encourage alternative modes of travel by providing increased transit service, pedestrian and bicycle infrastructure, compact and mixed-use development, requirements for site designs that support transportation choice, and ensuring that new developments provide multimodal facilities.

TAMC-5
GP Only

5. Any bicycle and pedestrian facilities to be implemented according to the updated plan should be consistent with the Transportation Agency General Bikeways Plan for Monterey County. The bikeways plan is currently being updated and city staff should work with our agency to ensure that any planned facility changes are properly reflected.

TAMC-6
GP Only

6. Regarding Implementing Actions *CIR-1.1.11 – Street Widths*, *CIR-5.1.10 – Design Streets for Pedestrians and Bicyclists*, and *CIR-4.1.1 Streets as Joint Use Facilities*, our agency supports the emphasis on the use of all streets and corridors as joint use facilities designed for safe pedestrian, cyclist, and public transit access. Our agency encourages and recommends the inclusion of on-street bike lanes in the construction of new major arterials and collectors with an average daily traffic greater than 3,000 or with a speed limit in excess of 30 miles per hour, to reduce vehicle-bicycle conflicts at intersection crossings and improve safety for bicyclists making turning movements through intersections.

TAMC-7
GP Only

7. A premium should be placed on safe and accessible pedestrian access to development sites from intersections and crosswalks, sidewalks, and bicycle facilities. Our agency fully supports Implementing Actions *CIR-4.1.7 – Walking Environment*, *CIR-8.1.5 – Provide Sidewalks*, *CIR-8.1.6 – American with Disabilities Act*, and *CIR-8.1.7 –*

Pedestrian Amenities, which call for the creation of an aesthetically pleasing pedestrian environment within all residential and commercial developments that meets the mobility needs of disabled persons. In particular, our agency supports that consideration will be given to the inclusion of intelligent crosswalks, which provide flashing notification lights when a pedestrian enters the crosswalk to increase visibility and alert drivers of their presence.

TAMC-8
GP Only

8. Our agency also supports Implementing Action *CIR-8.1.3 – Bicycle Parking*, which requires new commercial development, employment centers, and public facilities to include provisions for safe and secure bicycle parking. Adequate lighting at these locations to improve safety and visibility should be provided by the development. The Transportation Agency encourages project developers to apply for our Bicycle Protection Program, which provides grant funding for bicycle parking facilities (racks and lockers) for local businesses, governments, and school districts.

TAMC-9
GP Only

9. The Transportation Agency supports that roundabouts are included as an implementing action (*Implementing Action CIR-1.1.12*) as a first option in all major intersections to calm traffic and provide a constant flow of travel.

TAMC-10
GP Only

10. Our agency supports the concentration of new development along major transportation corridors and near incorporated cities to make transit services more feasible. Implementing Actions *CIR-7.1.1 – Regional Coordination*, *CIR-7.1.3 – Public Transit*, and *CIR-7.1.5 – Compact Development Patterns* address this issue and our agency looks forward to working with the City and Monterey-Salinas Transit to enhance transit service and transit-oriented development in Gonzales. New development applicants should work early in the development process with Monterey-Salinas Transit to ensure that transit access and facilities are properly planned and provided. New development should also be required to utilize Monterey-Salinas Transit's *Designing for Transit* Guideline Manual as a resource for accommodating transit service at new development sites.

Greenhouse Gas Emissions

TAMC-11
GP Only

11. Senate Bill 375 requires the Metropolitan Planning Organization to develop a Sustainable Communities Strategies as a comprehensive approach to addressing greenhouse gas emissions at a regional level by linking land use and transportation planning decisions. Our agency supports the City's Implementing Action *CIR-10.1.1 – Regional Planning* to coordinate with the Association of Monterey Bay Area Governments in the development of the region's Sustainable Communities Strategy and that development within the General Plan area will be consistent with the plan once it is completed.

TAMC-12
GP Only

12. Our agency supports the use of light-colored pavement for pedestrian areas to cut down on the heat island effect and supports Implementing Action *SUS-1.6.8 – Reduce Cooling Load*. In particular, new developments should explore the use of gray granite pavement for parking areas, roadways, and bicycle / pedestrian facilities, which has the benefit over traditional blacktop of increasing nighttime visibility and is permeable to aid in the control of on-site water run-off.

TAMC-13
GP Only

13. Consideration should be given to including alternative fuel vehicles and electric vehicle charging stations as part of either Implementing Actions *SUS-1.4.1 – Transportation Options* or *SUS-1.6.2 Standards for Green Building*. The Monterey Bay Electric Vehicle Alliance is currently applying for grants for charging stations to be installed throughout the county. This provices the opportunity for new development to plan to include charging stations at potentially reduced costs, or with costs fully covered for government facilities.

Thank you for the opportunity to review this document. If you have any questions, please contact Michael Zeller of my staff at (831) 775-0903.

Sincerely,

Debra L. Hale
Executive Director

CC: Dave Murray, California Department of Transportation (Caltrans) District 5
Yaz Emrani, Monterey County Department of Public Works
Carl Sedoryk, Monterey-Salinas Transit
John Doughty, Association of Monterey Bay Area Governments
Ed Kendig, Monterey Bay Unified Air Pollution Control District

2.0.1.1. RESPONSES TO TAMC

TAMC-1: Supports regional development impact fee program

Response: Comment noted.

TAMC-2: Supports required improvements to 5th Street, update of local traffic impact fee program

Response: Comment noted.

TAMC-3: Request for TAMC staff to be included in discussions of impact fee update

Response: Comment noted.

TAMC-4: (GP Only) TAMC supports policies to support alternative forms of travel

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended because current policies of the Draft GP already support alternative forms of travel.

TAMC-5: (GP Only) TAMC's General Bikeways Plan for Monterey County

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended. TAMC is currently revising its plan. The City can review that plan when complete.

TAMC-6: (GP Only) On-Street Bike Lanes

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary as this is a supportive comment about a proposed program.

TAMC-7: (GP Only) Intelligent Crosswalks

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary as this is a supportive comment about a proposed program.

TAMC-8: (GP Only) Bicycle Parking

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary for consistency with this comment.

TAMC-9: (GP Only) Roundabouts

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary for consistency with this comment.

TAMC-10: (GP Only) Transit Planning in New Development

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

TAMC-11: (GP Only) Regional Coordination re: SB 375

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary as this is a supportive comment about a proposed program.

TAMC-12: (GP Only) Reduce Cooling Loads

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is necessary as this is a supportive comment about a proposed program.

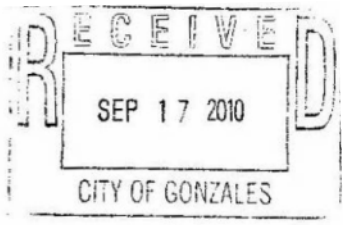
TAMC-13: (GP Only) Alternative Fuel Vehicles and Electric Vehicle Charging Stations

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

2.0.1.2. CONCLUSIONS

All of the comments received from TAMC and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.2 SALINAS VALLEY SOLID WASTE AUTHORITY (SVSWA)



SALINAS VALLEY
SOLID WASTE AUTHORITY
"Promoting the environmental health of the Salinas Valley"

September 14, 2010

City of Gonzales
Attn: Bill Farrel, AICP
Interim Director of Planning & Economic Development
Post Office Box 647
147 Fourth Street
Gonzales, CA 93926

Subject: City of Gonzales 2010 General Plan and Environmental Impact Report

Dear Mr. Farrel,

Thank you for providing a copy of the 2010 General Plan and Environmental Impact Report for the City of Gonzales (City). We look forward to your responses to the following questions, comments, and requests.

A. 2010 General Plan

1. The Long Term Vision (See page I-1) notes the City's commitment to "provide key sites essential to the long-term economic health of the city'. In light of the 2007 Memorandum of Understand (2007 MOU) between the City of Gonzales (City) and the Salinas Valley Solid Waste Authority (SVSWA), the Johnson Canyon Landfill (Landfill) is highlighted as the centerpiece of joint agreement. From our 2007 MOU, there is no question that our two offices will continue to work together with the goal to serve the greater Salinas Valley with solid waste services while engaging in the joint development of job creation through recycling and energy projects. Therefore, it is appropriate to acknowledge this document to assist with the City's planning efforts. We look forward to its reference and acknowledgement in the Final General Plan for the City of Gonzales.

SVSWA-1
GP Only

2. The Land Use Diagram (see Figure II-4) shows the Johnson Canyon Landfill (Landfill) to be in a 'Permanent Agricultural Edge' zone. In earlier draft Land Use Diagrams (e.g., Diagrams dated July 31, 2008 and December 3, 2008), the Landfill was placed in a 'Landfill/Future Park' zone. Also, the 2007 MOU anticipates the possible ultimate expansion of the landfill as evaluated in the SVSWA 2002 Regional Solid Waste Facility Environmental Impact Report (SVSWA 2002 Regional EIR). Please modify the Land Use Diagram to show the planned landfill use.

SVSWA-2
GP Only

www.svswa.org
PO Box 2159, Salinas CA 93902-2159 • 128 Sun Street, Suite 101, Salinas CA 93901
tel. (831) 775-3000 • fax (831) 755-1322

SVSWA-3 GP Only

3. Relationship to Other Plans and Programs (See page I-10). As noted above, it is appropriate to acknowledge the 2007 MOU under this paragraph. In addition, please reference the SVSWA 2002 Regional EIR.

SVSWA-4 GP Only

4. Landfill Use Designations, Public/Quasi-Public (See page II-46). As noted in the 2007 MOU, it is appropriate to designate the landfill area required for ultimate expansion as part of this section. In addition, it is appropriate to designate land around the landfill for joint development of a technology-training center or light industrial or commercial uses.

SVSWA-5 GP Only

5. Goals, Policies, and Actions (See page II-49). To be consistent with the proposed mitigation measure (GHG-1) as noted in the 2010 EIR, please include mandatory recycling for multi-dwellings, commercial, and industrial development. The Implementing Action should include 'Adopt Mandatory Recycling Code' for the City.

SVSWA-6 GP Only

6. Circulation Framework, Regional Roadway System (See page III-3). The SVSWA 2002 Regional EIR identifies the primary truck route for the Johnson Canyon Road Landfill. In addition, this route is noted in our 2007 MOU. Please acknowledge that the regional roadway system also includes roads that serve as the Landfill's primary truck route, namely Johnson Canyon Road, Gloria Road, and Iverson Road. Since the SVSWA provide public services to the greater Salinas Valley, these roads take on regional importance and therefore contributes to the economic vitality of the Salinas Valley.

SVSWA-7

7. Current Improvement Projects, Highway 101/Alta Interchange (North Interchange), see page III-13. Please add a truck turning analysis for this interchange to the EIR Appendix. Please address, if appropriate, the maximum truck length that can safely use this interchange.

SVSWA-8

8. Current Improvement Projects, Highway 101/Fifth Street Interchange, see page III-14. Please add a truck turning analysis for this interchange to the EIR Appendix. Please address, if appropriate, the maximum truck length that can safely use this interchange.

SVSWA-9

9. Current Improvement Projects, Highway 101/Gloria Road Interchange, see page III-15. Please add a truck turning analysis for this interchange to the EIR Appendix. Please address, if appropriate, the maximum truck length that can safely use this interchange.

SVSWA-10 GP Only

10. Major Circulation Issues, Truck Traffic to Johnson Canyon Landfill (See page III-19). The Landfill's primary truck route was determined at the urging of the City of Gonzales as documented in the SVSWA 2002 Regional EIR. The SVSWA agreed to this truck route that is used by other large trucks. Therefore, there is no circulation issue pertaining

to this route. The comments noted on page III-19 do acknowledge construction costs, but additional context is needed to help the reader appreciate the responsible parties required to repair roads serving as the SVSWA's primary truck route (see below). Finally, growth inducement is related to additional lanes, not the repair of an existing roadway. Please clarify why growth inducement is relevant to this paragraph.

Regarding this paragraph, it should be removed from this section 'Major Circulation Issues' and placed under 'Regional Roadway System'. Second, the title should be re-worded to say "Johnson Canyon Landfill Primary Truck Route". Please replace the paragraph with the following, "During the development of the Regional Solid Waste Facility Environmental Impact Report, the Salinas Valley Solid Waste Authority agreed to use the Highway 101/Gloria interchange, Gloria Road, and Iverson Road as the primary truck route to the Johnson Canyon Landfill. The City of Gonzales requested the SVSWA to use this route as the Landfill's primary truck route. Knowing that the primary truck route is shared by other users, all parties agreed that the SVSWA would pay its fair share to improve the roadway pavement. Since then the City has been working with the SVSWA to assure the primary truck route is preserved."

SVSWA-11 GP Only

11. Policy CIR-8.1, Increasing Opportunities for Biking and Walking (see page III-56). With the policy to address the Class I Bicycle Facility on Major Arterials and where the cross section of the major arterials (See Figure III-2) include the same Class I facility, please make reference that appropriate interchanges will also address the Class I facility. With the policy to add a pedestrian bridge, please add the proposed pedestrian bridge to Figure III-7 on page III-23.

SVSWA-12 GP Only

12. Policy FS-5.1, Meet Demand for New Solid Waste Capacity (see page VII-29). With an effort to assist the public to recycle, please require that all multi-housing dwellings, commercial and industrial development to incorporate recycle dumpster/can space. In that way, the General Plan would assist the planning and building department to assure improvements would incorporate recycling. Finally, with additional space for recycling, this will allow the public more opportunity to recycle.

B. Gonzales 2010 Environmental Impact Report

SVSWA-13

1. Impact GHG-1 (see page 2-4 and 4-153). As part of the GHG Best Management Practices, please include the following. Please add required recycle bin space for multi-dwellings, commercial and industrial development as part of the GHG Best Management Practices. Please incorporate mandatory recycling for multi-dwellings, commercial and industrial development along with a timeframe to adopt the code.

SVSWA-14 2. Land Use Diagram (see page 3-17). As noted above in GP Comment No. 2, please designate the landfill area as a 'Landfill/Future Park' zone.

SVSWA-15 3. Mitigation Measures (see 4-98). Please include the mitigation measure to implement the SVSWA/Gonzales 2007 MOU as it addresses the SVSWA truck route.

SVSWA-16 4. Policy SUS-1.6, Encourage Green Building Practices (see page 4-145). Please include an implementing action to adopt a mandatory construction and demolition recycling code for construction projects.

SVSWA-17 5. Policy SUS-1.9, Improve Waste Management (see page 4-149). Please include an implementing action to adopt a mandatory recycling code for multi-dwellings, commercial and industrial development.

SVSWA-18 6. Permitted Landfill Capacity (see page 4-237). The Salinas Valley Solid Waste Authority provides landfill capacity to the City of King, the City of Greenfield, the City of Soledad, the City of Gonzales, and the unincorporated portions of Monterey County. As such, landfill capacity is provided for the entire SVSWA service area. The EIR states, "Thus, the proposed project would generate solid waste in excess of currently projected landfill capacity." Please clarify how this conclusion was reached. The SVSWA tonnage forecast includes significant recycling efforts. As each planning document is approved, the SVSWA strongly encourages recycling.

SVSWA-19 7. Policy FS-5.1, Meet Demand for New Solid Waste Capacity (see page 4-238). As noted in the SVSWA/Gonzales 2007 MOU, please include an implementing action to support acquiring additional landfill space to increase landfill capacity.

SVSWA-20 8. Policy SUS-1.9, Improve Waste Management (see page 4-238). Please include an implementing action to adopt a mandatory recycling code for multi-dwellings, commercial and industrial development.

Should you have any questions, please call us anytime at the number below.

Respectfully,

Patrick Mathews
General Manager

2.0.2.1. RESPONSE TO SVSWA

SVSWA-1: (GP Only) Long-Term Vision

Response: This comment addresses the content of the General Plan; comment noted. The City does acknowledge the value of the strong working relationship with SVSWA. Refer to page VII-13 of the Draft General Plan for reference to the MOU and other elements of mutual cooperation.

SVSWA-2: (GP Only) Land Use Diagram

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

SVSWA-3: (GP Only) Other Plans and Programs

Response: This comment addresses the content of the General Plan; comment noted. Refer to response to comment SVSWA-1 above.

SVSWA-4: (GP Only) land Use Designations Surrounding Landfill

Response: This comment addresses the content of the General Plan; comment noted but no change is recommended at this time; the landfill is subject to a use permit issued by Monterey County and supported by an EIR. Expansion of the footprint of the landfill beyond the approved area will require additional approvals by the County and may require additional environmental analysis. At such time that work is undertaken, the City can consider the kinds of revisions requested in this comment. The City did consider industrial designations on properties in the vicinity of the landfill and determined not to incorporate such designations in the General Plan.

SVSWA-5: (GP Only) GP Consistency with GHG-1

Response: This comment addresses the content of the General Plan; comment noted. The City prefers to retain its currently highly effective voluntary recycling program and not to establish a mandatory program

through the General Plan. However, such a requirement may be established in the future through other means, and the City can look at the potential benefits in forthcoming work on a Climate Action Plan.

SVSWA-6: (GP Only) Regional Roadway System

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

SVSWA-7: North Interchange

Response: The analysis requested regarding truck turning and maximum truck length is not an appropriate level of detail for a general plan. This kind of analysis is typically part of the Project Study Report process, which is the appropriate venue for comment.

SVSWA-8: Fifth Street Interchange

Response: The analysis requested regarding truck turning and maximum truck length is not an appropriate level of detail for a general plan. This kind of analysis is typically part of the Project Study Report process, which is the appropriate venue for comment.

SVSWA-9: South Interchange

Response: The analysis requested regarding truck turning and maximum truck length is not an appropriate level of detail for a general plan. This kind of analysis is typically part of the Project Study Report process, which is the appropriate venue for comment.

SVSWA-10: (GP Only) Truck Route

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

SVSWA-11: (GP Only) Biking and Walking Opportunities

Response: This comment addresses the content of the General Plan. The City understands the concern of SVSWA that the interchanges be safe for biking. However, he City does not believe changes are needed to the Circulation Diagram on Figure III-7 as recommended because the major arterial road cross sections do provide for adequate right of way for Class 1 bikeways. Future engineering design work for the Gloria Road/101 interchange (currently in the PSR stage) and the Fifth Street/101 interchange will provide an opportunity for the City and Caltrans to carefully review the appropriateness of Class 1 bike facilities at these locations. The City does not currently have an alignment and has not studied the safety or financial feasibility of a pedestrian over-crossing to connect future pathways along Gonzales Slough on the west and east sides of Highway 101. Depiction of the route on the circulation diagram is premature at this time.

SVSWA-12: (GP Only) New Demand for Solid Waste Capacity

Response: This comment addresses the content of the General Plan. The City agrees with the comment, but already has procedures in place to require these features in new multi-family and commercial and industrial projects.

SVSWA-13: GHG Best Management Practices

Response: According to Harold Wolgamott, Emergency Services Director for the City of Gonzales,[1] the City of Gonzales voluntary recycling program has a proven track record. There are three businesses in Gonzales which account for 75 percent of the city's commercial industrial waste. As a result of the past two years' activity in this area, the city's largest employer has achieved a rate of 84 percent diversion with the other two achieving 70 percent. The City of Gonzales believes that voluntary compliance can

[1] Personal communication with Harold Wolgamott, October 28, 2010.

achieve better diversion results at this time over that of mandatory recycling. The City acknowledges that mandatory commercial recycling may be needed if voluntary compliance is not effective.

The following additional text is hereby added to supplement Subsection 4.10.1.4 (Solid Waste Disposal), which is found starting on page 4-223 of the GP DEIR:

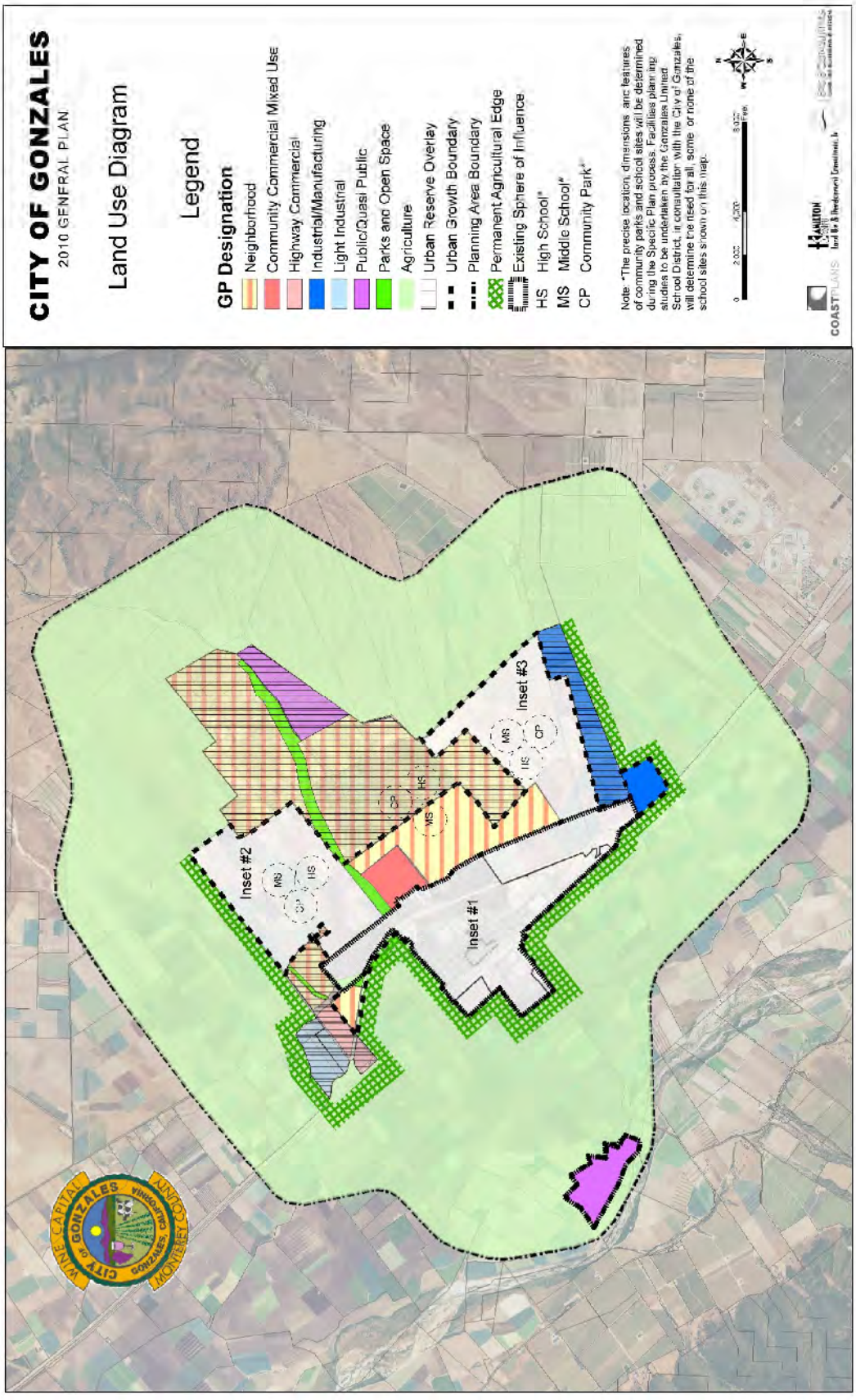
> The economic development component of the Gonzales Grows Green community sustainability initiative enacted in 2008, addresses commercial recycling while actively working with businesses to create reuse based diversions through the development of regional business to business connections. The City is committed to actively working with all businesses (large and small) within its scope of influence to actively work on increasing landfill diversion. The City has dedicated staff time to working with businesses on this and other economic development issues. Staff works on a regular basis with the franchise disposal and recycling hauler to specifically address and monitor commercial recycling efforts.
>
> There are three businesses in Gonzales which account for 75 percent of the city's commercial industrial waste. As a result of the past two years' activity in this area, the city's largest employer has achieved a rate of 84 percent diversion with the other two achieving 70 percent.

In addition, Mitigation Measure GHG-1: Citywide Climate Action Plan is hereby revised to include the continuation of the City's voluntary recycling program for multi-family, commercial, and industrial development as one of the listed GHG Best Management Practices.

SVSWA-14: Designate Landfill for "Public/Quasi Public/Future Park."

Response: The designation of the landfill property as "Neighborhood" on the GP Land Use Diagram was a mapping mistake. The property was never intended for this use, and buildout estimates were calculated assuming this property would remain in use as a landfill and eventually be converted in

the very long term to a public park. The GP Land Use Diagram has been corrected to show the existing landfill property as "Public/Quasi Public/Future Park." Figure 3.2.4a on page 3-17 of the DEIR is hereby replaced with the following figure to maintain consistency with the GP.


CITY OF GONZALES
2010 GENERAL PLAN
Land Use Diagram
Legend
GP Designation
Neighborhood
Community Commercial Mixed Use
Highway Commercial
Industrial/Manufacturing
Light Industrial
Public/Quasi Public
Parks and Open Space
Agriculture
Urban Reserve Overlay
Urban Growth Boundary
Planning Area Boundary
Permanent Agricultural Edge
Existing Sphere of Influence
HS High School*
MS Middle School*
CP Community Park*
Note: *The precise location, dimensions and features of community parks and school sites will be determined during the Specific Plan process. Facilities planning studies to be undertaken by the Gonzales Unified School District, in consultation with the City of Gonzales, will determine the need for all, some or none of the school sites shown on this map.
COASTPLANS
Inset #1
Inset #2
Inset #3
MS
HS
CP

SVSWA-15: Transportation Mitigations

Response: The following new mitigation measure (i.e., Mitigation Measure TT-12.1) is added to ensure implementation of the SVSWA/Gonzales 2007 MOU as it addresses the SVSWA truck route.

Mitigation Measure TT-12.1: Landfill Truck Route

The City of Gonzales will implement the SVSWA/Gonzales Memorandum of Understanding as it addresses the SVSWA truck route to the Johnson Canyon Landfill.

SVSWA-16: Construction and Demolition Recycling

Response: The City of Gonzales already has a mandatory program in place for construction and demolition recycling. The following additional text is hereby added to supplement Subsection 4.10.1.4 (Solid Waste Disposal), which is found starting on page 4-223 of the GP DEIR:

The City of Gonzales has in place a mandatory program for construction and demolition recycling (Ord #2007-45).

SVSWA-17: Improve Waste Management

Response: See response to SVSWA-13 above.

SVSWA-18: Landfill Capacity

Response: The projection of landfill capacity was based on the best information available at the time the GP DEIR was drafted. It is acknowledged that the SVSWA is working to increase diversion of waste and that these efforts will likely increase the capacity and longevity of the Johnson Canyon Road Landfill.

SVSWA-19: Support Increase in Landfill Capacity

Response: The SVSWA/Gonzales 2007 MOU does not commit the City of Gonzales to landfill expansion. In fact, the City of Gonzales has not

addressed landfill expansion beyond the expansion authorized in the existing use permit. As the SVSWA has stated that its intention is to employ waste recovery and recycling technology and that such retooling would create sufficient capacity to accommodate the proposed project, such an expansion should not be necessary.

SVSWA-20: Mandatory Recycling

Response: See response to SVSWA-13 above.

2.0.2.2. CONCLUSIONS

All of the comments received from SVSWA and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.3 BOARD OF FORESTRY AND FIRE PROTECTION (BOF)

3STATE OF CALIFORNIA- THE NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

BOARD OF FORESTRY AND FIRE PROTECTION
P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-8007
(916) 653-0989 FAX
Website: http://www.bof.fire.ca.gov/

August 19, 2010

Mr. Martin Carver
Coastplans
110 Pine St., Suite D
Santa Cruz, CA 95062

Re: General Plan Fire Safety Element Recommendations for the City of Gonzales

Dear Mr. Carver:

The State Board of Forestry and Fire Protection (Board) is required to review and provide recommendations to the safety element of county and local government general plans when such plans are being updated. This review is in accordance with Government Code (GC) §65302.5 which requires the Board to review the fire safety element when the general plan update contains State Responsibility Areas or Very High Fire Hazard Severity Zones.

Enclosed is a list of standard recommendations titled "*General Plan Fire Safety Elements Standard Recommendations*" which should be incorporated into the General Plan. Each entity should evaluate their general plan and include the appropriate recommendations from the list.

Please note requirements for response pursuant to GC §65302.5(b). Thank you for the opportunity to participate in your planning process. We hope this input leads to greater protection and reduced cost and losses from wildfires in your jurisdiction.

Sincerely,

Stan Dixon
Chair, State Board of Forestry and Fire Protection

CONSERVATION IS WISE - KEEP CALIFORNIA GREEN AND GOLDEN
PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV

Standard List of General Plan Safety Element Recommendations

1.0 Wildfire Protection Planning

1.1 General Plan References and Incorporates County or Unit Fire Plan: ☐ Yes ☐ Partial ☐ No

BOF-1
GP Only

Recommendation: Identify, reference or create (if necessary) a fire plan for the geographic scope of the General Plan. General Plan (GP) should incorporate the general concepts and standards from any county fire plan, fire protection agency (federal or state) fire plan, and local hazard mitigation plan.

Recommendation: Ensure fire plans incorporated by reference into the GP contain evaluations of fire hazards, assessment of assets at risk, prioritization of hazard mitigation actions, and implementation and monitoring components.

2.0 Land Use Planning:

2.1 Goals and policies include mitigation of fire hazard for future development. ☐ Yes ☐ Partial ☐ No

Recommendation: Establish goals and policies for specific ordinances addressing evacuation and emergency vehicle access; water supplies and fire flow; fuel modification for defensible space; and home addressing and signing.

BOF-2
GP Only

Recommendation: Develop fire safe development codes used as standards for fire protection for new development in State Responsibility Area (SRA) within the entity's jurisdiction that meet or exceed statewide standards in 14 California Code of Regulations Section 1270 et seq.

