

# FINAL ENVIRONMENTAL IMPACT REPORT

2005 MONTEREY BAY AREA  
METROPOLITAN TRANSPORTATION PLAN  
Association of Monterey Bay Area Governments

2005 MONTEREY COUNTY  
REGIONAL TRANSPORTATION PLAN  
Transportation Agency for Monterey County

2005 SANTA CRUZ COUNTY  
REGIONAL TRANSPORTATION PLAN  
Santa Cruz County Regional Transportation Commission

State Clearinghouse #2004061013

Prepared by Lamphier-Gregory  
1944 Embarcadero  
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April 26, 2005

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# PREFACE

## A. PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act of 1970, as amended (CEQA) requires Environmental Impact Reports (EIRs) to be prepared for all projects which may have a significant impact on the environment. An EIR is an information document, the purposes of which, according to CEQA Guidelines, are "...to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which such significant effects can be mitigated or avoided." The information contained in this EIR is intended to be objective and impartial, to enable the reader to arrive at an independent judgment regarding the probable character and significance of the impacts resulting from the adoption and implementation of the 2005 Metropolitan Transportation Plan (2005 MTP), the 2005 Monterey County Regional Transportation Plan (2005 MC-RTP) and the 2005 Santa Cruz County Regional Transportation Plan (2005 SCC-RTP), herein referenced as the "three plans".

In accordance with the requirements of CEQA, this Final EIR formally consists of the responses to comments on the Draft EIR and revisions of those portions of the Draft EIR which have been modified in response to comments received during the public review period on the Draft EIR. The Final EIR includes copies of all comments on the Draft EIR received during the 45-day public review period following publication of the Draft EIR, and provides responses to those comments. In some cases, the responses have also resulted in revisions to the Draft EIR, and all such changes are reflected in this document. As required by CEQA, this document addresses those comments received during the public review period that relate directly to the adequacy and completeness of the Draft EIR. The Final EIR does not include or address those comments received that relate to the characteristics or features of the three plans where the Draft EIR's analysis of the environmental issues associated with the implementation of the three plans are not directly involved.

The EIR (which is comprised of the Draft EIR and the Final EIR) is intended to be certified as a complete and thorough program-level record of the types of environmental impacts that may be associated with the implementation of the three plans by the Lead Agencies (the Association of Monterey Bay Area Governments for the 2005 Monterey Bay Metropolitan Transportation Plan, the Transportation Agency for Monterey County for the 2005 Monterey County Regional

Transportation Plan, and the Santa Cruz County Regional Transportation Commission for the 2005 Santa Cruz County Regional Transportation Plan). Certification of the EIR as adequate and complete must take place prior to any formal Lead Agency action on adopting the three plans, and certification of the EIR does not equate to adoption of the three plans.

The EIR has been prepared pursuant to CEQA as amended (commencing with Section 21000 of the California Public Resources Code), and the CEQA Guidelines.

## **B. ORGANIZATION OF THE FINAL EIR**

The Final EIR consists of the following major sections:

- **Preface** – outlines the objectives of the EIR and important preliminary information.
- **Revisions of the Draft EIR** – contains revisions to the Draft EIR text.
- **Comments and Responses** – contains letters of comment on the Draft EIR and verbal comments recorded during the public hearings on the Draft EIR, along with responses to these comments. In response to some comments, the text of the Draft EIR has been modified, with changes indicated as described in the previous paragraph.

This Final EIR has been prepared for the Lead Agencies by Lamphier-Gregory, Urban Planning and Environmental Analysis. Each participant in the preparation of the EIR has extensive experience and knowledge in their respective fields. The information in the EIR has been compiled from a variety of sources, including published studies, applicable maps and independent field investigations.

## **C. PUBLIC REVIEW PROCESS**

The Draft EIR was circulated for a public review period of 45 days (February 15, 2005 through April 1, 2005). During that period, three public hearings were held to obtain public comment on the adequacy and completeness of the Draft EIR (on March 9, 2005 in Marina for AMBAG, on March 17, 2005 in Watsonville for SCCRTC, and March 23, 2005 in Salinas for TAMC). The Draft EIR was available for review at the offices of the Association of Monterey Bay Area Governments (445 Reservation Road, Suite G, Marina, California), the offices of the Transportation Agency for Monterey County (55-B Plaza Circle, Salinas, CA) and the offices of the Santa Cruz County Regional Transportation Commission (1523 Pacific Avenue, Santa Cruz, CA), and at many local libraries within Monterey, San Benito and Santa Cruz Counties. In addition to the three agencies mailing hard copies of the Draft EIR to various partner agencies and applicable agency committees, the Draft EIR was also available for review on the SCCRTC and TAMC websites. The Draft EIR was additionally circulated for review through the State of California Office of Planning and Research's State Clearinghouse, as well as AMBAG's Regional Clearinghouse.

At the close of the public review period, all comments received were compiled, and responses to these comments were prepared and are presented in this Final EIR. The Final EIR also incorporates any necessary revisions to the Draft EIR made in response to comments received. The Boards of Directors of AMBAG, TAMC and SCCRTC will each review the EIR (comprised of the Draft EIR and Final EIR), and independently consider whether or not to certify the EIR as adequate and complete.

After reviewing the Draft EIR and the Final EIR, and following action to certify the EIR as adequate and complete, the Boards of Director of the Association of Monterey Bay Area Governments, the Board of Directors of the Transportation Agency for Monterey County, and the Commissioners of the Santa Cruz County Regional Transportation Commission will each be in a position to determine whether each of the three documents should be adopted as proposed, revised, or rejected. This determination will be based upon information presented on the three transportation plans, impacts and probable consequences, and the possible alternatives and mitigation measures available.

Where potentially significant and unavoidable environmental impacts have been identified in the EIR, each Lead Agency will be required to make a written statement of overriding considerations. In accordance with CEQA Guidelines, Section 15093 [a], a decision-making agency must balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable”.

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## REVISIONS TO THE DRAFT EIR

On Draft EIR page ES-8, the first sentence in paragraph “B” has been modified to read as follows:

“B. Implementing agencies shall, where appropriate, design transportation project alignments to avoid ridgelines or slopes of 30 percent or greater, and to avoid or minimize substantial physical alteration of the land, due to large amounts of cut and fill.”

On Draft EIR page ES-14, paragraph “B” has been modified to read as follows:

“B. In those instances where projects are proposed in areas adjacent to lands currently in agricultural uses (particularly lands which have been designated as prime farmland, unique farmland or farmland of statewide importance), implementing agencies shall, where appropriate, incorporate project-specific design features which would provide adequate protection for the farmland adjacent to the project site (fencing, warning notices, buffers, etc.).”

On Draft EIR page 3-7, the first sentence in paragraph “B” has been modified to read as follows:

“B. Implementing agencies shall, where appropriate, design transportation project alignments to avoid ridgelines or slopes of 30 percent or greater, and to avoid or minimize substantial physical alteration of the land, due to large amounts of cut and fill.”

On Draft EIR page 3-15, paragraph “B” has been modified to read as follows:

“B. In those instances where projects are proposed in areas adjacent to lands currently in agricultural uses (particularly lands which have been designated as prime farmland, unique farmland or farmland of statewide importance), implementing agencies shall, where appropriate, incorporate project-specific design features which would provide adequate protection for the farmland adjacent to the project site (fencing, warning notices, buffers, etc.).”

On Draft EIR page 3-22, the text of the first sentence in the second paragraph under **Current Air Quality** has been modified to read as follows:

“Under the California Clean Air Act, the NCCAB is a ~~moderate~~ nonattainment transitional area for the State ozone AAQS.”

On Draft EIR page 3-23, the entry under “State” on the line for “Ozone (O<sup>3</sup>) – 1 hour” in **Table 3-2: Attainment Status of the North Central Coast Air Basin** has been modified to read as follows:

~~“Moderate~~ Nonattainment Transitional”

On Draft EIR page 3-27, the text of fourth sentence in the first paragraph has been modified to read as follows:

“The 2004 AQMP uses the same 2004 population projections and travel data assumptions for the period through 2030 as do the three plans.”

The following text has been added below the last paragraph on Draft EIR page 3-34:

“Under the Water Quality Control Plan for Ocean Waters of California, the State Water Resources Control Board has identified five Areas of Special Biological Significance (ASBS) within the region:

Pacific Grove Marina Gardens Fish Refuge and Hopkins Marine Life Refuge  
Carmel Bay ASBS  
Point Lobos Ecological Reserve ASBS  
Julia Pfeiffer Burns Underwater Park ASBS  
Ocean Area Surrounding the Mouth of Salmon Creek ASBS

The purpose of designating these ASBS is to protect these areas from undesirable changes in natural water quality. The ASBS designation is based on the presence of certain species or biological communities that deserve special protection consisting of preservation and maintenance of natural water quality conditions to the extent practicable (Water Resources Control Board and California Regional Water Quality Control Board Administrative Procedures, September 24, 1970, Section XI and Miscellaneous Rev. 7-9/1/72). New point-source discharges into ASBSs are strictly prohibited. Along the coast between Monterey and San Francisco, prospective point-source dischargers are required by the SWRCB to show, through techniques such as mathematical modeling, that there will be no deleterious effects of the new discharge in the water quality of nearby ASBSs.”

