

Chapter 3
Responses to Comments

1
2
3
4
5
6
7
8
9
10
11
12

Chapter 3 Responses to Comments

This chapter includes responses for each of the numbered comments identified in the comment letters in Chapter 2, Comments Received on the Draft EIR. Each response begins with a brief summary of the comment, responds to the comment, and then identifies if revisions to the Draft EIR are required. Revisions are included in Chapter 4, Revisions to the Draft EIR.

In responding to comments, CEQA does not require a Lead Agency to conduct every test or perform all research, study or experimentation recommended or demanded by a commenter. Rather, a Lead Agency need only respond to significant environmental issues and does not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR (Guidelines secs. 15088, 15204).

1 **Response to Comment Letter 1 (USFWS)**

2 **Comment 1-1**

3 This comment is an introduction that includes a description of USFWS responsibilities, their focus
4 on EIR sections that address federally listed species, and a brief summary of the proposed project.

5 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7 **Comment 1-2**

8 The commenter would like additional measures, such as educational signage and mechanisms to
9 prevent trespassing, to protect the population of Hickman's potentilla in Indian Village.

10 Mitigation Measures BIO-A1 and BIO-D6 (Section 3.3 of Volume I) adequately address potential
11 impacts to Hickman's potentilla in Indian Village. Mitigation Measure BIO-D6 states: "All designated
12 habitat will be fenced off from pedestrian and equestrian traffic. Signage will be used to inform site
13 users to avoid sensitive habitat areas." Mitigation Measure BIO-A1 specifies implementation of a
14 site-specific resource management plan (SSRMP) for Hickman's potentilla in Indian Village. The
15 SSRMP for the Indian Village will be prepared by a third-party consultant under contract to
16 Monterey County, will be reviewed by an interagency advisory team called the Resource
17 Management Team (RMT), and will be approved by the Del Monte Forest Foundation and Monterey
18 County. Also refer to Appendix C (pages 4-2 and 4-3) of Volume II.

19 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

20 **Comment 1-3**

21 The comment references Mitigation Measure BIO-E1 which states that if California red-legged frogs
22 are identified during preconstruction surveys, individuals will be captured and relocated to nearby
23 suitable habitat. The commenter states that capture is considered take under the Endangered
24 Species Act and can only be authorized with consultation with the USFWS.

25 Comment noted. The County understands that take of California red-legged frogs or their habitat
26 (including any capture or relocations) will require prior authorization from the USFWS. These
27 requirements are discussed in the Regulatory Setting (Chapter 3.3 of Volume I).

28 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

29 **Comment 1-4**

30 The commenter recommends that all resource management plans be prepared and reviewed by all
31 resource agencies prior to approval of the FEIR, and that CALFIRE be consulted.

32 The process for developing and approving the site specific resource management plans (SSRMPs) is
33 described in Chapter 2 of the Master Resource Management Plan (see Appendix C in Volume II). The
34 SSRMPs will be prepared by a third party consultant under contract to Monterey County and will be
35 reviewed by an interagency team called the Resource Management Team (RMT). The RMT will
36 include the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (DFG),
37 California Coastal Commission (CCC), the Fire Protection arm of the Pebble Beach Community

1 Services District (PBSCD/CDF), the Del Monte Forest Open Space Advisory Committee, the Monterey
2 County Planning Department, the Del Monte Forest Foundation and other agencies, organizations
3 and scientific experts deemed necessary by Monterey County. In the Master RMP (Appendix C in
4 Volume I), CDF has been changed to CALFIRE.

5 To ensure the SSRMPs have been reviewed by the resource agencies and approved prior to project
6 development that could affect resources covered in the SSRMPs, the SSRMPs must be reviewed and
7 approved prior to the issuance of grading permits for specific development projects that would
8 affect such natural resources. Refer to Section 2.3 in Appendix C of Volume II.

9 The comment does not concern the adequacy of the EIR. No further revisions to the draft EIR are
10 necessary.

11 **Comment 1-5**

12 The commenter is concerned about impacts to migratory birds and compliance with the Migratory
13 Bird Treaty Act (MBTA), and wants to ensure land clearing is timed to avoid impacts to bird nests or
14 young birds or that surveys are conducted prior to land clearing activities with appropriate
15 avoidance measures taken.

16 This is addressed in Impact BIO-I1 (Project construction including tree removal and grading, could
17 result in potential disturbance to nesting raptors, including several special-status raptor species)
18 and Mitigation Measure BIO-I1. The mitigation measure requires conducting pre-construction and
19 breeding-season raptor surveys and implementing protection measures pursuant to Section 3503.5
20 of the California Fish and Game Code and the MBTA. Refer to Section 3.3 (pages 3.3-81 and 3.3-82)
21 of Volume I.

22 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.
23

1 **Response to Comment Letter 2 (CCC)**

2 **Comment 2-1**

3 This comment is an introduction that expresses appreciation about the information provided and
4 acknowledgment of the project's complexity. The commenter states the DEIR provides detailed
5 factual information that the CCC can use for its review and analysis of the project.

6 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
7 EIR are necessary.

8 **Comment 2-2**

9 The commenter describes that the Master Resource Management Plan (RMP) should include
10 management of all of the Pebble Beach Company's protected habitat areas, not just those included in
11 the proposed project and suggests that the Master RMP identify coastal development permit (CDP)
12 requirements for restoration, prescribed burning and tree removal.

13 As described on page 2-23, Chapter 2 of Volume I, the subject of the EIR is the Pebble Beach
14 Company's (Applicant's) proposed project, not the LCP Amendment. As such, the EIR focuses on the
15 impacts of the proposed project and identifies mitigation for identified significant impacts. The
16 Master RMP and the Site-Specific RMPs required by Mitigation Measure BIO-A1 are designed to
17 address the significant biological impacts of the proposed project.

18 The commenter is correct that the proposed LUP amendment describes that the RMP for the new
19 preservation areas included in the Concept Plan (which are the same preservation areas proposed in
20 the proposed project) should include other DMF preservation areas. As such, expansion of the RMP
21 to areas not included in the proposed project is a matter of LUP compliance.

22 The EIR is limited to proposing mitigation for project-related impacts. The Master RMP in Appendix
23 C of the DEIR does include several adjacent preservation areas, including the Huckleberry Hill
24 Natural Habitat Area (HHNHA) and Indian Village (adjacent to Area L) as management of these areas
25 is related to management of preservation areas included in the project and to mitigate project
26 impacts in adjacent development areas. The inclusion of other non-project preservation areas in the
27 RMP is beyond that necessary to mitigate project impacts and thus is a matter beyond CEQA and the
28 EIR.

29 Regarding CDP requirements, resource management of the proposed preserved areas is included in
30 the CDP for the project as a whole and thus the current CDP is intended to cover resource
31 management areas including restoration, prescribed burning and tree removal, as determined
32 necessary in the SSRMPs.

33 No revisions to the draft EIR are necessary.

34 **Comment 2-3**

35 The commenter requests clarifications on the amount and location of indirect impacts to ESHAs
36 including Monterey pine forest.

37 Indirect impacts are discussed throughout Section 3.3, Biological Resources (Volume I) including
38 indirect impacts to Monterey pine forest, dunes, wetlands, and other resources due to fragmentation

1 of habitat, introduction and spread of non-native plants, water quality impairment due to runoff,
2 changes in root zone and soil conditions, use of fertilizer and herbicides, susceptibility to insects and
3 disease, loss of genetic diversity, and effects associated with increased trail use of adjacent areas.

4 As to the locations of indirect effects, they are in the areas adjacent to areas of direct habitat
5 removal, wherein indirect effects such as those due to fragmentation, changes in runoff, or use of
6 fertilizers would occur. Regarding how indirect effect acres were calculated for Monterey pine
7 forest, the indirect effect area was defined as those areas within each development area adjacent to
8 areas of forest removal. For example, at Area F-2, development of each new residential lot was
9 assumed to remove approximately 15,000 square feet of forest. Subtracting the amount of forest
10 removal for 16 lots (7.11 acres) from the total forest at area F-2 (19.50 acres), the area of indirect
11 effects was estimated at 12.39 acres, the remaining forested area. Based on the pattern of
12 development common in the Del Monte Forest, in all development areas, there are usually retained
13 forest areas surrounding development. It is in these areas that the indirect effects are generally
14 contained providing a buffer to other resource areas preserved as open space. The resource maps
15 included in Appendix F (Volume II) show all development areas on aerial photographs, so the reader
16 can see the adjacent areas that could be subject to indirect effects.

17 Other indirect effect areas are more difficult to quantify. For example, changes in hydrology and
18 water quality with development can affect downstream areas containing sensitive habitat.
19 Unmitigated, such effects could extend far downstream. However, the DEIR includes mitigation to
20 control hydrology and water quality effects such that they do not have significant downstream
21 effects. As such, a specific quantification of the area of these indirect effects is not necessary in order
22 to make significance conclusions in the EIR.

23 No revisions to the draft EIR are necessary.

24 **Comment 2-4**

25 The commenter requests clarification of the acreage of indirect impact to the Monterey pine forest.

26 Regarding different numbers on indirect effects, Table 3.3-7 (Volume I) shows that indirect effects
27 could range from 44 acres (with Area M Option 1) up to 47 acres (with Area M Option 2). The
28 reference to 47 acres of indirect effects (on Page 3.3-48, line 33, of Volume I) refers to the higher
29 estimate with Area M Option 2.

30 No revisions to the draft EIR are necessary.

31 **Comment 2-5**

32 The commenter requests clarification as to whether the impact to wetlands is only potential or
33 definite.

34 The impact to wetlands is expected. The text of the Impact BIO-C1 header (on Page 3.3-52 line 12,
35 Volume I) has been changed to delete the word "potential". Please see Chapter 4 of this document
36 for the specific changes.

37 **Comment 2-6**

38 The commenter states that the significance criteria is whether the project would result in any direct
39 or indirect disturbance of ESHA resulting in disruption of protected resources and habitat values

1 and expresses their opinion that the impacts to ESHA are unmitigable using the significance criteria.
2 The commenter states that the conclusions under impact BIO-A1 should not reference Coastal Act
3 conflict resolution parameters and should only use a CEQA context.

4 The commenter's description of the significance criteria is accurate, but the County disagrees with
5 the commenter's opinion that project impacts to biological resource areas that are defined as ESHA
6 cannot be mitigated. Areas that fit the definition of ESHA are first and foremost biological resources.
7 While the CCC may be of the opinion that any removal of ESHA is unmitigable, that is an opinion
8 derived primarily from interpretation of Coastal Act policies, not necessarily one based on the
9 functions and values of biological resources.

10 ESHA areas within project areas are defined in the DEIR, starting on page 3.3-26 (Volume I)
11 including the reasons why each area is considered ESHA. ESHA areas defined in the DEIR include
12 some (but not all) areas of Monterey pine forest (including the resources contained therein), coastal
13 sand dunes, maritime chaparral (included in Monterey pine forest), natural wetlands and seasonal
14 ponds, riparian habitat, California red-legged frog aquatic habitat, Yadon's piperia habitat, Gowen
15 cypress habitat, certain plants specified in the current LUP or state- or federally listed plants.
16 Specific geographic areas are identified in the DEIR as well.

17 Each of these resources is analyzed both as an ESHA area and separately as a biological resource in
18 Section 3.3, Biological Resources (Volume I). Under Impact BIO-A1, the DEIR discloses impacts to
19 ESHA areas and mitigation is identified in the DEIR for all identified significant impacts to ESHA. The
20 conclusion of significance after mitigation in the DEIR mentioned the proposed LCP Amendment,
21 Coastal Act balancing and the identified mitigation. The LCP Amendment was mentioned because, as
22 noted on Page 3.8-25 (Volume I), the proposed project is not consistent with the current LUP. The
23 Coastal Act balancing was mentioned because, as disclosed in the DEIR on Page 3.8-27 (Volume I),
24 the LCP Amendment is not fully consistent with Coastal Act policies on ESHA. As such, the proposed
25 project cannot ultimately be approved unless the LCP Amendment is approved. The project's
26 compliance with the LCP and the LCP's compliance with the Coastal Act are ultimately a matter of
27 land use plan and policy consistency and are best understood as a land use planning matter, rather
28 than strictly a matter of biological resource impacts.

29 As such, reference to the LCP Amendment and Coastal Act balancing has been deleted from the
30 significance conclusion for Impact BIO-A1 (on Pages 3.3-40 and 3.3-44 of Volume I). However, the
31 EIR's conclusion that the physical impacts to biological resources that are defined as ESHA can be
32 mitigated to a less than significant level with the adoption of the proposed mitigation remains
33 unchanged as it is the physical effects of mitigation in preserving sensitive biological resources for
34 the Del Monte Forest as a whole that provides the mitigation value, not the consistency with a LCP
35 policy or the Coastal Act. CEQA's fundamental purpose is to evaluate physical impacts to the
36 environment. While consistency with policies and plans are required to be disclosed in CEQA
37 documents, under CEQA, an inconsistency is only a significant impact if it is related to an actual
38 physical impact on the environment and the impact level is significant. As such, the project's
39 inconsistency with the existing LCP or the LCP Amendment's partial inconsistency with the Coastal
40 Act, if determined to exist, is not considered, in isolation, a significant impact on biological
41 resources. Instead the EIR relies on the physical impacts of the project and the physical effects of
42 proposed mitigation in preserving sensitive habitats in the Del Monte Forest. No further revisions to
43 the draft EIR are necessary.

1 Comment 2-7

2 The comment states that the draft EIR does not include discussion or analysis of any of the LCP
3 changes not directly associated with the proposed Pebble Beach Company project. The commenter
4 described that, although not required, the draft EIR should be framed to account for all LCP
5 amendment components.

6 As the commenter states, the draft EIR is not required to analyze all LCP amendment components,
7 just the proposed project. The CCC is responsible for analyzing the non-project LCP changes based
8 on technical information to be provided by the County.

9 The draft EIR includes all the LCP amendments (Appendix D of Volume II) and a summary of the key
10 changes to the land use plan in Table 2-6, including a brief description of each existing Land Use Plan
11 section/policy, the proposed changes, and discussion about the change (Chapter 2 of Volume I).
12 Exhibit A of the County's staff report prepared for the December 14, 2011, Planning Commission
13 hearing on the LCP amendment includes a more detailed discussion of the LCP amendment,
14 including a consistency analysis of the proposed amendment with the Coastal Act. The staff report
15 can be found on the County website (http://www.co.monterey.ca.us/planning/cca/pc/2011/12-14-11/pc_12-14-11a.htm). The County will work with CCC staff to provide additional information as
16 needed.
17

18 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

19 Comment 2-8

20 The comment states that, in Section 3.8 of the draft EIR, the description of the existing residential
21 designations in the LUP states that golf courses can be allowed as a conditional use, but it does not
22 state that the proposed LCP amendment deletes golf courses as an allowed use in areas designated
23 for residential use. The commenter also states that this change is not reflected in the changes to
24 Sections 20.12.050 and 20.14.050 of the CIP (where this will be accomplished) in Appendix D along
25 with proposed changes to the LUP and CIP.

26 In Section 3.8 of the draft EIR (Volume I), the description of the existing residential designations in
27 the LUP is intended to focus on the existing allowed uses, not the proposed changes. In response to
28 this comment, the text has been revised on Pages 3.8-7 and 3.8-8 of Volume I to clarify that the
29 proposed LCP amendment deletes golf courses as an allowed use in areas designated for residential
30 use. Please see Chapter 4 of this document for the specific changes.

31 The deletion of golf courses as an allowed use in residential areas is presented in the following
32 places in the draft EIR:

- 33 ● Chapter 2 of Volume I (Page 2-25, lines 5-7). "Other key changes include amending the zoning
34 code to...prohibit golf courses in areas designated residential..."
- 35 ● Chapter 2 of Volume I (Page 2-33, Table 2-6, Policy 86). "Deletion of allowing golf courses in
36 residential designations...This change eliminates the potential of allowing golf courses in
37 residentially designated areas which is more protective than the existing LCP. Title 20 Sections
38 20.12.050Z and 20.14.050.D will be deleted."
- 39 ● Appendix D of Volume II (D.1 LUP, page 27). "86. Golf course development shall be limited to
40 areas designated Open Space Recreational and only where consistent with all other LUP
41 policies." Further, on page 29, the description of Residential Designations does not include or

1 mention golf courses; and on page 30 the description of Open Space Recreational allows for golf
2 courses and other golf facilities.

- 3 • Appendix D of Volume II (D.3 CIP Part 1 Zoning Code). The proposed changes under both
4 20.12.050 and 20.14.050 include deletion of “Golf Courses (in Del Monte Forest only)”.
- 5 • Appendix D of Volume II (D.4 CIP Part 5, page 38). “11. Golf course development shall be limited
6 to areas designated Open Space Recreational and only where consistent with all other LCP
7 policies.”

8 The comment does not concern the adequacy of the EIR. No further revisions to the draft EIR are
9 necessary.

10 **Comment 2-9**

11 The comment states that the description of the existing Institutional Commercial designation in the
12 LUP incorrectly references employee housing as a proposed use at the Corporation Yard.

13 The comment does not concern the adequacy of the EIR. The text on Page 3.8-7 of Volume I has been
14 revised to clarify that the proposed development in the Corporation Yard is housing, not employee
15 housing per se. Please see Chapter 4 of this document for the specific change.

16 **Comment 2-10**

17 The commenter requests that the proposed B-6 overlay be included in the descriptions of residential
18 development sites in the Land Use section of the DEIR.

19 Information about the B-6 overlay has been added to the land use section of the DEIR.

20 **Comment 2-11**

21 The commenter requests clarifications on the applicable plans, inconsistency with ESHA policies,
22 and the area of development covered by the LCP amendment.

23 The text on Page 3.8-25 of Volume I has been corrected to reference the Coastal Act, not the Coastal
24 Act Area. Please see Chapter 4 of this document for the specific changes.

25 Regarding the commenter’s opinion that the proposed project is inconsistent with environmentally
26 sensitive habitat area (ESHA) policies in the existing LUP, the County disagrees with the CCC. The
27 County interprets the ESHA definition and ESHA policies in the existing LCP differently. However,
28 this is a moot point, as the proposed project cannot be approved without CCC approval of the LCP
29 Amendment, which would change the way in which ESHA is defined and ESHA policies are applied
30 in the DMF. Furthermore, the County and the CCC staff agree on the ESHA definition and ESHA
31 policies in the LCP Amendment and the County Board of Supervisors has approved the LCP
32 Amendment in concept, pending the Commissions consideration of the LCP Amendment.

33 The text on Page 3.8-25 of Volume I has been corrected to note that the LCP Amendment provides a
34 plan for a majority of Pebble Beach Company’s remaining development potential. As a matter of fact,
35 there is very little remaining development potential outside of the Pebble Beach Company (PBC)
36 lands, and it is limited to 104 vacant lots (single-family development only), 1 potentially
37 subdividable lot, and 45 visitor-serving units allowed by the proposed LCP amendment (at The

1 Lodge at Pebble Beach and The Inn at Spanish Bay). Thus, the DEIR was correct in its intent, but the
2 text has been corrected for the sake of accuracy.

3 Regarding the comment concerning the evaluation of LCP Amendment consistency with additional
4 Coastal Act policies, the intent of the discussion in the DEIR is to provide a general overview of
5 consistency issues. As noted in Chapter 2 of the DEIR (Volume I), the LCP Amendment is not the
6 CEQA “project” being analyzed in this EIR, because the County in processing of LCP Amendments is
7 not subject to CEQA as the CCC by statute must comply with CEQA for LCP amendments and has an
8 approved regulatory process considered the functional equivalent of CEQA. While the CCC
9 regulations for processing LCP amendments require a consistency analysis that touches on each
10 applicable Coastal Act policy, the CCC staff has indicated to the County that they will address the
11 consistency analysis as needed for LCP Amendment processing and does not need additional
12 analysis from the County. Since the LCP Amendment is not the project being analyzed in this EIR,
13 this issue is not a CEQA issue.

14 **Comment 2-12**

15 The commenter requests an evaluation of all applicable Coastal Act policies for the entire LCP
16 amendment, not just the Pebble Beach Company Concept Plan (proposed project) portion.

17 The CCC subsequently clarified that they did not require additional analysis from the County. No
18 changes to the draft EIR are necessary.

19 **Comment 2-13**

20 The comment states that the clustered development options (Alternatives 1A, 1B and 1C) are not
21 consistent with the CCC staff level agreement with the Applicant or the project objective to provide a
22 reduced-intensity build-out plan compared to prior proposals for Del Monte Forest, because there
23 would be 18 additional inclusionary housing units.

24 In subsequent correspondence, CCC staff clarified the following: 18 additional inclusionary housing
25 units can be included only at the Corporation Yard in addition to the 10 market rate units currently
26 proposed at the Corporation Yard. All 28 units must be developed within the footprint identified in
27 the draft EIR. The 10 market rate units currently proposed at the Corporation Yard cannot be
28 located elsewhere in the Forest.

29 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

30 **Comment 2-14**

31 The commenter requests evaluation of an alternative that limits development to non-ESHA areas
32 only.

33 The DEIR includes 6 different alternatives (Alternatives 1A, 1B, 1C, 2A, 2B, 2C) that lower impacts to
34 ESHA areas and biological resources compared to the proposed project; and as required by CEQA
35 the DEIR provides an analysis of the No Project Alternative (refer to Chapter 5 of Volume I). Since
36 this is a multi-component project, there are a range of possible alternative variants for each
37 component between no development on a particular site and the proposed project. Thus, the range
38 of alternatives in the DEIR effectively captures the range of possibilities from no development of
39 each particular site, alternatives that result in some, but lower impact to ESHA and biological
40 resources than the proposed project (Alternatives 1A, 1B, 1C, 2A, 2B, 2C), and the proposed project.

1 CEQA does not require analysis of every possible alternative, but rather a reasonable range of
2 alternatives to the methods and locations of proposed development and the County is of the opinion
3 that a reasonable range is already present.

4 As described in Section 3.3, Biological Resources (Volume I), with mitigation, the project will not
5 result in any significant unavoidable impacts to areas defined as ESHA or biological resources in the
6 Del Monte Forest. As such, significant impacts under CEQA can be mitigated to a less than significant
7 level without the adoption of an alternative that entirely avoids ESHA or avoids more impact to
8 biological resources than the proposed project, and the County is not required under CEQA to adopt
9 such an alternative.

10 It is not feasible to meet the project objectives and avoid all impacts to ESHA. The project includes
11 one roadway improvement at Congress/Lopez that encroaches into a small area (0.40 acre) defined
12 as ESHA in the EIR, and the roadway improvement cannot be completed without the encroachment.
13 In addition, any alternative with residential and commercial development in the Del Monte Forest
14 will result in indirect effects due to recreational use along trails in ESHA areas and development
15 adjacent to ESHA areas. However, as shown in the biological impact analysis for the proposed
16 project, these indirect effects can be mitigated to a less than significant level.

17 In concept, an alternative that dramatically reduces direct impacts to ESHA areas (beyond that
18 described for Alternatives 1 and 2 in Chapter 5, Volume I of the EIR) would need to do the following:

- 19 • eliminate all proposed development in Areas F-2, I-2, J, K, and L (-55 lots);
- 20 • eliminate one lots in Area U and reconfigure 2 lots in Area V (-1 lot) ;
- 21 • reconfigure part of the Area M Spyglass Hill hotel or residential options to eliminate removal of
22 Monterey pine forest;
- 23 • eliminate the Spanish Bay parking lot (and/or move it underground as in Alternative 4); and
- 24 • slightly modify the proposed equestrian center and special events area.

25 Such an alternative would need to eliminate the vast majority of proposed residential lots and either
26 have a much smaller number of residential lots or increase the number of residential lots at non-
27 ESHA areas at Area M Spyglass Hill, Area U, Area V, and the Corporation Yard. Depending on the
28 number of residences included, some of the areas would likely need to be High-Density Residential
29 (an average of 5 lots per acre or higher).

30 This alternative, regardless of configuration, would not be consistent with the Concept Plan in the
31 LCP amendment. This alternative also would not be consistent with the agreement between the
32 Applicant and the CCC staff and may not meet the project objective of reducing “potential for
33 litigation over the interpretation and effect of the existing LCP”.

34 This alternative would not meet the County’s objective to “*Ensure a planned and balanced approach*
35 *to development (both visitor-serving commercial and residential) and preservation within Del Monte*
36 *Forest, specifically with regard to the build-out of remaining undeveloped properties.”* The Applicant’s
37 proposed project represents a dramatic reduction in the residential and overall buildout of its
38 properties in the Del Monte Forest compared to what is allowed by the existing LCP and what had
39 been proposed previously. To dramatically reduce the allowable development even further beyond
40 the already reduced development level in the proposed project (compared to prior proposals)
41 would not be a balanced approach. Thus, an alternative that reduced impacts to ESHA much further
42 than Alternative 1 and 2 (described in Chapter 5, Volume I of the EIR), would not meet this objective.

1 This alternative also would not meet the Applicant's project objective of providing a "*reduced*
2 *number of primarily large residential lots*" due to the densities necessary to provide a similar number
3 of residential lots within non-ESHA areas. As noted above, this alternative would eliminate 56 lots
4 that are predominantly large lots and replace them with smaller residential lots less than 0.20 acre
5 in size in areas of high density residential development.

6 The County's conclusion is that a reasonable range of alternatives is included in the EIR without the
7 need to analyze the additional alternative suggested in this comment because the public and the
8 decision-makers can readily envision alternatives with reduced development or even more
9 clustering than included in Alternatives 1A, 1B, 1C, 2A, 2B, 2C as a condition between these
10 alternatives and the No Project Alternative for the residential development sites. Further, as
11 described above, an alternative that would dramatically decrease impacts to ESHA further than
12 Alternative 1 and 2 (included in Volume I of the EIR) would not meet the County's project objective
13 for a balance of development and preservation and the Applicant's project objective of a reduced
14 number of primarily large lots and thus would not meet most of the overall project objectives.

15 No revisions to the draft EIR are necessary.

16 **Comment 2-15**

17 The comment includes closing statements. The proposed project and LCP amendment are important
18 vehicles for resolving longstanding issues. The CCC staff appreciates the ongoing coordination with
19 the County.

20 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
21 EIR are necessary.

22

1 **Response to Comment Letter 3 (Caltrans)**

2 **Comment 3-1**

3 The comment states concern about additional trips on Holman Highway, the resulting delay for
4 medical emergency traffic heading west, and the need for mitigation prior to occupancy.

5 The draft EIR addressed increased trips on Holman Highway and potential delays for emergency
6 traffic heading west in Impact TRA-C1 and Impact TRA-C1(C) (on pages 3.11-51 and 3.11-17,
7 respectively of Volume I). The proposed project includes roadway improvements at the SR 1/SR
8 68/17-Mile Drive intersection. The proposed improvements are the PSR (Project Study Report)
9 project called Phase 1B Interim Improvement, which is a subset of the Highway 68 Widening
10 Project, a regional transportation project. As part of the proposed project, the proposed intersection
11 reconfiguration would be implemented during the initial phase of the proposed development so it
12 will be operating prior to increased traffic resulting from proposed development. In addition,
13 Mitigation Measures TRA-C2 (as modified in the FEIR) and TRA-C8(C) would address project
14 impacts at the SR 68/SR 1 southbound off-ramp intersection and at the SR 68/Carmel Hill
15 Professional Center driveway intersection (on pages 3.11-57 and 3.11-84 of Volume I, respectively).

16 No further revisions to the draft EIR are necessary.

17 **Comment 3-2**

18 The commenter describes discussions about new Highway 1/68 interchange design ideas, stating
19 that no one alternative is superior at present, that Caltrans does not support a double-roundabout
20 (Alternative 5), but that there is merit in having continued study of a single roundabout design.

21 The comment concerning the double-roundabout is noted.

22 As described in the DEIR (Tables 5-4 and 5-5 in Chapter 5 of Volume I), the roundabout would
23 operate better than the signalized intersection included in the proposed project and included in the
24 Highway 68 Widening Project, both in terms of vehicle delay and in terms of vehicle queue length.

25 In response to the comment, the County requested Fehr & Peers to develop a single roundabout
26 alternative (Fehr & Peers 2012). For this exercise, the second smaller roundabout included in
27 Alternative 5 was replaced with the current condition which is a side-street stop sign.

28 Both a single and double roundabout alternative were evaluated using the VISSIM software with the
29 assumption that the bridge over SR 1 would not be widened as Alternative 5 has been developed as
30 an alternative to the Phase 1B intersection improvement and the bridge widening is not included in
31 Phase 1B (but is part of the ultimate Highway 68 Widening Project). The analysis of the double-
32 roundabout was consistent with the DEIR findings. The analysis showed that vehicle queues would
33 not extend back to either of the roundabouts and spacing would not affect operations. The analysis
34 of the single roundabout was similar, but the delay for left turn traffic out of the 17-Mile Drive Gate
35 would increase substantially (gate-exiting maximum queues of 24 cars versus 8 cars with the double
36 roundabout), and speeds through the 17-Mile Drive/southbound onramp intersection would
37 increase (35 to 40 mph with a single roundabout versus 15 to 25 mph with a double roundabout).

38 Because any interchange improvement would occur in part with and leading to a state highway, any
39 proposed improvement at this location must have Caltrans approval to be feasible. Roundabout
40 options were considered during development of the Project Report leading to the Highway 68

1 Widening Project development. Roundabout options that met Caltrans design requirement for
2 access (i.e., separating 17-Mile Drive traffic between the DMF gate and SR 68 from the movements to
3 the SR 1 southbound on ramp) were not found to work well operationally. As a result, the 5-leg
4 intersection included in Phase 1B was developed and included in the Highway 68 Widening Project.

5 In order to select a single roundabout as an alternative to the proposed Phase 1B project, it would
6 need to be designed and its design approved not only by Caltrans, but also by TAMC, which has
7 included the widening project in their regional impact fee program. At this time, there is no
8 approved design for a roundabout, and the proposed Phase 1B interchange improvement is
9 consistent with the approved Highway 68 Widening Project. As such, Monterey County cannot select
10 an alternative to the Phase 1B that is, at present, infeasible, because the designs proposed to date do
11 not meet the Caltrans mandatory design requirements for access.

12 The County's conclusion is that neither roundabout alternative option is currently feasible because
13 they will not meet Caltrans design requirements concerning access. Both the double-roundabout
14 option (described and evaluated as Alternative 5 in this EIR) and the single-roundabout option
15 (described and evaluated in Fehr & Peers 2012) would place an intersection (either a second
16 roundabout or a side-street stop-sign controlled T-intersection) on the on-ramp to southbound SR 1
17 which would not meet Caltrans requirements.

18 While the County cannot adopt a roundabout alternative at this time as an alternative to the Phase
19 1B improvement, the County can consider a condition of approval that would require Pebble Beach
20 to pay its fair-share portion of a roundabout, if such a roundabout is approved by Caltrans as a
21 revision to the Highway 68 Widening Project and approved by TAMC for inclusion in the regional
22 impact fee program, provided such approval is obtained sufficiently soon such that conditions at the
23 SR 1/SR 68 intersection are improved without further delay.

24 Revisions to Mitigation Measure TRA-C2 and TRA-C8 include the possibility of fair-share
25 contributions for a roundabout if it is approved in a timely manner.

26 **Comment 3-3**

27 The comment states concerns about storage of vehicles entering the Pebble Beach property of the
28 State facilities.

29 The draft EIR addressed traffic conditions at the Del Monte Forest gates in Impact TRA-B1 and
30 Impact TRA-B1(C) (on pages 3.11-50 and 3.11-76, respectively, of Volume I). The analysis of the
31 entry gates indicates that sufficient capacity would be provided to handle the expected traffic
32 volumes. The gate on 17-Mile Drive has three lanes, only two of which are used normally.

33 Gate congestion was studied for the 2030 conditions (Fehr & Peers 2012). The analysis of the gate
34 operations on 17-Mile Drive near Highway 1 does not indicate the queue congestion suggested by
35 the comment. The gates have adequate storage to accommodate 8 to 10 cars per lane. The analysis
36 showed a maximum 6-car queue in the AM peak hour and a 4-car queue in the PM with two gates
37 operating. Based on the analysis, there is sufficient gate capacity to handle the expected traffic
38 demands through Year 2030. The third-lane could be opened as needed to handle future traffic as
39 well.

40 No revisions to the draft EIR are necessary.

1 **Comment 3-4**

2 The comment states that Caltrans is revising the Transportation Concept Report for the entire
3 Highway 68, including the segment in the project area; and their ultimate concept for this area is full
4 relinquishment to the cities of Monterey and Pacific Grove.

5 Comment noted. This comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7

1 **Response to Comment Letter 4 (City of Monterey)**

2 **Comment 4-1**

3 The comment states that the City supports the project alternative involving construction of a
4 roundabout at the Highway 1/ Holman Highway 68/17-Mile Drive intersection (Alternative 5).

5 Comment noted. As noted in the response to Caltrans Comment 3-2, the County does not find a
6 roundabout alternative to be feasible at this time due to Caltrans lack of support for a double
7 roundabout option and due to conflicts of a single roundabout with mandatory design requirements
8 concerning access to the southbound onramp to SR 1.

9 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

10 **Comment 4-2**

11 The comment states that the City agrees with the analysis and conclusions for Alternative 5 and
12 restates conclusions concerning biological, archaeological, geological, visual, air quality and traffic
13 impacts relative to the proposed project.

14 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
15 EIR are necessary.

16 **Comment 4-3**

17 The comment states that the City of Monterey does not support signalization at the intersection of
18 the Professional Center driveway and SR 68, which is the mitigation identified in the draft EIR for
19 Impact TRA-C1. Instead, the SR 68/Carmel Hills Professional Center intersection should be modified
20 to prohibit left-turn movements at the driveway intersection and allow eastbound traffic exiting the
21 Professional Center to make a U-turn at the Community Hospital intersection because that
22 improvement is a required mitigation measure for the recent Community Hospital of Monterey
23 Peninsula (CHOMP) expansion.

24 The City's suggested mitigation measure was analyzed by Fehr & Peers (Fehr & Peers 2012) and
25 reviewed by ICF and the County Public Works Department and was determined to be adequate to
26 address the identified project overall impact at the Professional Center driveway/SR 68 under 2015
27 and cumulative (2030) conditions. Therefore, the text has been revised on Pages 3.11-56 and 3.11-
28 57 of Volume I to reflect a change of Mitigation Measure TRA-C2 to replace signalization with
29 prohibition of left turns to southbound SR 68. Please see Chapter 4 of this document for the specific
30 changes.

31

1 **Response to Comment Letter 5 (MBUAPCD)**

2 **Comment 5-1**

3 The comment is an introduction stating that the comments are intended as guidance and that overall
4 the Monterey Bay Unified Air Pollution Control District's (MBUAPCD or District) primary concerns
5 are the estimates of the project's health risk impacts and the mitigation for greenhouse gas (GHG)
6 emissions.

7 Refer to response to Comment 5-14 regarding the District's concern that the project's health risk
8 impacts were underestimated. Refer to response to Comment 5-10 regarding the District's concern
9 that the GHG emissions are not sufficiently mitigated.

10 **Comment 5-2**

11 The comment expresses concern that the air quality modeling output files should be included in the
12 EIR to confirm the assumptions used for the air quality, greenhouse gas, and health risk analyses.
13 The commenter notes that it appears that different assumptions were used to estimate criteria
14 pollutant emissions to evaluate construction health risks and to estimate GHG emissions and that, in
15 particular, the screening level health risk assumptions may not have been sufficiently conservative
16 and asks for clarification of assumptions.

17 Refer to responses to Comment 5-5 (model output files), Comment 5-7 (regarding GHG estimates),
18 and Comment 5-15 (health risk assumptions). Revisions have been made to Section 3.2, Air Quality
19 (Volume I) and Appendix E (Volume II) relative to these issues raised by the commenter as noted in
20 those responses as below. Please see Chapter 4 of this document for the specific changes.

21 **Comment 5-3**

22 The commenter requests the model output files to confirm the emissions were estimated correctly.

23 The Model output files have been added to Appendix E of Volume II. Please see Chapter 4 of this
24 document.

25 **Comment 5-4**

26 The comment indicates the screening-level health risk assessment (HRA) was based on less
27 conservative construction equipment assumptions and may not represent a worst-case analysis.

28 Refer to response to Comment 5-14.

29 **Comment 5-5**

30 The comment states there is no documentation of what trip rates were used to generate the
31 operational emissions.

32 The Model output files have been added to Appendix E. Please see Chapter 4 of this document. In
33 addition, Table E-5 from Appendix E of Volume II provides trip rates used to model operational
34 emissions.

1 Comment 5-6

2 The commenter requests confirmation of the year the analysis considers as the "Business-as-Usual"
3 (BAU). Footnote #4 on page 3.4-14 refers to the year 2008; however, the Monterey County GHG
4 inventory used 2005 as BAU condition.

5 Footnote 4 on Page 3.4-14 should have read "baseline (2005) building practices" instead of "current
6 (2008) building practices". The Monterey County 2020 forecast is forecast from the 2005 baseline
7 and thus BAU is defined as 2005 practices. This correction has been made in Section 3.4, Climate
8 Change (Volume I). Please see Chapter 4 of this document for the specific changes.

9 Comment 5-7

10 The commenter states that GHG emissions in Table 3.4-7 do not match the emissions presented in
11 Table 3.2-6.

12 The GHG emissions presented in Table 3.2-6 of Volume I have been removed to avoid confusion, as
13 Section 3.2 of Volume I presents the criteria pollutant, not the greenhouse gas, emissions analysis.
14 Greenhouse gas emissions analysis is presented in Section 3.4 of Volume I.

15 In addition, a review of the GHG emissions calculations indicates the GHG emissions reported in
16 Tables 3.4-7 and 3.4-10 represent emissions from a previous iteration of the GHG analysis.
17 Therefore, Page 3.4-18 (Table 3.4-7) and Page 3.4-25 (Table 3.4-10) of Volume I have been revised
18 to present the correct GHG emissions. Please see Chapter 4 of this document for the specific changes.

19 The changes in the GHG emissions only slightly changed the estimated project emissions and thus
20 the project's impact relative to greenhouse gas emissions is not substantially different than that
21 disclosed in the DEIR.

22 Comment 5-8

23 The commenter requests confirmation that the water use for the project estimated using CalEEMod
24 matches the estimates from Table 3.12-7.

25 The commenter is correct that the water use emissions estimates were based on CalEEMod model
26 default values, which are lower than the values presented in Table 3.12-8 of Volume I. Water-related
27 GHG emissions have been recalculated using the values presented in Table 3.12-7 of Volume I.
28 Therefore, Page 3.4-18 (Table 3.4-7) and Page 3.4-25 (Table 3.4-10) of Volume I have been revised
29 to account for the revised water emissions. In addition, Table E-10, with associated text revisions to
30 Page E-7, has been added to Appendix E of Volume II to describe the revisions to the water
31 emissions modeling. Please see Chapter 4 of this document for the specific changes.

32 The changes in the GHG emissions only slightly changed the estimated project emissions and thus
33 the project's impact relative to greenhouse gas emissions is not substantially different than that
34 disclosed in the DEIR.

35 Comment 5-9

36 The commenter states annual operational emissions for Option 1 and Option 2 presented in Table
37 3.4-9 do not match the values in Table 3.4-7.

1 Refer to response to Comment 5-7 regarding values in Table 3.4-7 of Volume I. In addition, a review
2 of the GHG emissions calculations indicates the GHG emissions reported in Table 3.4-9 of Volume I
3 represent emissions from a previous iteration of the GHG analysis. Therefore, Page 3.4-21 (Table
4 3.4-9) has been revised to present the correct GHG emissions. Please see Chapter 4 of this document
5 for the specific changes.

6 The changes in the GHG emissions only slightly changed the estimated project emissions and thus
7 the project's impact relative to greenhouse gas emissions is not substantially different than that
8 disclosed in the DEIR.

9 **Comment 5-10**

10 The commenter requests documentation to support the GHG reductions for the measures listed as
11 being included in the GHG Reduction Plan.

12 The GHG reductions presented in the GHG Reduction Plan were based on the California Air Resource
13 Board's Proposed Scoping Plan Reduction Strategies, which was revised in July 2011. Table E-9 in
14 Appendix E of Volume II has been revised to include additional documentation supporting the GHG
15 reductions for the measures listed as being included in the GHG Reduction Plan.

16 Concerning the comment regarding the Renewable Portfolio Standard (RPS), the mitigation
17 effectiveness of this state measure was overestimated as 23.9% in the calculations for the DEIR in
18 Table 3.4-10. This has been revised to 19.1% based on the state-wide estimate of effectiveness from
19 the July 2011 reference above. Table 3.4-10 is only an example of potential mitigation effectiveness
20 to illustrate that feasible mitigation exists to reduce project emissions to a level less than the
21 performance standard of 24%. Mitigation Measure CC-A2 requires reduction of emissions below the
22 performance standard and the Applicant can apply different measures than the example shown in
23 Table 3.4-10 as long as the overall standard is met.

24 Please see Chapter 4 of this document for the specific changes.

25 **Comment 5-11**

26 The commenter requests model output files to confirm emissions were estimated correctly.

27 The Model output files have been added to Appendix E. Please see Chapter 4 of this document.

28 **Comment 5-12**

29 The commenter requests clarification whether the incorporation of DPFs capable of 25% reduction
30 would be implemented, as Mitigation Measure AQ-C2 does not list DPFs.

31 On Page 3.2-22 of Volume I, Mitigation Measure AQ-C2 (Implement measures to control
32 construction-related exhaust emissions) has been revised to include the installation of Level 3 DPFs
33 capable of achieving an 85% reduction in PM10 exhaust emissions. As this mitigation strategy was
34 originally included as Mitigation Measure AQ-D1, Mitigation Measure AQ-D1 has been removed from
35 page 3.2-25 of Volume I. Please see Chapter 4 of this document for the specific changes.

36 **Comment 5-13**

37 The commenter indicates that project element sizes in Table E-5 do not match with the information
38 in Chapter 2, Project Description.

1 The project element sizes summarized in Table E-5 of Volume II are based on Table 3-1 of the traffic
 2 study prepared for the project, found in Appendix G of Volume II. The traffic study had slightly
 3 different square footage for the Spanish Bay Inn (SBI) Conference Center Expansion, including
 4 expansion of the ballroom (also called support/circulation space) and meeting space, as noted by
 5 the commenter.

6 The differences between Table E-5 (Volume II) and Chapter 2 (Volume I) noted by the commenter
 7 are minor (a difference of 195 square feet for the ballroom and 700 square feet for the meeting
 8 space). While emissions would be slightly larger with the slightly larger numbers in Chapter 2 for
 9 these two parts of the project, they would not change the significance conclusions in the EIR. This
 10 can be demonstrated by examining the operational criteria emissions of the SBI ballroom and the
 11 SBI meeting space as shown in Table A below. Further, it should be noted that although trip
 12 generation rates were used for the ballroom, the area would actually be used as support/circulation
 13 space, which would not generate additional trips. Therefore, the trip generation estimates identified
 14 in the traffic study for the Conference Center Expansion project element are higher and more
 15 conservative.

