3.0 Amendments to the DEIR

GLOBAL MINOR AMENDMENTS TO ENTIRE DEIR

The entire DEIR has been revised to make the following minor global revisions:

Change all references to the land zoning designation as follows:

~~RDR(5.1-D)~~ RDR/5.1-D

Where the timing element of mitigation measures references "Prior to building permit approval" revise as follows:

Prior to ~~building permit approval~~ issuance of building permit(s)

Where the compliance action of mitigation measures references "submit for approval" or "submit" revise as follows:

submit for review and approval or

submit for review and approval (as applicable)

Where the California Department of Fish and Game or CDFG are referenced revise as follows:

California Department of Fish and Wildlife or

(CDFW)

AMENDMENTS TO SECTION 2.0, PROJECT DESCRIPTION

Section 2.1 on page 2-1 of the DEIR has been revised as follows:

> ~~The~~ On August 16, 2001, the project applicant, Harper Canyon Realty, LLC (hereinafter "project applicant"), ~~has~~ submitted to the County of Monterey Resource Management Agency - Planning Department (hereinafter "County of Monterey") an application for a Combined Development Permit (PLN000696) for a Vesting Tentative Map in order to subdivide land pursuant to the Subdivision Map Act and the Monterey County Subdivision Ordinance (Title 19). The proposed project includes the subdivision of 344 acres into 17 lots on 164 acres with one 180-acre remainder parcel. The residential lots would have an average density of one dwelling unit per 9.64 acres within the subdivided area, as lots would range in size from 5.13 acres to 23.42 acres. Monterey County Planning Department deemed the application complete on November 22, 2002.

Section 2.3 on page 2-1 of the DEIR has been revised as follows:

> The project site is located in the Encina Hills area of the *Toro Area Plan* planning area, approximately 2,000 feet southeast off State Route 68 and east of San Benancio Road. Access to the project site is located of San Benancio Road onto the existing Meyer Road, which is owned in fee by the project applicant between San Benanacio Road and the site access point. Meyer Road, Alta Lane and Sierra Lane would serve as the on-site circulation routes. The project site and vicinity are shown in **Figure 2-2, Vicinity Map**.

Section 2.3 on page 2-2 of the DEIR has been revised as follows:

> SURROUNDING LAND USES
>
> Surrounding land uses include similar vacant undeveloped land to the west; unimproved lands in the watershed area and grazing/rangelands to the north and east; Toro Regional Park to the east and south; and single-family residences located along Meyer Road and Rim Rock Canyon Road to the southwest. Surrounding land uses are shown in the aerial photograph provided in **Figure 2-4, Aerial Photo**.
>
> The vacant undeveloped land located west of the project site includes 14 existing lots of record that have existing right and utility easements that terminate at the proposed extension of Meyer Road. These lots are not part of the proposed project but are included in the cumulative traffic analysis.

Page 2-4, paragraph 5, line 3 of the DEIR has been modified as follows:

> Within the Geosyntec Study area, groundwater flows both towards the Seaside Groundwater Basin and toward the Salinas Valley Groundwater Basin.

The second paragraph in Section 2.5 on page 2-13 of the DEIR has been revised as follows:

> The objectives of the proposed project, as stated by the applicant, are as follows:
>
> > *"The objective of the project applicant is to secure approval for a Combined Development Permit to create the Encina Hills residential subdivision consisting of 17 lots ranging in size between 5.1 acres and 24.3 acres, with a 180-acre remainder parcel. The project site consists of approximately 344 acres. With applicable zoning at 5.1 acres per unit (which would allow a total of 67 parcels at maximum development) the project applicant's objective, with its reduced density proposal is to maximize preservation of the property in its natural state in harmony with the limited residential development and limit cumulative environmental impacts. In furtherance of that objective, the applicant has previously committed to donate approximately 154 acres of the remainder parcel by deeding it to the County of Monterey as an expansion of the adjacent Toro Park."*

Section 2.6, third paragraph on page 2-17 is clarified as follows:

> **Water Delivery & Treatment Facilities**
>
> The proposed project will obtain potable water from two existing ~~off-site~~ wells. One well is located in the ~~nearby~~ previously approved Oaks Subdivision (hereinafter referred to as the "Oaks well") and the second well is located south of Harper Canyon Road (hereinafter referred to as the "New well"). The two wells will service both subdivisions ~~be joined to serve the Oaks subdivision, a previously approved project, and the proposed project~~. This system will be transferred to, and owned and operated by, the California-American Water Company (~~Cal-Am~~ Cal-Am) and operate as a satellite system. Water from these wells will be pumped and transmitted to the Ambler water treatment facility, and returned to the subdivisions in equal quantities. ~~Each well shall have a treatment facility processing water to meet the Safe Drinking Water State Act requirements. Water will flow through water lines from the treatment facilities to each lot within the roadway right-of-way~~. In addition, two existing water tanks and two new water tanks will be located on the project site within the remainder parcel. A 20-foot wide water line easement is proposed between the two new water tanks.

Section 2.7 on page 2-18 of the DEIR has been revised as follows:

2.7 Requested Actions and Required Approvals

This DEIR provides the environmental information and analysis and primary CEQA documentation necessary for the County of Monterey Resource Management Agency – Planning Department to adequately consider the effects of the requested development proposal. The County of Monterey Resource Management Agency – Planning Department as lead agency, has approval authority and responsibility for considering the environmental effects of the proposed project as a whole. The EIR will be used for the following Monterey County approvals:

- Combined Development Permit (PLN000696), including
    - Tentative Map
    - Final Map
- Grading Permits;
- Building Permits;
- Occupancy Permits;
- National Pollutant Discharge Elimination System (NPDES) General Construction Permit;
- Use Permit for removal of approximately 79 coast live oak trees;
- Use Permit for development on slopes in excess of 30 percent;
- Amendment to existing water quality permit issued by the California Department of Public Health.
- ~~Use Permit for development in a Design Control zoned area;~~
- Sewer Extension Agreement with California Utility Services; and
- Water Extension Agreement with California Water Company.

AMENDMENTS TO SECTION 3.1, AESTHETICS

The third paragraph on page 3.1-2 has been revised as follows:

> Some of the most critical scenic areas within the planning area of the *Toro Area Plan* are the visually sensitive areas that are viewed by the thousands of motorists who travel the scenic corridors daily. According to the *Toro Area Plan*, there are two scenic roads in the planning area: State Route 68 is a State scenic highway and Laureles Grade Road is an officially designated County scenic ~~route~~highway. The Monterey County Board of Supervisors has also designated Corral de Tierra Road, San Benancio Road, Corral del Cielo Road, and Underwood Road as County scenic routes. The project site is located approximately 2,000 feet southeast of State Route 68, between San Benancio Road and River Road. Laureles Grade Road is located approximately 3.5 miles west of the project site. San Benancio Road, a County designated scenic road, provides project site access to and from State Route 68. In addition, the project site is located adjacent to Toro Regional Park and approximately 3,500 feet from Fort Ord Public Lands that is under the jurisdiction of the Bureau of Land Management (BLM), which are considered public viewing areas in Monterey County.

The following paragraph has been added to the bottom of page 3.1-2 after the discussion of State Route 68:

> **Laureles Grade Road**
>
> Approximately 0.82 miles of Laureles Grade Road, between State Route 68 and Carmel Valley Road, has been officially designated as a county scenic highway under California's Scenic Highway Programs. Laureles Grade Road is a regional transportation route that connects the State Route 68 to Carmel Valley and is located approximately 3.5 miles west of the project site. The speed limit on Laureles Grade Road is 45 miles per hour and it also provides access to several residential developments. Rolling hills covered in oak woodlands dominant a majority of the State Route 68 side, or the northern portion, where as oak scrubland dominants the Carmel Valley side, or southern portion. Residential development along Laureles Grade Road is scattered with a high concentration on the northern portion of this roadway. The project site may be visible in the distance to those traveling northbound on Laureles Grade Road at higher elevations looking towards the northeast.

The last paragraph on page 3.1-9 has been revised as follows:

> **State Route 68**
>
> The proposed home sites located on Lots #7, #11, and #17 are potentially visible from State Route 68. However, the steep and rolling terrain adjacent to the State

Route 68 provides a natural screen which limits visibility of the project site from the highway and limits the visibility to the project site in the foreground. In addition, portions of project site are zoned within a "Design Control District". The purpose of the "Design Control" zoning district is to protect the public viewshed, neighborhood character, and assure the visual integrity of the development in scenic areas. The intent of the "Design Control District" is to guide development while preserving the scenic qualities of the ridgeline area, views from State Route 68, and the scenic and rural quality of the project vicinity. The "Design Control District" would be applicable the entire area of both parcels. Therefore, all 17 residential lots would be subject to the requirements of Section 21.44.010 of the *Monterey County Zoning Ordinance*. Section 21.44.010 of the *Monterey County Zoning Ordinance* applies specific design standards and additional design review prior to approval of new development, including regulation of the location, size, configuration, materials and colors of proposed structures in order to guide development. The ~~architectural~~ design review process would ensure that the scenic quality of the project site and vicinity is not diminished with implementation of the proposed project per Section 21.44.030 of the *Monterey County Zoning Ordinance* (Title 21). Therefore, the impact to views from State Route 68 would be considered **less than significant**.

The second to last paragraph on page 3.1-15 of the DEIR has been revised as follows:

The portion of the project site that is to be subdivided includes approximately 97 acres of land that exceeds 30 percent slope and is subject to Policy 26.1.10 of the *Monterey County General Plan*. Policy 26.1.10 of the *Monterey County General Plan* prohibits development on slopes greater than 30 percent. Monterey County Planning Department requires dedication of a scenic easement on slopes of 30 percent or greater. There is no nexus to exact scenic easements on the Remainder Parcel pursuant to the Subdivision Map Act. The following mitigation measure has been provided to ensure consistency with Policy 26.1.10 of the *Monterey County General Plan* and that the proposed project would have a **less than significant impact** on State Route 68 and the public viewshed.

The last paragraph on page 3.1-15 of the DEIR has been revised as follows:

Mitigation Measures

MM 3.1-2a Prior to recording the Final Subdivision Map, Monterey County Planning Department shall require that the project applicant designate all land that exceeds slopes of 30 percent as "scenic easements" in accordance with Policy 26.1.10 of the *Monterey County General Plan*, except where roadway improvements have no other alternative. This includes land exceeding 30 percent slopes within the 17 residential lots ~~and the remainder parcel~~.

The Final Subdivision Map shall identify the areas within a "scenic easement" and note that no development shall occur within the areas designated as "scenic easement."

MM 3.1-2b To further reduce the potential visibility of proposed development from common viewing areas, Toro Park, BLM public lands and State Route 68, prior to recording the Final Subdivision Map, the project applicant shall designate building envelopes on each proposed lot and clearly identify the location of all utility and infrastructure improvements (including water tank(s)) to define the building areas. The building envelopes, utilities and infrastructure improvement locations shall be selected to minimize grading, avoid vistas that have a direct line of site to State Route 68 to the maximum extent feasible and preserve existing screening vegetation. These shall be subject to review and approval by the RMA-Planning Department.

MM 3.1-2c In order to preserve the visual character of the project site and surrounding area, the project applicant shall prepare design standards that shall be recorded on the titles for all of the parcels. These shall apply to all site development, architectural design and landscape plans. These shall include the following elements:

a) use of natural materials, simulated natural materials, texturing and/or coloring that will be used for all walkways, patios, and buildings.

b) Use of rolled curbs for areas where curbs may be required;

c) Substantial use of vegetative screening using a native drought tolerant plant palette to obscure off-site view;

d) Re-planting with native grasses and vegetation of any roadways serving the subdivision and individual parcels; and

e) A planting plan shall be submitted to the RMA-Planning Department for review and approval prior to the approval of grading plans for creation of subdivision roadways. A planting plan shall be submitted as part of the Design Review approval process for each residential lot.

The third paragraph on page 3.1-16 of the DEIR has been revised as follows:

Ridgeline Development

Impact 3.1-3 Implementation of the proposed project would result in alteration of site conditions that may be visible when viewed from common viewing areas, such as Toro Regional Park, BLM public land and State Route 68. However, the proposed residential units are sited at the lowest elevation or are located in the foreground of hillsides of higher elevation; therefore, they shall not create a silhouette. Other regulations such as ridgeline development and/or development on slopes greater than 30 percent will be triggered depending on the design of the subsequent development proposals for the proposed lots on the project site. In addition, the Design Control District zoning designation requires that future residential development on the project meet specific design standards and is subject to additional design review prior to development approval to ensure protection of the public viewshed. Therefore, this would be considered a **less than significant impact.**

The last paragraph on page 3.1-18 of the DEIR has been revised as follows:

The proposed project in combination with cumulative ~~development~~ development, including the 14 existing lots of record adjacent to the project site, would continue to urbanize the area around Corral de Tierra/San Benancio Road. The *Monterey County General Plan* anticipates the minimal development in Corral de Tierra/San Benancio Road area. The overall change in the visual character of the project ~~area~~ site from primarily undeveloped grazing land to approximately 17 residential units on 164 acres would result in a permanent change. Although the proposed subdivision will increase the residential development in a rural community, the project is consistent with the rural density residential zoning requirement of a minimum of 5.1 acres, with an average density of 9.64 acres per residential unit. The project site is adjacent to Toro Regional Park, which will remain permanently undeveloped. The project applicant has committed to donating approximately 154-acres of the 180-acre remainder parcel by deeding it to the Monterey County Parks Department as an extension of the adjacent Toro Park. Policies in the *Monterey County General Plan* and *Toro Area Plan* that emphasize preservation of the rural environment, implemented over time, would address cumulative visual effects. In addition, the entire project site is subject to additional design review in order to ensure limited impact of visual character. Therefore, the proposed project's contribution to the cumulative degradation of visual character in the region would be considered **less than significant.** No mitigation measures are necessary.