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## COMMENTS AND RESPONSES

This chapter contains written comments on the Draft EIR on the three plans. Letters received during the 45-day public review period are listed. Each letter is marked to identify distinct comments on the Draft EIR. Responses to these comments are provided following each letter. No comments were received at the public hearings on the Draft EIR, held on March 9, 2005 (AMBAG), March 17, 2005 (SCCRTC) and March 23, 2005 (TAMC).

Throughout the responses to comments, where a specific comment has been addressed previously, a reference to the response in which the comment is discussed may be provided in order to reduce repetition.

As noted in the **PREFACE**, in several instances responding to a comment received on the Draft EIR has resulted in a revision to the text of the Draft EIR. In other cases, the information provided in the responses is deemed adequate in itself, and modification of the Draft EIR text was not deemed appropriate.

In reviewing the comments received on the Draft EIR, it should be noted that while some of the material submitted provides opinion on the three plans or addresses features and characteristics of the three plans as currently proposed, such material may not address the environmental analysis presented in the Draft EIR. Responses presented in this document focus only on those comments which bear a direct relationship to the Draft EIR, as required under CEQA. While other comments that are not directly related to the Draft EIR may be acknowledged, it is beyond the scope of the Final EIR to provide responses to these comments or opinions. Additional letters that were received by lead agencies which did not include comments on the Draft EIR are not included in this document, but were considered by the respective lead agencies.

Several additional points to keep in mind in reviewing the comments received on the Draft EIR are presented in Section 15204 of the CEQA Guidelines (as revised on October 28, 1998) which states that a Lead Agency need not “conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.”, in Section 15003 (h) which states that “CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass on the correctness of an EIR’s environmental conclusions, but only determines if the EIR is sufficient as an informational document.”, and in Section 15003 (j), which states: “CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement.”

The letters received on the Draft EIR are listed below. Each letter has been marked to identify each specific comment in the right-hand margin (i.e., **A-1**, **D-2**, etc.). Following each letter, the response to each identified comment in that letter is presented sequentially (for example, the first comment on the Draft EIR identified in **LETTER C** is identified as **C-1** in the right-hand margin of the letter, and the corresponding response immediately following **LETTER C** is coded as **RESPONSE C-1**). In order to avoid repetition, where individual comments focus on the same issues raised in a previous comment or comments, the response to those comments may make reference to a previous response or responses.

<b>LIST OF LETTERS</b>	<b>Page</b>
A. Jean Getchell, Supervising Planner, Monterey Bay Unified Air Pollution Control District, February 22, 2005.	C&R-3
B. Nicolas Papadakis, Executive Director, Association of Monterey Bay Area Governments, March 10, 2005.	C&R-5
C. Steve Lustgarden, March 17, 2005.	C&R-7
D. David M. Murray, Chief, Regional Planning/Development Review, California Department of Transportation, March 30, 2005.	C&R-9
E. Scott Hennessey, Director, Monterey County Planning and Building Inspection Department, March 31, 2005.	C&R-15
F. Raymond W. Santee, Vice President, Central Home Supply, March 31, 2005.	C&R-22
G. James Danahar, Chair, Transportation Committee, and Aldo Giacchino, Chair, Executive Committee, Santa Cruz County Group of the Ventana Chapter, Sierra Club, April 1, 2005.	C&R-25
H. Mike Weaver, April 1, 2005.	C&R-27
I. Terry Roberts, Director, State Clearinghouse, Governor’s Office of Planning and Research, April 4, 2005.	C&R-31
J. Terry Roberts, Director, State Clearinghouse, Governor’s Office of Planning and Research, April 4, 2004 (attached letter from Robert W. Floerke, Regional Manager, Central Coast Region, California Department of Fish and Game, April 1, 2005).	C&R-34
Public Hearing – Association of Monterey Bay Area Governments, March 9, 2005.	C&R-38
Public Hearing – Santa Cruz County Regional Transportation Commission, March 17, 2005.	C&R-38
Public Hearing – Transportation Agency for Monterey County, March 23, 2005.	C&R-38



# MONTEREY BAY

Unified Air Pollution Control District  
serving Monterey, San Benito, and Santa Cruz counties

MAR 01 2005

LETTER A

AIR POLLUTION CONTROL OFFICER  
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

DISTRICT  
BOARD  
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Monterey County

Arturo Medina  
San Juan  
Bautista

John Myers  
King City

Ellen Pirie  
Santa Cruz  
County

February 22, 2005

Kathy Urlie  
AMBAG  
P.O. Box 809  
Marina, CA 93933-0809

SUBJECT: DEIR FOR 2005 METROPOLITAN TRANSPORTATION PLAN

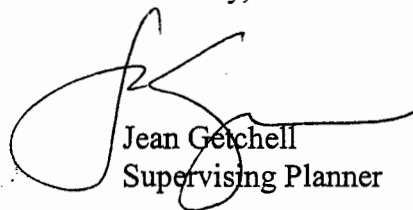
Dear Ms. Urlie:

Staff has reviewed the referenced document and has the following comments:

1. Page 3-22 and Table 3-2. The Basin is now a nonattainment transitional area for the State ozone standard. **A-1**
2. Page 3-27, para. 1. Recommend the following addition: "The 2004 AQMP uses the same 2004 population projects and travel data assumptions for the period through 2030 as do the three plans." **A-2**

Thank you for the opportunity to review the document. Please do not hesitate to call if you have any questions.

Sincerely,



Jean Getchell  
Supervising Planner

Letter A: Jean Getchell, Monterey Bay Unified Air Pollution Control District, February 22, 2005.

*COMMENT A-1: 1. Page 3-22 and Table 3-2. The Basin is now nonattainment transitional for the State ozone standard.*

**RESPONSE A-1:** Comment noted. In response to this comment, the text of the first sentence in the second paragraph under **Current Air Quality** on Draft EIR page 3-22 has been modified to read as follows:

“Under the California Clean Air Act, the NCCAB is a ~~moderate~~ nonattainment transitional area for the State ozone AAQS.”

In response to this comment, the entry under “State” on the line for “Ozone (O<sup>3</sup>) – 1 hour” in **Table 3-2: Attainment Status of the North Central Coast Air Basin** on Draft EIR page 3-23 has been modified to read as follows:

“~~Moderate~~ Nonattainment Transitional”

*COMMENT A-2: 2. Page 3-27, para. 1. Recommend the following addition: “The 2004 AQMP uses the same 2004 population projections and travel data assumptions for the period through 2030 as do the three plans.”*

**RESPONSE A-2:** Comment noted. In response to this comment, the text of fourth sentence in the first paragraph on Draft EIR page 3-27 has been modified to read as follows:

“The 2004 AQMP uses the same 2004 population projections and travel data assumptions for the period through 2030 as do the three plans.”

**AMBAG**  
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

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March 10, 2005

Ms. Kathy Urlie  
Association of Monterey Bay Area Governments  
PO Box 809  
Marina, CA 93933

**Re: MCH# 020526- Notice of Availability of Draft Environmental Impact Report for the  
2005 Monterey Bay Metropolitan Transportation Plan, 2005  
Monterey County Regional Transportation Plan, and 2005 Santa  
Cruz County Regional Transportation Plan**

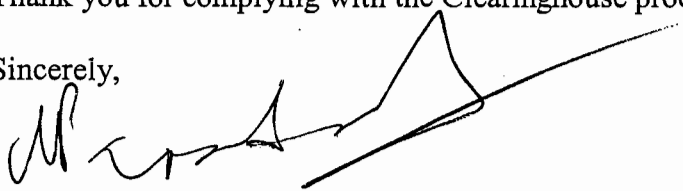
Dear Ms. Urlie:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project on **March 9, 2005** and has no comments at this time. **B-1**

Thank you for complying with the Clearinghouse process.

Sincerely,



Nicolas Papadakis  
Executive Director

COMMENTS AND RESPONSES

Letter B: Nicolas Papadakis, Association of Monterey Bay Area Governments, March 10, 2005.

*COMMENT B-1: The AMBAG Board of Directors considered the project on **March 9, 2005** and has no comments at this time.*

**RESPONSE B-1:** Comment noted. No response is necessary.



Letter C: Steve Lustgarden, March 17, 2005.