16 **Table A. Operational Criteria Emissions - The Inn at Spanish Bay Conference Center Expansion**

	Square Feet (sf)	ROG	NOx	CO	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive 2.5	Exhaust 2.5	PM 2.5 Total
SBI Ballroom	3,960	0.94	2.08	9.89	0.91	0.07	0.98	0.03	0.07	0.10
Adjusted	4,660	1.11	2.45	11.64	1.07	0.08	1.15	0.04	0.08	0.12
SBI Meeting Space	3,960	0.23	0.30	1.37	0.12	0.01	0.13	0.00	0.01	0.01
Adjusted	4,155	0.24	0.31	1.44	0.13	0.01	0.14	0.00	0.01	0.01
Total (Option 1)		80.91	52.61	305.53	20.55	1.56	32.47	0.71	1.56	12.61
Adjusted (Option 1)		81.09	52.99	307.35	20.72	1.57	32.65	0.72	1.57	12.63
Change		0.18	0.38	1.82	0.17	0.01	0.18	0.01	0.01	0.02
<i>MBUAPCD Threshold</i>		<i>137</i>	<i>137</i>	<i>550</i>	<i>NA</i>	<i>NA</i>	<i>82</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>

Note: This considers Option 1 (new resort hotel in Area M Spyglass Hill) because it would have greater emissions than Option 2 (new residential lots in Area M Spyglass Hill).

17
 18 As shown above, these differences are minimal and do not result in any exceedance of MBUAPCD
 19 thresholds and do not materially change the impacts of the project.

20 No revisions to the draft EIR are necessary.

21 **Comment 5-14**

22 The commenter indicates emissions used for the health risk assessment were underestimated
 23 compared to the methodology used to estimate criteria pollutant emissions. The commenter
 24 requests more detailed description of how the screening health risk assessment was conducted,
 25 including basic assumptions used for off-road equipment (amount, horsepower, load factor, and
 26 hours per day).

27 The load factors, equipment pieces, and hours per day assumed in the health risk assessment (Table
 28 E-8 of Volume II) have been revised to reflect the assumptions used to estimate criteria pollutant
 29 emissions (Table E-2 of Volume II). In addition, the health risk assessment has been updated to
 30 account for the expected construction equipment location at each construction site and to scale

1 emissions more specifically for each specific construction site. The DEIR, for the most part, used
2 highly conservative assumptions that construction equipment would be very close to the fence line
3 and that emissions for each site would be like those for construction of the Driving Range Relocation
4 to Collins Field, both of which would overstate emissions at most sites. The combined effect of
5 revising the equipment activity data to match the criteria pollutant emissions, adjusting
6 construction equipment location, and scaling emissions to each site results in lower health risks
7 than disclosed in the DEIR. Pages E-6 and E-7 of Appendix E in Volume II have been revised to
8 disclose the modeling assumptions associated with the refined HRA screening analysis. In addition,
9 Pages 3.2-22 and 3.2-25 and Tables 3.2-9 and 3.2-10 of Volume II have been revised to disclose the
10 impacts associated with the refined HRA screening analysis.

11 **Comment 5-15**

12 The comment states the load factors shown in Table E-8 are lower than the load factors presented in
13 Table E-2 and requests justification for using lower load factors.

14 Refer to response to Comment 5-14.

15 **Comment 5-16**

16 The comment states the equipment listed and hours per day for the grading and paving phases in
17 Table E-8 do not match the equipment listed for the same project element and phase in Table E-2.

18 Refer to response to Comment 5-14.

19 **Comment 5-17**

20 The commenter requests clarification on if the emission rates presented in Table E-8 are for the
21 unmitigated or mitigated case. The comment also states that the emission rates appear to include
22 Mitigation Measure AQ-D1 (installation of DPFs capable of achieving an 85% reduction in PM10
23 exhaust emissions), as the PM emission rates (g/hr) presented in Table E-8 are lower than what can
24 be calculated using off-road equipment emission factors from URBEMIS2007 as stated in the
25 methodology.

26 The emission rates presented in Table E-8 (Appendix E in Volume II) are for the mitigated case. This
27 mitigated scenario includes mitigation specified in Mitigation Measure AQ-D1 (Section 3.2 in Volume
28 I), including installation of Level 3 DPFs capable of achieving an 85% reduction in PM10 exhaust
29 emissions.

30 No revisions to the draft EIR are necessary.

31 **Comment 5-18**

32 The comment states that the District recommends the Applicant exclude wood-burning fireplaces
33 and require installation of pellet stoves or fireplace inserts that operate with natural gas in locations
34 where fireplaces may be planned such as residences, hotel rooms, or meeting rooms.

35 Comment noted. Implementing the recommended mitigation is not needed to mitigate a significant
36 impact of the proposed project as the project would not result in operationally significant criteria
37 pollutant or toxic air pollutant emission impacts. Relative to greenhouse gas emissions, trees take in
38 carbon dioxide when they grow which is released when wood is burned. As long as the wood is

1 harvested from areas that are re-grown, there would be no net increase in greenhouse gas
2 emissions, which is generally the case in the United States.

3 As a result, the comment does not concern the adequacy of the EIR. No revisions to the draft EIR are
4 necessary.

5 **Comment 5-19**

6 The comment states that the District supports the transportation mitigation measures that relieve
7 congestion or promote alternative transportation uses, particularly Mitigation Measure TRA-G1
8 (prepare and implement an alternative transportation plan, emphasizing specific trip reduction
9 measures for proposed visitor, resident, and employee issues).

10 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
11 EIR are necessary.

12 **Comment 5-20**

13 The comment states that the District recommends implementation of Mitigation Measure CC-A2-A
14 over CC-A2-B, whereby the Applicant is provided a choice for mitigating the project's contribution to
15 climate change impacts. The District also requests a copy of the GHG Reduction Plan if the measure
16 is selected.

17 Comment noted. The Applicant must determine which mitigation measure will be implemented
18 prior to receiving the first building permit. The comment does not concern the adequacy of the EIR.
19 No revisions to the draft EIR are necessary.

20 **Comment 5-21**

21 The comment states that the Table 3.2-6 title identifies emissions as lbs/day, while the text indicates
22 lbs/year.

23 Pages 3.2-18 and 3.2-19 with the Table 3.2-6 title have been revised to clarify that table values are in
24 lbs/day. Please see Chapter 4 of this document for the specific changes.

25 **Comment 5-22**

26 The commenter requests confirmation that the percentage reduction from business as usual (BAU)
27 used to evaluate the project, as text on page 3.4-15 indicates a 24% reduction, while Mitigation
28 Measure CC-A2-A indicates a 26% reduction.

29 The DEIR on page 3.4-15 of Volume I stated a 24% reduction is required for the project to not
30 contribute considerably to GHG emissions, while the text in Mitigation Measure CC-A2-A stated a
31 26% reduction (26% was a typographical error).

32 The DEIR used the greenhouse gas inventory in the Draft Inventory report prepared by AMBAG
33 (AMBAG 2010a), which estimated 2005 emissions as 1.713 million metric tons (MT) carbon dioxide
34 equivalent (CO₂e) and forecasted 2020 emissions as 1.907 million MT CO₂e. AMBAG subsequently
35 produced a final inventory report (AMBAG 2010b) that changed the estimated emissions for 2005 to
36 1.648 million MT CO₂e and the forecasted emissions for 2020 to 1.831 million MT CO₂e. Subsequent
37 to the preparation of the final inventory report, AMBAG released a 2009 inventory for the County,
38 within which was contained an "adjusted" 2005 inventory as 1.304 million MT CO₂e. The "adjusted"

1 2005 inventory excluded emissions from highway travel and direct access electricity that was
2 included in the final 2005 inventory report; these emissions were excluded for the 2009 inventory
3 report because the 2009 inventory did not include these sectors and thus the inventory wanted to
4 make an “apples to apples” comparison of 2005 and 2009. While the 2009 inventory update
5 presented an “adjusted” estimate, this was only for the purposes of comparison and the final 2005
6 inventory report is the latest estimate of 2005 emissions. The 2009 report did not include a revised
7 2020 forecast.

8 In order to use the most current data available, the EIR has been updated to indicate the final 2005
9 inventory and 2020 forecast in the final AMBAG report (AMBAG 2010b). By examining the final
10 2005 inventory (1.648 million MT CO₂e) and 2020 forecast (1.831 million MT CO₂e), and the
11 County’s goal of reducing emissions by 15% below 2005 levels, the County will need to reduce its
12 emissions by 24% (23.5% rounded up) below Business as Usual conditions (BAU).

13 The EIR significance threshold and Mitigation Measure CC-A2-2 are thus not changed by
14 consideration of the final inventory report. As part of developing its climate action plan, the County
15 will be examining new forecasts for 2020 and expects that forecasts may be less robust than what
16 was included in the AMBAG 2020 inventory forecast due to the long effect of the recent recession on
17 long-term growth.

18 The change in the County inventory estimates does not change the severity of the project’s
19 greenhouse gas emissions impact. The DEIR disclosed a significant impact related to GHG emissions,
20 identified that mitigation could reduce this to a less than significant level by doing a proportional
21 reduction to that which the county has committed to do overall, and these conclusions are
22 unchanged for the FEIR. Further, the DEIR analyzed a feasible set of specific reduction measures that
23 could be applied to the project to meet the performance standard, and these measures would reduce
24 project emissions by approximately 24%, meeting the mitigation performance standard. Several
25 corrections were made to the calculation of the mitigated scenario. Please see Chapter 4 of this
26 document for specific changes. As a result, there is no need for recirculation of the climate change
27 analysis because no new significant impacts or substantially more severe impacts have been
28 identified.

29 **Comment 5-23**

30 The comment states that the text in Mitigation Measure AQ-D1 should reference “Level 3” not “Tier
31 3” in the context of achieving an 85% reduction in PM 10 exhaust emissions.

32 The text has been revised to state “Level 3” not “Tier 3”. The requirement for the Applicant to ensure
33 that the construction specifications require construction contractor(s) to retrofit and install diesel
34 particulate filters (DPFs) capable of achieving an 85% reduction in PM10 exhaust emissions (Level
35 3) on all off-road construction equipment and diesel oxidation catalysts and Level 3 DPFs on all on-
36 road soil hauling, has been added to Mitigation Measure AQ-C2 (on page 3.22-22 of Volume I); and
37 Mitigation Measure AQ-D1 (on page 3.2-25 of Volume I) has been deleted. Please see Chapter 4 of
38 this document for the specific changes.

39 **Comment 5-24**

40 The commenter states that the Table E-5 column title "Trip Rate" is incorrect and should be called
41 "Unit Amount" to correspond to the value used in CalEEMod. The commenter also states that values
42 in the "Trip Generation" column do not match the values in Table 3.11-20, Project Trip Generation.

1 Table E-5 in Appendix E of Volume II has been revised to include the proper column headers, and
2 has also been renamed to Table E-5a.

3 Trip generation data for project elements are based on data provided in the Fehr & Peers traffic
4 study. Appendix E of Volume II has been revised to include Table E-5b, which summarizes the trip
5 generation rates used in the analysis. Accordingly, text has been revised on page E-2 in Appendix E
6 of Volume II to include discussion of Tables E-5a and E-5b.

7

1 **Response to Comment Letter 6 (MPWMD-1)**

2 **Comment 6-1**

3 The commenter provides information about the Applicant’s Water Entitlement.

4 The DEIR is consistent with the information provided in this comment. No revisions to the DEIR are
5 necessary.

6 **Comment 6-2**

7 The commenter provides further information about the Applicant’s Water Entitlement.

8 The DEIR is consistent with the information provided in this comment. No revisions to the DEIR are
9 necessary.

10

1 **Response to Comment Letter 7 (MPWMD-2)**

2 **Comment 7-1**

3 The comment is an introduction that includes a brief summary of the proposed project.

4 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
5 EIR are necessary.

6 **Comment 7-2**

7 The comment notes that the Monterey Peninsula Water Management District (MPWMD) was
8 omitted from the List of Acronyms and Abbreviations.

9 The text has been revised on Page xxi of Volume I to include the acronym. Please see Chapter 4 of
10 this document for the specific changes. Additionally, the acronym is included in list of Acronyms and
11 Abbreviations included in this document (refer to page iii). Comment 7-3

12 The comment states that water permits from the MPWMD will be required for each new connection,
13 modification to an existing connection and each expansion of use, and that water permits will be
14 issued for the project only if sufficient water from the Pebble Beach Company Entitlement is
15 available based on a final review of the demand projection.

16 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
17 EIR are necessary.

18 **Comment 7-4**

19 The commenter requests clarification regarding the restrictions on Cal-Am on withdrawals from the
20 Carmel River on page ES-14.

21 The text on Page ES-14 and Page 3.12-18 of Volume I has been revised to note that the restriction is
22 only of the amount that exceeds its legal right. Please see Chapter 4 of this document for the specific
23 changes.

24 **Comment 7-5**

25 The commenter provides information concerning the Applicant's Water Entitlement.

26 The comment provides information only and does not make any comment on the adequacy of the
27 EIR. No revisions to the draft EIR are necessary.

28 **Comment 7-6**

29 The commenter requests clarification regarding the source of the 0.42 AFY factor used to evaluate
30 the need for a Water Supply Assessment and notes that the average water use of a residential
31 customer in Pebble Beach to be 0.2612 AFY per connection.

32 The 0.42 AFY factor referenced on Page 3.12-16 in the DEIR is from the MPWMD staff report from
33 May 18, 2006 *Water Needs Analysis: Future Water Needs* (MPWMD, 2006c). The reference is on
34 Exhibit 1-B, Factors Used for Long-Term Water Needs Projections Recommended by the MPWMD
35 Technical Advisory Committee (TAC) for Residential SFD (County) water demand. The staff report

1 references (on page 1) that the MPWMD TAC reached consensus on water use factors for use in
2 estimating future water needs estimates. The DEIR identified the reference for the 0.42 AFY as
3 coming from "(Monterey County, 2005)", which was in error; the correct reference is MPWMD
4 2006c and the correction has been made and the reference has been added to the administrative
5 record.

6 The comment describes the average water use of a residential customer in Pebble Beach to be 0.26
7 AFY per connection. The County requested data from MPWMD on Cal-Am water use in Pebble Beach
8 from 2006 to 2011 (Cal-Am 2006 – 2011). Based on review of that data, average water use of
9 residential customers in the Cal-Am Pebble Beach service area, which excludes the Monterey
10 Peninsula Country Club (MPCC) area in the DMF, ranged from 0.46 to 0.63 AFY (6 year average of
11 0.56 AFY). The average in the same data set for the MPCC area from 2006 to 2011 was 0.18 to 0.23
12 AFY (6 year average of 0.21 AFY). Combined, the average for the DMF (including both Pebble Beach
13 and MPCC) from 2006 to 2011 ranged from 0.26 to 0.33 AFY (6 year average of 0.30 AFY). Thus, the
14 comment's reference to the DMF average as 0.26 AFY appears to actually be to the 2011 combined
15 average for both the MPCC and Pebble Beach area.

16 Under SB610, a Water Supply Assessment (WSA) is required for projects that propose 500
17 residential development units or the equivalent thereof. If an average use factor in the area of a
18 proposed project were to be used instead of the 0.42 AFY factor, then the project is in the Cal-Am
19 Pebble Beach area and the appropriate factor would be the 0.56 AFY 6-year average for residential
20 connection water use from 2006 to 2011. Using the 0.56 AFY factor, the estimated equivalent water
21 demand for a 500 unit residential development would be even higher (280 AFY) than that estimated
22 in the DEIR (210 AFY). If the higher estimate were used, a WSA would still not be required. The
23 County believes that the 0.42 AFY factor from the MPWMD TAC is a broad-based County factor
24 appropriate for use in assessing whether or not a WSA should be required for this project. As a
25 result, the County is of the opinion that the 0.42 AFY is a conservative factor for use in determining
26 whether or not a WSA is required and is actually less than the average residential water demand in
27 the jurisdictional area wherein the project is proposed.

28 No revisions to the draft EIR are necessary.

29 **Comment 7-7**

30 The commenter requests clarification regarding the restrictions on Cal-Am on withdrawals from the
31 Carmel River.

32 The commenter refers to Page 3.12-17, Line 15 – 16 of Volume I, but the subject text is on Page 3.12-
33 18, Line 15-16 of Volume I. The text actually refers to the original SWRCB Order WR 2009-0060,
34 which did prohibit diversion of water from the Carmel River to supply the Applicant's water
35 entitlement. As described on Page 3.12-18, the Applicant petitioned SWRCB which subsequently
36 determined that Cal-Am could provide water from the Carmel River to serve the Applicant's water
37 entitlement provided its total diversion does not exceed its legal rights.

38 The text on Page 3.12-18 was revised to note that it was the original order that prohibited diverting
39 water from the Carmel River to serve the Applicant's water entitlement after 2016. See Chapter 4 of
40 this document for the specific change.

1 **Comment 7-8**

2 The comment states that information about the current status of Pebble Beach Entitlements can be
3 found in the MPWMD monthly board packet available at www.mpwmd.net.

4 Comment noted. The EIR used information from the MPWMD about the entitlement available at the
5 time of preparation of the EIR. Updated information would not change the analysis in the DEIR
6 which anticipates increased use of all of the entitlement in the cumulative analysis. The comment
7 does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

8

1 **Response to Comment Letter 8 (PBCSD)**

2 **Comment 8-1**

3 The comment is an introduction that indicates comments are attached and provides contact
4 information.

5 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7 **Comment 8-2**

8 The comment provides clarification regarding the equipment that serves the Pebble Beach Fire
9 Station.

10 The text has been revised on Page 3.10-6 of Volume I to clarify the specifications of the fire
11 protection vehicles. Please see Chapter 4 of this document for the specific changes.

12 **Comment 8-3**

13 The comment provides clarification regarding the automatic aid agreement that the Pebble Beach
14 Community Services District (PBCSD) has with surrounding jurisdictions.

15 The text has been revised on Page 3.10-12 of Volume I to clarify that PBCSD has an automatic aid
16 agreement with Cypress Fire Protection District, as well as the cities of Carmel, Pacific Grove, and
17 Monterey.

18 **Comment 8-4**

19 The commenter requests that notation be made in the EIR to clarify that PBCSD Fire Department
20 access to Fire Roads 2 and 4 and Haul Road will not be blocked by development in the Corporation
21 Yard.

22 The text has been revised on pages 2-15 and 2-20 of Volume I to clarify that construction activities
23 and development in the Corporation Yard would not block emergency vehicle access to Fire Roads 2
24 and 4 and Haul Road. Please see Chapter 4 of this document for the specific changes.

25 **Comment 8-5**

26 The commenter requests that notation be made in the EIR to clarify that trails created on fire
27 roads/fuel breaks will not cause the closing of the fire roads/fuel breaks.

28 The text has been revised on pages 2-15 and 2-17 of Volume I to clarify that recreation trails created
29 on fire roads or fuel breaks would not cause the closing of said fire roads/fuel breaks. Please see
30 Chapter 4 of this document for the specific changes.

31 **Comment 8-6**

32 The commenter requests that the PBCSD Fire Department be included as one of the agencies
33 creating or rewriting the master Resource Management Plan (RMP) and the localized RMPs.

1 As described in Chapter 2 of Volume I, the Master RMP is an existing document included in Appendix
2 C of Volume II. The Master RMP is considered part of the proposed project, and its purpose is to
3 establish a framework for development of the localized or site-specific RMPs for each preservation
4 area.

5 As described in Section 2.2 of Appendix C in Volume II, the PBCSD and California Department of
6 Forestry and Fire Protection (CALFIRE) have been included on the Resource Management Team
7 (RMT). The RMT is an interagency team that will review the site-specific RMPs, the annual work
8 plans, and the annual monitoring reports and provide input to Monterey County. Additionally, the
9 County and PBCSD/CAL FIRE shall jointly be responsible for review and approval of plans for any
10 proposed prescribed burns and vegetation management for fuel reduction.

11 The text has been revised on page 2-19 of the project description in Volume I to clarify the role of
12 the RMT and the agencies included. The text on page 2-2 of Appendix C in Volume II has been
13 revised to clarify that the correct acronym is CALFIRE (not CDF). Please see Chapter 4 of this
14 document for specific changes.

15

1 **Response to Comment Letter 9 (TAMC)**

2 **Comment 9-1**

3 The comment is an introduction that summarizes the project and states appreciation for
4 coordinating the roundabout alternative.

5 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7 **Comment 9-2**

8 The commenter states that the Regional Development Impact Fee is adequate mitigation only for
9 cumulative impacts and that the project-specific impacts entail a level of significance in excess of a
10 cumulative impact. The commenter also states that payment of a regional fee would be less than
11 what would be expected for adequate mitigation of project-specific impacts. The commenter
12 suggests that direct fair-share payments toward planned improvements at the impacted facilities
13 should be made and that mitigation measures should be revised to identify alternative project-
14 specific mitigations.

15 The commenter is incorrect that project-specific impacts are always more severe than cumulative
16 impacts. When the project contributes impacts to a location with acceptable level of service
17 conditions and the addition of the project's contribution does not result in unacceptable conditions,
18 but that same contribution contributes to a cumulatively significant impact in combination with
19 cumulative traffic, then the significance of the cumulative contribution exceeds that of the
20 significance of the project-specific impacts. An example of this situation for the proposed project is
21 for the Sunset Drive (SR 68) intersection with Congress Road. As shown in Table 3.11-25 and Table
22 3.11-34 of Volume I, the project would not result in a significant direct impact in 2015, but would
23 contribute to a cumulatively significant impact in 2030, with cumulative traffic.

24 The DEIR identified mitigation for both project direct traffic impacts as well as contributions to
25 significant cumulative traffic impacts. Since the project would contribute traffic to locations with
26 existing traffic deficiencies as well as to locations where traffic impacts would be significant in
27 combination with cumulative traffic, the mitigation must take this into account when determining
28 the fair-share mitigation that is proportional to the project's contribution to the impact.

29 Where the project would contribute traffic to a location with existing deficiencies, then the project's
30 fair-share mitigation was determined by calculating the project's traffic as a proportion of existing
31 2015 traffic total volume. Where the project would contribute traffic to a location without existing
32 deficiencies but that would have cumulatively deficient conditions, the project's fair share mitigation
33 was determined by calculating the project's traffic as a proportion of new cumulative traffic
34 (excluding existing traffic).

35 Specific fair-share mitigation amounts were identified in the DEIR for all roadway impacts except
36 the following regional highways: SR 1 (north of SR 68 west), SR 68 (east of SR 1), SR 156 (between
37 SR 1 and US 101), and US 101 (north of SR 156). For each of these locations, the DEIR identified that
38 the project should contribute its fair-share in the form of the TAMC Regional Impact Fee.

39 The DEIR identified specific project-level fair-share for the roadways more immediately affected by
40 the project's traffic, including intersections in and adjacent to the DMF, SR 68 (West), the

1 intersection of SR 1 and SR 68, and two intersection along SR 1 in Carmel (Ocean Avenue and
2 Carpenter Street).

3 Table B below presents the estimates of LOS conditions for existing, 2015, and 2030 (cumulative)
4 conditions and the project contributions to impacts (based on the data in Fehr & Peers, 2011 [Traffic
5 Report]). Table C below shows the resultant calculations of fair share-contributions. The percentage
6 contribution and estimated dollar amounts shown in Table B were shown in each mitigation
7 measure in the DEIR with the exception of one change to the mitigation for the SR 68 widening
8 project in which the project's fair share was adjusted to match the intersection volumes at SR 1/SR
9 68 (this revision has been made for the FEIR).

10 The EIR has been clarified in regards to the local access charges for the Phase 1B and the fair-share
11 contribution for the SR 68 Highway Widening Project. As the SR 68 Widening Project is included in
12 the TAMC Regional Traffic Impact Fee program, if the Applicant is required to pay a fair-share
13 directly for the identified impacts to SR 68 and is also required to pay the regional impact fee, then
14 the County and TAMC will need to ensure that the Applicant is not required to pay more than its fair-
15 share for impacts. To avoid this, it is suggested that the calculation of the Regional Traffic Impact Fee
16 be adjusted to exclude any portion that is derived from impact to SR 68 to ensure no double-
17 counting (this has been added to Mitigation Measure TRA-C4). In addition, if the Applicant funds the
18 entire Phase 1B construction (estimated cost of \$4 million) as shown in Table C, this would be in
19 excess of the Applicant's fair share and direct access charges (\$1.8 million), and the Applicant would
20 need to be reimbursed for its excess share. Mitigation Measures TRA-C2 and TRA-C8 (and now TRA-
21 C4 with revisions in the FEIR) include a requirement to coordinate between the County and TAMC to
22 resolve the precise mitigation amount for SR 68 and for the regional traffic impact fee. Please see
23 Chapter 4 of this document for the specific changes.

1 **Table B. Existing Conditions, 2015 Conditions, 2030 Conditions and Project Fair-Share**

Roadway	Intersection or Segment	Type	LOS Standard	LOS Existing	2015 LOS With Project	Significant Impact?	Fair Share ¹	2030 LOS With Project	Significant Impact?	Fair Share ¹	Notes
Sunset Drive	At Congress Avenue	Local intersection	C	B/A	C/B	No	N/A	D/D	Yes	20.82%	Use Percent of 2030 cumulative
SR 68 (West)	Aguajito Road	Highway Intersection	C	A/A	C/C	No	N/A	E/F	Yes	10.80%	Use Percent of 2030 cumulative
SR 68/SR 1	Northbound on-Ramp merge from SR 68	Highway Intersection	C	B/D	C/D	Yes	1.37%	C/E	Yes	Use 2015	Use Percent of 2015 total
SR 68/SR 1	Intersection (Southbound Off-Ramp)	Highway Intersection	C	F/E	C/D	No	N/A	F/F	Yes	3.05%	Use Percent of 2030 total
SR 68 (West)	At Carmel Hill Professional Center Driveway	Highway Intersection	C	F/F	F/F	Yes	1.53%	F/F	Yes	Use 2015	Use Percent of 2015 total
SR 68 (West)	At Skyline Forest Drive	Highway Intersection	C	F/F	F/F	Yes	1.68%	F/F	Yes	Use 2015	Use Percent of 2015 total
SR 68 (West)	At David Avenue	Local intersection	C	C/C	C/C	No	N/A	C/D	Yes	10.94%	Use Percent of 2030 cumulative
SR 1	At Carpenter Street	Highway Intersection	C	B/D	B/E	No	N/A	B/E	Yes	0.61%	Use Percent of 2030 total
SR 1	At Ocean Ave.	Highway Intersection	C	C/D	D/D	Yes	0.66%	D/E	Yes	Use 2015	Use Percent of 2015 Total
SR 1	SR 68 to Munras (north)	Highway Segment	C	C/C	C/D	No	N/A	D/F	Yes		
SR 1	Munras to Fremont St. (north/south)	Highway Segment	D/C	C/C to D/C	C/D to D/C	Yes	2.20%	C/D to E/C	Yes		
SR 1	Fremont Street to Fremont Blvd (north/south)	Highway Segment	F/E	C/E to F/D	C/F to F/D	Yes	1.68%	C/F to F/D	Yes		
SR 1	Fremont Blvd. to Imjin Parkway (north/south)	Highway Segment	D	B/D to D/C	B/D to D/C	No	N/A	B/E to D/C	Yes		
SR 1	North of 156 (north/south)	Highway Segment	F	D/D to F/F	D/D to F/F	Yes	0.95%	E/F to F/F	Yes	Use TAMC fee	Project contributes traffic to cumulative existing or future conditions and thus is best handled through contribution to the regional impact fee.
SR 68 (East)	East of Amsted (east/west)	Highway Segment	D	D/D to D/D	D/D to D/D	No	N/A	D/D to E/E	Yes		
SR 68 (East)	East of Laguna (east/west)	Highway Segment	F	F/F to D/D	F/E to D/F	Yes	0.89%	F/E to D/F	Yes		
SR 156	Between SR 1 and US 101 (east/west)	Highway Segment	E/F	C/F to E/C	C/F to E/C	Yes	1.28%	C/F to E/C	Yes		

Roadway	Intersection or Segment	Type	LOS Standard	LOS Existing	2015 LOS With Project	Significant Impact?	Fair Share¹	2030 LOS With Project	Significant Impact?	Fair Share¹	Notes
US 101	North of SR 156 (north/south)	Highway Segment	C	B/C to C/C	B/C to C/C	No	N/A	C/D to C/D	Yes		

Notes:

Source for LOS conditions and volumes: Fehr & Peers 2011

¹ If existing conditions are acceptable, project conditions are acceptable and cumulative conditions are unacceptable, then the fair share is the project's volume percentage of cumulative increase over existing volumes. If existing conditions are unacceptable and project conditions are unacceptable, then the fair-share is the project's volume percent of the with-project volume total. If existing conditions are acceptable and project conditions are unacceptable, then the fair share is the project's percentage of the volume increase over existing volumes. (This scenario did not occur for any of the intersections above, either because conditions are already unacceptable or only become unacceptable with cumulative traffic).

1

1 **Table C. Project Fair-Share Mitigation**

Roadway	Intersection or Segment	Type	Project Impact ¹	Mitigation	Mitigation Cost (\$2010 for TAMC)	Mitigation Fee	Significance with Project/Fair-Share Contribution Only	Significance with Full Mitigation
Sunset Drive	At Congress Avenue	Local intersection	20.82%	Restripe WB approach to provide a left-turn pocket (TRA-C6)	\$4,200	\$874	Significant and Unavoidable until mitigation completed	Less than Significant
SR 68 (West)	Aguajito Road	Highway Intersection	10.80%	Refuge lane on SR 68 for left-turns (TRA-C9)	\$201,400	\$21,749	Significant and Unavoidable until mitigation completed	Less than Significant
SR 68/SR 1	Northbound on-Ramp merge from SR 68	Highway Intersection	1.37%	Add NB auxiliary lane between SR 68 and Munras Avenue (TRA-C5)	\$5,584,800	\$76,295	Significant and Unavoidable until mitigation completed	Less than Significant
SR 68/SR 1	Southbound Off-Ramp	Highway Intersection	3.05%	Phase 1B Project (proposed project)	\$26,690,000	Fair-share includes \$813,029 for project impacts plus 25% local access charge for Phase 1B (Phase 1B = \$4,000,000 X 25% = \$1,000,000 for local access) \$1,813,029)	Less than Significant (Phase 1B over mitigates)	Less than Significant (Phase 1B over mitigates)
SR 68 (West)	At Carmel Hill Professional Center Driveway	Highway Intersection		SR 68 Widening Project (TAMC) plus EB lane from Scenic to SR 1 southbound on-ramp (TRA-C2, TRA-C8)			Significant and Unavoidable until mitigation completed	Less than Significant
SR 68 (West)	At Skyline Forest Drive	Highway Intersection	1.68%	Traffic signal and widening through intersection from 2 to 4 lanes (TRA-C1)	\$2,444,000	\$41,137	Significant and Unavoidable until mitigation completed	Less than Significant
SR 68 (West)	At David Avenue	Local intersection	10.94%	Optimize signal timings (MM TRA-C7)	\$143,800	\$15,732	Significant and Unavoidable until mitigation completed	Less than Significant
SR 1	At Carpenter Street	Highway Intersection	0.61%	Optimize signal timing (TRA-C10)	\$16,900	\$103	Significant and Unavoidable until mitigation completed	Significant and Unavoidable (deficiency would remain)
SR 1	At Ocean Ave.	Highway Intersection	0.66%	New turn lanes and new signal timing (TRA-C3)	\$192,800	\$1,268	Significant and Unavoidable until mitigation completed	Less than Significant
SR 1	SR 68 to SR 156	Highway Segment	Use TAMC fee	SR 1 Widening (TAMC) (TRA-C4)	\$53,000,000	Use TAMC fee	Significant and Unavoidable until mitigation completed	Significant and Unavoidable (Widening is only in Seaside/Sand City from Fremont Blvd. to Canyon Del Rey and does not address all deficient segments)

Roadway	Intersection or Segment	Type	Project Impact¹	Mitigation	Mitigation Cost (\$2010 for TAMC)	Mitigation Fee	Significance with Project/Fair-Share Contribution Only	Significance with Full Mitigation
SR 68 (East)	East of Amsted and East of Laguna	Highway Segment	Use TAMC fee	SR 68 Commuter Improvements (TAMC) (TRA-C4)	\$24,000,000	Use TAMC fee	Significant and Unavoidable until mitigation completed	Significant and Unavoidable (Does not address all deficient segments as improvement only go as far west as Corral de Tierra)
SR 156	Between SR 1 and US 101	Highway Segment	Use TAMC fee	SR 156 Widening (TAMC) (TRA-C4) SR 156/US 101 Interchange (TAMC) (TRA-C4)	\$130,000,000	Use TAMC fee	Significant and Unavoidable until mitigation completed	Less than Significant
US 101	North of SR 156	Highway Segment	Use TAMC fee	US 101/San Juan Road Interchange Improvements (TRA-C4)	\$74,000,000	Use TAMC fee	Significant and Unavoidable until mitigation completed	Significant and Unavoidable (Does not address all deficient segments)

Notes:

¹ Percentage Impact from Table B in this chapter of Volume III.

1 Comment 9-3

2 TAMC supports the construction of a roundabout at the interchange of Highways 1 and 68
3 (presented as Alternative 5), either as project mitigation or as a stand-alone project.

4 The roundabout is presented as a project alternative to the proposed SR 1/SR 68/17-Mile Drive
5 Intersection Reconfiguration (Phase 1B). The proposed intersection improvements included as part
6 of the project are a subset of the Highway 68 Widening Project.

7 Both the proposed intersection improvements and the roundabout concept evaluated as Alternative
8 5 in the DEIR would provide acceptable traffic conditions at the SR 1/SR 68 intersection. As noted in
9 the DEIR, the roundabout alternative is not necessary to mitigate project impacts that cannot be
10 addressed by the Phase 1B improvement or other DEIR mitigation.

11 More importantly, as discussed in response to Caltrans Comment 3-2, a double roundabout
12 (Alternative 5) or a single roundabout (as in the response to Caltrans Comment 3-2 and Fehr &
13 Peers 2012) cannot be presently considered feasible as they do not meet Caltrans requirements for
14 access relative to the southbound on ramp to SR 1. The County cannot require the roundabout as an
15 alternative to the proposed project based on speculation that Caltrans might approve a design
16 exception. Further, during the PSR phase for the Highway 68 Widening Project, Caltrans rejected any
17 options that did not separate traffic from the DMF gate to SR 68 from the southbound traffic to SR 1.
18 So there is no evidence that a feasible roundabout alternative that can be approved by Caltrans
19 exists at present. As noted in the response to Caltrans Comment 3-2, the County has noted that fair-
20 share mitigation related to SR 1/SR 68 interchange can be directed to a roundabout alternative but
21 only if such an alternative has been approved by Caltrans (and TAMC) without resulting in a
22 substantial delay in completion of improvements to the interchange.

23 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

24 Comment 9-4

25 The commenter describes TAMC support for alternative forms of transportation. The commenter
26 suggests that the project site should be designed with sidewalks to connect projects to external
27 facilities, provide access to transit stops, exclude use of cul-de-sacs without cut-throughs for
28 pedestrian travel, and accommodate bicycles with adequate pavement for bike travel on new
29 roadways.

30 As described on page 3.11-65 of Volume I, Mitigation Measure TRA-D6 requires sidewalks or paths
31 to be added to serve pedestrian movement between the Fairway One complex, Peter Hay Golf course
32 and The Lodge at Pebble Beach. As described on Page 3.11-66, Mitigation Measure TRA-D9 requires
33 installation of an all-way stop-controlled intersection at the intersection of 17-Mile Drive and the
34 entrance to The Inn at Spanish Bay to safely manage pedestrian movements. As described on Page
35 3.11-67, Mitigation Measure TRA-D10 requires a crosswalk between the Pebble Beach Driving
36 Range and the Peter Hay Golf Course.

37 While in other settings, the provision of sidewalks would provide pedestrian connections to external
38 facilities, there are very few sidewalks in all of the Del Monte Forest. There are only sidewalks in
39 select locations, such as in limited areas at The Lodge at Pebble Beach and The Inn at Spanish Bay
40 areas. Thus adding sidewalks as part of new project development at locations outside the Lodge and
41 Inn would not provide pedestrian connections as adjacent areas do not have sidewalks. Traffic

1 volumes within the Del Monte Forest are relatively low and there is an extensive trail network in the
2 forest, which allows those who so choose to utilize the trail system to move through the area. The
3 proposed project will substantially improve the trail system by preserving large areas with existing
4 trails and by extending the trail system.

5 As described on page 3.11-33 of Volume I, MST has transit stops near the Pacific Grove Gate (Route
6 1X and Route 78), at the Inn and the Lodge (Route 2X). The project does not include any residential
7 development anywhere near any of these transit stops and thus provision of sidewalks to provide
8 access to the transit stops is impractical and would not be effective in increasing transit use. Visitors
9 at the Inn and Lodge could use existing transit which does stop at these locations.

10 The proposed project includes new cul-de-sacs in Areas F-2, I-2, L, and V, at the Corporation Yard,
11 and at Spyglass Hill. However, in all of these areas, there are nearby pedestrian trails that will allow
12 ready transit by foot to other nearby areas.

13 Since all internal DMF intersections would have acceptable conditions with project and cumulative
14 conditions, there is no traffic nexus to require provision of sidewalks and bicycle facilities for
15 mitigation of traffic conditions.

16 No new connecting roads are proposed within the DMF as part of the project. Short roadways would
17 be constructed in areas F-2, I-2, L, and V, at the Corporation Yard, and at Spyglass Hill. Given the
18 short distance of these roads and the low volumes expected on these roads, there is no need for
19 dedicated bike lanes as suggested in this comment.

20 Impacts on transit and alternative transportation were analyzed under Impact TRA-G1 (page 3.11-
21 74 of Volume I). Mitigation Measure TRA-G1 requires the preparation of an alternative
22 transportation plan for the project. However, given the physical conditions of the DMF, it is highly
23 unlikely that the plan will include measures for sidewalks, prohibition of cul-de-sacs, or creation of
24 new bike lanes as these would not substantially reduce trips. Mitigation Measure TRA-G2 requires
25 expansion of the shuttle and valet system to incorporate the Spyglass Hotel.

26 While TAMC's comments are noted, none of the suggested facilities would work to either lessen or
27 avoid identified significant impacts of the project.

28 No changes to the DEIR are necessary.

29 **Comment 9-5**

30 The commenter states that the project will have a detrimental effect on bicycle and pedestrian
31 facilities and recommends improved striping and signage from Pebble Beach connecting to the
32 Hatton Canyon Trail in Carmel. The commenter also states that the project should provide fair share
33 contribution to Class 2 bike lanes planned at Ocean View, from Asilomar Boulevard to 17-Mile Drive.

34 Regarding pedestrian facilities, as noted above, the DMF is designed for use of walking trails for
35 pedestrian access instead of access via sidewalks and the project will increase trails and trail access,
36 so no significant impact to pedestrian facilities is identified.

37 As noted on page 3.11-35 of Volume I, existing LUP policy 108 requires bicycle route safety
38 improvements along 17-Mile Drive from the Pacific Grove Gate to Fan Shell Beach, and requires
39 bicycle access between Fan Shell Beach and Carmel Gate, but as a bicycle route, not as a bicycle lane.
40 This requirement has already been satisfied and the LUP does not require improved bicycle lanes to
41 the Carmel Gate.

1 The project's impact on bicycles was analyzed under Impact TRA-H1 (page 3.11-75 of Volume I).
2 Mitigation Measure TRA-H1 requires striping of the bike route up to Stevenson Drive at Ondulado
3 Road. As described on Page 3.11-35, there are substantial physical constraints to completion of a
4 marked bicycle lane from Ondulado Road to the Carmel Gate, including vegetation removal, utility
5 relocation, right-of-way acquisition, retaining wall construction and impacts to residential
6 driveways and gates. This section of 17-Mile Drive is narrow in locations with larger volumes due to
7 its connection to the Highway 1 Gate and while bicycles are allowed, the Applicant notifies bicyclists
8 that this segment is not recommended for bicycle travel. As such, adding striping and signage to this
9 section of 17-Mile Drive is not considered wise as it could encourage increased bicycling in an area
10 with safety challenges.

11 Regarding the Class 2 bike lanes from Ocean View Blvd. to 17-Mile Drive primarily along Asilomar
12 Blvd, there is no evidence that the project will contribute substantial traffic volumes to Asilomar
13 Blvd. in such a way that it would substantially affect bicycle safety. The primary access to DMF from
14 the north is along 17-Mile Drive north of SR 68, not along Asilomar Blvd. While some of the new
15 residents and new visitors resultant from the project will use Asilomar Blvd at times, since this is
16 not a primarily used through route to access the DMF, it should not be substantially affected by the
17 project. As such, there is insufficient nexus of project impacts to this proposed bicycle facilities to
18 warrant imposition of fair-share mitigation for this project.

19 No changes to the draft EIR are necessary.

20 **Comment 9-6**

21 The commenter suggests inclusion of intelligent crosswalks with flashing notification lights and
22 mid-crosswalk islands.

23 As described on page 3.11-65 of Volume I, Mitigation Measure TRA-D6 requires sidewalks or paths
24 to be added to serve pedestrian movement between the Fairway One complex, Peter Hay Golf course
25 and The Lodge at Pebble Beach. As described on Page 3.11-66, Mitigation Measure TRA-D9 requires
26 installation of an all-way stop-controlled intersection at the intersection of 17-Mile Drive and the
27 entrance to The Inn at Spanish Bay to safely manage pedestrian movements. As described on Page
28 3.11-67, Mitigation Measure TRA-D10 requires a crosswalk between the Pebble Beach Driving
29 Range and the Peter Hay Golf Course.

30 As noted above, traffic volumes in the DMF would remain relatively low such that all internal DMF
31 intersections would continue to operate at acceptable levels. Traffic speeds are relatively low on
32 internal DMF roads as well. Substantial gaps in traffic will continue to exist to allow for safe crossing
33 of DMF roadways as the increase in project traffic will not change traffic conditions significantly. All
34 roadways in the DMF are two-lane roadways. Given the relatively low volumes, mid-crosswalk
35 islands and intelligent crosswalks with flashing notification lights are not needed to provide for
36 pedestrian safety beyond the crosswalk improvements already required by mitigation described
37 above. Furthermore, the use of intelligent crosswalks with flashing notification lights would not be
38 consistent with the visual/aesthetic character of the DMF.

39 No changes to the draft EIR are necessary.

40

1 Comment 9-7

2 The commenter suggests inclusion of bike parking near entrances of each building.

3 This comment is noted. However, provision of bike parking is not required as mitigation to address
4 any identified significant impact and can be at the discretion of the Applicant. No changes to the
5 draft EIR are necessary.

