

FEB 02 2009

RECEIVED

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

**From:** Jan Mitchell [mailto:janmitchell77@hughes.net]  
**Sent:** Sunday, February 01, 2009 9:47 PM  
**To:** Holm, Carl P. x5103  
**Subject:** COMMENTS/GENERAL PLAN UPDATE #5/"The Compromise Plan"

Hello Carl:

Below, you will note comments from our PRUNEDALE NEIGHBORS GROUP. I will also hand-deliver a hard copy to your office tomorrow.

Thank you,  
Jan

-----  
-----  
  
February 2, 2009

Carl Holm,

Asst. Director

PLANNING DEPARTMENT

County of Monterey

168 W. Alisal St.

Salinas, Ca. 93901

“HAND DELIVERED” & “E-MAILED”

REFERENCE: COMMENTS TO MONTEREY COUNTY 2007 GENERAL PLAN DEIR

Dear Mr. Holm:

We hope (as lay citizens) we can present our concerns in some sense of order, as this Draft Environmental Document seems inordinately thick., ( 4 ½ inches ...we measured) and filled with much information which doesn't really tell us much. Some omissions were disconcerting.

In the interest of time, we plan to address only those issues which are of primary concern to us. We are not paid to respond; hopefully, we have elected representatives who will consider our

interests. In addition, we leave the specificities to the "expert" lay individuals of such organizations as LandWatch, Monterey County, the Sierra Club, the California Native Plant Society, and others who will no doubt submit many more substantive questions relative to this DEIR and therefore reference many of our own biological concerns.

1

It goes without saying that we remain cautiously optimistic about the adoption of GPU#5. In its current form, GPU#5 represents significant progress toward the compromise position which the Board of Supervisors promised voters after the stalemated election of June 2007; however, there are many areas yet to be improved.

For the record, the following are a few of the enforceable policy gains in the current draft WHICH WE SUPPORT:

- NO further subdivision in the entire north county (non coastal) PLANNING AREA.
- A provision that absolutely LIMITS subdivision in the area just north of Salinas to Butterfly Village and puts an end to the larger Rancho San Juan Project.
- NO further subdivision in the Toro Planning Area along Hwy 68
- NO further subdivision of agricultural land (of state-wide importance as mapped by the state) for non-agricultural purposes in the Salinas Valley and throughout the entire county.

2

We begin by relating our concerns regarding AIR QUALITY:

4.7-4 states, "Wineries also contribute hydrocarbons through their fermentation activities."

An article in the Herald 12/17/2005 regarding problems in Fresno, Calif. referenced that air regulators there had to approve the nation's first AIR QUALITY CONTROLS for wineries. This was an effort to clamp down on the smog-forming chemicals that drift into the atmosphere during fermentation. The winery rule approved by the San Joaquin Valley Air Pollution Control District asked the 18 largest winemakers in the 8-county region to reduce pollution coming from their plants by 35 per cent. Wineries in the valley had come under scrutiny because the fermentation process that turns grape sugars to alcohol releases ethanol, methanol, and other organic compounds into the atmosphere, where they react with sunlight and heat to form ozone. Regulators estimated that the grape fermentation process released about 788 tons of pollutants per year.

3

Do we really want such an impact in our county? Seems to me from the profits published in local newspapers, these vintners are doing well economically. What's is wrong with leaving the process as it is currently for approval of wineries? How healthy will this be for other Monterey County crops? Or for the residents for that matter? Or, for our tourists visiting this area? Does this impact not need further (in depth) analysis?

As reported in the local Californian (3/23/2006), "California Second in Air Pollution" only to New York, among states with the dirtiest air, according to data from the Environmental Protection Agency (EPA). By the numbers: "In California, slightly fewer than 66 residents per

million are at risk of developing cancer due to the air they breathe.” Is this not already a serious environmental concern?

3

WATER OVERDRAFT CONCERNS:

According to one water purveyor, it is estimated that ONE PERSON uses 100 gals of water per day, on average.

Many of the areas proposed for growth in GPU#5 are dealing with current water overdraft situations, and without ANY water solution implemented, from whence will adequate groundwater supplies come? Would it not be more prudent to implement a water solution prior to any new build-out? Isn't this how we got into this water overdraft situation in North County in the first place? And, what about the Toro area? Were our "representatives" not warned in the Fugro Report of 1995? Why have we no water solution, yet we propose more and more and more development without regard to no solution?

We are experiencing another dry year. Santa Cruz county announced some water rationing just yesterday. Here in north county, thirteen north county families have been trucking in water for the past 2 1/2 years. Others truck in periodically. Is this not a slap in the face to those poor residents to propose such tremendous growth, and yet NO SOLUTION for them? We knew we had a severe water problem when the previous General Plan was adopted; when does common sense prevail?