The last paragraph on page 3.1-17 has been revised as follows:

Mitigation Measure

MM 3.1-4 Prior to issuance of building permits or grading permits, whichever occurs first, for subdivision improvements and the construction of residences on lots proposed on the project site, Monterey County Planning Department shall require that the project applicant prepare and submit for review and approval a detailed lighting plan that indicates the location, type, and wattage of all light fixtures to be installed on the project site and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. ~~location and type of lighting that will be used at the project site~~. The lighting plan shall be consistent with Section 18.28 of *Monterey County Code*, to minimize glare and light spill. All external lighting shall be indicated on project improvement plans, subject to review and approval by the County of Monterey**.**

Preparation and implementation of a detailed exterior lighting plan for the proposed project would reduce this impact to a **less than significant** level by minimizing potential light and glare at the project site and on surrounding areas.

AMENDMENTS TO SECTION 3.2, AIR QUALITY

Table 3.2-2 on page 3.2-4 of the DEIR has been amended as follows:

TABLE 3.2-2
NCCAB ATTAINMENT STATUS DESIGNATIONS

Pollutant	National Designation	State Designation
Ozone, 1 hour	~~Attainment~~Maintenance[1]	Nonattainment[2]~~/Transitional~~ ~~Not Applicable~~
Ozone, 8 hour	~~Unclassified/~~Attainment	
PM10	Unclassified/Attainment	Nonattainment
PM2.5	Unclassified/Attainment	Attainment
Carbon Monoxide	Unclassified/Attainment	~~Unclassified/~~Attainment
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Sulfur Dioxide	Unclassified	Attainment
Sulfates	Not Applicable	Attainment
Lead	Not Applicable	Attainment
Hydrogen Sulfide	Not Applicable	Unclassified
Visibility Reducing Particles	Not Applicable	Unclassified

Notes: 1. The federal 1-hour standard for ozone was revoked on July 15, 2005.

2. In November 2006, ARB issued new designations to reflect the addition of an 8-hour average to the State AAQS for ozone. The NCAB was re-designated from nonattainment-transitional to nonattainment.

Source: ARB ~~2005~~2008

The third paragraph on page 3.2-5 of the DEIR has been revised as follows:

> The ARB identified particulate emissions from diesel-fueled engines (diesel-exhaust PM) as a TAC in August 1998. The ARB has since developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (2000) and the Risk Management Guidance for the Permitting of New Stationary Diesel-Fueled Engines (2000). Both documents were approved by the ARB on September 28, 2000. The ARB is developing regulations designed to reduce diesel particulate matter emissions from diesel-fueled engines and vehicles. The goal of each regulation is to make diesel engines as clean as possible by establishing state-of-the-art technology requirements or emission standards to reduce diesel particulate matter emissions. These regulations will require substantial reductions in diesel-exhaust particulate matter beginning with the 2004 model year. More stringent standards will apply to engines starting in the 2007 model year. Off-road vehicles came under more stringent regulation beginning with the 2005 model year.

In 2008, ARB adopted several regulations that help reduce TACs by doing the following: revising the credit accountability for small off-road engines and equipment and establishing new exhaust and evaporative emission standards for large spark-ignition engines with an engine displacement of less than or equal to one liter; amending the Transport Refrigeration Units (TRU) Airborne Toxic Control Measures to adjust compliance dates to better align with availability of verified diesel emission control strategies; requiring existing trucks/trailers doing business in California to be retrofitted with the best available "SmartWay Transport" and/or ARB approved technology that reduce GHG emissions; requiring on-road diesel vehicles to be upgraded to a cleaner engine or retrofit with an exhaust emission control device to achieve the significant emission reductions in order to reduce emissions of diesel particulate matter, oxides of nitrogen, and greenhouse gases; requiring all light duty vehicles to comply with the whole vehicle zero evaporative standards, established in 1998 as part of the Low Emission Vehicle II program, which would result in a minimum 30% emission reduction from current evaporative emissions; and requiring that automobile paint be reformulated to reflect the invisible solar wavelengths in order to keep the interior of vehicles cooler and reduce the need for air conditioner usage. Each set of regulations will serve to significantly reduce diesel particulate matter and NOx emissions and long-term human health risks attributable to diesel-fueled vehicles and equipment.

The third paragraph on page 3.2-12 of the DEIR has been amended as follows:

As required by the CCAA, the MBUAPCD adopted the *1991 Air Quality Management Plan* (hereinafter referred to as AQMP) for the Monterey Bay Region. The 1991 AQMP addressed planning requirements to meet the ozone standard mandated by the CCAA and included measures to control emissions of VOC from stationary and mobile sources. Since the 1991 AQMP was adopted, control requirements have been reduced. The AQMP was most recently updated in ~~2004~~ 2008~~to reflect these changes~~. The most recent ~~2004~~ 2008 AQMP update concluded that the NCCAB ~~remains on the borderline between attainment and~~is designated as nonattainment for state ozone and PM_{10} AAQS~~in part due to variable meteorological conditions occurring from year to year, transport of air pollution from the San Francisco Bay Area, and locally generated emissions (MBUAPCD 2005)~~. The 2008 AQMP update includes an air quality trend analysis that reflects the 1- and 8-hour standards as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources (MBUAPCD 2008). Emission forecasts contained in the AQMP are based, in part, on population forecasts adopted by the Association of Monterey Bay Area Governments (AMBAG). For population-related projects, consistency with the AQMP is assessed by comparing the projected population growth associated with the project to population forecasts adopted by AMBAG (MBUAPCD ~~2004~~2008). The 2008

AQMP also updates the description of the area's Transportation Control measures, as well as grant activity under AB 2766 and the Moyer mobile source emission reduction programs. Lastly, the 2008 AQMP proposes to evaluate any co-pollutant benefits in terms of reducing ozone precursors achieved under climate change bill AB32 (MBUAPCD, 2008).

In December 1995, the MBUAPCD also prepared the 1995 Report on Attainment of the California Fine Particulate Standard in the Monterey Bay Region. This report was most recently updated in 2005. The report found that existing control on sources of NO_x emissions, which serve as precursors to PM_{10}, may lead to attainment and maintenance of the State PM_{10} standard through 2010 (MBUAPCD 2005).

The last paragraph on page 3.2-13 of the DEIR has been revised as follows:

3) Long-term Increases in ~~Local Mobile Source~~ CO Concentrations. ~~Local mobile source~~ Long-term increases in CO concentrations are a result of indirect and direct emissions. Indirect emissions are typically considered to include mobile sources that access the project site but generally emit off-site; direct emissions typically include sources that are emitted on-site (e.g., stationary sources, on-site mobile equipment). Operational impacts would be considered significant if: ~~the project~~

4) If the project would indirectly result in an intersection/road segment to degrade from LOS D or better to LOS E or F; OR the volume to capacity (V/C) ratio at an intersection/road segment operating at LOS E or F increases by 0.05 or more; OR the delay at an intersection operating at LOS E or F increases by 10 seconds or more; OR the reserve capacity at an unsignalized intersection operating at LOS E or F decreases by 50 percent or more. AND

5) If the project would directly result in development of stationary sources that would generate~~s~~ ~~direct~~ emissions ~~of~~ greater than 550 lbs/day of CO or if the project would contribute to local CO concentrations that exceed the State Ambient Air Quality Standard of 9.0 ppm for 8 hours or 20 ppm for 1 hour.

Mitigation measure **MM 3.2-1b** starting on page 3.2-17 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.2-1b During construction activities, Monterey County Planning Department shall require that the project applicant implement best available control measures (BACM) to reduce toxic air contaminants, as recommended by the MBUAPCD and in

accordance with Policy 20.2.5 of the *Monterey County General Plan*. BACM typically recommended by the MBUAPCD include, but are not limited to, the following**:**

- Limit the hours of operation consistent with related noise restrictions; ~~and quantity of heavy duty equipment;~~
- Utilize gasoline-powered equipment whenever an equipment choice is available; ~~Replace diesel-powered equipment with gasoline-powered equipment;~~
- Use PuriNOx emulsified diesel fuel in existing engines;
- ~~Modify engine with ARB verified retrofit;~~
- Repower and utilize heavy equipment with current standard diesel technology or CNG/LNG technology; and
- ~~Limit the area under construction at any one time~~ Demonstrate on construction documents how construction phasing and equipment programming will comply with County policies and BACMs identified by the Air District.

Implementation of MBUAPCD recommended best available control measures in accordance with Policy 20.2.5 of the *Monterey County General Plan* would reduce fugitive dust emissions and diesel-exhaust particulate matter emissions from construction activities. Fugitive dust emissions would be reduced by approximately 50 percent or more, depending on the activities conducted (MBUAPCD ~~2004~~2008). Use of diesel oxidation catalysts, particulate filters, and alternative fuels such as biodiesel, can reduce diesel-exhaust constituent emissions by approximately 90 percent, or more (MBUAPCD ~~2004~~2008). Therefore, short-term construction generated emissions associated with the proposed project would be reduced to a **less than significant** level.

The second paragraph on page 3.2-22 of the DEIR has been revised as follows:

Consistency of population-related projects with the MBUACPD Air Quality Management Plan is based on the number of residential units proposed. The number of residential units is assessed by comparing the projected population growth associated with the proposed project to population forecasts adopted by the Association of Monterey Bay Area Governments (AMBAG). The proposed project consists of 17 new single family residential units. The ~~2004~~ *2008 Population,*

Housing Unit, and Employment Forecast estimates ~~there There will be 151,844 housing units in~~ the population of unincorporated Monterey County will be 109,509~~will be 109,509~~ by the year 2010. Currently there are ~~147,776~~39,766 existing, approved, and/or permitted residential units in Monterey County (AMBAG ~~2005~~2009). Based on an average household size of 2.58 persons, the proposed 17 residential units would result in an increase in population of approximately 42 people. ~~The~~ This ~~combination of the proposed project's residential units~~ increase in population, ~~plus~~ combined with the existing population of 101,801 people, would result in a total population of 101,843 people in unincorporated Monterey County. Since the total population with the proposed project will not exceed the regional forecast of 109,509 people by 2010, ~~existing and approved residential units in Monterey County, is less than the regional forecasts for Monterey County of approximately 151,844 residential units. Therefore,~~ the proposed project is consistent with the ~~2004~~ 2008 regional forecasts and the MBUAPCD Air Quality Management Plan (AMBAG ~~2005~~2009) and the cumulative air quality emissions impact would therefore be considered less than significant.

The references on page 3.2-25 of the DEIR has been amended as follows:

References/Documentation

Association of Monterey Bay Area Governments (AMBAG). *Consistency Letter from Todd Muck, AICP, Senior Transportation Planner, to Pamela Lapham, Assistant Planner, PMC*. December 29, 2005.

Association of Monterey Bay Area Governments (AMBAG). *Consistency Letter from David Roemer, Associate Planner, to Pamela Lapham, Associate Planner, PMC*. March 6, 2009.

Bay Area Air Quality Management District. *Source Inventory of Bay Area Greenhouse Gas Emissions*. November 2006.

California Air Resources Board (ARB). *Ambient Air Quality Standards*. http://www.arb.ca.gov/aqs/aaqs2.pdf.

California Air Resources Board, California Climate Action Registry, ICLEI - Local Governments for Sustainability, and the Climate Registry; *Draft Local Government Operations Protocol*. June 2008.

California Air Resources Board, *Climate Change Proposed Scoping Plan: A Framework for Change*, October 2008.

California Environmental Protection Agency (CEPA) and California Air Resource Board (ARB). *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

Higgins Associates. *Harper Canyon/Encina Hills Subdivision Traffic Impact Analysis*. Higgins Associates. May 28, 2008.

Monterey Bay Unified Air Pollution Control District (MBUAPCD). *CEQA Air Quality Guidelines*. Adopted 1995 revised through ~~June 2004~~ February 2008.

Monterey Bay Unified Air Pollution Control District (MBUAPCD). *2004 Air Quality Management Plan, Fourth Revision to the 1991 Air Quality Management Plan for the Monterey Bay Region*. ~~September 2004~~ June 2008.

Monterey, County of. *Monterey County General Plan*. August 1982 with Amendments through November 5, 1996.

Monterey, County of. *Toro Area Plan*. September 1983 with Amendments through 1998.

United States Environmental Protection Agency (US EPA). *PM Standards Revision*. url: http://www.epa.gov/pm/naaqsrev2006.html. September 21, 2006.

AMENDMENTS TO SECTION 3.3, BIOLOGICAL RESOURCES

The last paragraph on page 3.3.12 has been revised as follows:

> Wildlife corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Corridors are present in a variety of habitats and link otherwise fragmented acres of undisturbed area. Maintaining the continuity of established wildlife corridors is important to: a) sustain species with specific foraging requirements; b) preserve a species' distribution potential; and c) retain diversity among many wildlife populations. Therefore, resource agencies consider wildlife corridors to be a sensitive resource.
>
> According to a Technical Memorandum prepared by WRA, Inc. in December 2008 for the proposed Ferrini Ranch Subdivision, a wide range of terrestrial wildlife species are known to occur on For Ord land including: American Badger, Mountain Lion, Bobcat (*Lynx rufus*), Black-tailed Deer (*Odocoileus hemionus*), and Coyote (*Canis latrans*). Current corridors for wildlife to move between Fort Ord and the Sierra de Salinas or Santa Lucia ranges are limited to El Toro Creek, the Portola Drive overpass and possible culvert running beneath State Route 68. The El Toro Creek undercrossing is located 0.75 miles northwest of the project site near the intersection of San Benancio Road and State Route 68.
>
> The Big Sur Land Trust and The Nature Conservancy have partnered with public agencies in an effort to protect the corridor between Fort Ord and the Santa Lucia Range.