Recommendation: Adopt, and have certified by the BOF, local fire safe ordinances which meet or exceed standards in 14 CCR § 1270 for State Responsibility Area.

2.2 Disclosure of wildland urban interface hazards including Fire Hazard Severity Zones designations and Communities at Risk designations: ☐ Yes ☐ Partial ☐ No

Recommendation: Specify whether the entity has a Very High Fire Hazard Severity Zones (VHFHSZ) designation pursuant GC 51175 and include a map of the zones that clearly indicates any area designated VHFHSZ.

BOF-3
GP Only

Recommendation: Adopt CAL FIRE recommended Fire Hazard Severity Zones including model ordinances developed by the Office of the State Fire Marshal for establishing VHFHSZ areas.

Recommendation: Identify and disclose information on communities listed as "Communities at Risk".

3.0 Housing/structures and neighborhoods:

3.1 Incorporation of current fire safe building codes. ☐ Yes ☐ Partial ☐ No

BOF-4
GP Only

Recommendation: Adopt building codes for new development in State Responsibility Areas or incorporated areas with VHFHSZ that are established by the Office of the State Fire Marshal in Title 19 and Title 24 CCR, referred to as the "Wildland Urban Interface Building Codes".

3.2 Identification and actions for substandard fire safe housing and neighborhoods relative to fire hazard area. ☐ Yes ☐ Partial ☐ No

Recommendation: Identify and map existing housing structures that do not conform to contemporary fire standards in terms of building materials, perimeter access, and vegetative hazards in VHFHSZ or SRA by fire hazard zone designation.

BOF-5
GP Only

Recommendation: Identify plans and actions to improve substandard housing structures and neighborhoods. Plans and actions should include structural rehabilitation, occupancy reduction, demolition, reconstruction, neighborhood –wide fuels hazard reduction projects, community education, and other community based solutions.

Recommendation: Identify plans and actions for existing residential structures and neighborhoods, and particularly substandard residential structures and neighborhoods, to be improved to meet current fire safe ordinances pertaining to access, water flow, signing, and vegetation clearing.

3.3 Consideration of occupancy category effects on wildfire protection. ☐ Yes ☐ Partial ☐ No

BOF-6
GP Only

Recommendation: Ensure risks to uniquely occupied structures, such as seasonally occupied homes, multiple dwelling structures, or other structures with unique occupancy characteristics, are considered for appropriate and unique wildfire protection needs.

3.4 Fire engineering features for structures in VHFHSZ. ☐ Yes ☐ Partial ☐ No

BOF-7
GP Only

Recommendation: Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in VHFHSZ. Examples include codes requiring automatic sprinklers in VHFHSZ.

4.0 Conservation and Open Space:

4.1 Identification of critical natural resource values relative to fire hazard areas.
☐ Yes ☐ Partial ☐ No

BOF-8
GP Only

Recommendation: Identify critical natural resources and other "open space" values within the geographic scope of the GP. Determine maximum acceptable wildfire size, fire prevention plans, emergency response plans and initial attack suppression success rates for protection of these areas and values.

4.2 Inclusion of resource management activities to enhance protection of open space and natural resource values. ☐ Yes ☐ Partial ☐ No

BOF-9
GP Only

Recommendation: Develop plans and action for vegetation management that provides fire damage mitigation and protection of open space values. Plans should address protection of natural resource financial values, establishment of fire resilient natural resources, protection of watershed qualities, and protection of endangered species habitats. Actions should consider prescribed burning, fuel breaks, vegetation thinning and removal

Recommendation: Establish goals and policies for reducing the wildland fire hazards within the entity's boundaries and on adjacent private wildlands, federal lands, vacant residential lots, and greenbelts with fire hazards that threaten the entity's jurisdiction.

4.3 Mitigation for unique pest, disease and other forest health issues leading to hazardous situations. ☐ Yes ☐ Partial ☐ No

BOF-10
GP Only

Recommendation: Establish goals and policies that address unique pest, disease, exotic species and other forest health issues in open space areas for purposes of reducing fire hazard and supporting ecological integrity.

4.4 Integration of open space into fire safety effectiveness. ☐ Yes ☐ Partial ☐ No

BOF-11
GP Only

Recommendation: Establish goals and policies for incorporating systematic fire protection improvements for open space. Specifics policies should address facilitation of safe fire suppression tactics, standards for adequate access for firefighting, fire mitigation planning with agencies/private landowners managing open space adjacent to the GP area, water sources for fire suppression, and other fire prevention and suppression needs.

4.5 Urban forestry plans relative to fire protection: ☐ Yes ☐ Partial ☐ No

BOF-12
GP Only

Recommendation: Ensure residential areas have appropriate fire resistant landscapes and discontinuous vegetation adjacent to open space or wildland areas.

Recommendation: Evaluate and resolve existing laws and local ordinances which conflict with fire protection requirements. Examples include conflicts with vegetation hazard reduct on ordinances and listed species habitat protection requirements.

5. Circulation and Access:

BOF-13 GP Only

5.1 Adequacy of existing and future transportation system to incorporate fire infrastructure elements. ☐ Yes ☐ Partial ☐ No

Recommendation: Establish goals and policies for proposed and existing transportation systems to facilitate fire infrastructure elements such as turnouts, helispots and safety zones.

5.2 Adequate access to high hazard wildland/open space areas. ☐ Yes ☐ Partial ☐ No

BOF-14 GP Only

Recommendation: Establish goals and policies for high or very high fire hazard hazard zones adequate access that meets or exceeds standards in 14 CCR 1270 for lands with no structures, and maintain conditions of access in a suitable fashion for suppression access or public evacuation.

BOF-15 GP Only

5.3 Standards for evacuation of residential areas in high hazard areas. ☐ Yes ☐ Partial ☐ No

Recommendation: Goals and policies should be established to delineate residential evacuation routes and evacuation plans in high or very high fire hazard residential areas.

6. Defensible Space

6.1 Geographic specific fire risk reduction mitigation measures using fuel modification. ☐ Yes ☐ Partial ☐ No

BOF-16 GP Only

Recommendation: Include policies and recommendations that incorporate fire safe buffers and greenbelts as part of the development planning. Ensure that land uses designated near high or very fire hazard severity zones are compatible with wildland fire protection strategies/capabilities.

6.2 Fuel Modification around homes. ☐ Yes ☐ Partial ☐ No

BOF-17 GP Only

Recommendation: Establish ordinances in SRA or VHFHSZ for vegetation fire hazard reduction around structures that meet or exceed the Board of Forestry and Fire Protection's Defensible Space Guidelines, (http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9_29_06.pdf) for SRA.

6.3 Fire suppression defense zones. ☐ Yes ☐ Partial ☐ No

BOF-18 GP Only

Recommendation: Establish goals and policies that create wildfire defense zones for emergency services including fuel breaks, back fire areas, or other staging areas that support safe fire suppression activities.

Recommendation: Establish goals and policies that identify structures (or other critical/valuable assets) that have adequate fuel modification or other fire safe features that provide adequate fire

fighter safety when tactics call for protection of a specific asset (i.e. which houses are safe to protect).

7.0 **Emergency Services:**

7.1 Map/description of existing emergency service facilities and areas lacking services: ☐ Yes ☐ Partial ☐ No

BOF-19 GP Only

Recommendation: Include descriptions of emergency services including available equipment, personnel, and maps of facilities.

Recommendation: Initiate studies and analyses to identify appropriate staffing levels and equipment needs commensurate with the current and projected emergency response environment.

7.2 Assessment and projection of future emergency service needs: ☐ Yes ☐ Partial ☐ No

Recommendation: Ensure new development includes appropriate facilities, equipment, personnel and capacity to assist and support wildfire suppression emergency service needs. Future emergency service needs should be:

BOF-20 GP Only

- Established consistent with state or national standards.
- develop based on criteria for determining suppression resource allocation that includes elements such as identified values and assets at risk, ignition density, vegetation type and condition, as well as local weather and topography.
- Local Agency Formation municipal services reviews for evaluating level of service, response times, equipments condition levels and other relevant emergency service information.

7.3 Adequacy of training. ☐ Yes ☐ Partial ☐ No

BOF-21 GP Only

Recommendation: Establish goals and policies for emergency service training that meets or exceeds state or national standards.

7.4 Inter-fire service coordination preparedness/mutual aid and multi-jurisdictional fire service agreements. ☐ Yes ☐ Partial ☐ No

BOF-22 GP Only

Recommendation: Adopt the Standardized Emergency Management Systems for responding to large scale disasters requiring a multi-agency response. Ensure and review mutual aid/automatic aid and other cooperative agreements with adjoining emergency service providers.

8.0 **Post Fire Safety, Recovery and Maintenance:** The post fire recommendations address an opportunity for the community and landowners to re-evaluate land uses and practices that affect future wildfire hazards and risk. They also provide for immediate post-fire life and safety considerations to mitigate potential losses to life, human assets and critical natural resources.

8.1 Revaluate hazard conditions and provide for future fire safe conditions ☐ Yes ☐ Partial ☐ No

BOF-23 GP Only

Recommendation: Incorporate goals and policies that provide for reassessment of fire hazards following wildfire events. Adjust fire prevention and suppression needs commensurate for both short and long term fire protection needs.

BOF-24 GP Only

8.2 **Recommendation:** Develop burn area recovery plans that incorporate strategic fire safe measures developed during the fire suppression, such as access roads, fire lines, safety zones, and fuelbreaks, and helispots.

8.3 Restore sustainable landscapes and restore functioning ecosystems. ☐ Yes ☐ Partial ☐ No

BOF-25 GP Only

Recommendation: Develop burn area recovery plans, evaluation processes and implementation actions that encourage tree and biomass salvage, reforestation activities, create resilient and sustainable landscapes, and restore functioning ecosystems.

8.4 Incorporate wildlife habitat/endangered species considerations ☐ Yes ☐ Partial ☐ No

BOF-26 GP Only

Recommendation: Establish goals and policies for consideration of wildlife habitat//endangered species into long term fire area recovery and protection plans, including environmental protection agreements such as natural community conservation plans.

8.5 Native species reintroduction. ☐ Yes ☐ Partial ☐ No

BOF-27 GP Only

Recommendation: Incorporate native species habitat needs as part of long term fire protection and fire restoration plans.

8.6 Evaluation of redevelopment. ☐ Yes ☐ Partial ☐ No

BOF-28 GP Only

Recommendation: In High and Very hazardous areas, ensure redevelopment utilizes state of the art fire resistant building and development standards to improve past 'substandard" fire safe conditions.

8.7 Long term maintenance of fire hazard reduction mitigation projects ☐ Yes ☐ Partial ☐ No

BOF-29 GP Only

Recommendation: Provide polices and goals for maintenance of the post-fire-recovery projects, activities, or infrastructure.

8.8 Post fire life and safety assessments ☐ Yes ☐ Partial ☐ No

BOF-30 GP Only

Recommendation: Develop frameworks for rapid post-fire assessment and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

Recommendation: Identity flood and landslide vulnerability areas related to post wildfire conditions.

Recommendation: Establish goals and policies that address the intersection of flood /landslide/post fire burn areas into long term public safety protection plans. These should include treatment assessment of fire related flood risk to life, methods to control storm runoff in burn areas, revegetation of burn areas, and drainage crossing debris maintenance.

Recommendation: Encourage rapid post-fire assessment, as appropriate, and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

9. Terrorist and homeland security impacts on wildfire protection

These recommendations are included to address fire protection needs related to terrorist acts or other homeland security preparedness and response actions. Both preparedness and incident response can adversely impact fire protection. Adverse effects include substantially decreasing emergency resources' availability, responsiveness and effectiveness by diverting resources, interrupting communications, or restricting emergency access.

9.1 Communication channels during incidences. ☐ Yes ☐ Partial ☐ No

BOF-31
GP Only

Recommendation: Establish goals and policies consistent with the Governor's Blue Ribbon Fire Commission of 2005 for communications and interoperability. Example goals and policies should address fire personnel capability to communicate effectively across multiple frequency bands and update and expansion of current handheld and mobile radios used on major mutual aid incidents.

9.2 Emergency response barriers. ☐ Yes ☐ Partial ☐ No

BOF-32
GP Only

Recommendation: Identify goals and policies that address vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.). Develop an alternative emergency access plan for these areas.

9.3 Prioritizing asset protection from fire with lack of suppression forces. ☐ Yes ☐ Partial ☐ No

BOF-33
GP Only

Recommendation: Identify and prioritize protection needs for assets at risk in the absence of response forces.

Recommendation: Establish fire defense strategies (such as fire ignition resistant areas) that provide adequate fire protection without dependency on air attack and could serve as survivor safety zones for the public or emergency support personnel.

End Standard Recommendations (version 1/26/10)

2.0.3.1. RESPONSE TO BOF

General Response: the Board of Forestry has provided a standard list of fire safety regulatory programs for consideration. Some of these are appropriate for inclusion in municipal general plans, but many are related to ordinances or programs that are adopted by means other than general plans. A number of the referenced programs are required by state statute and no purpose in served by referencing them in a general plan. In addition, many of the recommendations related to urban/wildland interface areas where fire danger is high. No such areas are found within the Urban Growth Area of Gonzales. Non-the-less, several of the recommendations from BOF have resulted in adjustments to the Gonzales General Plan text as noted below.

BOF-1: (GP Only) Wildfire Protection

Response: This comment addresses the content of the General Plan; comment noted. The City intends to develop a fire plan in the future as resources allow. No change to the GP is recommended.

BOF-2: (GP Only) Fire Hazard Mitigation for Future Development

Response: This comment addresses the content of the General Plan; comment noted. There is reference to the City's evacuation plan on page V-11. Gonzales maintains up to date building and fire codes. Local modifications to the code are coordinated with Monterey County Fire Prevention Officers' Association. Gonzales does not have any interface concerns in the general plan area as discussed on page V-15. No change to the GP is recommended.

BOF-3: (GP Only) Wildland Urban Interface

Response: This comment addresses the content of the General Plan; comment noted. Implementation measure HS-1.1.9 requires periodic adoption of code updates. Gonzales does not have substandard structures identified or a plan for bringing them up to date as recommended. I don't believe it would be beneficial to do so at this time. Since there is no

wildfire hazard in Gonzales or the planning area, this recommendation is not required. Gonzales City Code requires all new construction to be protected by fire sprinklers. No change to the GP is recommended.

BOF-4: (GP Only) Building Codes

Response: This comment addresses the content of the General Plan; comment noted. Fire safe building codes are not incorporated into general plans but are adopted separately. No change to the GP is recommended.

BOF-5: (GP Only) Substandard Fire Safe Housing

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-6: (GP Only) Occupancy Categories

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-7: (GP Only) Fire Engineering Features

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-8: (GP Only) Critical Resource Values

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-9: (GP Only) Resource Management Activities

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-10: (GP Only) Forest Health

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-11: (GP Only) Open Space and Fire Safety

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-12: (GP Only) Wildland Fire Protection

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-13: (GP Only) Future Transportation System

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. However, the proposed circulation system in the Gonzales General Plan does provide adequate access for fire and other emergency vehicles to all areas of the Plan. No change to the GP is recommended.

BOF-14: (GP Only) Access to Fire Hazard Areas

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-15: (GP Only) Standards of Evacuation

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-16: (GP Only) Geographic Specific Fire Risk Reduction

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-17: (GP Only) Fuel Modification Around Homes

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-18: (GP Only) Fire Suppression Defense Zones

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-19: (GP Only) Description of Emergency Services

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-20: (GP Only) Assessment of Future Emergency Service Needs

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-21: (GP Only) Adequacy of Training

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-22: (GP Only) Inter-Fire Service Coordination

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-23: (GP Only) Reevaluate Hazard Conditions

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-24: (GP Only) Burn Area Recovery Plans

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-25: (GP Only) Restore Sustainable Landscapes

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-26: (GP Only) Habitat Considerations

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-27: (GP Only) Native Species Reintroduction

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-28: (GP Only) Evaluation of Redevelopment

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-29: (GP Only) Long-Term Maintenance

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-30: (GP Only) Post Fire Assessments

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

BOF-31: (GP Only) Communication

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-32: (GP Only) Emergency Response Barriers

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

BOF-33: (GP Only) Prioritization of Assets

Response: This comment addresses the content of the General Plan; comment noted. These recommendations were reviewed and not found applicable to the Gonzales General Plan. No change to the GP is recommended.

2.0.3.2. CONCLUSIONS

All of the comments received from BOF and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.4 LOCAL AGENCY FORMATION COMMISSION (LAFCO)

AUG 27 2010
CITY OF GONZALES

LAFCO of Monterey County

LOCAL AGENCY FORMATION COMMISSION
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KATE McKENNA, AICP
Executive Officer

August 23, 2010

Mr. Bill Farrel, AICP
Interim Community Development Director
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

RE: Draft *Gonzales 2010 General Plan* and the *Gonzales 2010 General Plan* Draft Environmental Impact Report

Dear Mr. Farrel:

Thank you for the opportunity to comment on the Draft *Gonzales 2010 General Plan* and the *Gonzales 2010 General Plan* Draft Environmental Impact Report (EIR). We also wish to thank you for your presentation on the City's comprehensive growth plans.

The Draft General Plan includes a number of policies that are generally consistent with LAFCO policies. These include a commitment to directing growth away from prime farm lands, a phasing of growth, efficient urban development patterns, mitigation for loss of agricultural lands, and agricultural buffers. The City will participate in the transportation improvement fund established by the Transportation Agency of Monterey County.

The *Gonzales 2010 General Plan* includes a program level review of the constraints to development and services required for City expansion, including needed improvements to transportation, public facilities and services. The General Plan also emphasizes that Sphere of Influence and annexation approvals should include complete neighborhoods, not portions of neighborhoods, to ensure the viability of the Plan's neighborhood development concept.

Although the Draft General Plan does not include a Sphere of Influence, the planning information and analysis will be the basis of future applications for Sphere amendments and annexations to implement the adopted Plan. The City's intent is to delineate the Sphere of Influence in a separate and later process, with the assistance of property

1

owners and in close cooperation with LAFCO and the County of Monterey. The City has initiated a consultation process with the County in compliance with requirements of California Government Code 56425(b), and intends to reach agreement on issues of mutual concern. LAFCO will give great weight to such an agreement, to the extent that the agreement is consistent with LAFCO policies.

The General Plan EIR will serve as a program-level EIR that will be the basis for subsequent project-level environmental analysis for Sphere of Influence amendments and annexations. The City's environmental documents will be used by LAFCO as a Responsible Agency under the California Environmental Quality Act (CEQA).

In anticipation of future applications for Sphere of Influence amendments and annexations, LAFCO provides the following comments for consideration:

Phasing of Growth, Specific Plans and LAFCO Applications *[General Plan Comment]*

LAFCO-1
GP Only

Adoption of the General Plan will be followed by the City's preparation and submission of one or more applications for a Sphere of Influence amendment. The Sphere of Influence Policies and Criteria of the Local Agency Formation Commission of Monterey County define a Sphere of Influence as *"a plan for the probable physical boundaries and service area of a local agency."* It is further defined as *"the area around a local agency eligible for annexation and extension of urban service within a twenty-year period."* Please prepare a Sphere of Influence amendment application that is consistent with the twenty-year time period stated in this definition.

In addition, the City may delineate "Urban Service" and "Urban Transition" areas as part of the Sphere of Influence application. An Urban Service Area is an area proposed to be served by urban facilities within a 5-year period. An Urban Transition Area is proposed to be served within approximately 5 to 20 years. The City may also wish to include a Future Study Area in the application (territory outside of an adopted Sphere of influence that may warrant inclusion in the Sphere in future years, pending further study).

Agricultural Buffers *[General Plan Comment]*

LAFCO-2
GP Only

The General Plan includes requirements for interim and permanent buffers between agricultural and urban uses. The use of agricultural buffer overlays (General Plan, page II-48) will identify those parts of the Urban Growth Area where measures must be put in place to alleviate potential physical conflicts between existing and planned agricultural and urban uses. Measures identified by the City include 200-foot wide buffers as well as vegetation, walls and other screening. As a part of future City applications for Sphere of Influence amendments and annexations, please include additional specifics on buffers including their specific locations and widths.

It is the position of the Commission that agricultural buffers provide an important means to preserve open-space and agricultural lands and preserve the integrity of planned, well-ordered, efficient urban development patterns. As part of an application for a Sphere of Influence amendment, the City will be asked to discuss the proposal's effect on maintaining the physical and economic integrity of agricultural lands. This information will be considered during in the Commission's deliberations on the application.

Agricultural Easements and Impact Mitigation Fund *[General Plan and Draft EIR Comment]*

The General Plan will require new development to contribute to the cost of purchasing permanent agricultural easements beyond the permanent urban edges identified in the Land Use Diagram. It will also require the City's establishment of an agricultural impact mitigation fund to purchase agricultural easements on these lands. (General Plan, pages VI-49 and VI-50). Even with these Implementing Actions, the Draft EIR lists the "Conversion of Prime Farmland and Farmland of Statewide Importance" as a potentially significant unavoidable project and cumulative impact (DEIR, pages 4-36 and 5-4). The Draft EIR states that no feasible mitigations are available, beyond the policies and actions listed in the General Plan.

LAFCO-3 Additional detail is requested on how the Agricultural Easements and Impact Mitigation Fund will work and the extent that they will lessen the impact on farmland. The Commission understands that all of these program specifics have not yet been developed. At a minimum, we request that the General Plan or Draft EIR outline the process and timeline for the development of program policies and requirements. The policies and requirements should be in place before the completion of Specific Plans or the submission of a Sphere of Influence amendment application to LAFCO.

One of the Commission's legislative purposes is to "preserve open space and prime agricultural lands." In support of this purpose, the City will be requested to include information in an application for a Sphere of Influence amendment concerning: 1) how the proposal balances the State interest in the preservation of open space and prime agricultural lands against the need for orderly development; 2) the proposal's effect on maintaining the physical and economic integrity of agricultural lands, and 3) whether the proposal could reasonably be expected to induce, facilitate or lead to the conversion of existing open-space land to uses other than open-space. This information will be considered by the Commission as a part of its deliberations on the application.

Boundaries of the Existing Sphere of Influence *[General Plan Comment]*

LAFCO-4 There are two minor inconsistencies between the existing City Sphere of Influence boundaries shown in the General Plan and LAFCO's records. Please correct the inconsistencies on General Plan Figure I-2, and subsequent figures, to be consistent with the attached LAFCO map.

The first inconsistency pertains to a City-owned parcel, APN 223-061-002. Figure I-2 identifies this parcel as being in the existing Sphere of Influence. However, LAFCO records indicate that this parcel has not been approved for inclusion within the Sphere. The City may wish to request that this 5.5 acre parcel be added to the Sphere of Influence as part of the upcoming Sphere update proposal.

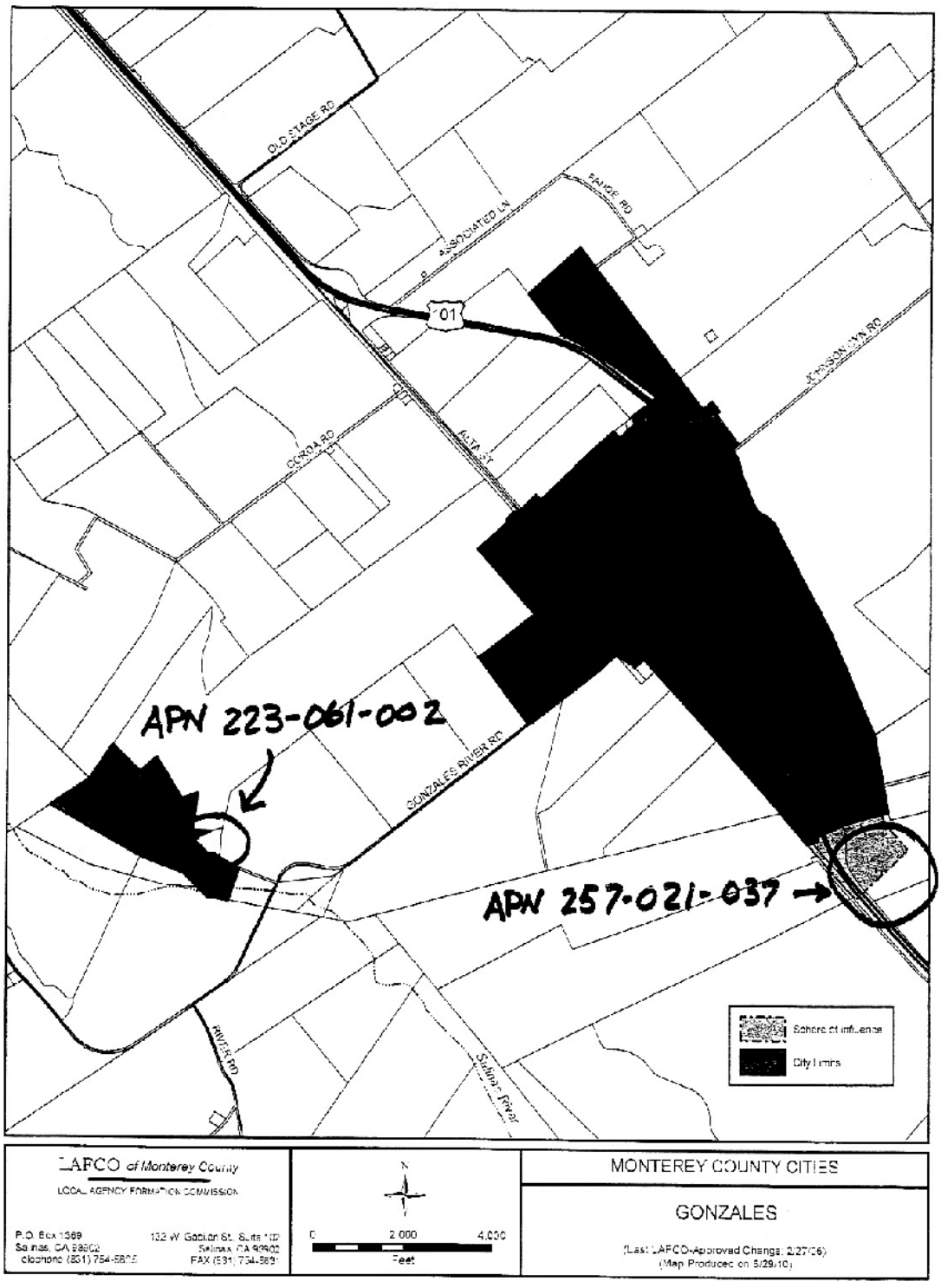
The second inconsistency pertains to APN 257-021-037. Figure I-2 identifies a slightly different portion of this parcel as being within the City's existing Sphere of Influence compared to LAFCO's records. The City may also wish to include this adjustment within the upcoming amendment proposal.

We appreciate this opportunity to provide comments. Executive Officer Kate McKenna will be pleased to meet with the City staff and consultants for more detailed discussions and assistance.

Sincerely,

Don Champion, Ph.D.
Chair

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OLD STAGE RD
ASSOCIATED LN
RANGE RD
101
CORDA RD
ALTA ST
JOHNSON CYN RD
APN 223-061-002
GONZALES RIVER RD
APN 257-021-037
RIVER RD
Salinas River
Sphere of Influence
City Limits
LAFCO of Monterey County
LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369
Salinas, CA 93902
132 W. Gabilan St., Suite 102
Salinas, CA 93902
FAX (831) 754-5893
0 2,000 4,000
Feet
MONTEREY COUNTY CITIES
GONZALES
(Last LAFCO-Approved Change: 2/27/06)
(Map Produced on 5/29/10)

2.0.4.1. RESPONSE TO LAFCO

LAFCO-1: (GP Only) Sphere of Influence Amendment

Response: This comment provides information about LAFCO's processes and requirements for sphere of influence amendments. The City will utilize this information in the future when a sphere amendment is requested. No change to the GP is recommended.

LAFCO-2: (GP-Only) Agricultural Buffers

Response: This comment addresses the content of future Sphere of Influence amendment requests and points out that additional details about agricultural buffers will need to be submitted with a sphere amendment application; comment noted. No change to the GP is recommended.

LAFCO-3: (GP Only) Detail on Agricultural Easements and Impact Mitigation Fund

Response: This comment addresses the content of the General Plan; comment noted. The City of Gonzales is currently working with the County of Monterey on a City/County memorandum of understanding (MOU) related to an upcoming request to LAFCO for a Sphere of Influence amendment. This MOU will address the detail requested on agricultural easements and the impact mitigation fund. No change to the GP is recommended.

LAFCO-4: Boundary Inconsistencies

Response: The inconsistencies between maps depicting the City's Sphere of Influence contained in the Gonzales 2010 General Plan *and the GP EIR, on one hand, and LAFCO records, on the other, shall be resolved in favor of LAFCO records. Figures 3.2.4a and 3.2.4b are hereby replaced with the following new versions:*

[add new figures here]

In addition, see Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

2.0.4.2. CONCLUSIONS

All of the comments received from LAFCO and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.5 HARDT MASON LAW (HML)

Hardt Mason Law

Katharine L. Hardt-Mason
Katharine@HardtMason.com

September 21, 2010

Via Email (bfarrel@ci.gonzales.ca.us) and First Class Mail

City of Gonzales
147 Fourth Street
Gonzales, CA 93926
Attn: Bill Farrel, Interim Community Development Director

Re: Gonzales 2010 General Plan Environmental Impact Report/Public Review Draft (the "DEIR")

Dear Bill:

On behalf of my client, Cielo Grande Ranch, LLC ("CGR"), I reviewed the DEIR and offer the following comments for your consideration:

HML-1

Comment No. 1: Mitigation Measure AES-1

This Mitigation Measure requires developers with property along the Permanent Agricultural Edge to provide a "naturalistic visual screen" consisting of "tall and large-canopy trees and other vegetation that are native to the Salinas Valley". The trees and other vegetation chose must be "sufficiently mature when planted to ensure that the visual screen will be effective within five years of approval of the first subdivision in the Specific Plan or other development approval area."

