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September 9, 2008

Carl Holm, Assistant Planning Director
County of Monterey
168 W. Alisal Street, 2d Floor
Salinas, CA 93901

Subject: Draft Environmental Impact Report for GPU-5
Missing Appendix; DEIR Not Available at Local Libraries

Dear Mr. Holm:

This office represents The Open Monterey Project. The County has released the Draft EIR for the GPU-5 in hard copy bound paper, on CD, and on the County website.

New Appendix Added Days after Release of Draft EIR to Public

Just today, we noted a new appendix was added to the County website that was not there on September 5-7, 2008. Newly added to the County website is a document entitled "Appendix C - Traffic Data." That appendix is not shown on the Table of Contents on the DEIR on the County website (attached). There is no announcement on the website that a new appendix was added. Anyone who has already looked at the County website to view the DEIR would not know there was a new addition at the very bottom of the page. A viewer must scroll down for a long way to find the new addition, which, printed out, is at the bottom of page 3 of 3.

This was apparently an error in the release for public review, which the County should correct. County should make sure that everyone who purchased a CD or hard copy got Appendix C, and that the hard copies in libraries include Appendix C. All DEIR versions should be complete. Are there any other errors in the DEIR distribution? Only after all errors are corrected and communicated to those who purchased DEIRs so they have complete versions should the 45-day public review period start running.

Would you please tell us whether there are any other errors or differences between the hard copies of DEIR, the DEIR on the CDs, and the electronic version available on the County website? For example, do any of the versions contain any records that any other versions do not have, such as exhibits, maps, appendices, or technical appendices? We would appreciate your clarification of this issue.

No Draft EIR Available At Libraries

As of this afternoon, September 9, there is still no DEIR available at the Monterey library. The Pacific Grove library does not have a DEIR. The Carmel library

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does not have the DEIR. The Prunedale library is the only library we found so far that has the DEIR, but its version does not contain Appendix C. This information is based on conversations our Office has had with the Reference desk at each library.

Under CEQA Guidelines, section 15087(g), "lead agencies should furnish copies of draft EIRs to public library systems serving the area involved." The County of Monterey has, as a standard procedure, distributed copies of its County planning documents for major County projects to the Monterey, Pacific Grove, and Carmel libraries. For example, the Monterey library has the GPU-5 plan documents, and should have the DEIR on the GPU-5. The County's apparent exclusion of city libraries from the GPU-5 DEIR distribution is contrary to the County's past practice, and is inconsistent with the CEQA Guidelines and CEQA's goal of a reasonable public review period.

Until the complete DEIRs are available in the manner required by CEQA, the 45-day public review period should not begin to run.

Other Concerns

We question the County statement on the website that "comments will be received until 4:00 p.m. Monday, October 20, 2008." It seems unreasonable that the County would refuse to accept comments made between 4 and 5 PM on the final day, whatever that corrected date will be after it has been adjusted for errors in distribution.

There are some clerical errors to which we draw your attention so they can be corrected because, if left unchanged, they may cause some confusion. The notice of availability and the County website state that the DEIR was released "Wednesday, September 5." September 5, 2008 was a Friday. Also, on the Table of Contents, page I, the pages for the Tables and Exhibits are incorrectly stated.

Please provide us with a copy of the County's notice of availability for the DEIR, all corrected notices of availability, and a copy of the notices published in the Monterey County Herald and Salinas Californian.

Thank you for your professional courtesy.

Very truly yours,


Molly Erickson

Attachments:

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2. Printout from County website showing newly added Appendix C

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County of Monterey
RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT

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2007 GENERAL PLAN DRAFT EIR (September 2008)

Search

(All files are available in Complete Hardcopy for the 2007 General Plan Draft EIR (September 2008) \$200.00. Also in .pdf Format. CDs of this document may be purchased for \$6.00 from Monterey County Planning Department at 168 West Alisal in Salinas)

Complete Set of Documents Combined

- [2007 DEIR - Volume I](#) (263, mb, pdf)
- [2007 DEIR - Volume II](#) (33, mb, pdf)

(All Documents Separated Below)

Cover Pages

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Downloading Notes:

All files are in PDF format which requires the Adobe Acrobat Reader to view. If you don't have the Reader installed on your computer click the icon below to download. **Tip:** to download an entire PDF file to your computer right-click on the link and choose "Save Target As" (for MS Internet Explorer. Other browsers may use different commands)



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