

OCT 31 2008

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October 23, 2008  
Mr. Carl Holm  
Monterey County Planning Department  
168 W. Alisal Street  
Salinas, CA 93901

Re: The Open Monterey Project (TOMP) 10/17/08 letter regarding unavailable reference documents for GPU-5

Dear Mr. Holm:

The above-referenced letter has come to my attention and I wish to join with TOMP in requesting the County to correct the noted deficiencies in the DEIR reference documents and to extend the cutoff date for comments to begin on the date when the corrections become publicly available. This letter explains why.

Preliminarily, I want to call to your attention a letter I sent to the Planning Department on 10/21/08 regarding two serious errors in the DEIR. The first error I described will prevent the public from understanding that a settlement agreement from prior litigation concerning an agricultural conservation easement mandated by the 1982 General Plan and the Greater Salinas Area Plan will significantly affect where the boundaries of the Chualar community area can be placed. The second error I described was a mis-citation in Section 11 of the DEIR pertaining to an important chart in the Farmland Mapping Program which took me several hours to track down. I considered both errors so prejudicial to informed public review that I requested a temporary halt to the DEIR review process until those errors are corrected. The corrections requested in my 10/21/08 letter could be carried out at the same time as the corrections that TOMP requests.

To explain why I make this request, I will begin by discussing the first error TOMP identified in Exhibit 1 to its 10/17/08 letter. It is the citation to the Calflora website cited in the DEIR on page 4.9-3 for the following passage:

*For example, there are almost 3,000 species of plants that occur in Monterey County according to Calflora (2008), a database of California plants. Of these, 101 plant species are considered to be rare or sensitive by the CNPS and are listed in the CNDDDB (2007). (Bold added for emphasis.)*

TOMP correctly noted that the Section 11 reference 25 link to [www.calfora.org](http://www.calfora.org), is for a .pdf document that does not provide the search stated. That is because the link is misspelled "calfora" whereas the correct spelling is "calflora." Spelled correctly as [www.calflora.org](http://www.calflora.org), the link takes the reader to a most helpful website where I learned that there are twenty native ferns growing in the vicinity of the conservation easement discussed in my 10/21/08 letter, a fact that other reviewers of the DEIR will not learn unless they make the same kind time-consuming research that I made.

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Why is it important to correctly cite the Calflora website?

Well, although I am familiar with the Chualar area, I did not realize until I explored the Calflora website that there are twenty native ferns growing in the area of the proposed Chualar Community Area. Now that I've learned about the ferns from the Calflora website, I can submit a comment on the DEIR asking whether any of the ferns are endangered and learn the answer in the response to comments. However, if I had not independently learned the correct citation to the Calflora website, I would have assumed that the website says only that 101 plant species in Monterey County are considered to be rare and probably I would not have requested a corrected citation because neither the DEIR nor GPU-5 tips me off to the website's potential relevance to the boundaries of the Chualar Community Area.

Let me offer another example of why the County should not assume that the public will request a correct citation when an incorrect one is encountered in Section 11. Both TOMP and I identified, reference 35 in Section 11 of the DEIR mis-cites to a page that cannot be found, i.e. <http://redirect.conservation.ca.gov/DLRP/fmmp/pubs/1984-Present.xls>. The correct citation, which I finally found in Table 4.2-5 of the DEIR (after several hours of searching) is [http://redirect.conservation.ca.gov/DLRP/fmmp/pubs/1984-Present/mnt\\_1984-Present.xls](http://redirect.conservation.ca.gov/DLRP/fmmp/pubs/1984-Present/mnt_1984-Present.xls). That table gives a portion of the information found at the correctly cited web address, but not all.

The correct citation is to a Farmland Mapping Program chart which shows that between 2004 and 2006, 2,711 acres of Monterey County prime farmland were converted to other uses. Two thousand seven hundred and eleven acres exceeds the loss to other uses of Monterey County Farmland of Statewide Importance (1,585 acres) or Unique farmland (2,025 acres) during the same time period. Yet nowhere in either the DEIR nor in the General Plan can I find an acknowledgment of this post-2004 rate of conversion of Monterey County prime farmland.

Conversion of prime farmland is a serious environmental matter. Such loss has a far more adverse impact than the conversion of less valuable farmland. The California Department of Conservation terms defines "prime" farmland as having the "best" combination of desirable features:

*Prime Farmland is land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use. ([http://www.conservation.ca.gov/dlrp/fmmp/Documents/soil\\_criteria.pdf](http://www.conservation.ca.gov/dlrp/fmmp/Documents/soil_criteria.pdf).)*

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The mis-citation in reference 35 makes it less likely that members of the public will discover the County's post-2006 trend. However, if the citation were correct, members of the public would quickly discover the post-2006 Monterey County trend on the page that the correct link leads to.

If the DEIR contained only several errors like the mis-citation to the Calflora website or the Farmland Mapping Program website, I would question whether or not only several errors would warrant suspension of the comment period. But the *cumulative effect* of the scores of errors that TOMP identified, in addition to the serious mislabeling of the maps described in my October 21, 2008 letter, seem to me to be an informational inadequacy so prejudicially serious that I believe CEQA's informational requirement requires that public notice to be given of the corrected citations and that the comment period be extended in accordance with TOMP's request.

In sum, it is the cumulative effect of the scores of errors TOMP identified combined with the serious errors identified in my October 21 comments that cause me to join with TOMP in requesting the County to correct the noted deficiencies in the DEIR reference documents and to extend the cutoff date for comments to begin on the date when the corrections become publicly available. I request notification of whether or not the County intends to grant this request and the rationale for that decision.

Respectfully yours,



Jane Haines

Copy to the County Counsel at [mckeeci@co.monterey.ca.us](mailto:mckeeci@co.monterey.ca.us) and to the Board of Supervisors at [citfb@co.monterey.ca.us](mailto:citfb@co.monterey.ca.us) and to The Open Monterey Project care of [erickson@stamplaw.us](mailto:erickson@stamplaw.us).  
Hard copy to Carl Holm to follow by mail.