As you know, the Cielo Grande Ranch Project (the "CGR Project") borders the Permanent Agricultural Edge along Associated Road. The CGR Project is being designed for build out over an extended period of time, which could exceed ten or more years, and is dependent upon acquisition of the property in phases from the current owners. As presently drafted this Mitigation Measure would require CGR to provide a naturalistic visual screen along the entire length of Associated Road, which visual screen must be sufficiently mature within five years of the date of the first subdivision approval. In other words, although the full length of Associated Road adjacent to the CGR Project may not be built out for more than ten years from the date of the first subdivision approval, the full effect of the visual screen must be in place for the anticipated growth within five years of the date that the first phase of development is approved. In the case of the CGR Project, this is not only impractical, but may be impossible due to the phased acquisition agreed upon by the parties. Implementation of the visual screen should be tied to actual development rather than anticipated development.

1 |

For the foregoing reasons, we request that Mitigation Measure AES-1 be revised in part to state:

> "The trees and other vegetation chosen for the visual screen shall be sufficiently mature when planted to ensure that the visual screen between the Permanent Agricultural Edge and the property being developed will be effective within five years of the date a grading permit is issued for each phase of development adjacent to the Permanent Agricultural Edge, whether being approved as part of a Specific Plan or other development approval area."

Comment No. 2: Implementing Action COS-4.1.3- Interim Mitigation

This Implementing Action requires a Specific Plan project proponent to prepare an "assessment of potential adverse impacts on adjoining agricultural lands that lie within the growth area… and require interim measures to mitigate the impacts that are identified."

HML-2
GP Only

As presently drafted, this Implementing Action provides for the analysis and potential mitigation to be determined very early in the development stage. Specific Plans are generally processed well in advance of actual development and quite often provide for development of property over an extended period of time; which in some cases could exceed ten or more years from the date development begins. Over such an extended period of time, the agricultural use of the neighboring property has the potential of changing dramatically. Changes to the soil or regulations, supply and demand of a particular crop, and a multitude of other economic factors may influence how the property is used. Additionally, how the property is impacted by construction may also change due to new regulations related to dust control or construction vehicle emissions, among other things. In other words, the "potential impacts" and "interim measures" are likely to be extremely difficult to determine at the beginning of a very long process. These types of impacts and measures should be treated more like archeological or biological impacts and mitigation which are addressed when development actually occurs, or at a minimum through the subdivision process rather than the Specific Plan process.

For the foregoing reasons, we request that Implementing Action COS-4.1.3 be revised in part to state:

> "Prior to issuance of a grading permit, the City shall require submission of an assessment of likely and foreseeable adverse impacts on adjoining agricultural lands that lie within the growth area shown on the Land Use Diagram and require interim measures to mitigate the impacts that are identified."

Comment No. 3: Implementing Action COS- 4.2.1- Agricultural Easements

This Implementing Action requires new development to contribute to the cost of purchasing permanent agricultural easements.

HML-3
GP Only

Generally, the purpose of acquiring permanent agricultural easements is to protect against continued loss of farmland due to the expansion of urbanized growth. For that reason, the obligation of new development to fund the acquisition of such easements is generally tied to the date actual development begins which results in the loss of property being used for agricultural purposes. If developers are required to pay into a fund for this purpose when Specific Plans are approved, rather than when build out actually occurs, and if the sums due include build out of an entire project rather than in phases as the project proceeds, the up-front cost could be prohibitive. Payment by developers into a fund established by the City for the purpose of acquiring permanent agricultural easements should be paid only by developers when building actually commences.

2 |

For the foregoing reasons, we request that Implementing Action COS-4.2.1 be revised in part to state:

> "Upon issuance of each building permit, require the developer to contribute a fee towards the cost of purchase of permanent agricultural easements beyond the permanent urban edges identified in the Land Use Diagram."

Comment No. 4: Implementing Action CIR-1.1.8-Highway 101 Interchanges

This Implementing Action requires that "final redesign plans" be adopted by the City and CalTrans before "development takes place".

HML-4
GP Only

As drafted this Implementing Action requires the City and CalTrans to adopt final redesign plans for all of the three Highway 101/Gonzales interchanges before any development takes place, regardless of whether the new development impacts any of the three interchanges. As noted in the DEIR, prior to approval of any new development in the City, the City must review and approve a project-level traffic impact report and mitigation measures for each project. Through this process, the City will learn of and can prepare for impacts to not only truck routes, major and minor arterials, and collector streets, but to the Highway 101/Gonzales interchanges. The City will also know when cumulative impacts will require modification of each Highway 101/Gonzales interchange and can prepare for such impacts through collection of traffic impact fees, to the extent necessary. Given that presently all but one of the three interchanges operates at a LOS A, it is quite likely that much of the proposed development could proceed without having an impact on the Highway 101/Gonzales interchanges. Waiting for approval of the final redesign plans, however, has the potential of setting back all development indefinitely given the constrainrs associated with the Fifth Street Interchange and the process by which CalTrans approves projects.

For the foregoing reasons, we request that Implementing Action CIR-1.1.8 be revised in part to state:

> "Require final redesign plans to be adopted by the City and Caltrans prior to approval of development which will result in a Highway 101 interchange falling below LOS C."

Comment No. 5: Implementing Action CIR-5.1.8- School Siting

This Implementing Action states that Specific Plans shall be required to contain school siting criteria designed to facilitate coordination between the City and school providers.

HML-5
GP Only

According to the DEIR, in 2008 the Gonzales Unified School District adopted a Facility Master Plan. The Facility Master Plan includes criteria by which the District will evaluate land offered for school facilities. In addition to the Facility Master Plan, the state, through the Department of the State Architect and the Department of Education, regulates and controls the placement of school facilities. Any additional "school siting criteria" would be subject to review and approval by all three of these entities and would likely serve little purpose other than to convolute an already heavily regulated process. In light of the foregoing and the fact that this particular Implementing Action is found in the Circulation Section of the DEIR, it would be more appropriate to focus this part of the Implementing Action on coordination between school siting, to the extent required by the Specific Plan, based on the District's Facility Master Plan and the City's Circulation Plan and related requirements, with the obligation being that of the developer.

For the foregoing reasons, we request that Implementing Action CIR-5.1.8 be revised in part to state:

> "To the extent that a school site is necessary within the Specific Plan project area, require that the Specific Plan meet the school siting criteria established by GUSD and the City's Circulation Plan and

3 | Page

related requirements with the goal being to ensure that the selected location meets GUSD's and the City's requirements."

Comment No. 6: Implementing Action HE-9.1.2- Property Transfer Inspections

This Implementing Action states that to the extent City resources become available, the City will consider adopting a property inspection ordinance that requires inspection of homes prior to sale to insure that the homes are up to date with "current energy conservation regulations" at the time they are sold. Sellers of homes which "lack the recommended energy-efficient features would be required to cover the cost of upgrading the units prior to" sale.

HML-6
GP Only

Although the goal of updating and maintaining a residential home base that is consistently current with energy conservation regulations is noble, if implemented as proposed by this Implementing Action, the result could be disastrous to the Gonzales community and economy. While the Implementing Action focuses on the time at which a home is sold, in effect what is being proposed is that all homeowners bring their homes up to current energy conservation regulations and consistently make sure their homes are kept at that standard. Failing to do so will result in having to do so before they can sell their home. From a future owner's perspective, the cost of having to maintain a home to this standard could mean the difference of buying in Gonzales and a neighboring city which does not require that homes be maintained at a standard which is likely to add annual maintenance costs to the cost of purchase. The second problem with this proposal is inclusion of "then current energy conservation regulations". These types of regulations are constantly changing as new technology is discovered and made available to improve energy efficiency. Most homes built within the last few years might not even be able to meet this standard, let alone homes that are ten, twenty, thirty or fifty years old. In some cases, the types of upgrades needed to bring a home into compliance with the "then current energy conservation regulations" might be in excess of the value of the home.

For the foregoing reasons, we request that Implementing Action HE-9.1.2 be revised to state:

> "If staff resources become available, the City will consider adopting a property inspection ordinance that would provide the resources for making a home inspector available to residents interested in modifying their homes to bring them into compliance with current energy conservation regulations."

Comment No. 7: Implementing Action HS-4.1.1- Address Police and Fire Protection Service Needs in Specific Plan Development

This Implementing Action requires the payment of impact fees for impacts to police and fire protection services resulting from new development.

HML-7
GP Only

In lieu of the payment of impact fees for impacts to police and fire protection services, developers may offer to dedicate land to the Police Department and/or Fire Department for those facilities needed to serve the community. Through this process, which generally takes place well in advance of actual development, the Police Department and Fire Department are able to plan for future facilities and, quite often, save money by agreeing to an acquisition value based on current land values versus land values at the time of development. As presently drafted, this Implementing Action does not provide for this type of mitigation.

For the foregoing reasons, we request that Implementing Action HS-4.1.1 be revised to state:

- "Require Specific Plans to address police and fire service needs, and require new development resulting from the Specific Plan to fund or provide land in lieu of funding for needed police and fire protection services"

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Comment No. 8: Implementing Action FS-6.1.1- New Development Provides School Sites

This Implementing Action requires new development to contribute to the acquisition of land for the construction of new school facilities required as the result of new development.

HML-8
GP Only

Like the Police Department and Fire Department, what GUSD is likely to need in addition to funds for the construction of new school facilities to house students from new residential developments is land upon which to construct such facilities. Again, by offering this form of mitigation in concert with the option of paying fees, GUSD is provided with the means to work with developers in locating and providing for the dedication land for this purpose. As currently drafted, this Implementing Action does not offer this alternative.

For the foregoing reasons, we request that Implementing Action FS-6.1.1 be revised to state:

> "To the extent permitted by law, require proponents of new residential development to dedicate land for school facilities, or pay fees towards the acquisition of land or the construction of facilities which would be necessary to accommodate students from such project."

Comment No. 9: Implementing Action FS-6.1.6- Specific Plan Process

This Implementing Action states that the City will use the Specific Plan Process to determine the measures needed to mitigate the impacts of development on local schools.

HML-9
GP Only

As you know, legislative entities, such as the City Council, are not permitted to impose mitigation measures in excess of those permitted by SB 50 as condition of approval of a project. That being said, cities are encouraged to work with the governing school bodies during the development process and may assist such bodies by requiring that the fees permitted by SB 50 are paid prior to a project commencing with construction. This Implementing Action, as drafted, suggests that the City, not GUSD, will determine the measures needed to mitigate impacts from development. The City does not have this authority.

For the foregoing reasons, we request that Implementing Action FS-6.1.6 be revised to state:

> "Subject to existing law, use the Specific Plan process to assist the School Providers in determining the measures needed to mitigate the impact of development on local schools."

Comment No. 10: Impact HAZ-4: Fanoe Ranch and Mitigation Measures HAZ-2: Remediation Plan for Clean-Up of Fanoe Ranch and HAZ-3: Site-Specific Investigation of Potential Contamination Required

HML-10

Impact HAZ-4 and Mitigation Measures HAZ-2 and HAZ-3 identify the fact and suggest the need to remediate the 770 acre Fanoe Ranch Property which is listed on the EnviroStore Database as potentially being contaminated with hazardous materials due to the use of herbicides, fungicides, insecticides and pesticides in conjunction with the agricultural use of the property, as well as hydrocarbons resulting from use of the property for the storage of gasoline and diesel and treatment/disposal of hydrocarbon impacted soil on a portion of the property.

As suggested in this section of the DEIR, most properties within the Urban Growth Area are used for agricultural purposes and will likely require some sort of remediation resulting from hazardous materials being used in conjunction with agricultural production. Unlike many of these other properties, however, the

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Fanoe Ranch property has already undergone a significant amount of environmental analysis. As a result of the analysis done to date, those portions of the property which contain hazardous materials in excess of approved levels have been identified and a preliminary remediation plan has been prepared. The proposed remediation has not been approved by the entities responsible for overseeing the clean-up, but professionals in the field have confirmed that those portions of the property which are affected can be cleaned-up to levels which will allow for not only commercial use, but residential and other uses. In other words, the entire site is believed to be developable with relatively minor remediation.

Comment No. 11: Reduced Growth Alternative

In addition to the foregoing, my client and I are concerned with the rationale supporting the Reduced Growth Alternative set forth on Page 6-15 of the DEIR. Namely:

1. This Alternative suggests that the population growth projections prepared by AMBAG for the year 2035 (23,418 persons, which includes approximately 14,400 new residents) can be met without inclusion of all of the property identified as the Urban Growth Area on the 2010 General Plan Land Use Diagram. This assumption, however, is based on full build-out of the 735 acres included in the Reduced Alternative Urban Growth boundary and the 365 existing acres within the current city limits. The problem with this assumption is that it is quite possible that all of the land identified as being built out under this scenario will not be available for build-out within the 2035 planning horizon. The 1000 acres of Reduced Alternative Urban Growth land is owned by only a few stakeholders, any of whom may elect to either continue using their property as it is presently being used or allow it to become fallow. The reasons for doing so range from the value of the commodity being produced, or which could be produced, on the property, to the economics of building out the property for the purposes identified in the Reduced Growth Alternative, to the market and the availability of funding for infrastructure. If even one of these stakeholders elects not to proceed with development prior to 2035, the result could be the need for more dense development than planned for (which would like result in many of the impacts identified in the Higher Density Alternative), the inability of the City to raise the funds necessary for public facility improvements, or the City simply running out of land to meet the population demand. The Proposed Plan offers the City with better options to prepare for future demand by increasing the size of the Urban Growth Area.

HML-11

2. Section E of the Reduced Growth Alternative states that this Alternative "would allow less growth and therefore generate less traffic on Highway 101 by persons traveling back and forth from work from new housing built in Gonzales". Figure 6.3.2 on page 6-17, however, states that in the year 2035 the projected population of Gonzales is expected to be the same regardless of whether the Proposed Project or the Reduced Growth Alternative is selected. If the same number of residents are expected to reside in Gonzales through the year 2035, the traffic impacts to Highway 101 in the short term should be the same. One might even argue that the impacts to Highway 101 are likely to be more if planned commercial and industrial property is

HML-12

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not available, thereby resulting in more Gonzales residents traveling to neighboring cities for work and shopping.

3. The argument set forth above also applies to Section F of the Reduced Growth Alternative which states that less traffic will be generated because less land will be developed. The acreage of land developed is not the relevant number to consider when looking at the number of vehicles which will be on the roads. The relevant number is how many residents are anticipated to reside in the City and their driving habits. While it is true that impacts may be less if the Urban Reserve Area is never developed, the fact is growth is not going to stop in 2035 whether or not land outside the Urban Growth Area is available.

HML-13

4. Like Sections E and F, Section I of the Reduced Growth Alternative states that there will be less noise impact from growth resulted out of this alternative because there would be "less urbanization". While it is true that less land would be urbanized, under this alternative more compact development may occur if any of the landowners elects not to proceed with conversion of their land prior to 2035, which type of development has a host of noise issues not analyzed in this Section. For example, noise generated by multi-family housing (which is much more likely under this alternative) generally exceeds the amount of noise produced by a single family residence. Adding to this noise problem, is the noise problem created when one multi-family residence is constructed in close proximity to another multi-family residence. This type of development creates barriers restricting noise flow to confined areas over extended periods of time. Thus, although sensitive noises may be moved away from uses which generate large volumes of noise (such as Johnson Canyon Road), it remains debatable whether the type of development proposed would not result in other more significant noise problems.

HML-14

5. With regard to public services, and more specifically schools, Section L states that there will be "substantial adverse impacts associated with the provision of new and/or improved governmental facilities, such as new schools, parks, and expanded police and fire facilities", but that the Impact is "substantially less" than the proposed project. Not only are these two sentences inconsistent, but this section fails to really address the availability of land for these types of services. Again, if any landowner who owns property within the Reduced Alternative Urban Growth Area elects not to develop their property prior to 2035, the total amount of land available for all types of development will be less than planned for under this alternative which will likely lead to more compact development and less land available for public facilities. For example, with regard to schools, Section 4.11 of the DEIR states that the Middle School is at capacity and one elementary school is over its intended student population by 300 students. Assuming this is correct and that approximately half of the facilities required under the Proposed Project (11 new schools) would be required under the Reduced Growth Alternative (5-6 new schools) (based on 50% of the total growth projected by the proposed project occurring before the year 2035 under the Reduced Growth Alternative), there will be a large demand for the land required to build one new high school (which is shown on the Reduced

HML-15

> Growth Alternative Land Use Diagram), one to two middle schools and three elementary schools (none of which are shown on the Reduced Growth Alternative Land Use Diagram). According to the DEIR, these facilities will require approximately 115 acres of land, only a portion of which is shown on the Reduced Growth Alternative Land Use Diagram.

The foregoing is not intended to suggest that the City should not consider the Reduced Growth Alternative; rather it is intended to demonstrate that there are significant assumptions incorporated into this analysis and similarly significant impacts which were not fully evaluated and incorporated into the analysis which further demonstrate the reasons this Alternative should not be selected. In summary, if selected, the Reduced Growth Alternative is likely to result in significantly more impacts than identified and will quite likely lead to the City needing more land than is available prior to the year 2035. Although the market is what will drive development and population growth, limiting the City's flexibility in meeting those demands to the Reduced Alternative Urban Growth Area is both risky and unnecessary.

Comment No. 12: Typographical Errors

Finally, during my review of the DEIR I noted a few typographical errors which I thought you might like to correct in the Final Environmental Impact Report. They are as follows:

1. Mitigation Measure AES-2/Page 2-3: the word "or" between the words "expanses" and "glass" should be revised to reflect the word "of".

HML-16

2. Implementing Action HE-9.2.1/Page 4-164: the phrase "whose provisions will be mandatory in" between the words "Code," and "January, 2010" should be revised to read "whose provisions were mandatory as of".

3. Section 4.10.1.1 Wastewater Treatment and Collection Facilities/Page 4-221: The second reference to "pond" in the third sentence should be replaced with "ponds".

4. Section 4.10.1.4 Solid Waste Disposal/Page 4-224: the word "years" is missing from the last sentence of this section between the number "70" and the words "for its member".

5. Impact REC-1/Page 4-259: The word "residents" is missing from the first sentence of the third paragraph between the number "25,400" and the words "to the City".

6. Impact CUL-4/Page 4-325: The word "with" in the second sentence of the second paragraph should be replaced with the word "within".

8 | Page

Please do not hesitate to contact me or my client if you have any questions with regard to the foregoing. Both I and my client look forward to working with you and the City throughout the General Plan process and planning and development of the CGR project.

Best Regards,

Katharine L. Hardt-Mason

cc: Glenn M. Pace
René Mendez

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2.0.5.1. RESPONSE TO HML

HML-1: Mitigation Measure AES-1

Response: Mitigation Measure AES-1 shall be revised as follows:

Mitigation Measure AES-1: Visual Screen for Permanent Agricultural Edge

The City shall require Specific Plans and development approvals, either of which include land adjacent to the "Permanent Agricultural Edge" east of Highway 101, (as depicted in the General Plan Land Use Diagram) to incorporate a naturalistic visual screen along the "Permanent Agricultural Edge" ~~(as depicted in the General Plan Land Use Diagram)~~ separating the Urban Growth Area from adjacent parts of the Planning Area that are not contained in the Urban Growth Area. Such a visual screen shall be designed to screen ~~urban~~ all uses approved as part of the Specific Plan or development approval ~~contained in the Urban Growth Area~~ from views outside the Urban Growth Area and shall be comprised of dense plantings of tall and large-canopy trees and other vegetation that are native to the Salinas Valley. The visual screen may be constructed in phases corresponding to construction phases, wherein the first section of the visual screen would be constructed to extend from its ultimate southwestern most point along the Specific Plan Area boundary to as far to the northeast as any development within the construction phase extends. The next phase would start where the first phase left off and again extend further northeast as far as any development extends, etc. The trees and other vegetation chosen for the visual screen shall be sufficiently mature when planted to ensure that the visual screen will be effective within five (5) years of approval of the ~~first subdivision in the Specific Plan or other development approval area~~ final subdivision map for the phase. The visual screen shall be maintained as a long-term feature of the Urban Growth Area.

HML-2: (GP Only) Interim Agricultural Mitigation

Response: This comment addresses the content of the General Plan and how interim agricultural mitigation can best be handled. While we understand and agree with the concerns raised, nothing in the proposed implementing action will prevent the assessment from providing a menu of mitigation measures that can be applied. It is also expected the Monterey County LAFCO will request information about the interim mitigation intended, and it sphere and/or annexation proposals will be stronger if something can be offered. Accordingly, no change to the GP is recommended.

HML-3: (GP Only) Agricultural Easements

Response: This comment addresses the content of the General Plan; comment noted. See response to LAFCO-3.

HML-4: (GP Only) Highway 101 Interchanges

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

HML-5: (GP Only) School Siting

Response: This comment addresses the content of the General Plan; comment noted. The City has an obvious responsibility to promote safety on the public street system, and addresses these same kinds of issues with all uses of land. Given the high peak hour traffic volumes resulting from school placement, and the presence of children, this concern is heightened. The City should play a key role in decisions about school siting as it relates to safety on the public streets. No change to the GP is recommended.

HML-6: (GP Only) Property Transfer Inspections

Response: This comment addresses the content of the General Plan and points out potential problems with property transfer inspections. These are

valid concerns. However, the implementing action states only that the City will "consider" the property transfer inspections and energy efficiency upgrades. The City is not obligated by this program to adopt such changes and can consider the concerns raised in the future. Also note that the Housing Element was recently adopted and certified by HCD and is included in this General Plan only to present a complete package. The implementing action of concern is a standard policy position of HCD and appears in similar form in most certified housing elements. No change to the GP is recommended.

HML-7: (GP Only) Police and Fire Protection Service Needs

Response: This comment addresses the content of the General Plan; comment noted. The City has for some years utilized a system of development impact fees; these are found in the City Code Chapter 1.48. The ordinance provides adequate flexibility to address land dedication as an alternative to fee payment. The subject Implementing Action however, is not intended to apply to capital facilities funded by the impact fee program, but rather a means of funding police and fire services – such as personnel and other operating costs to the extent that these costs cannot be adequately paid for by property taxes and other existing revenue sources. The City's adopted specific plan procedures also require submittal of service financing information. No change to the GP is recommended.

HML-8: (GP Only) School Sites

Response: This comment addresses the content of the General Plan. The proposed alternative language does not seem substantially different than that contained in the draft, and is believed to allow for adequate flexibility for the project proponents to work with the school district on a financial assistance package. The school district, not the City, establishes school impact fees pursuant to state law – and negotiates with the developer about land and construction. No change to the GP is recommended.

HML-9: (GP Only) Specific Plan Process

Response: This comment addresses the content of the General Plan; comment noted. The City understands the school district's role and authority and its own. The specific plans will be prepared and submitted by the developer for City consideration and approval. The process of plan preparation will closely involve the school district and the City. The Implementing Action points to the need for agreement to be reached in the specific plan process for the kind, number and locations of school sites, probable timing of school construction related to buildout of the specific plan, and similar concerns of a planning nature. The specific plans can also provide a general financing plan that can be followed as development proceeds to ensure that adequate funds for school construction are assembled. There will be a significant time lag between the specific plan process and buildout of any specific plan area, as noted in the comments on interim agricultural buffers. It is understood that final details of school financing would not typically be known when the specific plan is adopted. No change to the GP is recommended.

HML-10: Mitigation Measures HAZ-2 and HAZ-3

Response: Comment noted.

HML-11: Reduced Growth Alternative, Part 1

Response: Comment noted.

HML-12: Reduced Growth Alternative, Part 2

Response: The Reduced Growth Alternative, which is discussed in Section 6.3.2, assumes the same level of commercial and industrial development as the proposed project (see Figure 6.3.2). Therefore, there is no basis to conclude that this alternative could lead to more work and shopping-related travel on Highway 101.

HML-13: Reduced Growth Alternative, Part 3

Response: The Reduced Growth Alternative, which is discussed in Section 6.3.2, is defined as a plan for growth through the year 2035. While it may be true that growth would continue after 2035, this alternative assumes that such growth would only be allowed under a General Plan that is subsequently revised to include more land. Such a revised General Plan would be subject to its own environmental review.

HML-14: Reduced Growth Alternative, Part 4

Response: The Reduced Growth Alternative, which is discussed in Section 6.3.2, assumes that all the policies governing residential density would be the same as under the proposed project. Therefore, there is no basis to conclude that substantially higher density would result from this alternative. Accordingly, there is no basis to conclude that noise impacts would be greater.

HML-15: Reduced Growth Alternative, Part 5

Response: Response: The Reduced Growth Alternative, which is discussed in Section 6.3.2, assumes that all the policies governing the provision of public services and residential density would be the same as under the proposed project. Therefore, there is no basis to conclude that fewer schools would be required or that substantially higher density would result from this alternative. Accordingly, there is no basis to conclude that the alternative would result in a greater impact on public services.

HML-16: Typographical Errors

Response: The GP DEIR and the GP will be revised as necessary to correct any typographical errors.

2.0.5.2. CONCLUSIONS

All of the comments received from HML and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR.

No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.6 LANDWATCH MONTEREY COUNTY (LWMC)

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RECEIVED
SEP 21 2010
CITY OF GONZALES

September 20, 2010

Bill Farrel, AICP
Interim Community Development Director
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

SUBJECT: DEIR FOR GONZALES 2010 GENERAL PLAN

Dear Mr. Farrel:

LandWatch has had an opportunity to review the DEIR for the Gonzales 2010 General Plan. We have the following comments.

1. Project Description

The proposed general plan would encompass 19,200 acres which includes 2,150 acres for new urbanization and 2,130 acres for urban reserve. The balance is intended to continue as unincorporated agricultural and open space land. Buildout is estimated at 37,825 persons by 2050, an increase of 28,800 persons from January 1, 2009, and an additional 24,000 persons after 2050 (p. 3-9).

LWMC-1

The data in Figure 3.2.1 provide a Summary of the Project. The data in Figure 3.2.3 show Existing Land Use (p. 3-13) and Future Land Use with Buildout (p.3-14). The two sets of data are inconsistent. For example, Figure 3.2.3 shows vacant acres for Existing Land Use of 1,640 for residential uses, 160 acres for commercial uses, 330 acres for manufacturing uses, 320 acres for Pubic Uses, 70 acres for parks and open space, and 2,130 acres for Urban Reserve for a total of 4,650. In contrast, Figure 3.2.1 shows 365 acres remaining for development under the 1996 Plan and 96 acres for commercial and industrial development with a total of 4,465. Additionally, 130 acres is identified for Parks and Open Space for the project (p. 4-261) in contrast to the 70 acres identified in Figure 3.2.3. Communication with Bill Farrel, Planning Director, indicates that the data in Figure 3.2.3 reflect the proposed project. Please clarify the data in the two figures and identify a complete set of data for all land uses for the project.

Figure 3.2.1 (p. 3-9) shows a total of 2,525 acres within the Urban Growth Area as vacant land for urbanization and 2,130 acres within the Urban Reserve. Ninety six (96) acres would be used for commercial and industrial uses within the Urban Growth Area and 67 acres within the Urban Reserve (Figure 3.2.1). Figure 3.2.1 does not include acreage for

1

residential use; however, using data in Figure 3.2.2 (p. 3-14), 1,692 acres would be needed to accommodate the projected housing within the Urban Growth Areas and 1,450 acres within the Urban Reserve. (e.g., acreage calculated as follows: 1,692 x 65% x 7 du/ac=7,700 DU). This leaves 727 acres unidentified for urbanization within the Urban Growth Area and 613 acres within the Urban Reserve (e.g., 2,515 acres minus 96 acres for commercial/industrial minus 1,692 acres for residential). Please identify land uses for these unidentified acreages. (Note, that if the DEIR is going to reference tables as "Figures" throughout the document that it do so in all cases including "Tables" 4.4.5 and 4.4.7.)

2. Population and Housing (p. 4-19)

LWMC-2

The DEIR identifies buildout population of 37,825 persons by 2050. AMBAG forecasts show 23,418 persons by 2035. The letter from AMBAG regarding consistency of the project with the 2008 Air Quality Management Plan (Appendix B) states, "...total build out population for Gonzales by 2030 is 37,825 people. According to the Monterey Bay Area 2008 Regional Forecast, Gonzales will have 20,941 people by 2030. While the build out population exceeds the forecast total for the City of Gonzales, it does not push the region over the region's forecast population for 2030." LandWatch requested data from AMBAG to support the finding but has received no response to-date. The attached table was developed by LandWatch staff (Attachment 1). It shows 2035 population forecasts in General Plans for all jurisdictions in Monterey County exceed the AMBAG 2035 forecasts by over 100,000 persons and that General Plan buildout exceeds the AMBAG 2035 forecasts by more than one-quarter million persons.

The DEIR finds that increased rates of growth in Gonzales could result in a net increase in population growth for the region but this alternative scenario is considered unlikely because, "...AMBAG population projections are developed in coordination with the California Department of Finance (DOF) using a methodology unconstrained by local plans and infrastructure capacity..." The AMBAG Monterey Bay Area 2008 Regional Forecast report (p. 62) states, to the contrary:

> Land use and other regulatory constraints are implicit in the supply assumptions and within the 2008 Regional Forecast, were identified through consultation by FTAC members". See also the Appendix: Summary of Growth Constraints. The misrepresentation of how AMBAG forecasts are developed requires that the findings regarding growth inducement be revised.