*COMMENT C-1: I believe that there are many positive components to this plan. However, I strongly oppose any measures to widen any portion of Highway One. I believe that any additional development of this Highway will only encourage further growth in our community, further reliance on automobiles, both of which will degrade the quality of life in our community. Thank you for considering my viewpoint.*

**RESPONSE C-1:** Comments and opinions noted. As indicated on Draft EIR page 5-6, a relatively high level of residential and non-residential development is anticipated within the region through the year 2030, and much of this growth is projected to occur regardless of the extent to which the three plans are implemented. Adoption of the three plans, in itself, would not be expected to alter the projected magnitude of regional residential and non-residential growth. Transportation system improvement projects identified in the three plans (including improvements to Highway 1) may indirectly increase growth pressure by increasing transportation system capacity. Quantification of any growth-inducing effects associated with specific projects (e.g., those related to Highway 1 improvements) would need to be considered as part of the project-specific environmental evaluation to be conducted by each individual implementing agency as designs for such projects are developed and brought forward for review.

Because the planned Highway 1 Widening project is identified as an HOV lane project, it is anticipated that the project will increase carpool and bus use. However, as indicated on Draft EIR page 3-107, if added capacity results in travelers switching from public transportation or other commute alternatives to using single occupancy vehicles, diversion from other modes would be expected to increase vehicle activity. It is assumed that, on balance, implementation of the three plans would increase transit ridership and the utilization of other commute alternatives, and would, accordingly, reduce the number of daily vehicle trips within the region. Quantification of any traffic-inducing effects associated with specific projects (e.g., those related to Highway 1 improvements) would need to be considered as part of the project-specific environmental evaluation to be conducted by each individual implementing agency as designs for such projects are developed and brought forward for review, in combination with development decisions by individual local jurisdictions.

**DEPARTMENT OF TRANSPORTATION**

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*Flex your power!  
 Be energy efficient!*

March 30, 2005

**LETTER D**

SCH# 2004061013

Kathy Urlie, Principal Planner  
 Association of Monterey Bay Area Governments  
 445 Reservation Road, Suite G  
 Marina, CA 93933-0809

Dear Ms. ~~Urlie~~ *KATHY*:

**COMMENTS TO COMBINED 2005 METROPOLITAN AND REGIONAL TRANSPORTATION  
 PLAN DRAFT ENVIRONMENTAL IMPACT REPORT**

The California Department of Transportation (Department), District 5, Development Review, has reviewed the combined 2005 Monterey Bay Area Metropolitan Transportation Plan, Monterey County Regional Transportation Plan, and Santa Cruz County Regional Transportation Plan Draft Environmental Impact Report (hereafter called DEIR), and offers the following comments.

1. We appreciate that the authors have included numerous statements of what the DEIR tries to accomplish, what it 'is and is-not' and that the plan does not provide project designs, construction schedule or approval action. **D-1**
2. The Department does feel, however, that the DEIR inappropriately designates many of the project impacts listed as significant and unavoidable impacts to the environment without the benefit of an environmental analysis. In short, there is not enough detail in any of the projects listed to make an assessment of the impacts. Granted, most projects have consequences, but it is our position that the DEIR can list projects without predetermining ultimate impacts. **D-2**
3. Our previous review of this document in administrative format did not include a review of storm water runoff, flood hazards, and water quality issues. The bulleted comments below capture the comments from the Department's subject matter experts on these topics: **D-3**

(Hydrology)

- It should not be assumed that could be significant unavoidable runoff impacts for any of the projects listed.
- Runoff impacts in addition to existing watershed can almost always be mitigated through energy dissipation and flow detention. **D-4**
- Any new roadway alignment could and should be designed not to have runoff impacts. **D-5**
- Section 5.4 included "permanent modification of existing drainage patterns" as a significant irreversible modification to the environment. Without the benefit of a full analysis, this should not be the case. Specific projects are designed to not permanently alter drainage patterns. **D-6**

*"Caltrans improves mobility across California"*

2005 DEIR MTP/RTP – Ms. Kathy Urlic  
March 30, 2005  
Page 2

- (Water Quality)
- The DEIR seems to limit itself to only two best management practices (BMP). It is suggested to replace specific BMP references with more general “treatment BMP” language. (Page 3-63) **D-7**
  - Generally, increases in peak flow volumes, velocities, impervious surface or drainage patterns can be mitigated via the implementation of design pollution prevention BMPs. These could include flow conveyance systems, ditches, berms, dikes, swales, hard surface protection systems, vegetated systems and energy dissipation. (Impact 3.8.3-Resulting Level of Significance) **D-8**
  - The DEIR should mention that Carmel Bay, Pacific Grove Marine Gardens Fish, and Hopkins Marine Life Refuge is an Area of Special Biological Significance (ASBS). Storm water discharges in ASBS are prohibited by the ocean plan unless they are treated, or the State Water Resources Control Board grants an exemption. **D-9**

Thank you for the opportunity to comment on the DEIR. If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 549-3168.

Sincerely,



DAVID M. MURRAY, Chief  
Regional Planning / Development Review

*“Caltrans improves mobility across California”*

Letter D: David M. Murray, California Department of Transportation, March 30, 2005.

*COMMENT D-1: We appreciate that the authors have included numerous statements of what the DEIR tries to accomplish, what it “is and is not” and that the plan does not provide project designs, construction schedule or approval action.*

**RESPONSE D-1:** Comment noted. No response required.

*COMMENT D-2: The Department does feel, however, that the DEIR inappropriately designates many of the project impacts listed as significant and unavoidable impacts to the environment without the benefit of an environmental analysis. In short, there is not enough detail in any of the projects listed to make an assessment of the impacts. Granted, most projects have consequences, but it is our position that the DEIR can list projects without predetermining ultimate impacts.*

**RESPONSE D-2:** Comment acknowledged. As indicated in the Introduction section of the Draft EIR, in the absence of details related to the site-specific alignments, locations, designs and scheduling of several hundred transportation system improvements projects which are identified in the three plans, the Draft EIR can only provide a “program-level” environmental review of the three plans. The Draft EIR identifies the general types of environmental impacts that may be anticipated with actual implementation of these individual projects. In conducting the required site-specific environmental review for each individual project in the future, implementing agencies may find that many of the types of impacts identified as potentially significant, or potentially significant and unavoidable in the program-level Draft EIR are not, in fact, applicable to any specific individual transportation system improvement projects listed in the three plans. Given the current level of uncertainty regarding the details of the hundreds of projects identified in the financially constrained Action Elements of the three plans, and regarding future environmental conditions between now and 2030 when such projects may ultimately be implemented, the Draft EIR takes a conservative approach to the identification of potential impacts by identifying those impacts that may, in the case of some individual projects or types of projects, prove to ultimately be significant and unavoidable. However, this does not imply that any individual listed project either would or would not entail these impacts, since that can only be determined when the implementing agency for each individual project conducts site-specific environmental review once such projects have been designed and are formally brought forward for consideration.

*COMMENT D-3: Our previous review of this document in administrative format did not include a review of storm water runoff, flood hazards, and water quality issues. The bulleted comments below capture the comments from the Department’s subject matter experts on these topics:*

*(Hydrology)*

- *It should not be assumed that could be significant unavoidable runoff impacts for any of the projects listed.*

**RESPONSE D-3:** See **RESPONSE D-2**, above, regarding the Draft EIR approach to identifying potentially significant, or potentially significant and unavoidable environmental impacts, which

applies to potential impacts related to stormwater runoff. In the absence of specific details regarding each of several hundred transportation system improvement projects identified in the financially constrained Action Elements of the three plans, at a program-level the Draft EIR conservatively indicates that there might be some listed projects that may entail adverse effects associated with stormwater runoff, and that in some instances, these could prove significant and unavoidable. An assumption that the stormwater runoff impacts associated with each of several hundred of these projects could never ultimately prove significant and unavoidable, in the absence of site-specific environmental review (as suggested in this comment) would be inconsistent with the conservative, program-level approach to the identification of potential environmental effects employed by the three Lead Agencies involved in the preparation of the Draft EIR.

*COMMENT D-4: Runoff impacts in addition to existing watershed can almost always be mitigated through energy dissipation and flow detention.*

**RESPONSE D-4:** Comment regarding the ability to “almost always” effectively mitigate runoff effects through the use of energy dissipation and flow detention is noted. See **RESPONSE D-3**, above.

*COMMENT D-5: Any new roadway alignment could and should be designed not to have runoff impacts.*

**RESPONSE D-5:** Comment indicating that any new roadway alignment should be designed not to have runoff impacts is noted. See **RESPONSE D-3**, above.