6 Comment 9-8

7 The commenter suggests inclusion of an enforcement mechanism for Mitigation Measure TRA-G1.

8 Mitigation Measure TRA-G1 on Page 3.11-74 has been revised to require the plan to identify an
9 enforcement mechanism for County review. Please see Chapter 4 of this document for the specific
10 changes.

11 Comment 9-9

12 The commenter describes that a Sustainable Communities Strategy (SCS) will be developed by
13 AMBAG and that TAMC encourages the County to coordinate with ABMAG in development of the SCS
14 and that developments included in the project be consistent with the plan once it is completed.

15 Comment noted. The SCS has not been developed and thus there is no way to examine whether or
16 not the project is or is not consistent with the SCS. The commenter does not identify how
17 consistency with an as-yet undeveloped SCS is related to any identified significant environmental
18 impacts. SB 375 concerns greenhouse gas emissions from passenger and light-duty vehicles. The EIR
19 analyzed GHG emissions from all sectors and proposed mitigation to reduce these emissions to a
20 less than significant level.

21 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

22 Comment 9-10

23 The commenter supports the use of light-colored pavement to reduce the heat island effect. The
24 commenter also suggests exploring the use of gray granite pavement (over traditional black top) for
25 parking areas and roadways to increase night time visibility and to increase permeability, which
26 would help control on-site runoff.

27 The DMF is located at the edge of the Pacific Ocean with cooling ocean breezes, and developed areas
28 are dispersed around the natural forest, especially in comparison to more developed urban areas. As
29 such, there is no heat island effect in the DMF. The project will only contribute a limited amount of
30 new roadways, consisting of short roadways into several new development areas. Regarding use of
31 gray granite pavement, significant visibility effects are not identified and, as described in Section 3.7,
32 Hydrology and Water Quality, mitigation is provided to address runoff impacts. Permeable
33 pavement may be used at the Applicant's discretion but is not mandated.

34 No revisions to the draft EIR are necessary.

35 Comment 9-11

36 The commenter suggests use of LED external lighting to reduce electricity consumption.

1 Electricity use per se is not a significant impact under CEQA unless it is for a wasteful use, and the
2 project does not propose wasteful energy use. Reducing electricity consumption can be one means
3 of reducing greenhouse gas emissions as required by Mitigation Measure CC-A2-A and this measure
4 already mentions use of high-efficiency area lighting (see page 3.4-23 of Volume I).

5 No revisions to the draft EIR are necessary.

6 **Comment 9-12**

7 The commenter suggests inclusion of preferred parking spaces for carpool, alternative fuel vehicles
8 and electric vehicle charging stations.

9 Preferred parking for carpools could be a strategy included in the Alternative Transportation Plan
10 required by Mitigation Measure TRA-G1, as well as a strategy to comply with Mitigation Measure CC-
11 A2-A for greenhouse gas emissions. Provision of preferred parking for electric vehicles and electric
12 vehicle charging stations are noted specifically as measures that could be used to lower greenhouse
13 gas emissions in Mitigation Measure CC-A2-A. No revisions to the draft EIR are necessary.

14

1 **Response to Comment Letter 10 (CNPS)**

2 **Comment 10-1**

3 The comment is an introduction that states CNPS has attended meetings, walked the site, and has
4 concerns presented in the letter.

5 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7 **Comment 10-2**

8 The commenter expresses concern that the separate approval of the LCP Amendment could
9 undermine ESHA policies in the Coastal Act by allowing “sacrifice areas”. The commenter also notes
10 that tradeoffs have been made to preserve larger area of higher quality habitat and request
11 clarification that this is a unique situation of protection and preservation.

12 The LCP Amendment is not part of the project being analyzed in the EIR, but an LCP amendment is
13 needed for the project to proceed. The LCP Amendment is being processed separately under the
14 requirements of the Coastal Act and does not require CEQA review by the County as the review
15 process is through the Coastal Commission under CEQA. The Draft EIR, along with other
16 information, will be utilized by the Coastal Commission to analyze, and potentially certify, the LCP
17 Amendment. The project cannot be approved without an LCP Amendment.

18 The commenter is correct that the LCP Amendment would allow development of certain areas that
19 have been identified as ESHA included in the Concept Plan. Relative to the proposed project, these
20 areas are identified in Table 3.3-4 of Volume I, and ESHA impacts are described on Page 3.3-40 to
21 3.3-42 of Volume I. The DEIR identifies mitigation for the physical impacts to the biological
22 resources found in ESHA areas and concludes that these physical impacts can be mitigated to a less
23 than significant level through the provision of extensive preservation areas and their management
24 for the protection of biological resources.

25 The proposed project has a long history and is the result of nearly 20 years of planning for build-out
26 of the Applicant’s remaining property in the Del Monte Forest. The proposal involves a unique
27 situation and the end result of this long history is that the proposed project preserves substantially
28 larger areas of sensitive biological habitat than called for in the current LCP and substantially larger
29 areas than all of the prior development proposals proposed by the Applicant.

30 No revisions to the draft EIR are necessary.

31 **Comment 10-3**

32 The commenter expresses concern about development in Areas K and L above the Indian Village
33 preserve area including impacts related to changes in hydrology and invasive species. The
34 commenter supports Option B to move lots from Areas K and L to other areas or deletion of the two
35 easternmost lots in Area L. The commenter recommends defined building envelopes in all lots in
36 Area L and lot lines in other areas adjusted to protect Yadon’s piperia.

37 The commenter’s support for an alternative that would move certain lots from Areas K and L or an
38 alternative that would include the deletion of the two easternmost lots in Area L is noted.

1 The DEIR included alternatives (Alternatives 1B and 2B) that would eliminate lots in Areas K and L
2 as the commenter suggests. Concerning impacts to Hickman's potentilla in Indian Village, the DEIR
3 (starting on Page 3.3-66 of Volume I) identifies potential impacts of development of Area L due to
4 changes in hydrology, non-native plant species, and recreational access as a significant impact.
5 Mitigation Measure BIO-D6 requires drainage design to avoid hydrologic effects, management of
6 recreational access, and management of non-native species, and other measures. The DEIR
7 concludes that implementation of this measure would reduce impacts to a less than significant level.

8 Further restricting building envelopes in Area L is not considered necessary to avoid impacts to the
9 Hickman's potentilla (Yadon's piperia is not found in Area L) as the development area in Area L does
10 not encroach and is not immediately adjacent to the meadow at Indian Village. Building envelopes
11 are shown on the building plans included in the project application on file at the Planning
12 Department. Drainage requirements per Mitigation Measure BIO-D6 will be a mandatory condition
13 of approval as will the other elements of the measure.

14 Regarding lot line adjustment at Area K to protect Yadon's piperia, this is included in Alternative 1C
15 which avoids all direct impact to this plant. The commenter's support for such an alternative is
16 noted. The DEIR concludes that with mitigation overall impacts to Yadon's piperia will be less than
17 significant taking into account the extensive preservation of Yadon's Piperia throughout the DMF
18 and management of preserved areas for the benefit of the species.

19 Since the DEIR already includes six alternatives designed to lower biological resource impacts
20 (Alternatives 1A, 1B, 1C, 2A, 2B, and 2C), this is considered a reasonable range of alternatives, and
21 analysis of additional alternatives is not required. This conclusion is bolstered by the EIR conclusion
22 that all impacts to biological resources (including impacts to Yadon's piperia) can be mitigated to a
23 less than significant level and adoption of an alternative is not required to lower significant impacts
24 to a less than significant level.

25 No revisions to the draft EIR are necessary.

26 **Comment 10-4**

27 The commenter expresses concern about non-native invasive species in preserved areas, urges a
28 priority for funding of management, and requests that independent native plant experts be included
29 in the Resource Management Team overseeing resource management implementation.

30 As described in the Master RMP (Appendix C, see Chapter 3 of the Master RMP), which is part of
31 Mitigation Measure BIO-A1, control of non-native invasive species is a major focus of mandatory
32 resource management of all preservation areas. As described on Page 2-1 of the Master RMP, the
33 Applicant is required to provide a written guarantee to fund all resource management actions in the
34 SSRMPS relative to the real property proposed for development that will remain as PBC-owned
35 property. The Applicant is required to provide all funding for implementation of the SSRMPs and the
36 guarantee must include a mechanism to enable the County to collect on a lien in the event that the
37 Company fails to meet its funding obligations.

38 Regarding the Resource Management Team (RMT), as described on page 2-7 of the Master RMP, the
39 RMT will include the California Department of Fish and Game (DFG), California Coastal Commission
40 (CCC), the U.S. Fish and Wildlife Service (USFWS), the Fire Protection arm of the Pebble Beach
41 Community Services District (PBSCD/CDF), the Del Monte Forest Open Space Advisory Committee
42 (OSAC), the Monterey County Planning Department (County), Del Monte Forest Foundation (DMFF),

1 and other agencies, organizations, and scientific experts as deemed necessary by Monterey County.
2 All of these agencies are independent of the Applicant and DFG, CCC, and USFWS all have
3 independent native plant experts. The County can also add other independent experts as deemed
4 necessary.

5 No revisions to the draft EIR are necessary.

6 **Comment 10-5**

7 The commenter describes removal of Yadon's piperia along road edges in the forest as an example of
8 inadequate management.

9 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
10 EIR are necessary.

11 It should be noted that the Master RMP (Appendix C of Volume II), which is part of the proposed
12 project, includes measures for managing preservation areas to sustain the existing Yadon's piperia
13 populations and reduce potential indirect effects of existing and proposed development. These
14 measures include regular (seasonally) mowing in known locations of occupied piperia habitat;
15 developing best management practices for golf course boundaries adjacent to occupied piperia
16 habitat; developing a program of landowner, utility worker, and golf course personnel education;
17 and conducting regular patrols.

18 **Comment 10-6**

19 The commenter urges additional mitigation for impacts to Monterey pine forest including areas at
20 the Old Capitol and Aguajito sites.

21 As described in the DEIR beginning on page 3.3-91 of Volume I, the cumulative effects of the project
22 on Monterey pine forest were analyzed using a quantitative scheme of supporting the preservation
23 of 95% of the extant Monterey pine forest in the entire Monterey region. As concluded in the DEIR,
24 the project would need to dedicate an additional 7 acres of Monterey pine forest in order to mitigate
25 its cumulative contribution to a less than significant level. This additional dedication could be at the
26 Old Capitol or Aguajito sites or at Del Monte Forest Area D.

27 In addition, the Applicant will also be preserving 99 acres of Monterey pine forest as a condition of a
28 MOU between the Applicant and the USFWS, as described in Footnote 5 on Page 3.3-54:

29 The applicant has also entered into a MOU with the USFWS to preserve another 99 acres of
30 Monterey pine forest/Yadon's piperia habitat (83 acres at the Aguajito site in the County of
31 Monterey and 16 acres at the Old Capitol site in the City of Monterey).... As described in this
32 Draft EIR, the County has determined that the proposed preservation included with the
33 project in the Del Monte Forest, along with resource management, is adequate to reduce
34 identified significant impacts to a less than significant level. Thus, the preservation of
35 additional piperia habitat at the Old Capitol and Aguajito sites under the Applicant's MOU
36 with the USFWS is considered in addition to that proposed or required to address significant
37 impacts identified in this EIR.

38 No revisions to the draft EIR are necessary.

1 **Comment 10-7**

2 The comment supports the comments made by Robert Hale, which are included as Comment Letter
3 17 (Hale).

4 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
5 EIR are necessary.

6

1 **Response to Comment Letter 11 (LandWatch)**

2 **Comment 11-1**

3 The comment is an introduction that indicates LandWatch has reviewed the project, summarizes the
4 proposed project, and identifies the Poppy Hills Golf course project that is removing 533 trees.

5 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
6 EIR are necessary.

7 **Comment 11-2**

8 The comment states that the DEIR should address the Poppy Hills Golf Course Project with the
9 proposed project, at least as part of the cumulative impact analysis, because combined the two
10 projects would require removal of over 7,000 trees and generate significant greenhouse gas
11 emissions. The comment also states that a revised document should be recirculated.

12 As allowed by CEQA (Guidelines sec. 15130[a][4]) the cumulative analysis in the draft EIR is based
13 on a general plan or projection approach, not a list approach identifying specific projects. As such,
14 the analysis in the draft EIR did not specify projects, such as the Poppy Hills Golf Course renovation
15 project. In response to this comment, cumulative impacts related to tree removal and biological
16 resources, and generation of greenhouse gas (GHG) emissions, from the Poppy Hills Golf Course
17 project and the proposed Pebble Beach Company (PBC) Project, are addressed below and in the
18 draft EIR, based on information contained in the draft EIR for the proposed PBC project and the
19 environmental documentation prepared for the Poppy Hills Golf Course project (Monterey County
20 2011, 2012).

21 The Poppy Hills Golf Course, which is owned by Poppy Holdings, Inc., and operated by the Northern
22 California Golf Association, is located within Pebble Beach on either side of Lopez Road. The golf
23 course property includes 80 acres of irrigated turf, 80 acres of forested area, and 6.5 acres of
24 facilities (e.g., club house, snack shack, parking). The Poppy Hills Golf Course project is a short-term
25 construction project to renovate the irrigation and drainage system for greater efficiency. The
26 project includes: removing the existing irrigation system in the turf area and replacing it with a new
27 high water efficiency system; grading and sand-capping (placing 8 inches of sand over irrigated turf
28 areas) to improve water conservation and drainage; and removing 14.6 acres of irrigated turf and
29 replacing it with naturalized non-irrigated plantings. The project also includes interior remodeling
30 of the clubhouse and construction a replacement snack bar. Upon completion, operation of the site
31 will resume at the current level.

32 Both projects involve tree removal and grading. As indicated in Table 3.2-7 of Volume I, the grading
33 associated with the proposed Pebble Beach Company (PBC) project would overlap with the
34 renovation of the Poppy Hills Golf Course from March through May of 2013. Thus, there could be
35 cumulative impacts with regard to tree removal/biological resources and construction-related
36 traffic, emissions, noise, and effects on sensitive receptors. As discussed below, the potential for
37 cumulative impacts when the projects are considered would be less than significant.

- 38 • **Tree Removal and Biological Resources.** Both the PBC project and the Poppy Hills Golf Course
39 project include measures that mitigate project specific impacts and, additionally, contribute to
40 the overall health, preservation and management of the forest in Pebble Beach.

1 The proposed PBC project includes the removal of up to 6,700 trees and 41 acres of Monterey
2 pine forest and the preservation of over 112,000 trees, primarily Monterey pine trees, in 598
3 acres of forest preservation. (Refer to Table, Figure 2-31, and Table 3.3-9 in Volume I). PBC
4 Mitigation Measure BIO-A-1 requires the development and implementation of a site-specific
5 resource management plan for the benefit of each preservation area, including an annual work
6 plan and mitigation monitoring by the County. PBC Mitigation Measure BIO-A-2 requires the
7 dedication of permanent conservation easements to the Del Monte Forest Foundation for all
8 preservation sites and guarantee of full funding for implementation and monitoring of all
9 resource management methods established in all agreements and MOUs. The PBC DEIR
10 concludes that these measures will mitigate for the loss of previously disturbed environmentally
11 sensitive habitat area (ESHA) or areas that are adjacent to existing development by ensuring the
12 preservation of larger areas of intact ESHA, including Monterey pine forest. Similar analysis is
13 provided concerning threatened and endangered species and mitigation is identified for all
14 project impacts that would reduce impacts to a less than significant level.

15 The Poppy Hills Golf Course project includes the removal of 533 trees on approximately 2.5
16 acres and a replacement plan that includes: 1) planting a mix of Monterey pine, Coast live oak,
17 and Gowen cypress on 4 acres previously occupied by irrigated turf, and 2) planting Monterey
18 pine trees within approximately 3 acres of existing forested areas where regeneration is not
19 occurring naturally. As indicated in the arborist report prepared for the Poppy Hills Golf Course
20 project, the condition of the majority of the trees proposed for removal is poor, and the
21 Monterey pine on the project site are in varying stages of decline due to age, structural
22 weaknesses, insect infestations and pitch canker disease. Mitigation Measure No. 8 requires a
23 long-term Forest Management Plan for the entire project site, which will improve the health of
24 the forest over time. The Poppy Hills project contribution to any cumulative impact due to the
25 removal of trees will be beneficial and less than significant.

26 The Initial Study for the Poppy Hills Golf Course project also analyzed the impacts of that project
27 on sensitive plant and animal species (like the EIR for the PBC project). The only sensitive plant
28 species identified on the site were Hooker's Manzanita, Monterey pine and Gowen cypress, of
29 which only Monterey pine were in the area of disturbance. The project may also affect several
30 nesting bird species due to tree removal, but no habitat for California red-legged frog was found
31 in the project area. Mitigation is provided for protection of bird nests during construction. As
32 noted above, the Poppy Hills project would result in an increase in forested acreages with
33 restoration, which is expected to result in an increase of available habitat for sensitive plant and
34 animal species. Thus, the Poppy Hills net project contribution to any cumulative impact to
35 sensitive plant and animal species will be beneficial and less than significant.

36 Consideration of the Poppy Hills Golf Course project impacts in concert with the impacts
37 identified for the PBC project does not identify any substantial new cumulative biological
38 resource impacts.

- 39 ● Air Quality (PM10 Emissions). The Monterey Bay Unified Air Pollution Control District
40 (MBUAPCD) significance threshold for PM10 emissions is 82 pounds/day. The PBC project
41 PM10 emissions with mitigation would exceed this threshold at various times during the
42 anticipated construction schedule, with a maximum expected to occur during March 2014 (refer
43 to Impact AQ-C1 and Tables 3.2-7 and 3.2-8 in Volume I). The Poppy Hills Golf Course project
44 PM10 emissions with mitigation would be 20.27 pounds per day, which is below the MBUAPCD
45 significance threshold (refer to pages 21-24 of the initial study, Monterey County 2011, 2012).
46 During the time period when construction of the two projects would overlap, the total combined

1 mitigated PM10 emissions are projected to be 38.48 pounds per day, which is below the
2 MBUAPCD significance threshold. Because of the planned construction phasing, the Poppy Hills
3 project construction activity is not anticipated to overlap the time periods when the PBC PM10
4 emissions exceed the MBUAPCD PM10 threshold of significance. Therefore, the Poppy Hills
5 project, when considered individually or combined with the PBC project, would not result in a
6 considerable contribution to a cumulative impact from PM10 emissions.

- 7 • Sensitive Receptors. The air quality analysis for the Poppy Hills Golf Course project is based on
8 the URBEMIS 2007 model which integrates EMFAC2007 diesel exhaust modeling. The nearest
9 sensitive receptor to the project is at 300 feet. Elements of the PBC project that would be
10 constructed concurrent with the Poppy Hills Golf Course renovation, including the relocation of
11 the Pebble Beach Driving Range to Collins Field, are approximately 1 mile from the Poppy Hills
12 project site. Construction of the Pebble Beach Driving Range would involve 64,300 cubic yards
13 of grading on one 16.48 acre parcel over a three month period within 100 feet of the nearest
14 sensitive receptor. The Poppy Hills project involves 120,000 cubic yards of intermittent and
15 geographically dispersed grading on a 166.53 acre site over a 7 month period. Mitigation for
16 both projects requires that diesel equipment and grading activities will be spread out over a
17 longer time period and larger area than the driving range relocation. Diesel particulate matter
18 represents a “localized” impact and so cannot be combined with diesel emissions from other
19 portions of the Pebble Beach Company distant projects. The DEIR for the PBC project concludes
20 that with the prescribed mitigations, there would be a less than significant impact to sensitive
21 receptors. Therefore, the cumulative impact from diesel emissions would be less than
22 significant.
- 23 • Greenhouse Gas Emissions/Climate Change. Mitigation measures identified for both projects
24 (Mitigation Measure No. 2 for the Poppy Hills and Mitigation Measure CC-A1 for the PBC project)
25 require best management practices to be included in the construction specifications to reduce
26 construction-related GHG emissions to a less than significant level. For the Poppy Hills project,
27 the majority of trees to be removed are in poor condition and approximately 16% are standing
28 dead. They are located along the edges of the course where dead and hazardous trees are
29 removed for safety reasons on an annual basis and would be likely candidates for removal in the
30 foreseeable future. The planting of approximately 4 acres of new trees and the implementation
31 of the Forest Management Plan (required by Mitigation Measure No. 8) will result in an
32 increased number of acres of healthy forest that can sequester carbon. Therefore, the
33 cumulative impact to construction greenhouse gas emissions will be less than significant. Also
34 refer to response to Comment 21-3. The Poppy Hills Golf Course project does not include
35 changes in operational emissions, and thus the combination of that project and the PBC project
36 does not result in cumulative operational emissions beyond those of the PBC project. Page 3-2 of
37 Volume I has been revised to clarify that the Poppy Hills Golf Course project has been
38 considered. Additionally, the technical analyses contained within Chapter 3 have been revised as
39 described above to address the cumulative effect of both projects. Please see Chapter 4 of this
40 document for specific changes. The changes do not result in a new or substantially more severe
41 impact than was disclosed in the EIR; therefore, recirculation is not required.

42 **Comment 11-3**

43 The commenter requests that consistency with the 2008 AQMP be analyzed using MBUAPCD’s
44 Consistency Procedure 4.0, which was revised in September 2011, including the identification of
45 approved and unconstructed projects.

1 The MBUAPCD changed its consistency procedures in September 2011 whereas the NOP for this EIR
2 was released on April 8, 2011 before the new procedure was issued. As described on page 3.2-17
3 (Section 3.2 of Volume I), the County contacted MBUAPCD for a review of project consistency with
4 the 2008 AQMP, and MBUACPD confirmed that the project is consistent on May 12, 2011 (Getchell,
5 pers. comm.), using the new procedure (version 4.0). It should be noted that version 4.0 of the
6 consistency procedure was presented to the MBUAPCD Advisory Committee on May 5, 2011, one
7 week before the project was found to be consistent by the MBUAPCD on May 12, 2011. MBUAPCD's
8 guidance for the new procedure (MBUAPCD 2011) specifically says use of the new procedure is not
9 required and that jurisdictions are "free to use any other system they feel is most appropriate for
10 their area". The County decided not to use the new procedure as the consistency determination had
11 already been made by MBUAPCD prior to release of the new procedure. Finally, MBUAPCD in their
12 comment letter on the DEIR had no comments on consistency with the 2008 AQMP, precisely
13 because they had previously determined the project was consistent.

14 The MBUAPCD consistency analysis has been added to Appendix E. Please see Chapter 4 of this
15 document.

16 **Comment 11-4**

17 The comment states that the Table 3.2-6 title identifies emissions as lbs/day, while the text indicates
18 lbs/year.

19 Pages 3.2-18 and 3.2-19 with the Table 3.2-6 title have been revised to clarify that table values are in
20 lbs/day. Please see Chapter 4 of this document for the specific changes.

21 **Comment 11-5**

22 The commenter requests documentation that the efficacy of Tier 3 diesel particulate filters (DPF)
23 specified in Mitigation Measure AQ-D1 is an 85% reduction in PM10 emissions.

24 The California Air Resources Board's list of verified diesel emission control strategies indicates that
25 Level 3 DPFs will achieve an 85% reduction in PM emissions (California Air Resources Board 2012).
26 In addition, as discussed in response to Comment 5-14, the health risk assessment has been updated
27 to reflect equipment activity, construction equipment location, and site-specific levels of emissions
28 and the resultant health risks at all locations are now estimated to be less than that disclosed in the
29 DEIR.

30 No revisions to the draft EIR are necessary.

31 **Comment 11-6**

32 The commenter supports the numerous mitigation measures identified for impacts to biological
33 resources and urge they be project conditions.

34 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
35 EIR are necessary. Per CEQA Guidelines 15097, when a public agency approves a project, it must
36 also adopt a program for monitoring the mitigation measures to ensure the mitigation measures and
37 project revisions identified in the EIR are implemented. The County will adopt mitigation measures
38 as conditions of approval.

1 Comment 11-7

2 The commenter states that the project would amend LUP Policy 113 and states that the analysis in
3 the DEIR shows that the project would contribute to significant and unavoidable impacts on traffic
4 and therefore that Policy 113 should be retained.

5 The project would not amend LUP Policy 113. The proposed LCP Amendment would amend Policy
6 113. As described on page 2-23 of the DEIR (Volume I), the LCP Amendment is not part of the
7 project analyzed in the EIR and is being processed separately under the requirements of the Coastal
8 Act.

9 Regarding Policy 113 in the current LUP, this is what it says regarding traffic:

10 The Resource Constraint Area designation shall be removed only when water and sewer capacity
11 sufficient to serve such development becomes available and that highway capacity and circulation
12 solutions have been agreed upon and adopted.

13 The circulation section of the LUP identifies traffic concerns in regards to Highway 68, 17-Mile
14 Drive, the DMF gates and internal DMF roads. The circulation section of the LUP does not concern
15 regional roadways or County traffic conditions in general. The language noted above does not state
16 the resource constraints designation should remain until highway capacity is provided, it states that
17 capacity and circulation solutions “have been agreed upon and adopted”. The DMF gate and DMF
18 internal roadway solutions have been implemented. Regarding Highway 68, a solution has been
19 agreed upon (the Highway 68 Widening Project), and has been adopted by TAMC, and is part of the
20 Regional Impact Fee Program. As such, the LCP Amendment identifies that the standard in existing
21 Policy 113 has been met.

22 Concerning the EIR analysis of traffic impacts, the EIR identifies that all project impacts to SR 68 can
23 be mitigated to a less than significant level with full mitigation, but that, due to the fact that the
24 project’s fair share is but a portion of the needed funding to address existing or cumulative traffic
25 impacts along SR 68, there will be a period in which traffic impacts will be significant and
26 unavoidable until sufficient funds are generated to complete all the mitigation. Thus, the evidence in
27 the EIR is consistent with the finding in the LCP amendment that solutions to local roadway issues
28 around the DMF “have been agreed upon and adopted”.

29 No revisions to the draft EIR are necessary.

30 Comment 11-8

31 The commenter supports the approach used for analyzing regional traffic impacts and the
32 determination that certain traffic impacts are significant and unavoidable because, although the
33 Applicant will contribute its fair share of regional impact fees, the mitigating transportation projects
34 do not have sufficient funding in the foreseeable future.

35 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
36 EIR are necessary. Also refer to response to Comment 11-7.

37 Comment 11-9

38 The commenter describes the DEIR’s analysis of water supply before and after 2016, notes that
39 mitigation is not identified for water supply impacts, notes that the LCP Amendment exception
40 language relative to the use of the Applicant’s water entitlement is not described in the DEIR, and

1 asserts that the project does not have a long-term water supply and that the inconsistency between
2 the DEIR's water supply impact analysis and the statement on Page 2-36 should be addressed.

3 As described on Pages 3.12-31 and 3.12-32 in the DEIR (Volume I), mitigation is not proposed for
4 water supply impacts because imposing any mitigation for use of the Applicant's water entitlement
5 would be unconstitutional. The Applicant's financing of the recycled water project has resulted in a
6 reduction in water use that will remain a net reduction in water use even if all of the water
7 entitlement is ultimately used. The issuance of the water entitlements is directly tied to the
8 Applicant's financing of the recycled water project. Thus, to impose additional mitigation would be
9 to require mitigation that is disproportionate to the Applicant's impact.

10 The comment is incorrect that the specific LCP Amendment language is not provided in the DEIR.
11 The entire LCP Amendment is included in Appendix D in the DEIR (Volume II). The LCP Amendment
12 discusses the water entitlement on Page 38, Pages 47-48, and in Policy 111 on Page 49. Proposed
13 Policy 111 specifically provides for an exception to the requirement for no net increase in water
14 demand from Cal-Am for use of the Applicant's water entitlement. The reason for this exception is
15 that the Applicant's financing of the recycled water project has resulted in the prior reduction of
16 potable water use for golf course use in the Del Monte Forest.

17 There is no inconsistency between the statement on page 2-36 and the water supply analysis in
18 Section 3.12. The intention of the statement on page 2-36, which was describing the LCP
19 Amendment, was to refer to "adequate water entitlement." This has been revised in the FEIR. Please
20 see Chapter 4 of this document for the specific changes.

21 **Comment 11-10**

22 The comment states that the source of the 2005 and 2020 emissions inventory is not provided in the
23 DEIR or Air Quality and Climate change appendix, and that the 2009 AMBAG update indicates a 2005
24 emission inventory of 1.3 million MT CO₂e and that updated 2020 forecasts are not available.

25 The DEIR used the greenhouse gas inventory in the Draft Inventory report prepared by AMBAG
26 (AMBAG 2010a), which estimated 2005 emissions as 1.713 million MT CO₂e and forecasted 2020
27 emissions as 1.907 million MT CO₂e. AMBAG subsequently produced a final inventory report
28 (AMBAG 2010b) that changed the estimated emissions for 2005 to 1.648 million MT CO₂e and the
29 forecasted emissions for 2020 to 1.831 million MT CO₂e. Subsequent to the preparation of the final
30 report, AMBAG released a 2009 inventory for the County, within which was contained an "adjusted
31 "2005 inventory as 1.304 million MT CO₂e. The "adjusted" 2005 inventory excluded emissions from
32 highway travel and direct access electricity that was included in the final 2005 inventory report;
33 these emissions were excluded for the 2009 inventory report because the 2009 inventory did not
34 include these sectors and thus the inventory wanted to make an "apples to apples" comparison of
35 2005 and 2009. While the 2009 inventory update presented an "adjusted" estimate, this was only
36 for the purposes of comparison and the final 2005 inventory report is the latest estimate of 2005
37 emissions. The 2009 report did not include a revised 2020 forecast.

38 In order to use the most current data available, the EIR has been updated to indicate the final 2005
39 inventory and 2020 forecast in the final AMBAG report (AMBAG 2010b). By examining the final
40 2005 inventory (1.648 million MT CO₂e) and 2020 forecast (1.831 million MT CO₂e), and the
41 County's goal of reducing emissions by 15% below 2005 levels, the County will need to reduce its
42 emissions by 24% (23.5% rounded up) below estimated Business as Usual conditions (BAU).

1 The EIR significance threshold and Mitigation Measure CC-A2-2 are unchanged as the DEIR used
2 24% and the revised inventory numbers lead to an estimate of 24% as well. As part of developing its
3 climate action plan, the County will be examining new forecasts for 2020 and expects that forecasts
4 may be less robust than what was included in the AMBAG 2020 forecast due to the long effect of the
5 recent recession on long-term growth. At this time, the use of the AMBAG growth assumptions noted
6 above is considered appropriate.

7 The change in the County inventory estimates does not change the severity of the project's
8 greenhouse gas emissions impact, because the DEIR disclosed a significant impact and identified
9 that mitigation could reduce the impact to a less than significant level with a proportional reduction
10 to that which the county has committed to do overall, and because these conclusions are unchanged
11 for the FEIR. Further, the DEIR analyzed a feasible hypothetical set of specific reduction measures
12 that could be applied to the project to meet the performance standard and these measures would
13 reduce project emissions by approximately 24%, which is the mitigation performance standard
14 (several technical updates were made to the mitigation estimate – see Chapter 4 for revisions). As a
15 result, there is no need for recirculation of the climate change analysis because no new significant
16 impacts or substantially more severe impacts have been identified.

17 The revisions regarding the inventory are included in revisions to Section 3.12, Climate Change
18 (Volume I) and Revisions to Appendix E (Volume II). Please see Chapter 4 of this document for the
19 specific changes.

20 **Comment 11-11**

21 The commenter states the DEIR does not address consistency between project level emissions and
22 the 2020 forecast of 1.91million MT CO₂e, and if the emissions presented in the DEIR are in excess of
23 the 2020 Monterey County forecast, they would have an unavoidable and significant cumulative
24 impact on climate change.

25 As indicated in the Approach to Developing Significance Criteria section (Section 3.4 of Volume I),
26 the threshold used to evaluate the project's contribution to climate change impacts is tied to the
27 County's reduction target, which is to reduce GHG emissions by 15% below 2005 levels by 2020.
28 Based on the updated GHG inventory for Monterey County for 2005 of 1.648 million MT CO₂e (see
29 response to Comment 11-10 above), the corresponding target for 2020 would be 1.401 million MT
30 CO₂e. When compared to the updated forecast 2020 BAU emissions of 1.831 million MT CO₂e (see
31 response to Comment 11-10 above), the County will need to reduce 2020 BAU emissions by 430,000
32 MT CO₂e, which is a reduction of 24% (23.5% rounded up), to meet the target.

33 As noted above, the change in the County inventory estimates does not change the severity of the
34 project's greenhouse gas emissions impact, and there is no need for recirculation of the climate
35 change analysis as no new significant impacts nor substantially more severe impacts have been
36 identified.

37 Regarding the question as to whether project emissions would result in County emissions overall
38 that would exceed the 2020 forecast for Monterey County, the answer is no. Project annual
39 emissions (see revisions in Chapter 4 of this document) for Option 1 would be 5,187 MT CO₂e/year
40 (excluding one-time emissions associated with tree removal), which represents a small fraction of
41 2020 emissions (BAU forecast of 1.831 million MT CO₂e). Actual County overall 2020 GHG emissions
42 would depend on changes in emissions and growth between now and 2020 but the project, as

1 mitigated, would not cause the County to exceed its 2020 target because the project is being
2 required to lower its emissions by the same reduction target for emissions of the County overall.

3 The EIR has used a significance and mitigation framework to ensure that the project would reduce
4 its emissions on a proportional basis to that which the County would need to reduce overall. As
5 discussed in the EIR, greenhouse gas emissions are a cumulative issue as opposed to a specific
6 project impact issue. With the mitigation in the EIR, the project will be required to mitigate its
7 cumulative contribution to greenhouse gas emissions to a less than considerable (less than
8 significant) level.

9 Refer to revisions to Appendix E of Volume II (see Chapter 4 of this document for the specific
10 changes) for updates on the GHG inventory estimates and the relevant mitigation performance
11 standard.

12 **Comment 11-12**

13 The comment states that the BAAQMD's adopted climate change thresholds should be used to
14 evaluate the project's climate change impacts because neither the County of Monterey nor
15 MBUAPCD have established thresholds of significance nor has the County identified an approach
16 pursuant to the CEQA Guidelines.

17 As indicated in the Approach to Developing Significance Criteria (Section 3.4 in Volume I of the
18 DEIR), the determination of significance of GHG emissions is up to the lead agency, provided the
19 thresholds are supported by substantial evidence. In this same Section, the County identifies the
20 threshold of significance and provides substantial evidence for the applicability and appropriateness
21 of the threshold used to evaluate climate change impacts associated with the project.

22 No revisions to the draft EIR are necessary.

23 **Comment 11-13**

24 The comment states that the project may have a significant and unavoidable cumulative impact on
25 climate change if the BAAQMD's threshold of significant for land use projects is used.

26 Please see response to Comment 11-12.

27 **Comment 11-14**

28 The comment states that the use of a 100-year average for stock removal listed in Table 3.4-8 should
29 be justified, since development would occur at a much more rapid rate. The comment also says that
30 emissions estimate for chipping vs. burning should be provided.

31 The DEIR discloses the total amount of emissions associated with tree removal due to loss of carbon
32 stock (4,605 MT CO₂e in Table 3.4-8) and due to loss of annual sequestration (216 MT CO₂e per year
33 in Table 3.4-8). The carbon stock loss was annualized to allow the addition of the stock removal
34 emissions on an annual basis to the loss of carbon sequestration emissions and other project annual
35 emissions. As noted in the note to Table 3.4-9 (Section 3.4 of Volume I), the 100-year averaging was
36 derived from methodology from the Climate Action Reserve's Forest Project Protocol. The Protocol
37 requires baseline modeling of carbon stock changes for 100 years and then compares to that
38 baseline to determine credit for offset projects. The DEIR used the same concept in assessing the

1 changes in baseline carbon stock and sequestration by identifying the amount of carbon stock lost
2 over 100 years, then annualizing that amount to add to the sequestration loss and other emissions.

3 The mitigation in the DEIR required mitigation of 26% (corrected to 24%; see revisions in Chapter 4
4 of this document) of the overall GHG emissions, including those related to tree removal. The
5 commenter is correct that the emissions associated with tree removal will happen much sooner than
6 100 years. In order to ensure that mitigation for the one-time carbon emissions that would occur
7 with tree removal happens close to the point of tree removal, Mitigation Measure CC-A2-A (in
8 Section 3.4 of Volume I) has been revised to require mitigation for 24% of stock removal one-time
9 carbon losses to occur no later than two years after tree removal. Given this timeframe, it is
10 probable that the Applicant will have to purchase carbon offsets. There are available carbon offsets
11 for the forestry sector, for example, that have been validated using the Forest Projects Protocol
12 issued by CARB, so this mitigation is feasible. The Applicant can use offsets from other sources (it
13 need not be forestry offsets) as long as they are validated per a proposal determined acceptable by
14 the County.

15 Regarding the emissions from chipping versus burning, burning would result in faster release of
16 carbon dioxide to the atmosphere, but chipping also results in release of carbon dioxide to the
17 atmosphere in a matter of months to a year or two, so the long-term effect is the same. The EIR
18 assumes that all of the carbon in removed trees is released in the atmosphere and thus represents
19 an emission. Since that release would happen with a year or two either way, there is no need to
20 calculate the different emissions for chipping versus burning. No changes to the EIR are required to
21 address this point.

22 **Comment 11-15**

23 The commenter asserts that Policy 113 would limit development on the proposed preservation
24 areas, and thus that it will not be possible to validate greenhouse gas offset values for the preserved
25 areas.

26 As described in Section 3.12, Water Supply, of the draft EIR (Volume I) and in the LUP Amendment
27 (Appendix D in Volume II), there is water available through the Applicant's Water Entitlement that
28 could be used to support development on the proposed preservation areas. As described in
29 Section 3.10, Public Services and Utilities (Volume I), there is adequate sewer and wastewater
30 treatment capacity to support further development in the DMF. As described in response to
31 comments above, circulation solutions have been developed and adopted for roadways relevant to
32 the DMF. As such, Policy 113 in the current LUP would not necessarily be a constraint to
33 development of areas allowed for development in the current LUP.

34 As noted in the DEIR, if the Applicant cannot validate the greenhouse gas offset value for the
35 preservation areas, then they will be required to provide for greenhouse gas emission reductions as
36 described in Mitigation Measure CC-A2-A.

37 No revisions to the draft EIR are necessary.

38 **Comment 11-16**

39 The commenter states that the methodology used to assess climate change impacts is different in
40 this EIR compared to the CEQA document for the Poppy Hills Golf Course project and requests the
41 discrepancy be addressed.

1 While there are differences in how the two documents analyzed climate change impacts, this does
2 not mean that either of the analyses is inadequate. Further, the commenter provides no evaluation
3 of why or whether the methods used in the two documents are or are not adequate and appropriate.
4 As such, this comment does not identify any inadequacy in either CEQA document, only that the two
5 documents used different methods. It should be noted that neither Monterey County nor MBUAPCD
6 have adopted set significance thresholds for evaluation of GHG emissions under CEQA and there are
7 no adopted state thresholds either.

8 The EIR for this project analyzed greenhouse gas emissions and associated climate change impacts
9 in Section 3.4, Climate Change (Volume I) and quantified greenhouse gas emissions from
10 construction and operations, including impacts from tree removal on carbon stocks and
11 sequestration. This EIR used a significance threshold tied to the County's overall GHG reduction
12 target, disclosed that a significant impact would occur, and required mitigation to reduce emissions
13 below the significance threshold. This approach meets CEQA requirements.

14 The IS/MND for the Poppy Hills Golf Course project disclosed GHG emissions from construction and
15 required mitigation measures to minimize these one-time emissions by use of feasible best
16 management practices (similar to Mitigation Measure CC-A1 in Section 3.4 of Volume I of this EIR).
17 Regarding operational emissions, the Poppy Hills project would not result in increased emissions
18 primarily because it would not increase golf use or activities. The project would lower GHG
19 emissions associated with water pumping as it would reduce water use. While the project would
20 remove existing trees, it would plant more trees than it removes such that in time the new trees will
21 more than offset the lost carbon sequestration and stock initially lost from tree removal during
22 construction. Given that the Poppy Hills project would not result in any long-term increase in GHG
23 emissions, there was no need for a formal comparison of the long-term GHG emissions to a
24 significance threshold.

25 The Pebble Beach Company's project would result in an increase in long-term operational emissions
26 and thus comparison to a quantitative threshold was determined to be appropriate by the County.
27 Although there are no adopted GHG thresholds in the County or by the MBUAPCD, the County has
28 determined that consistency with the County's GHG reduction target of 15% below 2005 levels
29 (corresponding to a 24% reduction of Business as Usual conditions) was an appropriate significance
30 threshold.

31 Thus, the two different approaches are each appropriate to the projects being analyzed, and a
32 difference in approaches does not indicate any inadequacy in either CEQA document.

33 No revisions to the draft EIR are necessary.

34 **Comment 11-17**

35 The comment states information identified in the draft EIR, including 1) proposed residential
36 development would have greatest impacts on biological resources including removal of up to 4,605
37 Monterey pines, and 2) three clustered development and three reduced development alternatives
38 are evaluated.

39 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
40 EIR are necessary.

1 Comment 11-18

2 The commenter asks for clarification about the areas of effect on Monterey pine forest and Yadon's
3 piperia for Alternative 1C.

4 The commenter is correct that the text states that Alternative 1C would have reduced overall (direct
5 + indirect) impacts to the Monterey pine forest (-3.49 acres) and Yadon's piperia (-3.30 acres)
6 compared to the proposed project. There was a typo in Table 5-6 (Chapter 5 of Volume I) concerning
7 Alternative 1C indirect impacts. The table correctly shows the indirect impacts of Alternative 1C
8 would be 5.40 acres but then showed the comparative impact as (-2.85 acres) when it should have
9 showed as (+2.85 acres) to reflect that indirect impacts would occur in a larger area than the
10 proposed project. The net effect of 6.15 acres less direct impact and 2.85 more indirect acres of
11 impact is 3.3 acres less overall impact.

12 It may seem counterintuitive that indirect impacts would be greater with Alternative 1C than the
13 proposed project. However, this alternative would have the same amount of market-rate lots as the
14 proposed project but they could be clustered at certain sites, such that the overall intensity of
15 development within the Del Monte Forest as a whole would be the same as the proposed project, but
16 would be more concentrated at the clustered sites. The convention used in this EIR to identify the
17 area of probable indirect effects was to count all the adjacent area not directly removed by the
18 project within each development area as an indirect effect area. Thus, if you concentrate
19 development at a site to avoid Yadon's piperia at another site, you will reduce the direct effect area
20 overall by avoiding certain sites, but the intensity of development will be increased at the more
21 concentrated sites. Because there is more concentrated development at the clustered sites, their
22 indirect impacts on adjacent undeveloped areas could increase. Precisely estimating indirect effect
23 areas is difficult given that indirect effects such as runoff or the spread of non-native plants do not
24 occur uniformly in adjacent areas, but the approach in the EIR is considered a reasonable method to
25 allow reasonable estimates of impact and comparisons of alternatives.

