

m|r|wolfe
& associates, p.c.
attorneys-at-law

September 23, 2008

Monterey County
Planning and Building
Inspection Administration

SEP 25 2008

RECEIVED

Rec'd for on 9/23/08

Mike Novo
Monterey County Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901
Fax: (831) 757-9516

**Re: Draft EIR, 2007 Monterey County General Plan
(SCH# 2007121001)**

Dear Mr. Novo:

On behalf of our client, LandWatch Monterey County, I write to request that the County of Monterey fully comply with its obligation under CEQA to make available to the public all of the supporting studies and materials referenced in the draft EIR for the 2007 Monterey County General Plan ("DEIR"). See Public Resources Code, § 21092(b)(1).

Since September 12, 2008 when the DEIR was first released, LandWatch has repeatedly sought access to copies of the documents identified in Section 11 of the DEIR, as we detailed in letters dated September 16, 2008 and September 18, 2008. On September 18, LandWatch requested access to copies of the traffic source documents referenced in Section 4.6 of the DEIR, which were not referenced in Section 11 or provided in an appendix as is customary. On September 22, LandWatch requested copies of the air quality source documents referenced in Section and 4.7 of the DEIR, which, contrary to the text of the DEIR, are not in fact included in an appendix to the DEIR.

On September 23, the County's planning staff provided access to 22 of the 248 documents cited in Section 11. Staff provided partial copies of 9 other documents. Staff then provided a revised version of Section 11 to Amy White of LandWatch, numbering the referenced documents and providing URLs for a number of the documents for which the Section 11 had not previously provided URLs.

However, the County has still not yet provided hard copy or internet access to at least 48 documents referenced in Section 11. We are willing to accept URLs that actually permit us to access the document relied upon in the DEIR, but a number of the URLs do not do so. For example, the URL for document number 4, AMBAG's 2006 Travel Demand Forecasting Model, leads to Google search results for "Travel Demand Forecasting Model," not to AMBAG's model. URL's provided by the County for other

1

documents lead to sites that require the public to order and pay for documents, e.g., documents 38-40, California Department of Conservation reports. Other URLs lead to subsequent versions of documents cited in the DEIR, e.g., document 47, California Department of Finance reports. In effect, the County has still failed to make more than 50 of the documents referenced in Section 11 available as is required under CEQA.

Finally, the County has simply not responded to LandWatch's request for access to the documents that are referenced in the traffic and air quality sections.

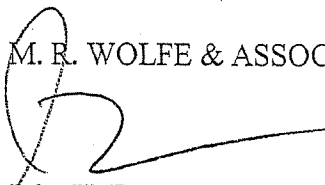
Accordingly, we reiterate our request that the County provide LandWatch with access to copies of *all* of the requested documents.

Until the County has met its obligation to make all of the documents available, LandWatch will be deprived of the opportunity to participate meaningfully in the public comment period. Thus, LandWatch reiterates its request that the County extend the public comment period so that there are at least 45 days for public review after the County makes all of the documents available.

Please contact me to make arrangements for access to the documents and to confirm that the County will extend the public comment deadline.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.



John H. Farrow

JHF:ms

cc: Amy L. White