*COMMENT D-6: Section 5.4 included “permanent modification of existing drainage patterns” as a significant irreversible modification to the environment. Without the benefit of a full analysis, this should not be the case. Specific projects are designed to not permanently alter drainage patterns.*

**RESPONSE D-6:** Comment regarding the ability of transportation system improvement projects to be designed to avoid permanent modification of existing drainage patterns is noted. See **RESPONSE D-3**, above.

*COMMENT D-7: (Water Quality)*

- *The DEIR seems to limit itself to only two best management practices (BMP). It is suggested to replace specific BMP references with more general “treatment BMP” language. (Page 3-63)*

**RESPONSE D-7:** See Draft EIR page 3-63, **MITIGATION MEASURE 3.8.1**. In the discussion under “D.”, the Draft EIR indicates that “The SWPPP shall, where appropriate, include specific BMPs to control the discharge of materials from the site and into creeks and local storm drains. BMP methods may include (but would not be limited to) the use of temporary retention basins, straw bales, sand bagging, mulching, erosion control blankets, soil stabilizers and native erosion control grass seed.” As the Draft EIR indicates, there may be additional BMPs not listed in the Draft EIR that may be employed to reduce potentially significant water pollution impacts at project construction sites. Each implementing agency will, as part of the necessary site-specific

environmental review for each project, determine whether or not that project would entail potentially significant water pollution effects, and if so, for the identification of specific mitigation measures that could feasibly reduce those impacts (which may include implementation of site-specific BMPs).

*COMMENT D-8: Generally, increases in peak flow volumes, velocities, impervious surface or drainage patterns can be mitigated via the implementation of design pollution prevention BMPs. These could include flow conveyance systems, ditches, berms, dikes, swales, hard surface protection systems, vegetated systems and energy dissipation (Impact 3.8.3 – Resulting Level of Significance)*

**RESPONSE D-8:** Comment regarding the ability of design pollution prevention BMPs to generally mitigate increases in peak flow volumes, velocities, impervious surface or drainage patterns is noted. See **RESPONSE D-3** and **RESPONSE D-7**, above.

*COMMENT D-9: The DEIR should mention that Carmel Bay, Pacific Grove Marine Gardens Fish, and Hopkins Marine Life Refuge is an Area of Special Biological Significance (ASBS). Storm water discharges in ASBS are prohibited by the ocean plan unless they are treated, or the State Water Resources Control Board grants an exemption.*

**RESPONSE D-9:** Comment noted. In response to this comment, the following text has been added below the last paragraph on Draft EIR page 3-34:

“Under the Water Quality Control Plan for Ocean Waters of California, the State Water Resources Control Board has identified five Areas of Special Biological Significance (ASBS) within the region:

Pacific Grove Marina Gardens Fish Refuge and Hopkins Marine Life Refuge  
Carmel Bay ASBS  
Point Lobos Ecological Reserve ASBS  
Julia Pfeiffer Burns Underwater Park ASBS  
Ocean Area Surrounding the Mouth of Salmon Creek ASBS

The purpose of designating these ASBS is to protect these areas from undesirable changes in natural water quality. The ASBS designation is based on the presence of certain species or biological communities that deserve special protection consisting of preservation and maintenance of natural water quality conditions to the extent practicable (Water Resources Control Board and California Regional Water Quality Control Board Administrative Procedures, September 24, 1970, Section XI and Miscellaneous Rev. 7-9/1/72). New point-source discharges into ASBSs are strictly prohibited. Along the coast between Monterey and San Francisco, prospective point-source dischargers are required by the SWRCB to show, through techniques such as mathematical modeling, that there will be no deleterious effects of the new discharge in the water quality of nearby ASBSs.”

# MONTEREY COUNTY



## PLANNING AND BUILDING INSPECTION DEPARTMENT

230 CHURCH STREET, SALINAS, CALIFORNIA 93901 PLANNING: (831) 755-5025 BUILDING: (831) 755-5027 FAX: (831) 755-5487  
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March 31, 2005

Mr. William Reichmuth, P.E., Executive Director  
Transportation Agency for Monterey County (TAMC)  
55-B Plaza Circle, Salinas, CA 93901

Subject: Draft EIR for the 2005 AMBAG Metropolitan Transportation Plan, 2005  
Monterey County Regional Transportation Plan and 2005 Santa Cruz County  
Regional Transportation Plan

Dear Mr. Reichmuth:

Thank you for the opportunity to review the subject Draft EIR. Our comments are as follows:

1. Impact 3.1.2: Substantial Damage to Scenic Resources. Potential impacts on scenic resources should be expanded to include ridgeline development and development on slopes over 30%. The County has concerns regarding the adequacy of Mitigation Measure 3.1.2 (Scenic Resource Avoidance by Design) to mitigate the impacts of projects that cause substantial damage to scenic resources. Specifically, the mitigation measure needs to be expanded to address impacts of ridgeline development and development on slopes greater than 30%. Policy 26.1.9 of the Monterey County General Plan states:

*“In order to preserve the County’s scenic and rural character, ridgeline development shall not be allowed unless a special permit is first obtained. Such permit shall only be granted upon findings being made that the development as condition by permit will not create a substantially adverse visual impact when viewed from a common public viewing area....”*

Policy 26.1.10 of the Monterey County General Plan states:

*“The County shall prohibit development on slopes greater than 30%. It is the general policy of the County to require dedication of scenic easement on a slope of 30% or greater. Upon application, an exception to allow development on slopes of 30% or greater may be granted at a noticed public hearing by the approving authority for discretionary permits or by the Planning Commission for building or grading permits. The exception may*

*be granted if one or both of the following findings are made, based upon substantial evidence: a) There is no alternative which would allow development to occur on slopes of less than 30%, or b) The proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans and Land Use Plans, and all applicable master plans."*

At a minimum, the mitigation measure should be modified to require compliance with local policies regarding scenic resources.

2. Impact 3.2.1: Conversion of Prime Farmland, Unique Farmland and Farmland of Statewide Importance. The County has concerns regarding the adequacy of Mitigation Measure 3.2.1 (Design Modifications) to mitigate the impacts of projects that result in the conversion of prime farmland, unique farmland and farmland of Statewide importance. The mitigation measure states:

E-2

*"In designing specific transportation system improvement projects, implementing agencies shall, where appropriate, avoid the conversion of prime farmland, unique farmland and farmland of statewide importance to the maximum extent feasible, and shall consider alternative alignments that reduce or avoid the conversion of such farmlands. Where avoidance is not feasible, such projects shall, where appropriate be designed to minimize the conversion of such farmlands. ... The Land Evaluation and Site Assessment Model (LESA) from the California Department of Conservation shall, where appropriate, be utilized to identify the potentially significant project-related impacts resulting from changes in agricultural land use...."*

Policy 30.0.1 of the Monterey County General Plan states:

*"The County shall prevent non-agricultural uses which could interfere with the potential of normal agricultural operations on viable farmlands designed as prime, of state importance, unique or of local importance."*

While not all transportation projects will be able to prevent interfering with agricultural operations on viable farmland, this mitigation measure should be revised to provide more specific criteria for when such interference may be appropriate and specific measures that could reduce such impacts to a level of less than significant. The Land Evaluation and Site Assessment Model (LESA) is a point-based approach that is generally used for rating the relative values of agricultural land resources. It does not provide criteria for when it may be appropriate for land uses to interfere with agricultural operations on viable farmlands.

3. Impact 3.2.4: Fragmentation of Agricultural Lands and Changes in Land Uses Adjacent to Agricultural Lands. Mitigation Measure 3.2.4 (Project-Specific Agricultural Protection) is intended to mitigate fragmentation of agricultural lands and changes in land uses adjacent to agricultural lands by a) ensuring that rural roadway alignments follow property lines to the maximum extent feasible, and b) incorporate project-specific design features which would provide adequate protection for the farmland adjacent to the project site (fencing, warning notices,

E-3

etc.). To be consistent with Policy 30.0.2 of the Monterey County General Plan, this mitigation measure should be expanded to require mitigation of road dust, erosion, water quality and weed abatement when transportation projects are adjacent to viable farmlands. Policy 30.0.2 states:

*"The County shall require that permanent, well-defined buffer areas be provided as part of new non-agricultural development proposals which are located adjacent agricultural land uses on viable farm lands designated as prime, of statewide importance, unique, or of local importance. These buffer areas shall be dedicated in perpetuity, shall be of sufficient size to protect agricultural from the impacts of incompatible development and to mitigate against the effects of agricultural operations on adjacent land uses, and shall be credited as open space."*

Again, thank you for the opportunity to comment on the Draft EIR.

Sincerely,



Scott Hennessey, Director of Planning and Building Inspection Department

Letter E: Scott Hennessey, Monterey County Planning and Building Inspection Department, March 31, 2005.