26 Table 5-6 on Page 36 of Volume I has been revised to correct the typographical error concerning
27 Alternative 1C. Please see Chapter 4 of this document for the specific changes.

28 Comment 11-19

29 The comment states that Alternatives 2A-2C would include fewer residential and inclusionary
30 housing units and specifies how much each alternative would reduce impacts to Monterey pine
31 forest and Yadon's piperia.

32 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
33 EIR are necessary.

34 Comment 11-20

35 The comment indicates a discrepancy in the alternatives analysis where it is stated that the
36 environmentally superior alternative is "Alternative 2C (Clustered Development Alternative C)" yet
37 the clustered development alternatives are 1A-1C.

38 This is a typographical error. The text has been revised on Page 3-35 of Volume I to clarify that the
39 environmentally superior alternative, other than No Action Alternative, is "Alternative 2C (Reduced
40 Development Alternative C)". Please see Chapter 4 of this document for the specific changes.

1 Comment 11-21

2 The commenter requests quantification of the GHG emissions for each of the residential alternatives
3 in light of the fact that alternatives with lesser tree removal would have lower GHG emissions than
4 the proposed project.

5 The impact on GHG emissions for each of the residential alternatives (Alternative 1 and 2, including
6 their variants) were quantified and added to Chapter 5, Project Alternatives. Alternative 1 would
7 have less GHG emissions than the proposed project due to less tree removal. Alternative 2 would
8 have less GHG emissions than the proposed project due to less tree removal and less residential
9 development. Please see Chapter 4 of this document for the specific changes.

10 Comment 11-22

11 The commenter states that the roundabout alternative would address a significant impact because it
12 would reduce GHG and ozone precursor emissions compared to the proposed SR 68/SR 1/17-mile
13 interchange improvement in the proposed project.

14 The DEIR concludes that the roundabout alternative would not avoid any significant unavoidable
15 impacts of the proposed project. The text on Pages 5-6 (Table 5-1) and on Page 5-26 has been
16 revised to clarify this. Please see Chapter 4 of this document for the specific changes.

17 The commenter is correct that a roundabout would have lower ozone precursor emissions than the
18 Phase 1B improvement included in the proposed project. The air quality discussion on Page 5-28 (in
19 Chapter 5 of Volume I) has been revised to note that the roundabout would result in less operational
20 ozone precursors due to shorter vehicle queues than the proposed project. However, the proposed
21 project would not result in a significant impact related to operational air quality related to vehicle
22 traffic, so this alternative would not avoid a significant impact of the proposed project relative to air
23 quality.

24 The commenter is correct that a roundabout would have lower GHG emissions than the Phase 1B
25 improvement included in the proposed project. This was described in the DEIR on Page 5-29 (in
26 Chapter 5 of Volume I). The proposed project would result in significant GHG emissions before
27 mitigation. The differences in GHG emissions between a roundabout and the Phase 1B interchange
28 were estimated based on the changes in vehicle delay and idling emission factors. Alternative 5 was
29 found to result in up to 249 MT less GHG emissions per year than the proposed project. As described
30 in the revisions to Section 3.4, Climate Change (see Chapter 4 of this document), the proposed
31 project (Option 1) overall would result in 5,187 MT of GHG emissions per year (exclusive of one-
32 time stock loss). With the Alternative 5 (roundabout) reductions noted above, emissions would be
33 lowered to 4,938 MT of GHG emissions per year, a reduction of 4.5%. Using the revised impact
34 analysis in the EIR, the project (Option 1) would need to reduce emissions by 24% to 3,942 MT CO_{2e}
35 per year. Thus, the roundabout alone would not reduce this impact to a less than significant level
36 without the need for additional mitigation as identified in Mitigation Measures CC-A1 and CC-A2 (in
37 Section 3.4 of Volume I).

38 The discussion of Alternative 5 in the DEIR (in Chapter 5 of Volume I) has been revised to include
39 the information noted above. Please see Chapter 4 of this document for the specific changes.

1 Comment 11-23

2 The comment states that existing comparative studies of signalized intersections versus roundabout
3 intersections indicated substantial reductions in vehicle emissions and explains the reasons based
4 on the studies referenced.

5 Comment noted. As noted in the response to Comment 11-22, the roundabout alternative would
6 have lower criteria pollutant and greenhouse gas emissions compared to the proposed signalized
7 intersection. However, the project would not result in significant criteria pollutant emissions and
8 the lowered greenhouse gas emissions of the roundabout compared to the proposed project would
9 not eliminate the need for mitigation to reduce emission below the significance threshold.

10 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

11 Comment 11-24

12 The comment states that the draft EIR reports that the roundabout alternative improves the level of
13 service and results in less vehicle queues compared to signalizing the intersection.

14 The comment is correct. The comment does not concern the adequacy of the EIR. No revisions to the
15 draft EIR are necessary.

16 Comment 11-25

17 The comment states that roundabouts have resulted in a 90 percent reduction in fatal and
18 incapacitating accidents compared to signalized intersections, and perform more favorably in terms
19 of improved safety, increased capacity, reduced overall delay and improved aesthetics because of
20 the specific design and traffic control features of roundabouts.

21 The comment is correct. The comment does not concern the adequacy of the EIR. No revisions to the
22 draft EIR are necessary.

23

1 **Response to Comment Letter 12 (LWV-1)**

2 **Comment 12-1**

3 The comment states that while the Pebble Beach Company is the applicant for both the proposed
4 project and the Poppy Hills Golf Course project, they are being processed separately with two
5 different environmental documents.

6 The Pebble Beach Company is the applicant for the proposed project but not the Poppy Hills Golf
7 Course project, as the commenter recognized in their second comment letter (Comment Letter 21).

8 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

9 **Comment 12-2**

10 The comment states that because the proposed project and Poppy Hills Golf Course project are
11 evaluated in two separate documents, the totality of environmental impacts of both projects is not
12 evaluated. The commenter specifically mentions the impacts of tree removal and construction
13 emissions.

14 Refer to response to Comment 11-2.

15 **Comment 12-3**

16 The commenter states that the methodology used to assess climate change impacts is different in
17 this EIR for the Pebble Beach Company Project compared to the CEQA document for the Poppy Hill
18 Golf Course project and requests the discrepancy be addressed.

19 Refer to response to Comment 11-16.

20 **Comment 12-4**

21 The comment states that neither environmental document includes the impacts of both projects in
22 the cumulative analysis.

23 Refer to response to Comment 11-2.

24 **Comment 12-5**

25 The commenter requests that the projects be considered together and that one environmental
26 impact report be prepared for all activities currently proposed by the Pebble Beach Company, and
27 that the revised document should be circulated for public review and comment.

28 Refer to response to Comment 11-2.

29

1 **Response to Comment Letter 13 (MPFW-1)**

2 **Comment 13-1**

3 The commenter expresses concern about the proximity of a proposed hotel or residential
4 development in Area M next to sensitive dune and Monterey pine forest habitat, and recommends
5 permanent barrier fencing around the development, use of pedestrian boardwalks, and educational
6 panels.

7 The commenter's suggestions are already required by mitigation in the DEIR. The DEIR describes
8 direct and indirect impacts to the coastal dune habitat near Area M under Impact BIO-B2 starting on
9 Page 3.3-49 of Volume I. Mitigation Measure BIO-B2 describes the required resource management to
10 protect and enhance the Signal Hill dune area. As noted on Page 3.3-50, permanent physical barriers
11 will be required as necessary to prevent encroachment and signage will identify dune habitat and
12 indicate that pedestrian traffic within such areas is not permissible. Further detail is described in the
13 Master RMP (Appendix C, Page 5-4, lines 24-29, of Volume II), which is mandated by Mitigation
14 Measure BIO-B2:

15 Permanent physical barriers shall be constructed between the edge of the proposed Area M Spyglass
16 Hill Hotel or Area M residential areas and all portions of the Dune ESHA to prevent all direct access.
17 Permanent physical barriers shall also be constructed along the edge of the "Green Trail" and other
18 portions of the Dune ESHA as necessary to prevent pedestrians from use or creation of informal trails
19 in the remnant dune area. The barriers shall be a minimum of 42 inches high, and shall be
20 constructed in a manner that discourages pedestrians from crossing the barrier.

21 No changes to the draft EIR are necessary.

22 **Comment 13-2**

23 The comment states concern about the proposed residential subdivision in Area L having negative
24 environmental impacts on the wet meadow habitat that supports Hickman's cinquefoil in Indian
25 Village due to changes in surface runoff or subsurface groundwater flow. MPFW recommends
26 elimination of residential development in the area.

27 The impacts to biological resources in Area L are addressed in Section 3.3 of Volume I, specifically
28 under Impact BIO-D6 (Project development in Area L could result in indirect effects on one
29 occurrence of Hickman's potentilla). The impact would be reduced to a less than significant level by
30 implementing Mitigation Measure BIO-D6, which requires drainage design to avoid hydrologic
31 effects, management of recreational access, and management of non-native species, and other
32 measures. The DEIR concludes that implementation of this measure would reduce impacts to a less
33 than significant level. Hydrological impacts are also addressed in Section 3.7 of Volume I, specifically
34 under Impact HYD-A1 (The proposed project would result in the alteration of surface drainage
35 patterns...) and Mitigation measure HYD-A1 (Ensure on-site detention of stormwater runoff at
36 development sites...).

37 The DEIR evaluated two alternatives (Alternatives 1B and 2B) that would eliminate residential lots
38 in Areas K and L (refer to Chapter 5 in Volume I) as the commenter suggests

39 Also refer to response to Comment 10-3.

40 No revisions to the draft EIR are necessary.

1 Comment 13-3

2 The comment states concerns about the proposed residential subdivision in the Corporation Yard
3 creating a development zone surrounded by protected lands of the SFB Morse Reserve and
4 Huckleberry Hill Natural Habitat Area. MPFW recommends no development in this area and the area
5 be restored to Monterey pine forest habitat.

6 The potential impacts of the proposed residential lots in the Corporation Yard have been fully
7 disclosed in Chapter 3 of Volume I. The proposed residential lots would be situated on an area
8 previously disturbed for a former quarry and current Corporation Yard functions and on an area
9 adjacent to existing Corporation Yard uses that would remain in use. The project includes a 1.45-
10 acre open space area, that could be used for passive recreation but would not include formal
11 recreation structures, north of the proposed residential lot; and includes a 6.96-acre preservation
12 area, located north of the open space and adjacent to the Huckleberry Hill Natural Habitat Area
13 (HHNHA). Refer to Figure 2-27 in Volume I. The County considers the proposed residential lot
14 subdivision, open space, and preservation areas to be an appropriate transition from existing
15 Corporation Yard uses to the HHNHA.

16 In addition, the analysis of biological impacts in Section 3.3, Biological Resources, examines the
17 indirect effects of development of the Corporation Yard area and the increased use of the adjacent
18 HHNHA due to such development. The EIR includes mitigation to reduce the indirect effects of light
19 and glare on the adjacent HHNHA, to address potential impacts of additional trail use on biological
20 resources in the HHNHA, and to address impacts related to non-native invasive plants in
21 preservation areas (see the Master RMP in Appendix C).

22 No revisions to the draft EIR are necessary.

23 Comment 13-4

24 The commenter asks whether environmental protections included for the proposed project also
25 apply to non-Pebble Beach Company holdings like Poppy Hills and the Monterey Peninsula Country
26 Club in the future.

27 The EIR analyzes the Applicant's proposed development and preservation areas. Under CEQA,
28 required mitigations must be related to the impacts of the proposed project. All mitigation in the
29 DEIR would be located on either the Applicant's property included in the proposed project, or in
30 certain specified adjacent areas (such as the HHNHA or Indian Village) to address indirect impacts of
31 proposed development. Thus, the environmental protections included in the proposed project or
32 included as mitigation do not apply to non-PBC owned areas like Poppy Hills or Monterey Peninsula
33 Country Club.

34 No changes to the draft EIR are necessary.

35 Comment 13-5

36 The commenter suggests control of non-native invasive plants be a condition of approval.

37 The Master RMP, required by Mitigation Measure BIO-A1 and other mitigation measures, includes
38 control of non-native invasive plants for all proposed preservation areas as described in Appendix C,
39 Chapter 3 (Volume II). Implementation of the Site-Specific RMPs, in accordance with the Master
40 RMP, is a proposed condition of approval.

1 No changes to the draft EIR are necessary.

2 **Comment 13-6**

3 The commenter suggests maintenance of special habitat areas as a condition of approval.

4 The Master RMP, required by Mitigation Measure BIO-A1 and other mitigation measures, includes
5 preservation and enhancement for all proposed preservation areas including for Monterey pine
6 forest, maritime chaparral, coastal dunes, wetlands and other sensitive habitats as described in
7 Appendix C, Chapter 3 (Volume II). Implementation of the Site-Specific RMPs in accordance with the
8 Master RMP is required by Mitigation Measure BIO-A1.

9 No changes to the draft EIR are necessary.

10 **Comment 13-7**

11 The commenter suggests preservation and enhancement of special status plant and wildlife species
12 as a condition of approval.

13 The Master RMP, required by Mitigation Measure BIO-A1 and other mitigation measures, includes
14 preservation and enhancement for all proposed preservation areas including for special status plant
15 and wildlife species as described in Appendix C, Chapter 4 (Volume II). Implementation of the Site-
16 Specific RMPs in accordance with the Master RMP, is required by Mitigation Measure BIO-A1.

17 No changes to the draft EIR are necessary.

18 **Comment 13-8**

19 The commenter suggests preservation of the “ecological staircase” habitats described by Jones &
20 Stokes in 1994 should be considered when selecting construction sites.

21 The “ecological staircase” concept is also referred to as the geomorphic surfaces approach to
22 characterizing different parts of the Monterey pine forest. In the mid-1990’s, Jones & Stokes
23 characterized Monterey pine forest at Monterey using geomorphic surfaces as a summary of key
24 features concerning forest qualities. The different geomorphic surfaces were associated with soils,
25 elevation, and relationships to the coast that result in the occurrence of varied canopy and
26 understory structures and species composition in the Monterey pine forest (Jones & Stokes 1994a,
27 1994b). A classification of Monterey pine forest into forest subtypes was developed wherein the
28 canopy and understory vegetation were characterized as they vary with the different soils found on
29 different geomorphic surfaces. This classification was then used as part of development of a
30 conservation strategy for Monterey pine forest prepared for the CDFG (Jones & Stokes 1996).

31 The proposed project will preserve substantial areas that contain all of the different habitats
32 described by Jones & Stokes as part of the “ecological staircase” conceptual approach. These are the
33 preservation areas included in the proposed project for each of the different geomorphic surfaces
34 characterized by Jones & Stokes in the prior studies: Youngest Dunes (preservation of Signal Hill
35 Dune); Middle-aged dunes (preservation in Areas B and C); Oldest dunes (preservation of the Signal
36 Hill Dune and in Areas B, K, and L); Marine Terrace 1 (project would not remove intact Monterey
37 pine forest on this surface and no preservation areas); Marine Terrace 2 (project would not remove
38 intact Monterey pine forest on this surface and no preservation areas); Marine Terrace 3
39 (preservation in Area MNOUV and part of Area K); Marine Terrace 4 (preservation in Area I-1);

1 Marine Terrace 5 (preservation in Area F-3, H, and PQR); Undetermined Marine Terrace
2 (preservation adjacent to the Corporation Yard); Marine Terrace 6 (preservation in Areas G and
3 PQR); Drainages – coastal (drainages in Preservation Areas B, H, I-1, J, K, L, and PQR); Pre-
4 Quaternary Shale (Preservation Area PQR); and Pre-Quaternary Granitic (preservation in Areas F-3,
5 G, H, I-1, O, PQR, and adjacent to the Corporation Yard).

6 No changes to the draft EIR are necessary.

7 **Comment 13-9**

8 The commenter suggests preservation of forest edges and ecotone areas to allow habitat changes
9 over time.

10 The 635 acres of preservation included in the proposed project preserves forest edge in the
11 preserve areas as well as many ecotone areas. For example, preservation of the Signal Hill Dunes
12 Area and the adjacent forested Areas of Area MNOUV preserve the dunes-forest ecotone.

13 No changes to the draft EIR are necessary.

14 **Comment 13-10**

15 The commenter recommends baseline biological surveys of all preservation sites and of special
16 status plants and animals to allow proper project monitoring.

17 As described in Appendix F of Volume II, there have been extensive biological surveys in all
18 preservation areas that provide sufficient characterization of extant biological resources in these
19 areas. As described in the Master RMP in Appendix C of Volume II, implementation of the site-
20 specific RMPs will require periodic monitoring of the preservation areas to ensure that present
21 biological resources are being properly maintained for the future.

22 No changes to the draft EIR are necessary.

23 **Comment 13-11**

24 The commenter supports the 4:1 planting mitigation ratio used for prior Pebble Beach Company
25 projects for significant plant species, including Monterey pine and coast live oak trees, and supports
26 propagation of replacement trees from local seed and monitoring for survival.

27 The comment is noted. There was never a 4:1 planting mitigation ratio adopted for any prior PBC
28 projects. The California Department of Fish and Game had, at one point during review of the Del
29 Monte Forest Preservation and Development Plan (DMF/PDP), recommended a 4:1 preservation
30 mitigation ratio for Monterey pine forest that may be what the commenter is referencing.

31 This project proposes a preservation mitigation ratio for Monterey pine forest of approximately 7:1
32 (597 acres of Monterey pine forest habitat preserved compared to a total of 86 acres of directly or
33 indirectly affected Monterey pine forest habitat, see Table 3.3-6 in the DEIR), so the preservation
34 mitigation ratio for the current project greatly exceeds the ratio previously recommended by CDFG
35 for the prior project.

36 In the event that the commenter did in fact mean a 4:1 planting mitigation ratio, the actual
37 replacement planting mitigation ratio for the prior DMF/PDP project was 1:1, not 4:1 (see Mitigation
38 Measure BIO-I1-1 in the DEIR for the DMF/PDP, Monterey County, 2004). However, the previous

1 proposals for development would have resulted in far greater removal of Monterey pine forest (and
2 other trees) with smaller areas of applicant-proposed preservation. The current project has lowered
3 the amount of tree removal/Monterey pine forest removal and increased the areas of proposed
4 preservation. As discussed in Section 3.3, Biological Resources (Volume I), the preservation of large
5 areas of intact high-value Monterey pine forest and management of these preserved areas through
6 specified RMPs (including additional forest preservation required to address cumulative impacts) is
7 considered sufficient mitigation to reduce overall impacts to the Monterey pine forest as a whole to
8 a less than significant level without mandating tree replacement. Tree replanting within forested
9 areas can be used as a management and enhancement tool in the SSRMPs, but is not mandated to
10 provide a specific replacement ratio. Replanting of additional trees within healthy forests, can result
11 in adverse effects on biological resources by promoting overcrowding and unnatural shading of
12 understory plants and shrubs, and thus should only be done where necessary to promote overall
13 forest health. It should also be noted that Mitigation Measure BIO-D2 requires the applicant to
14 restore 1.6 acre of Gowen Cypress/Bishop pine habitat at the Huckleberry Hill Natural habitat Area,
15 which will involve extensive new plantings.

16 No changes to the draft EIR are necessary.

17 **Comment 13-12**

18 The commenter suggests the addition of the Aguajito area as additional mitigation.

19 As described in the DEIR beginning on pages 3.3-91 (Volume I), the cumulative effects of the project
20 on Monterey pine forest were analyzed using a quantitative scheme of supporting the preservation
21 of 95% of the extant Monterey pine forest in the entire Monterey region. As concluded in the DEIR,
22 the project would need to dedicate an additional 7 acres of Monterey pine forest in order to mitigate
23 its cumulative contribution to a less than significant level (per Mitigation Measure BIO-B1(C). This
24 additional dedication could be at the Old Capitol or Aguajito sites or at Del Monte Forest Area D.

25 In addition, the Applicant will also be preserving 99 acres of Monterey pine forest as a condition of a
26 MOU between the Applicant and the USFWS, as described in Footnote 5 on Page 3.3-54:

27 The applicant has also entered into a MOU with the USFWS to preserve another 99 acres of Monterey
28 pine forest/Yadon's piperia habitat (83 acres at the Aguajito site in the County of Monterey and 16
29 acres at the Old Capitol site in the City of Monterey).... As described in this Draft EIR, the County has
30 determined that the proposed preservation included with the project in the Del Monte Forest, along
31 with resource management, is adequate to reduce identified significant impacts to a less than
32 significant level. Thus, the preservation of additional piperia habitat at the Old Capitol and Aguajito
33 sites under the Applicant's MOU with the USFWS is considered in addition to that proposed or
34 required to address significant impacts identified in this EIR.

35 No changes to the draft EIR are necessary.

36

1 **Response to Comment Letter 14 (MPFW-2)**

2 **Comment 14-1**

3 The comment is an introduction stating that MPFW appreciates the years of negotiation (2007-
4 2009) between the Coastal Commission and Pebble Beach Company. It has resulted in major
5 improvements to a complicated project that began in the 1970s when the proposed development
6 included thousands of units, no preservation and a golf course. The smaller project removed major
7 ESHA and other environmental concerns.

8 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
9 EIR are necessary.

10 **Comment 14-2**

11 The comment states the MPFW recommendation for a long-term comprehensive eradication
12 program addressing non-native invasive plants.

13 Refer to response to Comment 13-5.

14 **Comment 14-3**

15 The comment states the MPFW recommendation for preservation of special natural plant
16 communities including Maritime Chaparral, Coastal Prairie, Dunes, and wetlands as a condition of
17 approval.

18 Refer to response to Comment 13-6.

19 **Comment 14-4**

20 The comment states that there are many special status plants and special status wildlife species that
21 require serious permanent protection.

22 Refer to response to Comment 13-7.

23 **Comment 14-5**

24 The comment states the MPFW recommendation for the preservation of unique ecological staircase
25 habitats (noted by Jones & Stokes 1994 report) when considering the location of construction sites.

26 Refer to response to Comment 13-8.

27 **Comment 14-6**

28 The comment states the MPFW recommendation for the preservation of forest edges to provide the
29 requisite space needed for Monterey pine forest habitats to expand and contract naturally.

30 Refer to response to Comment 13-9.

31 **Comment 14-7**

32 The comment states the MPFW recommendation to conduct baseline studies and regular monitoring
33 for all species habitats and species with follow up restoration.

1 Refer to response to Comment 13-10.

2 **Comment 14-8**

3 The comment states the MPFW recommendation that residential development planned for the
4 Corporation Yard should not encroach on Monterey pine forest.

5 As discussed in the impact discussion for Impact BIO-B1 and shown in Table 3.3-6 (Section 3.3 of
6 Volume I), the residential development planned for the Corporation Yard would result in no direct
7 or indirect disturbance to Monterey pine forest and preserve 4.25 acres of Monterey pine forest.

8 No revisions to the draft EIR are necessary.

9 **Comment 14-9**

10 The comment states that additional mitigation habitat could be found in the Pebble Beach
11 Company's Jacks Peak property.

12 Comment noted. Also refer to response to Comment 13-12. The comment does not pertain to the
13 adequacy of the EIR. No changes to the draft EIR are necessary.

14 **Comment 14-10**

15 The comment states that MPFW recommends acceptance of the LCP Amendment.

16 Comment noted. Also refer to response to Comment 13-12. No revisions to the draft EIR are
17 necessary.

18

1 **Response to Comment Letter 15 (Skyline)**

2 **Comment 15-1**

3 The comment states that the Monterey Skyline Forest Neighborhood Association (Skyline) supports
4 the roundabout alternative (Alternative 5) and is opposed to the proposed additional traffic lanes
5 and increased signalization at the SR 1/SR 68 intersection. Their comments pertain to traffic.

6 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
7 EIR are necessary.

8 **Comment 15-2**

9 The comment states that the project proposes to mitigate traffic impacts by implementing Phase 1B
10 Roadway Improvements as a subset of the Highway 68 Widening Project, and states that the DEIR
11 alludes to a Caltrans PSR completed in 2000 as the basis for the Widening project. The commenter
12 believes the 2000 PSR is out of date and predated currently available design criteria for
13 roundabouts. The City of Monterey supports incorporating a roundabout at the SR 1/SR 68
14 intersection.

15 TAMC and AMBAG have not formally changed the SR 68 Widening project to a roundabout design,
16 and they still use the 2000 PSR as the design basis for the project. The comment correctly notes that
17 the City of Monterey supports a roundabout alternative.

18 As discussed in response to Comment 3-2, neither the current double-roundabout alternative
19 (Alternative 5) nor a single roundabout alternative (Fehr & Peers 2012) contain a design that can
20 meet Caltrans mandatory design requirements concerning access because they both propose an
21 intersection on the approach to the southbound onramp to SR 1. This access issue is the reason
22 Caltrans required traffic from the DMF gate to SR 68 to be separated from the traffic from SR 68 to
23 southbound SR 1 in the design of the Highway 68 Widening Project and the Phase 1B improvement.
24 Caltrans indicated in their comments on this DEIR that it does not support a double roundabout
25 design, but may be open to a single roundabout design (refer to Comment Letter 3 in Chapter 2).
26 However, no single roundabout design has been proposed that both provides the operational
27 improvements desired for this location and can be approved by Caltrans. Further, as described in
28 the DEIR, a roundabout is not identified as required mitigation for the proposed project as the
29 project would improve conditions at the SR 1/SR 68 intersection with the Phase 1B improvement.
30 Mitigation identified in the DEIR would address other impacts. As a result, the County is not in a
31 position to adopt a roundabout alternative as an alternative or mitigation to the current proposed
32 project as it has not been demonstrated as feasible. However, as noted in response to Comment 3-2,
33 the County has identified that it can allow for fair-share mitigation related to the project's impact to
34 SR 68 to be used for a roundabout alternative if such an alternative is approved by Caltrans and
35 TAMC soon enough to avoid any substantial delay in improvement to the SR 1/SR 68 intersection.

36 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR analysis are
37 necessary.

38 **Comment 15-3**

39 The comment states that Skyline believes the adoption of Alternative 5 (roundabout) would mitigate
40 many traffic impacts of the DMFP, as well as existing congestion, without a second eastbound lane

1 on SR 68, a third lane on the SR 1 off-ramp, or second right turn lane from SR 68 southbound; and
2 that the roundabout would use smaller retaining walls with less air quality impacts and improved
3 safety compared to the proposed improvements. Additionally, this comment states that a
4 roundabout would work better than the SR 68 Widening Project as proposed in the 2000 PSR.

5 To clarify, the roundabout would include an eastbound lane on SR 68 from the CHOMP entrance to
6 SR 1 and would flare out the SR 1 SB off-ramp from 2 to 3 lanes approaching the roundabout (refer
7 to pages 5-26 and 5-27 in Volume I).

8 The comment is correct in that the roundabout would have smaller retaining walls than the
9 proposed project (refer to page 5-27 in Volume I). The roundabout would reduce congestion relative
10 to the proposed project (refer to page 5-32 of Volume I) and thus would lower vehicle emissions at
11 this one section, but the proposed project would not result in significant operational impacts
12 relative to vehicle criteria pollutant emissions (refer to page 3.2-2 of Volume I) and thus is not
13 necessary to avoid or reduce a significant criteria pollutant emissions impact.

14 The commenter is correct that a roundabout would have lower GHG emissions than the Phase 1B
15 improvement included in the proposed project. Refer to response to Comment 11-22.

16 The proposed project is not expected to result in a significant impact related to traffic safety at the
17 SR 1/SR 68/17-Mile drive intersection, as conditions at the intersection would improve safety
18 relative to existing conditions with the Phase 1B improvement and the SR 68 Widening Project
19 (refer to page 3.11-32 of Volume I).

20 The commenter is correct that, in general, the roundabout design is a proven strategy for improving
21 intersection safety. In December 2010, the Federal Highway Administration (FHWA) published
22 NCHRP Report 672, *Roundabouts: An Informational Guide*, which states that the use of roundabouts
23 is a proven safety strategy for improving intersection safety by eliminating traffic conflicts
24 (Transportation Research Board 2010). The roundabout causes drivers to reduce speeds as they
25 proceed into and through the roundabout and eliminates crossing conflicts for vehicles, pedestrians
26 and bicyclists which are present at conventional intersections, thereby reducing crash severity and
27 the total number of potential conflict points. A comparison study shows that implementing a
28 roundabout results in an overall reduction of 35 percent in total crashes and 76 percent in injury
29 crashes.

30 Although it has been demonstrated that a roundabout would improve operation at the SR 1/SR
31 68/17-Mile Drive intersection, it has not been demonstrated that a roundabout is feasible. As
32 discussed in response to Comment 3-2, the County's conclusion is that neither a single or double
33 roundabout is currently feasible because they will not meet Caltrans design requirements
34 concerning access. Both the double-roundabout option (Alternative 5) and the single-roundabout
35 option (described in Fehr & Peers 2012) would place an intersection (either a second roundabout or
36 a side-street stop-sign controlled T-intersection) on the on-ramp to southbound SR 1 which would
37 not meet Caltrans mandatory access requirements

38 The text has been revised on Page 5-28 of Volume I to clarify that the roundabout would reduce
39 congestion relative to the proposed project (refer to page 5-32 of Volume I) and thus would lower
40 vehicle emissions at this one section. Please see Chapter 4 of this document for the specific changes.

1 Comment 15-4

2 The commenter described their opinion that the project will result in an unmitigated impact to the
3 SR 68/Skyline Forest Drive intersection, that a roundabout can mitigate the impact to the SR
4 68/Skyline Forest Drive intersection and that the traffic through the Skyline Forest Neighborhood is
5 50% or more from through traffic during the peak hours.

6 The commenter is correct that the DEIR identifies a significant impact at the SR 68/Skyline Forest
7 Drive Intersection. However, this impact would not necessarily be unmitigated permanently.
8 Installation of a signal at this location per Mitigation Measure TRA-C1 would mitigate conditions to
9 acceptable levels (refer to page 3.11-56 of Volume I). Upon signal installation, the impact would be
10 less than significant. The project's contribution to this impact is very small (1.68 percent). Thus, as
11 noted in the DEIR, the County may need to concentrate funds derived from the Applicant's fair-share
12 contributions to other mitigation measures to ensure implementation of one or more mitigation
13 measures wherein the project's contribution is small.

14 Regarding the roundabout, which would be located at SR 1/SR 68, it is unlikely to change conditions
15 along SR 68 at the Skyline Forest Drive as it is too far away. The distance from the SR 1/SR 68
16 intersection to the Skyline Forest Drive is approximately 4,400 feet. Table 5-5 in the DEIR (in
17 Chapter 5 of Volume I) has been modified to include the existing queue lengths. As indicated in the
18 modified Table 5-5 (see Chapter 4 of this document for the specific changes), the existing eastbound
19 peak hour queue length at the SR 1/SR 68 intersection is up to approximately 3,760 feet, well short
20 of reaching Skyline Forest Drive. In the near-term (2015), with either the Phase 1B project (queue of
21 up to 2,160 feet) or the roundabout (EB queue of up to 300 feet), the eastbound queue length would
22 be reduced from existing conditions. In the long-term (2030), with either the Highway 68 Widening
23 Project (2,217 feet) or a modified widening project with the roundabout (94 feet), the eastbound
24 queue length would be reduced from existing conditions.

25 The 2003 Skyline Traffic Study was based on data collection, observations, and surveys collected in
26 September 2003 when area schools were in session. The 20% estimate for through traffic was based
27 on license plate surveys that identified cars entering and leaving the neighborhood. This information
28 was documented in the 2003 Study (Fehr & Peers 2003). The commenter does not substantiate their
29 assertion that 50% of traffic during peak hours is cut through traffic by reference to data.

30 The roundabout, by improving movement along SR 68 near the SR 1 intersection, will likely reduce
31 the incentive of some drivers to cut through the Skyline Forest neighborhood. This is also likely to
32 occur with the Phase 1B/Highway Widening Project, which also improves traffic conditions
33 substantially compared to existing conditions, though the improvement would be less than with the
34 roundabout. The DEIR acknowledges that a roundabout would perform better in terms of traffic
35 than the Phase 1B project/Highway 68 Widening Project.

36 However, relative to existing conditions, the project would improve intersection conditions at SR
37 1/SR 68 and would reduce queues, such that impacts at the SR 1/SR 68 intersection would not be
38 worsened in any way that would contribute to effects at the SR 68/Skyline Forest Drive. The
39 project's impacts at the SR 68/Skyline Forest Drive are limited to contributions of direct traffic to
40 the intersection, which are addressed in the EIR with proposed mitigation.

1 Comment 15-5

2 The commenter described their opinion that the cause of problems at the SR 68/Skyline Forest
3 Drive is the left turn from SR 68 (east) onto Skyline Forest Drive not the turn from Skyline Forest
4 Drive onto SR 68 (east), that the best solution is to keep eastbound traffic moving on SR 68 so
5 drivers have less incentive to bypass through the neighborhood and that in the commenter's
6 opinion, this will only happen with a roundabout at SR 1/SR 68.

7 As described above in response to Comment 15-4, the existing queue length would be reduced
8 substantially with either the Phase 1B/Highway 68 Widening Project or the roundabout such that is
9 will not reach the SR 68/Skyline Forest Drive intersection.

10 The operational traffic issues at the SR 68/Skyline Forest Drive with the project will not be the
11 queue length at SR 1/SR 68 but rather the sheer volume of traffic on SR 68 during peak hours, which
12 reduces the available gaps in traffic on this two-lane road to allow for safe left turns. As volumes are
13 projected to increase, with either the roundabout or the Phase 1B/Highway 68 Widening Project, it
14 will remain difficult to complete left turns without improvement at the SR 68/Skyline Forest Drive
15 intersection.

16 As noted in the prior response, the roundabout, by improving movement along SR 68 near the SR 1
17 intersection, will reduce the incentive of some drivers to cut through the Skyline Forest
18 neighborhood, but the Phase 1B project/Highway 68 Widening Project will also provide a similar
19 incentive, though not to the same degree as the roundabout.

20 Comment 15-6

21 The commenter describes their opinion that the project will result in unmitigated impacts to Carmel
22 Hill Professional Center, that impacts can be mitigated if there would be an at-grade crossing of
23 Scenic Road between CHOMP and the Professional Center, eliminating the need for left turns into or
24 out of the Professional Park and related U-turns at the CHOMP entrance. The commenter notes that
25 a second alternative is to limit left turns from Carmel Hill Profession Center to eastbound SR 68 and
26 that they are opposed to a traffic signal at this location.

27 The commenter is correct that the DEIR identifies a significant impact at the SR 68/Carmel Hill
28 Professional Center intersection. However, the comment is incorrect that the impact would be
29 unmitigated permanently. Installation of a signal at this location along with the SR 68 Widening
30 Project would mitigate conditions to acceptable levels (refer to page3.11-57 in Chapter 3.11 of
31 Volume I). Once completed, the impact would be less than significant. However, as noted in the
32 DEIR, there would be an interim impact until the widening project could be completed with the new
33 signal.

34 Based on this and comments from the City of Monterey concerning the SR 68/Carmel Hill
35 Professional Center, the suggestion of eliminating left turns to eastbound SR 68 was analyzed. With
36 the Highway 68 Widening Project and the project, the prohibition of left turns to eastbound SR 68,
37 conditions would improve this intersection to operate at acceptable (LOS C or better) conditions in
38 the near-term and long-term. Similar to that noted above with a signal option, until the Highway 68
39 Widening Project is implemented, this intersection will continue to operate at an unacceptable level.

40 The revision from a signalized intersection to prohibition of left turns is equally as effective as the
41 proposed mitigation in the DEIR and either option would be adequate to address the identified
42 impact at this intersection.

1 In response to this comment and a similar request by the City of Monterey, the EIR Mitigation
2 Measure TRA-C2 (in Section 3.11 of Volume I) has been revised to delete the signalization of the SR
3 68/Carmel Hill Professional Center intersection in favor of prohibition of left-turns onto eastbound
4 SR 68. This is also consistent with the City of Monterey's recent condition of approval for a project at
5 the CHOMP. Please see Chapter 4 of this document for the specific changes.

6 The comment suggestion of an at-grade crossing of Scenic Road is noted, but is not necessary to
7 address the impact at the subject intersection as an acceptable alternative (prohibiting left turns out
8 of Carmel Hill Professional Center) has been identified that is easier to implement and has less need
9 for construction or right of way.

10 **Comment 15-7**

11 The commenter describes a problem at the CHOMP intersection with eastbound traffic from CHOMP
12 stopping over the detector loops when SR 68 is congested, thereby keeping the traffic light red in
13 both directions on SR 68, and resulting in traffic backing up in both directions on SR 68. The
14 commenter suggests that this problem can be best addressed by the roundabout alternative.

15 The SR 68/CHOMP intersection is located approximately 1,650 feet west of the SR 1/SR 68
16 intersection. As noted above the SR 1/SR 68 intersection eastbound queue length is up to
17 approximately 3,760 feet, and queues are presently affecting the SR 68/CHOMP intersection. In the
18 near-term (2015), with the Phase 1B project (queue of up to 2,160 feet), queues would be better
19 than the existing condition, but would still back up through the SR 68/CHOMP intersection. With the
20 dual roundabout, the eastbound queue length (300 feet) would be reduced from existing conditions
21 such that queues would not reach the CHOMP intersection. A similar result would occur for long-
22 term (2030) conditions.

23 The SR 68/CHOMP intersection operates at acceptable conditions during peak hours under existing
24 conditions (see Table 3.11-8 in Section 3.11 of Volume I) and would operate at acceptable conditions
25 in the near-term (2015) with the proposed project (see Tables 3.11-25 and 3.11-26 in Volume I) and
26 in the long-term (2030) with the proposed project (see Tables 3.11-34 and 3.11-35 in Volume I).
27 Thus, the project would not have a significant impact at this intersection.

28 The roundabout would also result in acceptable conditions at this intersection, as described in Table
29 5-4 in the DEIR (in Chapter 5 of Volume I).

30 The commenter is correct that the roundabout would improve congestion at the CHOMP
31 intersection. However, the proposed project with the Highway 68 Widening project would also
32 improve conditions relative to existing conditions, but not to the degree that the roundabout would.
33 No additional mitigation is warranted concerning the CHOMP intersection.

34 **Comment 15-8**

35 The commenter asserts that the DEIR makes an unfair comparison of the roundabout with bike
36 route facilities and a Highway 68 Widening Project without bike route facilities.

37 The roundabout design analyzed in the DEIR is as provided by the City of Monterey (who requested
38 this alternative be analyzed) compared to the Phase 1B improvement identified by the Applicant as
39 part of the SR 68 Widening Project. The DEIR analysis does not identify the bike facilities as making
40 the impacts of the roundabout substantially greater than the Phase 1B improvements.

1 The commenter is correct that the addition of bike facilities to Phase 1B or the Highway 68
2 Widening Project would result in some additional construction impacts. However, these differences
3 in impact are immaterial to the analysis in the DEIR as they would ultimately represent small
4 differences. The DEIR concludes that the construction impact of the roundabout alternative would
5 be similar to the proposed project, but less in relation to aesthetics, air quality, biological resources,
6 greenhouse gas emissions, erosion, and water quality (see the discussion beginning on page 3.11-
7 27of Volume I) taking into account lesser grading and less tree removal. If the bike facilities were
8 removed from the roundabout, then these impacts would be less than described for Alternative 5.

9 Bike facilities are not included in the Phase 1B or Highway 68 Widening Project as they are not part
10 of the Applicant's proposal nor are they part of the approved widening project, and their addition
11 would be inappropriate as they are neither proposed nor approved at this time.

12 **Comment 15-9**

13 The commenter asserts that the DEIR makes an unfair comparison of the Phase 1B project with a
14 roundabout with the full build out of the widening project.

15 The commenter is incorrect. On page 5-26 (in Chapter 5 of Volume I), the DEIR describes the
16 proposed roundabout as provided by the City of Monterey, who requested the analysis of the
17 roundabout alternative in this DEIR. The layouts for the roundabout alternative are shown in Figure
18 5-1 (full build) and Figure 5-2 (interim build) in the DEIR (Chapter 5 of Volume I). As shown in
19 Figure 5-1, the full build-out of this alternative includes a number of improvements outside the
20 roundabout itself, including the features described on Page 5-26 such as widening of the bridge over
21 SR 1 to three lanes and widening of SR 68 west of the roundabout. Thus, the alternative analyzed in
22 the DEIR is not just a roundabout improvement, but takes into account the features of the widening
23 project that would be needed in the long-term to address cumulative traffic.

24 As the footnote on page 5-26 describes, the Phase 1B project is part of the SR 68 Widening Project.
25 There are two comparisons made in the DEIR: 1) the short-term comparison between Phase 1B and
26 a Roundabout (2015); and 2) the long-term comparison between a Widening Project with Phase 1B
27 or a modified Widening Project with a Roundabout (2030).

28 As a result, page 5-26 includes the description of how the roundabout could be integrated with the
29 overall Widening Project.

30 No revisions to the draft EIR are necessary.

31 **Comment 15-10**

32 The comment states that the Alternative analysis makes extensive use of the phrase "slightly less"
33 and "similar" when comparing the benefits of the roundabout with no evidence to back up the
34 assertions, and it states that the analysis (climate change, air quality aesthetics, geology, land use,
35 noise and transportation) is suspect.

36 The comment did not provide any substantiation or clarification as to why the DEIR analysis is
37 suspect. Thus, a specific response cannot be developed to address why the commenter believes the
38 analysis is not correct.

39 Regarding Alternative 5 (roundabout), which was suggested by the City of Monterey, the City did not
40 provide quantitative analysis of footprints of the roundabout alternative in its information and only

1 provided general qualitative analysis. CEQA (Guidelines 15126.6[f]) allows that alternative analysis
2 does not need to be at the same level of detail as the proposed project and allows for qualitative
3 comparison of the merits of the alternatives compared to the proposed project in matrix format. The
4 DEIR uses available information to characterize the difference in impacts between different
5 alternatives (not just Alternative 5).

6 The City of Monterey did not provide any quantification of the reduced emissions associated with
7 congestion relief as it relates to criteria pollutants or greenhouse gas emissions for inclusion in the
8 DEIR. Since the proposed project's criteria pollutant emissions are already less than significant,
9 there is no need to quantify the reduction of these emissions with the alternative.