The DEIR findings should be revised based on correct information.

LWMC-33. Agricultural Resources (p. 4-29).

The DEIR shows about 7,000 acres of Prime Farmland and Farmland of Statewide Importance property in the planning area but outside the Urban Growth and Urban Reserve areas. There are 2,110 acres of Prime Farmland and Farmland of Statewide Importance in the Urban Growth Area and 1,380 acres of similar land and 460 acres in an animal feedlot in the Urban Reserve area (p. 4-36). The DEIR finds the impact on

LWMC-4

Agricultural Resources significant and unavoidable (p. 4-36). However, the DEIR finds the project's impact on conversion of agricultural land within the Urban Reserve area to be less than significant because of policies preventing conversion of agricultural land within this area "for the duration of the planning period" (p. 4-47). Since the land would ultimately be converted to non-agricultural uses at some future date, the impact should be found to be **significant and unavoidable**.

LWMC-5

There are 160 acres of land under the Williamson Act in the Urban Growth Area (p. 4-29). Even though the proposed General Plan would conflict with a Williamson Act contract for which a non-renewal notice has been filed, the DEIR finds the impact less than significant with mitigation measures. Additionally, adoption of the Gonzales General Plan would conflict with existing County zoning for agricultural use which would be significant under the DEIR's Thresholds of Significance (p. 4-35). The proposed mitigation measure is to work with Monterey County to establish an urban reserve area around Gonzales that corresponds with the Gonzales General Plan. The mitigation measure does not address the Williamson Act conflict. Further, changing zoning to be consistent with the Gonzales General Plan renders the threshold of significance meaningless. The impacts should be found to be **significant and unavoidable.**

4. Transportation/Traffic

LWMC-6

The DEIR states, "...projected population and employment data for the Urban Growth Area was integrated into the regional traffic demand model developed by the Association of Monterey Bay Area Governments (AMBAG)..." Footnote 11 states, "...Use of the 2004 population and employment forecasts within this analysis therefore represents a conservative approach to this analysis..." (p. 4-81). Based on this footnote, it appears that AMBAG's 2004 forecasts were used rather than the projected population for the Gonzales General Plan as stated. Further, AMBAG's 2004 forecast only goes to 2030 with a forecast of 29,154. This is in contrast to the 2035 General Plan forecast of 37,825. Please explain if in fact General Plan forecasts were used in the AMBAG model, and if not, how the model was revised to reflect the General Plan's 2035 forecast. Also, note that the correct Appendix for traffic information is C, not D as stated (p. 4-81).

LWMC-7

The DEIR states (pp. 4-101 and 4-102), "... Finally, the *Gonzales 2010 General Plan* indicates that the City is encouraged to avoid overbuilding streets with more lanes than are needed in the relatively short term (i.e., 10 years). This should help minimize the number of multi-lane intersections, which could pose a hazard to pedestrians."

While the overbuilding of street would mitigate pedestrian hazards as noted above, the General Plan proposes the construction of a six-lane road on 5th Street and Johnson Canyon Road. This is evidence of the failure of the General Plan as written to effect significant change in transportation infrastructure. On the one hand there is the above GP language to "encourage" avoiding overbuilding roads and on the other hand the General Plan recommends that 5th Street and Johnson Canyon Road be expanded to six-lanes. Furthermore, the proposed six-lanes would preclude roundabouts as a "first option" and

result instead in massive signalized intersections where there would be up to 10 lanes (e.g., 6 through lanes and left and right turn lanes; roundabouts cannot physically (or logically) match up to six lanes (See air quality discussion of roundabouts below). Please address the conflict between these two policies as well as the impacts of constructing a six-lane road as required by CEQA.

LWMC-8

The DEIR (pp. 4-106 and 4-113) identifies Implementing Action CIR-8.1.3 – Bicycle Parking: "Require major commercial development, employment centers, and public facilities to include provisions for safe and secure bicycle parking." All-weather protection is necessary to encourage people to ride bikes year around. Parking protection for bicycles should be addressed as a feasible mitigation measure.

LWMC-9

The DEIR (pp. 4-106 and 4-114) identifies Implementing Action CIR-8.1.8 – Grant Funds for Bicycle Facilities: "The City shall, as appropriate, apply for grant funds for bikeway improvements (e.g., Transportation Development Act funds) when planning or implementing major circulation improvements." Since grant funds are very limited for bicycle facilities, requiring developers to fund bike facilities should be evaluated as a feasible mitigation measure.

Cumulative Traffic Impacts: The DEIR states, "...other sections of Highway 101 in Monterey County would also operate deficiently in the future...The addition or traffic from the buildout of the General Plan Urban Growth Area would result in impacts to many road segments between Greenfield and Prunedale. However...the impacts to these regional freeway segments would not rise to the level of requiring additional roadway upgrades beyond that which would be required without buildout of the Urban Growth Area. This is because the total amount of traffic growth on these non-local freeway segments would diminish in proportion to the distance from Gonzales." Thus, on the one hand the DEIR finds project traffic would result in impacts to Highway 101 and on the other hand, traffic improvements would be needed with or without buildout of the Gonzales General Plan. (p. 4-87). Later, the DEIR finds the project's cumulative impact on the regional circulation system is insignificant.

The cumulative impact analysis finds, "As development occurs, both within the City and throughout the County, traffic volumes on the regional circulation system would increase and may exceed the capacity of various roadways. Implementation of the General Plan and the mitigation measures proposed in this EIR would reduce traffic impacts. In addition, TAMC's Regional Traffic Impact Fee is designed to fund regional transportation improvements. Together, these measures would ensure that regional (i.e., cumulative) traffic impacts are less than significant." (p. 5-9)

Table 4.4.5 (p.4-85) identifies the following impacts on Highway 101 (the regional system):

- South of Gloria Rd. LOS C to E
- Gloria Rd-Fifth St. LOS C- to D
- Fifth St. – Alta St. LOS C to F
- North of Alta St. LOS C to F

However, none of the following road improvements (mitigation measures) would reduce impacts to Highway 101: Construct three Gonzales interchanges, widen Fifth Street from Rincon to Highway 101, widen Fifth Street from Highway 101 to Fanoe Road/Herold Parkway, widen Fifth Street from Fanoe Road/Herold Parkway to Iverson, synchronization of Signals along Fifth Street, widen Associated Lane, Extend Associated Lane to Iverson, widen Gloria Road and Design for Truck Use, design Iverson Lane for truck use, widen Fanoe Road, Traffic Calming on Arterial A, and update Traffic Impact Fees.

Conclusions that impacts on regional roads would be reduced to less than significant rests solely on use of TAMC's Regional Traffic Impact fees. Those fees are insufficient to fund most highway projects. Major road improvements are dependent on other funding sources such as a local sales tax which has been defeated three times in recent years and State and federal funds. The DEIR also fails to identify if Gonzales has adopted the Regional Impact Fee. Finally, there are no projects currently identified in the TAMC's Strategic Expenditure Plan 2010 Update (p. 3) that address widening Highway 101 to 6 lanes. The proposed frontage road project intended to relieve traffic on Highway 101 south of Chualar is not even identified in the first three phases of the Expenditure Plan.

LWMC-10

Cumulative traffic impacts on regional roads should be found to be **significant and unavoidable.** Additionally, failure of the Circulation Element to show how it accommodates proposed land uses makes the element inconsistent with State General Plan Guidelines.

Traffic Safety: Based on Caltran's safety data, Highway 101 from Salinas to Soledad ranks number three in the list of most unsafe roads in Monterey County exceeded only by Highway 101 from Salinas to San Juan Road and Highway 1 from Monterey to Marina. The DEIR fails to address this traffic safety issue.

LWMC-11

5. Air Quality

The DEIR states that MBUAPCD does not have significance thresholds for construction-related ozone precursors because they are accommodated in the emission inventories of state- and federal air quality plans (p. 4-122). Only emissions from typical construction equipment are accommodated in these plans. The District is to be consulted regarding emissions from non-typical construction equipment. (CEQA Air Quality Guidelines, Section 5-2).

Consistency with Air Quality Management Plans (AQMPs) is used to address cumulative impacts on ozone levels in place of photochemical modeling. The DEIR finds the project consistent with the 2008 AQMP (pp. 4-124 and 5-3). Based on the analysis under Population and Housing above (item 1), the project is not consistent with the AQMP and should be found to have a **significant and unavoidable** impact on regional air quality.

LWMC-12

The transportation section identifies (pp. 4-97, 4-103 and 4-365) the circulation system in Gonzales as consisting of a freeway, three freeway interchanges, and existing and new

arterial, collector, and local streets. Policy CIR-1.1 - Interconnected and Efficient Streets, is accompanied with Implementing Action CIR-1.1.12 – Traffic Control: "Provide operational controls, including: roundabouts, traffic signals or stop signs where warranted to facilitate the safe flow of vehicles through intersections. As a first option, consider the use of roundabouts for traffic control at all non-local intersections." Since roundabout can reduce vehicle emissions by up to 28% compared to signalized

LWMC-13 intersections, requiring the construction of roundabouts as the first options for all future development rather than just considering their use should be identified as a feasible mitigation measure. The following web links related to roundabouts are provided for reference:

http://www.californiawalks.org/safeStreets/roundabouts.htm
http://www.alaskaroundabouts.com/California.htm
http://www.roundaboutsusa.com/
http://www.roundaboutsusa.com/design.html#basics
http://www.roundaboutsusa.com/history.html

The DEIR recommends that the General Plan be amended to include a provision to minimize local air quality impacts related to exposure to Toxic Air Contaminants (TACs). The provision requires that new development be evaluated for proximity to

LWMC-14 sources of TACs. Based on this measure, the DEIR concludes that exposure of residents to TACs would be reduced to less than significant. Because the measure only requires evaluation and no action consistent with a finding, the conclusion is unsupported and the project's impact related to TACs should be found to be **significant and unavoidable.**

6. Greenhouse Gas Emissions

EIR Page 4-143
The DEIR states (p. 4-143), "The *Gonzales 2010 General Plan's* "Sustainability Element" contains the following policies and implementing measures designed to reduce greenhouse gas emissions from future development." This is followed by a list of policies and Actions. For example…

Policy SUS-1.1 Climate Protection Strategies

Implementing Action SUS-1.6.2 – Standards for Green Building. Consider developing and adopting interim and long-term standards for green building in addition to those identified in the California Green Building Code.

Implementing Action SUS-1.1.4 – Monitor Performance. Regularly assess progress and program needs, identifying opportunities and obstacles for meeting GHG emission reduction goals.

Policy SUS-1.6 Encourage Green Building Practices Employ sustainable or "green" building techniques for the construction and operation of buildings where feasible.

6

Implementing Action SUS-1.6.1 – Energy Efficient Buildings. Encourage the design and construction of energy efficient buildings where feasible using "green" technology and principles such as:

Implementing Action SUS 1.6.3 – Municipal Buildings as Green Building Models. Utilize green building practices in the design of new and major remodels to City buildings. Greening of public buildings should provide a model for private construction/retrofit.

Implementing Action SUS 1.6.4 – Recycled Building Materials. Promote the reuse of building material, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent feasible.

Implementing Action SUS-1.6.5 – Construction/Demolition Recycling. Develop standard conditions of approval for all new developments to prepare and implement a construction/demolition waste recycling plan as a condition of project approval and entitlement. Enforce through the building inspection process.

Implementing Action SUS-1.6.6 – Deconstruction. Deconstruction is the process of dismantling a building in order to salvage select materials for reuse. Encourage the scheduling of time for deconstruction activities to take place during project demolition as appropriate.

Implementing Action SUS 1.6.9 – Sustainable Landscape. Implement sustainable landscape design and maintenance, where feasible.

LWMC-15

Except for the above Implementing Actions SUS 1.6.3 and SUS-1.6.5, all the above Actions use language such as "consider developing", "regularly assess", "encourage", "promote", "to the extent feasible", "where feasible", "as appropriate", and "promote use". This kind of language translates to no mandate whatsoever to implement any action at any time and so is inappropriate for use in an EIR as a mitigation, especially as a program EIR is intended to be used in the future as a "first tier" environmental document. Furthermore, if the EIR claims that the above examples of Actions are "...designed to reduce greenhouse gas emissions from future development." these Actions, so as to be "effective", must include language that is decisive. For example, Action SUS 1.6.6 should read as follows:

> Deconstruction is the process of dismantling a building in order to salvage select materials for reuse. All projects shall schedule time for deconstruction activities to take place during project demolition.

Throughout the Greenhouse Gas Emissions section are similarly crafted Actions whereby there is no requirement for action by the City, developer or applicant, and therefore such Actions ultimately serve no purpose in an EIR.

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7. Hydrology and Water Quality.

LWMC-16 The 2007 Monterey County General Plan DEIR (2008) is referenced as a source of information. (pp. 4-193-145). The DEIR should be updated to reference the 2010 Monterey County General Plan FEIR.

LWMC-17 The water demand assessment assumes water demand by agriculture and urban uses are equivalent. Does the analysis account for groundwater percolation from agricultural use of between 20 and 33 percent? Since urban uses would include hundreds of acres of in permeable surfaces, water returned to the Salinas Valley Groundwater basin would be dramatically reduced. Please address this issue as it relates to water demand estimates.

LWMC-18 Buildout of the Urban Growth Area would require an additional 0.32 MGD (358AFY) beyond the 5.78 MGD currently used for agriculture that will be replaced with urbanization (p. 4-211). Buildout of Urban Reserve would require an addition 1.05 MGD (1,176 AFY). The DEIR references Policy FS 2.1 that would maintain average groundwater extractions to about 5.8 MGD within the Urban Growth Area and concludes that buildout of the Urban Growth Area will have neither a significant project level nor cumulative impact on groundwater supplies. There is no quantitative analysis supporting the finding that the increased demand within the Urban Growth Area of 358 AFY can be offset. Further, the DEIR fails to address the impact of buildout of the Urban Reserve Area on groundwater supplies.

The DEIR states (p. 4-199):

> The Salinas Valley Groundwater Basin is not currently adjudicated, which means that disputes over the use of groundwater supplies, to the degree that they exist at all, have not grown serious enough to compel landowners and water purveyors in the area to request court action to settle disputes. Adjudication would be a sure sign that groundwater supplies were failing to meet increasing demands.

LWMC-19 The DEIR should be revised indicating that adjudication has been suspended by the State Water Resources Control Board pending the successful outcome of the Salinas Valley Water Project. The SVWP EIR/EIS (Section 2.1, page 2-1, Overview: Need for Action) states:

> Nearly all of the Basin's water needs are provided by the groundwater resources in the Basin. As a result of an ongoing imbalance between the rate of groundwater withdrawal and recharge, overdraft conditions have allowed seawater from Monterey Bay to intrude inland to the northern portion of the Basin. Both of the heavily used 180-Foot and 330-Foot aquifers have been affected. This problem was first documented in the mid-1940s. By 1999, an estimated 24,108 acres of land were underlain by seawater intrusion in the 180-Foot aquifer, and 10504 acres were underlain by seawater intrusion in the 400-Foot aquifer (MCWRA 2001). It is estimated that seawater has intruded an

average of 10,000 AFY since 1949. Aquifers intruded with seawater are largely unusable for either agricultural or municipal purposes.

The State Water Resources Control Board (SWRCB) initiated proceedings to adjudicate the Basin in 1996. The Board's goal is to work with the MCWRA and other local stakeholders to reach consensus on a process to protect the groundwater resources in the Basin. If consensus cannot be reached, the SWRCB will adjudicate the Basin and take control of the water resources. The SVWP represents the local consensus approach to protecting the Basin's groundwater resources.

LWMC-20

The description of the existing condition of groundwater supplies in the Salinas Valley Groundwater Basin is totally inadequate. The DEIR fails to present any analysis of the total water demand and supply in the Salinas Valley ground water basin. Under the cumulative analysis, the DEIR makes no effort to project demand from the jurisdictions that use the same ground water basin or to compare the total demand to available supplies. The water supply assessment must include specified information about groundwater if, as is the case with the Project, existing groundwater supplies are to be used, including:

- a review of relevant information in the urban water management plan;
- a description of the groundwater basin;
- information regarding overdrafting and efforts to eliminate it;
- a detailed description and analysis of the amount and location of groundwater pumped for the past five years from the basin;
- a detailed description and analysis of the amount and location of groundwater that is projected to be pumped; and
- an analysis of the sufficiency of the groundwater from the basis to meet the projected water demand associated with the proposed project. (Water Code, Section 10910, subd. (f).)

The DEIR and the FEIR for 2010 Monterey County General Plan Update rely on the Salinas Valley Water Project (SVWP) to meet future growth within the Basin. However, the EIR prepared for the SVWP does not anticipate either the growth in agricultural acreage in the county or the growth in population that the Gonzales General Plan projects combined with growth in other Salinas Valley jurisdictions.

The SVWP assumed that a 13.6% increase in water use efficiency from better irrigation methods and different cropping patterns, coupled with a 1,849 acre *decline* in agricultural acreage would require 358,000 afy. SVWP EIR, Table 1-2 (demand), § 7.2.3 (acreage assumptions). The 2007 County General Plan EIR projects a net *increase* in agricultural acreage of at least 7,682 acres and no increase in efficiency. (GPU2010 FEIR, pp. 2-65 to 2-66). Similarly, the SVWP EIR assumed a 2030 population of 355,829 persons while the new forecast for the Salinas Valley shows 517,788 persons (GPU2010, FEIR, p. 4-85, Table 4.3-9c).

9

LWMC-21

The FEIR for GPU 2010 presents a water balance for the Salinas Valley that shows a 542 AFY surplus of water supply over total demand through 2030. FEIR, p. 4-83, Table4.3-9b (demand projected at 442,458 afy, supply projected at 443,000). This table is the basis of the EIR's conclusion that water supply and salt water intrusion impacts in the Salinas Valley will be less than significant and that no mitigation is required through 2030. Because this table is based on fundamentally inconsistent land use assumptions from the SVWP EIR, it cannot support the EIR's findings. These same findings are applicable to the Gonzales General Plan as well.

LWMC-22

Even though the Gonzales General Plan includes policies intended to limit water demand to existing levels of the agricultural land being converted, the DEIR fails to address cumulative impacts associated with existing water demand within the Salinas Valley. Perpetuating existing demand does not address cumulative impacts, and without a new water supply beyond the SVWP, water quality will continue to worsen based on projected growth and development within the Salinas Valley. The project's cumulative impact on water supply and saltwater intrusion should be found to be **significant and unavoidable.**

Thank you for the opportunity to review the DEIR.

Sincerely,

Amy L. White
Executive Director

cc: Monterey County Local Agency Formation Commission

Attachment 1

GENERAL PLAN POPULATION FORECASTS FOR MONTEREY COUNTY

Jurisdiction	Buildout Population	General Plan Forecast Population	AMBAG 2030 [1]	AMBAG 2035 [1]	Calif. Depart. of Finance (DOF) Pop. Estimates for 1/1/10
Soledad[2]	58,000	[3]41,405	38,801	41,405	27,929
Gonzales[4]	Growth Area 37,825 Urban Reserve 61,825	[3]32,418	20,941	23,418	9,114
Greenfield[5]	36,000	(post 2020) 36,000	27,348	30,337	17,898
Salinas[6]	213,063	(2020) 213,064	170,913	173,359	153,948
King City[7]	24,726	[3]24,726	22,482	24,726	12,140
Carmel[7]	4,033	[3]4,033	4,007	4,033	4,053
Del Rey Oaks[7]	3,171	[3]3,171	3,197	3,171	1,649
Marina[8]	40,000	(2020) 40,000	32,010	32,942	19,445
Monterey[9]	35,142	(2025) 34,951	30,650	30,836	29,445
Pacific Grove[10]	17,683	[3]15,036	15,057	15,036	15,683
Sand City[7]	1,498	[3]1,498	1,498	1,498	326
Seaside[11]	43,000	[3]53,549	35,017	53,549	34,628
Unincorporated[12]	Inland 209,459 Coastal – 7,197	(2030) 137,449 6,950	113,628 6,950	114,052	109,607
Total	792,622	(by 2035) 635,250	515,549	530,362	435,878

(1) AMBAG 2008 Population Forecasts
(2) City of Soledad 2005 General Plan - excludes Miravale III (15,200 persons)
(3) AMBAG 2035 Forecast in lieu of General Plan forecasts
(4) City of Gonzales Draft General Plan (p. 4-21)
(5) City of Greenfield 2005 General Plan (p. 2-39)
(6) City of Salinas 2002 General Plan (p. LU-39)
(7) AMBAG forecasts used in lieu of General Plan Buildout numbers
(8) City of Marina 2009 General Plan ; 40,000 persons by 2020 (p. 26)
(9) City of Monterey 2005 General Plan: 2,125 new units (p. 21); 2,125 x 2.2 persons/dwelling unit = 30,467 persons (AMBAG 2005). Persons/dwelling unit from AMBAG Monterey Bay Regional Forecast, p. 27.
(10) City of Pacific Grove, March 23, 2010 letter to Public Utilities Commission showing 1,075 new units. 1075 x 1.8 pers/dwelling unit + 15,683 persons (DOF 1/1/10 estimate). Persons/dwelling unit from AMBAG Monterey Bay Regional Forecast, p. 29
(11) City of Seaside 2004 General Plan (p. LU-14)
(12) Draft Monterey County 2010 General Plan, Table 3-8; Coastal Zone legal lots of record only of 2,589 (2006 Monterey County General Plan Final Environmental Impact Report, p. 20); 2,589 x 2.78 persons per dwelling unit

2.0.6.1. RESPONSE TO LWMC

LWMC-1: Project Description

Response: This comment asserts that Figure 3.2.1 of the GP DEIR shows "365 acres remaining for development under the 1996 Plan and 96 acres for commercial and industrial development with a total of 4,465." In fact, Figure 3.2.1 contains neither reference to "96 acres" nor reference to "a total of 4,465." Figure 3.2.1 does show a total of 2,515 acres for the Urban Growth Area and 2,130 acres for the Urban Reserve Area, which together totals 4,645 acres of vacant land for urbanization. Figure 3.2.3 shows a total acreage of 4,650 vacant acres, which is equivalent to 4,645 acres rounded to the nearest ten acres.

As for the complete set of data for all land uses requested, the data in Figure 3.2.3 is the definitive data set for the project, and this data set provides information on all land use designations shown in the Land Use Diagram.

LWMC-2: Project Description, Part 2 (Unidentified Acreages)

Response: Figure 3.2.1 is intended as a summary of the more detailed information contained in Figure 3.2.3. As such, it allows a quick overview of the project that is not possible in the latter figure. The detail that the commenter is attempting to generate from Figure 3.2.1 is contained in Figure 3.2.3, and the commenter should refer to that table for the desired detail. Figure 3.2.3 shows that there are 1,640 acres dedicated to neighborhood residential and other residential uses. The intended use of the remaining 3,010 acres of non-residential uses (of which 2,130 acres is in Urban Reserve) is also shown in Figure 3.2.3.

LWMC-3: Mischaracterization of Population Projection Methodology

The GP DEIR characterization of AMBAG population projection methodology contained on page 4-22 shall be corrected to read as follows:

> This alternative scenario is considered unlikely, as ~~AMBAG population projections are developed in coordination with~~ the aggregate population forecast for the AMBAG region is developed by the California Department of Finance (DOF) using a methodology unconstrained by local plans and infrastructure capacity—that is to say that the experts at DOF ~~and AMBAG~~ believe that the ability of the AMBAG region to compete for statewide growth is more a factor of state and regional economics than of local general plans.

This proposed revision to the text continues to support the findings contained the GP DEIR related to growth inducement.

LWMC-4: Agricultural Impacts in Urban Reserve Area

Response: This comment asserts that the DEIR finds the project's impact on the conversion of agricultural land within the Urban Reserve area to be less than significant. This is incorrect. Subsection 4.2.3.1[C], Significance Determination, states that the proposed project would have a "significant and unavoidable" impact on the conversion of prime farmland. No where does the GP DEIR exclude the Urban Reserve area from this finding. In fact, the GP DEIR explicitly refers to the "approximately 1,000 additional acres of Prime Farmland, 380 acres of Farmland of Statewide Importance, and 460 acres of land currently used for raising beef" that is contained in the Urban Reserve area as the basis for its finding (see page 4-36).

The GP DEIR does find that impacts related to "Other Changes Resulting in the Conversion of Prime Farmland" (Section 4.2.3.3) are less than significant. The basis for this finding is contained on page 4-48 and reads as follows:

> The proposed project includes policies and actions that lessen the impact of the project, including an agricultural mitigation fund, requirements to provide agricultural buffers to separate urbanization from ongoing farming activities, and requirements to provide utility prohibition zones.

GP Policy COS-4.3 (which states that the city is to permit urbanization only in areas designated for urban uses shown on the Land Use Diagram, and that land beyond this boundary should remain in agricultural use for the duration of the planning period) is referenced as relevant policy in support of the finding of "less than significant" in this topic of concern. This policy on its face makes no distinction between Urban Reserve and Urban Growth Area, as both are designated for urban use. Accordingly, the concern expressed in LWMC-4 is without basis. Furthermore, Policy COS-4.3, in and of itself, may or may not provide sufficient basis to find that this impact is "less than significant," but in any event, the GP DEIR does not represent it as the key basis for the finding (as is implied in the comment). More importantly, reference to the policy certainly does not negate the mitigating effects of the other policies and actions that are highlighted in the significance determination (i.e., ag mitigation fund, buffers, and utility prohibition zones). The suggestion made in comment LWMC-4 that this impact should be found to be significant and unavoidable, because of reference made to Policy COS-4.3, is without merit.

LWMC-5: Williamson Act and Zoning Conflicts

Response: The proposed project, which is the adoption of the Gonzales 2010 General Plan*, did not cause the Williamson Act non-renewal action referenced in the GP DEIR, as the adoption had not yet occurred at the time the contract was cancelled. As the GP DEIR points out in Subsection 4.2.3.2 [C], Significance Determination (page 4-43), the proposed project's conflict with the Williamson Act contract that is in non-renewal will be resolved over the course of the 20-year Williamson Act expiration period, when the property leaves the program. Given the location of the property in question (the easternmost part of the Urban Growth Area), it is likely that Monterey County—with its agricultural zoning—will retain jurisdiction for at least 20 years and probably longer. No further mitigation is required to reduce the project's impact on this Williamson Act contract to a level of "less than significant."*

With regard to conflicts with existing agricultural zoning by Monterey County, the preparers of this EIR disagree that Mitigation Measure AG-1: Collaboration with Monterey County, which calls for agreement on the application of an urban reserve designation that corresponds to the City's plan, renders the threshold of significance meaningless. Collaboration between the City and County on land use issues is a significant and meaningful process that will have a deciding effect on implementation of the Gonzales 2010 General Plan.

LWMC-6: AMBAG Traffic Model

Response: The traffic analysis contained in the GP DEIR was based on the AMBAG traffic model, and the version of that model that was available during the time the GP DEIR was being prepared was based on AMBAG's 2004 population forecasts. Hatch Mott MacDonald, the GP DEIR traffic consultant, updated this model to include the roadway network and land uses proposed as part of the proposed project. Hatch Mott MacDonald also made adjustments to the traffic model to be able to project out to 2050, which is the approximate time period during which buildout of the Urban Growth Area would occur, provided current AMBAG growth rates hold true. Counter to the assertion made in LWMC-6, the Gonzales 2010 General Plan *contains no 2035 forecast (and no forecast for any other horizon year). Instead, the plan assumes that the rate of growth in Gonzales will track AMBAG growth rates. Therefore, the forecast used in the traffic model is completely consistent with the proposed project. Footnote 11 will be revised to refer to the correct appendix.*

LWMC-7: Address Potential Conflict between Transportation Policies

Response: Implementing Action CIR-1.1.11, Street Widths, is intended to prevent the overbuilding of streets in the short term and is cited as one of several policies/actions that would have a positive impact on avoiding hazards related to a design feature. This same implementing action also requires the City to maintain "sufficient reserve capacity within the right-of-way to accommodate any additional lanes necessary to meet the City's

level-of-service standards under long-term conditions." Implementing Action CIR-1.1.12, Traffic Control, requires the City to consider the use of roundabouts for traffic control at all non-local intersections "as a first option" and is also cited as one of several policies/actions that would have a positive impact on avoiding hazards related to a design feature. Neither of these implementing actions, on their face, conflict with Mitigation Measure TT-3 or TT-4, which call for the eventual widening of the Fifth Street corridor to six lanes, provided demand for such capacity materializes. Also, the construction of a six-lane street does not preclude the use of roundabouts. For example, Fort Collins, Colorado, received a CMAQ grant for the 2001 construction of a multi-lane roundabout serving as the junction of a four-lane and six-lane highway.

With regard to the impacts of constructing a six-lane road, the GP DEIR notes that:

> It is unknown what, if any, safety problems may arise from future development plans approved through the Specific Plan process. Such project-specific analysis would need to be undertaken at the next stage of discretionary approval as part of the Specific Plan process, which is an integral part of the General Plan implementation strategy. This is an impact that would be made less than significant with Mitigation Measure TT-13 (page 4-107).

Mitigation Measure TT-13 requires project-level traffic analysis for future specific plans. With this mitigation measure in place, the GP DEIR finds that the impact in this category of concern is "less than significant." Not enough is known at this time about the design of an expanded facility along Fifth Street, or even when it would be built to its full six-land capacity to be able to discuss the full range of impacts related to its construction. Additional analysis would be too speculative to be meaningful.