Mitigation measure **MM 3.3-1** starting at the second paragraph on page 3.3-19 has been revised as follows:

> **MM 3.3-1a** Prior to issuance of building or grading permits, whichever occurs first, for subdivision improvement, for subdivision improvements, ~~Monterey County Planning Department shall require that~~ the project applicant shall submit for review and approval a pre-construction survey report. The pre-construction survey shall be prepared in consultation ~~consult~~ with a qualified biologist to ~~conduct~~ summarize additional pre-construction focused plant surveys conducted in April and July ~~to~~ and confirm the presence or absence of special status plants during the blooming period to reduce the potential loss of these species. These species are listed in **Table 3.3-3, Additional Pre-Construction Focused Plant Surveys.** If no individuals are observed, no further action is required. If individuals are found a report shall be prepared

detailing the species potentially affected by the proposed project and the appropriate mitigation measures to reduce the loss of individuals, including siting development to minimize disturbance or removal of special status plant species. Informal consultation with ~~CDFG~~ CDFW/USFWS may be required. If Monterey spineflowers are found, informal consultation with USFWS shall be required. Mitigation may include but not be limited to avoidance of populations, restoration, maintenance, and enhancement and obtaining an Incidental Take Permit from the USFWS and notification with the ~~CDFG~~ CDFW.

Mitigation measure **MM 3.3-2** starting at the forth paragraph on page 3.3-21 has been revised as follows:

Mitigation Measures

MM 3.3-2a Prior to issuance of building permit, Monterey County Planning Department shall require that the project applicant submit ~~landscape design plans, reviewed by a qualified botanist,~~ for review and approval a comprehensive landscape plan prepared in consultation with a qualified botanist. The plant list shall exclude any invasive and non-native plants and emphasize the use of native species requiring minimal irrigation, herbicides, pesticides, or fertilizers and are drought-tolerant native species from local sources. Drought-tolerant non-native species may be used if they are known to be non-invasive.

MM 3.3-2b Prior to final inspection of grading ~~sign off~~grading permit for subdivision improvements, Monterey County Planning Department shall require that the project applicant control the introduction of non-native, invasive plants through rapid re-vegetation of denuded areas with plants and seed harvested from areas proposed for development or other appropriate seed mixes. The seed mix selected shall contain native species of local genetic stock. If non-native species are within the mix, the species will be known not to be invasive or persistent. The seed mix shall contain species known to compete well against non-native, invasive species. In areas of re-vegetation, non-landscaped disruption and adjacent to landscaping, the project applicant shall have a botanist or resource ecologist annually monitor for non-native species and invasive plant species, especially French broom, for a period of three years and provide an annual written status report to Monterey County Planning Department.

MM 3.3-2c Monterey County Planning Department shall require that the project applicant consult with a qualified botanist to develop CC&Rs that describes the native flora and fauna and provides guidelines for homeowners to follow to limit disturbance of native habitat. Said CC&Rs shall be recorded with the final map, for each parcel created by the final map.

MM 3.3-2d Prior to issuance of building or grading permits, whichever comes first, Monterey County Planning Department shall require that the project applicant designs the proposed development on the project site ~~project~~ so that homesites, landscaped areas and outbuildings are located a minimum of 75 feet to 100 feet from the active drainage channels to avoid filling or disturbing natural drainage courses. In the event that disturbances cannot be avoided (culverts, storm drain outfalls, etc.), the necessary permits from the California Department of Fish and ~~Game~~ Wildlife (~~CDFG~~CDFW) through section 1600 of the Fish and Game Code and/or the U.S. Army Corps of Engineers through Section 404 of the Clean Water Act may be required. Necessary permits and/or authorizations should be obtained from appropriate regulatory agencies prior to any activity that might encroach on drainage channels.

Mitigation measure **MM 3.3-3** starting at the first paragraph on page 3.3-24 has been revised as follows:

Mitigation Measures

MM 3.3-3a ~~During the roadway and building site final design process, Monterey County Planning Department shall require that~~Prior to the issuance of grading and/or building permits, the project applicant shall submit for review and approval ~~contract with a qualified arborist to prepare a~~ Final Forest Management Plan, prepared by a qualified forest manager, that minimizes the removal of ~~coast~~ Coast live oak *(Quercas agrifolia)* trees in accordance with the recommendations in Section 21083.4 of the *CEQA Guidelines* and the *Forest Management Plan* that was prepared for the proposed project by Staub Forestry and Environmental Consulting in June 2001. A qualified arborist or professional forester shall identify where trees can be retained and establish conservation easements, trees that need pruning, areas that require keyed fills, etc. All recommended pruning shall be performed by a qualified arborist or other tree professional and

occur prior to commencement of grading. The Final Forest Management Plan shall be subject to review and approval by the Monterey County Planning Department prior to issuance of grading permits.

MM 3.3-3b Prior to the issuance of grading and/or building permits, whichever occurs first, the project applicant shall submit a Final Forest Management Plan for review and approval by Monterey County Planning Department as required in mitigation measure **MM 3.3-3a**. The Final Forest Management Plan shall include a monitoring plan that accurately identifies the number and acreage of oak trees five inches in diameter at breast height to be removed during construction and the replacement of these oak trees on a 3:1 basis as a means of promoting 1:1 tree replacement in compliance with Section 21.64.260 of the *Monterey County Zoning Ordinance* and Section 21083.4 of the *CEQA Guidelines*. Tree replacement on residential lots shall occur as space permits and ~~shall~~ may not exceed more than one tree per 10 foot by 10 foot block of available space. If a specific lot does not allow for replanting of trees, the project applicant shall have a qualified forester identify an alternate location for replanting on the project site. Tree replacement for infrastructure tree removals shall be placed within any scenic easements and/or the portion of the "Remainder Parcel" that would be dedicated to the Monterey County Parks District as an extension of the adjacent Toro Park. All trees shall be replaced with ~~coast~~ Coast live oak *(Quercas agrifolia)* trees obtained from onsite sources or should be grown from local native seed stock in sizes not greater than five gallons, with one gallon or smaller being preferred to increase chances of successful adaptation to the project conditions. Replacement trees shall be monitored and maintained for a minimum of seven years after planting. The monitoring plan shall be prepared by a qualified professional forester, arborist, or horticulturalist, and shall be subject to review and approval by the County of Monterey Planning Department.

In addition, the owner/applicant shall contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. The

owner/applicant shall not receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for the project. The amount of the contribution to the Oak Woodlands Conservation Fund shall be determined according to the procedures set forth in the Oak Woodland Impact Decision Matrix-2008 prepared by the UC Integrated Hardwood Range Management Program.

MM 3.3-3c The applicant shall prepare for review and approval ~~As a condition of project approval, the County of Monterey Planning Department shall require that the project applicant, in consultation with a qualified professional forester, develop~~ Covenants, Conditions, and Restrictions (CC&Rs) in consultation with a qualified professional forester, that shall include oak tree protection measures as outlined in the *Forest Management Plan* (Staub Forestry and Environmental Consulting 2001) on individual lots as part of future home construction to minimize the damage to oak trees and ensure successful replanting. These measures shall include, but not be limited to the following:

- Around each group of trees to be preserved within a construction area, a boundary of snow netting of high visibility plastic fencing supported by wood or metal stakes shall be placed along the approximate dripline of such protected trees to define the construction project boundary;
- No storage of equipment or construction materials, or parking of vehicles shall be permitted within the tree rooting zone defined by the fencing of the construction boundary defined above;
- No soil may be removed from within the dripline of any tree and no fill that exceeds two inches shall be placed at the base of any tree, unless it is part of approved construction and is reviewed by a qualified forester, certified arborist, or other tree professional;
- Roots exposed by excavation during construction shall be pruned promptly to promote callusing, closure, and regrowth; and
- All tree work shall be monitored by a qualified forester, certified arborist, or tree professional and work completed by qualified tree service personnel.

Said CC&Rs shall be recorded with the final map, for each parcel created by the final map.

Mitigation measure MM 3.3-4 starting at the third paragraph on page 3.3-26 has been revised as follows:

Mitigation Measure

MM 3.3-4 Prior to issuance of building or grading permits, whichever occurs first, for subdivision improvements and the construction of residences on the project site ~~the initiation of grading and site disturbance, Monterey County Planning Department shall require that~~ the project applicant shall prepare in consultation ~~contract~~ with a qualified biologist ~~to perform~~ a pre-construction survey for special-status bat species within the project site to comply with the California Fish and Game (CDFG) Code relative to special status bat maternity roosts. Prior to tree removal in the coast live oak woodland, a qualified biologist shall survey the trees to evaluate their potential use by special-status bat species. If special-status bat species are determined to be using these trees, or trees in the immediate vicinity, the biologist shall provide recommendations to avoid harming individual bats or disturbance of active roosts. If the biologist recommends active removal of bats, a Memorandum of Understanding (MOU) with the ~~CDFG~~ CDFW shall be obtained. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics should be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by ~~CDFG~~ CDFW that includes relocating all bats found on-site to an alternate suitable habitat. A Mitigation and Monitoring Plan that documents mitigation for loss of bat roosting habitat should be prepared by a qualified biologist and approved by ~~CDFG~~ CDFW prior to tree removal.

Mitigation measure MM 3.3-5 starting at the third paragraph on page 3.3-26 has been revised as follows:

Mitigation Measure

MM 3.3-5 No more than 30 days prior to grading or construction in oak woodland habitat, ~~Monterey County Planning Department shall~~

~~require that~~ the project applicant contract with a qualified biologist to complete a pre-construction survey for the Monterey dusky-footed woodrat for review and approval by the Monterey County Resource Management Agency – Director of Planning. If individuals of these species are observed, a salvage and relocation program shall be prepared in coordination with ~~CDFG~~ CDFW to prevent death or injury to individuals of these species during grading or construction operations. The salvage program shall include measures to remove individuals from the project site prior to and during project grading and construction, and to relocate them to a suitable location within the project site.

AMENDMENTS TO SECTION 3.5, GEOLOGY AND SOILS

The third paragraph on Page 3.5-1 of the DEIR has been modified as follows:

> The project site consists of terrain that is somewhat varied with rolling hills and ridges with intervening drainages. The project site contains approximately 9~~6~~7 acres of steep slopes in excess of 30 percent; 40 acres of softer slopes ranging from 20 to 30 percent; and 2~~3~~7 acres with slopes ranging from 0 to 20 percent. The elevation of the project site varies approximately 700 feet, ranging from 330 feet in the northeastern portion of the project site to 1,020 feet in the southeastern portion.

Mitigation measure MM 3.5-1 starting on page 3.5-16 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.5-1 Prior to issuance of building permit(s) ~~approval~~, the Monterey County Building Services Department shall require that the project applicant consult with a qualified engineer to prepare design level geotechnical reports in accordance with the current edition of the California Building Code and the recommendations contained within the *Geologic and Geotechnical Feasibility Study* prepared by D&M Consulting Engineers in August 2001. Said reports shall be submitted for plan check with any improvement plans including earthwork, water tank construction/installation, or foundation construction. The *Geological and Geotechnical Feasibility Study* provides specific recommendations regarding site preparation and construction of foundations, retaining walls, utilities, sidewalks, roadways, subsurface drainage, and landscaping features based on the lot characteristics and proximity to the fault at the project site. In addition, *Geological and Geotechnical Feasibility Study* provides specific recommendations regarding slope stability and energy dissipation measures, the recommended location of homesites on Lots #8, #9, #11, and Lots #13 through #16, and reconstruction of the steep slope near Lots #8 and #9. All slope stability and energy dissipation measures shall be incorporated into the site grading plans and constructed concurrent with grading activities.

During the course of construction, the project applicant shall contract with a qualified engineering geologist to be on site during all grading operations to make onsite remediation and recommendations as needed, and perform required tests,

observations, and consultation as specified in the *Geological and Geotechnical Feasibility Study*. Prior to final inspection, the project applicant shall provide certification from a qualified professional that all development has been constructed in accordance with all applicable geologic and geotechnical reports.

The third paragraph on page 3.5-21 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.5-3 Prior to issuance of grading and building permits, ~~Monterey County Planning Department and Building Services Department shall require that~~ the project applicant shall contract with a ~~certified~~ registered engineer to design subsurface drainage system for review and approval by Monterey County Resource Management Agency – Director of Planning and the Director of Public Works where perched groundwater exists on the project site, including but not limited to Lots #2, #8, #9, #10, #11 and Lots #13 through #16. Subsurface drainage system shall be designed and installed in accordance with the recommendation provided in the *Geological and Geotechnical Feasibility Study* prepared by D&M Consulting Engineers in August 2001. These improvements shall be included in the final improvement plans for the proposed project and installed concurrent with site preparation and grading activities associated with future residential development. Prior to final inspection of grading permits for subdivision improvements, the project applicant shall submit certification prepared by a registered engineer verifying that the improvements were installed according to the findings and recommendations in the *Geological and Geotechnical Feasibility Study*.

The third paragraph on page 3.5-23 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.5-6 Prior to issuance of grading permit ~~issuance~~, Monterey County Public Works Department, Planning Department, and Water Resources Agency shall require that the project applicant contract with a registered engineer to prepare an erosion control plan and a Storm Water Pollution Prevention Plan (SWPPP) that documents best management practices (filters, traps, bio-filtration swales, etc.) to ensure that urban runoff contaminants and sediment are

minimized during site preparation, construction, and post construction periods. The erosion control plan and SWPPP shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Prevention System and *Monterey County Ordinance 16.12.80, Land Clearing*. The erosion and sediment control plan shall specify which erosion control measures necessary to control runoff shall be in place during the rainy season (November 1 through April 15) and which measures shall be in place year round. The SWPPP shall be consistent with the Central Coast Water Quality Control Board standards.