10 The DEIR described that the roundabout would have lower GHG emissions due to the reduction of
11 queuing. To provide additional information, the congestion benefits for reducing GHG emissions at
12 the SR 68/SR 1/17-Mile drive intersection have been quantified (see response to Comment 15-3
13 above) as approximately 249 MT CO₂e /year compared to the proposed project. Compared to the
14 overall project GHG annual emissions of 5,187 MT CO₂e /year, this would be a reduction of 5%,
15 which would not reduce the impacts of the proposed project to a less than significant level. The DEIR
16 properly noted that mitigation required for project GHG emissions would also be required with the
17 roundabout alternative as well.

18 Please see Chapter 4 of this document for the specific changes in the GHG analysis of Alternative 5.

19 **Comment 15-11**

20 The comment states that Tables 5-4 and 5-5 in DEIR indicate advantages of roundabout compared to
21 the current Widening Project planned, and that Skyline believes Impacts TRA-C1 and TRA-C3 can be
22 adequately addressed by constructing the roundabout.

23 The commenter is correct that Tables 5-4 and 5-5 in the DEIR identify that the roundabout has
24 better traffic conditions than the proposed project. Both the proposed project (including the
25 identified mitigation for impacts not addressed by Phase 1B) and the roundabout (with the
26 additionally required mitigation to address impacts not addressed by the roundabout) would
27 address the project's traffic impacts.

28 The commenter's opinion on the mitigation is noted. No revisions to the draft EIR are necessary.

29 **Comment 15-12**

30 The comment states that Caltrans may need to approve a design exception for a roundabout, and
31 that TAMC will need to support a final design incorporating the roundabout.

32 As Caltrans noted in its comments on this DEIR (see Letter 3 in Chapter 2 of this document), they do
33 not support the double-roundabout design. As noted in response to Comment 3-2, Caltrans opposed
34 designs for the Highway 68 Widening Project that included an intersection on the approach to the
35 southbound SR 1 onramp (included in both double and single roundabout designs), so it is uncertain
36 whether a roundabout design that will provide the operational improvements desired by the
37 commenter can be approved by Caltrans. As long as the affected areas are under the jurisdiction of
38 Caltrans, Caltrans would have to approve any new roadway designs. If roadway improvements are
39 included in a regional traffic impact fee program, then TAMC will need to approve it.

40 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

41

1 **Response to Comment Letter 16 (TOMP)**

2 **Comment 16-1**

3 The commenter states that the NOP and the EIR project description are deficient because they don't
 4 include the inclusionary housing that is required to be built under County ordinance.

5 The project proposed by the Applicant does not include the construction of inclusionary housing.
 6 The Applicant has proposed to pay an in-lieu fee to comply with the inclusionary housing ordinance.

7 Section 18.40.130 of the County's Inclusionary Housing Ordinance No.04185, codified at Chapter
 8 18.40 of the Monterey County Code describes the use of fees:

9 18.40.130 COLLECTION AND USE OF IN-LIEU FEES

10 A. Use of Fees:

11 Any monies received by the County pursuant to this Chapter shall be used to provide very low, low
 12 and/or moderate income housing except to the extent allocated to monitoring, enforcement and
 13 administrative costs. Any monies collected pursuant to this Chapter, and the interest accrued
 14 thereon, shall be committed within five (5) years after the payment of such fees or the approval of
 15 the residential development, whichever occurs later. All such monies on deposit with the County
 16 shall be separately accounted for and shall not be used for purposes not authorized by this section
 17 18.40.130. Any monies generated as a result of this Chapter shall be used by the County for
 18 assistance in the development of affordable housing within the County.

19 According to the Monterey County Economic Development Department Assistant Director (Noel
 20 2012), the In-Lieu Fees are collected and deposited into a separate County fund. The fees are used to
 21 assist affordable housing developers with the planning and implementation of projects through the
 22 County's annual Notice of Funding Availability (NOFA) which is part of the Annual Housing Report
 23 process. In addition, funding has been in past years used to assist housing programs and activities
 24 that further the creation of affordable housing, such as housing feasibility studies, down-payment
 25 assistance programs, and preparation of housing grant applications. Finally, the funding is used to
 26 administer the Inclusionary Housing Program including undertaking the required annual
 27 monitoring of the County's stock of deed restricted housing which currently totals over 300 units,
 28 processing sales, re-sales and refinances of Inclusionary Units, and reviewing development
 29 applications to determine Inclusionary compliance requirements, prepare conditions of approval
 30 and prepare and process Inclusionary Housing Agreements.

31 Given the variety of uses to which the County puts in-lieu fees, it is speculative to assert that the
 32 proposed project includes construction of inclusionary housing because the in-lieu fees used by the
 33 County may or may not result in new inclusionary housing units. For example, it is equally likely that
 34 the fees could be used to monitor existing inclusionary housing stock. It also would be speculative to
 35 determine where construction of any such housing would occur within the County. When and if the
 36 County proposes an inclusionary housing project, then environmental review pursuant to CEQA, as
 37 applicable, will be required. At this time, the County has no specific proposal to construct
 38 inclusionary units with the in-lieu funds that may be paid by the Applicant, and it would be
 39 speculative to evaluate potential environmental impacts until the County articulates such proposed
 40 actions.

41 As such, neither the NOP nor the Project Description describe the construction of inclusionary
 42 housing units as such construction is not part of the proposed project, not part of a proposal by the

1 Applicant, not a proposed action by the County in use of the in-lieu fees proposed by the Applicant
2 for payment in compliance with the ordinance, and not reasonably foreseeable.

3 No changes to the draft EIR are necessary.

4 **Comment 16-2**

5 The commenter states that the DEIR fails to analyze the impacts of water use by the mandatory
6 inclusionary housing (whether on-site or offsite), the analysis should be added, and the DEIR should
7 be recirculated.

8 As discussed in response to Comment 16-1, construction of inclusionary housing units is not part of
9 the project. Therefore, the DEIR did not need to analyze the impacts of water use by inclusionary
10 housing units as part of the project analysis of water supply. As noted in the response to Comment
11 16-1, analysis of potential inclusionary units facilitated by payment of the in-lieu fee would be
12 speculative without a specific proposal by the County to construct inclusionary units. Location of
13 any housing project and its source of water are not reasonably foreseeable as the County has many
14 different water systems and aquifers/water sources.

15 As a point of information, the project alternatives section includes analysis of an alternative
16 (Alternative 1) that includes analysis of 18 on-site inclusionary units. Refer to Chapter 5 in Volume I
17 of the EIR.

18 No revisions to the draft EIR are necessary.

19 **Comment 16-3**

20 The commenter states that the water demand with the affordable housing will exceed any available
21 supply including the Pebble Beach Water Entitlement (PBWE).

22 The commenter provides no evidence to support their assertion.

23 As noted above, given the wide range of uses to which in-lieu fees may be put, it is uncertain
24 whether or not inclusionary units would actually be built due to payment of in-lieu fees, and it
25 would be purely speculative to guess where or when units seeded by in-lieu fees would be built.
26 There are no proposals for Pebble Beach Company to build off-site units as a means of complying
27 with the inclusionary housing ordinance. The alternative of providing inclusionary housing units on-
28 site is analyzed as part of the EIR (refer to Chapter 5 of Volume I), and is further amplified in this
29 document (refer to response to Comment 16-35).

30 If up to 20 inclusionary housing units were to actually be built on-site and utilize a portion of the
31 PBWE, there is ample remaining entitlement to provide water supply for such a project. As
32 described in the DEIR, SWRCB orders and MPWMD ordinance allow provision of water pursuant to
33 the PBWE.

34 As indicated in Table H.2-2C (revised per other TOMP comments, see below), as of October 2011
35 there was 58 AFY remaining water entitlement that could still be sold to benefited properties within
36 the Del Monte Forest (out of 175 AFY allowed by MPWMD). After dedicating up to 145 AFY for the
37 project's water demand, and selling the remaining entitlement to benefited properties, the Applicant
38 would still have 34 AFY remaining that could also be utilized for other residential development in
39 the DMF (if allowed by MPWMD). Thus, there is between 34 and 92 AFY available out of the PBWE
40 that is not currently dedicated to use or that would be used by the proposed project.

1 The proposed project includes two options for Area M Spyglass Hill. With Option 1, there would be a
2 new resort hotel in Area M and 90 market-rate units overall. With Option 2, there would be 10 new
3 residential lots in Area M and 100 market-rate units overall (including the 10 units in Area M). If
4 100 market-rate units were ultimately included in the project, using the 20% requirement in the
5 Inclusionary Housing Ordinance, perhaps up to 20 units could be built. ICF used the MPWMD fixture
6 unit methodology to estimate the water demand of a hypothetical 3 BR 3BA inclusionary housing
7 unit (see new Table H.2-2D in Appendix H revisions) and derived an estimate of 0.30 AFY; using this
8 factor, 20 inclusionary units would only require 6 AFY. The remaining unused part of the PBWE is
9 much larger than 6 AFY and thus there would be ample remaining entitlement that could be used for
10 inclusionary housing units, contrary to the commenter's assertion.

11 No revisions to the draft EIR are necessary.

12 **Comment 16-4**

13 The commenter states that there is no water available for inclusionary housing outside the Del
14 Monte Forest (DMF) and that according to County ordinance and County staff, off-site housing
15 would have to be in the Coastal Zone or at least on the Monterey Peninsula and that the DEIR does
16 not analyze these issues.

17 As noted above, given the wide range of uses to which in-lieu fees are put, it is uncertain whether or
18 not inclusionary units would actually be built directly due to payment of in-lieu fees, and if built, the
19 location and character are unknown at this time. If the County were to propose construction of new
20 inclusionary units, they might be on the Monterey Peninsula (which does have water supply
21 constraints as pointed out by the commenter) but may be in inland areas (that have different water
22 supply conditions). The inclusionary housing ordinance does specify that inclusionary housing units
23 constructed directly as part of the project need to be in the same planning area. For this project, if
24 inclusionary housing units were actually proposed as part of the project, they would need to be
25 within the portion of the Del Monte Forest under the DMF LCP, which is the planning area of the
26 project. As noted above, if inclusionary housing units were proposed within the DMF LCP area, there
27 is ample undedicated remaining entitlement from the PBWE to provide supply (see response to
28 Comment 16-35). The in-lieu fee program does not include a requirement that the in-lieu funds must
29 be used to construct units within the same planning area or even in adjacent areas. Thus it is
30 speculative to assert that payment of the in-lieu fee would result in inclusionary units on the
31 Monterey Peninsula.

32 Since development of inclusionary housing resulting from in-lieu fees is speculative, there is no need
33 for analysis of water demand for such housing as part of the project analysis.

34 Analysis of the water demand for on-site inclusionary units as a project alternative is included in the
35 DEIR (refer to Chapter 5 of Volume I), and is amplified and clarified in this document (refer to
36 response to Comment 16-35).

37 **Comment 16-5**

38 The commenter states: the issue of which properties will benefit from the PBWE is controversial;
39 MPWMD rules prohibit use of the PBWE outside the DMF; the EIR anticipates modification of
40 MPWMD rules to allow use of the PBWE outside the DMF; the environmental analysis of potential
41 use outside the DMF should be analyzed in this EIR; and the DEIR should be recirculated. The

1 commenter's opinion is that any use of the PBWE outside the DMF triggers a new EIR under
2 MPWMD rule 28-B.1 regarding water transfers.

3 The commenter is correct that MPWMD Rule 23.5 presently prohibits use of the PBWE outside the
4 DMF (plus certain adjacent properties owned by the Applicant in Pacific Grove to which the PBWE
5 had previously been transferred pursuant to MPWMD rules).

6 The EIR does not anticipate modification of MPWMD rules to allow use of the PBWE outside the
7 DMF. As noted above, the proposed project does not include a proposal to construct inclusionary
8 housing units. As such, the proposed project does not include a proposal to use a portion of the
9 PBWE outside the DMF. As such, there is no need for the analysis of the use of the PBWE outside the
10 DMF. The cited trigger in MPWMD Rule 28-B.1 is not applicable because there is no proposal to use
11 the PBWE outside the DMF included in this project.

12 While the commenter quotes 28-B.1 accurately, there is nothing in this rule that specifies that a new
13 EIR must be prepared.

14 No revisions to the draft EIR are necessary.

15 **Comment 16-6**

16 The commenter states that per MPWMD Rule 25.5 only 85 percent of water use capacity is actually
17 transferred in a water credit transfer and that this would apply to any transfer of the PBWE outside
18 the DMF.

19 MPWMD Rule 25.5 applies to water credit transfers. The PBWE is governed under a different rule.
20 Use of the PBWE for benefited properties within the Del Monte Forest is not a water credit transfer
21 per Rule 25.5. As noted above, the proposed project does not include a proposal to construct
22 inclusionary units or to transfer a portion of the PBWE outside the DMF. As such, MPWMD Rule 25.5
23 does not apply to the proposed project. Rule 23.5 requires no deduction of 15% for use on benefited
24 properties within the DMF.

25 No revisions to the draft EIR are necessary.

26 **Comment 16-7**

27 The commenter states that the 2002 settlement agreement between Ed Leeper, Save our Peninsula
28 Committee and the County of Monterey applies to any transfer of the PBWE outside the DMF
29 including preparation of a "stand alone EIR" separate from any project approval EIR.

30 As noted above, the proposed project does not include a proposal to transfer a portion of the PBWE
31 outside the DMF. As such, the settlement agreement does not apply to the proposed project.

32 No revisions to the draft EIR are necessary.

33 **Comment 16-8**

34 The commenter states that the use of the PBWE is subject to the CDO and that the DEIR fails to
35 adequately evaluate impacts of water use or to mitigate for those impacts or consider alternatives
36 and the uncertainty about the CDO should be disclosed.

37 As discussed on Page 3.12-16 Line 15 – 42 and Page 3.12-17 Lines 1-6 (Volume I), while the CDO
38 does apply to the PBWE, customers in the DMF using a portion of the PBWE are not subject to the

1 moratorium on new connections, but are subject to any rationing program that affects the Cal-Am
2 water system. The “uncertainty” in the CDO is described on Page 3.12-17, Lines 4 – 6.

3 As described on Page 3.12-18, Lines 9 – 32 (Volume I), the original SWRCB Board Order WR 2009-
4 0060 prohibited diversion of Carmel River water to serve the PBWE after 2016. However, upon
5 petition, the order was amended to allow such diversion as long as it was within Cal-Am’s legal
6 water rights.

7 The water supply impact analysis (starting on Page 3.12-26 of Volume I) took into account the
8 requirements of the CDO (see specific mention of SWRCB Order WR 2009-0060 in footnotes to Table
9 3.12-10). The analysis notes that while the amended order allows PBWE to be served by water from
10 the Carmel River as long as withdrawals are within Cal-Am’s legal limits, the PBWE, like other water
11 connections, is subject to potential rationing. The DEIR includes specific analysis of potential
12 rationing after 2016 in the event of lack of a regional water supply project and the impact of the
13 additional project water demand.

14 The DEIR analyzed the direct, indirect, and cumulative impacts of water use contrary to the
15 assertions of this comment. No revisions to the draft EIR are necessary.

16 **Comment 16-9**

17 The commenter states that to the extent the Applicant proposes to use its water entitlement as part
18 of its affordable housing in-lieu fees, the DEIR fails to analyze it; that this would not satisfy the
19 County inclusionary housing ordinance; and that the DEIR should disclose the change in fee and the
20 potential to actually use the PBWE outside the DMF.

21 Use of the PBC water credit to satisfy the inclusionary housing in-lieu fee is not part of the project
22 proposed by the Applicant and is not under consideration. The Applicant proposed to Monterey
23 County in April 2011 to make an in-lieu payment in compliance with the inclusionary housing
24 ordinance instead of constructing inclusionary units as part of the proposed project. The Applicant
25 suggested that the County may want to consider accepting a portion of the PBWE (which the
26 Applicant values at \$250,000/AF) as part of the in-lieu fee requirement (PBC, 2011). The Applicant
27 noted that use of the entitlement outside the DMF would require approval of MPWMD. The
28 Applicant has since eliminated this suggestion from its in-lieu fee proposal (PBC, 2012), so this is
29 moot.

30 Additionally, even if the suggestion were not moot, the County has not accepted the use of a portion
31 of the PBWE as part of the in-lieu fee at this time. The potential transfer of a portion of the PBWE
32 outside the DMF is not part of the project considered in the EIR. As such, the County is not presently
33 considering accepting a portion of the PBWE as part of payment of in-lieu fee nor as part of the
34 project under consideration at this time. Should this be actually under consideration at a future date,
35 then supplemental environmental review may be necessary to analyze the potential effects of such a
36 transfer of entitlement.

37 No revisions to the draft EIR are necessary.

38 **Comment 16-10**

39 The commenter states that the Applicant values the PBWE at \$250,000 per acre foot and asks what
40 value the County will place on the PBWE, and asserts that the decision about value are potential

1 environmental impacts that should be evaluated in the EIR because they would affect how much
2 inclusionary housing might be built and where.

3 The commenter is correct that the Applicant values the PBWE at \$250,000/AF. As described in the
4 response to the comment above, the Applicant has since eliminated this suggestion from its in-lieu
5 fee proposal (PBC, 2012), so this issue is moot. Additionally, even if the suggestion were not moot,
6 the County has not accepted the Applicant's suggestion to use a portion of the PBWE as part of the
7 in-lieu fee and the potential transfer of a portion of the PBWE outside the DMF is not part of the
8 project considered in the EIR. Thus, the County has not made any determination as to the value of
9 the PBWE because it is not part of the current project.

10 No revisions to the draft EIR are necessary.

11 **Comment 16-11**

12 The commenter asks whether the EIR preparer agrees with the characterization of entitlements as
13 "rights to water service" as described by the Applicant and that the characterization may impact the
14 analysis of water demand, supply and rights in the EIR.

15 The DEIR describes the entitlement on Page 3.12-17, Line 36, through Page 3.12-18, Line 6 (Volume
16 I). The Fiscal Sponsorship Agreement signed by MPWMD and the Applicant that established the
17 water entitlement identifies the entitlement as a "vested property right". The entitlement allows for
18 water connections and service to be provided to the benefited properties. However, per MPWMD
19 Rule 23.5, users of the entitlement are subject to water restrictions and rationing in a water
20 emergency like other current Cal-Am customers.

21 No revisions to the draft EIR are necessary.

22 **Comment 16-12**

23 The commenter states that the DEIR's water supply analysis is inadequate because it does not
24 consider the water demand of inclusionary housing or whether there is sufficient remaining PBWE.

25 As noted in responses above, the construction of inclusionary housing is not part of the proposed
26 project, it is speculative to conclude that the use of an in-lieu fee will definitively result in
27 inclusionary housing units, there is no current County proposal to construct inclusionary housing
28 units with the in-lieu fee, and it is premature to analyze the environmental effects of a housing
29 project that may not occur, that is not proposed, and whose character and location are undefined. As
30 such, there is no need to analyze the water demand from expenditure of in-lieu fees. Prior responses
31 provide the evidence that there is sufficient remaining PBWE to provide water to inclusionary
32 housing if it were to be constructed within the DMF. Transfer of a portion of the PBWE outside the
33 DMF is not part of the proposed project; if done it would require approval by the MPWMD and
34 compliance with all relevant requirements, including environmental review requirements. If such a
35 transfer were ultimately approved, there is sufficient remaining water entitlement to provide supply
36 to off-site inclusionary housing outside the DMF.

37 No revisions to the draft EIR are necessary.

1 Comment 16-13

2 The commenter asserts that the DEIR's water demand estimates are questionable because they use
3 an average use of all houses in the Forest and that newer houses in the last 10 years have higher
4 than average use and higher than the figures used in the DEIR and describes that MPWMD uses a
5 fixture unit methodology and exterior landscaping approach instead of an average use approach and
6 therefore that the DEIR analysis is deficient.

7 The DEIR's water demand estimates for residential elements of the proposed project were based on
8 the water demand estimate submitted by the Applicant (WWD, 2011). ICF independently reviewed
9 the factors used in the Applicant's estimate and made certain adjustments to the factors used by the
10 Applicant. The Applicant proposed to use a factor of 1.0 AFY for larger residential lots (+/- 1.0 acre,
11 meaning lots approximately 1 acre more or less) and a factor of 0.50 AFY for more moderately size
12 residential lots (+/- 0.5 acre, meaning lots approximately 0.5-acre more or less).

13 ICF identified that the 1.0 AFY factor for larger lots was used in the EIR for the prior PBC project
14 (Monterey County, 2005) for residential lots and that MPWMD, in comment on that EIR, concurred
15 that use of the 1.0 AFY factor was appropriate (MPWMD 2004). The prior EIR used 1.0 AFY based on
16 a prior estimate in the Final EIR for the Pebble Beach Lot Program (Monterey County, 1997).

17 Regarding the 0.50 AFY factor for more relatively moderately size lots, ICF identified during EIR
18 preparation that MPWMD had used a 0.42 AFY factor for estimating future water demand in
19 unincorporated Monterey County in the MPWMD staff report from May 18, 2006, *Water Needs*
20 *Analysis: Future Water Needs* (MPWMD, 2006c). This factor is mentioned on Page 3.12 – 16 in the
21 DEIR (Volume I). As this average is less than the Applicant's proposed 0.50 AFY factor for lots of
22 approximately 0.5-acre, ICF decided to use the 0.50 AFY factor to provide a conservative estimate of
23 water demand for those lots.

24 In response to comments received on the DEIR to verify that the DEIR's water demand estimates for
25 residential units were reasonable for the proposed project, ICF did further investigation of actual
26 water use demand within the Del Monte Forest and among other recent project approvals in
27 unincorporated County. Data reviewed included Cal-Am data from 2006 to 2011 (Cal-Am, 2006 to
28 2011), the Revised Water Demand Analysis for the September Ranch Project (Monterey County,
29 2009), and the Final Revised Water Demand Analysis, 2010 (Monterey County, 2010). ICF also
30 prepared an estimate of a hypothetical new residence included in the proposed project using the
31 MPWMD's fixture unit and landscape water budget methodology (all new residences will be
32 required to use MPWMD's methodology at the time of application for a water connection).

33 The estimate using the fixture unit and landscape water budget methodology was 0.79 AFY (see
34 Table H.2-2D in the revisions to Appendix H). This estimate was derived by assuming a hypothetical
35 residence with 6 bedrooms and 6 bathrooms with additional water uses that might be used in a
36 large residence, as well as a pool. Instead of deriving a separate estimate for relatively moderate lots
37 and larger lots, it was assumed that all new lots would be like this hypothetical residence. The water
38 use assumptions were also sufficiently robust to account for the potential for accessory units (the
39 estimate would also cover, for example a 5 bedroom main house and a 1 bedroom accessory unit).
40 Landscape water demand estimates were made using the Maximum Applied Water Allowance
41 (MAWA) methodology used by MPWMD and assumptions of landscaping coverage, taking into
42 account limitations on turf and use of drought tolerant plants per Monterey County Water Resources
43 Agency Ordinance 3932. This estimate has been added to the revisions to Appendix H (see Tables

1 H.2-2D, H.2-2E, H.2-2F) and the assumptions used for the estimate are included. Please see Chapter
2 4 of this document for the specific changes.

3 The DEIR estimated water demand for the 90 new residential units was 78 AFY or 0.87 AFY/unit on
4 average. Using the 0.79 AFY factor noted above, the residential water demand would be 72 AFY,
5 which is less than the DEIR estimate of 78 AFY.

6 Comparing the DEIR's estimate and the new estimate described above to estimates of actual water
7 use, the estimated residential water use average per unit would be higher than nearly all other
8 recent large unincorporated residential projects such as Monterra Ranch, Canada Woods, or the
9 Santa Lucia Preserve (Monterey County, 2009). Refer to new Table H.2-2F in the revised Appendix H
10 (see Chapter 4 of this document for the specific changes). The DEIR's estimated average per
11 residential unit would be higher than the documented 2008 water used on average by the
12 Macomber Estates in the Del Monte Forest, which had average use of 0.81 AFY. The new estimate
13 described above using the MPWMD methodology would result in an estimated water use average
14 nearly the same as the Macomber Estates actual use average. Of note, the average lot size at
15 Macomber Estates is approximately 3.5 acres, which is far larger than the lots included in the
16 proposed project. The Macomber Estates project, which is one of the most recent subdivisions in the
17 Del Monte Forest coastal zone, consists of 20 lots on a 78.54-acre parcel and 19 of the 20 lots have
18 been developed between 1987 and 2007.

19 As a result, the DEIR's estimate, by comparison to the new estimate using the MPWMD methodology
20 (which the commenter recommended to use) and to actual usage data from other similar large
21 residential projects in the unincorporated County (including in the Del Monte Forest) appears to be
22 conservative and unlikely to underestimate actual water usage by the proposed project. Although
23 the new estimate developed in this FEIR would result in a lower estimated water demand than in
24 the DEIR, the estimated water demand in the DEIR will continue to be used as the estimate for the
25 project, in order to err on the conservative side in evaluating project impacts on water supply. Thus,
26 the analysis in the DEIR is not deficient in regard to using reasonable assumptions for residential
27 water demand, contrary to the assertion of this comment.

28 This information presented in the FEIR regarding water demand amplifies the analysis in the DEIR
29 and does not change the significance conclusions of the DEIR.

30 **Comment 16-14**

31 The commenter asserts that the project proposed to transfer part of the PBWE for affordable
32 housing outside the DMF and that studies show that water transfers seem to lead to a higher water
33 use at the destination site than originally estimated.

34 As described above, the proposed project does not include any proposal to transfer part of the
35 PBWE outside the DMF. The referenced studies to transferring water resulting in higher water use
36 were not for the use of PBWE.

37 No revisions to the draft EIR are necessary.

38 **Comment 16-15**

39 The commenter states that there are no conditions to limit actual direct demand to that estimated in
40 the DEIR and that mitigation should be required to limit use to that estimated in the EIR.

1 As described in the response to Comment 16-13, the estimate used in the DEIR is considered a
2 conservative estimate of the potential water use average of new residential lots included in the
3 proposed project. The estimate is higher than the actual water use of other similar large lot
4 residential development in the unincorporated County, including in the Del Monte Forest. As such, it
5 is not considered likely that total water demand of new residences associated with the project will
6 exceed the estimate in the EIR. It should also be noted that new residences will be required to follow
7 the MPWMD fixture unit and landscape water budget estimate requirements when applying for new
8 water connections. The water permits from MPWMD do not allow new connections to install new
9 fixtures or change the assumptions in their water permit allocation without obtaining permission
10 from MPWMD first. MPWMD Rule 23.5 limits all holders of the PBWE to limit their water use to
11 below their entitlement amount and requires compliance with all MPWMD water conservation
12 requirements. MPWMD has the authority to enforce restrictions as determined necessary. Further,
13 MCWRA Ordinance 3932 limits the maximum of new landscaped turf per residence to 1,500 square
14 feet and requires the use of drought-tolerant plants for other landscaped areas.

15 Thus, there is no evidence that additional mitigation is necessary to ensure that water use of the
16 residential component of the proposed project is within the estimates included in the EIR.

17 No revisions to the draft EIR are necessary.

18 **Comment 16-16**

19 The commenter states that the County's water use estimates in EIRs are inaccurate and asks what
20 research was done to prepare Appendix H and what documents were reviewed to determine water
21 use in the DMF in recent times.

22 The comment regarding other EIRs is not relevant to the consideration of the adequacy of this EIR.

23 Regarding the rationale for the estimates in the DEIR, refer to the response to Comment 16-13
24 concerning residential water demand. The methodology for the estimate of water demand for other
25 components is described in Appendix H of the DEIR (Volume II) and utilized commonly referenced
26 factors. In particular, ICF utilized MPWMD published water use factors for most non-residential
27 elements. Sources for all factors are identified in Appendix H (Volume II).

28 As noted in response to Comment 16-13, further explanation and analysis was added to the EIR to
29 substantiate the water demand analysis and the factors used.

30 **Comment 16-17**

31 The commenter suggests additional mitigation to require public access to all actual water use
32 records by each property that uses any of the PBWE to allow or accountability.

33 As described in the response to Comment 16-15, the EIR estimate of water demand is appropriately
34 conservative, there are controls of water use pursuant to the PBWE, and there is no evidence that
35 additional mitigation is necessary to ensure that water use of the residential component of the
36 proposed project is within the estimates included in the EIR. Further, water use records for
37 individual properties are not provided to the County nor are within the County's control.

38 No revisions to the draft EIR are necessary.

1 Comment 16-18

2 The commenter states that the DEIR should include the water demand for inclusionary housing and
3 the DEIR should be recirculated with this new information.

4 As noted in prior response, construction of inclusionary housing based on in-lieu fees is not part of
5 the proposed project and thus there is no need to analyze water demand for inclusionary housing as
6 part of the project analysis.

7 Analysis of on-site inclusionary housing as an alternative is included in the DEIR and amplified in
8 this FEIR (see response to Comment 16-35).

9 Comment 16-19

10 The commenter states that there are two errors in Table H.2-1C-3 ("REF").

11 The error was a file reference problem in the source MS Excel sheet and has been corrected in the
12 revised Table H.2-1C-3 (refer to Chapter 4 of this document). The correct value for 2011 Existing
13 Conditions for a Critically Dry year is 11,773 AF. The resultant change over 2011 existing conditions
14 for a Critically Dry Year is -8346 AF.

15 The same problem occurred in Table H.2-1C-2 and has been corrected in the revised table. The
16 correct value for 2011 Existing Conditions for a Critically Dry year is 11,773 AF. The resultant
17 change over 2011 existing conditions for a Critically Dry Year is -8397 AF.

18 These totals were correctly reported in the DEIR in Table 3.12-13 and Table 3.12-14 in Section 3-12,
19 Water Supply (Volume I). Thus the errors in the supporting tables in Appendix H (Volume II) did not
20 affect the analysis of water supply as the correct data was included in Section 3-12.

21 Comment 16-20

22 The commenter states that the DEIR does not reveal the size of each lot or the size of development of
23 each lot and this is relevant to water demand and should be provided in a recirculated EIR.

24 The project application plan set, on file at the Monterey County Planning Department, shows the
25 proposed lot sizes. In the water demand estimate in the DEIR, different factors were used for lots
26 approximately 0.5 acre (more or less) in size and for lots approximately 1.0 acre (more or less). A
27 new summary table (Table H.2-2E) has been added to Appendix H that summarizes the lot sizes for
28 each proposed residential areas (refer to Chapter 4 of this document). As noted above in response to
29 Comment 16-13, even using assumptions for large residential development for all lots (regardless of
30 size), the residential water demand would not result in an estimate larger than that used in the EIR.

31 No revisions to the draft EIR are necessary.

32 Comment 16-21

33 The commenter states that the water demand analysis is "hidden" in Appendix H and that Table H.2-
34 2B has a font size that is too small to read.

35 Appendix H is not hidden. Its location in Volume II is described in the DEIR Table of Contents clearly
36 and referenced throughout Table H.2-2B.

1 While the font size in Table H.2-2B is indeed small, the table was formatted to fit on one page, which
2 compressed the apparent print size. However, when printed on a 8.5 X 11 sheet, the table is still
3 readable, despite the small font size.

4 In order to make the table more readable, it has been split into two pages, in the Final EIR to
5 increase the print size. Please see Chapter 4 of this document.

6 **Comment 16-22**

7 The commenter states that the water analysis is based on an “unreliable” source called WWD, 2011
8 and that the WWD assumptions of 1.0 and 0.8 for future lots are unsupported.

9 The “WWD, 2011” reference is the Applicant’s estimated water demand submitted to Monterey
10 County. As described in several prior responses, this estimate was independently reviewed by ICF
11 and certain factors were adjusted as determined necessary, in many cases changing factors from the
12 WWD factor to factors used by MPWMD as noted in Table H.2-2B.

13 As described above in response to Comment 16-13, the residential demand estimate overall is
14 considered conservative in comparison to estimate calculated using MPWMD’s fixture/landscape
15 budget methodology and to actual usage of similar large lot developments in unincorporated
16 County.

17 Regarding the 0.8 AFY factor, this was not actually used by WWD in WWD 2011 and was not used by
18 ICF in estimating residential demand in the EIR. The notes in Table H.2-2B in the DEIR indicated that
19 ICF had used the DMF average factor for residential lots approximately 0.5 acre in size, but this note
20 was in error as the factor actually used (and shown in the table) was 0.50 AFY). The note has been
21 corrected in revisions to this table in Appendix H (refer to Chapter 4 of this document). Of note, the
22 0.8 AFY factor is approximately the same as the actual usage measured for the Macomber Estates
23 development in 2008, as described in the response to Comment 16-13.

24 **Comment 16-23**

25 The commenter states that Table H.2-2B is different from the WWD 2011 table due to ambiguous
26 symbols (“+/-”) in the WWD 2011 table compared to Table H.2-2B that uses different symbols (“>=”) and that the symbols should be explained.

28 The symbols in Table H.2-2B were inadvertently in error. The reference to “Lots >=1.0 acres” and
29 “Lots >= 0.5 acres” should have been to Lots +/- 1.0 acre and Lots +/- 0.50 acre. This has been
30 corrected in the revisions to the table in the revisions to Appendix H. Please see Chapter 4 of this
31 document for the specific changes.

32 **Comment 16-24**

33 The commenter states that there is no limit to the amount of water that any proposed lot could use,
34 and that this would result in unanalyzed and unmitigated significant impacts.

35 As described in the response to Comment 16-15, the EIR estimate of water demand is appropriately
36 conservative, there are controls of water use pursuant to the PBWE, and there is no evidence that
37 additional mitigation is necessary to ensure that water use of the residential component of the
38 proposed project is within the estimates included in the EIR.

1 Comment 16-25

2 The commenter states that, with regard to Table H.2-2C (Other Entitlement Demand), the average
3 water demand factor for other entitlement demand is not reasonable because new single family
4 dwelling (SFD) development has higher average use than existing average use.

5 The 0.8 AFY factor used in Table H.2-2C for future SFD development on vacant lots and in Areas X
6 and Y was not actually a current average water demand for the Pebble Beach portion of the DMF or
7 the DMF as a whole. The “DMF Average” referenced in Table H.2-2C was derived from the 2005 EIR
8 for the DMF/PDP project (Monterey County 2005), which in turn derived the factor based on Del
9 Monte Forest average residential uses for non-rationing use years prior to 2001. Thus, the 0.8 AFY
10 factor is actually an average from the 1990s.

11 By way of comparison, based on review of Cal-Am data (Cal-Am 2006 – 2011), recent average water
12 use of residential customers in the Cal-Am Pebble Beach service area (which excludes MPCC areas in
13 the DMF) was 0.56 AFY. The average in the same data set for the MPCC area from 2006 to 2011 was
14 0.21 AFY. Combined, the average for the DMF (including both Pebble Beach and MPCC) from 2006 to
15 2011 was 0.30 AFY. Use of a current average would substantially lower the estimate of other
16 entitlement demand compared to that in the DEIR.

17 Based on data from 2008 (Monterey County, 2009), the Macomber Estates actual average water use
18 was 0.81 AFY/residence. This development includes very large lots that would in all likelihood
19 exceed average vacant lot size and potential lots in Areas X and Y. The 0.8 AFY factor used for other
20 entitlement demand thus represents nearly the equivalent of actual usage for a very large lot recent
21 development in the Del Monte Forest and is larger than the average use of many other large-lot
22 developments in unincorporated Monterey County (Monterey County, 2009). Refer to Table H.2-2G
23 in the revisions to Appendix H (in Chapter 4 of this document). As noted in the response to
24 Comment 16-3 above, use of the MPWMD’s methodology for a 6-bedroom, 6-bath residence, with
25 conservative assumptions would result in a 0.79 AFY water demand estimate per unit.

26 Because the 0.8 factor is higher than the measured average use of nearly all recent unincorporated
27 County large-lot developments, is higher than the new estimate for a large residence, and is nearly
28 the same as a development that likely represents greater residential use (on average) than the
29 average other entitlement water use, the factor is considered a reasonably conservative factor and
30 appropriate for estimating other entitlement residential development.

31 Comment 16-26

32 The commenter states that, with regard to Table H.2-2C (Other Entitlement Demand), the SFD
33 development water demand does not include accessory unit water demand.

34 As noted above in the response to Comment 16-25, the 0.8 AFY factor is considered a conservative
35 estimate of potential other entitlement demand. As explained above and in response to Comment
36 16-13, this factor is nearly the same as a new estimate derived using the MPWMD method (0.79
37 AFY) and the new estimate could easily represent a main house and an accessory unit. Also refer to
38 response to Comment 16-13.

39 No revisions to the draft EIR are necessary.

1 Comment 16-27

2 The commenter states that, with regard to Table H.2-2C (Other Entitlement Demand), the table
3 should articulate which data came from which of the three sources noted at the bottom.

4 Table H.2-2C has been revised to indicate the source for different data. Please see Chapter 4 of this
5 document for the specific changes.

6 Comment 16-28

7 The commenter states that, with regard to Table H.2-2C (Other Entitlement Demand), the source
8 cited as “DMF residential development calculations – ICF” cannot be found in the DEIR, and that the
9 source should be disclosed and included in a recirculated DEIR.

10 The reference to ICF as Source 1 for Table H.2-2C for DMF residential development calculations was
11 not to any water use factor. It was to the numbers of existing vacant lots and potential development
12 in Areas X and Y. The reference to “ICF” was actually meant to be to Table 3-2 in Chapter 3 of the
13 DEIR, which shows these same numbers. This has been corrected in the revised table in the
14 revisions to Appendix H. Please see Chapter 4 of this document.

15 Comment 16-29

16 The commenter states that, with regard to Table H.2-2C (Other Entitlement Demand), the source
17 “DMF Average from 1997 EIR for PBC Lot Program” cannot be relied upon because the EIR was not
18 certified, and the data was not reliable when it was included in the EIR.

19 As noted above in the response to Comment 16-25, the 0.8 AFY factor is considered a reasonable
20 factor for estimating other entitlement demand. Also as noted in that response, the factor was
21 actually related to average use in the 1990s. Regardless, based on the data cited in the response to
22 Comment 16-25, the factor is a reasonable estimate as it is larger than actual usage at most recent
23 large-lot development, is nearly the same as the actual usage in a recent large lot development in the
24 Del Monte Forest, and is nearly the same as an estimate for a large residence using the MPWMD
25 methodology.

26 Since the factor has been demonstrated to be reasonable by comparison to current data, the status
27 of the 1997 EIR does not require alteration of the environmental analysis of this project.

28 No revisions to the draft EIR are necessary pursuant to this comment, but clarifications and
29 amplifications have been added to the analysis of water demand per responses to other related
30 comments (refer to Chapter 4 of this document).

31 Comment 16-30

32 The commenter states that the notes in Table H.2-2C are cut off in the discussion of remaining
33 entitlement and the public is unable to comment on it.

34 Text in one cell in the table was cut off during printing. The full note with the missing text underline
35 is as follows: “As of September 2011, PBC had sold 117 AF, leaving 58 AF more that could be sold. Of
36 the 175 AF, only 30 AF is being used as of 2011 leaving 145 AF that could be used in future.” The
37 table has been reprinted and the missing words are now apparent. Please see Chapter 4 of this
38 document for the specific changes.

1 The full text concerning the water entitlement was included in Table 3.12-11 on Page 3.12-38 of the
2 DEIR in Volume I (Table 3.12-11 is the same table as Table H.2-2C in Volume II). Thus the public was
3 able to review and comment on this information as it was included in the DEIR.

4 **Comment 16-31**

5 The commenter states that Table H.2-2C shows 117 AF have been sold to DMF benefited properties
6 and is inconsistent with statements elsewhere in the DEIR (Page 3.12-8) that 130 AF has been sold.

7 Page 3.12-7 and Page 3.12-18 (in Volume I) both said that approximately 130 AF of the PBWE had
8 been sold to others. The actual number is 117 AF as noted in Table 3.12-11 and according to
9 MPWMD records. These two references to 130 AF have been changed to 117 AF and any associated
10 corrections have been made.

11 The number used in the quantitative analysis was 117 AF, and thus the quantitative impact analysis
12 in the DEIR is correct and unchanged.

13 **Comment 16-32**

14 The commenter states that there are challenges to developing affordable housing outside of the
15 forest and that if it cannot be constructed that this inconsistency with the adopted ordinance should
16 be discussed in the EIR.

17 As noted before, the proposed project does not include a proposal to construction affordable
18 housing outside the DMF, but rather to pay an in-lieu fee, which is an allowable method of
19 compliance with the inclusionary housing ordinance. Thus, there is no inconsistency with the
20 ordinance and, therefore, no need to disclose it in the EIR.

21 **Comment 16-33**

22 The commenter states that no inclusionary housing has been developed under the County ordinance
23 in the DMF, Carmel Area LUP, or the Big Sur Area LUP.

24 The comment provided information only and does not concern the EIR or its adequacy. No revisions
25 to the draft EIR are necessary.

26 **Comment 16-34**

27 The commenter states that the proposal to use an in-lieu fee instead of on-site inclusionary housing
28 is inconsistent with the LCP, County ordinance, County policies and good planning, and that these
29 issues have not been adequately analyzed in the DEIR.

30 The comment states the opinion of the author about the use of in-lieu fees and is noted. The County
31 has used in-lieu fees for prior projects and this is an allowable method of compliance with the
32 ordinance. As such, the EIR does not need to identify an inconsistency with the ordinance and does
33 not need to analyze environmental effects of inconsistency.

34 No revisions to the draft EIR are necessary. See also response to Comment 16-35 regarding an on-
35 site inclusionary housing alternative.

1 Comment 16-35

2 The commenter requests analysis of an alternative with on-site inclusionary housing within the
3 DMF.

4 Chapter 5, Project Alternatives, in Volume I evaluated three alternatives (Alternatives 1A – 1C and
5 2A – 2C) that included 18 and 16 inclusionary housing units at the Corporation Yard (18 units for
6 Alternatives 1A – 1C and between 16 and 13 units for Alternatives 2A – 2C). These alternatives
7 included many other changes to the market-rate housing separate from the inclusionary housing
8 component. The potential environmental impacts of 18 inclusionary units included in Alternatives
9 1A – 1C have been amplified, clarified, and presented separately in the discussion of Alternative 1 in
10 Chapter 5. An 18 inclusionary unit site plan for the Corporation Yard has also been added. Because
11 Alternatives 2A – 2C included a lesser number of inclusionary units (13 to 16) than Alternatives 1A –
12 2C, the alternatives analysis for the 18 inclusionary units in Alternatives 1A – 1C is considered
13 sufficient to evaluate the lesser number of units in Alternatives 2A – 2C. For that reason, the balance
14 of this response only discusses the 18 units included in Alternatives 1A – 1C.

15 Please see Chapter 4 of this document for the specific changes to Chapter 5 to amplify and clarify
16 analysis of the on-site inclusionary housing alternative.

17 The purpose in showing the impacts more clearly is to provide sufficient analysis of this alternative,
18 in case the Board of Supervisors were to decide to require on-site provision of inclusionary housing.
19 The amplifications and clarifications do not change the significance of impacts identified for the
20 alternatives containing the inclusionary housing in the DEIR.