LWMC-8: All-Weather Bicycle Parking

Response: The sole impact identified in Subsection 4.4.3.4 that was found to be significant and requiring mitigation related to an inconsistency

between the Gonzales 2010 General Plan *and the TAMC's* 2005 General Bikeways Plan. *This impact was adequately mitigated to a level of "less than significant" by Mitigation Measure TT-14. No other significant impact was found and therefore no additional mitigation measures are required. As the suggested new mitigation measure does not purport to involve a hazard issue, it does not appear to be relevant to Subsection 4.4.3.2 (the other place where Implementing Action CIR-8.1.3 is referenced).*

LWMC-9: Developers to Fund Bike Facilities

See response to LWMC-8 above.

LWMC-10: Cumulative Traffic Impacts

Response: The analysis done by Hatch Mott MacDonald shows that the widening of Highway 101 with additional lanes is a project that would be required with or without the proposed project. While the cumulative impact may be considerable, the project's contribution to the impact is less than significant, because the proposed project would not push the needed road capacity improvements for Highway 101 past any threshold that was not already crossed without the project.

Caltrans recently stated that TAMC's fee program adequately mitigates cumulative traffic impacts on the State Highway System. In a letter dated February 21, 2008 from the California Department of Transportation to the Transportation Agency for Monterey County (see Appendix A for full letter), Caltrans stated that:

> In regions of the state where regional impact fee programs are in place, Caltrans considers the collection and application of fees for impacts of new development as sufficient to mitigate cumulative impacts to the State Highway System (SHS) under the California Environmental Quality Act (CEQA). In these circumstances, Caltrans' subsequent review of individual development proposals focuses on project-specific impacts and related mitigation. The benefits of implementing such a program include adding a measure of

> predictability in the process and streamlining CEQA review (Caltrans 2008).

Furthermore, in the same letter referenced above Caltrans went on to state that TAMC's fee program in particular—with the set of improvements it covers—was sufficient to mitigate cumulative impacts. Caltrans' letter stated:

> In the case of Monterey County, the implementation of the Regional Development Impact Fee program as identified in Table 6 of the January 2008 Nexus Study Update Draft (Zonal Distribution for Fee Program Projects) is considered sufficient to mitigate cumulative impacts of new development to the SHS (Caltrans 2008).

This Caltrans letter is evidence that cumulative traffic impacts on Highway 101—at least through the horizon year of the Regional Traffic Model, which currently is 2030—are less than significant. Caltrans made this finding in the absence of plans by TAMC to widen Highway 101 to six lanes. This is because it has traditionally been the role of Caltrans—not TAMC—to construct and maintain travel lanes on the State Highway System in Monterey County.

The complication, of course, is that the proposed project, which is the adoption of a General Plan, looks beyond the 2030 horizon year of the Regional Traffic Model. But while the planning horizon of the proposed project extends beyond 2030, the City does not assume that growth will occur at a significantly different rate than forecast by AMBAG. AMBAG's traffic model is designed to predict travel behavior approximately 25 years out, which is standard practice for traffic modeling. The City of Gonzales has chosen to develop a General Plan that looks further into the future than this 25-year period. While there are valid reasons for a city to adopt a plan that looks at the very long term, these reasons do not necessarily extend to transportation planning agencies. Programming transportation improvements 40 years or more years out would probably be ill advised. Many changes in transportation technology and travel behavior can

reasonably be expected in such an extended time period that could render planned improvements obsolete well before the time arrives for their implementation. Financial models used to plan for transportation improvements are even more prone to obsolescence.

The inability (or the inadvisability) of transportation planning agencies to program improvements 40 or more years ahead is not a sufficient basis upon which to conclude that the proposed project's cumulative transportation impact on the State Highway System is significant and unavoidable. In fact, common sense suggests that such transportation impacts are ultimately mitigatable and in time dealt with. TAMC's Regional Traffic Impact Fee is designed for just such a purpose, and as we have seen above, Caltrans thinks that it is sufficient to mitigate cumulative impacts to the State Highway System. In any event, as stated above, the proposed project's contribution to this regional impact is less than cumulatively considerable.

LWMC-11: Traffic Safety

Response: The EIR will be supplemented to include the following discussion of traffic safety on Highway 101:

> According to Caltrans safety data, Highway 101 from Salinas to Soledad ranks number three on the list of unsafe road segments in Monterey County. The *Transportation Agency for Monterey County (TAMC) 2010 Regional Transportation Plan* (RTP) contains a project to construct frontage roads along Highway 101 from Harris Road to Soledad.[2] These frontage roads improvements should improve safety along the Highway 101 corridor in question. The proposed project would add traffic to Highway 101 and could exacerbate the safety problem without frontage road improvements in place. With the planned improvements in place, however, the project's added traffic should not significantly affect safety along the corridor. The

[2] *2010 Monterey County Regional Transportation Plan*, (TAMC, page 4-168).

proposed project's impact on Highway 101 safety is less than significant.

LWMC-12: Consistency with Air Quality Management Plan

Response: According to AMBAG, the proposed project is consistent with AMBAG's 2008 regional population projections,[3] which are the basis for the Air Quality Management Plan (see AMBAG Consistency Letter in Appendix ___.

LWMC-13: Required Use of Roundabouts

Response: With the exception of Subsection 4.5.3.3 (toxic air contaminants), the GP DEIR analysis of air quality impacts finds that the proposed project would have a less than significant effect on environment. Therefore, no new or enhanced mitigation measures are required. With regard to Subsection 4.5.3.3, which discusses toxic air contaminants, the required use of roundabouts would have little or no effect on toxic air contaminants, because it would not change the proximity of sensitive receptors to Highway 101 or to planned industrial development and it would not reduce the potential impact that typical sources of toxic air contaminants (including: freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners and large gasoline service stations) have on sensitive receptors.

LWMC-14: Toxic Air Contaminants

Response: Mitigation Measure AQ-1: Toxic Air Contaminants, will be revised to read as follows:

The City shall minimize local air quality impacts related to exposure of sensitive receptors to TACs by evaluating new development for proximity to TAC sources as recommended in the California Air Resources Board's "Air Quality and Land Use Handbook." If such

[3] Monterey Bay Area 2008 Regional Forecast (AMBAG, 2008).

evaluation leads to a determination that the potential for a significant impact exists, the City shall implement all feasible mitigation measures to reduce or eliminate the impact.

LWMC-15: Greenhouse Gas Emissions—Use of GP Policies and Actions as Mitigation

Response: First, the policies and actions of the Gonzales 2010 General Plan *that are reiterated in the GP DEIR are neither represented as, nor intended to be, mitigation measures for the impacts being discussed. They are presented as relevant parts of the proposed project that have a bearing on the topic being evaluated and as such provide a basis for determining the significance of the impact.*

Second, while the policies and actions of the GP are cited as project components that help reduce impacts related to the generation of greenhouse gases, the GP DEIR does not claim that they reduce the impact to a level of less than significant. On the contrary, the GP DEIR finds that this impact remains significant and unavoidable, even with these policies and actions in place.

Third, the mitigation measure presented in the GP DEIR (Mitigation Measure GHG-1) commits the City of Gonzales to completing a Climate Action Plan prior to the adoption of any Specific Plan in the Urban Growth Area. As GP Implementing Action LU-2.1.1 requires the adoption of Specific Plans prior to the approval of development entitlements, Mitigation Measure GHG-1 has the effect of ensuring that no development will occur in the Urban Growth Area without a Climate Action Plan in place. The commenter neither argues that Mitigation Measure GHG-1 is insufficient as a mitigation measure nor argues that additional mitigations are available that would help further reduce this significant and unavoidable impact. Instead the concern seems to be only that the GP actions cited "ultimately serve no purpose in an EIR" because they lack "language that is decisive."

Fourth, the City is concerned about revising the GP policies and implementing actions contained in the Sustainability Element to be more

prescriptive (as suggested in this comment from LWMC), because it prefers not to limit the ability of the City to adopt a Climate Action Plan that has broad agreement from all stakeholders in the process. In short, the City does not want to dictate the content of its Climate Action Plan outside of the actual process for completing the plan.

Finally, notwithstanding the construction of Comment LWMC-15, the City presumes the commenter is concerned that the City has not gone far enough in mitigating the proposed project's impact related to the generation of greenhouse gases. As such, the City proposes to supplement and clarify Mitigation Measure GHG-1 to make the measure more robust, as follows (see underlined text):

Mitigation Measure GHG-1: Citywide Climate Action Plan

The City shall complete work currently underway on, and then adopt, a citywide climate action plan with the objective of meeting a GHG emissions reduction trajectory consistent with State law (currently codified in Health and Safety Code 38500 et seq. (AB 32) and Executive Order S-03-05). The City, in setting the trajectory, shall recognize the likelihood that Gonzales may bear a much larger percentage of growth than other more mature communities in the State and that an appropriate scaling of the State targets set forth in AB 32 and Executive Order S-0305 would allow a citywide increase in GHG emissions as the City implements the Gonzales 2010 General Plan. This allowable increase in GHG emissions shall be tempered by appropriate measures to limit GHG emissions from new development on a per capita basis, while achieving actual reductions in such emissions from existing uses in the planning area. The limits to be established for per capita GHG emissions shall be indexed to realistic targets that are readily achievable using GHG Best Management Practices identified as part of the citywide climate action plan. Targets for reducing GHG emissions in existing development shall, at a minimum, be a 15 percent reduction from the baseline identified in the GHG inventory prepared by AMBAG

(2009). GHG Best Management Practices shall include but not be limited to:

- Continuation of the Gonzales voluntary recycling program for multi-family, commercial, and industrial development
- Increased energy efficiency beyond Title 24
- Use of electrically powered landscape equipment and outdoor electrical outlets
- Installation of green roofs
- Installation of solar or tank-less water heaters
- Installation of solar panels
- Increased diversity and/or density of land use mix
- Provision of necessary infrastructure and treatment to allow use of graywater/ recycled water for outdoor irrigation
- Installation of rainwater collection systems
- Provision of composting facilities at residential sites
- Incorporation of all other measures in Figure 4.7.2 above that are identified as being appropriate for implementation in Gonzales.

The City shall adopt a citywide climate action plan as outlined above as part of the *Gonzales 2010 General Plan's* Sustainability Element prior to the adoption of any Specific Plan in the Urban Growth Area. The climate action plan shall contain:

- Targets for reducing greenhouse gas emissions consistent with criteria set forth above in this mitigation measure,

- Enforceable measures to meet the established targets,
- Provisions for monitoring and reporting on the effectiveness of the plan, and
- A mechanism for periodically revising the plan to maintain or improve its effectiveness.

The City shall establish a Climate Action Plan Technical Advisory Committee to guide development of the climate action plan, composed of Gonzales citizens, developers/land owners, City officials, and state and regional representatives as appropriate.

LWMC-16: Update Reference to County General Plan

Response: The reference will be updated as suggested.

LWMC-17: Account for Groundwater Percolation

Response: Most water used for urban purposes in Gonzales would, as is the case for agricultural water use, ultimately be returned to the Salinas Valley Groundwater Basin. Water used for urban purposes for such things as landscape irrigation or washing cars percolates back into the groundwater either directly or via the storm water drainage system and the City's engineered storm water detention basins. Urban water is also used for such things as showers and drinking, in which case it would be transported to the Gonzales Wastewater Treatment Plant where it would ultimately be percolated back into the groundwater basin after treatment through the City's system of engineered percolation ponds. The amount of urban water finding its way back into the Salinas Valley Groundwater Basin can be expected to be greater than if the water was used for agriculture, because less water would be lost through evaporation and evapotranspiration.[4]

[4] According to Wikipedia (http://en.wikipedia.org/wiki/Evapotranspiration), evapotranspiration is a term used to describe the sum of evaporation and plant transpiration from the Earth's land surface to atmosphere.

LWMC-18: Lack of Quantitative Analysis re: Water Demand

Response: Proposed GP Policy FS-2.1 commits the City of Gonzales to no net increase in groundwater extractions over existing levels, and calls for the use of best management practices, water conservation, and wastewater recycling to the degree necessary to meet this commitment. Even if these cited techniques are insufficient to achieve this commitment, this would not change the policy commitment of no net increase. Quantification of the cited techniques would not change this conclusion. Also, Senate Bills 610 and 221 require collaborative planning and documentation of water sources, including preparation of Water Assessments for new development projects. The GP policies, as structured, provide a sufficient basis upon which to conclude that the proposed project's impact on groundwater supplies would be less than significant. No additional quantification is needed.

With regard to the impact of buildout of the Urban Reserve Area on groundwater supplies, the GP DEIR provides the same level of information on projected demand as it does for the Urban Growth Area, and it relies on the same solutions (see GP DEIR Subsection 4.9.3.2 [A]).

LWMC-19: Groundwater Adjudication

Response: The text on page 4-199 of the GP DEIR is hereby supplemented with the quote from the Salinas Valley Water Project EIR/EIS related to adjudication referenced in LWMC-19, as follows:

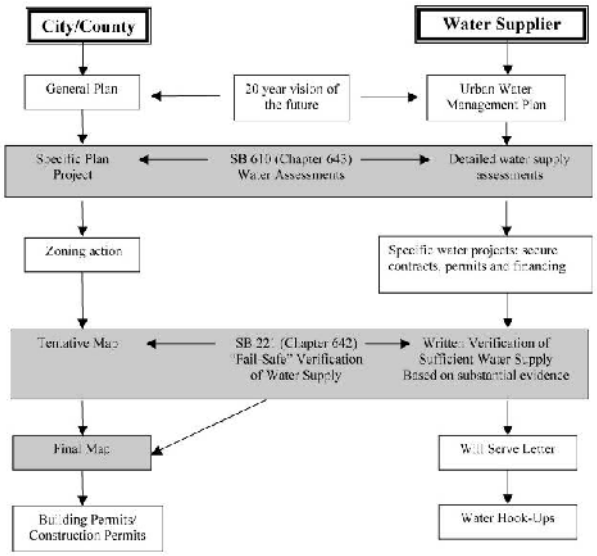
> The State Water Resources Control Board (SWRCB) initiated proceedings to adjudicate the Basin in 1996. The Board's goal is to work with the MCWRA and other local stakeholders to reach consensus on a process to protect the groundwater resources in the Basin. If consensus cannot be reached, the SWRCB will adjudicate the Basin and take control of the water resources. The SVWP represents the local consensus approach to protecting the Basin's groundwater resources.

See also Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

LWMC-20: Description of Existing Groundwater Supplies is Inadequate

Response: There is debate about whether Water Code §10910 applies to the adoption of a General Plan update. In a guidebook published by the California Department of Water Resources in October 2003 entitled: "Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001," the Department of Water Resources (DWR) includes a chart on page v that clearly shows that General Plans are "above" the water assessments mandated by SB 610. Such water assessments, according to this chart, are instead organizationally on the same level as Specific Plans. Figure 2.0.1 shows the chart from the DWR guidebook.

Figure 2.0.1: DWR's SB 610 Organization Chart



Source: Department of Water Resources, 2003

The above chart shows that DWR interpreted SB 610 to require water assessments as part of a Specific Plan process—not a General Plan process. This interpretation is supported by the Association of Environmental Professionals (AEP). In an article entitled: "Water Supply Planning, SB 610

and 221, Frequently Asked Questions" (The Environmental Professional, spring 2003), AEP states:

> In accordance with principles of statutory interpretation, courts interpreting Water Code section 10912 may find that its catchall provision applies only to projects involving the issuance of land use entitlements. Because General Plans do not involve the issuance of any entitlements, they arguably do not trigger the water supply assessment laws. . . .
>
> Exempting General Plans from the water supply assessment requirement makes intuitive sense: it is not very practical to require analysis of the water supply for all the land uses covered by these long-range, large-scale regional planning documents (AEP, 2003).

Finally, in conversations with the Governor's Office of Planning and Research (OPR),[5] OPR has admitted that there is controversy around this topic but that they tend to agree that Water Code §10910 was not intended to apply to General Plan updates. The City of Gonzales takes the position that Water Code §10910 was not intended to apply to General Plan updates. Therefore, the information requested in comment LWMC-20 is unnecessary for this GP EIR.

LWMC-21: Reliance on Salinas Valley Water Project

Response: The GP DEIR does not rely on the Salinas Valley Water Project to reach its conclusion regarding the proposed project's impacts on groundwater and water supply. Therefore, the inconsistencies asserted in comment LWMC-21 regarding the Monterey County General Plan, which apparently relies on the SVWP, have no relevance to the project being analyzed in the GP DEIR.

[5] Phone conversation with Seth Litchney, OPR staff, October 27, 2010.

LWMC-22: Cumulative Impacts Associated with Existing Water Demand

Response: It is not within the purview of the GP DEIR to study the cumulative impacts associated with existing water demand within the Salinas Valley. The analysis contained in the GP DEIR is limited to those aspects of the proposed project (which is the update of an existing general plan) that have the possibility of resulting in a change over existing conditions. The proposed project would not cause or contribute to existing conditions and, as a result of its "no-net-increase" policy, would result in no substantial change over existing conditions.

2.0.6.2. CONCLUSIONS

All of the comments received from LWMC and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.7 CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
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Flex your power!
Be energy efficient!

September 20, 2010

MON-101-70
SCH# 2009121017

Bill Farrel
City of Gonzales
109 Fourth Street
Gonzales, CA 93926

Dear Mr. Farrel:

COMMENTS TO GONZALES GENERAL PLAN DRAFT EIR

The California Department of Transportation (Caltrans), District 5, Development Review, appreciates the opportunity to review your General Plan DEIR. The following contains both general and specific comments in regards to your traffic and circulation element.

Caltrans-1

1. Caltrans was glad to see the DEIR state that in addition to project-specific impacts, all new development-related growth will mitigate their cumulative impacts through participation in the TAMC Regional Traffic Impact Fee Program.

Caltrans-2

2. Caltrans supports your efforts to enhance traffic operations at highway ramp intersections by avoiding any new driveways adjacent to the ramp.

Caltrans-3

3. Related to Item 2, any growth that impacts an interchange and necessitates improvements will be responsible for making those improvements to current Caltrans design standards. This, at times, includes resolving (to Caltrans satisfaction) issues of interchange spacing.

Caltrans-4
GP Only

4. Page I-7. The first paragraph incorrectly states that a plan for the Gloria Road/101 interchange was completed. Actually, this project is still in the Project Study Report (PSR) phase. PSR's are for conceptual approval, not project approval.

Caltrans-5
GP Only

5. Page III-14. The last sentence of paragraph 3 states that "...the ability to provide left-turn channelization on the overpass" is limited due to north- and southbound ramp spacing. Caltrans believes this statement is too limiting; there are locations where a tight-diamond design might be possible, including this one.

Caltrans-6
GP Only

6. Page III-18. This page discusses easing congestion and improving east-west connectivity through alternative transportation, capacity improvements to Fifth Street/101 and Alta/101, and new-urban street designs. What is missing, however, is a discussion of new overcrossings to prevent existing interchanges from being congested. Caltrans supports new overcrossings with no access to the Highway; the General Plan should address the potential benefits of new overcrossings to mitigate development-related growth.

Caltrans-7 GP Only

7. Page III-38. First bullet, definition of "Highway" should state that Highway 101 is owned, operated, and maintained by Caltrans.

Caltrans-8 GP Only

8. Pages III-43 and III-54 Park and Ride Lots and Caltrans Coordination. These pages discuss development of a Park and Ride lot at the North Alta Interchange. Caltrans supports implementation of these new facilities. To ensure proper planning, attention needs to be paid to security, access, and maintenance before construction begins. However, Caltrans does not have the ability to add new Park and Ride lots to our pre- and post-maintenance inventory, thus requiring a new maintenance agreement to be established.

Caltrans-9 GP Only

9. Page III-56 Safe Routes to School. Caltrans recently awarded a discretionary transportation planning grant under the Environmental Justice Program titled the City of Gonzales Pedestrian, Community to School Plan. This grant is a transportation planning study which will assess and map the community to document pedestrian routes, with an emphasis on student school routes, and existing safety improvements including sidewalks, handicap access ramps, cross walks, and traffic controls. The mapping survey will also identify where appropriate safety measures are lacking or are in need of replacement or reconstruction. The General Plan should include this project information into the background of the Safe Routes to School program section.

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator

cc: Mark McCumsey (D5)
John Fouche (D5)
Mike Zeller (TAMC)

"Caltrans improves mobility across California"

2.0.7.1. RESPONSE TO CALTRANS

Caltrans-1: Mitigating Cumulative Impacts thru TAMC Fee Program

Response: Comment noted

Caltrans-2: Enhancement of Traffic Operations

Response: Comment noted

Caltrans-3: Interchange Spacing

Response: Comment noted

Caltrans-4: (GP Only) PSR Phase

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

Caltrans-5: (GP Only) Tight Diamond Design

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

Caltrans-6: (GP Only) New Overcrossings

Response: This comment addresses the content of the General Plan; comment noted. It is agreed that it would be desirable to have an over crossing that could help relieve congestion on Fifth Street. However, the General Plan Circulation Element does not anticipate a new over crossings of Highway 101 because there is no effective place to put such a facility given current land uses relative to the three existing interchanges, and because of the excessive cost. The traffic impact analysis work to support the General Plan has determined that subject to improvements that the existing interchange crossings can provide for a continuation of acceptable service levels. No change to the GP is recommended.

Caltrans-7: (GP Only) Highway 101 Owned by Caltrans

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

Caltrans-8: (GP Only) Park and Ride Lot Coordination

Response: This comment addresses the content of the General Plan and provides useful information about factors in planning park and ride facilities. Comment noted. No change to the GP is recommended.

Caltrans-9: (GP Only) Safe Routes to School

Response: Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

2.0.7.2. CONCLUSIONS

All of the comments received from Caltrans and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.8 MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY (MCRMA)

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT, Mike Novo, Director

168 W. Alisal St., 2nd Floor
Salinas, CA 93901

(831) 755-5025
FAX (831) 757-9516

September 21, 2010

Bill Farrel, Interim Community Development Director
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

Subject: Draft Gonzales 2010 General Plan and Draft EIR (REF100030)

Dear Mr. Farrel:

The Monterey County land use departments have reviewed the City of Gonzales 2010 General Plan and Draft EIR. Below are comments from the Planning Department and Agricultural Commissioner's Office.

Planning Department

MCRMA-1
GP Only

1. The Agricultural Buffer Overlay described on page II-48 of the Draft General Plan lacks detail and should be clarified by establishing criteria for determining the width, design and location of the required agricultural buffers. For example, the Monterey County 2010 Draft General Plan contains Policy AG 1.2 that would require well defined buffer areas as partial mitigation for new non-agricultural development proposals that are located adjacent to agricultural land uses on farm lands designated as Prime, of Statewide Importance, Unique or Local Importance. The following criteria would be used to establish agricultural buffers: 1) the type of non-agricultural use proposed, site conditions and anticipated agricultural practices; and 2) weather patterns, crop type, machinery and pesticide use, existence of topographical features, trees and shrubs, and possible development of landscape berms to separate the non-agricultural use from the existing agricultural use. Any future City applications for Sphere of Influence amendments and annexations should include specific information regarding agricultural buffers including their width, design and location based upon the criteria established in the City's General Plan.

MCRMA-2
GP Only

2. The Draft General Plan would require new development to contribute to the cost of purchasing permanent agricultural easements beyond the permanent edges identified in the Land Use Diagram and would require the City to establish an agricultural impact mitigation fund to purchase agricultural easements on these lands (see Draft General Plan, pages VI-49 and VI-50). The Draft General Plan should provide additional detail on how the Agricultural Easements and Impact Mitigation Fund will work and the extent that they will lessen impacts of future City growth on farmlands. The Monterey County Draft General Plan contains Policy AG1.12 that requires that a program be set up in the future to mitigate the loss of Important Farmland. The mitigation program may include ratios, payment of fees or other mechanisms.

Mr. Bill Farrel
September 21, 2010
Page 2

Agricultural Commissioner's Office

MCRMA-3 1. The City proposes to eventually grow approximately four to five times its current size, yet the Draft EIR states that the urbanization is "less than significant" because farm land in other directions will be protected. This logic seems flawed, since farmland in both the Urban Growth Area and the Urban Reserve will be impacted. Please provide a more thorough analysis of the impact on farmland and how the City intends to mitigate those impacts.

MCRMA-4 2. There is a lack of detail regarding the Agricultural Buffer requirements.

MCRMA-5 3. There is also a lack of detail regarding the Agricultural Mitigation Program.

MCRMA-6 4. The City should consult with the Agricultural Advisory Committee on items #2, #3 above. Please contact Dawn Mathes in the Agricultural Commissioner's Office at (831) 759-7384.

MCRMA-7 5. While it is understand that the Urban Reserve is not anticipated to be part of the Sphere of Influence or any City-approved development projects in the near-term, there doesn't appear to be any clear restrictions/guidelines about development in that area. The Draft EIR should discuss whether setting aside the "Urban Reserve" for "future development" may unintentionally encourage near-term development and in doing so impact adjacent working agricultural operations.

Thank you for the opportunity to review the Draft 2010 General Plan and EIR. If you have any questions or need additional information, fell free to contact me at (831) 755-5183 or schubertbj@co.monterey.ca.us.

Sincerely,

Bob Schubert

Bob Schubert, AICP
Senior Planner

Cc: Carl Holm
Taven Kinison Brown
Dawn Mathes

2.0.8.1. RESPONSE TO MCRMA

MCRMA-1: (GP Only) Detail on Agricultural Buffers

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

MCRMA-2: (GP Only) Detail on Agricultural Easement and Mitigation Fund

Response: This comment addresses the content of the General Plan; comment noted. See response to LAFCO-3.

MCRMA-3: Analysis of Impact on Farmland

Response: This comment asserts that the GP DEIR regards "urbanization" as "less than significant" because "farm land in other directions will be protected." While the GP DEIR subsection being referenced is not specified in this comment, we assume that the commenter is referring to Subsection 4.2.3.3, Other Changes Resulting in Conversion of Farmland. This is because the primary analysis of the project's impact on farmland, which is found in Subsection 4.2.3.1 (Conversion of Prime Farmland) finds that the project's impact on the conversion of prime farmland is significant and unavoidable. Also, in Subsection 5.0.3, Agricultural Resources, the GP DEIR finds that the project's cumulative impact on agricultural resources is significant and unavoidable.

While Subsection 4.2.3.3 does conclude that the project's impacts related to "other changes" are "less than significant," the impacts being discussed in this section are secondary impacts that are concerned with indirect impacts on farmlands that lie outside the path of development and that are not targeted for urbanization. As such, the concern about flawed logic seems misplaced. The GP DEIR is not arguing "urbanization is less than significant because farmland in other directions is being protected." Instead it's arguing that secondary impacts on lands outside the path of

development are less than significant because there are measures in place that insure that development does not encroach into these areas.

The analysis contained in the GP DEIR of the project's impact on farmland is sufficiently thorough to provide a basis for its findings.

MCRMA-4: Detail on Agricultural Buffers

Response: GP DEIR Subsection 4.2.3.3 [B], which lists applicable policies, regulations, and actions related to this topic, is hereby supplemented to include a passage from the General Plan that defines the agricultural buffer overlay. The passage is as follows:

16. Agricultural Buffer Overlay

The primary purpose of this designation is demark those parts of the Urban Growth Area where measures must be put in place to alleviate potential physical conflicts between existing or planned agricultural uses (either within or outside the Urban Growth Boundary) and urban uses planned within the Urban Growth Boundary. Measures include physical separation between the conflicting uses—typically 200 feet in width—plus other vegetation, walls, or other screening deemed necessary to ensure that property owners on both sides of the buffer may enjoy full and unencumbered use of their property for its designated use without experiencing significant deleterious effect from the neighboring use. While the Agricultural Buffer Overlay symbol is located along the boundary between two conflicting uses—overlying both agricultural lands as well and planned urban area—the measures to be put in place shall in all cases be located on land designated for urban uses and shall not infringe in any way on property upon which permanent agricultural uses exist or are planned. In areas where agricultural uses are intended to eventually convert to urban use (i.e., within the Urban Growth Boundary), agricultural buffer measures should be designed in such a way to facilitate an orderly and coherent transition to urban use. As an

> overlay designation, permitted uses are those of the underlying designation (GP page II-48).

As the above text is the operable definition of the land use designation in question, it has full force and effect.

It is also important to note that the Gonzales 2010 General Plan requires the subsequent adoption of Specific Plans prior to granting development entitlements (see LU-2.1.1 on GP page II-52). This requirement, plus COS-4.1.3 (Interim Mitigation), which requires subsequent analysis and mitigation of agricultural impacts during adoption of the Specific Plan, is sufficient to ensure that agricultural buffers will be effective.

MCRMA-5: (GP Only) Detail on Agricultural Mitigation Program

Response: This comment addresses the content of the General Plan; comment noted. See response to LAFCO-3.

MCRMA-6: Consult with Agricultural Commissioner's Office

Response: Comment noted

MCRMA-7: Impact of Urban Reserve on Agricultural Operations

Response: To the degree that there is any possibility that setting aside Urban Reserve may unintentionally encourage near-term development in those areas designated as such, its impact on adjacent agricultural operations has been discussed in GP DEIR Subsection 4.2.3.3 [A]. In addition, the ability of GP policies and actions to address such impacts has been assessed in GP DEIR Subsection 4.2.3.3 [C], which notes that the proposed project includes policies and actions that lessen the impact of the project, including an agricultural mitigation fund, requirements to provide agricultural buffers to separate urbanization from ongoing farming activities, and requirements to provide utility prohibition zones. These policies and actions would apply equally to lands currently in Urban Reserve and lessen the impacts of urbanization to a level of less than significant.

2.0.8.2. CONCLUSIONS

All of the comments received from MCRMA and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.9 JOHNSON MONCREIF (JM)

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523 BROADWAY STREET
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DANIEL E. GRIFFEE

September 21, 2010

File No: 02256.000

Bill Farrel
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

RE: Gonzales Property Land Use Designation and "Right to Farm" Ordinance

Dear Mr. Farrel:

I represent JEG Livingston Company, which owns the real property formerly known as "Fat City". As you are aware, the City of Gonzales has released its General Plan Update and accompanying environmental impact report.

