

This Recirculated Draft Environmental Impact Report (RDEIR) has been prepared by the County of Monterey Resource Management Agency - Planning Department (hereinafter "County of Monterey"), as lead agency, pursuant to applicable provisions of the California Environmental Quality Act (CEQA) and its implementing guidelines (*CEQA Guidelines*). This RDEIR discloses revisions made to the Draft Environmental Impact Report (DEIR) prepared for the Harper Canyon/Encina Hills Subdivision (hereinafter "proposed project") pursuant to Section 15088.5 of the *CEQA Guidelines*. A lead agency is required to recirculate an EIR when significant new information is added to the DEIR after public notice is given of the availability of the DEIR but before certification of the document. This RDEIR specifically reflects changes made to **Section 3.10, Transportation and Circulation**.

1.1 BACKGROUND AND PURPOSE

The application for the proposed project was deemed complete by the Planning Department on November 22, 2002. To evaluate the environmental effects of the proposed project, an Initial Study/Mitigated Negative Declaration was prepared in July 2003 and was circulated to local, regional, and state agencies for a 30-day public review period from July 24, 2003 through August 22, 2003. The Monterey County Planning Commission considered the project at their January 12, 2005 meeting. A motion was made at that meeting to direct staff to proceed with an Environmental Impact Report (EIR). The project applicant appealed the decision by the Planning Commission; however, the Board of Supervisors referred the project back to the Monterey County Planning Department for preparation of an EIR.

The County of Monterey prepared and distributed a DEIR for the proposed project in October 2008. Upon completion of the DEIR, the County filed a Notice of Completion (NOC) with the State Office of Planning and Research, in accordance with Section 155085 of the *CEQA Guidelines*. This began a 45-day public review period (Public Resources Code, Section 21161) for the DEIR, which ended on December 5, 2008. Following the end of the public review period for the DEIR, the County of Monterey determined that significant new information existed and decided to address traffic issues raised during the public review period by recirculating relevant portions of the DEIR pursuant to Section 15088.5 of the *CEQA Guidelines*.

The purpose of the RDEIR is to disclose the significant new information identified to address traffic issues or mitigation measures as raised during the public review period for the DEIR pursuant to Section 15088.5 of the *CEQA Guidelines*. These changes are specifically limited to **Section 3.10, Transportation and Circulation**. Therefore, only this technical section (and supporting traffic impact analysis) is included in the RDEIR. Significant new information addressed by the RDEIR includes, but is not limited to, the adoption of the Regional Development Impact Fee by the Transportation Agency of Monterey County (TAMC) and the language of traffic mitigation measures.

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1.2 INTENDED USES OF THIS RDEIR

This RDEIR provides the updated environmental information and an evaluation of traffic and circulation necessary for the planning and construction of the proposed project. This document will be used by the County of Monterey, and any other responsible or reviewing agency, to identify and evaluate the significant environmental issues associated with traffic and/or circulation related to proposed project. Likewise, this RDEIR provides the environmental information and evaluation needed by responsible agencies acting on applicable permits relative to the proposed project and the project site.

1.3 ENVIRONMENTAL REVIEW PROCESS

The California Environmental Quality Act (CEQA) and the County of Monterey encourage public participation in the planning and environmental review process. Opportunities will be provided for the public to present comments and concerns regarding the CEQA and planning process through a CEQA public review and comment period and public hearings and/or meetings before the County of Monterey Planning Commission and Board of Supervisors. The review and certification process for the RDEIR will involve the following procedural steps:

PUBLIC NOTICE/PUBLIC REVIEW

Upon completion of the RDEIR, the County of Monterey will file a Notice of Availability (NOA) with the State Office of Planning and Research at the same time it sends a notice of completion (NOC), in accordance with Section 15086 of the CEQA Guidelines. In addition, the County of Monterey provides public NOA of the RDEIR for public review in accordance with CEQA Guidelines Sections 15087(a), and circulates the document to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the DEIR or commented on the DEIR in accordance with Public Resources Code 21092(b) and 21092.1. During the 45-day public review period, the RDEIR is available for review at the County of Monterey Resource Management Agency – Planning Department located at 168 West Alisal, 2nd Floor, Salinas, CA, 93901.

All written comments should be limited to the traffic and circulation revisions included in the RDEIR and should be submitted to:

Taven Kinison Brown, Planning Services Manager
County of Monterey Resource Management Agency - Planning Department
168 West Alisal, 2nd Floor
Salinas, CA 93901
Tel: (831) 755-5173

Email comments to: ceqacomment@co.monterey.ca.us.
Fax comments to: (831) 757- 9516

Comments pertaining to the revised sections are welcome during the 45-day public review period. Comments previously submitted on sections other than those being recirculated do not need to be resubmitted. Comments may be submitted in hard copy to the name and address above. The Planning Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments.

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Monterey County Resource Management Agency - Planning Department to ensure they have received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Monterey County Planning Department to confirm that the entire document was received.

RESPONSE TO COMMENTS/FINAL EIR

Upon completion of the 45-day public review period, written responses to all significant environmental issues raised will be addressed in the Final EIR (FEIR). The FEIR will be made available for review at least 10 days prior to the public hearing before the final decision-making body, at which time the certification of the Final EIR will be considered. The FEIR will consist of the DEIR, RDEIR, comments received, responses to comments on both the DEIR and RDEIR, and any resulting text changes.

The RDEIR consists primarily of a revised Traffic and Circulation section. Comments on the revised section are welcome and will be responded to. As this revised section replaces the traffic section in the DEIR in its entirety, previous comments received on the DEIR related to traffic will not be addressed.

CERTIFICATION OF THE EIR

If the County of Monterey finds that the FEIR is "adequate and complete," the County may certify the FEIR. The rule of adequacy generally holds that the EIR can be certified if: 1) it shows a good faith effort at full disclosure of environmental information, and 2) provides

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sufficient analysis to allow decisions to be made regarding the project in contemplation of environmental considerations.

PROJECT CONSIDERATION

Upon review and consideration of the FEIR, the County of Monterey may act upon the proposed project. A decision to approve the proposed project would be accompanied by written Findings in accordance with CEQA Guidelines Section 15091 and, if applicable, Section 15093 (Statement of Overriding Considerations).

MITIGATION MONITORING

The County of Monterey must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment (Public Resources Code Section 21081.6(a)). This program will be designed to ensure that these measures are carried out during project implementation. The specific reporting or monitoring program required by CEQA is not required to be included in the EIR. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the County of Monterey as part of the certified FEIR will be considered as conditions for approval of the project and will be included in the Mitigation Monitoring and Reporting Program to ensure and verify compliance.

1.4 SCOPE AND ORGANIZATION

As mentioned above, the only technical section that has been revised and therefore included in the RDEIR is:

SECTION 3.0 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

This section describes the existing project setting, discusses the environmental impacts of the proposed project, describes cumulative impacts, and identifies mitigation measures for the environmental impacts examined in this EIR. This document reflects changes made to the following subsection:

- **3.10 Transportation and Circulation:** This subsection examines potential impacts on the area roadway network, including roadway segments and intersections along State Route 68. Existing roadway conditions, existing conditions plus the project conditions, and cumulative conditions are evaluated herein. The conclusions are based on a traffic impact analysis prepared by Hatch Mott MacDonald (formerly Higgins Associates), as updated in December 2009. The report was revised to address comments received on the DEIR and to reflect adoption of the Regional Development Impact Fee by the TAMC.

APPENDICES

Appendix I has been updated to reflect a revised Traffic Impact Analysis prepared by Hatch Mott MacDonald (formerly Higgins Associates) in December 2009. This updated report has been included in Volume II.