21 The water demand of the inclusionary housing units was estimated as part of the amplification and
22 clarification of the alternative analysis. The water demand was estimated using the MPWMD fixture
23 unit methodology. The preliminary plan shows 18 units in three buildings. MPWMD methodology
24 specifies that a separate landscape budget need not be estimated for residential units on lots less
25 than 10,000 AF, so landscaping is estimated as 50% of the fixture unit demand. The water demand is
26 estimated at 0.30 AFY/unit and the assumptions used to make this estimate are shown in new Table
27 H.2-2D in the revisions to Appendix H (refer to Chapter 4 of this document). The total estimate for
28 the 18 units, including landscaping, is 5.34 AFY. As noted in prior responses, the Applicant has
29 ample remaining water entitlement to provide this amount of water and the Corporation Yard is a
30 benefited property within the DMF where the water entitlement can be approved.

31 Should the Board of Supervisors require the inclusionary housing to be built at the Corporation
32 Yard, the additional 5.34 AFY of average year water demand (5.76 AFY for a critically dry year)
33 would increase the project's overall demand (for a critically dry year) from 145 AF to 151 AFY. This
34 would not change the fundamental conclusions regarding water supply in the DEIR for the proposed
35 project. There would be a slight increase in the level of impacts related to water supply, but the
36 change would not be a substantially more severe impact than disclosed in the DEIR, which already
37 disclosed certain significant unavoidable impacts associated with water supply.

38 Because inclusionary housing at the Corporation Yard would use water derived from the PBWE, the
39 DEIR's cumulative analysis of water supply has already disclosed the overall impacts of the
40 proposed project combined with 18 units of inclusionary housing combined with use of the rest of
41 the PBWE. This is so, because the cumulative analysis included the use of the remaining part of the
42 PBWE allowed for use by others. Whether that remaining amount were used by other residential

1 users in the DMF or by inclusionary housing residents makes no difference to the overall analysis of
2 effects, as the amount of the remaining PBWE limits the amount of water that could be used.

3 **Comment 16-36**

4 The commenter requests analysis of an alternative with half of the required inclusionary housing in
5 the DMF.

6 As noted in the prior response, the DEIR already included six alternatives that contained on-site
7 inclusionary housing in the DMF. The DEIR also included other alternatives that used the in-lieu fee
8 like the proposed project as well as the No Project Alternative. This is a reasonable range of
9 alternatives for the EIR. An Alternative with half of the required units would be an intermediary step
10 between the proposed project and Alternatives 1A- 1C and 2A-2C and would obviously have half of
11 the impacts of all of the required units. As this is an obvious conclusion, adding such an alternative
12 would not provide meaningful additional information for the DEIR.

13 No revisions to the draft EIR are necessary.

14 **Comment 16-37**

15 The commenter asserts that the DEIR's discussion of the PBWE is not accurate in terms of how much
16 of the PBWE is used vs. unused and how much is available for this project.

17 As noted above in response to Comment 16-31, there were two references in the text of Section 3.12,
18 Water Supply, (Volume I) indicating the amount of the PBWE that had been sold as approximately
19 130 AF, whereas the actual number as of fall 2011 was 117 AF. This has been corrected in the Final
20 EIR. Please refer to Chapter 4 of this document for specific changes. Also, as noted above, the
21 number actually used for quantitative analysis in the DEIR was 117 AF, so the impact analysis is
22 correct and does not need to change.

23 The cited paragraph on Page 3.12-7 was intended to describe how much of the PBWE is actually
24 being used as opposed to how much is presently not being used. As the commenter notes, there is a
25 difference between the amount of entitlement that one possesses versus the amount of water
26 actually used pursuant to that entitlement. The statement in the DEIR that there is a remaining
27 unused water entitlement of 325 AFY is factually correct. As described in MPWMD, 2011 Monthly
28 Entitlement Report for September 2011, the final column is titled "Remaining Entitlement/Water
29 Use Permits Available" and the total reported is 325 AFY.

30 The DEIR is not misleading and did not imply that the Applicant has 325 AFY of the PBWE that it
31 could use. It reported correctly that 325 AFY of the PBWE is not presently being used.

32 The actual amount of the PBWE available to the Applicant is 237 AF as reported in the MPWMD
33 2011 Monthly Entitlement Report for September 2011. This has been clarified in edits to pages 3.12-
34 7, 3.12-18, and 3.12-31 and to Table 3.12-11 in Volume I and to Table H.2-2C in Volume II. Please
35 refer to Chapter 4 of this document for the specific changes. As this amount far exceeds the project's
36 water demand estimate (145 AF for a Critically Dry Year), the conclusion in the EIR that there is
37 sufficient remaining entitlement for the project remains correct.

1 Comment 16-38

2 The commenter requests clarification on potential water use for open space lands included in the
3 project and questions whether the open space can be developed with park or landscaping and if so
4 that the water demand should be included in the analysis and that there should be a prohibition of
5 potable water use on any property called open space. There are two kinds of open space proposed
6 for the project: preservation/conservation areas of 635 acres and other open space areas of about 4
7 acres.

8 In addition to areas that are to be dedicated habitat areas in their entirety, the proposed
9 preservation/conservation areas include all open space in residential areas I-2, J, K, L, and U. None of
10 these open space areas can be developed for park use or landscaping. Per the project description
11 and per Mitigation Measure BIO-A1 and the Master RMP in Appendix C, the proposed
12 preservation/conservation areas are dedicated with conservation easements and to be managed for
13 the benefit of biological resources contained therein. Thus neither park nor landscaping use nor for
14 regular irrigation would be allowed in the 635 acres of preservation/conservation areas. As part of
15 preservation area resource management, there may be a periodic need for spot irrigation to support
16 replanting as needed. The DEIR does not require overall replanting as mitigation for project tree
17 removal, so there will not be large scale tree plantings in the preservation areas, except the 1.6 acres
18 of restoration of Gowen cypress in the HHNHA per Mitigation Measure BIO-D2. But periodic spot
19 irrigation of trees will only be a temporary and limited water use focused only on tree
20 establishment; once trees are established there would be no perennial or ongoing need for watering.
21 Given the relative inaccessibility of such areas, the Applicant would use water trucks containing
22 recycled water from the Reclamation Project in the event any short-term, spot watering is required,
23 so there would be no impact on potable water use. There are two other open space areas that are
24 excluded from preservation/conservation areas: 1) two parcels totaling 2.91 acres adjacent to the
25 14 residential lots in Area V and 2) 1.45 acres adjacent to the 10 residential lots in the Corporation
26 Yard. Recycled water is currently available at Area V, and any irrigation required for the 2.91 acres
27 would use recycled water only. At the Corp Yard, only about 1 acre of the 1.45 acres could be
28 irrigated to allow for passive recreational uses (the balance would be naturalized and require no
29 irrigation). If the Applicant elects to irrigate the passive recreational area, a small amount of
30 additional water could be required for that purpose (perhaps 1 to 3 AF, depending on vegetation
31 type and amount of turf). As discussed in response to Comment 16-13 and as shown in Table H.2-2D
32 (See Chapter 4 of this document), the overall estimates used for the residential elements of the
33 proposed project are more conservative than an estimate derived using MPWMD's fixture unit and
34 landscape methodology by about 7 AF and thus should this area be irrigated and require 1 to 3
35 additional AF of water, it is likely that the actual project demand will not exceed the overall amounts
36 estimated in the EIR.

37 The Applicant has more than sufficient remaining amount of its PBWE for this purpose, and thus no
38 impact on potable water supplies would occur beyond that already analyzed in this EIR.

39 Finally, as noted in prior responses, the DEIR's estimate of water use is likely conservative and may
40 overestimate actual use (in particular for residential use), as such, any minor watering use for open
41 space areas is already accommodated in the EIR's overall estimated water demand.

1 Comment 16-39

2 The commenter states there is no proof of actual water demand of 1.0 AF for the Collins Residence
3 and that the information may change the analysis.

4 As discussed above in prior responses, the use of a 1.0 AF is a reasonable conservative estimate of
5 water use of large lot development in the Pebble Beach portion of the Del Monte Forest. Based on
6 fixture unit count, the Collins residence and the Beirne residence are both estimated as 1.1 AFY
7 (Stilwell pers. comm.). The DEIR's water demand assumed the use at each existing residence was 1.0
8 AFY, and the project's water demand was reduced by 2.0 AFY as both residences would be removed
9 with the project. The use of 1.0 AFY (instead of 1.1 AFY) results in a slightly higher project water
10 demand (as it takes less credit than indicated by the fixture unit count) for the proposed project, and
11 thus the water demand errs on the conservative side. The water demand estimate has not been
12 revised in regard to this data, to keep the estimate on the conservative side.

13 No revisions to the draft EIR are necessary.

14 Comment 16-40

15 The commenter states that reliance on the Regional Water Project is not reasonable in light of the
16 December 2011 court ruling regarding the EIR for the Regional Water Project and that this
17 information was not considered in the DEIR.

18 The DEIR was released in November 2011. The court ruling concerning the Regional Water Project
19 EIR was issued in December 2011 with an additional ruling in February 2012. As such, the court
20 ruling could not be considered at the time the DEIR was completed. In addition, Cal-Am withdrew its
21 support for the Regional Water Project in January 2012 as well. There are efforts at present to
22 identify and move forward with an alternative to the Regional Water Project.

23 At this point, given the court order regarding Marina Coast Water District's (MCWD) reliance on the
24 CPUC's EIR and the withdrawal of Cal-Am support, the fate of the Regional Water Project is
25 unknown. However, given the requirements of the CDO and the very real possibility of widespread
26 water rationing on the Monterey Peninsula and related economic impacts, it is reasonably
27 foreseeable that an alternative to the Regional Water Project will be advanced to replace the water
28 from the Carmel River that is beyond Cal-Am's legal limits and the water reductions due to the
29 Seaside Aquifer adjudication. Whether the alternative to the Regional Water Project will serve
30 existing demand or existing demand and future demand is unknown at this time.

31 Information concerning the fate of the Regional Water Project and current activities surrounding
32 development of an alternative to the Regional Water Project have been added to the FEIR. Please
33 refer to Chapter 4 of this document for specific changes to Section 3.12, Water Supply.

34 The DEIR acknowledged the uncertainty of the Regional Water Project. Due to the pending litigation
35 (at the time of DEIR preparation) on the Regional Water Project EIR, the DEIR for this project
36 (starting on Page 3.12-27 of Volume I) described multiple scenarios concerning regional water
37 supply beyond 2016 including: 2017 Scenario A (Regional Water Project On-time), 2017 Scenario B
38 (No Regional Water Project or Alternative), and 2017 Scenario C (Alternative to the Regional Water
39 Project). Scenario A (Regional Water Project On-Time) looks more unlikely in light of events since
40 release of the DEIR, but the proposed project EIR has retained this scenario in the event the Regional
41 Water Project is somehow revived. Scenario C (Alternative to the Regional Water Project) looks
42 more likely at this point than Scenario A (Regional Water Project On-Time), although there are

1 substantial challenges in terms of designing the alternative project, reaching agreement among the
2 project sponsors, environmental review, permitting, and construction such that even if an
3 alternative is advanced, it may not be prior to 2017. Scenario B (No Regional Water Project or
4 Alternative by 2017) is a real possibility. As noted in DEIR (on page 3.12-28), Scenario B may prevail
5 for some number of years until a regional water supply project is actually completed.

6 Because the DEIR already evaluated scenarios in which a regional water supply project is not built
7 by 2017 and/or an alternative to the Regional Water Project is developed, the DEIR has properly
8 disclosed potential water supply impacts in light of the available information.

9 **Comment 16-41**

10 The commenter states that the DEIR's discussion of landscaping and irrigation is deficient because
11 the water demand for required revegetation and planting is not included. The commenter states that
12 exterior landscaping water demand should be included in a recirculated DEIR.

13 As discussed in response to Comment 16-38, the water demands for resource management in the
14 proposed preservation areas, or to restore 1.6 acres of Gowen cypress at HHNHA, would be limited
15 and temporary and would not increase the estimated annual water demand beyond that estimated
16 in the DEIR.

17 Regarding landscaping, landscaping for residential lots is accounted in the factors used in the DEIR
18 to estimate water demand and the estimate using the MPWMD methodology confirms that the
19 factors used in the DEIR are sufficiently conservative to account for residential landscaping. As
20 noted on Page 3.2-25 of Volume I, the DEIR water demand estimate includes irrigation demand for
21 the visitor-serving portions of the project as well. This is shown in Table H.2-2B (refer to Chapter 4
22 of this document) which includes landscaping for the parking lot at The Inn at Spanish Bay,
23 landscaping at the Spyglass Hotel, and for Highway 1/68. The Applicant confirmed that apart from
24 these locations, landscape irrigation for visitor-serving improvements at the Lodge, the Inn, or the
25 equestrian center are not expected to be different than exists today (Stilwell pers. comm.).

26 As described in the DEIR (page 3.12-38 of Volume I), the project would actually reduce recycled
27 water use because the Driving Range would be relocated to the Collins Field (which is currently
28 irrigated with recycled water) and the existing Driving Range would be converted to residential use
29 (which would not use recycled water).
30

1 **Response to Comment Letter 17 (Hale)**

2 **Comment 17-1**

3 The commenter states that the proposal is an improvement over previous plans but still has
4 concerns about impacts to habitat for endangered plant species, including Yadon's piperia in Area K
5 and Hickman's potentilla in Area L, and provides ideas for improving the project in his comments.

6 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
7 EIR are necessary.

8 Responses to the substantive issues raised by the commenter are provided in responses below.

9 **Comment 17-2**

10 The commenter states that he is most concerned about endangered species habitat in Areas K, L and
11 J and provides specific concerns and opinions on each of the alternatives, summarized as follows.
12 Alternatives 1A and 2A are not preferred. Alternatives 1B and 2B are closer but not all of Area K and
13 L need to be preserved. Alternatives 1C and 2C put more housing into Area L and unnecessarily try
14 to protect every occurrence of piperia. Additionally, the commenter states that he sees no need to
15 require inclusionary housing at the Corporation Yard.

16 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
17 EIR are necessary.

18 Responses to the substantive issues raised by the commenter are provided in responses below.

19 **Comment 17-3**

20 The commenter describes his preferred alternative involving removal and reconfiguration of certain
21 lots at Areas J, K and L and relocation of lots to Area F-2 and the Corporation Yard. The commenter
22 also states that no inclusionary housing is needed in Pebble Beach.

23 The DEIR included alternatives that used a similar approach in reducing impact on biological
24 resources at Areas J, K, and L by either clustering (Alternative 1) or reducing the number of lots
25 (Alternative 2) at these areas and relocating lots to areas of lesser sensitivity (F-2 and I-2). There are
26 a myriad of ways in which alternatives could be designed to reduce biological impacts, including the
27 alternative suggested in this comment. However, the DEIR analyzed a reasonable range of
28 alternatives, and the alternatives analyzed capture a range of impacts into which this suggested
29 alternative would fit.

30 The commenter's opinion about inclusionary housing is noted. No revisions to the draft EIR are
31 necessary.

32 **Comment 17-4**

33 The comment states that the light and view impacts from the proposed employee parking lot in Area
34 B could have significant light and glare impacts on the preservation area in Area B if not designed
35 properly, and the commenter requests mitigation similar to that required for the Corporation Yard
36 development (e.g., lights be shielded, directed away from and not directly shining into Area B).

1 Regarding impacts to biological resources in Area B, Mitigation Measure BIO-A1 (in Section 3.3 of
2 Volume I) has been modified to require any lighting included for the Area B parking lot to be
3 shielded, directed away from, and not directly shining into Area B. Please see Chapter 4 of this
4 document for the specific changes. Refer to response to Comment 17-5 for concerns regarding light
5 and glare impacts on Area B.

6 **Comment 17-5**

7 The commenter suggests that visibility of the lot could be reduced by constructing the parking lot at
8 a lower elevation than the preservation area or constructing a small barrier.

9 The visual impacts from the new employee parking are addressed in Section 3.1 of Volume I.

10 Regarding light and glare, Impact AES-C1 discloses potential impacts from parking lot lighting and
11 identifies Mitigation Measure AES-C1 (incorporate light and glare reduction measures in design
12 plans and specifications) as required mitigation. The impacts from increased light and glare are
13 reduced sufficiently with Mitigation Measure AES-C1 and additional mitigation is not required.

14 Regarding views, it is standard visual assessment protocol that the criteria for determining
15 significant impacts on views, be for views from scenic corridors and public vantage points.
16 Therefore, the analysis focuses on views of the new employee parking lot from 17-Mile Drive, not
17 from the preservation area; and the new parking lot would not be very apparent from the
18 surrounding area because the remaining vegetation provides a visual screen (refer to Impact AES-
19 A1 in Section 3.1). As described in Section 3.1 (Impact AES-A1) of Volume I, the new employee
20 parking lot would have a less than significant impact on views and does not require mitigation.

21 Depressing the parking lot below grade would create additional impacts related to ground
22 disturbance. It should also be noted that Alternative 4 (Chapter 5 of Volume I) evaluated relocating
23 the employee parking to an underground facility at The Inn at Spanish Bay.

24 No revisions to the draft EIR are necessary.

25 **Comment 17-6**

26 The comment states that construction disturbance could spread non-native invasive plants into the
27 preservation area, and mitigation should be required to control invasive plants at the edge of
28 preservation areas.

29 One of the required mitigation measures is Mitigation Measure BIO-A1: Develop and implement a
30 site-specific resource management plan (SSRMP), based on the Master RMP, for each preservation
31 area. The Master RMP requires non-native invasive species control. Refer to Appendix C of Volume II
32 (specifically, Section 3.1).

33 No revisions to the draft EIR are necessary.

34 **Comment 17-7**

35 The commenter states that Mitigation Measure BIO-A1 does not recognize that there are existing
36 open space areas managed by DMFF and recommends that adjacent preservation areas along Seal
37 Rock Creek and in and adjacent to Area B be included in these management plans.

1 The commenter is partially correct that Mitigation Measure BIO-A1 (and the Master RMP) do not
2 mention all of the adjacent DMFF open space areas and do not call for integrated resource
3 management of all contiguous preservation areas. The DEIR does describe the adjacent HHNHA and
4 Indian Village and requires coordinated resource management of these areas with management of
5 adjacent preservation areas included in the project.

6 While integrated management of all preservation areas is a laudable goal, it is beyond the need for
7 mitigation of the impacts of this particular project. CEQA limits the imposition of mitigation to that
8 in proportion to the impacts of the subject project. As such, the EIR only recommended coordinated
9 resource management of proposed preservation areas with adjacent areas where there were
10 distinct project impacts to the adjacent preserved area. Thus, the EIR cannot require integrated
11 management of all adjacent preservation areas.

12 However, there is nothing to preclude integrated management areas as a cooperative voluntary
13 effort by the Applicant, DMFF, and other interested parties, but such management (unless specified
14 in the EIR mitigation or the Master RMP) is not mandated as a mitigation measure of this project.

15 No revisions to the draft EIR are necessary.

16 **Comment 17-8**

17 The commenter states that native grasslands are not included in Mitigation BIO-A1 and should be
18 included including protection and enhancement of open meadows such as Spruance meadow and
19 Indian Village meadow as well as native grass understory of Monterey pine forest.

20 The commenter is correct that Mitigation BIO-A1 does not specifically call out native grasslands.
21 Within the proposed project area, there are no open grassland meadows per se within development
22 areas themselves that would be directly affected. Spruance Meadow (and other meadows) are
23 located in proposed preservation Area PQR but will not be affected by the project. The meadow in
24 Indian Village is discussed in the EIR in relation to indirect effects from development in Area L. In
25 most other preservation areas, grasslands usually occur as an understory to Monterey pine forest.

26 The DEIR did not identify an impact to Spruance Meadow or other meadows in Area PQR from the
27 project and thus has not proposed any specific mitigation to required enhancement of this or any
28 other meadow in Area PQR. The DEIR does identify indirect impacts to Indian Village in regard to
29 Pacific Grove clover and Hickman's potentilla, and requires management of the meadow to preserve
30 the populations of these two species.

31 The DEIR does require management and control of non-native plant species throughout all
32 preservation areas (see the Master RMP in Appendix C). As such, preservation areas will need to be
33 managed for control of non-native grasses.

34 Since the DEIR did not identify any direct impacts to native grasslands per se and did identify
35 mitigation for specific indirect effects to the meadow at Indian Village, there is insufficient nexus to
36 require enhancement of native grasslands overall as a mitigation measure. However, overall
37 resource management requirements in the Master RMP will help native grasslands by controlling
38 non-native plant species. Should the Applicant (or other parties in cooperation with the Applicant)
39 decide voluntarily to enhance native grassland areas (such as the meadows in Area PQR), there is
40 nothing in the identified mitigation or the Master RMP that would prevent doing do.

41 No revisions to the draft EIR are necessary.

1 Comment 17-9

2 The commenter states that loss of critical habitat for Yadon's piperia is not addressed in the DEIR,
3 that impacts in Area K to Yadon's piperia cannot be mitigated and recommends analysis of an
4 alternative including deletion of certain lots in Area J and K to preserve more areas of Yadon's
5 piperia habitat.

6 The DEIR identifies that the project would preserve critical habitat for Yadon's piperia in Areas B, G,
7 H, I-1, L, and PQR (see Page 3.3-41, Lines 14 – 17, of Volume I). Critical habitat was designated by
8 USFWS for Yadon's piperia in 2007 (CFR 72, No. 205, October 24, 1007, p. 60410 - 60450). Within
9 the project area, critical habitat is found in parts or all of Area B, G, H, I-1, J, K, L O, and PQR. The
10 project would affect critical habitat in Areas J and K.

11 Critical habitat was not utilized in the DEIR analysis of impacts to Yadon's piperia due to the
12 circumstances surrounding the listing of critical habitat by USFWS. The areas of critical habitat
13 designated by the USFWS within the Del Monte Forest were made in part due to a conservation
14 agreement signed by the Service and Pebble Beach Company that excluded certain areas relative to
15 the prior DMF/PDP project, while committing the Company to extensive other preservation
16 (including offsite areas in Aguajito and Old Capitol site). As an example, USFWS only listed a small
17 portion of Area O along Bristol Curve despite the presence of the large and dense population in the
18 rest of Area MNOUV that collectively constitutes one of two largest known populations of Yadon's
19 piperia (the other is in Area PQR). The listing of critical habitat is often a balancing act in terms of
20 the feasibility of providing for protection of listed species habitat while also considering potential
21 economic effects as well as the voluntary actions of private landowners who own substantial areas
22 of listed species habitat. Just because an area is not designated critical habitat does not mean it is not
23 habitat for the species or that it may not be important to the survival of the subject species.

24 For this EIR, given the limited distribution of habitat for this species, it was thought more important,
25 to consider all areas of occupied habitat for Yadon's piperia not in terms of whether they were or
26 were not designated critical habitat, but rather in terms of the character of the population and
27 habitat on the actual areas themselves and the character of project impacts.¹ Given the
28 circumstances under which critical habitat was designated, this is considered a more appropriate
29 method of analyzing impacts to habitat for this species.

30 The DEIR does find that the project would have a significant effect on Yadon's piperia habitat due to
31 removals at Areas J and K, which the commenter is concerned about. The DEIR analysis does identify
32 that the impact to the Yadon's piperia population in Area K is the most substantial project impact on
33 this species. However, the DEIR concludes that this impact, while severe, can be mitigated to a less
34 than significant level due to the substantially larger areas of preservation of Yadon's piperia
35 throughout the DMF and management of the preservation areas for the benefit of this species, in
36 contrast to the commenter's assertion that this impact cannot be mitigated.

37 Regarding the commenter's request to analyze removal of certain lots in Area K, the DEIR has
38 already analyzed alternatives that achieve the same outcome as the commenter proposes including
39 Alternatives 1A, 1B, 1C, 2A, 2B, and 2C all of which would eliminate lots 2-4 and 8 in Area K (refer to

¹ For example, if one were to consider impacts to Yadon's piperia from only a critical habitat point of view, then the prior DMF/PDP would not have had a significant impact in its removal of large amounts of the population at Area MNOUV because this area was mostly excluded from critical habitat designation (except for a small area along Bristol Curve).

1 Chapter 5 in Volume I). Regarding Area J, Alternatives 1A and 2A would eliminate all lots in Area J
2 while Alternatives 1C and 2C would eliminate Lot 1 as suggest by the commenter. There are a
3 myriad of options of how impact to Yadon's piperia could be reduced, but the EIR has analyzed a
4 reasonable range (6 alternatives) that capture the commenter's suggested alternative in concept,
5 such that analysis of an additional alternative is not necessary.

6 No revisions to the draft EIR are necessary.

7 **Comment 17-10**

8 The commenter asserts that the mitigation for Area L Lots 6 – 10 concerning Hickman's potentilla
9 leaves too much open to chance and the impact is not mitigable. The commenter recommends
10 removal of lots 6 – 10 or at least Lots 9 – 10 to address this impact.

11 The commenter's support for alternatives that would remove certain lots at Area L is noted. The
12 DEIR included several alternatives (Alternatives 1B and 2B) that would eliminate lots in Area L as
13 the commenter suggests.

14 Concerning impacts to Hickman's potentilla in Indian Village, the DEIR (starting on Page 3.3-66 of
15 Volume I) identifies potential impacts of development of Area L due to changes in hydrology, non-
16 native plant species, and recreational access as a significant impact. Mitigation Measure BIO-D6
17 requires drainage design to avoid hydrologic effects, management of recreational access, and
18 management of non-native species, and other measures. The commenter does not provide any
19 evidence why drainage control is infeasible to control hydrologic effects, why recreational access
20 management cannot be implemented, or why the Indian Village site cannot be managed for invasive
21 species so as to avoid significant effects of the project. The DEIR correctly concludes that mitigation
22 is feasible and that implementation of the mitigation would reduce impacts to a less than significant
23 level.

24 No revisions to the draft EIR are necessary.

25 **Comment 17-11**

26 The commenter states that the EIR fails to identify that Area L is part of a larger pine forest areas
27 and asks why Area L is not considered ESHA and not suitable for development. The commenter asks
28 how ESHA areas were selected that are allowed to be developed and what allowed Area L to be
29 developable. The commenter asks to limit Area L lots to Lots 1 – 6.

30 The resource maps in Appendix F of Volume II clearly show that Area L is adjacent to a larger area of
31 Monterey pine forest and this context is considered in the impact evaluation in the DEIR. As
32 explained in Table 3.3-4 in Volume I, all of Area L is considered ESHA and the DEIR discloses that the
33 project would result in removal of Monterey pine forest in this area. Area L was selected for
34 development because it is directly adjacent to the Spyglass Hill Golf Course.

35 The project overall is a balance of development in certain areas and preservation of larger areas
36 overall. Since one of the project objectives is to provide a certain number of large lots for residential
37 development while preserving hundreds of acres of Monterey pine forest, it is inevitable that some
38 areas containing pine forest would be proposed for development. The Applicant selected Area L as
39 one of the areas they are proposing to develop.

1 The commenter's request to eliminate Lots 7 – 10 at Area L is noted. As noted in prior responses, the
2 DEIR includes several alternatives that would eliminate all lots in Area L and thus the commenter's
3 suggested alternative is already captured within the range of alternatives.

4 No revisions to the draft EIR are necessary.

5 **Comment 17-12**

6 The commenter describes that some social trails are suitable for hikers only and the HHNHA SSRMP
7 should inventory social trails and consider dedicating some of them that do not impact habitat for
8 rare or sensitive species.

9 The commenter's suggestion about potentially formally designating some social trails in the HHNHA
10 as hiking trails while closing social trails that harm biological resources is noted. However, the
11 purpose of Mitigation Measure BIO-B3 is to protect the resources overall in HHNHA from impacts
12 associated with increased recreational use resultant from the project's increase in residents and
13 visitors, in particular with the increase in residents at the Corporation Yard. As a result, the intent of
14 the mitigation is to constrain trail use to only the existing designated trails in the HHNHA. The trail
15 network in the HHNHA is already sufficiently extensive that it does not need to be expanded through
16 formal designation of some of the social trails and the Mitigation Measure BIO-B3 would be more
17 protective of natural resources than that suggested by the commenter.

18 No revisions to the draft EIR are necessary.

19 **Comment 17-13**

20 The commenter suggest removal of invasive species at the Sawmill Quarry borrow site and the
21 interface zone of the Corporation Yard development and HHNHA.

22 The Master RMP (Appendix C in Volume II) does require control of invasive species in the HHNHA
23 which will address the commenter's concern about the interface zone of the Corporation Yard
24 development. Regarding the invasive species at the Sawmill site, restoration of this site is subject to
25 conditions of the original permit for The Inn at Spanish Bay and thus control of invasive species is an
26 obligation for the Applicant in implementation of the permit conditions of that prior permit, as
27 opposed to an obligation related to this new project.

28 No revisions to the draft EIR are necessary.

29 **Comment 17-14**

30 The commenter suggests inclusion of native grassland habitats as resources to be protected in the
31 SSRMPs and include monitoring of non-native plant invasion.

32 Refer to the response to Comment 17-8.

33 **Comment 17-15**

34 The commenter suggests addition of monitoring of development impacts for non-ornamental and
35 non-native invasive species and monitoring of non-native invasive plants along roadside bordering
36 preservation areas.

1 The Master RMP (Appendix C in Volume II) requires monitoring of non-native invasive plants for all
2 preservation areas, which would encompass monitoring of roadsides bordering preservation areas.
3 This has been clarified to make it specific that resource management includes the adjacent
4 roadsides.

5 Regarding monitoring of development sites themselves, the Master RMP focuses on management of
6 the preservation areas, not the development sites. However in response to the comment, specific
7 requirements prohibiting the use of invasive non-native plant species in landscaping in all areas
8 adjacent to existing or proposed preservation areas has been added to Mitigation Measure BIO-A1.
9 Please see Chapter 4 of this document for the specific changes.

10 **Comment 17-16**

11 The commenter suggests adding monitoring for invasive grasses as well as other invasive species.

12 The Master RMP (Appendix C of Volume II) requires monitoring of non-native invasive plants, which
13 include invasive grasses. No revisions to the draft EIR are necessary.

14 **Comment 17-17**

15 The commenter recommends weed control treatment on a quarterly basis and the need for diligent
16 monitoring, control, and adequate staff and resources.

17 The commenter's recommendation is noted. The specific timing of weed control for preservation
18 areas will be determined during development of the SSRMPs and will need to be adapted over time
19 to the conditions on the ground. Weed control may need to be more or less frequently than every
20 quarter depending on the nature of infestations.

21 The Master RMP (Appendix C of Volume II) requires the Applicant to guarantee adequate funding
22 for all monitoring and implementation including staff and resources. No revisions to the draft EIR
23 are necessary.

24 **Comment 17-18**

25 The commenter recommends including an education component in the SSRMPs.

26 The Master RMP and the SSRMPs are focused on the resource management of proposed
27 preservation areas. However, in response to the comment, specific requirements for educational
28 outreach have been added to Mitigation Measures BIO-A1. Please refer to Chapter 4 of this
29 document for the specific changes.

30 **Comment 17-19**

31 The commenter recommends inclusion of CNPS on the Resource Management Team.

32 The commenter's request is noted.

33 Regarding the Resource Management Team (RMT), as described on page 2-7 of the Master RMP
34 (Appendix C in Volume II), the RMT will include the California Department of Fish and Game (DFG),
35 California Coastal Commission (CCC), the U.S. Fish and Wildlife Service (USFWS), the Fire Protection
36 arm of the Pebble Beach Community Services District (PBCSD/CDF), the Pebble Beach Open Space
37 Advisory Committee (OSAC), the Monterey County Planning Department (County), Del Monte Forest

1 Foundation (DMFF), and other agencies, organizations, and scientific experts as deemed necessary
2 by Monterey County. All of these agencies are independent of the Applicant and DFG, CCC, and
3 USFWS all have independent native plant experts. The County can also add other independent
4 experts or interested parties as deemed necessary by the County.

5 No revisions to the draft EIR are necessary.

6 **Comment 17-20**

7 The commenter recommends addition of a goal for control of non-native invasive plants.

8 Goals and actions for control of non-native invasive plants are included in Chapter 3 of the Master
9 RMP for Monterey pine forest, Monterey pygmy forest, wetlands and riparian areas. Goals and
10 actions for control of non-native invasive plants are included in Chapter 5 of the Master RMP for
11 coastal dune areas. Refer to Appendix C in Volume II.

12 No revisions to the draft EIR are necessary.

13 **Comment 17-21**

14 The commenter asks if there will be public review of RMP and annual work reports and opportunity
15 for input on priority areas and methods.

16 As presently envisioned, as described in Chapter 2 of the Master RMP and in Figure 1 (in Appendix C
17 of Volume II), the annual review cycle includes the County and the members of the RMT, but does
18 not include formal public review. Individuals or organizations can always submit their suggestions
19 for priority areas and methods to the County, the Applicant or members of the RMT for
20 consideration.

21 The County notes the request for public review. No revisions to the draft EIR are necessary.

22 **Comment 17-22**

23 The commenter asks for the source of 95% preservation criteria used in the cumulative impact
24 analysis and asks why there isn't a requirement to offset Monterey pine/ESHA lost with equal
25 acreage preservation of Monterey pine forest elsewhere.

26 As explained in the DEIR on Page 3.3-38 of Volume I:

27 For cumulative effects on Monterey pine forest on a regional basis, a "substantial adverse effect" is
28 defined in this document as "*the loss, conversion, and/or fragmentation of Monterey pine forest such*
29 *that the future conservation of Monterey pine forest, in absence of an adopted regional conservation*
30 *plan, would be uncertain";* uncertainty is defined as the loss of more than 5% of existing undeveloped
31 Monterey pine forest on a regional basis. While public agencies, private organizations, and
32 individuals have conducted numerous studies on the conservation of Monterey pine and Monterey
33 pine forest, no regional forest conservation plan has been adopted. In light of the prior reduction of
34 forest areas, current threats posed by development, alteration of natural forest succession (through
35 fire suppression), the effect of pathogens (such as pine pitch canker), and the introduction of exotic
36 species, a conservative approach to further losses of Monterey pine forest is warranted until a
37 regional forest conservation plan can be adopted and implemented. While at present there is no
38 definitive scientific method or consensus by which to establish a fixed amount and location of
39 preservation needed to secure the overall conservation of Monterey pine forest, in this document an
40 interim loss of no more than 5% (meaning preservation of 95% of the extant resource) is identified
41 as providing a reasonable certainty that options for future conservation will not have been foregone.

1 The DEIR recognizes that there is no scientific consensus or method by which to establish a
2 definitive amount of overall preservation as some may be of the opinion that no Monterey pine
3 forest should be removed and others may assert that more than 5% could be removed while still
4 preserving the resource overall. The DEIR presumes that the overall losses of Monterey pine forest
5 need to be relatively small (in this case 5% or less).

6 The suggestion that the project be required to offset the Monterey pine forest/ESHA lost by equal
7 acreage preservation elsewhere is already included in the proposed project. The commenter is
8 apparently overlooking that the proposed project includes 598 acres of preservation.

9 As described on Page 3.3-38 of Volume I, the project would result in removal of 41 acres of forest,
10 with indirect effects to an additional 44 acres, but would preserve 598 acres of forest throughout the
11 DMF. The DEIR also requires an additional 7 acres of preservation to bring the total to 605 acres in
12 order to meet the 95% preservation criteria noted above.

13 No revisions to the draft EIR are necessary.

14 **Comment 17-23**

15 The commenter describes the Applicant's MOU to protect Yadon's piperia habitat at the Old Capitol
16 and Aguajito sites and asks why the cumulative mitigation is only 7 acres and not the full amount of
17 direct and indirect effect.

18 As noted above, the project includes dedication of 598 acres of preservation, and the cumulative
19 mitigation of an additional 7 acres brings the total to 605 acres of forest preservation overall. The
20 Applicant's preservation of 99 acres of Yadon's piperia habitat at the Old Capitol Site and the
21 Aguajito site is a separate matter between the Applicant and the USFWS, but it will also preserve
22 Monterey pine forest habitat.

23 No revisions to the draft EIR are necessary.

24 **Comment 17-24**

25 The commenter states that the description of Area O fails to mention the presence of rattlesnake
26 grass and genista bushes and its impact on Yadon's piperia there.

27 The information about non-native species at Area O is noted. The purpose of Appendix F (Volume II)
28 is to provide a general overview of the biological resources at each of the development and
29 preservation areas included in the project. It is not intended to describe the extent of non-native
30 invasive species that may be present on each site, nor is it intended as an inventory of the potential
31 resource management issues at each specific preservation area. This type of information is useful for
32 future development of the SSRMPs, which are designed to address the key resource management
33 threats and issues in order to provide for the long-term health of the biological resources found in
34 each preservation area. Since the project does not propose any development in Area O, this
35 additional information does not change the EIR's conclusions. As noted in prior responses, the
36 Master RMP (Appendix C of Volume II) will require management of invasive non-native plant in all
37 preservation areas.

38 No revisions to the draft EIR are necessary.

1 Comment 17-25

2 The commenter asks if the proposed project alters the condition for restoration of the Sawmill Gulch
3 borrow site as a condition of Spanish Bay development and whether restoration will be part of the
4 SSRMP for the HHNHA.

5 No, the proposed project would not alter the condition for restoration of the Sawmill Gulch borrow
6 site. Restoration of the Sawmill Site is related to the Spanish Bay development permits, not the
7 current proposed project. As such restoration of this site is not required to be included in the SSRMP
8 required as mitigation for this project. However, should the Applicant agree, the restoration of the
9 Sawmill site could be included in the SSRMP for the sake of consistency, but this EIR does not
10 mandate restoration on that site as mitigation for this project.

11 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

12 Comment 17-26

13 The commenter states that for all mitigation, in general the DEIR has well thought out conditions
14 imposed to ensure protection of the resources, and asks if there is adequate funding to provide for
15 the personnel and resources needed to successfully comply with the mitigation.

16 The Applicant (Pebble Beach Company) will be required to fund the mitigation as described in the
17 Master RMP. The comment does not concern the adequacy of the EIR. No revisions to the draft EIR
18 are necessary.

19 Comment 17-27

20 The commenter states that Pebble Beach Company has submitted a much improved development
21 plan compared to the previous plan. Although there are lots in Areas J, K and L that should not be
22 developed, the plan has maintained sizable areas of forest and the integrity of the trail system.

23 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
24 EIR are necessary.

25

1 Response to Comment Letter 18 (Scifres)

2 Comment 18-1

3 The comment is an introduction stating that the law firm Horan, Lloyd et al. is representing Mr. and
4 Mrs. Scifres who own and reside at 3310 17-Mile Drive, which is adjacent to the Fairway One
5 component of the project, and that the letter comments on the draft EIR.

6 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
7 EIR are necessary.

8 Comment 18-2

9 The comment states that the draft EIR does not present a clear and comprehensive analysis of noise
10 impacts from the Fairway One project component according to the US EPA thresholds (55 dB L_{dn} for
11 outside and 45 dB L_{dn} for inside) for protection of general health and welfare, and according to
12 thresholds established in the Table 6 of the 1982 General Plan Noise Element (50-55 dB as the
13 normally acceptable outdoor noise range).

14 The US EPA thresholds referenced originally came from the March 1974 document "*Information on*
15 *Levels of Environmental Noise Requisite to Protect Public Health and Welfare With an Adequate*
16 *Margin of Safety*" (EPA Levels Document, page 4), which states "these levels are not to be construed
17 as standards as they do not take into account cost or feasibility".

18 The County's land use compatibility guidelines in Table 6 of the 1982 General Plan Noise Element²
19 are based on the *Guidelines for the Preparation and Content of the Noise Element of the General Plan*,
20 published by the California Office of Planning and Research in November 1990. Table 6 indicates an
21 outdoor exposure of 55 dB L_{dn} /CNEL or below is normally acceptable for low-density residential
22 uses and that an outdoor exposure of 60 dB L_{dn} /CNEL or below is normally acceptable for multi-
23 family residential uses. However, the text of the 1982 General Plan Noise Element refers to 60 dB
24 L_{dn} /CNEL or below as being acceptable for residential uses. In addition to the County's land use
25 compatibility guidelines, the Monterey County Planning Department has established 60 dB
26 L_{dn} /CNEL as the acceptable noise level for residential uses.

27 The analysis in the draft EIR (Section 3.9 of Volume I) evaluated noise impacts using the acceptable
28 exterior threshold of 60 dB L_{dn} , established in the General Plan and by the Monterey County
29 Planning Department. More specifically, the project would result in a significant noise impact if
30 project operation would result in >5-dB increase in noise where existing outdoor noise levels are
31 less than 60 dB L_{dn} , >3-dB increase in noise where existing outdoor noise levels are between 60 and
32 65 dB L_{dn} , or a >1.5-dB increase in noise where existing outdoor noise levels are more than 65 dB
33 L_{dn} . The project would contribute to a significant impact only if it meets one of the significance
34 criteria identified above and contributes 1 dB or more increase to the impact. In addition, please see
35 response to Comment 11-12 regarding the selection of thresholds to evaluate project significance.

36 The text has been revised on Pages 3.9-4 and Page 3.9-10 of Volume I to clarify that the noise
37 standard of 60 dB L_{dn} is based on the threshold established in the General Plan and by the Monterey

² As indicated in the draft EIR, the General Plan Noise Element is not legally enforceable, in the sense that a violation of the Noise Element's standards is not subject to prosecution, while a violation of the Monterey County Code, which is legally enforceable, is subject to prosecution.

1 County Planning Department. Please see Chapter 4 of this document for the specific changes. Also
2 refer to responses to Comments 18-3 through 18-8.

3 **Comment 18-3**

4 The comment states that the traffic noise levels for 17-Mile Drive south of Stevenson Drive are
5 above the US EPA recommended levels under the existing, baseline, and with-project conditions.
6 Because the baseline measurements are above the US EPA levels, any measurable level above the
7 baseline must be considered significant.

8 Refer to response to Comment 18-2 regarding the noise threshold and the significant impact criteria
9 for evaluating operation noise impacts. For the noise analysis in the draft EIR (Section 3.9 of Volume
10 I), the traffic noise levels for 17-Mile Drive south of Stevenson Drive were modeled at 50 feet from
11 the center line. The traffic noise was estimated to be 58 dB L_{dn} under the existing and 2015 no-
12 project conditions, 59 dB L_{dn} under the 2015 with-project condition, and 61 dB L_{dn} under the 2030
13 with-project condition. The project would result in a noise increase of less than 5 dB, with the
14 existing noise levels less than 60 dB L_{dn} . Therefore, the traffic noise impact of 17-Mile Drive south of
15 Stevenson Drive would be less than significant.

16 No revisions to the draft EIR are necessary.

17 **Comment 18-4**

18 The comment states that General Plan policies 22.2.4 and 22.2.5 should apply as mitigation
19 measures for the Fairway One project. The comment states that both the baseline and the with-
20 project noise levels are within the Noise Range II, Conditionally Acceptable, category in General Plan
21 Table 6; and new development which falls within this range must prepare a detailed analysis of the
22 noise reduction requirements and include noise insulation features in the project design.