I am writing in an effort to ask for clarification on two issues related to the property designation and the "Right to Farm" policy.

General Plan Designation

The property is designated **Urban Reserve Overlay** in the Gonzales General Plan Update (the "Plan"). According to the Plan, this area would be available for development "only after substantial buildout of the Urban Growth Area, which would be decades away if the Association of Monterey Bay Area Governments (AMBAG) growth rates hold".

JM-1
GP Only

In short, I request that you strike this sentence from the Plan as it is speculative, not reflective of other Plan policies and it may not apply in the future.

"Right to Farm" Ordinance

The Gonzales General Plan Update addresses the "coming to the nuisance" issue by adopting the Implementing Action COS-4.3.5 – Right to Farm. I would ask that you add language in the notice that is consistent with California Civil Code Section 3482.5, which states that "no agricultural activity, operation, or facility,... shall be or become a nuisance,... due to any changed condition in or about the locality, after it has been in operation for more than three years if it was not a nuisance at the time it began".

JM-2
GP Only

Furthermore, I would request that you attach to the notice policy in the Plan, and certainly in individual notices to landowners of new dwelling units under the Plan, notification that the lands surrounding the City are and have been: (1) in agricultural

activity (2) conducted or maintained for commercial purposes (3) in a manner consistent with proper and accepted customs and standards (4) as established and followed by similar agricultural operations in the same locality; (5) that the City, as it grows, is changing the condition in or about the locality, (6) that the farming activity has been in operation for more than three years around the City; and the farming activity (7) was not a nuisance at the time it began.

These should not be considered significant changes to the Plan, but they are two important changes to the text that accomplish two things: provide flexibility in the areas east of the City (in the event growth in the foothills is preferred over prime ag land), and a stronger "Right to Farm" policy for an industry that is threatened by growth and conflicting uses.

Very truly yours,

JOHNSON & MONCRIEF, PLC

Aaron P. Johnson

APJ:ct

cc: Rene L. Mendez

2.0.9.1. RESPONSE TO JM

JM-1: (GP Only) Urban Reserve Overlay

Response: This comment addresses the content of the General Plan; comment noted. The phrase of concern appears on page III-27 in the Circulation Element under the topic of "Future Operating Conditions" and is presented in the context of a discussion of projected traffic in the area. The statement that buildout of the Urban Reserve would be decades away based on AMBAG growth projections in not speculative but rather a projection of the time required for buildout to occur assuming the AMBAG projections are correct. Such projections are commonly used as a foundation of land use planning. In any case, this is not a policy statement and has does not limit the possibility of unforeseen changes occurring. No change to the GP is recommended.

JM-2: (GP Only) Right to Farm

Response: This comment addresses the content of the General Plan; comment noted. Refer to the proposed response to comments by the Monterey Bay Unified Air Pollution Control District (APCD-2) that references compliance to District Rule 402. That rule is based in part upon Civil Code Section 3482 referenced in this comment. The purpose of COS-4.3.5 is to commit the City to using "right to farm" disclosures for new development, but not to construct the entire content of such notices in the General Plan text. The City will utilize the information offered as it prepares the notices. No change to the GP is recommended.

2.0.9.2. CONCLUSIONS

All of the comments received from JM and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.10 MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT (APCD)

MBUAPCD
Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito, and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 • FAX: (831) 647-8501

September 21, 2010

Mr. Bill Farrell, Interim Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, CA 93926

Sent Electronically to:
bfarrel@ci.gonzales.ca.us
Original Sent by First Class Mail

SUBJECT: CITY OF GONZALES 2010 GENERAL PLAN

Dear Mr. Farrell:

The Air District submits the following comments for your consideration:

APCD-1

Mitigation Measure AQ-1: Toxic Air Contaminants
The Air District supports the City's efforts to minimize exposure to toxic air contaminants.

APCD-2

Mitigation Measure AQ-3: Working to Reduce Strong Odors
Please note that the Air District enforces District Rule 402, Nuisances, which is attached for your reference. The purpose of this Rule is to provide an explicit prohibition against sources creating public nuisances while operating within the Monterey Bay Unified Air Pollution Control District. However, certain exemptions apply. Among them are the following:

- agricultural operations necessary for the growing of crops or raising of fowl or animals. (California Health and Safety Code Section 41705)

- any agricultural processing activity, operation, facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, due to any changed condition in or about the locality after it has been in continuous operation for more than three years if it was not a nuisance at the time it began; unless the facility substantially increases its activities or operations after which time a new three year clock begins during time this exemption is not valid. (California Civil Code Section 3482.6)

Thank you for circulating the document for our review.

Best regards,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

Attachment: District Rule 402

Richard A. Stedman, Air Pollution Control Officer

MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

RULE 402 – NUISANCES
(Adopted 9-1-1968) (Revised 3-22-2000 and 8-21-2002)

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PART 1 GENERAL

1.1 Purpose

The purpose of this Rule is to provide an explicit prohibition against sources creating public nuisances while operating within the Monterey Bay Unified Air Pollution Control District (Air District).

1.2 Applicability

The provisions of this Rule shall apply to all sources of air pollutant emissions within the Air District unless exempted pursuant to Section 1.3 below.

1.3 Exemptions

MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

The provisions of this Rule shall not apply to odors emanating from:

1.3.1 agricultural operations necessary for the growing of crops or raising of fowl or animals. {California Health and Safety Code (HSC) Section 41705}

1.3.2 any agricultural processing activity, operation, facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, due to any changed condition in or about the locality after it has been in continuous operation for more than three years if it was not a nuisance at the time it began; unless the facility substantially increases its activities or operations after which time a new three year clock begins during which time this exemption is not valid. {California Civil Code Section 3482.6}

1.4 Effective Dates

This Rule, as most recently revised, is effective on August 21, 2002.

1.5 References

The requirements of this Rule arise from the provisions of California Health and Safety Code (HSC) Sections 41509, 41700 and 41705.

PART 2 DEFINITIONS

2.1 Agricultural Processing Activity, Operation, Facility, or Appurtenances Thereof

Includes, but is not limited to rendering plants licensed pursuant to Section 19300 of the Food and Agricultural Code and collection centers licensed pursuant to Section 19300.5 of the Food and Agricultural Code, the canning or freezing of agricultural products, the processing of dairy products, the production and bottling of beer and wine, the processing of meat and egg products, the drying of fruits and grains, the packing and cooling of fruits and vegetables, and the storage or warehousing or retail markets of agricultural products.

2.2 Continuous Operation

Means at least 30 days of agricultural processing operations per year.

MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

2.3 Proper and Accepted Customs and Standards

Means the compliance with all applicable state and federal statutes and regulations governing the operation of the agricultural processing activity, operation, facility, or appurtenances thereof with respect to the condition or effect alleged to be a nuisance.

PART 3 REQUIREMENTS AND STANDARDS

No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property. {HSC Section 41700}

* * * * *

08/21/02 **Rule 402 (Nuisances)**

3

2.0.10.1. RESPONSE TO APCD

APCD-1: Toxic Air Contaminants

Response: Comment noted

APCD-2: Strong Odors

Response: Mitigation Measure AQ-3 will be revised to acknowledge the sometimes voluntary nature of the partnership to reduce odors in the Planning Area, as at least one source of odor—the animal feed lot—is probably exempt from enforcement actions under District Rule 402.

Mitigation Measure AQ-3: Working to Reduce Strong Odors

The City of Gonzales shall work in partnership with the MBUAPCD and the owners of operations that create significant odors in the planning area to reduce such odors using the most current operational and other techniques available. Such partnership shall be limited to voluntary efforts where exemptions to District Rule 402 apply.

2.0.10.2. CONCLUSIONS

All of the comments received from APCD and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.11 JACKSON FAMILY ENTERPRISES (LETTER #1) (JCK1)

Jackson FAMILY ENTERPRISES

September 21, 2010

Mr. Bill Farrell
Director of Planning & Economic Development
City of Gonzales
P.O. Box 647
147 Fourth Street
Gonzales, California 93926

Re: Comments on Draft General Plan Update

Dear Bill,

Thank you for the opportunity to review the draft General Plan Update. We have reviewed the draft document against our most recent comments letters. As you may recall, these policy revisions were considered at the April 26th City Council hearing at which time the Council agreed to incorporate the majority of the proposed revisions, some of which appear to have been missed in the update. For your convenience, we provide the agreed to revisions below:

JCK1-1
GP Only

1. Figure II-7, Page II-31 - This figure depicts the land uses planned within the Puente del Monte Specific Plan. During the course of this General Plan Update, a number of land use changes have occurred including the re-designation of land at the intersection of Highway 101 and Gloria Road to Highway Commercial (and the corresponding change from commercial to residential within the Puente del Monte Specific Plan). As agreed by the City Council at the April 26th hearing, since it is no longer necessary for a major arterial to serve the newly designated residential area, the circulation pattern on Inset 3 should be modified to depict a major arterial street section on Gloria Road from Highway 101 to Herold Parkway (along the Highway Commercial frontage) and a minor arterial street section east from Herold Parkway to Iverson Road (along the residential frontage).

JCK1-2
GP Only

2. Table II-5, Required Mix of Uses in Neighborhoods – There was significant discussion pertaining to this table and how best to present the information. We understood the Council agreed that this table was confusing and could be eliminated. It appears this table is no longer contained in the Land Use Element. Please confirm if this table has been relocated within the draft document or removed entirely.

JCK1-3
GP Only

3. Page II-52, Implementing Action LU-2.1.1 – This implementing action indicates smaller properties may combine with "other properties" to undertake development of a Specific Plan. As agreed by the City Council at the April 26th hearing, to ensure consistent and orderly growth, this implementing action should be revised to require adjacency in order to combine under one Specific Plan, as follows: "Smaller properties (ie. less than 125 acres) may combine with ~~other~~ **adjacent** properties to undertake the development of a Specific Plan or may attach to an existing **adjacent** Specific Plan by gaining City approval of a Specific Plan addendum." Additionally, the title of this Implementing Action should be revised to "Specific Plans"

421 AVIATION BOULEVARD SANTA ROSA CALIFORNIA 95403 U.S.A.
[illegible]

Jackson FAMILY ENTERPRISES

consistent with the revision made to the implementing action which recognizes all areas require specific plans, not just Neighborhood Residential areas.

4. Page II-52, Implementing Action LU-2.1.2 – The Puente del Monte Specific Plan includes land south of Gloria Road planned for Highway Commercial and Heavy Industrial use. As such, we understood the City Council agreed at the April 26th hearing, this implementing action should be revised to include the land south of Gloria Road, as follows: "…In the South Interchange Area, non-residential land north and south of La Gloria Road may be combined with the Specific Plan…"

JCK1-4
GP Only

5. Page II-62, Implementing Action LU-8.2.1 – This implementing action requires neighborhood residential developers contribute to infrastructure necessary to support job creation. As currently written, the policy is vague and ambiguous as to the exact type and method of contribution required on the part of the neighborhood residential developer. As we understood, the City Council agreed at the April 26th hearing to revise this policy as follows: "~~Encourage~~ require Neighborhood Residential developers to contribute to the infrastructure necessary to support local jobs creation."

JCK1-5
GP Only

6. Page II-64, Implementing Action LU-9.1.3 – This implementing action requires Neighborhood Residential developers to contribute to "a new Johnson Canyon Community Sports Park or other community sports park identified by the City." It is assumed this community park is the same park requirement set forth in Implementing Action COS-7.2.1 in the Conservation and Open Space Element which requires the provision of community parks at the rate of 2 acres per 1,000 residents. It is further assumed that by including the Inset land use maps which depict the proposed locations of community parks in the General Plan Update the City Council supports these proposed park facilities (shown on Inset maps) in lieu of a new Johnson Canyon Community Sports Park or other community sports park identified by the City. We understood that the City Council agreed at the April 26th hearing to delete Implementing Action LU-9.1.3 as the requirement on the part of the developer is unclear in the context of the other policies and there is no legal nexus for the City to require additional park land.

JCK1-6
GP Only

7. Page III-57, Implementing Action CIR-9.1.1 – This implementing action directs the City to route landfill related truck traffic along Gloria and Iverson Roads. Consistent with the discussion on page III-19 as well as the City's desire to route truck traffic away from the growth area, the action should be revised as follows: "…as shown in the Circulation Diagram. Work with Salinas Valley Solid Waste Authority to relocate long term truck route on Johnson Canyon Road northeast of the City."

JCK1-7
GP Only

8. Page VI-45, Implementing Action COS-2.1.1 – This action requires identification and mapping of hybridized versions of the California Tiger Salamander (CTS). Since the hybridized version of this species found within the General Plan growth area has already been determined not to be a special status species by USFWS, and is in fact a threat to the listed CTS, it is unclear as to why a species with no special status requires mapping. This action places undue expense on developers and should be revised to eliminate the requirement to map hybridized CTS. It is our understanding that the City agreed to this concept and would revise the text to continue to require surveying but if the survey produced the hybridized species then no further delineation or mapping of the species would be required.

JCK1-8
GP Only

421 AVIATION BOULEVARD SANTA ROSA CALIFORNIA 95403 U.S.A.

Jackson FAMILY ENTERPRISES

Finally, it appears the clean up revisions we previously provided may not have been considered or incorporated into the public review draft of the General Plan. As such, we are resubmitting those comments (see attached letter) for your review and consideration. Should you have any questions pertaining to these comments please do not hesitate to contact us.

Sincerely,

LeeAnne Edwards
VP, Real Estate

cc: Karen Massey

421 AVIATION BOULEVARD SANTA ROSA CALIFORNIA 95403 U.S.A.
[707]544-4000 TEL [707]544-4013 FAX

2.0.11.1. RESPONSE TO JCK1

JCK1-1: (GP Only) Gloria Road Improvements

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK1-2: (GP Only) Required Mix of Uses

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended.

JCK1-3: (GP Only) Combining Properties for Specific Plan Development

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK1-4: (GP Only) Puente del Monte Specific Plan Area

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK1-5: (GP Only) Contributions to Job-Creation Infrastructure

Response: This comment addresses the content of the General Plan; comment noted. During the April 26th meeting the City Council considered but did not accept this comment. No change to the GP is recommended.

JCK1-6: (GP Only) Johnson Canyon Community Sports Park

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK1-7: (GP Only) Landfill Truck Route

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK1-8: (GP Only) California Tiger Salamander

Response: This comment addresses the content of the General Plan; comment noted. During the April 26th meeting the City Council considered but did not accept this comment. No change to the GP is recommended.

2.0.11.2. CONCLUSIONS

All of the comments received from JCK1 and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.12 JACKSON FAMILY ENTERPRISES (LETTER #2) (JCK2)

Jackson FAMILY ENTERPRISES

April 23, 2010

Mr. Bill Farrell
Director of Planning & Economic Development
City of Gonzales
P.O. Box 647
147 Fourth Street
Gonzales, California 93926

Re: Clean up Revisions to Draft General Plan Update

Dear Bill,

Thank you for the opportunity to review the draft General Plan Update. We have reviewed the draft document in its entirety and generally find the document to be well written and concise. As a matter of course, we provide the following clean up revisions to further refine the draft document.

General

JCK2-1 GP Only

1. Urban Growth Boundary – As this draft document has progressed, there have been a number of terms used to describe the area planned for growth within the horizon of this General Plan (ie. new growth area, primary growth area, growth area, urban growth boundary, planned development area, etc.). To prevent confusion, and clearly identify the area intended for growth under this plan, we recommend consistently referring to the growth area as being within the Urban Growth Boundary. This revision will eliminate any confusion and provide LAFCo and other agencies with a clear understanding of the intended growth area under this General Plan.

JCK2-2 GP Only

2. References - As this draft document has progressed, there have been a number of changes made to policies, implementing actions, acreages, figures, and tables. References to tables, figures, acreages, policies and implementing actions should be cross checked to confirm they are correct and properly referenced throughout the document. Finally, references to 2035 buildout and a 35 year growth horizon should be omitted as discussed previously.

JCK2-3 GP Only

Introduction

1. Objective 4, Page I-3 – This objective refers to "single-use housing subdivisions." Since housing subdivisions are always residential uses, it is unclear as to what is meant by the term "single-use." This objective should be clarified.

JCK2-4 GP Only

2. Objective 7, Page I-4 – As recognized throughout the General Plan Update, the natural environment in and around the City of Gonzales, has been highly modified by extensive and on-going agricultural operations. For this reason, we recommend the City encourage the "preservation and enhancement" of the natural environment rather than the "re-creation." Re-creating the natural environment would be both difficult and potentially unachievable given the extent of the agricultural operations that persist in the Valley.

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3. Figure I-2, Page I-14; Figure III-1, Page III-5; Figure VI-2, Page VI-14; & Figure V-1, Page V-3 – These figures incorrectly depict the growth area contemplated under this General Plan by including the urban reserve overlay area. The figures should be revised to include the Urban Growth Boundary (with the lands contained within the boundary depicted as growth area) and correctly depict the urban reserve overlay area as such. Additionally, some of these figures do not include the property south of Gloria Road contained within the Puente del Monte Specific Plan. Finally, Figure V-2 and VI-5 do not reflect the Nacimiento Dam inundation area.

JCK2-5
GP Only

Land Use Element

1. Page II-1, First Paragraph – This paragraph indicates the policies of the Land Use Element address such issues as "conservation of residential neighborhoods." Since residential neighborhoods are not typically conserved, it is unclear as to what is meant by the term. This paragraph should be clarified.

JCK2-6
GP Only

2. Page II-4, First Paragraph – This paragraph describes Iverson Road as the eastern boundary of the City and further states, "new development east of Iverson Road adjacent to the Johnson Canyon Landfill is also anticipated in the long term." Since development of the land east of Iverson Road adjacent to the Johnson Canyon Landfill is not contemplated under this General Plan, this statement should be deleted.

JCK2-7
GP Only

3. Page II-5, Second Paragraph – This paragraph describes how the City has defined its Planning Area. To differentiate between the area planned for growth under this General Plan and the Urban Reserve Area, the paragraph should be clarified as follows (in bold): "The City has defined its Planning Area broadly to convey this position, and land contained in the Planning Area **but outside the Urban Growth Boundary** that is not designated for development **under this General Plan** should remain in open space and agricultural use."

JCK2-8
GP Only

4. Figure II-1, Page II-8 – This figure depicts the existing land uses contained with the existing City Limits. The figure should be revised to also include the City waste water treatment plant located west of the area currently depicted. The City Limits boundary has also been omitted along the southwestern edge of the City.

JCK2-9
GP Only

5. Page II-9, Third Paragraph – This paragraph describes the new growth area lying east of the existing City and states, "The area contains prime agricultural soils that decrease in value as they extend away from the city toward the foothills." As recognized throughout the General Plan Update, this statement should be modified to indicate this area is planned for growth because these soils are not as productive as those soils located to the west of the City.

JCK2-10
GP Only

6. Figure II-2, Page II-11 – This figure depicts the flood and dam inundation hazards within the Planning Area. The legend should be revised to correctly label the growth area as the "Urban Growth Boundary."

JCK2-11
GP Only

7. Page II-13, Second Paragraph – This paragraph describes the existing City as containing approximately 1,300 acres. This estimate differs from the figure contained in Table II-1. This discrepancy should be reconciled.

JCK2-12
GP Only

8. Page II-16, Footnote 2 – This footnote indicates the need for specialized specific plans for areas designated highway commercial, light industrial, etc. The footnote should be clarified to

JCK2-13
GP Only

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indicate specialized specific plans are only required if the area is not already included in a larger Specific Plan, as follows: "**Unless part of a larger Specific Plan,** Specialized Specific Plans would be…" Reference to Implementing Action LU-2.1.2 should also be added to complete this footnote.

JCK2-14 GP Only

9. Page II-17, Footnote 3 – This footnote incorrectly references Policy LU-8.8 which no longer exists in the Land Use Element.

10. Figure II-4, Page II-20 – This figure depicts the land uses considered under this General Plan. The figure should be revised to:

   a. Add the Agricultural Buffer along the eastern boundary of the property designated Neighborhood (consistent with the buffer shown on Inset Maps 2 and 3).

JCK2-15 GP Only

   b. Add the existing City Limits and Sphere of Influence.

   c. Remove the Neighborhood designation from land shown within the Urban Reserve Overlay. This land should remain agriculture as designated under the Monterey County general plan.

   d. Designate land adjacent to the waste water treatment plant planned for expansion as Public/Quasi Public (it is currently shown as agriculture).

11. Figure II-5, Page II-21 - This figure depicts the land uses planned within the existing City Limits. The figure should be revised to:

JCK2-16 GP Only

   a. Provide context to the map by adding the Planning Area Boundary, existing City Limits, and Urban Growth Boundary.

   b. Change the color applied to the Highway Commercial designation to differentiate it from High Density Residential.

JCK2-17 GP Only

12. Page II-26, Fifth Paragraph – Revise to correctly reference 19 land use designations (rather than 18).

JCK2-18 GP Only

13. Page II-27, Second Paragraph – The last sentence of this paragraph indicates maximum FARs must conform to all City policies and development standards. This statement should be further qualified as follows: "However, these maximums do not establish entitlement to a specific level of development without first conforming to all other City policies and development standards **and are subject to discretionary approval.**"

JCK2-19 GP Only

14. Page II-27, Land Use Designation Descriptions – The acreages contained in the land use designation descriptions do not correlate to the acreages set forth in Tables II-2 and II-3, resulting in acreage discrepancies within the document.

JCK2-20 GP Only

15. Page II-28, Neighborhood Residential Description – The heading for this section indicates a density range of 3-24 units per gross residential acre; this is inconsistent with Table II-4 which provides for a density range of 2-24 units per gross residential acre.

JCK2-21 GP Only

16. Page II-29, Footnote 5 – This footnote refers to multiple units on single parcels; since multiple units (beyond a primary and secondary unit) are not allowed on NR Very Low, NR Low, or NR Medium parcels this footnote should be deleted from the column header and applied specifically to the NR Medium High and NR High designations. Additionally, footnote 8 no longer exists; therefore the notation in the table should be revised to reference footnote 7 (rather than footnote 8).

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JCK2-22 GP Only

17. Page II-29, Footnote 6 – This footnote qualifies the use of NR Very Low in areas where larger lots may be appropriate to buffer urban density from permanent agriculture. As this draft document has progressed, there have been a number of terms used to differentiate between permanent and interim agriculture. As originally presented to City staff, it is the intent of the Puente del Monte Specific Plan to transition density to the east culminating in very low density residential adjacent to Iverson Road. As you may recall, this very low density designation was added to the mix of residential uses by the City Council at our request. The word "permanent" should be deleted from this footnote to reflect the direction given by the Council.

JCK2-23 GP Only

18. Page II-30, Neighborhood Description – A central theme of this General Plan Update has been the provision of jobs in close proximity to residences as well as jobs/housing balance. Additional acreage for light industrial and heavy industrial/manufacturing was designated on the Land Use Diagram to adequately address these themes; as such, these uses as well as agriculture processing should be added to the list of uses typically found in a Neighborhood.

JCK2-24 GP Only

19. Page II-31, Downtown Mixed Use Description – The first paragraph contains the sentence, "All new projects in the Downtown Mixed Use District **must** contain at least some commercial space." The City should consider revising "must" to "should" to address public and quasi-public civic uses such as the new police station which is located in the Downtown Mixed Use District but does not contain commercial space.

JCK2-25 GP Only

20. Page II-33, Highway Commercial Description – The description identifies uses appropriate to highway commercial areas that cater to highway travelers or regional markets. The City should consider adding gas stations to the list of allowable uses as they are typically located near highway interchanges and are used by both highway travelers and regional markets. Additionally, the description notes the Highway Commercial designation includes uses that are not appropriate in other commercial areas of the City. This statement should be revised to incorporate the Neighborhood Commercial Mixed Use Designation which was recently added, as follows: "The designation is intended primarily for service and retail uses whose operational needs and characteristics are not considered appropriate for the downtown, **neighborhood commercial mixed use,** or the community commercial mixed use areas."

JCK2-26 GP Only

21. Page II-35, Public/Quasi-Public Description - The description indicates this land use designation has also been applied to "a 50-acre site reserved for future expansion of the wastewater treatment plant." It does not appear this area is sufficient to meet the expansion needs (estimated at 100 acres) discussed on page VII-4 of the Community Facilities and Services Element nor is it clear if the necessary expansion area has been properly designated on Figure II-4, the Land Use Diagram. The description also makes reference to a community center south of the California Breeze subdivision; it is unclear as to where this facility is depicted on Figure II-4.

JCK2-27 GP Only

22. Page II-35, Parks and Open Space Description – The description should be modified to include joint use of parks and open space land for storm drain purposes consistent with the new implementing action. Additionally, the description notes the designation includes approximately 56 acres of agricultural buffers; it is unclear as to why these agricultural buffers are included in the Parks and Open Space Designation. It would seem more

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appropriate to account for this acreage within the Agriculture designation, Permanent Agricultural Edge Overlay or the Agricultural Buffer Overlay.

JCK2-28 GP Only

23. Page II-36, Agricultural Buffer Overlay Description – The description should be revised to include road right of way as an acceptable buffer, as follows: "Measures include physical separation between the conflicting uses – typically 200 feet in width **and may include dedicated road right of way** – plus other vegetation, walls, or other screening deemed necessary to…" The description should be further qualified to note that, "**Agricultural Buffers are subject to further refinement and should be cited during the Specific Plan process as necessary**."

JCK2-29 GP Only

24. Page II-37, Historic District Overlay – The description indicates development, modification, or demolition of buildings within the Historic District are subject to design review requirements; however, there does not appear to be an Implementing Action requiring such review.

JCK2-30 GP Only

25. Page II-40, Implementing Action LU-1.4.1 – This implementing action correlates the General Plan growth area to the AMBAG growth projections. Since the growth area exceeds the projections, the implementing action should provide further substantiation for the additional growth area as follows: "Maintain a General Plan growth area and LAFCO Sphere of Influence that contain a supply of land for urbanization **adequate to serve the City's long term vision for growth** that meets or exceeds AMBAG growth projections."

JCK2-31 GP Only

~~26.~~ Page II-43, Implementing Action LU-4.1.1 – This implementing action maintains the downtown as the center for civic uses. It provides an exception for police and fire stations "if" response times exceed acceptable levels. As written, this implementing action conflicts with Implementing Actions LU-9.1.4, LU-9.1.5, and HS-4.1.10 which provide for police and fire stations on the east side of the freeway. Implementing Action LU-4.1.1 should be revised as follows, "Exceptions shall be made for police and fire stations ~~if~~ **to ensure** response times ~~from a single location would exceed~~ are maintained at acceptable levels."

JCK2-32 GP Only

27. Page II-44, Implementing Action LU-4.1.6 - This implementing action allows the conversion of single family homes within the Downtown Mixed Use District to other uses and appears to conflict with implementing action LU-4.1.7 which encourages retention of existing residential units within the Downtown Mixed Use District.

JCK2-33 GP Only

28. Page II-46, Footnote 8 – This footnote should be revised to be made consistent with the Neighborhood Commercial Mixed Use land use designation description and Policy LU-7.4. Additionally, this footnote incorrectly references Policy LU-8.8 which appears to no longer exist in the Land Use Element.

JCK2-34 GP Only

29. Page II-52, Implementing Action LU-8.3.2 – This implementing action allows highway commercial uses in areas around the South Alta Street Interchange that are designated industrial. It is unclear as to how this change will be implemented in the future. Will a General Plan Amendment be required?

JCK2-35 GP Only

30. Page II-52, Implementing Action LU-8.3.3 – This implementing action requires adequate water and sewer capacity for industrial development. It is unclear why this implementing action is specific to "industrial development." Should it be expanded to apply to "new development"?

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JCK2-36 GP Only

31. Page II-52, Implementing Action LU-8.3.4 – This implementing action pertains to off-street parking in new industrial development. The action also references "on-street" truck parking. It is unclear if the action needs to be revised to correctly reference "off-street" parking or is correct as is and should therefore be clarified.

Circulation Element

JCK2-37 GP Only

1. Page III-16, First Paragraph – This paragraph discusses future congestion on Highway 101 and identifies approaches the City is taking under this General Plan to limit it. A central theme of this General Plan Update, neighborhood centered development, is a key component of reducing future congestion. For this reason, we recommend revising the following sentence: "The Gonzales Land Use Element addresses this need by promoting local job growth, **neighborhood centered development,** and discouraging Gonzales from becoming a bedroom community for Salinas."

JCK2-38 GP Only

2. Page III-17, Third Paragraph – This paragraph states that the City is working with the Waste Authority to route landfill traffic along Gloria and Iverson Roads away from near and mid term growth. As evidenced by the pending Puente del Monte Specific Plan, routing traffic in this direction is not likely to avoid near or mid term growth. As commented previously, in order to avoid future conflicts, we strongly encourage the City to continue to work with the Waste Authority to permanently direct landfill traffic northeast of the growth area along Johnson Canyon Road.

JCK2-39 GP Only

3. Page III-48, Implementing Action CIR-5.1.12 - This implementing action makes reference to Figure III-8 which appears to have been eliminated from the document.

Housing Element

JCK2-40 GP Only

1. Page IV-43, Table IV-19 – This table lists vacant and available sites for housing. Sites 14, 15, and 18 are currently approved for residential development; however, some portion of these sites has been redesignated Highway Commercial under this General Plan Update and is reflected as such on the Land Use Diagram. These sites should be removed from the table in order to eliminate this inconsistency.