*COMMENT E-1: Impact 3.1.2: Substantial Damage to Scenic Resources. Potential impacts on scenic resources should be expanded to include ridgeline development and development on slopes over 30%. The County has concerns regarding the adequacy of Mitigation Measure 3.1.2 (Scenic Resource Avoidance by Design) to mitigate the impacts of projects that cause substantial damage to scenic resources. Specifically, the mitigation measure needs to be expanded to address impacts of ridgeline development and development on slopes greater than 30%. Policy 26.1.9 of the Monterey County General Plan states:*

*“In order to preserve the County’s scenic and rural character, ridgeline development shall not be allowed unless a special permit is first obtained. Such permit shall only be granted upon findings being made that the development as condition by permit will not create a substantially adverse visual impact when viewed from a common public viewing area ....”*

*Policy 26.1.10 of the Monterey County General Plan states:*

*“The County shall prohibit development on slopes greater than 30%. It is the general policy of the County to require dedication of scenic easement on a slope of 30% or greater. Upon application, an exception to allow development on slopes of 30% or greater may be granted at a noticed public hearing by the approving authority for discretionary permits or by the Planning Commission for building or grading permits. The exception may be granted if one or both of the following findings are made, based upon substantial evidence: a) There is no alternative which would allow development to occur on slopes of less than 30%, or b) The proposed development better achieves the resources protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans and Land Use Plans, and all applicable master plans.”*

**RESPONSE E-1:** Comment noted. Although a review of the transportation system improvement projects identified in the financially constrained Action Elements of the three plans did not provide any examples of projects which might be expected to require development on ridgelines or slopes of 30 percent or greater within Monterey County, in response to this comment, the first sentence in paragraph “B” on Draft EIR page ES-8 and Draft EIR page 3-7 has been modified to read as follows:

“B. Implementing agencies shall, where appropriate, design transportation project alignments to avoid ridgelines or slopes of 30 percent or greater, and to avoid or minimize substantial physical alteration of the land, due to large amounts of cut and fill.”

As indicated on Draft EIR page 3-8, although the effective application of the type of measures identified in **MITIGATION MEASURE 3.1.2: Scenic Resource Avoidance by Design** could reduce impacts to scenic resources to a level of less than significant for most projects, impacts associated with a few projects may remain **significant and unavoidable**. Project-specific impacts on scenic resources, and the identification of appropriate site-specific mitigation, can only be accomplished by the implementing agencies on a project-by-project basis as individual

transportation system improvement projects are designed and brought forward for environmental review.

*COMMENT E-2: Impact 3.2.1: Conversion of Prime Farmland, Unique Farmland and Farmland of Statewide Importance. The County has concerns regarding the adequacy of Mitigation measure 3.2.1 (Design Modifications) to mitigate the impacts of projects that result in the conversion of prime farmland, unique farmland and farmland of Statewide importance. The mitigation measure states:*

*“In designing specific transportation system improvement projects, implementing agencies shall, where appropriate, avoid the conversion of prime farmland, unique farmland and farmland of statewide importance to the maximum extent feasible, and shall consider alternative alignments that reduce or avoid the conversion of such farmlands. Where avoidance is not feasible, such projects shall, where appropriate be designed to minimize the conversion of such farmlands .... The Land Evaluation and Site Assessment Model (LESA) from the California Department of Conservation shall, where appropriate, be utilized to identify the potentially significant project-related impacts resulting from changes in agricultural land use....”*

*Policy 30.0.1 of the Monterey County General Plan states:*

*“The County shall prevent non-agricultural uses which could interfere with the potential of normal agricultural operations of viable farmlands designed as prime, of state importance, unique or of local importance.”*

*While not all transportation projects will be able to prevent interfering with agricultural operations on viable farmland, this mitigation measure should be revised to provide more specific criteria for when such interference may be appropriate and specific measures that could reduce such impacts to a level of less than significant. The Land Evaluation and Site Assessment Model (LESA) is a point-based approach that is generally used for rating the relative values of agricultural land resources. It does not provide criteria for when it may be appropriate for land uses to interfere with agricultural operations on viable farmlands.*

**RESPONSE E-2:** Comment noted. As indicated in the Draft EIR, a program-level evaluation of the general types of environmental impacts that might be associated with implementation of the projects identified in the financially constrained Action Elements of the three plans is not a substitute for the detailed, site-specific evaluation of the environmental effects that may be associated with each individual project listed as they are individually designed and brought forward for environmental review by the implementing agencies. Although **MITIGATION MEASURE 3.2.1: Design Modifications** indicates that the LESA model may be used to identify potentially significant impacts associated with the conversion of agricultural land that may result from the implementation of some projects, where appropriate, if implementing agencies wish to use other, more appropriate criteria in evaluating the significance of these impacts on a project-by-project basis as part of their required CEQA review of such projects, they are free to do so. Although this comment suggests the need for the use of alternate criteria, no proposed alternatives have been identified in the comment.

As indicated on Draft EIR page 3-13, although the effective application of the type of measures identified in **MITIGATION MEASURE 3.2.1: Design Modifications** by implementing agencies could reduce the conversion of farmland to a level of less than significant for most projects, impacts associated with a few projects may remain **significant and unavoidable**. Project-specific impacts associated with the conversion of farmland or interference with agricultural operations, and the identification of appropriate site-specific mitigation, can only be accomplished by the implementing agencies on a project-by-project basis as individual transportation system improvement projects are designed and brought forward for environmental review.

*COMMENT E-3: Impact 3.2.4: Fragmentation of Agricultural Lands and Changes in Land Uses Adjacent to Agricultural Lands. Mitigation Measure 3.2.4 (Project-Specific Agricultural Protection) is intended to mitigate fragmentation of agricultural lands and changes in land uses adjacent to agricultural lands by a) ensuring that rural roadway alignments follow property lines to the maximum extent feasible, and b) incorporate project-specific design features which would provide adequate protection for the farmland adjacent to the project site (fencing, warning notices, etc.). To be consistent with Policy 30.0.2 of the Monterey County General Plan, the mitigation measure should be expanded to require mitigation of road dust, erosion, water quality and weed abatement when transportation projects are adjacent to viable farmlands. Policy 30.0.2 states:*

*“The County shall require that permanent, well-defined buffer areas be provided as part of new non-agricultural development proposals which are located adjacent agricultural land uses on viable farm lands designated as prime, of statewide importance, unique, or of local importance. These buffer areas shall be dedicated in perpetuity, shall be of sufficient size to protect agricultural from the impacts of incompatible development and to mitigate against the effects of agricultural operations on adjacent land use, and shall be credited as open space.*

**RESPONSE E-3:** Comment noted. In response to this comment, paragraph “B” on Draft EIR page ES- 14 and Draft EIR page 3-15 has been modified to read as follows:

“B. In those instances where projects are proposed in areas adjacent to lands currently in agricultural uses (particularly lands which have been designated as prime farmland, unique farmland or farmland of statewide importance), implementing agencies shall, where appropriate, incorporate project-specific design features which would provide adequate protection for the farmland adjacent to the project site (fencing, warning notices, buffers, etc.).”

In evaluating project-specific farmland fragmentation impacts and mitigation measures as part of the necessary CEQA environmental review process, implementing agencies that identify a site-specific need for buffers as a feasible mitigation measure may also define how such buffers would need to be designed and maintained to reduce prevent road dust and erosion, to maintain water quality, and to pursue weed abatement efforts within those buffer areas.

As indicated on Draft EIR page 3-15, although the effective application of the type of measures identified in **MITIGATION MEASURE 3.2.4: Project-Specific Agricultural Protection** by implementing agencies could reduce the effects of agricultural land fragmentation to a level of less than significant for most projects, impacts associated with a few projects may remain **significant and unavoidable**. Project-specific impacts associated with farmland fragmentation, and the identification of appropriate site-specific mitigation, can only be accomplished by the implementing agencies on a project-by-project basis as individual transportation system improvement projects are designed and brought forward for environmental review.

-----Original Message-----

**From:** RSANTEE5@aol.com [mailto:RSANTEE5@aol.com]

808 River Street  
Santa Cruz CA 95060  
(831)423-0763 (831)  
centralhomesupply@s

**Sent:** Thursday, March 31, 2005 7:21 PM

**To:** info@sccrtc.org

**Subject:** 2005 RTP/EIR Draft

# Central Home Supply

March 31, 2005

To: Regional Transportation Commission

From: R. Santee, Central Home Supply

**RE: Draft 2005 Regional Transportation Plan and Draft Environmental Impact Report**

Dear Commissioners:

Thank you for the opportunity to comment on the Draft 2005 Regional Transportation Plan (RTP) and draft Environmental Impact Report. Under "Project within Projected Funds" on page C-5, there exists a proposal for Hwy 1/9 intersection improvements and Park & Ride lot" identified as SC-25 at a cost of \$7.6 million.