AMENDMENTS TO SECTION 3.6, GROUNDWATER RESOURCES AND HYDROGEOLOGY

Revisions to **Section 3.6**, **Groundwater Resources and Hydrogeology** have been provided in their entirety at the back of this section (Section 3.0, Amendments to the DEIR) of the FEIR. Due to changes in circumstances as a result of ongoing groundwater studies and implementation of new basin management programs, the entire Section 3.6 has been provided in track changes (~~strikethrough~~ and underline). These changes provide clarification and would not result in a change of significance compared to the previous findings.

AMENDMENTS TO SECTION 3.7, SURFACE HYDROLOGY AND WATER QUALITY

The third paragraph on page 3.7.1 of the DEIR has been revised to update the watershed setting as follows:

~~HYDROLOGY~~WATERSHED

The project site is located in the ~~southeastern section of the Monterey Peninsula~~El Toro Creek-Salinas River subarea of the Salinas watershed as shown in **Figure 3.7-1**. The Salinas Valley drains an area of approximately 3,950 square miles to the Salinas River. The watershed basin consists of deep alluvial deposits that are several hundreds of feet thick. The groundwater basin in this area is recharged primarily through percolation from the Salinas River during the rainy season. Average annual flows to the ocean from the Salinas River are approximately 282,000 acre-feet per year (AFY) during the spring and summer months. The two reservoirs on the Nacimiento and San Antonio Rivers regulate flow to minimize outflow to the ocean and to maximize groundwater recharge through the Salinas River bed.

The El Toro Creek-Salinas River subarea flows to the Monterey Bay via the Salinas River and Toro Creek. This watershed is partially located within the Geosyntec Study Area, a topography-based boundary created by Geosyntec Consultants to evaluate groundwater resource capacity as discussed in **Section 3.6, Groundwater Resources and Hydrogeology**. As with the groundwater basin, the Geosyntec Study Area is not consistent with the El Toro Creek-Salinas River subarea or Salinas River watershed boundaries, but contains a portion of the watershed.

~~The Monterey Peninsula watershed contains 75,113 acres and experiences on average 14.9 inches of rain annually. The Monterey Peninsula watershed consists of a hilly coastal plain that slopes northward toward the Salinas Valley and westward toward Monterey Bay. The watershed includes the City of Monterey, the City of Sand City, portions of the City of Seaside and City of Del Rey Oaks, and portions of unincorporated Monterey County. The area is characterized by young, active dunes near the coast, and mature dunes on the former Fort Ord to the east. Land surface elevations range from sea level at the beach to approximately 900 feet near the eastern boundary of the basin. The watershed recharges the groundwater aquifers primarily from infiltration of precipitation, with minor additional amounts contributed by deep percolation of irrigation water, leaky pipes, septic systems, injection wells, and possibly stream flow.~~

On page 3.7-3 of the DEIR a new **Figure 3.7-1, U.S. Geological Survey Watersheds within Monterey County** figure has been added before section 3.7.2, Regulatory Setting. This added figure subsequently renumbered **Figure 3.7-1, Watersheds and Proposed Detention Basins** as **Figure 3.7-2**. All references to **Figure 3.7-1, Watersheds and Proposed Detention**

Basins throughout the DEIR have subsequently been revised to reference **Figure 3.7-2, Watersheds and Proposed Detention Basins**.

Mitigation measure **MM 3.7-3** on page 3.7-13 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.7-3 In order to prevent the potential contamination of downstream waters from urban pollutants, Monterey County Planning Department, Public Works Department and Water Resources Agency shall require that the storm drainage system design, required under mitigation measure **MM 3.7-2**, includes a Storm Water Pollution Prevention Plan (SWPPP) and Low Impact Development (LID) design techniques. Such techniques include but ~~is~~ are not limited to the following components: grease/oil separators (where required by Public Works); sediment separation; vegetative filtering to open drainage conveyances and retention basins; and on-site percolation of as much run-off as feasible, including diversion of roof gutters to French drains or dispersion trenches, dispersion of road and driveway runoff to vegetative margins, or other ~~similar methods~~ LID design and pollution control techniques. Said provisions shall be incorporated into the storm drain system plans submitted to the county ~~for plan check~~ prior to issuance of building or grading permits, whichever occurs first. A report shall be submitted prior to final inspection verifying that installation of the system occurred pursuant to said drainage system plan. In the event that the drainage system was not installed according to recommendations of plan, measures shall be recommended by a qualified drainage engineer or equal professional recommendations to ensure that the final installed system meets the recommendations of the approved drainage plan. All plans shall meet current Public Works and Building Department standards.

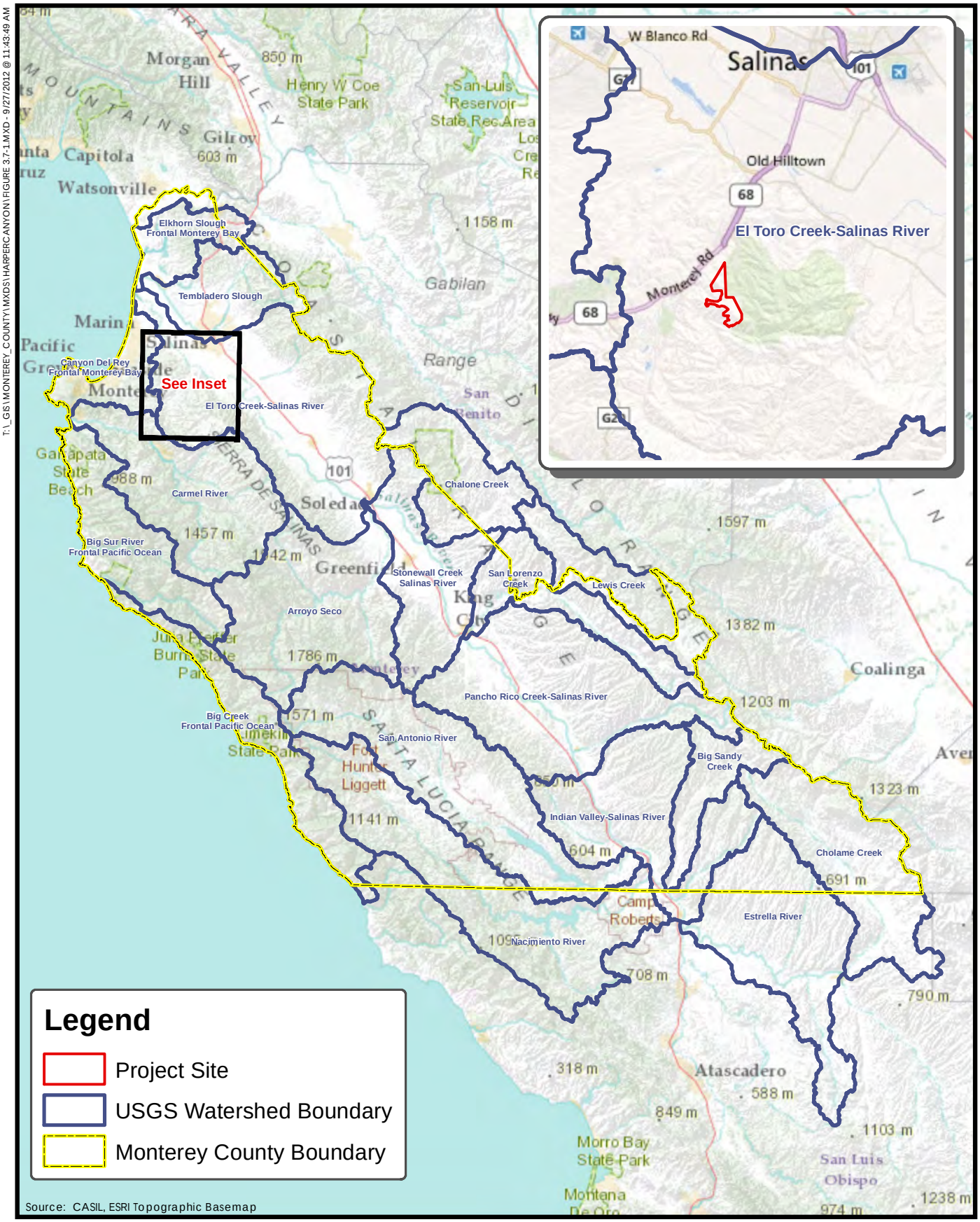

Figure 3.7-1
U.S. Geological Survey Watersheds within Monterey County

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AMENDMENTS TO SECTION 3.8, LAND USE, POPULATION AND HOUSING

Table 3.8-1 on Page 3.8-3 has been revised as follows:

TABLE 3.8-1
MONTEREY COUNTY GENERAL PLAN (1982)
CONSISTENCY ANALYSIS

Policy #	Policy	Consistency Discussion
26.1.2	The County shall discourage premature and scattered development.	**Consistent**. The project site is designated "Rural Residential Density" and "Low Density Residential." The proposed project includes residential adjacent to existing rural residential development located to the southwest of the project site. Therefore, the proposed project would not be considered premature or scattered development.
26.1.4.3	A standard tentative subdivision map and/or vesting tentative and/or Preliminary Project Review Subdivision map application for either a standard or minor subdivision shall not be approved until: (1) The applicant provides evidence of an assured long-term water supply in terms of yield and quality for all lots, which are to be created through subdivision. A recommendation on the water supply shall be made to the decision making body by the County's Health Officer and the General Manager of the Water Resources Agency, or their respective designees. (2) The applicant provides proof that the water supply to serve the lots meets both the water quality and quantity standards as set forth in Title 22 of the California Code of Regulations, and Chapters 15.04 and 15.08 of the Monterey County Code subject to the review and recommendation by the County's Health Officer to the decision making body.	**Consistent.** Monterey County Health Department – Environmental ~~Division~~ Health Bureau had Todd Engineers prepare a *Project Specific Hydrogeologic Report* ~~which was prepared by Todd Engineers,~~ in accordance with Title 19 of the Monterey County Code. According to the *Project Specific Hydrogeologic Report* and Monterey County Health Department, Environmental Health ~~Division~~Bureau, the proposed project has a long-term water supply. The water demand of 12.75 AFY associated with the proposed project shall be accommodated by an approximately 29.9 AFY of recharge surplus within the San Benancio subarea of the El Toro Groundwater Basin. Proper implementation of mitigation measures **MM 3.6-2a** through **MM 3.6-2c** incorporated in **Section 3.6, Groundwater Resources and Hydrogeology** would ensure that potable water for the proposed project meets the water quality and quantity standards as set forth in Title 22 of the California Code of Regulations, and Chapters 15.04 and 15.08 of the Monterey County Code.

The third paragraph on Page 3.8-11 has been revised as follows:

Inclusionary Housing Ordinance

The *Monterey County Inclusionary Housing Ordinance* was originally adopted in 1980 and has had subsequent amendments over the years. In 2003, Ordinance No. 04185 was adopted, amending Chapter 18.40.020 of the Monterey County Code, which is the most current *Monterey County Inclusionary Housing Ordinance*.

According the County of Monterey Housing and Redevelopment Office, the proposed project is subject to the *Monterey County Inclusionary Housing Ordinance* at the time the application was deemed complete, which was in November 2002. The applicable *Inclusionary Housing Ordinance* is Ordinance 3419, which requires developers to contribute 15 percent of the new residential lots or units as low-and moderate-income units. This ordinance allows several options for compliance, including payment of an in-lieu fee. According to County of Monterey Housing and Redevelopment Office, payment of the in-lieu fee equal to $409,555.50 ($160,610/inclusionary unit) shall satisfy compliance with the *Monterey County Inclusionary Housing Ordinance*. Therefore, the proposed project is **consistent** with the *Monterey County Inclusionary Housing Ordinance*.

The first paragraph on Page 3.8-12 has been revised as follows:

Development on Slopes in Excess of 30 Percent

County policy and Comprehensive Development Plan Policies restrict, but do not prohibit, development on slopes in excess of 30 percent. These policies are implemented by Section 21.64.230 of the *Monterey County Zoning Code* and requires a use permit for all development on slopes that are 30 percent or more. Section 21.64.230.E of the *Monterey County Zoning Code* requires one of the following findings to be made in order to grant a use permit for most development on slopes in excess of 30 percent:

- ~~Either that there are no feasible alternatives which would allow development to occur on slopes less than 30 percent; or~~

- ~~That the proposed development better achieves the goals, policies, and objectives of the *Monterey County General Plan* and applicable area plan than other development alternatives.~~

- In order to approve development on slopes of 30% or more, the Appropriate Authority must find, in addition to other necessary findings, based on substantial evidence, that:

a) there is no feasible alternative which would allow development to occur on slopes of less than 30%; or

b) that the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives.

- The Appropriate Authority shall require such conditions and changes in the development as it may deem necessary to assure compliance with Section 21.64.230(E) (1).

The project site contains approximately 97 acres of steep slopes in excess of 30 percent and includes a use permit to improve an existing roadway that is located on slopes greater than 30 percent. Roadway improvements include widening the existing roadway, installation of engineer fill, paving, and installation of utilities in the right-of-way. There is no alternative alignment that would eliminate development of the roadway on slopes less than 30 percent. The overall design of the proposed project minimizes development on slopes in excess of 30 percent with the location of home sites on slopes less than 30 percent. Therefore, the proposed project is **consistent** with the Section 21.64.230 of the *Monterey County Zoning Code*.