JCK2-41 GP Only

2. Page IV-52, Table IV-20 – This table should be revised consistent with Table II-4.

JCK2-42 GP Only

3. Page IV-54, Figure IV-7 – This figure should be revised consistent with Figure II-4.

JCK2-43 GP Only

4. Page IV-56, Second Paragraph – This paragraph, as well as other locations within the Housing Element, makes reference to the existing LAFCO Sphere of Influence as well as the need to enlarge the Sphere; however, the Sphere of Influence is not depicted on any of the figures contained within the General Plan, making it difficult to comprehend its location and any potential enlargement. Consider including the Sphere of Influence to the Land Use Diagram.

JCK2-44 GP Only

5. Page IV-58, Second Bullet – This bullet indicates the allowable density within the Neighborhood Residential designation is 3-24 units per acre. This is inconsistent with the density set forth in Table II-4 which sets a density range of 2-24 units per acre and should be revised to be consistent with the table.

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JCK2-45 GP Only

6. Page IV-109, Second Paragraph – This paragraph indicates "a major Specific Plan" is being considered under this General Plan. This sentence should be revised to acknowledge that two Specific Plans are currently being considered under this General Plan.

Community Health & Safety Element

JCK2-46 GP Only

1. Page V-10, Section 1 – This section should be updated to include a discussion of the new Police Station currently under construction in Downtown.

JCK2-47 GP Only

2. Page V-13, Third Paragraph – This paragraph suggests areas in the City, including the area south of Gloria Road, which might be less appropriate for housing due to higher probability of accidental spill or presence of hazardous waste. The basis for this conclusion is unclear, and in our opinion, unfounded. This statement should be eliminated as there is no evidence to substantiate the claim.

JCK2-48 GP Only

3. Page V-37, Implementing Action HS-1.1.1 – This action refers to a "very high seismic hazard" area; however, Figure V-1 depicts low, moderate, and high seismic hazards. The action and figure should be reconciled.

Conservation & Open Space Element

JCK2-49 GP Only

1. Page VI-9, Table VI-1 – This table indicates Coast Live Oak Savanna is a protected tree under the policies and regulations of Monterey County; therefore the protected column should be revised to state "yes" (rather than no).

JCK2-50 GP Only

2. Figure VI-3, Page VI-19 – This figure depicts the agricultural resources in and around the City. In order to visualize the agricultural resources land adjacent to the City, the Urban Growth Boundary should be added to the figure. Finally, it is unclear as to whether or not the figure depicts the agricultural easements on the northern edge of the City.

JCK2-51 GP Only

3. Page VI-32, Last Paragraph – This paragraph specifies the estimated acres of parkland necessary to serve the population at General Plan buildout. However, the 24,448 population at buildout utilized for the calculation does not coincide with the population estimates shown on page II-25. Utilizing an inaccurate population estimate results in over/under estimates of park land requirements. The numbers in this paragraph as well as those contained in Table VI-6 (and corresponding footnote) should be revised as appropriate.

JCK2-52 GP Only

4. Page VI-30, Park Classifications – The park classifications indicate approximate sizes for each park type, setting forth acreage ranges - Neighborhood Parks range in size from 5-12 acres and Community Parks range in size from 15-30 acres. These ranges result in a gap in park sizes of 12-15 acres, making it unclear as to whether a 12-15 acre park would be considered a neighborhood park, community park, or some other type of park. Park sizes should be revised to eliminate this gap.

JCK2-53 GP Only

5. Page VI-44, Implementing Action COS-4.3.6 – This action discourages the use of Williamson Act contracts within the General Plan growth area. This statement directly conflicts with discussion earlier in the element which states the General Plan encourages the use of Williamson Act contracts within the growth area.

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JCK2-54
GP Only

Community Facilities & Services Element

1. Page VII-3 – It appears a portion of the element has been omitted from the plan.
2. Figure VII-2, Page VII-14 – This figure depicts existing public facilities within the City. Consistent with the discussion in the text, it should be noted the Elementary School at Rincon Villages does not currently exist and should be labeled "Future". (JCK2-55 GP Only)
3. Page VII-17, First Paragraph – Given that the school district's master plan is not yet completed, flexibility as to the location, size and number of school facilities should also be provided for under this General Plan. We suggest the last sentence of this paragraph be revised as follows: "Flexibility is intended in the location, **size, and number** that are finally selected by the district." This revision is consistent with the note that has been added to the Land Use Diagram and Inset Maps. (JCK2-56 GP Only)

JCK2-57
GP Only

Community Character Element

1. Page VIII-22, Policy CC-3.2 – This policy should be revised to correctly indicate that the new community commercial center will be located east of Highway 101 (rather than west).
2. Page VIII-24, Implementing Action CC-5.1.5 – This implementing action references small parks and tot lots; however, nowhere in the General Plan are these types of park facilities discussed. The City should revise this action to correspond to the types of parks discussed within the element consistent with the other policies and actions of the General Plan. (JCK2-58 GP Only)

Again, thank you for the opportunity to review the draft General Plan Update in its entirety and provide comments. Should you have any questions pertaining to our comments please do not hesitate to contact us.

Sincerely,

LeeAnne Edwards
VP, Real Estate

cc: Ms. Karen Massey

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2.0.12.1. RESPONSE TO JCK2

JCK2-1: (GP Only) Urban Growth Boundary

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-2: (GP Only) References to 2035

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-3: (GP Only) Objective 4

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-4: (GP Only) Objective 7

Response: This comment addresses the content of the General Plan; comment noted. The current language of the Gonzales 2010 General Plan *is an accurate description of what the City intends. No change to the GP is recommended.*

JCK2-5: (GP Only) Miscellaneous Figure Changes

Response: This comment addresses the content of the General Plan; comment noted. These figures have already been corrected in the public hearing Draft Gonzales General Plan.

JCK2-6: (GP Only) Page II-1, 1st Paragraph

Response: This comment addresses the content of the General Plan; comment noted. The text refers to concerns such as maintenance of existing housing, neighborhood character and so forth and is a common term. No change to the GP is recommended.

JCK2-7: (GP Only) Page II-4, 1st Paragraph

Response: This comment addresses the content of the General Plan; comment noted. The General Plan describes the area of concern as Urban Reserve and at various locations in the text describes the City's intent with respect to this area. No change to the GP is recommended.

JCK2-8: (GP Only) Page II-5, 2nd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. The General Plan text in its current form is adequately clear about the distinctions requested. No change to the GP is recommended.

JCK2-9: (GP Only) Figure II-1

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-10: (GP Only) Page II-9, 3rd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-11: (GP Only) Figure II-2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-12: (GP Only) Page II-13, 2nd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-13: (GP Only) Page II-16, Footnote 2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-14: (GP Only) Page II-17, Footnote 3

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-15: (GP Only) Figure II-4

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended, except that the Sphere of Influence has already been added to the figure as suggested.

JCK2-16: (GP Only) Figure II-5

Response: This comment addresses the content of the General Plan; comment noted. The color used for Highway Commercial will be changed as suggested. No change to the GP is recommended. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed change to the GP in response to this comment.

JCK2-17: (GP Only) Page II-26, 5th Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-18: (GP Only) Page II-27, 2nd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-19: (GP Only) Land Use Designation Descriptions

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-20: (GP Only) Neighborhood Residential Description

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-21: (GP Only) Page II-29, Footnote 5

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-22: (GP Only) Page II-29, Footnote 6

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-23: (GP Only) Neighborhood Description

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended.

JCK2-24: (GP Only) Downtown Mixed-Use Description

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-25: (GP Only) Highway Commercial Description

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-26: (GP Only) Public/Quasi Public Description

Response: This comment addresses the content of the General Plan; comment noted. The suggested change related to the California Breeze Subdivision has already been made. No other change to the GP is recommended.

JCK2-27: (GP Only) Parks and Open Space Description

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-28: (GP Only) Ag Buffer Overlay Description

Response: This comment addresses the content of the General Plan; comment noted. There is no disagreement with this comment, but the content of what constitutes and agricultural buffer can be best determined during more detailed site planning in order to maintain maximum flexibility and creativity. The included language is illustrative but not limiting. No change to the GP is recommended.

JCK2-29: (GP Only) Historic District Overlay Description

Response: This comment addresses the content of the General Plan; comment noted. The Historic Overlay (Zoning) District currently contains authority for design review. No change to the GP is recommended.

JCK2-30: (GP Only) Implementing Action LU-1.4.1

Response: This comment addresses the content of the General Plan; comment noted. It is not believed that the language recommended will improve the implementing action, which currently seems clear. No change to the GP is recommended.

JCK2-31: (GP Only) Implementing Action LU-4.1.1

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-32: (GP Only) Implementing Action LU-4.1.6

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-33: (GP Only) Page II-46, Footnote 8

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-34: (GP Only) Implementing Action LU-8.3.2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-35: (GP Only) Implementing Action LU-8.3.3

Response: This comment addresses the content of the General Plan; comment noted. The Implementing Action in question is within a policy section that concerns industrial development. No change to the GP is recommended.

JCK2-36: (GP Only) Implementing Action LU-8.3.4

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-37: (GP Only) Page III-16, 1st Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-38: (GP Only) Page III-17, 3rd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See response to comments from the Salinas Valley Solid Waste Authority. The City will cooperate with the SVSWA and the County to explore a route change.

JCK2-39: (GP Only) Implementing Action CIR-5.1.12

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-40: (GP Only) Table IV-19

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended.

JCK2-41: (GP Only) Table IV-20

Response: This comment addresses the content of the Housing Element of the General Plan. The Housing Element was recently adopted by the City Council in public hearing and subsequently certified by HCD. The Housing Element is included with the General Plan Update at this time only to offer a complete document for public review. No change to the Housing Element portion of the GP is recommended.

JCK2-42: (GP Only) Figure IV-7

Response: This comment addresses the content of the General Plan; see response to comment JCK2-41 above. No change to the GP is recommended.

JCK2-43: (GP Only) Page IV-56, 2nd Paragraph

Response: This comment addresses the content of the General Plan; see response to comment JCK2-41 above. No change to the GP is recommended.

JCK2-44: (GP Only) Page IV-58, 2nd Bullet

Response: This comment addresses the content of the General Plan; see response to comment JCK2-41 above. No change to the GP is recommended.

JCK2-45: (GP Only) Page IV-109, 2nd Paragraph

Response: This comment addresses the content of the General Plan; see response to comment JCK2-41 above. No change to the GP is recommended.

JCK2-46: (GP Only) Page V-10, Section 1

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-47: (GP Only) Page V-13, 3rd Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-48: (GP Only) Implementing Action HS-1.1.1

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-49: (GP Only) Table VI-1

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-50: (GP Only) Figure VI-3

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-51: (GP Only) Page VI-32, Last Paragraph

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-52: (GP Only) Park Classifications

Response: This comment addresses the content of the General Plan; comment noted. No change to the GP is recommended.

JCK2-53: (GP Only) Implementing Action COS-4.3.6

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-54: (GP Only) Page VII-3

Response: This comment addresses the content of the General Plan; comment noted. This suggested change has already been made.

JCK2-55: (GP Only) Figure VII-2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-56: (GP Only) Page VII-17, 1st Paragraph

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-57: (GP Only) Policy CC-3.2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK2-58: (GP Only) Implementing Action CC-5.1.5

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

2.0.12.2. CONCLUSIONS

All of the comments received from JCK2 and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.13 JACKSON FAMILY ENTERPRISES (LETTER #3) (JCK3)

Jackson
FAMILY ENTERPRISES

September 21, 2010

Mr. Bill Farrell
Director of Planning & Economic Development
City of Gonzales
P.O. Box 647
147 Fourth Street
Gonzales, California 93926

Re: Comments on Public Review Draft General Plan Update & EIR

Dear Bill,

We appreciate the significant amount of time and resources the City has dedicated to the General Plan Update process and commend you on your continued planning efforts. We are pleased to have the opportunity to review and provide the following comments on the Public Review Draft General Plan Update and the Draft Environmental Impact Report:

General Plan Comments

1. Page II-13, Figure II-2; Page V-9, Figure V-2; Page VI-41, Figure VI-5; & Page VII-7, Figure VII-1 – These figures depict flood and dam inundation hazards in the context of the Planning Area and the Urban Reserve Area (actual boundaries mapped). The legend needs to be revised to correctly refer to the actual boundary mapped as the Urban Reserve Area (rather than the Primary Growth Area). Additionally, the wastewater treatment plant is incorrectly mapped; it is located within the Urban (Primary) Growth Area (not the Urban Reserve Area) and the map should be revised accordingly.

JCK3-1 GP Only

2. Page II-20, First Paragraph – This paragraph references the adopted Neighborhood Design Guidelines and Standards. To clarify the document being referenced, we suggest adding the language in bold below: "Each Specific Plan will be required to contain one or more neighborhoods and be designed consistent with adopted Neighborhood Design **Guidelines and Standards.**"

JCK3-2 GP Only

3. Page II-25, Figure II-4 – This figure depicts the land uses evaluated under this General Plan. The figure should be revised to:

   a. Add the Agricultural Buffer along the eastern boundary of the property designated Neighborhood located adjacent to the Urban Reserve Area (consistent with the buffer shown on Inset Maps 2 and 3). The agricultural buffer should be included as a part of future development of the property to ensure conflicts between development and agricultural operations are minimized.

JCK3-3 GP Only

   b. Since the figure depicts the location of schools and parks in inset areas 2 and 3, the note on the figure should be modified to include the last sentence already contained in the notes on Inset Maps 2 and 3. Specifically, the following sentence should be added to the note on Figure II-4: "Individual Specific Plan land use and zoning maps will govern final land uses and their arrangement."

JCK3-4 GP Only

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Jackson FAMILY ENTERPRISES

JCK3-5 GP Only

4. Page II-50, Implementing Action LU-1.2.2 – This implementing action requires the provision of services in order to serve new residential development. This implementing action should be revised to pertain to all new development (rather than just new *residential* development) since essential services are needed regardless of the type of development proposed.

JCK3-6 GP Only

5. Page III-23, Figure III-7; Page V-37, Figure V-4; & Page V-43, Figure V-5 - These figures depict the circulation pattern within the planning area. As expressed in our April 23rd letter, the circulation pattern should be revised to reflect a minor arterial street section east from Herold Parkway to Iverson Road and the mitigation measure modified accordingly.

JCK3-7 GP Only

6. Page V-3, Figure V-1 - This figure depicts seismic hazards in the context of the Planning Area and the Urban Reserve Area (actual boundaries mapped). The legend needs to be revised to correctly refer to the actual boundaries mapped as the Urban Reserve Area (rather than the Growth Area Boundary).

JCK3-8 GP Only

7. Page VI-15, Figure VI-2 - This figure depicts the location of biotic resources. The legend refers to the Urban Growth Area/Urban Reserve Area; however, these boundaries are not depicted on the map.

Draft EIR Comments

JCK3-9

1. MM AES-1 – This mitigation measure requires planting a landscape visual screen along the Permanent Agricultural Edge to screen urban uses contained in the Urban Growth Area. While we generally agree with the proposed mitigation, we find it ambiguous and suggest the language be modified as follows: "The City shall require Specific Plans and development approvals, **located adjacent to the Permanent Agricultural Edge (as depicted in the General Plan Land Use Diagram)**~~either of which include land east of Highway 101,~~ to incorporate a naturalistic visual screen ~~along the "Permanent Agricultural Edge" (as depicted in the General Plan Land Use Diagram)~~ separating the Urban Growth Area…"

JCK3-10

2. MM GHG-1 - This mitigation measure requires adoption of a City-wide climate action plan prior to adoption of any Specific Plan. We believe this mitigation should also apply to other development approvals and suggest adding the language below in bold: "The City shall adopt a citywide climate action plan as outlined above prior to the adoption of any Specific Plan or **development approval** in the Urban Growth Area." Additionally, what is the status and schedule for completion of the climate action plan?

JCK3-11

3. MM TT8-10 – This mitigation measure requires widening of Gloria Road to a four-lane divided arterial. With the traffic volumes projected for the section of Gloria Road between Herold Parkway and "Street A", it appears that a 2-lane arterial (with left-turn lane) would be more than sufficient to serve the projected traffic volumes based on the thresholds provided.

JCK3-12

4. MM TT13 – This mitigation measure requires preparation of a project-level traffic analysis. To clarify the extent of the area requiring analysis, we suggest clarifying the measure by adding the language in bold: "The City shall require Specific Plans and development approvals to contain a project-level traffic analysis for all areas planned for urbanization **under the Specific Plan or development.**"

JCK3-13

5. MM BIO-1 – This mitigation measure requires adoption of a Riparian Protection Ordinance. While we generally agree with the proposed mitigation, we believe the measure should be clarified by adding the following language in bold: "…or any "Water of the United States"

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Jackson FAMILY ENTERPRISES

determined to be jurisdictional by the Army Corps of Engineers." This additional language will help ensure the proposed ordinance is appropriately applied only to those waters deemed jurisdictional by the regulating authority.

6. MM CUL-1 – This mitigation measure requires preparation of a project-level cultural resources analysis. To clarify the extent of the area requiring analysis, we suggest clarifying the measure by adding the language in bold: "The City shall require Specific Plans and development applications to contain a project-level analysis of cultural resources for all areas planned for urbanization **under the Specific Plan or development application.**" JCK3-14

7. MM HAZ-4 – This mitigation measure requires site specific investigations on wildfire potential for any development east of Iverson Road. This measure appears to be unachievable since the land east of Iverson Road is under the jurisdiction of the County of Monterey and is not located within the Urban Growth Area planned for development under this General Plan. JCK3-15

Thank you again for the opportunity to review the Public Review Draft General Plan Update. Should you have any questions pertaining to these comments please do not hesitate to contact us.

Sincerely,

LeeAnne Edwards
SVP, Real Estate

cc: Karen Massey

421 AVIATION BOULEVARD SANTA ROSA CALIFORNIA 95403 U.S.A.
(707)544-1000 TEL (707)544-1013 FAX

2.0.13.1. RESPONSE TO JCK3

JCK3-1: (GP Only) Map Corrections

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-2: (GP Only) Reference to Neighborhood Design Guidelines

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-3: (GP Only) Revision to Figure II-4 (Part 1)

Response: This comment addresses the content of the General Plan; comment noted. The locations of buffers have not been shown on this map due to problems of map scale. No change to the GP is recommended.

JCK3-4: (GP Only) Revision to Figure II-4 (Part 2)

Response: This comment addresses the content of the General Plan; comment noted. The current footnotes to the map legends appear to be adequate to address the concern raised. No change to the GP is recommended.

JCK3-5: (GP Only) Revision to Implementing Action LU-1.2.2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-6: (GP Only) Change to Minor Arterial Street

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-7: (GP Only) Revision to Figure V-1

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-8: (GP Only) Revision to Figure VI-2

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

JCK3-9: Mitigation Measure AES-1

Response: See response to HML-1, above.

JCK3-10: Mitigation Measure GHG-1

Response: The last sentence of Mitigation Measure GHG-1 is hereby revised to read as follows:

> The City shall adopt a citywide climate action plan as outlined above prior to the adoption of any Specific Plan or development approval in the Urban Growth Area.

JCK3-11: Mitigation Measure TT-8

Response: As discussed in Subsection 4.4.3.1 [A] (GP DEIR page 4-83), Gloria Road is the designated truck route to the Johnson Canyon Road Landfill. In addition, the road will provide access to new industrial development planned for the area. As such, Hatch Mott Maconald, the consulting traffic engineers, recommended that the facility be built as a four-lane divided street.

JCK3-12: Mitigation Measure TT-13

Response: The first sentence of Mitigation Measure TT-13 is hereby revised to read as follows:

> The City shall require Specific Plans and development approvals to contain a project-level traffic analysis for all areas planned for urbanization under the Specific Plan or development approval.

JCK3-13: Mitigation Measure BIO-1

Response: The first sentence of Mitigation Measure BIO-1 is hereby revised to read as follows:

> The City shall adopt a Riparian Protection Ordinance to ensure that development does not encroach on Gonzales Slough or any "Waters of the United States" determined to be jurisdictional by the Army Corps of Engineers that may be located in the planning area.

JCK3-14: Mitigation Measure CUL-1

Response: The first sentence of Mitigation Measure CUL-1 is hereby revised to read as follows:

> The City shall require Specific Plans and development applications to contain a project-level analysis of cultural resources for all areas planned for urbanization under the Specific Plan or development approval.

JCK3-15: Mitigation Measure HAZ-4

Response: Mitigation Measure HAZ-4 is intended to apply to any future development in areas that are currently designated with an Urban Reserve Overlay.

2.0.13.2. CONCLUSIONS

All of the comments received from JCK3 and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.14 MONTEREY COUNTY DEPARTMENT OF PUBLIC WORKS (MCPW)

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

DEPARTMENT OF PUBLIC WORKS
Yazdan T. Emrani, M.S., P.E., Director

168 West Alisal Street, 2nd Floor
Salinas, CA 93901
(831) 755-4800
Fax: (831) 755-4958
www.co.monterey.ca.us

September 21, 2010

Bill Farrell, Interim Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, CA 93926

Subject: Gonzales 2010 General Plan Draft Environmental Impact Report

Dear Mr. Farrell:

The Draft Environmental Impact Report (DEIR) is for the City of Gonzales, California and includes the incorporated city and additional lands, generally to the East of Highway 101 and the City's eastern boundary that are proposed to be included in the Gonzales 2010 General Plan.

The County of Monterey Resource Management Agency Department of Public Works has performed an initial review of the Gonzales 2010 General Plan dated July 2010 and has the following comments.

MCPW-1

- As development progresses, our agencies must coordinate and implement projects, roadway improvements and mitigations to ensure facilities will be sufficient to accommodate the additional demands associated with the growth of the community. The County is available to provide input during the review process of development proposals and roadway facility improvement projects in these areas, and requests the City coordinate with the County of Monterey and all other affected agencies to implement improvements that would affect roadways and facilities in the neighboring County vicinities.

MCPW-2

- The DEIR and Traffic Report identify County roadways such as, but not limited to Old Stage Road, Iverson Road, Johnson Canyon Road, Gloria Road, Gonzales River Road, Alta Road (County segment), to serve as primary access/circulation to the City of Gonzales as proposed in this General Plan. Annex these roads in the LAFCO application.

MCPW-3

- As development occurs within this proposed General Plan, County roadways such as, but not limited to Old Stage Road, Iverson Road, Johnson Canyon Road, Gloria Road, Gonzales River Road, and Alta Road (County segment) will be directly impacted by traffic generated from the

new growth areas. Impacts to the City and County facilities roadway systems have been identified in the Gonzales 2010 General Plan dated July 2010 and the Traffic Report dated March 22, 2010, and implementation of mitigations identified within the unincorporated portions of the County need to be coordinated with the County, and Caltrans, if State facilities are affected. To mitigate impacts related to County facilities the County of Monterey is developing a Traffic Impact Fee Program in accordance to the proposed Monterey County General Plan. Once established,the City's cooperation in collecting fees for impacted County roads will be essential.

MCPW-4
- The DEIR and Traffic Report identify an increase in use of Johnson Canyon Road from Fanoe to Salinas Valley Waste Facility (Gonzales' Landfill), presently a County Road. Johnson Canyon Rd would be the primary east-west arterial through the new growth area in eastern portion of city. The new roadways in this vicinity will affect traffic circulation in the area; potential impacts should be identified which will require mitigation.

MCPW-5
- The DEIR mentions an increase in truck trips on Gonzales River Rd, caused by the development of new industrial facilities; It also mentions that Iverson Road, Johnson Canyon Road, and Gloria Road will serve as truck routes to the landfill and agriculture activities. As development progresses, our agencies must coordinate and implement projects, roadway improvements and mitigations to ensure facilities will be sufficient to accommodate the additional demands associated with the growth of the community.

MCPW-6
- The DEIR identify direct project impacts at the three interchanges that traverse the City of Gonzales that are US/ 101 at Associated lane, US 101/ Fifth St and US 101/ Gloria Road. And proposes mitigation at those intersections. Because these intersections include Caltrans and County roadway facilities, implementation of this mitigation must be coordinated with Caltrans and County of Monterey.

MCPW-7
- To address cumulative regional impacts of the proposed Gonzales 2010 General Plan, the City is encouraged to utilize the Transportation Agency for Monterey County (TAMC) Regional Impact Fee to generate funds which may be applied towards regional transportation projects. Currently a PSR is currently underway to re-align and reconstruct the Gloria Road/ US 101 interchange.

MCPW-8
- Further coordination between City of Gonzales and County is necessary to determine the road segments to be annexed.

C:\Documents and Settings\cmartinezrr\Desktop\City of Gonzales 2010 Master Plan DEIR comments.doc

If you have any question or need any additional information, feel free to call me at (831) 755-4628 or martinezrr@co.monterey.ca.us.

Sincerely,

YAZDAN T. EMRANI, M.S., P.E.
DIRECTOR OF PUBLIC WORKS

By RPS
Richard P. Sauerwein, P.E.
Community Development Manager

RPS: rm

C:\Documents and Settings\martinezrr\Desktop\City of Gonzales 2010 Master Plan DEIR comments.doc

2.0.14.1. RESPONSE TO MCPW

MCPW-1: Coordination Requested

Response: Comment noted

MCPW-2: Annexation of County Roads

Response: Comment noted

MCPW-3: Cooperation on Traffic Impact Fee Program

Response: Comment noted

MCPW-4: Traffic Impacts on Johnson Canyon Road

Response: The traffic analysis performed for the GP DEIR was a program-level analysis intended to capture the major circulation improvements needed to mitigate the impacts of the proposed project. The Gonzales 2010 General Plan *requires the subsequent adoption of Specific Plans prior to granting development entitlements (see LU-2.1.1 on GP page II-52), and Mitigation Measure TT-13 (Project-Level Traffic Analysis Required) ensures that subsequent traffic analysis will be performed as Specific Plans and other development proposal come forward for adoption.*

MCPW-5: Coordination to Accommodate Truck Traffic

Response: Comment noted

MCPW-6: Coordination on Interchange Improvements

Response: Comment noted

MCPW-7: TAMC Regional Traffic Impact Fee

Response: Comment noted

MCPW-8: Coordination of Road Annexation

Response: Comment noted

2.0.14.2. CONCLUSIONS

All of the comments received from MCPW and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.15 CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF CONSERVATION (DOC)

Sep-21-2010 15:30 From-DIVISION OF LAND RESOURCE PROTECTION 9163273431 T-968 P.001/002 F-656

NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-0430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

September 21, 2010

VIA FACSIMILE (831) 675-2644
Mr. Bill Farrel, Interim Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, CA 93926

Subject: DEIR for the City of Gonzales 2010 General Plan - SCH# 2009121017

Dear Mr. Farrel:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the City of Gonzales 2010 General Plan. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description:

The City of Gonzales proposes an update to its 2010 General Plan, which would span a period of about 20 years. The update includes a planning area, urban growth area, and an urban reserve area. The Draft 2010 General Plan update results in the conversion of agricultural lands but provides for a permanent agricultural/urban boundary to define the urban edge and protect adjacent agricultural areas.

There are approximately 11,000 acres of agricultural lands within the 19,200-acre planning area; most of that land is designated for urbanization in the Gonzales 2010 General Plan. The area is currently Prime Farmland or Farmland of Statewide Importance and there are approximately 7,300 acres of Williamson Act-contracted property in the planning area. Of this, 160 acres are located within the designated Urban Growth Area. The owner of this property filed for nonrenewal in 2006.

Division Comments:

A review of the DEIR shows that numerous mitigation measures protecting agricultural lands have been put in place as part of the Draft 2010 General Plan update. The Division commends the City of Gonzales for such forward thinking policies and

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.

Sep-21-2010 15:30 From-DIVISION OF LAND RESOURCE PROTECTION 19163276430 T-385 P.002/002 F-056

DOC-1
GP Only

guidelines for the protection of agricultural lands. However, the Division would like to suggest some changes (shown in red and strikeout) to Policy COS-4.3 No Urbanization Outside of Growth Area (page 4-40 of the DEIR), to make it more effective in protecting the proposed agricultural/urban boundary:

> Maintain agricultural open space around Gonzales as a means of giving form and definition to the City. To this end, permit urban development only within the areas designated for urban uses on the Land Use Diagram. Land immediately beyond this boundary should remain in agricultural use utilizing agricultural easement funds outlined in COS-4.3.3 – Agricultural Impact Fund, mitigations from urban development projects, and any other feasible methods to preserve agricultural lands and define the urban expansion limits of the City, for the duration of the planning period.

Thank you for giving us the opportunity to comment on the DEIR for the Gonzales 2010 General Plan. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,

Dan Otis
Program Manager
Williamson Act Program

cc: State Clearinghouse

2.0.15.1. RESPONSE TO DOC

DOC-1: (GP Only) No Urbanization Outside of Growth Area

Response: This comment addresses the content of the General Plan; comment noted. See Chapter 3 of this Final EIR (EIR Addendum) for a description of proposed changes to the GP in response to this comment.

2.0.15.2. CONCLUSIONS

All of the comments received from DOC and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.16 MONTEREY COUNTY DEPARTMENT OF HEALTH (MCDOH)

MONTEREY COUNTY

DEPARTMENT OF HEALTH

Sept 7, 2010

Bob Schubert, Project Planners

RE: Comments on DEIR City of Gonzales 2010 General Plan

The Monterey County Health Department, Environmental Health Bureau (EHB) has completed its review of the DEIR for Gonzales 2010 General Plan comments are as follows:

MCDOH-1 After reviewing the DEIR document, EHB finds that the sections regarding Hydrology and Water Quality, Wastewater Disposal, Water Supply, Storm Water Drainage, Solid Waste Disposal, Hazardous Materials and Noise addresses, and where needed policies and actions are in place, the concerns that EHB would have regarding these areas.