1. Background: SC-25 as proposed takes 1.36 acres of Central Home Supply operations forcing the closure or relocation of our business. We are a locally owned, family business serving this community for three generations.
2. History: In 2000, the city traffic engineer proposed a similar project on Central Home Supply property. The city council rejected that project because:
  - A) Traffic: The Park & Ride *added* traffic congestion to an already impacted intersection during peak usage periods.
  - B) Service: Central Home Supply serves the whole community while a Park & Ride would only benefit Hwy 17 commuters, UCSC students and possibly summer beach traffic.
  - C) Fiscal: Central Home Supply is a top ten sales tax revenue producer for the City of Santa Cruz. The Santee family and our coworkers are wholly invested in the local economy. We live and work here. A Park & Ride would cost millions to build and

maintain and the City would suffer enormous revenue losses associated with Central Home Supply's demise.

3. Lack of Available Funds: it is our understanding that the "Projected Funds" are no longer available for this project. If not, the project does not belong in the category selected. We challenge the determination that the funds are at this time dedicated to this project.
4. Precedent: The City of Santa Cruz Redevelopment Agency published a draft environmental impact report for the Tannery Arts Center 27 Dec 2004 that included this Park and Ride lot as phase II of the development. Because of its impact on Central Home Supply, the redevelopment agency *removed all of phase II including the Park & Ride* from the Tannery Arts Center plan. The data supporting their decision still exists. We believe the Park & Ride lot was included in the RTP because the City appeared to be in the process of approving it, along with evaluating the environmental impacts associated with it. However, now that the Park & Ride lot has been removed from the Tannery Arts Center, there is no basis for including it in the RTP, because the City is no longer advancing the project.
5. Legal: Central Home Supply has perfected a continuous and uninterrupted lease for thirty years with Caltrans. The leased property and improvements are essential to Central Home Supply operations at this location. Note: Caltrans sold the analogous right of way property for the Gateway Shopping Center thus negating a future interchange at the Hwy 1/9 intersection. In addition, Central Home Supply legally added improvements to the leased property amounting to more than \$5000 in value. As a result, Central Home Supply is entitled to a first right of refusal regarding the disposition of the property.
5. Alternatives: There are numerous unused and unimproved properties in the vicinity of the Hwy 1/9 intersection (i.e. behind the Sash Mill, next to the Portuguese Hall, vacant businesses in Harvey West Park) that could be used for a Park & Ride. However traffic congestion would be better reduced by parking before entering the Hwy 1/9 intersection that is already heavily impacted.

Summary: The traffic problems targeted by this Park & Ride are exacerbated by locating it at the Hwy 1 & 9 intersection. These impacts should be evaluated in the EIR for the RTP. In addition, an EIR would be necessary prior to making a discretionary decision to embark upon this project. Moreover, the fiscal impact on the community would be unconscionable. It is not legally feasible. Central Home Supply is willing, able, and entitled to purchase the property, if surplus. The project should be deleted from the Regional Transportation Plan.

Sincerely,

Raymond W. Santee  
Vice President

CC: Santa Cruz City Council      California Transportation Commission      John Laird  
Bruce McPherson                      Keith Hinrichsen                      Paul Hastings

Letter F: Raymond W. Santee, Central Home Supply, March 31, 2005.

*COMMENT F-1: Summary: The traffic problems targeted by this Park & Ride are exacerbated by locating it at the Hwy 1 & 9 intersection. These impacts should be evaluated in the EIR for the RTP. In addition, an EIR would be necessary prior to making a discretionary decision to embark upon this project. Moreover, the fiscal impact on the community would be unconscionable. It is not legally feasible. Central Home Supply is willing, able, and entitled to purchase the property, if surplus. The project should be deleted from the Regional Transportation Plan.*

**RESPONSE F-1:** Comments and opinions noted. As indicated on Draft EIR page 1-5, the EIR on the three plans has been prepared as a Program EIR that focuses on the identification of the probable types of environmental effects that may generally be associated with the implementation of several hundred individual transportation system improvement projects listed in the financially constrained Action Elements of the three plans between now and 2030. A detailed, site-specific environmental evaluation of each individual transportation system improvement project (e.g., a future Park & Ride lot identified as SC-25 on the financially constrained Action Element lists of the 2005 SCC-RTP and the 2005 MTP) will need to be conducted by each implementing agency once such projects have been designed and brought forward for review, and prior to any action being taken to approve such projects, as indicated in this comment.



**SIERRA  
CLUB**  
FOUNDED 1892

Santa Cruz County Group of the Ventana Chapter  
P.O. Box 604, Santa Cruz, California 95061 phone: (831) 426-4453  
FAX (831) 426-5323 web: www.ventana.org e-mail: scscrg@cruzio.com

April 1, 2005

**LETTER G**

Santa Cruz County  
Regional Transportation Commission  
1523 Pacific Avenue  
Santa Cruz, CA 95060

Re: Draft Regional Transportation Plan and EIR

Dear Commission and Staff:

It is apparent in reviewing the 2005 RTP Draft and EIR Draft that the Commission is again placing the highest priority on the proposed widening of Highway 1, and expecting to fund the widening with a 1/2 cent sales tax. The Sierra Club strongly urges the RTC to reconsider its priorities and give, instead, highest priority to the many options, other than widening Highway 1, that are available for increasing mobility within the county without the need to increase taxes or to degrade the environment further.

Through the lopsided defeat of Measure J just a few months ago, the voters in this county resoundly repudiated the Highway widening and the tax increase. Certainly many sales tax measures in other counties have failed before eventually passing. However, any sales tax measure in this county to widen Highway 1 is likely to fail again because of a lack of consensus on the part of the county voters that widening the freeway will reduce congestion. In addition, the RTC has not included the public in a significant way in the discussion of transportation concerns. Without that open, inclusionary process, the public is likely to respond with another resounding rejection of future tax measures.

Given all the issues relating to impacts from automobiles, including global warming, uncertainty in future oil supplies, and local concerns about habitat loss, pollution runoff, increased noise, any decision to increase our dependence on petroleum and the single occupant automobile should be considered carefully. Those concerns, coupled with studies showing that a widened freeway will not reduce congestion over the longer term in any significant way, should persuade the Commission to reconsider an ill-fated priority. The Sierra Club strongly urges the RTC to reconsider these factors and remove the widening of Highway 1 as its highest priority.

**G-1**

Sincerely,

James Danaher  
Chair, Transportation Committee

Aldo Giacchino  
Chair, Executive Committee

Letter G: James Danaher and Aldo Giacchino, Sierra Club, April 1, 2005.

*COMMENT G-1: Given all the issues relating to impacts from automobiles, including global warming, uncertain oil supplies, and local concerns about habitat loss, pollution runoff, increased noise, any decision to increase our dependence on petroleum and the single occupant automobile should be considered carefully. Those concerns, coupled with studies showing that a widened freeway will not reduce congestion over the longer term in any significant way, should persuade the Commission to reconsider an ill-fated priority. The Sierra Club strongly urges the RTC to reconsider these factors and remove the widening of Highway 1 as its highest priority.*

**RESPONSE G-1:** Comments and opinions noted. As indicated on Draft EIR page 1-5, the EIR on the three plans has been prepared as a Program EIR that focuses on the identification of the probable types of environmental effects that may generally be associated with the implementation of several hundred individual transportation system improvement projects listed in the financially constrained Action Elements of the three plans between now and 2030. A detailed, site-specific environmental evaluation of each individual transportation system improvement project (e.g., future widening of Highway 1 in Santa Cruz County) will need to be conducted by each implementing agency once such projects have been designed and brought forward for review. Depending on the significance criteria established by each implementing agency, such a project-specific environmental review could evaluate the possible effects of individual projects on air quality, habitat loss, stormwater runoff, ambient noise levels, as well as any effects associated with traffic congestion levels. If the Draft EIR for a project-specific environmental review finds any project-related impacts to be significant and unavoidable, the lead agency has three ways of responding under CEQA. Specifically, agencies must ensure that adopted mitigation measures are fully enforceable and can avoid or reduce the magnitude of the impact, specify that changes have been or should be adopted if the project is within another agency's jurisdiction, or adopt a statement of overriding consideration including the economic, social, legal, technical considerations that make mitigation and alternatives infeasible.