The second full paragraph on page 3.8-14 has been revised as follows:

As discussed in **Section 3.10, Transportation and Circulation** under project conditions and cumulative project conditions, traffic generated by the proposed project would contribute to the deficient levels of service along State Route 68…… …….The proposed project list in the *Regional Impact Fee Nexus Study Update* includes a project referred to as the "State Route 68 Commuter Improvements," which would widen a 2.3 mile section of State Route 68 to four lanes from the existing four lane section (adjacent to Toro Park) to Corral de Tierra Road. The geometric design details of this improvement are not known at this time. The *Regional Impact Fee Nexus Study Update* has ~~not~~ been approved and but no funding is currently available for the implementation of the widening of State Route 68 to four lanes or for implementation of the South Fort Ord Bypass. Implementation of the mitigation measures in Section 3.10 ~~enclosed herein~~ would require the project applicant to ~~construct a~~ contribute their fair share towards the ~~1.1 mile portion of~~ State Route 68 Commuter Improvements, as well as other regional improvement projects, through payment of the TAMC RDIF ~~and pay regional traffic impact fees~~ to the Transportation Agency of Monterey County (TAMC) in order to mitigate for cumulative impacts to roadway segments along State Route 68. Implementation of these mitigation measures would accelerate implementation of specific capacity improvements along Highway 68 consistent

with TAMC's project priorities, and would address the project's cumulative impacts regionally. ~~directly contribute to the improvements along the State Route 68 corridor, which would off-set any traffic impact on roadway segments caused by increased trip volume associated with the proposed project.~~ Therefore, the proposed project would be **consistent** with the RTP.

AMENDMENTS TO SECTION 3.9, PUBLIC SERVICES AND UTILITIES

The third paragraph on page 3.9-2 of the DEIR has been revised as follows:

California Highway Patrol

The California Highway Patrol has jurisdiction and law enforcement powers on all County roads and state highways. The California Highway Patrol is particularly concerned with enforcement of the vehicle code and other matters related to vehicle use such as traffic accidents. The California Highway Patrol services the Toro Area Plan planning area through its substation located at ~~19055 Portola Drive near~~ 960 East Blanco Road in the City of Salinas.

Table 3.9-1 paragraph on page 3.9-2 of the DEIR has been revised as follows:

TABLE 3.9-1
ENROLLMENT DATA FOR WASHINGTON UNION AND SALINAS UNION HIGH SCHOOL DISTRICTS
(SCHOOL YEAR ~~2005~~2007-2006~~2007~~)

School	School Year ~~2005~~2007-~~2006~~2007			
	Grades	Enrollment	Pupil Teacher Ratio	Average Class Size
Washington Union School District		**~~963~~959**	**21.6~~5~~**	**~~24.5~~ 27.1**
Toro Park Elementary	K - 3rd	~~412~~395	~~19.6~~19.3	~~19.6~~ 19.4
Washington Elementary	4th - 5th	~~228~~225	28.~~5~~1	28.~~5~~1
San Benancio Middle School	6th -8th	~~323~~339	~~20.6~~21.3	~~25.4~~ 27.1
Salinas Union High School District		**~~13,578~~ 13,572**	**~~23.5~~ 24.7**	**~~30.0~~ 26.7**
Salinas High School	9th - 12th	~~2,634~~2,549	~~26.3~~ 25.5	~~31.8~~ 30.2

Source: California Department of Education~~2009~~

The second to last paragraph on page 3.9-4 has been revised as follows:

California Utilities Service currently has a valid permit to operate their treatment facility according to a letter received from Central Coast Regional Water Quality Control Board (RWQCB) dated April 7, 2006, which is included in Appendix H. However, there is a minor clerical error in the permit in that the permit is for a pond type of treatment facility. The wastewater treatment plant is operating as a

sequencing batch reacting type of facility. It has been confirmed by the RWQCB that it was not the fault of California Utilities Service that the permit was issued for the wrong type of facility. The actual type of treatment facility is superior and provides better quality treatment than the type of facility the permit was originally issued for by the RWQCB. California Utilities Services submitted an application to the RWQCB in April 2005 to correct the clerical error regarding the type of facility. Their discharge permit was granted by CRWQCB on February 9, 2007. The permit allows CUS to collect, treat, store, and discharge up to 300,000 gallons per day.

Mitigation measure MM 3.9-4 starting at the second paragraph on page 3.9-11 of the DEIR has been revised as follows:

Mitigation Measure

MM 3.9-4 Prior to filing of the Final Subdivision Map, Monterey County Bureau ~~Division~~ of Environmental Health shall require that the project applicant prepare and submit for review and approval wastewater collection improvement plans and calculations prepared by a registered engineer that demonstrate adequate capacity. The wastewater collection improvement plans shall be subject to approval by California Utility Service, Monterey Bay Unified Air Pollution Control District, and the County of Monterey. Upon review of the design, the project applicant shall be required to enter into a wastewater main extension agreement with California Utility Service.

In addition, prior to approval of any building permits, the applicant shall verify that there is sufficient treatment capacity in the California Utilities Service, Inc. (CUS) wastewater treatment facility to address the wastewater needs of the proposed project. The project applicant shall submit proof to Monterey County that the existing wastewater treatment plant is meeting the current effluent limitations as required per Waste Discharge Requirement Order No. R3-2007-0008. If the CUS facility exceeds its permitted capacity, then the County of Monterey would not issue a building permit until such time as the CUS has attained a revised permit from the Regional Water Quality Control Board.

~~In addition, prior to approval of any building permits, the applicant shall verify that there is sufficient treatment capacity in the California Utilities Service, Inc. (CUS) wastewater treatment facility to address the wastewater needs of the proposed project. The project applicant shall submit proof to Monterey County that the existing wastewater treatment plant is meeting the current effluent limitations as required per Waste Discharge Requirement Order No. R3-2007-0008. If the~~

~~CUS facility exceeds 60% of its existing capacity, or the project would cause the facility to exceed its permitted capacity, then the County of Monterey would not issue a building permit until such time as the CUS has attained a revised permit from the Regional Water Quality Control Board.~~

The second paragraph on page 3.9-10 has been revised as follows:

> The project site includes a 180-acre remainder parcel. The project applicant has committed to donating approximately 154-acres of the remainder parcel by deeding the property to the Monterey County Parks Department as an expansion of the adjacent Toro County Park pursuant to Section 66428(a)(2) of the Subdivision Map Act. Since the demand for local and regional parkland is minimal and the project applicant has committed to donating approximately 154 acres of the remainder parcel to the Monterey County Parks Department, the impact on local and regional parkland would be considered **less than significant**. No mitigation measures are necessary.

The first paragraph of Impact 3.9-5 on page 3.9-13 has been revised as follows:

> As discussed in **Section 3.6, Groundwater Resources and Hydrogeology**, the proposed project's potable water of 12.75 acre feet per year (AFY) will be procured from two existing wells. The two wells would be operated by California-American Water Company (Cal-Am) as one water system. The Oaks Well (also referred to as Well B) is located in the nearby Oaks subdivision and the New Well (also referred to as Well C) is located south of Harper Canyon Road (Assessor's Parcel Number 416-621-001-000) as shown in **Figure 3.6-~~1~~2, ~~Groundwater Basin~~Geosyntec Study Area Subareas and Well Locations**. The Oaks Well would supply water to the proposed project and the approved Oaks subdivision, a nine-unit subdivision located along San Benancio Road. The Oaks Subdivision has an estimated water demand of 4.66 AFY providing a total estimated water demand for the combined water system of 17.41 AFY (15,542 gallons per day). Both existing wells would procure water from the Paso Robles Aquifer within the ~~San Benancio Gulch subarea of the El Toro Groundwater Basin~~Corral de Tierra Subbasin of the Salinas Valley Groundwater Basin. ~~According to the *Project Specific Hydrogeologic Report – Harper Canyon Realty LLC Subdivision,*~~ Cal-Am would operate ~~this~~ the wells and treatment facility. They would be required to return the exact amount of water to the subdivisions as pumped from the wells to ~~water system as a satellite system will~~ ensure that water procured from within the Salinas Valley Groundwater Basin Assessment Zone 2C~~,~~ will not be exported to Cal-Am's main water system and, which is supplied by wells that are currently under a moratorium designated as a B-8 zoning district, and more importantly vice versa (see **Section 3.6, Groundwater Resources and Hydrogeology** for more information).

AMENDMENTS TO SECTION 3.10, TRANSPORTATION AND CIRCULATION

Exhibits 6 and 7 of the Traffic Impact Analysis prepared by Hatch Mott MacDonald have been revised to describe Highway 68 as a 2-lane rural highway in lieu of a 2-lane arterial. The revisions to the Traffic Impact Analysis are provided in **Exhibits D** and **E**, respectively, of this FEIR.

After the last paragraph on page 3.10-1 of the Recirculated DEIR the following paragraph has been added:

Regional Impact Fee Nexus Study Update

In March 2008, TAMC updated the *Nexus Study for a Regional Development Impact Fee*. The project list in the *Regional Impact Fee Nexus Study Update* includes two improvement projects recommended for Existing Conditions. These projects include the Marina-Salinas Corridor and the State Route 68 Commuter Improvements, which are described in further detail below.

Mitigation measure MM 3.10-1 of the Recriculated DEIR has been revised as follows:

Mitigation Measure

MM 3.10-1 Prior to issuance of building permits within the subdivision, the project applicant(s) shall contribute their proportionate fair share, as calculated by the County, towards the "State Route 68 Commuter Improvements" through payment of the TAMC Regional Development Impact Fee (RDIF) in effect at that time, as required under mitigation measure **MM 3.10-6.**

~~**MM 3.10-1** Prior to issuance of building permits, the project applicant shall comply with one of the following actions to improve operations at intersections and roadway segments along State Route 68:~~

~~a. Upon issuance of each building permit for proposed development on the project site, each applicant shall contribute their proportionate fair share, as calculated by the County, towards the "State Route 68 Commuter Improvements" through payment of the TAMC Regional Development Impact Fee (RDIF) in effect at that time, as required under mitigation measure **MM 3.10-6**. The TAMC RDIF payment will be earmarked for completion of the Caltrans Project Study Report (PSR) for the 2.3-mile "State Route 68 Commuter Improvements" project identified within the TAMC RDIF. or;~~

~~b. Prior to the issuance of the first building permit for proposed development on the project site, the applicant shall pay the entire fair share for all 17 single family residential units towards the "State Route 68 Commuter Improvements" through payment of the TAMC RDIF, as required under mitigation measure **MM 3.10-6**. or;~~

~~c. The project applicant shall fund, initiate and complete a Caltrans Project Study Report (PSR) process for the 2.3-mile "State Route 68 Commuter Improvements" project identified within the TAMC RDIF. The PSR process will identify the total roadway improvement costs, as well as each project applicant's proportionate fair share of those costs. If the cost of the PSR for the "State Route 68 Commuter Improvements" exceeds the project's proportionate fair share of the TAMC RDIF obligation, the applicant shall be reimbursed the amount in excess of their proportionate fair share. Monterey County will enter into a reimbursement agreement with the project applicant to refund the costs in excess of their proportionate fair share of the TAMC RDIF as additional fees are collected from other applicants and sources.~~

Mitigation measure **MM 3.10-6** of the Recirculated DEIR has been revised as follows:

Mitigation Measure

MM 3.10-6 The Monterey County Resource Management Agency shall require the project applicant to pay the project's fair share of traffic impact fees in effect at the time of building permit applications for future development on the project site. Such fees may include, but are not necessarily limited to, and the TAMC Regional Development Impact Fee (RDIF). and Monterey County ad hoc mitigation fees. Payment of the TAMC RDIF may be done as part of compliance with mitigation measure **MM 3.10-1**.

~~The Monterey County Resource Management Agency shall require the project applicant to pay any traffic impact fees in effect at the time of building permit applications for future development on the project site. Such fees include, but are not limited to, the TAMC Regional Development Impact Fee (RDIF). Payment of the TAMC RDIF may be done so under the options listed in mitigation measure **MM 3.10-1**. The funds contributed toward the "State~~

~~Route 68 Commuter Improvements" project as required under mitigation measure **MM 3.10-1** shall be credited towards their total proportionate fair share of the TAMC RDIF, as they will be contributing their fair share towards regional improvements identified within the TAMC *Regional Improvement Nexus Study Update*. If implementation of mitigation measure **MM 3.10-1** requires the project applicant(s) to contribute towards the "State Route 68 Commuter Improvements" in an amount greater than their fair share identified in the PSR and/or their total fair share of the TAMC RDIF, the project applicant shall be reimbursed as additional funds are collected by other applicants or sources. Payment of the RDIF is considered appropriate and sufficient mitigation for cumulative traffic impacts.~~

The References/Documentation of the Recriculated DEIR has been revised as follows:

REFERENCES/DOCUMENTATION

HatchMott MacDonald (formerly Higgins Associates). *Traffic Impact Analysis*. December 15, 2009.

Monterey, County of. Monterey County General Plan. August 1982 with Amendments through November 5, 1996.

Monterey, County of. *Toro Area Plan*. September 1983 with Amendments through 1998.

Transportation Agency of Monterey County (TAMC.) *General Bikeways Master Plan*. May 2005

Transportation Agency of Monterey County (TAMC). 2008. *Regional Impact Fee Nexus Study Update*. March 27, 2008. Prepared by Kimley-Horn and Associates, Inc.

Transportation Agency of Monterey County (TAMC). 2010. *2010 Monterey County Regional Transportation Plan*.

AMENDMENTS TO SECTION 5.0, CUMULATIVE IMPACT SUMMARY

Cumulative Impact 3.6-4 on page 5-14 of the DEIR has been revised as follows:

GROUNDWATER RESOURCES AND HYDROGEOLOGY

Cumulative Adversely Affect on the Surrounding Subareas

Impact 3.6-4 Implementation of the proposed project, when combined with other development in the vicinity, will increase the demand on groundwater resources within the Corral de Tierra Subbasin of the Salinas Valley Groundwater Basin. Groundwater pumping has the potential to cumulatively influence groundwater supplies within in the adjacent subbasins and the basin as a whole. However, the potable water for the project would be procured within Monterey County Water Resources Agency's Zone 2C, which funds the Salinas Valley Water Project. Therefore ~~(without septic tank systems and minimal landscaping) would reduce the amount of return flow to the El Toro Groundwater Basin by approximately 5.88 AFY. However, the four individual subareas that an reduction and return flow to the of the Basin are considered interconnected, and combined would have net surplus of approximately 314.82 AFY. Therefore, the loss of 5.88 AFY would be considered minimal and according to Monterey County Health Department, Environmental Health Division, the proposed project would have negligible effects on the aquifer in this region.~~ This would be considered a **less than significant cumulative impact**.