23 Policy 22.2.4 indicates the county should specify working hours as part of use permits for industries.
24 The project does not propose any industrial noise sources.

25 Policy 22.2.5 indicates the county should require lower ambient noise levels at night, in accordance
26 with Table 6 of the 1982 General Plan. However, Table 6 makes no direct reference to nighttime
27 noise levels, but instead defines community noise exposure in terms of the L_{dn} or CNEL noise
28 metrics. The Day-Night Average Level (L_{dn}) and Community Noise Equivalent Level (CNEL) are both
29 measures of the time-weighted average noise exposure for a 24-hour period, including a 10 dB
30 penalty added to noise levels occurring at night between 10:00 p.m. and 7:00 a.m. Therefore, Table 6
31 takes into account increased sensitivity to noise at night by using the L_{dn} /CNEL metric.

32 Regarding the comment that projects with noise levels within Noise Range II are required to analyze
33 noise reduction requirements and include noise insulation features in project design, this
34 requirement in Table 6 applies to new development, not existing development; and the project
35 includes no new residences in The Lodge area. Refer to response to Comment 18-2 regarding the
36 noise threshold and the significant impact criteria for evaluating operation noise impacts to existing
37 residents. As noted therein, the traffic noise impact to the 3310 17-Mile Drive and adjacent
38 residences is found to be less than significant.

39 Mitigation Measure NOI-A1 (Section 3.9 of Volume I) would reduce the potential noise impact from
40 parking lot fans at nearby noise-sensitive residential uses from the operation of the project to a less-
41 than-significant level.

1 Mitigation Measure NOI-B1 (Section 3.9 of Volume I) would limit construction activities to the hours
2 between 8 a.m. and 6 p.m. on weekdays and between 9 a.m. and 5 p.m. on Saturdays.

3 No revisions to the draft EIR are necessary.

4 **Comment 18-5**

5 The comment states the draft EIR failed to adequately analyze interior noise and vibration impacts
6 on nearby residences as a result of the Fairway One project element according to the US EPA
7 threshold of 45 dB for interior noise levels. Events at the Fairway One meeting facility must also be
8 considered in the analysis.

9 Refer to response to Comment 18-2 regarding the exterior noise threshold and the significant
10 impact criteria for evaluating operation noise impacts. In addition, the project would not cause
11 interior noise exposure to exceed 45 dB L_{dn} because, with conventional residential construction,
12 interior noise levels from sources exterior to the building would be reduced by approximately 25 dB
13 when windows and doors are closed. Thus, noise insulation features are generally not required
14 unless the exterior noise level exceeds 70 dB $L_{dn}/CNEL$ ($70-45=25$). Such relatively high noise
15 exposures are not expected as a result of the project at any location, as traffic noise levels in the
16 vicinity of project area are expected to range from 50 to 68 dB L_{dn} under existing conditions, 53 to
17 68 dB L_{dn} under 2015 conditions, and 53 to 70 dB L_{dn} under 2030 conditions. Traffic noise levels in
18 the vicinity of the Fairway One Complex would be 58 to 61 dB L_{dn} as noted in response to Comment
19 18-3 above.

20 The noise analysis in the draft EIR (Section 3.9 of Volume I) did consider events at the Fairway One
21 meeting facility. Because events would be infrequent, the on-road traffic noise and the on-site
22 parking lot noise that could be generated by use of the meeting facility would be less than significant
23 on nearby residences. The closest residence is situated at 3310 17-Mile Drive to the east, and the
24 residential structure is approximately 70 feet east of the property line with a mature vegetation
25 buffer in between (refer to the exhibits at the end of these responses).

26 Regarding vibration impacts, Impact NOI-C1 (Section 3.9 of Volume I) adequately addresses
27 construction-related vibration impacts. In addition, no operational vibration impacts are anticipated
28 to occur, as no vibration-generating activities are associated with project operations.

29 No revisions to the draft EIR are necessary.

30 **Comment 18-6**

31 The comment states that the draft EIR concludes the noise from the Fairway One parking lot “is
32 anticipated to be less than the noise produced by passing vehicles” without discussion or evidence.
33 Parking lot noise impacts to nearby residences should be evaluated according to the US EPA
34 thresholds of 55 dB for outside and 45 dB for inside, and the standard should be expressed as dB(A).

35 Refer to response to Comment 18-2 regarding the noise threshold and the significant impact criteria
36 for evaluating operation noise impacts. The noise analysis in the draft EIR (Section 3.9 of Volume I)
37 evaluated parking lot noise qualitatively in comparison to the on-road traffic noise levels that were
38 modeled. Noise from vehicles entering and exiting parking lots would be audible at homes adjacent
39 to the lots. However, noise from vehicle parking lot use is anticipated to be less than the noise
40 produced by passing vehicles traveling at higher speeds on the surrounding roadways, and generally
41 would not be audible over traffic noise from the nearby surrounding roadways. This is because

1 roadways have substantially higher volumes of vehicles that are travelling at substantially higher
2 speeds, generating higher noise levels (engine and tire noise), when compared to parking lots where
3 vehicles are travelling slow, idling or parked. Roadway volumes and vehicle speeds (in addition to
4 vehicle mix) are the main factors affecting traffic noise levels from vehicles. The traffic noise was
5 determined to result in a less than significant impact on adjacent residences; therefore, it is
6 concluded that the parking lot noise would be less than significant, based on the same noise
7 threshold and criteria for determining a significant impact. Also refer to the response to Comment
8 18-2.

9 With regard to A-weighting of decibels, virtually all community noise standards utilize A-weighting
10 because it provides a close correlation with the frequency response of the human ear. The draft EIR
11 (Section 3.9 of Volume I) states that all noise levels reported in the draft EIR noise analysis are in
12 terms of A-weighted decibels. It is common to leave the "A" off when referring to the L_{dn} or CNEL.

13 No revisions to the draft EIR are necessary.

14 **Comment 18-7**

15 The comment states that the closest monitoring site used to measure ambient noise levels is about
16 2,000 feet from the Fairway One project. Due to the distance of the monitoring site to the project, the
17 draft EIR should discuss the accuracy of noise modeling.

18 Ambient noise monitoring was not used to determine potential project-related noise impacts in
19 Section 3.9 of Volume I. Ambient noise monitoring is intended to characterize the typical existing
20 noise environment in the project area where noise-sensitive uses are located. As described in
21 Section 3.9 of Volume I, project-related traffic noise impacts are calculated using the Federal
22 Highway Administration (FHWA) Traffic Noise Model. The FHWA model is used because it allows for
23 a consistent way to compare noise levels with and without project-related traffic. Traffic noise
24 modeling assumptions were obtained from the project traffic engineers. Calculations of noise
25 exposure from sources other than traffic are based upon accepted acoustical engineering practices
26 and are described in Section 3.9 of Volume I where applicable.

27 No revisions to the draft EIR are necessary.

28 **Comment 18-8**

29 The commenter recommends performing direct and cumulative analysis of the interior and exterior
30 noise and vibration impacts of the Fairway One project on nearby residences, particularly 3310 17-
31 Mile Drive property. The commenter states that such analyses must include short- term and long
32 term and day and night time noise exposures.

33 Refer to response to Comment 18-5 for interior noise impact. The noise analysis in the draft EIR
34 (Section 3.9 of Volume I) identified noise-sensitive uses that would be potentially impacted by the
35 project construction and operation. Where potential noise impacts are anticipated at the identified
36 noise-sensitive uses, mitigation measures were proposed in the draft EIR. The Fairway One project
37 is located adjacent to the 3310 17-Mile Drive property. As such, it was evaluated for impacts from
38 increased traffic noise on 17-Mile Drive. As analyzed in Section 3.9 of Volume I and in response to
39 Comment 18-3, the traffic noise impact of 17-Mile Drive south of Stevenson Drive on nearby noise-
40 sensitive uses would be less than significant.

41 No revisions to the draft EIR are necessary.

1 Comment 18-9

2 The commenter recommends fully describing the uncertainty factors and margin of error of noise
3 modeling in the body of the draft EIR.

4 The text has been revised on page 3.9-9 of Volume I to discuss limitations associated with traffic
5 noise modeling. Please see Chapter 4 of this document for the specific changes.

6 Comment 18-10

7 The commenter recommends changing the standard of significance to health-based standards of 55
8 dBA for outside and 45 dBA for inside; establish that any measurable levels above these health-
9 based thresholds is significant; and apply appropriate mitigation measures.

10 As indicated in Section 3.9 of Volume I, the evaluation of noise impacts is done using the acceptable
11 exterior threshold of 60 dB L_{dn} , established in the General Plan and by the Monterey County
12 Planning Department. As the County's General Plan serves as the jurisdiction's "blueprint" for land
13 use and development that provides details for the physical development of the jurisdiction, sets
14 forth policies, and identifies ways to put the policies into action, it provides an overall framework for
15 development in the jurisdiction and protection of its natural and cultural resources. Consequently,
16 the use of the County's General Plan's Noise Element, consistent with Appendix G of the State's CEQA
17 guidelines ("Exposure of persons to or generation of noise levels in excess of standards established
18 in the local general plan or noise ordinance, or applicable standards of other agencies"), is used to
19 evaluate operational noise impacts associated with the proposed project.

20 Refer to response to Comment 18-2 regarding the significance threshold. No revisions to the draft
21 EIR are necessary.

22 Comment 18-11

23 The commenter recommends establishing lesser ambient sound levels at night (10 p.m. to 7 a.m.)
24 than during the day as a mitigation measures, consistent with General Plan Policy 22.2.5.

25 Comment noted. It is not the responsibility of the project to reduce existing conditions. Also refer to
26 response to Comment 18-4. No revisions to the draft EIR are necessary.

27 Comment 18-12

28 The commenter recommends specifying operation hours for the new meeting facility as a mitigation
29 measure, consistent with the General Plan Policy 22.2.4.

30 Comment noted. Specifying operation hours for the meeting facility is not required for mitigation as
31 no significant impact was determined. Also, as stated in response to Comment 18-4, Policy 22.2.4
32 indicates the county should specify working hours as part of use permits for industries. The project
33 does not propose any industrial noise sources. No revisions to the draft EIR are necessary.

34 Comment 18-13

35 The comment states that the Fairway One project includes removal of mature landscaping and
36 construction of two-story buildings, and the comment includes one of the significance criteria used
37 for the aesthetics analysis (that "substantial degradation of existing visual character or quality of the
38 site or surrounding area or incompatibility with the development scale and style of the surrounding

1 area” would result in a significant impact). The comment states that the DEIR did not adequately
2 address the compatibility of Fairway One (and the planning and zoning amendment) with adjacent
3 residential uses, and the DEIR should include before/after simulations from the vantage point of
4 nearby residences.

5 The before and after simulations were not provided from residential properties because it is
6 standard visual assessment protocol to assess visual impacts from public vantage points, as
7 identified in local planning documents, not private residences. As stated on page 3.1-11 (Volume I),
8 the simulation vantage points were selected to provide representative public views from which
9 specific project elements would be most visible, particularly from places along 17-Mile Drive. In
10 response to this comment, the text has been revised on Page 3.1-14 to elaborate on views from
11 residential areas associated with The Lodge at Pebble Beach (The Lodge). Please see Chapter 4 of
12 this document for the specific changes.

13 Impacts to residences as they relate to visual character, building scale and mass, are disclosed in
14 Impact AES-B1; and impacts to residences as they relate to light and glare are disclosed in Impact
15 AES-C1 (in Section 3.1 of Volume I).

16 Impacts related to land use compatibility are addressed in Section 3.8, Land Use and Recreation. As
17 stated on page 3.8-18, the significance criteria for land use compatibility is the introduction of new
18 land uses into an area that could be considered incompatible with the surrounding land uses or with
19 the general character of the area, including disruption to and/or division of the physical
20 arrangement of an established community. As discussed under Impact LU-A1, the proposed
21 development at The Lodge, including Fairway One, would be within an existing developed area and,
22 although the intensity of the land uses at The Lodge would increase with the proposed project, the
23 increase would not be substantial. The proposed land uses are new development or redevelopment
24 of existing visitor-serving uses. The exception is the redevelopment of the vacant Bierne residence,
25 which would be redeveloped into Fairway One visitor-serving guest units. The new Fairway One
26 complex, which would be 40 guest units in six structures, would be surrounded on three sides by
27 other visitor-serving land uses and on the east side by an existing residence.

28 As seen in Exhibit 1, residences near Fairway One (including 3310 17-Mile Drive) are surrounded by
29 mature, dense landscaping that provides privacy and generally blocks views toward the site. Breaks
30 in landscaping are present, but these breaks typically direct views to the portion of the golf course
31 immediately adjacent and south of residential properties. Residences farther away would not have
32 views of the Colton Building and Fairway One because of terrain and existing vegetation. Exhibit 2
33 shows that even from Palermo Way, with a more unobstructed view across the golf course, that
34 Fairway One is not visible.

35 Fairway One is considered compatible with the residence on the east side for several reasons. The
36 adjacent residence is an approximately 10,000-square foot, partial 2-story house on an
37 approximately 3.4-acre lot. According to the aerial photo in the application plan sheets, the
38 residential structure is approximately 70 feet away, and a mature vegetation buffer extends along
39 the residence’s property line (Sheet PBL-3). This can be seen in Exhibits 3-5 where the red line
40 indicates the approximate location of the property line, the red arrow indicates the utility line in
41 between the two properties, and the yellow arrow on Exhibit 3 indicates the flagging that was set up
42 to aid in preparation of the photo simulations (also seen in Exhibits 6-9). As is visible in the exhibits,
43 a thick band of mature landscaping would remain between Fairway One and 3310 17-Mile Drive.
44 The tallest structures at Fairway One would be the three two-story structures on the north side of

1 the lot. According to the application plan sheets, the two-story buildings would be approximately 38
2 feet high (Sheet PB-19), and over 100 new trees would be planted throughout the site (Sheet PB-
3 20.2). Because the adjacent residential structure is situated upslope (see Exhibit 6), the ridge line
4 (highest part of the roof) of the adjacent residence is at an elevation of approximately 141 feet, and
5 the ridgeline of Fairway One would be at an elevation of approximately 132 feet. In addition, as the
6 new trees planted around the Fairway One structures mature, they will further screen views of the
7 structures. Additionally, this is a residential resort area. As one drives east-to-west on 17-Mile Drive
8 toward The Lodge at Pebble Beach, the land uses transition from residential to visitor-serving. Casa
9 Palmero on the south side of the 2nd Fairway introduces the full resort complexes before
10 approaching The Lodge complex (Sheet PB-2). Surrounded by 17-Mile Drive to the north, the 1st
11 Fairway to the south and the Peter Hay Golf Course across the street, the adjacent residence is in the
12 heart of The Lodge resort area.

13 The text has been revised on Page 3.8-19 of Volume I to clarify the compatibility of the proposed
14 facilities at The Lodge with surrounding land uses. Please see Chapter 4 of this document for the
15 specific changes.

16 **Comment 18-14**

17 The commenter states that the conclusion pertaining to visual impacts from proposed development
18 at The Lodge at Pebble Beach is not justifiable because the proposed 40-unit complex with parking,
19 a parking structure, and a 2,100-square foot meeting facility would be considered incompatible with
20 nearby single family residential dwellings. The commenter states that mitigation for landscaping
21 and exterior paint colors and materials should be provided, and that setbacks and heights should be
22 consistent with the LDR zoning.

23 Refer to response to Comment 18-13. In addition, Simulations 3 (Figure 3.1-13) and 4 (Figure 3.1-
24 14) illustrate public views of the facilities in question (Section 3.1, Volume I). As seen in Figure 2-7
25 (Chapter 2, Volume I), the parking garage is designed to replace existing parking and makes use of
26 existing grades for the upper and lower level entries (see "South Elevation"). In addition, the
27 development application (Exhibit 10) shows the proposed landscaping design associated with the
28 parking and circulation improvements, which include maintaining the vegetative screening between
29 the garage and residents to the north. This attachment has been included at this end of these
30 responses. Simulation 3 illustrates that the views would be similar and consistent with existing
31 visual conditions and that the exterior of the Meeting Facility would blend better with surrounding
32 land uses with the implementation of Mitigation Measure AES-A1 (incorporate design features and
33 landscaping requirements in design plans and specifications for all development sites that involve
34 construction of new structures or modification of existing structures). The specifications set forth in
35 Mitigation Measure AES-A1 provide what the commenter is requesting. It is the responsibility of the
36 County in their design review process to review design plans to ensure that they comply with the
37 mitigation measure and that "building façade and roofing materials that are consistent with the
38 visual character of existing buildings located on the site and existing buildings surrounding the site."
39 Paint is a "material", and color selection is a component of keeping with the visual character as set
40 forth in the mitigation measure.

41 The text has been revised on Page 3.1-19 of Volume I to clarify that "building façade and roofing
42 materials" include the selection of paint color. Please see Chapter 4 of this document for the specific
43 changes.

1 Comment 18-15

2 The commenter states that all utility lines should be underground to hide them from public views,
3 consistent with LUP Policy 53, and that the LUP amendment should not be allowed for the Fairway
4 One Project.

5 In the LCP amendment, LUP Policy 53 has not been deleted. It has been amended and renumbered,
6 as shown below, to provide more stringent standards for protecting native trees.

7 *Old LUP Policy 53.* Utility lines shall be placed underground except where it can be shown that the
8 lines can be hidden in existing tree cover, thereby minimizing removal of mature trees.

9 *New LUP Policy 50.* Utility lines shall be placed underground, typically within road access footprints,
10 except where 1) such undergrounding would result in removal of native trees and 2) it can be
11 shown that the lines can be hidden from public view using different siting and design approaches
12 (e.g., placing lines behind existing vegetation or structures, etc.).

13 The comment does not concern the adequacy of the EIR. No revisions to the draft EIR are necessary.

14 Comment 18-16

15 The commenter states that the impact of light pollution has not been evaluated in the EIR.

16 Light pollution is considered in the analysis (refer to the discussion under C. Light and Glare in
17 Section 3.1 of Volume I). The analysis references the need to comply with Title 20 of the County
18 zoning ordinance, which is in place to avoid adverse health and environmental effects associated
19 with light and glare, and identifies Mitigation Measure AES-C1 (incorporate light and glare reduction
20 measures in design plans and specifications).

21 No revisions to the draft EIR are necessary.

22 Comment 18-17

23 The commenter states that Mitigation Measure AES-C1 cannot reduce impacts to less than
24 significant without first reviewing lighting plans and that the mitigation measure should include
25 precise performance standards.

26 The analysis exceeds County zoning requirements by requiring that uses in areas designated Low
27 Density Residential, Resource Conservation, and Open Space Recreation incorporate light and glare
28 reduction measures. (Reduction measures are already required for uses in areas designated Medium
29 Density Residential, Coastal General Commercial, and Institutional Commercial.) Mitigation Measure
30 AES-C1 places more requirements on light and glare reduction measures than supplied in the
31 existing County zoning ordinance. It is the responsibility of the County in their design review
32 process to review lighting plans to ensure that they comply with County zoning requirements and
33 the adopted mitigation measure.

34 No revisions to the draft EIR are necessary.

35 Comment 18-18

36 The commenter states that performance standards should be set forth to screen project buildings
37 from nearby residents, particularly those near 3310 17-Mile Drive.

1 See response to Comment 18-13. The proposed project and the specifications set forth in Mitigation
2 Measure AES-A1 are considered to adequately screen project buildings from surrounding views. No
3 revisions to the draft EIR are necessary.

4 **Comment 18-19**

5 The commenter states that performance standards for exterior paint colors and materials should be
6 set forth for all structures (including roofing materials) to minimize visibility of the buildings from
7 nearby residences.

8 See response to Comment 18-14.

9 **Comment 18-20**

10 The commenter states that all utility lines should be underground to hide them from public views
11 consistent with LUP Policy 53 and that the LUP amendment should not be allowed for the Fairway
12 One Project).

13 See response to Comment 18-15.

14 **Comment 18-21**

15 The commenter states that there should be specific performance standards for lighting plans, such
16 as locations, types, numbers and wattage of exterior lighting fixtures.

17 See response to Comment 18-17.

18 **Comment 18-22**

19 The commenter asserts that CEQA provisions apply to parking impacts because the DEIR discloses
20 the parking baseline, identifies a standard of significance, includes an impact analysis and provides
21 mitigation measures for parking despite a footnote saying that parking is not a CEQA impact. The
22 commenter also states that there are parking policies in the 1982 General Plan and the LUP/LCP and
23 thus that parking is an environmental issue.

24 The DEIR clearly discloses that the County does not consider parking an issue under CEQA and that
25 the information in the parking analysis is for informational purposes only. The 2010 revisions to the
26 CEQA guidelines deleted parking from the Appendix G checklist. Vehicle parking in legal parking
27 areas in and of itself does not constitute an impact under CEQA unless it somehow involves a
28 significant physical change in the environment. This can occur when proposed parking facilities
29 construction results in air quality, water quality, or other issues or if a lack of adequate parking
30 would result in a traffic safety issue, for example. The EIR separately addresses issues of traffic
31 ingress and ingress, physical impacts due to new parking facilities at the Lodge and Inn, and air
32 quality and noise issues associated with increased traffic.

33 The fact that the EIR includes significance criteria and provides an impact analysis does not make
34 parking an impact required to be analyzed under CEQA. The commenter is correct that there are
35 parking policies in the 1982 General Plan and the LCP, but the existence of policies in an applicable
36 land use plan does not make parking an environmental issue under CEQA. The DEIR has exceeded
37 the requirements of CEQA in providing the analysis of parking in the EIR to provide information
38 about project parking issues to the public and decision-makers. The project must still comply with

1 County code requirements for parking regardless of whether or not parking is considered an impact
2 under CEQA.

3 This comment does not provide any evidence as to why parking results in a physical impact on the
4 environment that should be considered significant under CEQA. No changes to the draft EIR are
5 necessary.

6 **Comment 18-23**

7 The commenter states that the DEIR parking analysis is inadequate because of impacts associated
8 with increased on-street parking and traffic, idling vehicles, circulation and safety risks, relative to
9 the Fairway One complex and impacts to nearby residential uses including 3310 17-Mile Drive.

10 As noted above, the County does not consider parking availability *per se* to be an impact requiring
11 assessment under CEQA and thus the analysis of parking is not a matter of adequacy under CEQA.
12 However, the EIR discloses the existing levels of parking, the new parking demand, and the plans for
13 provisions of parking with the project. The DEIR concludes that with on-site provision of parking at
14 the Fairway One Complex and at the nearby expanded parking structure (including use of valet
15 parking when the 28 on-site parking spaces are occupied), there will be adequate parking to meet
16 the expected project demand. The commenter is correct that the 28 spaces at the Fairway One
17 Complex alone would be insufficient to meet the parking demand when the complex is full and that
18 visitors would need to use parking at the nearby parking structure or along the street. Some visitors
19 may park along 17-Mile drive temporarily or overnight instead of at the parking structure, but the
20 parking of personal vehicles in a legal parking space would not result in the impacts asserted in this
21 comment regarding air quality or safety impacts and the commenter provides no evidence as to how
22 parking along 17-Mile Drive would result in significant air quality or safety impacts. Street parking is
23 a common occurrence; where done in areas with relatively low traffic levels and speeds, it does not
24 commonly result in safety issues.

25 There is no proposal to change the street parking in front of the Fairway One Complex or in front of
26 3310 17-Mile Drive compared to existing conditions.

27 Circulation and safety issues in the Lodge areas were analyzed in Section 3.11 in the DEIR
28 (beginning on page 3.11-64 of Volume I) including for the Fairway One Complex. Mitigation is
29 identified to address identified circulation and safety impacts in the general Lodge Area to provide
30 safe vehicle circulation, safe pedestrian access and movement.

31 As to idling vehicles or air quality, the traffic levels and conditions along 17-Mile Drive adjacent to
32 the Fairway One Complex and the 3310 17-Mile Drive residence (and throughout the DMF) are not
33 sufficiently high to result in significant localized air quality impacts at present or in the future with
34 the project and cumulative traffic volumes. As shown in Appendix G of Volume II (Page B-24 –
35 Cumulative Plus Alternative 1 Peak volumes), 17-Mile Drive south of the intersection of 17-Mile
36 Drive, Stevenson Road, and Alvarado Lane would have two-way traffic volumes of 276 during the
37 AM peak hour and 419 during the PM peak hour. Daily volumes are commonly calculated by
38 multiplying PM peak hours by 10, meaning that daily two-way volumes at this location could be up
39 to 4,190 in 2030 with cumulative traffic and the proposed project. This daily level of traffic is far
40 below the level understood to result in localized air quality related health risks.

41 The MBUAPCD recommends analysis of carbon monoxide (CO) levels at high volume congested
42 traffic intersections. The DEIR analyzed CO levels (see Page 3.2-25 of Volume I) for 5 intersections

1 with far higher volumes (such as the SR 68/SR 1 intersection) than 17-Mile Drive near the Fairway
2 One Complex and found that under no conditions would the ambient air standards be exceeded,
3 including under 2030 cumulative conditions. Thus CO is not a local air quality issue relevant to the
4 Fairway One Complex, 3310 17-Mile Drive, or any other nearby residences.

5 The MBUAPCD does not have guidance in its 2008 CEQA guidelines on the assessment of toxic air
6 emissions along roadways. However, the Bay Area Air Quality Management District (BAAQMD) does
7 have guidance in its draft 2010 CEQA guidelines³ concerning such assessment (BAAQMD 2010a).
8 BAAQMD's Recommended Methods for Screening and Modeling Local Risk and Hazards (BAAQMD
9 2010b) identifies that roadway air toxic emissions are less than significant for roads with less than
10 10,000 vehicles per day or less than 1,000 trucks per day and that no further health risk evaluation
11 is needed.⁴ These determinations were made through extensive modeling, source tests, and
12 evaluation of their TAC emissions. The BAAQMD uses the same significance thresholds for cancer
13 (10 in a million) and non-cancer (hazard index of 1.0) health risks as used by MBUAPCD, and as used
14 in the DEIR for this project.

15 Given that cumulative with project traffic volumes in 2030 along 17-Mile Drive in front of 3310 17-
16 Mile Drive are far less than the levels indicated in BAAQMD studies as potentially significant and far
17 less than the volumes studied at other local intersections in the DEIR showing that CO levels are less
18 than significant, there is no evidence that significant air quality health risks would occur due to
19 traffic, parking, or truck access along 17-Mile Drive near 3310 17-Mile Drive or adjacent residences
20 in the Lodge area in proximity to the Fairway One Complex.

21 No changes to the draft EIR are necessary.

22 **Comment 18-24**

23 The commenter asserts that the Fairway One Complex exit is close to the residential driveway at
24 3310 17-Mile Drive and may result in circulation, traffic, noise and air quality hazard emissions not
25 fully evaluated in the DEIR and suggests redesign of the project driveway so it is not circular and
26 that ingress and egress both occur where the present ingress is proposed. The commenter suggests
27 this change would also reduce noise impacts to the Scifres residence. The commenter also suggests
28 only passenger vehicles be allow to use the project driveway on a routine daily basis and that idling
29 should be prohibited between the project driveway and the residences on 17-Mile drive to lessen
30 impacts.

31 Regarding traffic levels, the DEIR does not identify significant traffic levels at any intersection inside
32 the Del Monte Forest with the project or with cumulative traffic and the project. Regarding noise,

³ The guidelines were adopted in June, 2010, but were challenged in court because the BAAQMD adopted them without preparing a CEQA evaluation (the District argued that they were adopting guidelines that should not be considered a "project" under CEQA). Although a recent Alameda Superior Court ruling requires BAAQMD to complete CEQA analysis prior to adoption of the recent CEQA guidelines (meaning they are not formally adopted until that analysis is completed and are again considered "Draft"), the substantive technical data concerning the analysis of toxic air emissions along roadways is unaffected by the court ruling and represents substantial relevant information for the assessment of such health risks.

⁴ Roadways with volumes greater than this amount will not necessarily result in health risks to adjacent residences, depending on the distance to residences, the character of roadway traffic (trucks have more emissions than passenger vehicles), meteorological conditions, and roadway orientation. These volumes are the level below which BAAQMD has identified no concern and requires no further study.

1 please refer to prior responses concerning noise levels. Regarding air quality hazard emissions and
2 idling, please see the prior response to Comment 18-23.

3 There would be approximately 110-foot separation distance from the midpoint of the proposed
4 eastern entrance to the Fairway One Complex to the mid-point of the driveway at 3310 17-Mile
5 Drive, providing for adequate lines of sight. It is important to note that there is an existing driveway
6 at the existing Beirne residence in approximately the same location as the proposed Fairway One
7 Complex eastern driveway. There is also existing street parking in front of the Beirne residence at
8 present with nearly the same separation from 3310 17-Mile Drive as the proposed eastern entrance
9 to the Fairway One Complex. Thus, the conditions as regarding access will not be substantially
10 changed from at present. There will be more traffic with the increase in visitor-serving units, but not
11 to a degree that would result in a circulation or traffic safety impact.

12 As such, the EIR does not identify localized (e.g. along 17-Mile Drive near the 3310 17-Mile Drive
13 residence or nearby residences) significant traffic levels, traffic safety, traffic circulation, noise, or air
14 quality impacts associated with the proposed Fairway One Complex the way it is proposed, and
15 additional mitigation is not required to reduce significant levels to a less than significant level.

16 Should the Applicant voluntarily decide to change its design for the complex, so as to provide greater
17 setbacks from 3310 17-Mile Drive property line or to move its entranceway further westward from
18 its current proposed locations (perhaps all the way to the western Beirne entrance as suggested by
19 the commenter), such changes would not likely result in greater impacts than that which would
20 occur with the proposed project as described in the DEIR. Provided all such modification met with
21 all applicable County requirements and would not increase environmental impacts beyond that
22 disclosed in the DEIR (which would appear to be the case), such a change would be acceptable to the
23 County and would not appear to require subsequent CEQA review. As such a change is not proposed
24 at this time nor mandated by mitigation, actual review of environmental impacts would have to be
25 done at the time of proposal.

26 **Comment 18-25**

27 The commenter asserts that parking impacts during special events will be greater than disclosed in
28 the DEIR because of the addition of the Fairway One Complex. The commenter also states that if the
29 2,100 sf (square foot) meeting facility is not limited to convention center, meeting hall, and exhibit
30 use, then parking demand needs to be recalculated.

31 As discussed on page 3.11-72 of the draft EIR (Volume I), additional visitor-serving units within
32 Pebble Beach are not expected to change the number of attendees at large special events, such as the
33 AT & T Pro-Am or the Concours d'Elegance, given the large number of attendees at such events.
34 Provision of additional visitor-serving units within the DMF could actually reduce traffic slightly by
35 reducing travel from outside the DMF into the DMF for special events. As to parking, attendance at
36 these events is more driven by the event, not by the provision of visitor-serving units in the DMF or
37 the addition of a small amount of meeting space.

38 The proposed use of the meeting facility is for meetings, which meets the definition referenced in
39 the Monterey County Code and thus parking needs were calculated correctly.

40 No revisions to the draft EIR are necessary.

1 Comment 18-26

2 The commenter recommends the following for the Fairway One component of the proposed project
3 to address parking and associated impacts: modify the u-shaped driveway to provide one
4 ingress/egress near the presently proposed ingress between the Bierne and Fairway One parcels.

5 Comment noted. This measure is not required to reduce significant impacts from Fairway One as
6 described in prior responses above. No revisions to the draft EIR are necessary.

7 Comment 18-27

8 The commenter recommends the following for the Fairway One component of the proposed project
9 to address parking and associated impacts: limit daily use of the driveway to passenger vehicles.

10 Comment noted. This measure is not required to reduce significant impacts from Fairway One as
11 noted in prior responses. No revisions to the draft EIR are necessary.

12 Comment 18-28

13 The commenter recommends the following for the Meeting Facility Expansion component of the
14 proposed project to address parking and associated impacts: if the 2,100 square foot meeting facility
15 is not limited to convention center, meeting hall and exhibit uses, reevaluate parking demand and
16 impacts.

17 Comment noted. This measure is not required to reduce significant impacts from Meeting Facility
18 Expansion as noted in prior responses. No revisions to the draft EIR are necessary.

19 Comment 18-29

20 The commenter recommends the following for the Fairway One component of the proposed project
21 to address parking and associated impacts: prohibit the parking or staging of vehicles with idling
22 engines on 17-Mile Drive between the project entrance and residential driveway at 3310 17-Mile
23 Drive.

24 Comment noted. This measure is not required to reduce significant impacts from Fairway One as
25 noted in prior responses. No revisions to the draft EIR are necessary.

26 Comment 18-30

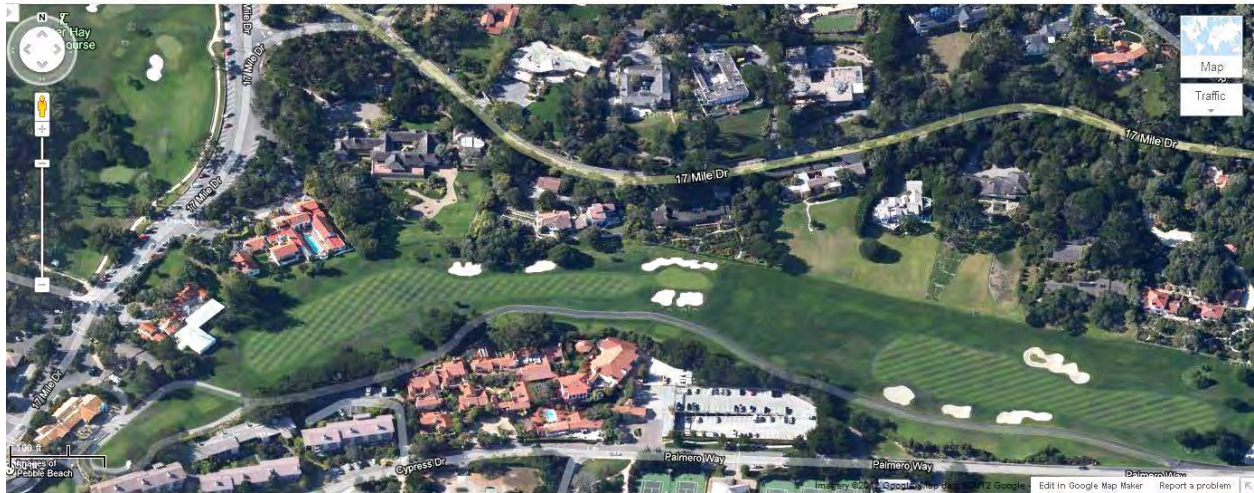
27 The commenter asserts that the Fairway One Complex would have adverse effects on human health
28 due to noise, light pollution, and vehicle emissions, that these impacts are substantially adverse and
29 thus potentially significant, and that the mitigation measures noted in comments 18-26, 18-27, 18-
30 28, and 18-29 should be evaluated to reduce these potentially significant impacts.

31 Refer to responses to Comments 18-26, 18-27 and 18-29. The noise levels would be within
32 acceptable levels along 17-Mile Drive adjacent to Fairway One and 3310 17-Mile Drive (and adjacent
33 residences) per the General Plan and Noise Ordinance, thus avoiding significant health impacts due
34 to noise. The vehicle emissions would not result in significant health impacts concerning air quality
35 along 17-Mile Drive at the location of concern. Light and glare impacts related to the Fairway One
36 Complex and significant light pollution for the adjacent residences would be less than significant
37 with mitigation.

1 As the DEIR and the responses above document, there would be no additional significant physical
2 impacts on the environment that are identified in the comments provided, and thus the additional
3 mitigation measures suggested are not required to address noise, air quality, traffic levels of service,
4 circulation, safety, or health impacts. Should the Applicant decide voluntarily to implement one or
5 more of the suggested measures, they would need to obtain approval from Monterey County after
6 review for compliance with all applicable County regulations and requirements.

7 No revisions to the draft EIR are necessary.
8

1 **Exhibit 1: Aerial view showing orientation of residences in relation to Fairway One and the golf**
2 **course.**



3
4

5 **Exhibit 2: View from Palermo Way toward Colton Building and Fairway One.**



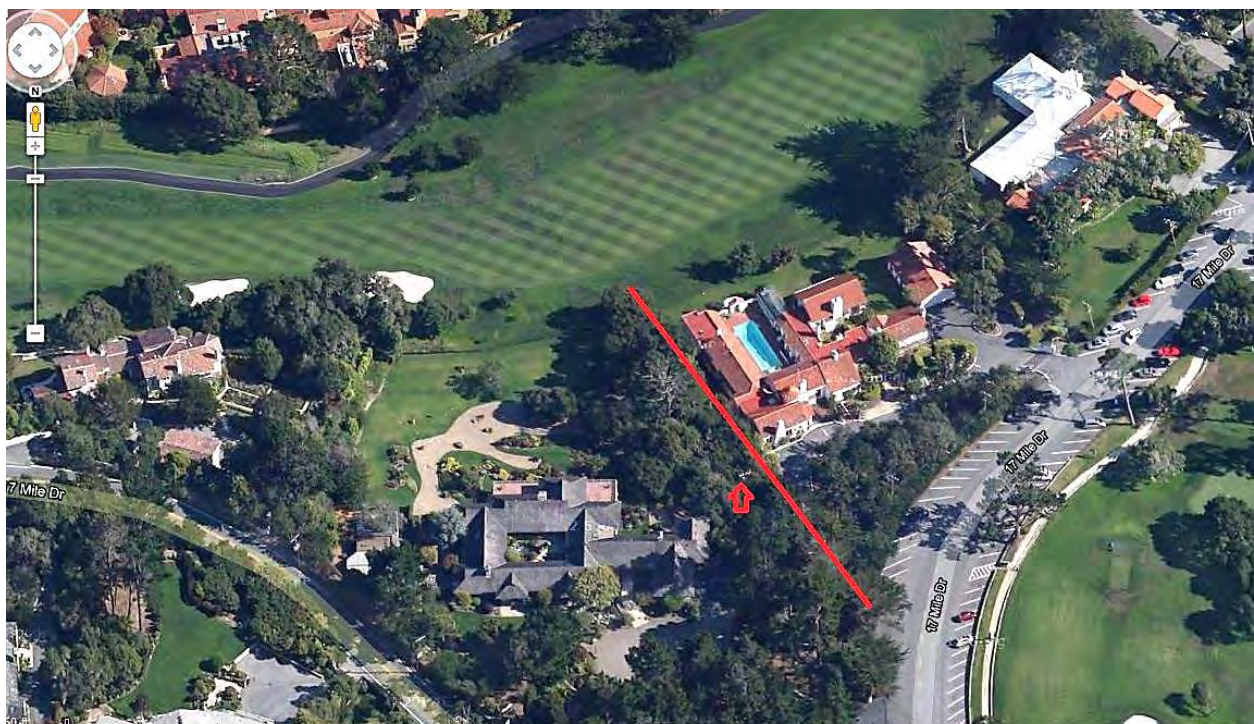
6
7

1 **Exhibit 3: Aerial view of Fairway One (left) in relation to 3310 17-Mile Drive (right).**



2
3

4 **Exhibit 4: Aerial view of Fairway One (right) in relation to 3310 17-Mile Drive (left).**



5
6

1 **Exhibit 5: Aerial view of Fairway One in relation to 3310 17-Mile Drive.**



2
3

4 **Exhibit 6: View of Fairway One and 3310 17-Mile Drive from near Colton Building.**



5
6

1 **Exhibit 7: View of Fairway One and 3310 17-Mile Drive from near Colton Building.**



2
3

4 **Exhibit 8: View of Fairway One looking toward 3310 17-Mile Drive.**



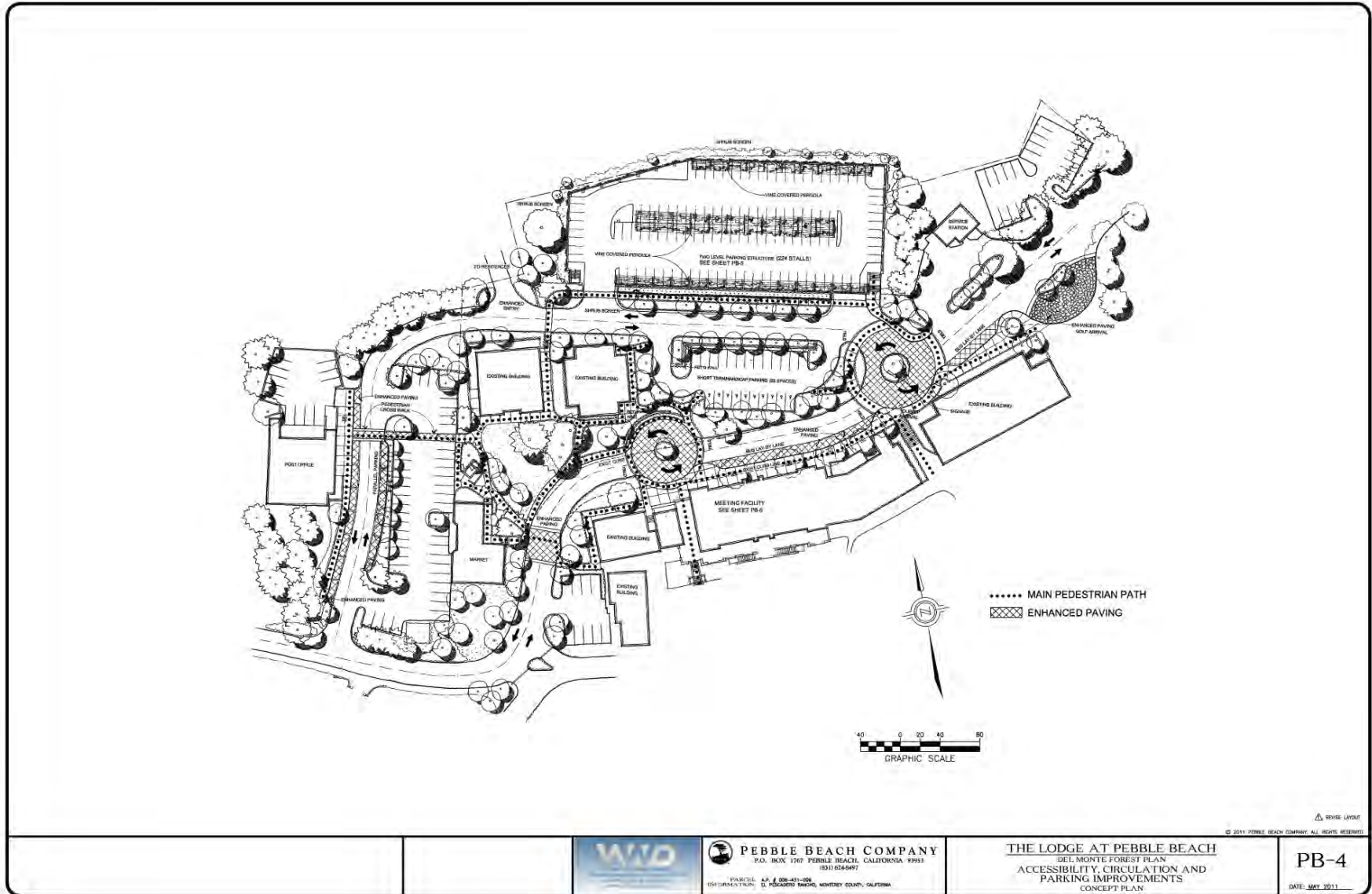
5
6

1 **Exhibit 9: View of Fairway One from 17-Mile Drive looking toward 3310 17-Mile Drive.**



2
3

1
2



		<p>PEBBLE BEACH COMPANY P.O. BOX 1767 PEBBLE BEACH, CALIFORNIA 93953 (831) 624-6497</p> <p><small>PARCEL A, 6 000-01-000 154 (PARCEL) TOWN, 11 (PEBBLE BEACH) MONTEREY COUNTY, CALIFORNIA</small></p>	<p>THE LODGE AT PEBBLE BEACH DEL MONTE FOREST PLAN ACCESSIBILITY, CIRCULATION AND PARKING IMPROVEMENTS CONCEPT PLAN</p>	<p>PB-4 <small>DATE: MAY 2011</small></p>
--	--	---	--	---

1 **Response to Comment Letter 19 (Stilwell)**

2 **Comment 19-1**

3 The comment is an introduction stating that the comments are on behalf of the Applicant (Pebble
4 Beach Company), and that overall they found the DEIR to be thorough and comprehensive in its
5 environmental analysis.