Mike Weaver  
52 Corral de Tierra Rd.  
Salinas, CA 93908  
Phone: (831) 484-2243

Ms. Kathy Urlie  
AMBAG (Association of Monterey Bay Area Governments)  
P.O. Box 809  
Marina, CA 93933  
Phone: (831) 883-3750  
Fax: (831) 883-3755

Mr. Andy Cook  
TAMC (Transportation Agency for Monterey County)  
55-B Plaza Circle  
Salinas, CA 93901  
Phone: (831) 775-4411  
Fax: (831) 775-0897

April 1, 2005

Dear Ms. Urlie and Mr. Cook,

Thank you for the opportunity to comment on the Draft 2005 Monterey County Regional Transportation Plan, Draft Metropolitan Plan and the Draft Environmental Impact Report.

I note in the initial Executive Summary of your Draft Metropolitan Plan language that it states the metropolitan area covered by this plan is a designated maintenance area for the one hour ozone standard under the Federal Clean Air Act Amendments (CAAA) of 1990. Can you please explain the connection between the forecasts for population growth in the region and the expected air quality standards? A map of the region with shadings of air quality in the various parts would also be most helpful. Perhaps clear plastic overlays on top of the map of the region, showing air quality in 1990, today, and expected air quality ten years from now under current projections?

Your introduction states that the tri-County area has been incorporated into this metropolitan planning region for the purpose of meeting the federal Clean Air Act Amendments (CAAA) requirement that the planning area coincide with the non-attainment air basin boundary. Please explain in greater detail this requirement and the non-attainment for the lay person reviewing this document.

Your Plan Purpose (Page II-1) states, "Arguably most importantly, the RTP's reflect an extensive public involvement and participation process." Please explain how this can be in Monterey County? Despite both Federal and State encouragement and requirement for public participation, the Transportation

Page 2

Agency for Monterey County eliminated the Citizen's Advisory Committee for the Agency. First it was dissolved because it was felt there wasn't enough geographic diversity, even though there were nine unfilled positions that could have been filled from anywhere in the County. Then, a newly formed Citizen's Advisory Committee was created, and then eliminated. Although the TAMC staff has an "outreach" Program where speeches are given at Rotary Club functions, and the like, and questions are solicited, it does not take the place of a regularly scheduled group of County citizens who can pour over the budget, ask good questions, and make advisory comments for the elected representatives of the TAMC Board. Millions of dollars of both Federal and State monies are at stake and politicians are spending it without much Citizen oversight.

Under Item B. Regional Transportation Planning Process, you correctly point out that the Transportation Agency for Monterey County is a designated Congestion Management Agency. It states that it may OPT OUT of the designation if their member Jurisdictions decide to pursue that course. Please explain in detail for both the layperson and the Federal and State Agencies who may be reviewing this:

- 1) What is a Congestion Management Agency?
- 2) Why was it adopted in Monterey County?
- 3) What are the requirements for roadways in the Congestion Management Program?
- 4) Can roadways or segments be eliminated from the CMP?
- 5) What are the dollar advantages of being a County in the Congestion Management Program?
- 6) What are the environmental advantages of being a County in the Congestion Management Program?
- 7) What are the requirements when a segment of highway falls below the designated Level of Service?
- 8) Please provide the location of the documents that reflect the adherence of this County of Monterey to the CMP. Are these documents available for public review?
- 9) Is the Transportation Agency for Monterey County considering opting out of a CMP because they may not be in conformance?

On page II-5, your draft Monterey Bay Metropolitan Transportation Plan states, "RTPAs (Regional Transportation Planning Agencies) are also responsible for ensuring adequate citizen involvement within the regional transportation planning process." Please explain what "adequate" means in terms of real citizen involvement. Again, note the Monterey County Citizen's Advisory Committee was eliminated.

On page II-7, your draft Monterey Bay Metropolitan Transportation Plan states, "AMBAG and other providers of transportation planning services regularly meet and consult with representatives from other local transportation planning and public works

Page 3

agencies to ensure that the transportation needs of their jurisdictions are being adequately served. THIS IS ACCOMPLISHED THROUGH THE TECHNICAL ADVISORY AND CITIZEN ADVISORY COMMITTEES STAFFED BY THE RTPAs.” (Emphasis mine) Once again, the Citizen’s Advisory Committee in Monterey County was eliminated.

Please explain in greater detail the loss of approximately \$5 Million annually to the Monterey Bay region because they are no longer eligible under the Congestion Mitigation and Air Quality Program. What events led up to this loss of eligibility? What are the effects of the Monterey Bay region no longer being “beholden” to the performance of air quality conformity of its plans and programs?

Page II-11 of your draft Monterey Bay Metropolitan Transportation Plan references both Memoranda of Understanding and Agreement amongst various agencies. Can the language of these Memoranda be published in the Final Monterey Bay Metropolitan Transportation Plan for the public to read what it is that their public agencies and elected representatives have agreed to?

Your description of the various highways in the draft Metropolitan Transportation Plan fails to mention that State Route 68 is a designated California State Scenic Highway on page III-8. Also, might I suggest you change the wording of sentence number two from “... easterly to Laguna Seca Raceway and on into Salinas...” to the following: “ easterly to the Monterey County Park, Laguna Seca Recreation Area, and again eastward past Monterey County’s Toro Regional Park and on into Salinas.”

Regarding Bus Transit, specifically the Monterey-Salinas Transit (MST), could you please list both the total number of buses, the number of new buses acquired in the past three years, and the cost of these new buses? Have the old bus’s been sold?

Your draft Metropolitan Transportation Plan on page III-15 has Map 3 that lists Park and Ride Lots. Where is the Park and Ride Lot for the 1,031 houses of the Las Palmas Ranch housing development off River Road in Monterey County? This traffic impacts SR 68.

Could you please list the official operating hours of the various airports under “f.” “Aviation System”. This could be included as part of Table III-3, titled, MONTEREY BAY GENERAL AVIATION OPERATIONS AND FACILITIES- 2003.

Under Level of Service Standards Applicability, can you please explain any differences between Monterey County requirements and the State of California recommendations for the State’s highways that pass through Monterey County? Also, a description of the various methodologies that can be used in calculating Levels of Service would be most helpful. Is there a standard methodology that is used in the tri-County Metropolitan area? If not, why not?

Your Metropolitan Transportation Plan has a Map labeled Map 6 on page III-40.

Page 4

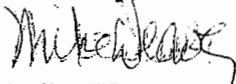
I am completely mystified by this map. It is labeled LEVELS OF SERVICE E & F ON STATE HIGHWAYS. State Highway 68 in Monterey County is drawn in as being Level of Service E. The date on the top of the page is May 8, 2002. Briefly, State Highway 68 was designed and estimated to be able to accommodate upto 16,000 vehicles per day. It achieved this capacity in approximately 1983. Today, depending on the time of year, I have seen estimates from 24,000 to over 30,000 vehicles per day using this Highway 68 from Salinas to Monterey. This highway was officially designated as being Level of Service F in 1997 by the Transportation Agency for Monterey County. Since 1997, traffic has gotten worse. How then, can this Highway 68 segment be listed as being Level of Service "E" in the 2005 draft Metropolitan Transportation Plan? Where is the required deficiency study/plan?

Finally, regarding your Monterey County Constrained (Funded) Project List dated February 15, 2005 in your draft Metropolitan Transportation Plan, I have a few questions regarding State Highway 68.

- 1) Where did the estimated \$10 Million funding come from for SR 68-Operational Improvements? (CT018)
- 2) Additional proposed left turn lanes at San Benancio and Corral de Tierra Roads are controversial to many of these Road's residents and will cause more safety problems. (CT018)
- 3) The Project Study Report has not been completed, thus not reviewed by the State of California, CalTrans, who owns this Highway 68. Thus, isn't it premature to list this on a funded project list? (CT018)
- 4) Specifically, what York Road Improvements are being considered? (reference MRY031). It lists signal installations (plural). However, there is a signal already there. It also lists "modifications". Is there a plan to significantly increase the traffic on York Road?
- 5) Significant changes are listed for General Jim Moore Blvd in this list on the draft Metropolitan Transportation Plan. However, comments on the plan for General Jim Moore Blvd. are due on April 16, 2005. One concern is that I do not believe the Army has completed its removal of possible unexploded ordnance.

Thank you again for the opportunity to comment. I sincerely appreciate the good work that the management and staff of both AMBAG and TAMC are providing Monterey County and the tri-County area. These are large documents to prepare. For the most part, they are informative and helpful. I hope you can take my comments and suggestions as being constructive.

Sincerely,



Mike Weaver

c.c. FHA, CTC, CalTrans District 5, Highway 68 Coalition

Letter H: Mike Weaver, April 1, 2005.

*COMMENT H-1: Thank you for the opportunity to comment on the Draft 2005 Monterey County regional Transportation Plan, Draft Metropolitan Plan and the Draft Environmental Impact Report.*

**RESPONSE H-1:** Comment noted. As Mr. Weaver's letter did not address revisions/review of the Draft EIR, no further response is required.