4

How do we accommodate additional wineries and grape fields as the DEIR discusses, particularly when it comes to water demand? What "miracle" WATER solution will accommodate all additional proposed growth for agriculture and residences as well?

Folks in our north county have no solutions for those already lacking potable water. Repeated public water meetings are led by the same folks wringing their hands, and proposing new taxes to provide them with a resource which should have been a given when they purchased their properties. Ad hoc committees seem to provide no solutions either. However, those deprived individuals have been promised relief from the Salinas Valley Water Project, which is yet to be built, and is located 13 miles away.

In addition, please advise how water will run UPHILL to benefit our north county residents, and in addition, where is the distribution system to carry the water? Furthermore, where is the funding mechanism for the distribution system?

What funding mechanism can possibly save the day when we are experiencing a local, national and federal ECONOMIC CRISIS? Was this information provided in the DEIR somewhere and we simply overlooked it?

TRAFFIC IMPACTS:

As we understand it, state law requires each city and county General Plan shall include both a "Circulation" element, and a "Land Use" element. Does not state law also require that these two

5

elements be “internally consistent”? Please explain how the amount of growth projected will be substantiated with adequate transportation networks to serve that growth. Where is the cost benefit analysis?

When the traffic modeling was prepared, was any thought given to the additional construction traffic? With so much build-out projected, it would appear that the impacts from construction traffic would be astronomical and should certainly be included as a substantive impact. Will not these heavy loads break down our existing roadway systems even more? We can't afford to maintain what we have now.

5

Has an infrastructure funding plan been prepared? How will we legally plan for major new roads that aren't needed from the point of view of what is guesstimated the future land uses will be? Establishing major new freeways through land designated for farming doesn't really compute. Would this not be an “internal inconsistency” which state law indicates is not allowed?

Would not the reduction from Level of Service “C” to Level of Service “D” as proposed, be a step backward in planning? Or is this planning at all? Particularly since LOS “C” was NEVER been achieved?

DEFICIENT INFRASTRUCTURE - (Especially for Ag Winery Corridor Plan).

In March 2004, a review of the River Road Project Study Report reflected an estimated \$126 million cost was needed for road “safety and improvements” for the River Road corridor ALONE, and was absent from the General Plan Update wine corridor fee nexus. Public wants to see, and expects to see, some REAL DOLLAR figures.

A conservative estimate for the entire winery corridor network safety improvements might well have been \$180 MILLION---THAT WAS 2004 DOLLARS! As asphalt prices continue to rise (as has been the case with the Prunedale Improvement Project, which the public was assured time and again was “fully funded”), and with the state of California intending to perhaps distribute IOU's to pay our personal income tax refunds---from where will the funding come for the infrastructure to sustain such tremendous new growth?

6

We must question, how will current infrastructure accommodate the 21 possible accessory uses associated with wineries, as listed in the draft brochure circulated by the Dept of Planning & Building Inspection in 2001, as follows:

- Winery as defined in Titles 20 and 21
- Artisan winery defined in Titles 20 and 21
- Bed and Breakfast Facilities
- Picnic Grounds
- Campgrounds
- Delicatessen
- Restaurant
- Conference Center
- Indoor events of 150 persons or less
- Indoor events more than 150 persons

- Outdoor events of 150 persons or less
- Farm Labor Housing
- Employee Housing
- Concerts
- Weddings
- Convention Center
- Spa/Resort
- Golf Course
- Tennis Courts
- Night Lighting

In addition, there are Tasting rooms not with wineries

- Existing building in a vineyard
- New building, new location
- Public Road access
- Bonded Winery off-site tasting room
- Multiple Winery Tasting
- Retail sales of wine and wine items only
- Pr-packaged food service and retail sales
- Food preparation on site
- Tasting room in an historic structure
- Commercially zoned property
- Viticultural area

The possibilities seem endless---all this---merely with ministerial permits?? Does this not mean they would be exempt from CEQA at the project level? What about the cumulative impacts? When will those be addressed---if ever?

Just as an aside, the Herald ran an article on 7-11-2006 with a headline which read:

“Climate Changes Could Devastate U.S. Wineries”. That article stated that Climate warming could spell disaster for areas currently suitable for growing premium wine grapes. These could be reduced by 50 per cent...and possibly as much as 81 per cent ---by the end of this century according to a study Monday in Proceedings of the National Academy of Sciences.

What will be required of vintners if/when this disaster occurs? Will these vines be merely left in the fields to wither as blight, or would vintners be required to restore the land to it's original state?