The project specific analysis prepared by Todd Engineering included an analysis of how the proposed project would affect groundwater supply upon "buildout" of lots located the El Toro Groundwater Basin. That report made certain assumptions regarding buildout, water usage and demand, landscaping, use of septic systems, and other inputs, building on previous groundwater reports prepared by Fugro. Specifically, the report estimated changes in groundwater conditions assuming that the Harper Canyon subdivision would connect to a sanitary sewer system, and thus would not contribute "return flows" – recharge – from septic systems. The Todd Engineering report concluded that although the proposed project may contribute to an adverse cumulative impact on some of the individual subareas that are currently stressed, the four subareas are ultimately interconnected and will maintain an overall water surplus where recharge exceeds extraction. The project's contribution would be considered minimal. This conclusion was similar to the conclusions of the subsequent *El Toro Groundwater Study* prepared by Geosyntec.

According to the Geosyntec Study, the primary aquifer is currently (2007) in overdraft but groundwater production is considered good and pumping could be sustained for decades in the vicinity of the project site (as well as other areas) because it was located in an area with a large saturated thicknesses of the primary aquifer. In addition, the Geosyntec Study update (2010) determined that the aquifer in the immediate vicinity of the project site is hydrogeologically contiguous with the aquifers to the east in the Salinas Valley, rather than the less productive and stressed areas within the Geosyntec Study area.

~~The proposed project will include minimal landscaping and will dispose of wastewater at a wastewater treatment plant and will not include septic tanks at the project site. According to Todd Engineers, this is not consistent with the assumptions made for the predicted water demand upon buildout of the El Toro Groundwater. The water demand upon buildout of the El Toro Groundwater Basin assumed that approximately 57.6 percent of the total residential demand would be for interior water uses and 42.4 percent for exterior water use. Approximately 80 percent of the interior water demand was assumed to return to the groundwater basin through septic tank systems and 20 percent of the exterior water demand was assumed to be return to the groundwater basin through percolation. Since wastewater disposal for the proposed project will be conveyed to a wastewater treatment plant and the proposed project would have minimal landscaping, the loss of return flow to the El Toro Groundwater Basin is estimated to be approximately 5.88 AFY (12.75 AFY total water demand x 57.60 percent interior usage x 80 percent interior usage return via septic system). This reduction in water, which would recharge the groundwater basin, may affect cumulative development within some of the four interconnected subareas located north of the Chupines fault within the El Toro Groundwater Basin.~~

~~As shown in Table 3.6-4, El Toro Groundwater Basin Water Surplus Upon Buildout Minus Loss of Return Flow, the loss 5.88 AFY of return flow lost due to the proposed project is greater than the 4.7 AFY water surplus for the El Toro Creek subarea. According to the *Project Specific Hydrogeology Report – Harper Canyon Realty LLC Subdivision* the water balance for the El Toro Creek subarea should be recalculated if future developments are proposed within that subarea. Upon buildout of the El Toro Groundwater Basin, the Corral de Tierra subarea would not meet the estimated water demands by approximately 174.4 AFY, with or without the proposed project. According to the *Project Specific Hydrogeology Report – Harper Canyon Realty LLC Subdivision* development should be extremely rationed in the Corral de Tierra subarea.~~

~~Table 3.6-4~~
~~El Toro Groundwater Basin~~

~~Water Surplus Upon Buildout Minus Loss of Return Flow~~

~~Subarea~~	~~Buildout Surplus (AFY)~~	~~Loss of Return Flow (AFY)~~	~~Remaining Surplus (AFY)~~
~~San Benancio Gulch~~	~~29.9~~	~~-5.88~~	~~24.02~~
~~El Toro Creek~~	~~4.7~~	~~-5.88~~	~~-1.18~~
~~Corral de Tierra~~	~~-174.4~~	~~-5.88~~	~~-180.26~~
~~Watson Creek~~	~~460.5~~	~~-5.88~~	~~454.62~~

~~NOTES: AFY = Acre Feet per Year~~

~~1995 Demand and Buildout based on projections from Additional Hydrogeologic Update, El Toro Area (Fugro, 1996).~~

~~Recharge is based on 2.18 inches per year using soil moisture methodology (Fugro, 1996).~~

~~Source: Todd Engineers 2003~~

~~Although the loss of return flow associated with the proposed project may have an adverse impact on some of the individual subareas, the four subareas are considered to be interconnected and will maintain an overall water surplus of approximately 314.82 AFY. Since four interconnected areas would have net surplus of approximately 314.82 AFY, the loss of 5.88 AFY would be considered minimal. According to Monterey County Health Department, Environmental Health Division, the proposed project would have negligible effects on the aquifer in this region (MCDH 2002a). Therefore, this would be considered a **less than significant cumulative impact**.~~

As discussed in this section, the proposed project is located within Monterey County Water Resources Agency's Zone 2C, which benefits from additional water resources from the Nacimiento and San Antonio Reservoirs via the Salinas River and the Salinas Valley Water Project (SVWP). The project applicant contributes financially to the SVWP and its groundwater management strategies through an assessment on the property. The project's impact on the groundwater basin is therefore mitigated by this contribution, as the SVWP provides a regional mitigation strategy for the groundwater basin and its subbasins.

According to DWR basin maps, the project site and wells the would procure water for the proposed project are located in the northeastern portion of the Corral de Tierra Subbasin (DWR 2010) of the Salinas Valley Groundwater Basin. Since the

SVWP went into operation in 2010, the entire basin appears to be becoming more hydrologically balanced, as a noticeable change in depth to groundwater levels has been observed in most subbasins.

Although the SVWP will not deliver potable water to the project site, it was developed to meet projected water demands based on development and population forecasts. The proposed project has been deemed consistent with AMBAG's 2008 population forecasts, which was used for forecasting demands for the SVWP. For all of these reasons, the cumulative effect of the project on water demand is considered **less than significant.**

Cumulative Impact 3.10-7 on page 5-19 of the DEIR has been revised to updated to reflect the recirculated DEIR and additional revisons to mitigation measure **MM 3.10-6** (noted in double underline) as follows:

Note to reader: The following changes to the cumulative traffic analysis were previously documented in the RDEIR (2010). The changes are documented again here to complete the record of changes to the DEIR.

TRANSPORTATION AND CIRCULATION

Cumulative Adverse Impact on Level of Service

Impact 3.10-6 Implementation of the proposed project would contribute to a cumulative increase in traffic volumes that would indirectly result in or exacerbate unacceptable levels of service on the regional roadway network. This would be considered a **significant cumulative impact.**

A number of other projects have been proposed within the geographical study area that have not yet been approved or even formally submitted for evaluation. The extensive list of cumulative projects relevant to this traffic study was developed in consultation with the County of Monterey Planning and Public Works staff and is included in Appendix G of the Traffic Impact Analysis in **Appendix I** of this EIR. The geographic reach of the projects considered within the cumulative analysis encompasses a regional large area, including all Monterey Peninsula cities and large areas of unincorporated Monterey County territory.

The proposed project, combined with the approved and cumulative relevant projects, would generate an estimated 358,002 daily trips within this regional planning area, with 22,952 trips (12,812 in, 10,140 out) during the A.M. peak hour and 34,258 trips (16,362 in, 17,896 out) during the P.M. peak hour. The Harper Canyon subdivision would contribute approximately 0.045 percent of total volume towards the cumulative daily trips, as measured regionally. Approximately five

percent of the total cumulative trips generated during the A.M. peak hour and approximately four percent of the total cumulative trips generated during the P.M. peak hour find their way onto State Route 68.

Intersections

Intersection levels of service for Cumulative Conditions are summarized in **Table 3.10-11, Intersection Level of Service for Cumulative Project Conditions**. All six study intersections would operate at unacceptable levels of service under Cumulative Conditions. Similar to Background Plus Project Conditions, all six study intersections would be impacted by the project because of LOS F operating conditions. Each signalized intersection operating deficiently under Cumulative Conditions is described below.

State Route 218/State Route 68, Intersection #1 (Signalized) would operate at LOS E during the weekday A.M. peak hour and LOS F during the weekday P.M. peak hour (average delay of 63.9 and 111.4 seconds, respectively). This would be considered a significant impact. Widening and re-striping the northbound approach to include one left-turn lane, one through lane, and one right-turn lane; widening and re-striping the eastbound approach to include two left-turn lanes, one through lane and one shared through/right-turn lane; and installing southbound right-turn overlap phasing at this intersection would improve operations to acceptable LOS C during the A.M. and P.M. peak hours.

York Drive/State Route 68, Intersection #2 (Signalized) would operate at LOS F during the weekday A.M. and P.M. peak hours (average delay of 178.5 and 180.5 seconds, respectively). Since this signalized intersection operates at LOS F, the addition of one trip to this intersection during the A.M. or P.M. peak hours would be considered a significant impact. The addition of a second eastbound through lane in conjunction with the addition of a second westbound through lane as recommended under Existing Conditions would improve operations at this intersection to an acceptable LOS C during the A.M. and P.M. peak hours.

Pasadera Drive-Boots Road/State Route 68, Intersection #3 (Signalized) would operate at LOS F during the both the weekday A.M. and P.M. peak hours (average delay of 189.9 and 184.6 seconds, respectively). During the A.M. peak hour, this signalized intersection would degrade from LOS E with a volume-to-capacity ratio of 1.10 under Background Plus Project Conditions to LOS F with a volume-to-capacity ratio of 1.52 under Cumulative Conditions. During the P.M. peak hour, this intersection would degrade from LOS D with a volume-to-capacity ratio of 1.00 under Background Plus Project Conditions to LOS F with a volume-to-capacity ratio of 1.35 under Cumulative Conditions. Since the level of service would degrade from LOS E to LOS F and the volume-to-capacity ratio would increase by 0.42

during the A.M. peak hour, and the level of service would degrade from LOS D to LOS F and the volume-to-capacity ratio would increase by 0.35 during the P.M. peak hour this would be considered a significant cumulative impact. The addition of a second eastbound through lane in addition to the addition of a second westbound through lane recommended under Existing Conditions, would improve operations at this intersection to an acceptable LOS B during the A.M. and P.M. peak hours.

Laureles Grade/State Route 68, Intersection #4 (Signalized) would operate at LOS F during the weekday A.M. and P.M. peak hours (average delay of 173.0 and 226.5 seconds, respectively). During the A.M. peak hour, this signalized intersection would degrade from LOS E with a volume-to-capacity ratio of 1.11 under Background Plus Project Conditions to LOS F with a volume-to-capacity ratio of 1.49 under Cumulative Conditions. Since the level of service would degrade from LOS E to LOS F and the volume-to-capacity ratio would increase by 0.38 during the A.M. peak hour and the level of service is LOS F during the P.M. peak hour, the addition of one trip to this intersection during either the A.M. or P.M. peak hour would be considered a significant impact. Converting the northbound right-turn to right-turn overlap phasing in conjunction with the addition of a second eastbound through lane and a second westbound through lane as recommended under Existing Conditions, would improve operations at this intersection to an acceptable LOS B during the A.M. peak hour and LOS C during the P.M. peak hour.

Corral de Tierra Road / State Route 68 (Intersection #5) would operate at LOS F during the weekday A.M. and P.M. peak hours (average delay greater than 300 seconds, respectively). Since this signalized intersection operates at LOS F during both the A.M. and P.M. peak hours, the addition of one trip would be considered a significant impact. Converting the northbound right turn to right-turn overlap phasing in conjunction with the addition of a second eastbound through lane and a second westbound through lane as recommended under Existing Conditions, would improve operations at this intersection to an acceptable LOS C during the A.M. and P.M. peak hours.

San Benancio Road / State Route 68 (Intersection #6) would operate at LOS F during the weekday A.M. and P.M. peak hours (average delay of 264.1 and greater than 300 seconds, respectively). Since this signalized intersection operates at LOS F during both the A.M. and P.M. peak hours, the addition of one trip would be considered a significant impact. The addition of a second eastbound through lane and a second westbound through lane as recommended under Existing Conditions, would improve operations at this intersection to an acceptable LOS C during the A.M. and P.M. peak hours.

Roadway Segments

Cumulative traffic conditions for road segment levels of service, as well as A.M. and P.M. peak hour volumes on the study road segments, are summarized in **Table 3.10-12, Roadway Segment Level of Service for Cumulative Project Conditions.** Each study roadway segment, eastbound and westbound on State Route 68, would continue to operate below LOS D during both the A.M. or P.M. peak hours as they would under existing, background, and Background Plus Project Conditions. Similar to Background Plus Project Conditions, the addition of one vehicle to the LOS F conditions along four of the study segments and the degradation of the level of service on westbound State Route 68 between State Route 218 and York Road would result in the project having a significant cumulative impact. A brief description of the operations along each roadway segment that would operate with deficiencies under Background Plus Project Conditions is provided below.

State Route 68 between State Route 218 and York Road (Roadway Segment #1) would operate at LOS E in the eastbound direction and LOS F in the westbound directions during the weekday A.M. peak hour (average speeds of 39.0 and 14.9 mph, respectively); and would operate at LOS E in the eastbound direction and LOS F in the westbound direction during the weekday P.M. peak hour (average speeds of 38.5 and 15.6 mph, respectively). The level of service on westbound State Route 68 would degrade from LOS E under Background Plus Project Conditions to LOS F under Cumulative Conditions during the P.M. peak hour. Therefore, the project trips combined with cumulative traffic volumes generated during either the A.M. or P.M. peak hours on westbound State Route 68 between State Route 218 and York Road would be considered a significant cumulative impact.