Arnold  
Schwarzenegger  
Governor

April 4, 2005

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit

APR 07 2005



Sean Walsh  
Director

**LETTER I**

Kathy Urlie  
Association of Monterey Bay Area Governments  
445 Reservation Rd., Ste. G  
P.O. Box 809  
Marina, CA 93933-0809

Subject: 2005 Monterey Bay Area MTP, 2005 Monterey County RTP, and 2005 Santa Cruz County RTP  
SCH#: 2004061013

Dear Kathy Urlie:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on April 1, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. **I-1**

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

**Document Details Report  
State Clearinghouse Data Base**

**LETTER I (continued)**

**SCH#** 2004061013  
**Project Title** 2005 Monterey Bay Area MTP, 2005 Monterey County RTP, and 2005 Santa Cruz County RTP  
**Lead Agency** Association of Monterey Bay Area Governments

**Type** EIR Draft EIR  
**Description** 1) 2005 Monterey Bay Area Metropolitan Transportation Plan: federally-required, 20 + year transportation plan covering 3-county Monterey Bay region.  
 2) 2005 Monterey County Regional Transportation Plan: state-required, 20 + year transportation plan covering Monterey County.  
 3) 2005 Santa Cruz County Regional Transportation Plan: state-required, 20 + year transportation plan covering Santa Cruz County.

**Lead Agency Contact**

**Name** Kathy Urlie  
**Agency** Association of Monterey Bay Area Governments  
**Phone** (831) 883-3750 **Fax**  
**email**  
**Address** 445 Reservation Rd., Ste. G  
 P.O. Box 809  
**City** Marina **State** CA **Zip** 93933-0809

**Project Location**

**County** Monterey, Santa Cruz  
**City**  
**Region**  
**Cross Streets** N/A

**Parcel No.**  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** N/A

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

**Reviewing Agencies** Resources Agency; Regional Water Quality Control Board, Region 3; Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Department of Fish and Game, Region 3; Department of Water Resources; California Coastal Commission; California Highway Patrol; Caltrans, District 5; Air Resources Board, Transportation Projects; Caltrans, Division of Transportation Planning; Caltrans, Division of Aeronautics

**Date Received** 02/15/2005 **Start of Review** 02/15/2005 **End of Review** 04/01/2005

Letter I: Terry Roberts, Governor's Office of Planning and Research, April 4, 2005.

*COMMENT I-1: The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on April 1, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.*

**RESPONSE I-1:** Comment noted. No response required.

APR 07 2005



Arnold  
Schwarzenegger  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Sean Walsh  
Director

April 4, 2005

**LETTER J**

Kathy Urlie  
Association of Monterey Bay Area Governments  
445 Reservation Rd., Ste. G  
P.O. Box 809  
Marina, CA 93933-0809

Subject: 2005 Monterey Bay Area MTP, 2005 Monterey County RTP, and 2005 Santa Cruz County RTP  
SCH#: 2004061013

Dear Kathy Urlie:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 1, 2005. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

**J-1**

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2004061013) when contacting this office.

Sincerely,

A handwritten signature in cursive script that reads "Terry Roberts".

Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures  
cc: Resources Agency



<http://www.dfg.ca.gov>  
POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500



LETTER J (continued)

April 1, 2005

Ms. Kathy Urlie  
Association of Bay Area  
Governments  
445 Reservation Road, Suite G  
Marina, CA 93933

Dear Ms. Urlie:

2005 Monterey Bay Area  
Metropolitan Transportation Plan  
SCH 2004061013

*Clear  
4-1-05  
late*

RECEIVED  
APR - 4 2005  
STATE CLEARING HOUSE

RECEIVED  
APR - 4 2005  
STATE CLEARING HOUSE

The Department of Fish and Game (DFG) has reviewed the document for the subject project. We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the county clerk on or before filing of the Notice of Determination for this project.

If you have any questions, please contact Dave Johnston Environmental Scientist, at (831) 475-9065; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

*for Scott Wilson*  
Robert W. Floerke  
Regional Manager  
Central Coast Region

cc: State Clearinghouse

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753



Letter J: Terry Roberts, Governor's Office of Planning and Research, April 4, 2005.

*COMMENT J-1: The enclosed comment(s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 1, 2005. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.*

*The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.*

*Comment from Robert W. Floerke, Regional Manager, Central Coast Region, California Department of Fish and Game, April 1, 2005:*

*"The Department of Fish and Game (DFG) has reviewed the document for the subject project. We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of regulations, Title 14, Section 753.5(d)(1)(A) – (G)<sup>1</sup>. Therefore, a de minimus determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4 (d) should be paid to the county clerk on or before filing of the Notice of Determination for this project."*

**RESPONSE J-1:** Comment noted. No response is required. In following up to this correspondence, Association of Monterey Bay Area Governments has received the attached April 14, 2005 e-mail from David Johnston of the Department of Fish and Game (DFG) indicating that the de minimus determination is indeed appropriate for this project's environmental filing, and that a filing fee required under Fish and Game Code Section 711.4(d) is not applicable.

**John Courtney**

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**From:** Kathy Urlie [KUrlie@ambag.org]  
**Sent:** Thursday, April 21, 2005 8:11 AM  
**To:** jcourtney@lamphier-gregory.com  
**Subject:** FW: Monterey Bay Region MTP-RTPs EIR De Minimis Finding

-----Original Message-----

From: David Johnston [mailto:djohnston@dfg.ca.gov]  
Sent: Thursday, April 14, 2005 9:23 AM  
To: Kathy Urlie  
Subject: Re: Monterey Bay Region MTP-RTPs EIR De Minimis Finding

Kathy:

I've heard back from Region and we have decided to go with your interpretation on this one. Persistence pays!

This e-mail is notification that DFG considers the Monterey Bay Metropolitan Transportation Plan a de minimis project and agrees that the fee will not be required.

Dave Johnston  
Calif. Department of Fish and Game  
(831)475-9065

>>> "Kathy Urlie" <KUrlie@ambag.org> 04/11/05 11:54 AM >>>  
Hi, Dave - Per our conversation, here's the previous signed finding for the 2002 MTP SEIR. As discussed, the act of adopting the plan itself does not provide the discretionary project approval to put the projects into place; therefore, I believe the EIR warrants a De Minimis Impact Finding. Please advise me after you talk internally. Thanks, Kathy

<<img001.pdf>>

Public Hearing – Association of Monterey Bay Area Governments, March 9, 2005

There were no comments on the Draft EIR made during the public hearing held by AMBAG on March 9, 2005.

Public Hearing – Santa Cruz County Regional Transportation Commission, March 17, 2005

There were no comments on the Draft EIR made during the public hearing held by SCCRTC on March 17, 2005.

Public Hearing – Transportation Agency for Monterey County, March 23, 2005

There were no comments on the Draft EIR made during the public hearing held by TAMC on March 23, 2005.

**FEIR APPENDIX**

**PROJECTS REVISED SINCE DRAFT MTP WAS RELEASED**

**Projects Revised Since Draft MTP was Released**

*All Figures in '000s (thousands of dollars)*

RTP Id	Agency	Project Title	Constrained Funding	Unconstrained Funding	Total Project Cost	Conformity Non-Exempt	Mode	TCM	\$ Change from Draft MTP
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**Revised Projects**

CAL-3	Caltrans	Highway 25 to Santa Clara County	\$164,300	\$0	\$164,300	Yes	VF		\$41,800
SBCOG-13	San Benito COG	Ridesharing Program, Annual Allocation	\$150	\$0	\$150		TDM	Yes	\$100

**Added Projects**

SBC-5	San Benito County	HBRR/Seismic Group Listing	\$6,386	\$0	\$6,386	Yes	VF		\$6,386
SBC-6	San Benito County	Fairview/Fallon Intersection Improvements	\$300	\$0	\$300		TF		\$300
SBC-7	San Benito County	Cienega Rd. Realignment	\$629	\$0	\$629		TF		\$629
SBC-8	San Benito County	John Smith/Fairview Intersection Improvements	\$770	\$0	\$770		TF		\$770
SBC-9	San Benito County	Orchard & Fairview/Prescott & SJ Hwy Imprv.	\$160	\$0	\$160		TF		\$160
SBt1-01	Hollister Airport	Runway 24 Holding Apron	\$70	\$0	\$70		A		\$70
SBt1-06	Hollister Airport	Perimeter Fencing	\$447	\$0	\$447		A		\$447
SBt1-08	Hollister Airport	Lighting Beacon Rehabilitation	\$13	\$0	\$13		A		\$13

**Deleted Project**

CO-P48	County of Santa Cruz	San Lorenzo Valley Bicycle Trail	\$0	\$0	\$0		BP	Yes	-\$8,000
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