MCDOH-2 **4.9 – HYDROLOGY AND WATER QUALITY** – All concerns that EHB have are addressed in this section and appropriate policies and actions are in place.

MCDOH-3 **4.10 – UTILITIES & SERVICES SYSTEMS** – All concerns that EHB have are addressed in this section and appropriate policies and actions are in place.

If you have any question please call me at 755-4763.

Sincerely,

Roger Van Horn, R.E.H.S.
Senior Environmental Specialist

Cc: Richard LeWarne, Assistant Director, Environmental Health
Nicki Silva, Acting Supervisor EHRS

1270 Natividad Rd., Room 304, Salinas, CA 93906 (831) 755-4500 (831) 755-4797 FAX

2.0.16.1. RESPONSE TO MCDOH

MCDOH-1: EHB Concerns Addressed

Response: Comment noted

MCDOH-2: Hydrology and Water Quality

Response: Comment noted

MCDOH-3: Utilities and Service Systems

Response: Comment noted

2.0.16.2. CONCLUSIONS

All of the comments received from MCDOH and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

2.0.17 CALIFORNIA ENERGY COMMISSION (CEC)

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

RECEIVED
OCT 15 2010
CITY OF GONZALES

October 11, 2010

Bill Farrel
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

Dear Mr. Farrel:

CEC-1 The California Energy Commission has received the City of Gonzales' Draft EIR titled Gonzales 2010 General Plan Environmental Impact Report, SCH 2009121017 that was submitted on 8/3/2010 for comments due by 9/21/2010. After careful review, the California Energy Commission has no comment at this time and would like to share the following only as a resource of information.

The Energy Commission would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation.

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning and other future projects. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review the City of Gonzales's Draft EIR. We hope that the above mentioned resources will serve helpful in your project's environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

Bill Pfanner

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

Enclosure

Appendix F

ENERGY CONSERVATION

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

(1) decreasing overall per capita energy consumption,
(2) decreasing reliance on natural gas and oil, and
(3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR Contents

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

A. Project Description may include the following items:
   1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
   2. Total energy requirements of the project by fuel type and end use.
   3. Energy conservation equipment and design features.
   4. Initial and life-cycle energy costs or supplies.
   5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:
   1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
   2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
   3. The effects of the project on peak and base period demands for electricity and other forms of energy.
   4. The degree to which the project complies with existing energy standards.
   5. The effects of the project on energy resources.
   6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:
   1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
   2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.
   3. The potential for reducing peak energy demand.
   4. Alternate fuels (particularly renewable ones) or energy systems.
   5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

2.0.17.1. RESPONSE TO CEC

CEC-1: No Comments

Response: Comment noted.

2.0.17.2. CONCLUSIONS

All of the comments received from CEC and the response to these comments merely clarified, amplified, or made insignificant modifications to the GP DEIR. No "significant new information" was added to the EIR as a result of this comment letter, and therefore recirculation of the DEIR is deemed unnecessary.

CHAPTER 3. Addendum to the EIR

This chapter in an addendum to the GP DEIR that evaluates minor technical project changes that are being made in response to comments received during the comment period for the GP DEIR. As mentioned at the beginning of Chapter 2, some EIR comment letters contained remarks that specifically pertained to the General Plan. The City has also received letters that were dedicated entirely to suggestions for the General Plan. The City has reviewed each of these comments and in some cases has made minor technical changes to address the comment.

Each of the minor technical changes being made by the City of Gonzales has been evaluated to determine if it has the potential to result in a new significant effect or to result in making a significant effect that was examined in the GP DEIR more severe. Based on this evaluation, which is presented below, it has been determined that all the changes merely clarify, amplify, or make insignificant modifications to the proposed project. None of the changes require major revisions to the GP DEIR, and therefore the appropriate document to evaluate the changes is an addendum.

3.0 EVALUATION OF MINOR TECHNICAL CHANGES

A description of each minor technical change to the proposed project is presented in Figure 3.0.1 below. A brief evaluation of each change is included. The reference number included refers back to the comment identification number assigned in Chapter 2.

Figure 3.0.1: Evaluation of Minor Technical Changes

Ref #	Description of Change	Evaluation
Transportation Agency for Monterey County		
TAMC-10	The *Gonzales 2010 General Plan* Implementing Action CIR-7.1.10 will be revised to require new development to utilize Monterey-Salinas Transit's Designing for Transit guideline manual as a resource for accommodating transit services at new development sites, as follows: *Implementing Action CIR-7.1.10 – Anticipate Future Public Transit. Require the design of new neighborhood developments to anticipate/accommodate future public transit service. Developers shall utilize Monterey-Salinas Transit's Designing for Transit guideline manual as a resource for accommodating transit services at new development sites.*	The proposed change would probably improve transit planning and reduce the proposed project's impacts related to transportation and traffic by encouraging better coordination between Monterey-Salinas Transit and developers of new neighborhoods. There is no negative environmental effect associated with this proposed change.
TAMC-13	The *Gonzales 2010 General Plan* Implementing Action SUS-1.4.1 will be revised as follows: *Implementing Action SUS-1.4.1 – Transportation Options: Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit. The City shall ensure that consideration is given to including alternative fuel vehicles and electric vehicle fueling stations as part of new development.*	The proposed change would probably improve planning for alternative transportation and reduce the proposed project's impacts related to transportation and traffic by ensuring that planning for alternative fuel vehicles is part of new development. There is no negative environmental effect associated with this proposed change.
Salinas Valley Solid Waste Authority		
SVSWA-2	*The Draft* Gonzales 2010 General Plan *Land Use Diagram will be corrected to designate Johnson Canyon Road Landfill as "Public/Quasi Public"*	This proposed change corrects a mapping mistake in the GP Land Use Diagram. It has no substantive effect because buildout calculations and all technical studies prepared for the GP DEIR assumed this property would remain in use as a landfill. There is no negative environmental effect associated with this proposed change.

Ref #	Description of Change	Evaluation
SVSWA-6	The Draft *Gonzales 2010 General Plan* will be revised on page III-19 to refer to landfill truck route as part of Regional Roadway System, as follows: *The Johnson Canyon Landfill is expected to remain in operation for decades to come, and truck traffic to and from this facility has the potential to impact development in the General Plan Growth Area. The City and the Salinas Valley Solid Waste Authority have addressed this issue through an agreement to route landfill traffic along Gloria and Iverson Roads away from near- and mid-term growth. <u>This route has regional significance as it serves landfill traffic from the entire region. Consideration should be given to adding this to the Regional Traffic Impact Fee Program administered by TAMC.</u> In addition, the Circulation Diagram designates a long-term truck route that approaches Johnson Canyon Road from the northeast that bypasses all but a small portion of the General Plan growth area. ~~This route is currently infeasible due to high construction costs and concerns of growth inducement. Nonetheless,~~ The City will work with the Salinas Valley Waste Authority <u>and the County of Monterey on possible substitution of this route as primary access to the Johnson Canyon Road Landfill. This alternative route would also have regional significance.</u> ~~to see if such concerns can be addressed in the long term~~.*	This proposed change would revise background information in the GP to highlight the regional significance of the designated truck route to the Johnson Canyon Road Landfill. It has no impact on the policies or programs of the GP. There is no negative environmental effect associated with this proposed change.

Ref #	Description of Change	Evaluation
SVSWA-10	The City does not disagree with the comments, but believes the current language is not in conflict. It is noted that the General Plan now contemplates development adjacent to Gloria and Iverson Road that was not envisioned at the time SVSWA 2002 Regional EIR was prepared or when the MOU was entered. The Gonzales 2010 General Plan will be revised with a minor change to the last two sentences of item 6 on page III-19 of the General Plan, as follows to indicate future cooperation on review of an alternative north-east route. *This route is currently infeasible due to high construction costs and concerns of growth inducement. Nonetheless, The City will work with the Salinas Valley Solid Waste Authority, the County of Monterey, and property owners in the area to see if such concerns can be addressed in the long term to evaluate the feasibility of this alternative route.*	This proposed change would revise background information in the GP to clarify information on the designated truck route to the Johnson Canyon Road Landfill. It has no impact on the policies or programs of the GP. There is no negative environmental effect associated with this proposed change.
California Board of Forestry and Fire Protection		
BOF-9	The *Gonzales 2010 General Plan* will be revised to include a new implementing action as follows: *Implementing Action COS-1.1.7 – Fire Damage Mitigation. Require Specific Plans and other development applications to contain plans and actions for vegetation management that provide fire damage mitigation and protection of open space values.*	The proposed change would add an implementing action to the Conservation and Open Space Element to improve the City's ability to plan for fire damage mitigation. This new action is a substantive change that would have no negative environmental effect.

Ref #	Description of Change	Evaluation
BOF-11	The *Gonzales 2010 General Plan* will be revised to include a new implementing action as follows: *Implementing Action COS-1.1.8 – Fire Protection for Open Space. Require Specific Plans and other development applications to contain plans and actions incorporating systematic fire protection improvements for open space/habitat areas. Also establish policies and actions for reducing fire hazards posed by any wildlands that may be located adjacent to the Specific Plan area. Finally, ensure that residential areas have appropriate fire-resistant landscapes adjacent to open space or wildland areas.*	The proposed change would add an implementing action to the Conservation and Open Space Element to improve the City's ability to plan for fire protection in open space/habitat areas. This new action is a substantive change that would have no negative environmental effect.
BOF-12	See BOF-11	
BOF-14	The *Gonzales 2010 General Plan* will be revised to include a new implementing action as follows: *Implementing Action HS-4.1.13 –Very High Fire Hazard Areas. Require any plan to remove the Urban Reserve Overlay on property east of Iverson Road to address all Board of Forestry recommendations related to Very High Fire Hazard Severity Zones.*	The proposed change would add an implementing action to the Community Health and Safety Element to improve the City's ability to prepare for emergencies in Very High Fire Hazard Areas. This new action is a substantive change that would have no negative environmental effect.
BOF-15	See BOF-14	
BOF-16	See BOF-14	
BOF-17	See BOF-14	
BOF-18	See BOF-14	

Ref #	Description of Change	Evaluation
BOF-21	The *Gonzales 2010 General Plan* Implementing Action HS-4.1.3 will be revised to ensure that emergency services training meets or exceeds state or national standards as follows: *Implementing Action HS-4.1.3 – Convert to Sworn Staff and Volunteer Department. Support the gradual conversion of Gonzales' all-volunteer Fire Department to a combined sworn staff and volunteer Department. The conversion would enable the Department to provide efficient, reliable service to the larger population and employment base envisioned by this General Plan. Establish a training program for emergency service personnel to ensure that training meets or exceeds state or national standards.*	The proposed change would add an implementing action to the Community Health and Safety Element to improve the City's ability to respond to emergencies. This new action is a substantive change that would have no negative environmental effect.
BOF-24	The *Gonzales 2010 General Plan* will be revised to include a new implementing action as follows: *Implementing Action HS-4.1.14 – Burn Area Recovery Plans. Require Specific Plans and other development applications to contain a "Burn Area Recovery Plan" for any and all open space/habitat areas in the Specific Plan area.*	The proposed change would add an implementing action to the Community Health and Safety Element to improve the City's ability to plan for burn area recovery. This new action is a substantive change that would have no negative environmental effect.
BOF-25	See BOF-24	
BOF-26	See BOF-9	
BOF-29	See BOF-24	
BOF-30	See BOF-24	
LAFCO		
LAFCO-4	Correct City Sphere of Influence Boundary on all GP figures to be consistent with LAFCO records. This includes Figure I-2 (page I-17), Figure II-4 (page II-25), and Figure II-5 (page II-27).	The proposed change would correct figures in the Introduction and Land Use Element to be consistent with LAFCO records. This change would have no negative environmental effect.

Ref #	Description of Change	Evaluation
Hardt Mason Law		
HML-4	The City will revise Implementing Action CIR-1.1.8 as follows: *Implementing Action CIR-1.1.8 – Highway 101 Interchanges. Continue to work with Caltrans to improve Gonzales's Highway 101 interchanges. Require final redesign plans to be adopted by the City and Caltrans before development takes place <u>that will cause the level of service at anyone of these interchanges to fall below LOS C</u>.*	The proposed change would revise an implementing action in the Circulation Element to clarify the timing of interchange improvements consistent with level of service standards. This change would have no negative environmental effect.
HML-16	The GP will be revised as necessary to correct any typographical errors.	The proposed change would have no substantive effect on the proposed project. This change would have no negative environmental effect.
Land Watch Monterey County		
LWMC-19	Supplement GP Chapter VI (Conservation and Open Space), Section D (Managed Production of Resources), Page VI-26 (Groundwater Resources), as follows: The State Water Resources Control Board (SWRCB) initiated proceedings to adjudicate the Basin in 1996. The Board's goal is to work with the MCWRA and other local stakeholders to reach consensus on a process to protect the groundwater resources in the Basin. If consensus cannot be reached, the SWRCB will adjudicate the Basin and take control of the water resources. The SVWP represents the local consensus approach to protecting the Basin's groundwater resources.	The proposed change would add information to the Conservation and Open Space Element related groundwater adjudication. This information gives further details about information already contained in the element. This new information is fully consistent with, and would not change the basic thrust of, the information already contained in the element. As such, it is not significant new information. This change would have no negative environmental effect.
Caltrans		

Ref #	Description of Change	Evaluation
Caltrans-4	Revise first paragraph on page I-7 to read as follows: Two large new water reservoirs were constructed providing . . . . A ~~plan~~ project study report for major improvements to the Gloria Road/101 interchange was completed and received conceptual approval of Caltrans, a major step in improving access and safety to keep pace with planned growth. Fifth Street remains a bottleneck between east and west Gonzales and will require more attention in the future.	The proposed change would clarify background information related to Highway 101 interchanges contained in the Introduction. This change would have no negative environmental effect.
Caltrans-5	Revise the last sentence of paragraph 3 on page III-14 to read as follows: Finally, the northbound and southbound ramp intersections are only about 260 feet apart, which limits the ability to provide left-turn channelization on the overpass. Nonetheless, Caltrans has indicated that a "tight diamond" design might be feasible at this location.	The proposed change would clarify background information related to the Highway 101 interchange at Fifth Street contained in the Circulation Element. This change would have no negative environmental effect.
Caltrans-7	Revise the first bullet on page III-38 to read as follows: • "Highway" has been added as a new classification to acknowledge the presence of Highway 101, which is owned, operated, and maintained by Caltrans.	The proposed change would clarify background information in the Circulation Element regarding the ownership of Highway 101. This change would have no negative environmental effect.

Ref #	Description of Change	Evaluation
Caltrans-9	Supplement the discussion on safe routes to school on page III-36, with the following information: In 2010, Caltrans awarded a discretionary transportation planning grant under the Environmental Justice Program titled the "City of Gonzales Pedestrian, Community to School Plan." This grant is a transportation planning study which will assess and map the community to document pedestrian routes, with an emphasis on student school routes, and existing safety improvements including sidewalks, handicap access ramps, cross walks, and traffic controls. The mapping survey will also identify where appropriate safety measures are lacking or are in need of replacement or reconstruction.	The proposed change would add background information in the Circulation Element regarding recent grant activity related to pedestrian safety. This change would have no negative environmental effect.
Monterey County Resource Management Agency		
MCRMA-1	Revised Implementing Action COS-4.1.4 to add criteria to be used in establishing agricultural buffers, as follows: *Implementing Action COS-4.1.4 – Protect Agricultural Operations. Protect agricultural operations from interference from urban uses by:* *(a) Using buffers or transitional uses (such as parking, roads, etc.) between permanent agricultural areas and residential development areas. The criteria to be used in the establishment of agricultural buffers includes: 1) the type of non-agricultural use proposed, site conditions and anticipated agricultural practices; and 2) weather patterns, crop type, machinery and pesticide use, existence of topographical features, trees and shrubs, and possible development of landscape berms to separate the non-agricultural use from the existing agricultural use; and*	The proposed change would modify an existing implementing action contained in the Conservation and Open Space Element to provide additional detail on the criteria to be used in the establishment of agricultural buffers. These criteria are consistent with Monterey County practices, and would have no negative environmental effect.

Ref #	Description of Change	Evaluation
Jackson Family Enterprises (Letter #1)		
JCK1-1	The Circulation Diagram will be revised so that Gloria Road from Herold Parkway to Iverson Road is designated as a Minor Arterial	The proposed change would revise the Circulation Diagram to reclassify a part of Gloria Road to a Minor Arterial from a Major Arterial. Both of these classifications allow for a four-lane facility, and Mitigation Measure TT-8 requires a four-lane facility in either case. Therefore, the proposed change would not affect Mitigation Measure TT-8. This change would have no negative environmental effect.
JCK1-3	Implementing Action LU-2.1.1 will be revised in part as follows: *. . . Smaller properties (i.e., less than 125 acres) may combine with ~~other~~ <u>adjacent</u> properties to undertake the development of a Specific Plan or may attach to an existing <u>adjacent</u> Specific Plan by gaining City approval of a Specific Plan addendum.*	The proposed change would modify an implementing action contained in the Land Use Element to clarify instances in which properties may be combined for the purpose of preparing a Specific Plan. This change would have no negative environmental effect.
JCK1-4	Implementing Action LU-2.1.2 will be revised in part as follows: *. . . In the South Interchange Area, non-residential land north <u>and south</u> of La Gloria Road may be combined with the Specific Plan prepared for neighborhood residential development immediately north of La Gloria Road.*	The proposed change would modify an implementing action contained in the Land Use Element to clarify instances in which properties may be combined for the purpose of preparing a Specific Plan. This change would have no negative environmental effect.
JCK1-6	Implementing Action LU-9.1.3 will be deleted, as follows: ~~*Implementing Action LU-9.1.3 – Community Sports Park. Require Neighborhood Residential developers to contribute, through land dedication or payment of in-lieu fees, at the rate commensurate with standards set forth in Chapter VI, to the development of a new Johnson Canyon Community Sports Park or other community sports park identified by the City.*~~	The proposed change would delete an existing implementing action in the Land Use Element that was redundant with actions contained in the Conservation and Open Space Element. As such, it would result in no substantial change to park standards. This change would have no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK1-7	Implementing Action CIR-9.1.1 will be revised as follows: *Implementing Action CIR-9.1.1 – Landfill Trucks. Route landfill related truck traffic along Gloria and Iverson Roads as shown in the Circulation Diagram. <u>The City shall coordinate with the Salinas Valley Solid Waste Authority and Monterey County to relocate truck traffic to the Johnson Canyon Road Landfill to the northeast (as shown in the Circulation Diagram) in the long term.</u>*	The proposed change would modify an existing implementing action contained in the Circulation Element to achieve consistency with descriptive text in the element. As such, it would result in no substantive change to circulation plans. This change would have no negative environmental effect.
Jackson Family Enterprises (Letter #2)		
JCK2-2	All references to "2035 buildout" and "35-year growth horizon will be deleted, and a final check of cross references will be performed.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-3	Obj 4 will be revised as follows: Obj 4. <u>Discouragement of Suburban Sprawl</u>. The development of a city that discourages low-density suburban development characterized by large, single-use ~~housing~~ subdivisions with separate car-dependent commercial services.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-11	The legend of Figure II-2 will be revised to correctly refer to "Urban Growth Area and Urban Reserve Area."	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-13	Footnote #2 (page II-20) will be revised in part as follows: *. . . <u>Unless part of a larger Specific Plan, specialized Specific Plans would be also required for highway commercial, light industrial/business park and heavy industrial/manufacturing areas as set forth in Implementing Action LU-2.1.2 – Commercial/Industrial Specific Plans.</u>*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-14	Footnote #3 (page II-20) will be revised in part as follows: *Neighborhood-serving commercial may be designed to serve two neighborhoods, and where this is the case, one of the neighborhoods might not contain such uses (see Policy ~~LU-8.8~~ LU-7.4).*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-16	The colors used in Figure II-5 for "High Density Residential" will be changed to be more easily distinguished from the color used for "Highway Commercial"	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-17	The text on page II-35 will be revised as follows: *The ~~18~~ 19 designations shown on the Land Use Diagram are described below. . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-18	The 2nd paragraph on page II-36 will be revised as follows: *However, these maximums do not establish entitlement to a specific level of development without first conforming to all other City policies and development standards and are subject to discretionary approval.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-19	The acreages contained in each land use description shall be checked and revised as necessary to be consistent with Tables II-2 and II-3.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-20	The title of subsection 4 (Neighborhood Residential) on page II-37 shall be revised as follows: *4. Neighborhood Residential (~~3-24~~ 2-24 units per gross residential acre)*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-21	Footnote #5 used in Table II-4 shall be moved to apply only to "NR Medium High" and "NR High" density categories. The reference to Footnote 8 will be changed to Footnote 7.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-22	Footnote #6 shall be revised to read as follows: *[6] Allowable only in very limited circumstances where larger lots may be appropriate to buffer the City's edge and transition from urban density to ~~permanent~~ agriculture.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-25	The description of the "Highway Commercial' designation shall be revised in part as follows: *The primary purpose of this designation is to define commercial areas that cater to highway travelers and/or regional markets, including gas stations, big-box retail, fast-food restaurants, lumber yards, motels, auto malls, building contractor storage yards, and other uses that serve local and regional needs for goods and services. The designation is intended primarily for service and retail uses whose operational needs and characteristics are not considered appropriate for the downtown, neighborhood commercial mixed use, or the community commercial mixed-use areas. The maximum permitted Floor Area Ratio is 0.5.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-27	The description of "Parks and Open Space" designation shall be revised in part as follows: *The primary purpose of this designation is to accommodate park, recreation, and open space uses. Both active recreation areas (e.g., City parks), and passive recreation areas (trails, natural open space, etc.) are included. Land in this designation may also be jointly used for storm drain purposes, consistent with Implementing Action 6.1.5. Since the . . .* *~~This designation also includes agricultural buffers located along Associated Lane and La Gloria Road, which would occupy approximately 56 acres of land.~~ There are . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-31	Implementing Action LU-4.1.1 shall be revised as follows: *Implementing Action LU-4.1.1 – Civic Uses Downtown. Maintain civic uses such as City Hall and the Post Office in a central location and avoid creating "east" and "west" branches of such uses. Exceptions shall be made for police and fire stations ~~if~~ to ensure response times ~~from a single location would exceed~~ are maintained at acceptable levels.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-32	Implementing Action LU-4.1.7 shall be deleted to eliminate conflict between these two implementing actions, as follows: ~~*Implementing Action LU-4.1.7 – Maintain both Residential and Commercial Uses. Utilize the Gonzales Redevelopment Agency and other resources to encourage retention of the existing residential and commercial properties within the Downtown Mixed Use District. Inclusion of such properties in this District is not intended to make these uses non-conforming or encourage their replacement with other uses.*~~	The proposed change would delete an implement action from the Land Use Element that is redundant with another action (Implementing Action LU-4.1.6). This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-33	Footnote #8 on page II-57 shall be revised in part as follows: *Neighborhood-serving commercial may be designed to serve two neighborhoods, and where this is the case, one of the neighborhoods might not contain such uses (see Policy ~~LU-8.8~~ LU-7.4). In order to maintain a scale appropriate to a residential setting, individual neighborhood commercial uses should generally be small-scale, which typically would be less than 5,000 square feet for any individual commercial use. Commercial uses may occasionally be larger as appropriate. ~~Mixed commercial uses are encouraged within neighborhood centers and should be pedestrian-oriented uses that serve the immediately surrounding area. These~~ A mix of residential and commercial uses are allowed in this designation. Commercial uses should be pedestrian-oriented uses that serve the immediately surrounding area and may include walk-in uses such as restaurants, retail stores, health/fitness facilities, personal services, community service organizations, and similar uses. . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-34	Implementing Action LU-8.3.2 shall be deleted, as follows: *~~Implementing Action LU-8.3.2 – Highway Commercial in Industrial Areas. Allow highway-oriented commercial uses in the industrial areas around the South Alta Street interchange provided that such uses would not affect the viability of existing and future industrial uses nearby, that such uses would be appropriate and compatible for the site, and that such uses are consistent with the other goals and policies in the General Plan.~~*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-36	Implementing Action LU-8.3.4 shall be revised as follows: *Implementing Action LU-8.3.4 – Off-Street Parking. Establish off-street parking and storage requirements for new industrial development that promote attractive and compatible design for ~~on-street~~ truck parking and container storage, etc.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-37	The text on page III-18 will be revised in part as follows: *The Land Use Element addresses this need by promoting local job growth, neighborhood centered development, and discouraging Gonzales from becoming a bedroom community for Salinas. The Circulation Element must . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-46	The text in the first full paragraph on page V-14 shall be revised as follows: *In addition, the department operates a Community Policing Program with ~~13~~ five part-time civilian volunteers and a Police Explorer Program with ~~12~~ six youth volunteers. Current staffing of the Police Department consists of nine officers, three sergeants, and the Chief of Police; and ~~five~~ three civilian employees (one full-time Records Supervisor; ~~a half-time~~ one full-time Receptionist; ~~2 Paid On-Call half time Receptionists;~~ and ~~a half time~~ one full-time Animal Control/Community Resource Officer). The Gonzales Police Department is located ~~on the west side of the Union Pacific Railroad line adjacent to~~ at 109 Fourth Street in Downtown Gonzales, ~~approximately one mile from the project site~~. The response time objective of the Police Department is four minutes.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-47	The text in the first full paragraph of page V-16 shall be revised in part as follows: *. . . Areas adjacent to the Union Pacific Railroad, Alta Street, Gonzales River Road, and south of Gloria Road are less suited for housing. This is due to the higher probability of an accidental spill in these locations and because of the possible presence of hazardous materials, both of which may accompany industrial development planned for these areas.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-48	Implementing Action HS-1.1.1 shall be revised as follows: *Implementing Action HS-1.1.1 – Design for Seismic Safety. Require new development in areas of moderately or ~~very~~ high seismic hazard shown in Figure V-1 to assess the extent of seismic hazards in accordance with State guidelines and incorporate mitigation measures that reduce them.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-49	The second item in Table VI-1 shall be revised to state "yes," consistent with the status of the Coast Live Oak Savanna as a protected species.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-53	The second full paragraph on page VI-25 shall be revised as follows: *The General Plan encourages the use of Williamson Act contracts outside the growth area ~~and within the growth area where lands are not proposed for development in the short-term~~, to reduce the potential growth-inducing impacts of new development.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-55	Figure VII-2 shall be revised to refer to the elementary school at Rincon Villages as a "future" school.	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-56	The last sentence of the first paragraph on page VII-17 shall be revised as follows: *Flexibility is intended in the location<u>, size, and number</u> that are finally selected by the district.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK2-57	Policy CC-3.2 shall be revised in part as follows: *Policy CC-3.2 New Community Commercial Center* *Designate land ~~west~~ <u>east</u> of Highway 101 near Johnson Canyon Road for a future centrally located . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK2-58	Implementing Action CC-5.1.5 shall be revised as follows: Implementing Action CC-5.1.5 – ~~Small Parks and Tot Lots~~ Mini Parks. *Provide ~~smaller parks, tot lots,~~ mini parks and open space features interspersed throughout neighborhoods in addition to providing larger neighborhood parks.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
Jackson Family Enterprises (Letter#3)		
JCK3-1	The legend of Figures II-2, V-2, VI-5, and VII-1 shall be revised to change reference to "Primary Growth Area" to "Primary Growth Area and Urban Reserve Area"	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK3-2	The first paragraph page II-20 shall be revised in part as follows: *Implementation of the neighborhood strategy will occur through the approval of Specific Plans. Each Specific Plan will be required to contain one or more neighborhoods and be designed consistent with adopted Neighborhood Design Guidelines and Standards. . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK3-5	Implementing Action LU-1.2.2 shall be revised in part as follows: *Implementing Action LU-1.2.2 – Availability of Services. Through Specific Plan development, coordinate new ~~residential~~ development with the provision of essential community services . . .*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
JCK3-6	Figures III-7, V-4, V-5 shall be revised to show Gloria Road east of Herold Parkway as a "Minor Arterial."	See JCK1-1
JCK3-7	The legend of Figure V-1 shall be revised to change reference to "Growth Area Boundary" to "Primary Growth Area and Urban Reserve Area"	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.

Ref #	Description of Change	Evaluation
JCK3-8	Figure VI-2 shall be revised to add the line depicting the "Primary Growth Area and Urban Reserve Area."	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.
California Department of Conservation		
DOC-1	Policy COS-4.3 shall be revised as follows: *Policy COS-4.3 No Urbanization Outside of Growth Area* *Maintain agricultural open space around Gonzales as a means of giving form and definition to the City. To this end, permit urban development only within the areas designated for urban uses on the Land Use Diagram. Land <u>immediately</u> beyond this boundary should remain in agricultural use <u>utilizing agricultural easement funds outlines in Implementing Action COS-4.3.3 (Agricultural Impact Fund), other mitigation measures that may arise as a result of project-level CEQA review, and any other feasible methods to preserve agricultural lands and define the limits of urban expansion for the City</u> ~~for the duration of the planning period~~.*	The proposed change would modify an existing policy contained in the Conservation and Open Space Element to better link the policy with Implementing Action COS-4.3.3. This would improve the City's ability to prevent growth outside the designated growth area. This change would result in no negative environmental effect.
Miscellaneous Other Changes (City Initiated)		
	Implementing Action FS-4.1.1 shall be revised as follows: *Implementing Action FS-4.1.1 – On-Site Retention and Detention. Allow for the use of on-site detention and retention basins. Such basins should be designed to be jointly used for parks or passive open space where feasible, consistent with Implementing Action ~~COS 7.1.4~~ COS-6.1.5.*	The proposed change would clean up minor errors or inconsistencies or make minor improvements in GP text that are non substantive in nature. This change would result in no negative environmental effect.