State Route 68 between York Road and Pasadera Drive/Boots Road (Roadway Segment #2) would operate at LOS E in the eastbound direction and LOS F in the westbound direction during the weekday A.M. peak hour (average speeds of 33.5 and 20.6 mph, respectively); and LOS F in the eastbound direction and LOS E in the westbound direction during the weekday P.M. peak hour (average speeds of 14.2 and 36.2 mph, respectively). During the weekday A.M. peak hour, eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS D under Background Plus Project Conditions to LOS E under Cumulative Conditions and eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS E under Background Plus Project Conditions to LOS F under Cumulative Conditions. During the P.M. peak hour, eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would continue to operation at LOS F and the westbound direction would degrade from LOS C under Background Plus Project Conditions to LOS E under Cumulative Conditions. Therefore, the project trips combined with cumulative traffic volumes generated during during either the A.M. or P.M. peak hours on State Route 68

between York Road and Pasadera Drive/Boots Road would be considered a significant cumulative impact.

State Route 68 between Pasadera Drive/Boots Road and Laureles Grade Road (Roadway Segment #3) would operate at LOS E in the eastbound direction and LOS F in the westbound direction during the weekday A.M. peak hour (average speeds of 25.8 and 13.7 mph, respectively); and LOS F in both the eastbound and westbound directions during the weekday P.M. peak hour (average speeds of 7.6 and 15.9 mph, respectively). During the weekday A.M. peak hour, State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS D under Background Plus Project Conditions to LOS E under Cumulative Conditions in the eastbound direction and would degrade from LOS E under Background Plus Project Conditions to LOS F under Cumulative Conditions in the westbound direction. During the weekday P.M. peak hour, State Route 68 between York Road and Pasadera Drive/Boots Road would continue to operate at LOS F in the eastbound direction and would degrade from LOS E under Background Plus Project Conditions to LOS E under Cumulative Conditions in the westbound direction. Therefore, the project trips combined with cumulative traffic volumes generated during either the A.M. or P.M. peak hours on westbound State Route 68 between York Road and Pasadera Drive/Boots Road would be considered a significant cumulative impact.

State Route 68 between Laureles Grade Road and Corral de Tierra (Roadway Segment #4) would operate at LOS F in both the eastbound and westbound directions during the weekday A.M. peak hour (average speeds of 19.3 and 15.6 mph, respectively); and LOS F in the eastbound direction and LOS E in the westbound direction during the weekday P.M. peak hour (average speeds of 10.8 and 33.8 mph, respectively). During the weekday A.M. peak hour, State Route 68 between Laureles Grade Road and Corral de Tierra would degrade from LOS E under Background Plus Project Conditions to LOS F under Cumulative Conditions in both the eastbound and westbound directions. During the weekday P.M. peak hour, State Route 68 between Laureles Grade Road and Corral de Tierra would continue to operate at LOS F under Cumulative Conditions in the eastbound direction and would degrade from LOS B under Background Plus Project Conditions to LOS E under Cumulative Condition in the westbound direction. Therefore, the project trips combined with cumulative traffic volumes generated during either the A.M. or P.M. peak hours on State Route 68 between Laureles Grade Road and Corral de Tierra during would be considered a significant cumulative impact.

State Route 68 between Corral de Tierra and San Benancio Road (Roadway Segment #5) would operate at LOS F in the eastbound and westbound directions during the weekday A.M. peak hour (average speeds of 13.2 and 7.8 mph,

respectively); and LOS F in the eastbound and westbound directions during the weekday P.M. peak hour (average speeds of 12.0 and 5.0 mph, respectively). During A.M. peak hour operations, State Route 68 between Corral de Tierra and San Benancio Road would degrade from LOS E under Background Plus Project Conditions to LOS F under Cumulative Conditions in the eastbound direction and would continue to operate at LOS F in the westbound direction. During the weekday P.M. peak hour, eastbound and westbound State Route 68 between Corral de Tierra and San Benancio Road would continue to operate at LOS F under Cumulative Conditions. Therefore, the project trips combined with cumulative traffic volumes generated during either the A.M. or P.M. peak hours on State Route 68 between Corral de Tierra and San Benancio Road would be considered a significant cumulative impact.

Cumulative Impact Summary

The cumulative trips associated with the proposed project and other development would degrade the levels of service or would exacerbate existing unacceptable levels of service at all six study intersections and all five study roadway segments. This would be considered a **significant cumulative impact**. Implementation of mitigation measure **MM 3.10-1** requires the applicant to contribute specifically toward implementation of the "State Route 68 Commuter Improvements," a programmed project within the TAMC RDIF program. Implementation of this improvement would improve intersection and roadway segment operations under Cumulative Conditions**.** As under Background Plus Project Conditions, implementation of the "State Route 68 Commuter Improvements" would also improve operations at two study intersections under Cumulative Conditions (i.e., Corral de Tierra/SR 68 and San Benancio/SR 68). In order to improve operations at the Corral de Tierra Road/State Route 68 intersection to acceptable levels of service under Cumulative Conditions, the traffic analysis for the proposed project also identified the need for the following improvement:

- At the Corral de Tierra Road/State Route 68 intersection, convert the northbound right-turn to right-turn overlap phasing. Implementation of this improvement would improve operations at this intersection to LOS C during both the A.M. and P.M. peak hours under Cumulative Conditions. Implementation of mitigation measure **MM 3.10-1** would result in the widening of State Route 68 to four lanes at this intersection, which would necessitate traffic signal modifications. The northbound right-turn phasing at this intersection could be converted to right-turn overlap phasing as part of the signal modifications. This improvement is recommended to be included in the "State Route 68 Commuter Improvements," which is included in the TAMC Regional Development Impact Fee program. Although this improvement is only triggered under Cumulative

Conditions, this minor signal phasing modification is assumed to be implemented with mitigation measure **MM 3.10-1**.

In addition to implementation of intersection improvements associated with the widening of State Route 68, as recommended under Existing Conditions, other regional improvements would be required under Cumulative Conditions. The traffic analysis for the proposed project identified the need for additional intersection improvements along the State Route 68 corridor under the Cumulative Conditions. These recommended improvements include:

- Widen and restripe the northbound approach of the State Route 218/State Route 68 intersection to include one left-turn lane, one through lane, and one right-turn lane. Widen and restripe the eastbound approach to include two left-turn lanes, one through lane, and one shared through/right-turn lane. Install southbound right turn overlap phasing at this location. Implementation of this improvement would improve operations at this intersection to LOS C during both the A.M. and P.M. peak hours under Cumulative Conditions. However, these improvements are not currently included in any Capital Improvement Program (CIP).

- At the Laureles Grade/State Route 68 intersection, convert the northbound right-turn to right-turn overlap phasing. Implementation of this improvement, in addition to adding second eastbound and westbound through lanes (recommended under Existing Conditions), would improve operations at this intersection to LOS B during the A.M. peak hour and LOS C during the P.M. peak hour under Cumulative Conditions. However, these improvements are not currently included in any CIP.

- At the York Road/State Route 68 intersection, add a second eastbound through lane and a second eastbound left-turn lane. Implementation of this improvement, in addition to adding a second westbound through lane (recommended under Existing Conditions), would improve operations at this intersection to LOS C during both the A.M. and P.M. peak hours under Cumulative Conditions. However, these improvements are not currently included in any CIP.

- At the Pasadera Drive/State Route 68 intersection, add a second eastbound through lane. Implementation of this improvement, in addition to adding a second westbound through lane (recommended under Existing Conditions), would improve operations at this intersection to LOS B during both the A.M. and P.M. peak hours under Cumulative Conditions. However, this improvement is not currently included in any CIP.

Although the above improvements are recommended in the traffic analysis and would improve operations, these improvements are not included in any CIP; therefore, are not considered feasible.

The proposed project would address cumulative traffic impacts through contribution towards other previously identified regional improvements, which is consistent with the County and TAMC's methodology. The following mitigation measure would require that the project applicant contribute their fair share towards all traffic impact fees, including the TAMC Regional Development Impact Fee (also referred to as the TAMC RDIF), to help fund all regional improvements in the County and reduce the proposed project's cumulative impact to affected intersections and roadway segments.

Mitigation Measure

MM 3.10-6 The Monterey County Resource Management Agency shall require the project applicant to pay the project's fair share of traffic impact fees in effect at the time of building permit applications for future development on the project site. Such fees may include, but are not necessarily limited to, and the TAMC Regional Development Impact Fee (RDIF). and Monterey County ad hoc mitigation fees. Payment of the TAMC RDIF may be done as part of compliance with mitigation measure **MM 3.10-1**.

~~The Monterey County Resource Management Agency shall require the project applicant to pay any traffic impact fees in effect at the time of building permit applications for future development on the project site. Such fees include, but are not limited to, the TAMC Regional Development Impact Fee (RDIF). Payment of the TAMC RDIF may be done so under the options listed in mitigation measure **MM 3.10-1**. The funds contributed toward the "State Route 68 Commuter Improvements" project as required under mitigation measure **MM 3.10-1** shall be credited towards their total proportionate fair share of the TAMC RDIF, as they will be contributing their fair share towards regional improvements identified within the TAMC *Regional Improvement Nexus Study Update*. If implementation of mitigation measure **MM 3.10-1** requires the project applicant(s) to contribute towards the "State Route 68 Commuter Improvements" in an amount greater than their fair share identified in the PSR and/or their total fair share of the TAMC RDIF, the project applicant shall be reimbursed as additional funds are collected by other applicants or sources.~~

~~Payment of the RDIF is considered appropriate and sufficient mitigation for cumulative traffic impacts.~~

Implementation of the above mitigation measure would require the proposed project to contribute their fair share towards all regional traffic impact fees in effect at the time of issuance of building permit (or sooner if mitigation measure **MM 3.10-1b** is selected by the project applicant), including but not limited to the TAMC RDIF. Through the payment of the regional traffic impact fees, the proposed project would directly contribute to future improvements, which would help off-set any cumulative traffic impacts on regional roadways caused by increased trip volume associated with the proposed project. Payment of all regional impact fees will mitigate the proposed project's cumulative traffic impacts to the regional roadway network. Therefore, the proposed project's cumulative impact on traffic operations under Cumulative Conditions would be reduced to a **less than significant** level.

~~**Impact 3.10-7** Implementation of the proposed project would contribute to a cumulative increase in traffic volumes that would result in or exacerbate unacceptable levels of service on the local roadway network. This is considered a **significant cumulative impact.**~~

~~A number of other projects have been proposed within the study area that have not yet been approved or even formally submitted for evaluation. The list of cumulative projects relevant to this traffic study was developed in consultation with the County of Monterey Planning and Public Works staff and is included in **Appendix I**. The proposed project, combined with the cumulative relevant projects, would generate an estimated 27,071 daily trips, with 2,138 trips (1,241 in, 897 out) during the AM peak hour and 2,707 trips (1,187 in, 1,520 out) during the PM peak hour.~~

~~Intersections~~

~~Intersection levels of service for cumulative traffic conditions are summarized in **Table 3.10-10, Intersection Level of Service for Cumulative Project Conditions**.~~

~~**TABLE 3.10-10**~~
~~**INTERSECTION LEVEL OF SERVICE FOR CUMULATIVE PROJECT CONDITIONS**~~

~~Intersection~~	~~LOS Standard~~	~~AM Peak Hour~~		~~PM Peak Hour~~	
		~~Delay (Seconds)~~	~~LOS~~	~~Delay (Seconds)~~	~~LOS~~
~~1. State Route 218 at State Route 68~~	~~C/D~~	~~31.6~~	~~C~~	~~72.4~~	~~E~~
~~2. York Road at State Route 68~~	~~C/D~~	~~124.4~~	~~F~~	~~106.6~~	~~F~~
~~3. Pasadera Drive Boots Road at State Route 68~~	~~C/D~~	~~123.3~~	~~F~~	~~106.5~~	~~F~~
~~4. Laureles Grade at State Route 68~~	~~C/D~~	~~107.0~~	~~F~~	~~160.9~~	~~F~~

Intersection	LOS Standard	AM Peak Hour		PM Peak Hour	
		Delay (Seconds)	LOS	Delay (Seconds)	LOS
5. Corral de Tierra Road at State Route 68	C/D	197.5	F	268.9	F
6. San Benancio Road at State Route 68	C/D	159.8	F	237.0	F

Source: Higgins Associates 2008

All six study intersections would operate at unacceptable levels of service under cumulative traffic conditions. Similar to background plus project conditions, five of the six study intersections would be impacted by the project because of LOS F operating conditions. Each signalized intersection operating deficiently under cumulative traffic conditions is described below.

State Route 218/State Route 68, Intersection #1 (Signalized) would operate at LOS C during the weekday AM peak hour and LOS E during the weekday PM peak hour (average delay of 31.6 and 72.4 seconds, respectively). Since this signalized intersection would degrade from LOS C during the PM peak hour under background plus project conditions to LOS E during the PM peak hour under cumulative project conditions, this would be considered a significant impact. Widening and re-striping the northbound approach to include one left-turn lane, one through lane, and one right-turn lane; widening and re-stripe the eastbound approach to include two left-turn lanes, tow through lanes and one right-turn lane; and installing right-turn overlap phasing at this intersection would improve operations to acceptable LOS C during the AM and PM peak hours.

York Drive/State Route 68, Intersection #2 (Signalized) would operate at LOS F during the weekday AM and PM peak hours (average delay of 124.4 and 106.6 seconds, respectively). Since this signalized intersection operates at LOS F, the addition of one trip to this intersection during the AM or PM peak hours would be considered a significant impact. The addition of a second eastbound through lane in conjunction with the addition of a second westbound through lane as recommended under existing conditions would improve operations at this intersection to an acceptable LOS C during the AM and PM peak hours.