What about wastewater discharge from wineries? Has this impact been adequately analyzed?

#### AFFORDABLE HOUSING :

As we understand it, the special treatment/special interest Winery Corridor Plan (formulated with very little or no input from the general public) intends to promote this corridor along more than 80 miles of Salinas Valley roadways which wind through much of our county's scenic farmland--all the way from Salinas down lengthy stretches of River Road, Metz Road, and Elm and Toro Roads---all the way to Lockwood. Why such “special treatment” for ONE special interest?

The labor for these facilities will ultimately be low-paid wage earners. These jobs are generally for food servers, busboys, maids, wine pourers, facility workers, groundsmen, grape harvesters, etc. How will sufficient affordable housing be provided for these additional low-wage earners? Seems this county hasn't enough now to accommodate our field workers. Developers claim that affordable housing development "doesn't pencil out"...so, what incentive have they to build it?

Will this housing be provided near the jobs to ensure a housing/jobs balance? Will it also be provided near emergency services? Who will ultimately pay for these low wage earners families' medical benefits and/or other services which they will require ?

7

What police protection has been planned for these corridors (located so far from county Sheriff's stations)? During budget hearings, the Sheriff states he is understaffed now, so what further cuts are anticipated with the current economic downturn. Will these vintners be subsidized to pay for this protection, or will this expense fall again on the taxpayer, while the vintners reap the profits?

Does this low-paid wage earner group not already need more housing and services than Monterey County can currently provide?

#### BIOLOGICAL ISSUES:

As previously noted, there will be others, much more expert than we who will respond to this topic. No doubt, they will submit many of our questions.

However, we'd offer one comment"; we would hope Monterey County will adopt an Oak Woodlands Management Plan. We must begin to take careful notice of what is happening with our climates. Our climates are obviously changing... of this there is no doubt. Daily weather forecasts confirm this. These changes are not necessarily for the better. Considerable evaluation of trends in climate is necessary in considering how and where to restore oak woodlands which can require 300-500 years to reach maturity.

8

While we are NOT expert enough to comment on the biological, we DO have numerous grave concerns for the loss of our wondrous oaks and other trees which provide so many beneficial environmental qualities.

Further, we fail to note any true analysis denoting loss of wildlife habitat resulting from so much additional projected development. Is this data not required? What funding will be available for wildlife protection?

#### STEEP SLOPES:

One of our major concerns relates to the protection of steep slopes. For decades, Monterey County has maintained a slope ordinance that prohibits new cultivation of slopes of 25% or steeper. The current language in GPU#5 seems to eliminate that definitive prohibition

9

everywhere except Carmel Valley, where the prohibition has been maintained in GPU#5. New cultivation on steep slopes has dangerous implications for the areas outside Carmel Valley.

Not only will it cause erosion, threaten our remaining water quality and wildlife corridors, we ask why an outright prohibition cannot be included in the General Plan? After all this has worked WELL since the last general plan...if it works, why are we fixing it?

9

San Mateo County areas of Napa and Sonoma ban vineyards on hillsides with slopes greater than 50 per cent. We neighbors want to maintain the 30% slope rule, especially in our north county areas where the ground "moves". Regulations should be strong, and continually monitored, and violators should be punished so as to discourage repeat offenders.

Perhaps you will recall that the best CALTRANS experts available couldn't hold the "eroding" hill at the San Miguel flyover when it was constructed. Following multiple stabilization attempts, that hill is still suspect.

#### CONCLUSION:

It is a matter of public record that under date of: July 24, 2001, the Monterey County Board of Supervisors formally adopted Twelve General Plan Guiding Objectives, which were previously recommended by the Monterey County Planning Commissioners. As I recall, the vote was unanimous.

Are we to assume that these 12 ADOPTED Guiding Objectives are now to be "ignored" in the preparation of the DEIR?

Are we to assume that the Board of Supervisors merely adopts policies, then fails to follow them---? Perhaps you can explain?

10

In addition, why was the DEIR environmental analysis not correlated to these Board APPROVED AND ADOPTED 12 Guiding Objectives?

There is no doubt, there are numerous other questions which we could pose, but time will not permit. We will however, continue to monitor the formulation of general plan, and participate to the fullest allowed by law.

Thank you for the opportunity to respond to the Draft Environmental Document. For the Monterey County GPU#5, THE COMPROMISE PLAN.

Sincerely,

(Mrs.) Jan Mitchell, Representative

PRUNEDALE NEIGHBORS GROUP

70 Carlsen Road

Prunedale, Calif. 93907-1309

Phone: 831/663-3021

Fax: 831-663-5629