Pasadera Drive-Boots Road/State Route 68, Intersection #3 (Signalized) would operate at LOS F during the weekday AM peak hour and LOS E during the weekday PM peak hour (average delay of 123.3 and 106.5 seconds, respectively). During the AM peak hour, this signalized intersection would degrade from LOS E with a volume-to-capacity ratio of 1.10 under background plus project traffic conditions to LOS F with a volume-to-capacity ratio of 1.30 under cumulative traffic conditions. During the PM peak hour, this intersection would degrade from LOS D with a volume-to-capacity ratio of 1.00 under background plus project traffic conditions to LOS F with a volume-to-capacity ratio of 1.17 under cumulative traffic conditions.

~~Since the AM peak hour level of service would degrade from LOS E to LOS F and the volume to capacity ratio would increase by 0.20 and the PM peak hour level of service would degrade from LOS D to LOS F and the volume to capacity ratio would increase by 0.17 during the PM peak hour this would be considered a significant cumulative impact. The addition of a second eastbound through lane in addition to the addition of a second westbound through lane recommended under existing conditions, would improve operations at this intersection to an acceptable LOS B during the AM and PM peak hours.~~

~~**Laureles Grade/State Route 68, Intersection #4 (Signalized)** would operate at LOS F during the weekday AM and PM peak hours (average delay of 107.0 and 160.9 seconds, respectively). During the AM peak hour, this signalized intersection would degrade from LOS E with a volume to capacity ratio of 1.11 under background plus project traffic conditions to LOS F with a volume to capacity ratio of 1.28 under cumulative traffic conditions. Since the AM peak hour level of service would degrade from LOS E to LOS F and the volume to capacity ratio would increase by 0.17 and the PM peak hour level of service is LOS F, the addition of one trip to this intersection during either the AM or PM peak hour would be considered a significant impact. Converting the northbound right turn to right turn overlap phasing in conjunction with the addition of a second eastbound through lane and a second westbound through lane as recommended under existing conditions, would improve operations at this intersection to an acceptable LOS B during the AM peak hour and LOS C during the PM peak hour.~~

~~**Corral de Tierra Road / State Route 68 (Intersection #5**) would operate at LOS F during the weekday AM and PM peak hours (average delay of 197.5 and 268.9 seconds, respectively). Since this signalized intersection operates at LOS F, the addition of one trip would be considered a significant impact. Converting the northbound right turn to right turn overlap phasing in conjunction with the addition of a second eastbound through lane and a second westbound through lane as recommended under existing conditions, would improve operations at this intersection to an acceptable LOS C during the AM and PM peak hours.~~

~~**San Benancio Road / State Route 68 (Intersection #6)** would operate at LOS F during the weekday AM and PM peak hours (average delay of 159.8 and 237.0 seconds, respectively). Since this signalized intersection operates at LOS F, the addition of one trip would be considered a significant impact. The addition of a second eastbound through lane and a second westbound through lane as recommended under existing conditions, would improve operations at this intersection to an acceptable LOS C during the AM and PM peak hours.~~

~~The improvements listed above would improve the operating conditions at the study intersections to acceptable levels of service. However, no funding is available for~~

the implementation these major improvements. Therefore, these improvements are not considered feasible mitigation under CEQA. No other feasible mitigation measures have been identified. Since five of six study intersections would continue to operate at LOS F under cumulative traffic conditions, the addition of any trips would be considered a **significant cumulative impact**.

Roadway Segments

Cumulative traffic conditions for road segment levels of service, as well as AM and PM peak hour volumes on the study road segments, are summarized in **Table 3.10-11, Roadway Segment Level of Service for Cumulative Project Conditions.**

TABLE 3.10-11
ROADWAY SEGMENT LEVEL OF SERVICE FOR CUMULATIVE PROJECT CONDITIONS

Intersection	Direction	LOS Stan-dard	AM Peak Hour			PM Peak Hour		
			Volume (Veh/hr)	Average Speed[1] (mph)	LOS	Volume (Veh/hr)	Average Speed[1] (mph)	LOS
State Route 68 between:								
1. State Route 218 and	EB	C/D	1,708	36.3	E	1,415	32.4	E
York Road	WB	C/D	1,573	26.6	E	2,057	24.5	F
2. York Road and	EB	C/D	959	39.3	E	1,579	16.8	F
Pasadera Drive/Boots Road	WB	C/D	1,781	28.7	E	1,485	44.8	D
3. Pasadera Drive/Boots	EB	C/D	933	40.8	D	1,516	8.7	F
Road and Laureles Grade	WB	C/D	1,715	18.7	F	1,378	25.3	E
4. Laureles Grade and	EB	C/D	1,062	33.4	E	1,803	12.6	F
Corral de Tierra Road	WB	C/D	1,749	21.8	F	1,347	47.3	C
5. Corral de Tierra Road	EB	C/D	1,252	23.5	E	1,889	13.8	F
and San Benancio Road	WB	C/D	1,700	10.4	F	1,498	9.8	F

Notes: 1 Average travel speed calculated in Synchro software.
EB = Eastbound
WB = Westbound
Veh/hr = vehicles per hour
Mph miles per hour

Source: Higgins Associates 2008

As shown in **Table 3.10-11, Roadway Segment Level of Service for Cumulative Project Conditions** each study roadway segment, eastbound and westbound on State Route 68, would continue to operate below LOS C during both the AM or PM peak periods as they would under existing, background, and background plus project traffic conditions. Similar to background plus project conditions, the addition of one vehicle to the LOS F conditions along four of the five study segments and the degradation of westbound State Route 68 between State Route

~~218 and York Road will result in the proposed project's contribution to a significant cumulative impact. A brief description of the operations along each roadway segment that would operate with deficiencies under background plus project traffic conditions is provided below.~~

~~**State Route 68 between State Route 218 and York Road (Roadway Segment #1)** would continue to operate at LOS E in the eastbound and westbound directions during the weekday AM peak hour (average speeds of 36.6 and 32.4 mph, respectively); and would continue to operate at LOS E in the eastbound and LOS F in the westbound direction during the weekday PM peak hour (average speeds of 29.6 and 24.5 mph, respectively). The level of service on westbound State Route 68 would degrade from LOS E under background plus project traffic conditions to LOS F under cumulative traffic conditions during the PM peak hour. Therefore, any trips generated by the proposed project on westbound State Route 68 between State Route 218 and York Road during the PM peak hour would be considered a significant cumulative impact.~~

~~**State Route 68 between York Road and Pasadera Drive/Boots Road (Roadway Segment #2)** would operate at LOS E in the eastbound and westbound directions during the weekday AM peak hour (average speeds of 39.3 and 28.7 mph, respectively); and LOS F in the eastbound direction and LOS D in the westbound direction during the weekday PM peak hour (average speeds of 16.8 and 44.8 mph, respectively). During the weekday AM peak hour, eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS D under background plus project traffic conditions to LOS E under cumulative traffic conditions. During the weekday PM peak hour, westbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS C under background plus project traffic conditions to LOS D under cumulative traffic conditions. In addition, eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS D under background plus project traffic conditions to LOS E under cumulative traffic conditions during the AM peak hour and continue to operate at LOS F during the weekday PM peak hour. Therefore, any trips generated by the proposed project on eastbound State Route 68 between York Road and Pasadera Drive/Boots Road during either the AM or PM peak hours or on westbound State Route 68 between York Road and Pasadera Drive/Boots Road during the PM peak hour would be considered a significant cumulative impact.~~

~~**State Route 68 between Pasadera Drive/Boots Road and Laureles Grade Road (Roadway Segment #3)** would operate at LOS D in the eastbound direction and LOS F in the westbound direction during the weekday AM peak hour (average speeds of 40.8 and 18.7 mph, respectively); and LOS F in the eastbound direction and LOS E in the westbound direction during the weekday PM peak hour (average speeds of~~

~~8.7 and 25.3 mph, respectively). During the weekday AM peak hour, westbound State Route 68 between York Road and Pasadera Drive/Boots Road would degrade from LOS E under background plus project traffic conditions to LOS F under cumulative traffic conditions. In addition, eastbound State Route 68 between York Road and Pasadera Drive/Boots Road would continue to operate at LOS F during the weekday PM peak hour. Therefore, any trips generated by the proposed project on eastbound State Route 68 between York Road and Pasadera Drive/Boots Road during the weekday PM peak hour or on westbound State Route 68 between York Road and Pasadera Drive/Boots Road during the weekday AM peak hour would be considered a significant cumulative impact.~~

~~**State Route 68 between Laureles Grade Road and Corral de Tierra (Roadway Segment #4)** would continue to operate at LOS E in the eastbound direction and LOS F in the westbound direction during the weekday AM peak hour (average speeds of 33.4 and 21.8 mph, respectively); and LOS F in the eastbound direction and LOS C in the westbound direction during the weekday PM peak hour (average speeds of 12.6 and 47.3 mph, respectively). During the weekday AM peak hour, westbound State Route 68 between Laureles Grade Road and Corral de Tierra would degrade from LOS E under background plus project traffic conditions to LOS F under cumulative traffic conditions. In addition, eastbound State Route 68 between Laureles Grade Road and Corral de Tierra would continue to operate at LOS F during the weekday PM peak hour under cumulative traffic conditions. Therefore, any trips generated by the proposed project on westbound State Route 68 between Laureles Grade Road and Corral de Tierra during the weekday AM peak hour or on eastbound State Route 68 between Laureles Grade Road and Corral de Tierra during the weekday PM peak hour would be considered a significant cumulative impact.~~

~~**State Route 68 between Corral de Tierra and San Benancio Road (Roadway Segment #5)** would operate at LOS F in the eastbound and westbound directions during the weekday AM peak hour (average speeds of 23.5 and 10.4 mph, respectively); and LOS F in the eastbound and westbound directions during the weekday PM peak hour (average speeds of 13.8 and 9.8 mph, respectively). During AM peak hour operations, eastbound State Route 68 between Corral de Tierra and San Benancio Road would be degraded from LOS E under background plus project traffic conditions to LOS F under cumulative traffic conditions. During the weekday PM peak hour, eastbound and westbound State Route 68 between Corral de Tierra and San Benancio Road would continue to operate at LOS F under cumulative traffic conditions. In addition, westbound State Route 68 between Corral de Tierra and San Benancio Road would continue to operate at LOS F during the weekday AM peak hour under cumulative traffic conditions. Therefore, any trips generated by the proposed project on eastbound or westbound State Route 68 between Corral~~

~~de Tierra and San Benancio Road during the weekday AM or PM peak hours would be considered a significant cumulative impact.~~

~~The cumulative trips associated with the proposed project and other development would degrade the level of service or would exacerbate an unacceptable LOS F operating condition at four of five study segments. This would be considered a **significant cumulative impact**.~~

~~The following mitigation measure would require that the project applicant contribute their fair share towards the regional traffic impact fee (also referred to as the Transportation Agency of Monterey County (TAMC) impact fee) to help fund regional improvements in the County and reduce the project's cumulative impact to affected intersections and roadway segments.~~

~~Mitigation Measure~~

~~**MM 3.10-7** The Monterey County Resource Management Agency shall require the project applicant to pay any traffic impact fees in effect at the time of building permits application. Such fees include the TAMC Regional Impact Fee, which will mitigate for cumulative impacts to roadway segments and intersections along State Route 68. If the proposed project contributes monetarily toward the extension of the State Route 68 (see mitigation measure MM 3.10-2) in an amount greater than their calculated TAMC Impact Fee responsibility, the proposed project shall be credited for the TAMC fee and the fee considered satisfied, as they will be contributing their fair share toward cumulative impacts and regional improvements identified within the TAMC nexus study.~~

~~The traffic analysis for this project identified the need for additional intersection improvements along the Highway 68 corridor under the cumulative scenario. These projected improvements include:~~

- ~~Widen and restripe the northbound approach of the SR 218/SR 68 intersection to include one left-turn lane, one through lane, and one right-turn lane. Widen and restripe the eastbound approach to include two left-turn lanes, two through lanes and one right-turn lane. Install right turn overlap phasing at this location.~~

- ~~At the Laureles Grade/SR 68 intersection, convert the northbound right-turn to right-turn overlap phasing.~~

- ~~At the Corral de Tierra Road/SR 68 intersection, convert the northbound right-turn to right-turn overlap phasing.~~

~~The project's contribution to these cumulative mitigation improvements would be satisfied by the project's payment of the TAMC Regional Development Impact Fee, or by the project's mitigation requirements under mitigation measure 3.10-2. This is consistent with the County and TAMC's methodology for addressing cumulative traffic impacts.~~

~~The TAMC Regional Development Impact Fee Program is one element of TAMC's proposed *14 Year Improvement Plan*. However, the Regional Development Impact Fee Program has not been adopted. The County of Monterey has voluntarily been collecting regional traffic impact fees consistent with the *Draft Nexus Study* (TAMC 2004) to contribute towards funding improvements on the regional roadways. The County Public Works Department has deemed payment of a regional traffic impact fee as appropriate mitigation for regional impacts. The defeat of Measure A means that TAMC will not be receiving additional revenue through a half-cent tax increase, which is one of the funding sources identified for construction of needed improvements. Therefore, it may take longer for TAMC to implement regional roadway improvements, but does not preclude voluntarily moving forward with the improvements.~~

~~Although TAMC does not have the mechanism in place to implement specific projects (such as State Route 68 freeway extension), the County of Monterey has been collecting TAMC fees for other projects throughout the County. It is thus recommended that the applicant pay the County of Monterey their fair share to the TAMC fee program. Through the payment of the regional traffic impact fees, the proposed project would directly contribute to future improvements, which would help off-set any cumulative traffic impacts on regional roadways caused by increased trip volume associated with the proposed project.~~

~~Payment of regional impact fees (as identified in MM 3.10-7) will mitigate the project's cumulative impacts to the extent feasible; however, as the timing and extent of physical improvements along the State Route 68 corridor are not known at this time, the cumulative impact to intersections and roadway segments will remain **significant and unavoidable** until such time that the physical improvements are constructed.~~

AMENDMENTS TO SECTION 3.6, GROUNDWATER RESOURCES AND HYDROGEOLOGY

Amendments to Section 3.6 are attached.