6 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
7 EIR are necessary.

8 **Comment 19-2**

9 The commenter states the Conference Center Expansion at The Inn at Spanish Bay should be 5,800
10 sf meeting space and 3,015 sf support/circulation space, not 4,660 sf and 4,155 sf, respectively.

11 The square footage and all the specifications provided in the proposed project are based on the May
12 2011 application. As indicated in footnote "a" of Table ES-1 and Table 2-2 in Volume I, it is
13 acknowledged that the square footage may change as the design plans for the facilities are finalized
14 but the changes would not be substantial and would not change any impact determinations.
15 Therefore, this clarification by the Applicant represents such a change, and it is minor and would not
16 change any impact determinations.

17 The slight increase in meeting space, together with the same reduction in support/circulation space,
18 would result in a slight increase in required traffic trips and required parking. The required parking
19 at The Inn would increase from 182 spaces to 205 spaces, and 242 spaces would be provided as
20 explained in Table 3.11-20, The Inn at Spanish Bay Parking Analysis (Section 3.11 of Volume I). The
21 trip generation analysis conducted by Fehr & Peers (2011) assumed 5,369 sf meeting space at The
22 Inn, which is slightly greater than the 4,660 sf from the May 2011 application. This is noted in Table
23 3.11-20, Trip Generation, footnote "a". For purposes of determining the increased amount of traffic,
24 the increase would be from 5,369 sf to 5,800 sf, which would generate approximately 35 more trips
25 or a 1% increase of the more conservative analysis under Option 1 (resort hotel in Area M Spyglass
26 Hill, instead of 10 residential lots). This is not considered a substantial increase and, therefore, no
27 recirculation of the DEIR is required. Similarly, it would not represent a substantial increase in the
28 context of air quality, noise and GHG emissions which are based on the traffic analysis.

29 **Comment 19-3**

30 The commenter clarifies that the State Water Resources Control Board is requiring Cal-Am to cease
31 extracting water above its legal rights from the Carmel River by 2017.

32 Page ES-14 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
33 document for the specific changes.

34 **Comment 19-4**

35 The commenter clarifies that the ongoing litigation is not anticipated to be resolved until late 2012,
36 not 2011.

37 Page ES-14 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
38 document for the specific changes.

1 Comment 19-5

2 The commenter clarifies that, in Table ES-4, the footnote reference in one of the columns should be
3 “a” not “1”.

4 Page ES-20 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
5 document for the specific changes.

6 Comment 19-6

7 The commenter clarifies that, in Table ES-5, the number of parking spaces referenced in the
8 Alternative 4 row should be 285, not 290.

9 Table ES-5, following Page ES-20 of Volume I has been revised to make this clarification. Please see
10 Chapter 4 of this document for the specific changes.

11 Comment 19-7

12 The comment states that, in the draft EIR, the reference to existing lots of record says there are as
13 many as 41 units overall, of which only 20 would be in areas considered EHSA. The commenter
14 clarifies that PBC has been issued 41 certificates of compliance for 41 lots, but they have the
15 potential to obtain certificates of compliance for up to an additional 44 lots, for a total of 85. This
16 would make the impacts of the No Project Alternative more significant than suggested in the
17 analysis and potentially more significant than the proposed project depending on where the existing
18 lots of record are recognized. The comment also states that, in the draft EIR, the reference to 76 lots
19 being in areas considered mostly ESHA is inaccurate, particularly with respect to the portions of
20 Area U and V planned for 7 and 14 lots in existing developed areas (equestrian center and Pebble
21 Beach Driving Range).

22 The Applicant may have the potential to obtain additional certificates of compliance, but has not
23 done so. Certificates of compliance require a factual analysis; thus, until such analysis has been done
24 by the County upon request of the Applicant for certificates of compliance, the number of additional
25 lots has not been determined. As such, this potential is not considered in the analysis of the No
26 Project Alternative. An alternative including additional certificates of compliance that are not
27 presently obtained, would be a different alternative than a no project alternative, which
28 intentionally only includes actions that are certain to be allowable.

29 Regarding the comment about 76 proposed project lots being in areas mostly considered ESHA, the
30 following lots included in the proposed project are in areas defined as ESHA in the DEIR:

- 31 ● Area F-2: All 16 lots are in areas defined as ESHA.
- 32 ● Area I-2: All 16 lots are in areas defined as ESHA.
- 33 ● Area J: All 5 lots are in areas defined as ESHA.
- 34 ● Area K: All 8 lots are in areas defined as ESHA.
- 35 ● Area L: All 10 lots are in areas defined as ESHA.
- 36 ● Area M: The three northern lots (Lots 8, 9, and 10) of the proposed 10 lots (Option 2 only)
37 contain areas defined as ESHA due to the presence of intact undeveloped Monterey pine forest.

- 1 • Area U: Only one (Lot 7) of the proposed 7 lots contains areas defined as ESHA due to the
2 presence of intact undeveloped Monterey pine forest.
- 3 • Area V: Two (Lot 10 and Lot 11) of the proposed 14 lots contain areas defined as ESHA due to
4 the presence of Yadon's piperia.
- 5 • Corporation Yard: None of the proposed lots are in areas defined as ESHA.

6 Thus, with Option 1, the proposed project would have 58 lots in whole or in part within areas
7 defined by the DEIR as containing ESHA; and with Option 2, the proposed project would have 61 lots
8 in whole or in part within areas defined by the DEIR as containing ESHA. The DEIR has been
9 corrected to reference the correct numbers of lots (58 to 61 lots). Please see Chapter 4 of this
10 document for the specific changes.

11 **Comment 19-8**

12 This is the same as Comment 19-2. Refer to the response to Comment 19-2.

13 **Comment 19-9**

14 This is the same as Comment 19-2. Refer to the response to Comment 19-2.

15 **Comment 19-10**

16 The commenter clarifies that the proposed development site in Area J consists of two development
17 parcels totaling 8.58 acres and one preservation parcel of 0.80 acres, not 9.38 acres of development.

18 The text on page 2-14 of Volume I has been revised to make this clarification. Please see Chapter 4 of
19 this document for the specific changes.

20 **Comment 19-11**

21 The commenter clarifies that the proposed open space in Area L would total 12.07 acres, not 9.25
22 acres.

23 While the commenter is correct about the total amount of open space, the 12.07-acre total includes
24 2.82 acres of land that is already dedicated under a conservation easement. The amount of new
25 proposed open space is 9.25 acres as identified in the DEIR. No revisions to the draft EIR are
26 necessary

27 **Comment 19-12**

28 The commenter clarifies that the existing LUP allows 270 rooms at The Inn at Spanish Bay and there
29 are currently 269 rooms, thus one additional room would be allowed under the existing LUP, rather
30 than zero.

31 Pages 3-4 and 3-5 of Volume I have been revised to make this clarification. Please see Chapter 4 of
32 this document for the specific changes.

33 **Comment 19-13**

34 The commenter disagrees with the statements that the proposed Fairway One structures would
35 create a visual character inconsistent with the existing visual character of surrounding buildings,

1 which have terra cotta roof tiles and stucco wall finish. The Forest has many different architectural
2 styles; and when proposed landscaping matures, the buildings would be substantially screened from
3 17-Mile Drive.

4 We agree that the Forest has many different architectural styles and that mature landscaping will
5 screen the new buildings. The significance conclusion is conservative and the mitigation (MM AES-
6 A1) calls for landscape buffers and building façade and roofing materials which reduce apparent
7 building mass and which are consistent with the visual character of existing buildings in the area, as
8 reviewed and approved by the County.

9 No revisions to the draft EIR are necessary.

10 **Comment 19-14**

11 The comment states the portion of Mitigation Measure AES-A1 that requires architectural
12 treatments of visitor-serving facilities will incorporate building façade and roofing materials that are
13 consistent with the visual character of existing buildings located on and surrounding the site, should
14 be deleted.

15 The County believes this is appropriate mitigation and will review the design plans to determine if
16 the structure is consistent with the visual character of existing buildings located on and surrounding
17 the site.

18 No revisions to the draft EIR are necessary.

19 **Comment 19-15**

20 The commenter states that PM10 emissions are not totaled at the bottom of column 3/15 in Table
21 3.2-7 and columns 9/12 and 10/12 in Table 3.2-8.

22 The text has been revised in Tables 3.2-7 and 3.2-8 in Appendix E of Volume II to include PM10
23 emission totals. Please see Chapter 4 of this document for the specific changes.

24 **Comment 19-16**

25 The commenter suggests the text be revised to clarify that take authorization, from the USFWS for
26 effects on the California red-legged frog, could be either through an incidental take permit or a
27 consultation process (not just an incidental take permit).

28 The comment is correct. Page 3.3-7 has been revised to make this clarification. Please see Chapter 4
29 of this document for the specific changes.

30 **Comment 19-17**

31 The commenter suggests the text be revised to clarify that Section 7 consultation may cover the
32 entire project, and not only be limited to only those parts of the project involving federal
33 jurisdictional wetlands.

34 The comment is correct. Page 3.3-10 of Volume I has been revised to make this clarification. Please
35 see Chapter 4 of this document for the specific changes.

1 Comment 19-18

2 The commenter suggests the text be revised to clarify that drainages potentially requiring a DFG
3 streambed alteration agreement are not necessarily streams or riparian habitats.

4 The comment is correct. Page 3.3-17 of Volume I has been revised to make this clarification. Please
5 see Chapter 4 of this document for the specific changes.

6 Comment 19-19

7 The commenter indicates the drainage in Area U was identified as “other waters of the United
8 States”, not a wetland.

9 The comment is correct. Page 3.3-25 of Volume I has been revised to make this clarification. Please
10 see Chapter 4 of this document for the specific changes.

11 Comment 19-20

12 The comment states that the DEIR should discuss the Yadon’s piperia MOU between USFWS and PBC
13 in Section 3.3 because it represents a significant milestone in the cooperative arrangement between
14 PBC and USFWS and is intended to assure the long-term protection of the species in the Del Monte
15 Forest.

16 The DEIR did mention the MOU in Footnote 3 of the DEIR on Page 3.3-41 (in Section 3.3 of Volume
17 I) relevant to the Aguajito and Old Capitol sites. The MOU was not mentioned in the DEIR because it
18 was signed by the Applicant and USFWS at the time of consideration of the prior DMF/PDP project,
19 and thus contains language that is specific to that former project. The County is not party to the MOU
20 and cannot control the enforcement or amendment of the MOU. As a result, the County has analyzed
21 the impacts to Yadon’s piperia based on the proposed project, including proposed preservation
22 areas, and identified required mitigation accordingly, independent of the MOU. As described in the
23 EIR, the County has not identified required additional mitigation in the form of compensation land
24 beyond the proposed preservation areas included in the proposed project. As described in Footnote
25 3 on Page 3.3-41 (in Section 3.3 of Volume I), any additional dedications pursuant to the MOU would
26 be in addition to that included in the current proposed project, relative to Yadon’s piperia.

27 The text on page 3.3-18 has been revised to include a discussion of the MOU in the regulatory setting
28 under the heading of “Other Relevant Agreements.” Please see Chapter 4 of this document for the
29 specific changes.

30 Comment 19-21

31 The commenter provides information about jurisdictional waters at Area L and Area U, and requests
32 text change on Page 3.3-41 and elsewhere in the document.

33 Corrections have been made to the wetland impact acreage totals in Section 3.3 and the Executive
34 Summary. Please see Chapter 4 of this document for the specific changes.

35 Comment 19-22

36 The commenter suggests adding the DMFF and/or the Open Space Advisory Committee as
37 acceptable entities to prepare the SSRMPs.

1 The Applicant's recommendation is noted. As noted in the DEIR, the SSRMPs will need to be
2 prepared by a qualified third-party biologist. If there are qualified biologists who work for the DMFF
3 or the OSAC, the County can consider them, along with others, as potential candidates to prepare the
4 SSRMPs. In addition, as noted in Appendix C of Volume II, the DMFF and the OSAC will be involved in
5 the review of the SSRMPs and thus will have opportunities to provide input throughout the
6 development process.

7 No revisions to the draft EIR are necessary.

8 **Comment 19-23**

9 The commenter provides a suggested change on the acres conversion of Monterey pine forest at
10 Area L on Page 3.3-48.

11 The requested change has been made to be consistent with Table 3.3-3. Please see Chapter 4 of this
12 document for the specific changes.

13 **Comment 19-24**

14 The commenter provides updated acres of easement of Monterey pine forest at Area L on Page 3.3-
15 48.

16 The requested change has been made to be consistent with Table 3.3-3. Please see Chapter 4 of this
17 document for the specific changes.

18 **Comment 19-25**

19 The commenter requests adding of Areas J and K to the list of preservation areas on Page 3.3-48.

20 The two areas have been added to the list. Please see Chapter 4 of this document for the specific
21 changes.

22 **Comment 19-26**

23 The commenter requests change of the acreage of wetland/waters impacts from 0.06 to 0.05 on
24 Page 3.3-52.

25 The requested change has been made. Please see Chapter 4 of this document for the specific
26 changes.

27 **Comment 19-27**

28 The commenter requests clarification regarding drainages on Page 3.3-52.

29 The requested clarification has been made. Please see Chapter 4 of this document for the specific
30 changes.

31 **Comment 19-28**

32 The commenter requests change of wetland/drainage impact acreages on Page 3.3-52.

33 The requested clarification has been made. Please see Chapter 4 of this document for the specific
34 changes.

1 Comment 19-29

2 The commenter requests clarification of text on wetlands in Area U on Page 3.3-52.

3 The requested clarification has been made. Please see Chapter 4 of this document for the specific
4 changes.

5 Comment 19-30

6 The commenter requests a text change on Page 3.3-53, because one of the proposed preservation
7 areas that include a wetland/other water should be Area H, not Area G.

8 The requested clarification has been made. Please see Chapter 4 of this document for the specific
9 changes.

10 Comment 19-31

11 The comment suggests a wording change related to the movement of California red-legged frog
12 (CRLF) in the discussion under Impact BIO-E1. The text currently states CRLF “must” move between
13 sites, implying there are no alternatives for frog movement; thus they recommend changing “must”
14 to “may”.

15 The County and consulting wildlife biologist concur with the comment. The text has been revised as
16 suggested on Page 3.3-70 of Volume I. Please see Chapter 4 of this document for the specific changes.

17 Comment 19-32

18 The comment suggests that, in Mitigation Measure BIO-E1, the CRLF surveys be limited to areas
19 directly adjacent to aquatic areas because CRLF surveys are typically conducted in and directly
20 adjacent to aquatic sites and finding frogs in upland habitat 300 feet away from aquatic habitat is
21 virtually impossible. The commenter also suggests that fencing the Corporation Yard to exclude red-
22 legged frogs during construction is unnecessary because there are no aquatic areas near the
23 Corporation Yard that could lead to CRLF being on-site.

24 The County and consulting wildlife biologist concur with the comment. The text has been revised on
25 Page 3.3-71 of Volume I to clarify that CRLF surveys should be conducted where there is suitable
26 upland habitat near aquatic habitat as determined by a qualified biologist. Please see Chapter 4 of
27 this document for the specific changes.

28 Comment 19-33

29 The comment states that, in Mitigation Measure BIO-E2, the area for creating new CRLF breeding
30 ponds is too restrictive because there may be other areas that are better for creating breeding
31 ponds.

32 The County and consulting wildlife biologist concur with the comment. The text has been revised on
33 Page 3.3-71 of Volume I to clarify that the creation of breeding ponds within the Seal Rock Creek
34 watershed will be in areas determined suitable by a qualified biologist, not just in four specific areas.
35 Please see Chapter 4 of this document for the specific changes.

1 Comment 19-34

2 The comment states that, in Mitigation Measure BIO-E2, the requirement that new CRLF breeding
3 ponds dry down completely every other year between August and October is too restrictive and
4 would create design and management difficulties.

5 Routine complete dry down of CRLF breeding ponds is necessary to prevent the establishment of
6 bullfrogs, which prey on CRLF, because bullfrogs require 2 years to fully metamorphose and CRLF
7 require only one year. Perennial ponds can harbor bullfrog populations and, once established, they
8 can consume CRLF young and eliminate metapopulations. New breeding ponds can be designed with
9 a gate valve, stoplogs, or other similar hydraulic management mechanism to ensure complete dry
10 down at least once every other year with minimal maintenance and cost.

11 The text has been revised on Page 3.3-72 of Volume I to make the seasonal language more general
12 (changing it from a specific month span to “late summer to early fall”) to allow for additional
13 flexibility in the period during which the ponds may dry down. Additionally, in reference to
14 complete dry down of the ponds, the provision “during years with typical rainfall” was added to
15 recognize natural variability of rainfall and allow exception during years with abnormal rainfall.

16 Comment 19-35

17 The comment states that the dates for raptor breeding and non-breeding season are not consistent
18 on pages 3.3-81 and 3.3-82.

19 The County and consulting wildlife biologist concur with the comment. Breeding season is from
20 February 28 through July 1, and non-breeding season is from July 1 through February 28. The text
21 has been revised on Pages 3.3-81 and 3.82 of Volume I to clarify this. Please see Chapter 4 of this
22 document for the specific changes.

23 Comment 19-36

24 The commenter requests a change of wetland impact acreage on page. 3.3-89.

25 The requested clarification has been made. Please see Chapter 4 of this document for the specific
26 changes.

27 Comment 19-37

28 The comment requests clarification that Mitigation Measure CR-B1 (conduct worker awareness
29 training for archaeological and paleontological resources prior to ground-disturbing activities) is
30 intended only for grading construction workers and suggests it be limited to forepersons and field
31 supervisors because attempting to train all hourly grading workers would be unreasonable and
32 difficult to implement.

33 The commenter is correct in that the mitigation measure is intended for grading and other ground
34 disturbing activities. The mitigation measure already specifies that in-person training is for
35 forepersons and field supervisors and other field personnel do not require in-person training, but
36 will be provided with a videotape or other written materials to convey the information.

37 Page 3.5-14 of Volume I has been revised to clarify that this mitigation measure is intended for
38 construction workers involved in grading and other ground-disturbing activities. Please see Chapter
39 4 of this document for the specific changes.

1 Comment 19-38

2 The commenter states that the applicant is unaware of any unconsolidated fill at The Inn at Spanish
3 Bay and, therefore, thinks there would be no associated impact.

4 According to the Haro, Kasunich and Associates update letter for the Spanish Bay Improvements
5 (Haro, Kasunich and Associates, Inc. 2010a), there is unconsolidated fill that would provide
6 unsuitable foundation supporting material.

7 No revisions to the draft EIR are necessary.

8 Comment 19-39

9 The commenter states that the reference to Conference Center Expansion, in the Unconsolidated Fill
10 discussion in Mitigation Measure GSS-A1, should be corrected to Area M Spyglass Hotel/Lots.

11 Refer to Response to Comment 19-38. No revisions to the draft EIR are necessary.

12 Comment 19-40

13 The commenter states that, in Mitigation Measure GSS-A1, the discussion of Area K should be moved
14 from under Unconsolidated Fill to Slope Stability.

15 The commenter is correct.

16 Page 3.6-19 of Volume has been revised to make this correction. Please see Chapter 4 in this
17 document for specific changes.

18 Comment 19-41

19 The commenter states that the reference to Section 3.4 should be changed to Section 3.7.

20 The commenter is correct.

21 Page 3.6-21 of Volume I has been revised to make this correction. Please see Chapter 4 in this
22 document for specific changes.

23 Comment 19-42

24 The commenter states that the reference to Conference Center Expansion, in the discussion related
25 to unconsolidated fill, should be deleted.

26 Refer to Response to Comment 19-38. No revisions to the Draft EIR are necessary.

27 Comment 19-43

28 The commenter requests that Tables 3.6-2 and 3.6-3 be reviewed to confirm all development sites
29 are included and states that all references to MR in the table should be MH/MR.

30 The tables were missing development sites for Area K and Collins residential lot subdivisions. The
31 commenter is correct in that all references to MR should be MH/MR.

32 Page 3.6-6 (Table 3.6-2) and Page 3.6-10 (Table 3.6-3) of Volume I have been revised to make this
33 clarification. Please see Chapter 4 of this document for the specific changes.

1 Comment 19-44

2 The commenter clarifies that the text should reference “wetlands and other waters of the United
3 States” not just wetlands. The commenter also states the 0.06 acre should be 0.05 acres.

4 The commenter is correct. Page 3.7-9 of Volume I has been revised to make this clarification. Please
5 see Chapter 4 of this document for the specific changes.

6 Comment 19-45

7 The commenter corrected a typographical error where text should read “20-inch CMP culvert” not
8 20/1 CMP culvert.

9 Page 3.7-19 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
10 document for the specific changes.

11 Comment 19-46

12 The commenter states that the Collins Residences is within the Fan Shell watershed with only a
13 small portion in the Carmel Bay ASBS watershed.

14 The commenter is correct.

15 Page 3.7-20 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
16 document for the specific changes.

17 Comment 19-47

18 The commenter states that the total runoff volume for stormwater discharges from the Equestrian
19 Center site (21,798 cubic feet) seem high compared to the New Employee Parking site (8,377 cubic
20 feet) given that they will create a similar increase in impervious surface area (2.7 and 2.64 acres,
21 respectively).

22 Total runoff from a site includes runoff from impermeable and permeable surfaces. Although
23 permeable surfaces retain some of the precipitation that falls on them, an event such as a 100-year
24 flood (a benchmark used to calculate total run-off) produces so much water that permeable surfaces
25 saturate and discharge stormwater at a higher rate. Although the increases in impervious surface
26 area for the New Employee Parking site and the Equestrian Center site are similar in size, the total
27 run-off volumes are significantly different because the Equestrian Center site (11.82 acres) is 2.4
28 times larger than the New Employee Parking (4.87 acres) and would receive a proportionally larger
29 amount of precipitation.

30 No revisions to the draft EIR are necessary.

31 Comment 19-48

32 The commenter states that the footnote numbers on pages 3.7-25, 26, 27 are incorrect.

33 The commenter is correct in that the footnote numbers do not correspond with the text.

34 Pages 3.7-25, 3.7-26, and 3.7-27 of Volume I have been revised to correct the footnote numbering.
35 Please see Chapter 4 of this document for the specific changes.

1 Comment 19-49

2 The commenter states that the overall increase in impervious surface from project development
3 should be 36.69 acres (0.70% of the total area of Pebble Beach), not 32.85 acres (0.63%), and that
4 the overall number was not reflected in the drainage report addendum (WWD September 2011).

5 It is understood that the updated information became available in 2011 but was not included in the
6 2011 drainage report addendum. Pages 3.7-20 and 3.7-30 of Volume I have been revised to include
7 the correction. Please see Chapter 4 of this document for the specific changes.

8 Comment 19-50

9 The commenter states that because Collins Field is an existing turf area that is already maintained
10 for golf practice and other recreation uses, relocating the Pebble Beach Driving Range to the site
11 would not be a significant change in use or maintenance practices; thus the mitigation to develop an
12 integrated pest management plan is not necessary.

13 The driving range is being relocated into the drainage area for the Carmel Bay ASBS. Therefore a
14 conservative approach was taken with respect to the potential for adverse impacts to water quality
15 from the application of pesticides, herbicides, and fungicides. Although Collins Field has been
16 maintained for informal recreational use, including use as a golf practice range for the AT&T and
17 other tournaments, it is not reasonable to assume that maintenance practices for the relocated
18 driving range and practice area will be commensurate with those previously implemented for
19 Collins Field. Additionally, aerial photographs document that, while a majority of the site is irrigated
20 and has turf present, there are portions that are not irrigated, and thus there will be incrementally
21 more turf to irrigate and maintain after the driving range is relocated.

22 No revisions to the draft EIR are necessary.

23 Comment 19-51

24 Same comment as 19-49.

25 Refer to the response to Comment 19-49.

26 Comment 19-52

27 The commenter clarifies the site acreage for the residential lot subdivisions in Area J.

28 The clarification does not change the conclusions of the impact analysis or the adequacy of the draft
29 EIR.

30 Page 3.8-14 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
31 document for the specific changes.

32 Comment 19-53

33 The commenter clarifies the site acreage for the residential lot subdivisions in Area K.

34 The clarification does not change the conclusions of the impact analysis or the adequacy of the draft
35 EIR.

1 Page 3.8-14 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
2 document for the specific changes.

3 **Comment 19-54**

4 The commenter clarifies the site acreage for the residential lot subdivisions in Area L.

5 As noted in response to Comment 19-11, the proposed open space is only 9.25 acres. No change is
6 needed.

7 **Comment 19-55**

8 The commenter clarifies the site acreage for the residential lot subdivisions in Area V.

9 The clarification does not change the conclusions of the impact analysis or the adequacy of the draft
10 EIR.

11 Page 3.8-15 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
12 document for the specific changes.

13 **Comment 19-56**

14 The comment states that the 6.96-acre preservation parcel should be referenced in the description
15 for the Corporation Yard.

16 Page 3.8-16 has been revised to include reference to the 6.96-acre preservation parcel north of the
17 open space area and adjacent to the Corporation Yard. Please see Chapter 4 of this document for the
18 specific changes.

19 **Comment 19-57**

20 The commenter clarifies that the Congress Road/Lopez Road intersection improvements do not
21 include a new left-turn channel.

22 Page 3.8-17 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
23 document for the specific changes.

24 **Comment 19-58**

25 The commenter clarifies that there would be 0.25 miles of new trails and 2.15 miles of existing trails
26 would be relocated, as described on page 2-17 of the project description.

27 Page 3.8-17 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
28 document for the specific changes.

29 **Comment 19-59**

30 The commenter clarifies that there would be 0.15 mile of trail on existing dirt fire road for the trails
31 in the Corporation Yard area, as described on page 2-17 of the project description.

32 Page 3.8-24 of Volume I has been revised to make this clarification. Please see Chapter 4 of this
33 document for the specific changes.

1 Comment 19-60

2 The commenter requests that Table 5-4 should include the intersection LOS for the 2015 No Project
3 Scenario and that the provision of this information would show that the proposed project would
4 improve conditions over the no project scenario.

5 Page 5-32 (Table 5-4) has been modified to include the 2015 no project scenario. As the DEIR
6 concludes in Section 3.11, Transportation (Volume I), the proposed project would improve
7 conditions at the SR 1/SR 68 intersection compared to existing and no project conditions. Please see
8 Chapter 4 of this document for the specific changes.

9 Comment 19-61

10 The commenter requests that Table 5-5 should include the queues for the 2015 No Project Scenario
11 and that the provision of this information would show that the proposed project would improve
12 conditions over the no project scenario.

13 Page 5-33 (Table 5-5) has been modified to include the 2015 no project scenario. As the DEIR
14 concludes in Section 3.11, Transportation (Volume I), the proposed project would improve
15 conditions at the SR 1/SR 68 intersection compared to existing and no project conditions.

16 Comment 19-62

17 The commenter expresses concern about the feasibility of the roundabout alternative (Alternative
18 5) including locating the 17-Mile Drive intersection on the on-ramp to southbound SR 1. The
19 commenter notes that the City of Monterey was unsuccessful in obtaining the mandatory design
20 exception from Caltrans to maintain the existing design deficiency during development of the
21 Highway 68 Widening Project resulting in the Widening Project separating the traffic movements
22 between Highway 68 and 17-Mile Drive from movements to Highway 1, which led to the 5-leg
23 intersection design at the SR 1 off-ramp intersection. The commenter also described that
24 roundabout alternatives were considered in the PSR for the Widening Project and were dismissed
25 by Caltrans, and there is no indication that Caltrans would support the roundabout alternative in
26 Alternative 5 and that it would need approval not only from District 5 but also Caltrans
27 Headquarters in Sacramento.

28 The comment's concerns are noted.

29 As described in the response to Caltrans' Comment 3-2, the County's conclusion is that neither a
30 single roundabout nor a double-roundabout alternative option is currently feasible because they do
31 not meet Caltrans design requirements concerning access. Both the double-roundabout option
32 (Alternative 5) and the single-roundabout option (described in Fehr & Peers 2012) would place an
33 intersection (either a second roundabout or a side-street stop-sign controlled T-intersection) on the
34 on-ramp to southbound SR 1 which would not meet Caltrans access requirements. Caltrans required
35 roundabout designs considered during the PSR for the Widening Project to separate traffic from the
36 DMF gate to SR 68 from traffic between SR 68 and SR 1 southbound; when this was done, the
37 roundabout did not have acceptable operational characteristics.

38 While the County cannot adopt a roundabout alternative at this time as an alternative to the Phase
39 1B improvement, the County can consider a condition of approval that would require Pebble Beach
40 to pay its fair-share portion of a roundabout, if such a roundabout is approved by Caltrans as a
41 revision to the Highway 68 Widening Project and approved by TAMC for inclusion in the regional

1 impact fee program, provided such approval is obtained sufficiently soon such that conditions at the
2 SR 1/SR 68 intersection are improved without further delay. This has been added to Mitigation
3 Measures TRA-C2 and TRA-C8 in Section 3.11 of Volume I. Please see Chapter 4 of this document for
4 the specific changes.

5 **Comment 19-63**

6 The comment states that Caltrans approved the Project Report for the Highway 68 Widening
7 Project, and the Transportation Agency of Monterey County website also indicates the project is
8 environmentally cleared. The Applicant identified a constructible phase of that project that would
9 improve traffic operations and incorporated it into the proposed project as part of the project costs.

10 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
11 EIR are necessary.

12 **Comment 19-64**

13 The comment states that the Pebble Beach Company firmly believes the roundabout design
14 (Alternative 5) is not feasible because Caltrans previously declined to approve the needed
15 mandatory design exception. Additionally, a private entity is at a disadvantage over local public
16 agencies to reach agreeable terms with Caltrans.

17 Comment noted. As noted in response to Caltrans Comment 3-2, the County cannot find the
18 roundabout alternatives feasible at this time because the proposed designs all require Caltrans
19 approval of a design exception which Caltrans has not been willing to do in the past. Mitigation
20 Measure TRA-C2 (in Section 3.11 of Volume I) has been modified to note that the Applicant's fair-
21 share mitigation contribution for impacts to SR 68 (west) can be directed to a roundabout
22 alternative only if Caltrans and TAMC approve such an alternative sufficiently soon that
23 improvement to the SR 68/SR 1 intersection is not substantially delayed.

24 The comment does not concern the adequacy of the EIR. No further revisions to the draft EIR are
25 necessary.

26 **Comment 19-65**

27 The commenter summarizes the water supply analysis in the DEIR for the period before 2017.

28 This comment is a summary of part of the DEIR only and requires no response.

29 **Comment 19-66**

30 The commenter summarizes the water supply analysis in the DEIR for the period after 2017.

31 This comment is a summary of part of the DEIR only and requires no response.

32 **Comment 19-67**

33 The commenter summarizes the water infrastructure analysis in the DEIR.

34 This comment is a summary of part of the DEIR only and requires no response.

1 Comment 19-68

2 The commenter summarizes the analysis of impacts to Carmel River biological resources due to
3 water supply issues in the DEIR.

4 This comment is a summary of part of the DEIR only and requires no response.

5 Comment 19-69

6 The commenter summarizes the cumulative analysis of water supply related issues in the DEIR.

7 This comment is a summary of part of the DEIR only and requires no response.

8 Comment 19-70

9 The commenter notes that the analysis of water supply involves complex facts and issues and
10 forecasting and states that their comments are not intended to detract their respect for the job done
11 in the DEIR.

12 This comment does not concern the adequacy of the EIR and requires no response. The comment
13 regarding the thoroughness of the water supply analysis is noted and appreciated.

14 Comment 19-71

15 The commenter states that the circumstances for water supply for this project are not “normal” and
16 thus justify a departure from the “normal” use of a baseline of current physical conditions and that
17 this is supported by recent case law (*Cherry Valley Pass Acres & Neighbors v. City of Beaumont*). The
18 commenter summarized the Cherry Valley case and relates the case to the proposed project’s water
19 supply issues. The comment suggests that the appropriate baseline should be 1993, the year just
20 prior to commencement of the Recycled Water Project, and that use of a 1993 baseline would result
21 in a conclusion that use of the Pebble Beach Water Entitlement (PBWE) would result in a reduction
22 of withdrawals from the Carmel River and a conclusion of no significant effect related to water
23 supply.

24 As described in the DEIR, the circumstances for water supply for the Monterey Peninsula are highly
25 complicated and the situation concerning the PBWE is highly unique. There is a reasonable
26 argument that the County could use a CEQA baseline that defines existing physical conditions as
27 including the environmental setting prior to PBC’s financing of the Recycled Water Project and
28 resultant reduction in Carmel River withdrawal. However, the County has chosen to use current
29 physical conditions, as of the time of Notice of Preparation, the CEQA baseline, rather than a 1993
30 baseline as the commenter suggests, because in the County’s judgment, the use of current physical
31 conditions results in a more explicit disclosure and more conservative analysis of the effects of the
32 increased water demand of the project on the physical environment concerning water supply on the
33 Monterey Peninsula today.

34 In this instance, there are two equally valid conclusions that can be made concerning this project
35 and water supply, that are not mutually inconsistent:

- 36 1. *The project will increase overall potable water demand above current (2011) physical conditions.*
37 The effect of this increase in water use would include potential increased withdrawals of water
38 from the Carmel River (before 2017) and/or production of water from a regional water supply
39 project (the Regional Project or an equivalent (after 2017)).

1 2. *The Applicant's financing of the Recycled Water Project resulted in a substantial reduction in*
2 *withdrawals from the Carmel River (by approximately 1,000 AF) that far exceeds the amount of*
3 *maximum potential water use associated with the PBWE and associated entitlements (380 AF).*
4 The net effect of the Recycled Water Project and the project's increased demand is a net
5 reduction in water demand and water use. Without the provision of the water entitlements, and
6 without the financing of the Recycled Water Project, it would not have been built, and the net
7 benefits to water supply would not happen.

8 The County's use of a current (2011) CEQA baseline best allows for disclosure of the changes in
9 current physical conditions with the project (#1 above), while the DEIR also makes it absolutely
10 clear that there would be a net beneficial effect on water supply with the combined effect of the
11 Recycled Water Project and this project's use of the PBWE (#2 above). The DEIR concludes that the
12 project would, compared to current conditions, result in a significant impact to water supply, water
13 infrastructure, and biological resources in the Carmel River but also notes that the net effect of the
14 Recycled Water Project has been to increase the water supply, reduce the need for new
15 infrastructure, and reduce the impacts of current withdrawals on the Carmel River.

16 The DEIR describes the deep and persistent water supply challenges on the Monterey Peninsula and
17 the current and ongoing uncertainty about how new regional water supply will be developed to
18 serve existing demand, much less future demand, in light of the Cease and Desist Order
19 requirements to end all Cal-Am diversions above their legal limits by the end of 2016. With the
20 recent challenges facing the previously adopted Regional Water Project and the current lack of an
21 approved alternative, the water supply situation is uncertain. In light of this situation, the County
22 chose the current physical conditions as the CEQA baseline precisely because it best discloses how
23 the project's increased demand will (or won't) change current conditions.

24 The commenter's suggestion to use a 1993 baseline would emphasize the change in long-term
25 conditions since 1993 into the future with the proposed project over the changes that would occur
26 with the project relative to current conditions in order to reach a conclusion under CEQA that the
27 project would not result in a significant impact on the environment in relation to water supply,
28 water infrastructure, or biological resources in the Carmel River.

29 The EIR recognizes that there has been a substantial environmental benefit due to the Applicant's
30 financing of the Recycled Water Project and there would remain a net substantial environmental
31 benefit even after the use of part of the PBWE for the proposed project. Further, mitigation that
32 would constrain the use of the PBWE as proposed for this project may be legally disproportionate to
33 the project impacts, in light of the fact that the entitlement derives from PBC's actions that reduced
34 withdrawals from the Carmel River in an amount greater than the project proposes to use. The DEIR
35 describes the U.S. constitutional limits that legally constrain imposing mitigation in excess of that
36 necessary to address an impact and the Applicant's prior financing of the Recycled Water Project has
37 resulted in far more "mitigation" than could be imposed in relation to the project's increased water
38 use if the Recycled Water Project did not exist. Given the Applicant's voluntary financing of the
39 Recycled Water Project, the resultant current environmental benefits of the Recycled Water Project,
40 and the fact that the environmental benefits will continue to vastly outweigh the impact of increased
41 water use by the current proposed development project, the EIR concludes that requiring additional
42 mitigation to reduce project water use or to otherwise offset impacts due to project water use is
43 legally infeasible, consistent with the comment.

44 No revisions to the draft EIR are necessary.

1 Comment 19-72

2 The commenter expresses concerns with the assumption that the project may only be served by
3 withdrawals from the Carmel River and that the project could be served with water from other
4 sources.

5 The commenter is correct that the actual water to serve the PBWE could be derived from any legal
6 source from which Cal-Am could derive its water supply, which could include the Carmel River (as
7 allowed by SWRCB orders through 2016 and within its legal rights after 2016), the Seaside Aquifer
8 (as limited by the adjudication), aquifer storage and recovery, or new sources developed as part of a
9 regional water supply project (such as desalination). However, at this time, there are severe
10 limitations on the use of existing water resources.

11 There is a difference between where Cal-Am may derive the actual physical water to serve the PBWE
12 at any particular time and what the effect of serving the PBWE will be on the environment compared
13 to current conditions. The focus in the EIR is on identifying the environmental impacts of providing
14 water to the PBWE.

15 As noted in the DEIR, Cal-Am is allowed to serve the PBWE using water from the Carmel River
16 without restriction prior to 2016 and after 2016 as long as total withdrawals are within its legal
17 limits. As noted in the DEIR, Cal-Am is required to reduce its withdrawals from the Seaside Aquifer
18 over time such that no new supply will be available from this source. While the physical water to
19 serve the PBWE could come from the Seaside Aquifer, under no circumstances would that result in
20 an increase of use of water by Cal-Am from the Seaside Aquifer. Regarding aquifer storage and
21 retrieval, at present, winter high flows are diverted from the Carmel River and then injected into the
22 Seaside Aquifer but use of this supply to serve the PBWE would not result in a depletion of the
23 Seaside Aquifer either as Cal-Am cannot withdraw water in excess of the recharged amount plus its
24 allocation of the Seaside Aquifer adjudication. The current use of winter high flows for ASR is not
25 considered an adverse effect on the Carmel River. Regarding desalination or other future supplies,
26 as noted in the DEIR they may result in secondary environmental impacts, but these effects remain
27 to be fully evaluated under CEQA (for both the Regional Water Project pursuant to the recent court
28 order as well as for any alternative that may be proposed).

29 As such, the DEIR properly discloses that the net effect of serving the PBWE may result in increased
30 withdrawals from the Carmel River up to 2016, no increase in withdrawals from the Carmel River
31 after 2016 (due to restrictions in the CDO), no increase in withdrawals from the Seaside Aquifer
32 (due to the adjudication), and increased use of water from future other supplies, such as
33 desalination, as included in a regional water supply project or its equivalent.

34 Revisions to the DEIR have been made to clarify that water to serve the PBWE can be derived from
35 any legal source available to Cal-Am per this comment. Please see Chapter 4 of this document for the
36 specific changes. This revision does not change the conclusions of the DEIR about the environmental
37 effects of the project's increased water demand over current (2011) conditions.

38 Comment 19-73

39 The commenter expresses their opinion that impacts related to a Regional Water Project not being
40 completed by 2017 would be short-term because the Cease and Desist Order (CDO) and other laws
41 require an equivalent to the Regional Water Project to be built, although the timing may be
42 presently uncertain.

1 While the CDO requires Cal-Am to reduce its withdrawals from the Carmel River to that consistent
2 with its legal rights by 2017, and lack of a new regional water supply by the time that restriction is
3 enforced would result in widespread rationing, the CDO does not make a regional water supply
4 project happen. As shown by events since 1995, when the SWRCB first ordered Cal-Am to replace its
5 illegal water supply, new regional water supply projects for the Monterey Peninsula have suffered
6 one setback or another. The recent deepening crisis for the previously adopted Regional Water
7 Project (which may mean its end) is but the most recent evidence for the difficulty in actually
8 providing a new regional water supply.

9 While the County concurs with the comment that there is a strong imperative to creating a new
10 regional water supply and the County supports its development, the current circumstances have
11 created a substantial uncertainty as to the timing. The County hopes that a new regional water
12 supply will be on line by 2016 or as soon thereafter as feasible, but for the purposes of CEQA
13 disclosure, the DEIR concludes that there could be an interim period after 2016 in which a sufficient
14 regional water supply is available to meet current demand is not available. At present, it would be
15 speculative to predict the timeframe of that interim period.

16 No revisions to the draft EIR are necessary.

17 **Comment 19-74**

18 The commenter states their opinion that the effects of the project water demand on intensified
19 rationing would be negligible and insignificant because the PBWE would be a negligible percentage
20 of the rationing need.

21 The County concurs that the effects of the PBWE on water rationing would be a small percentage.
22 However, the scale of potential rationing in the absence of a new regional water supply by 2016 and
23 the economic dislocation and disruption that could occur with widespread rationing is a significant
24 cumulative impact. Thus, the project's contribution to that effect, while small indeed, is still
25 considered a considerable contribution to a significant cumulative impact.

26 No revisions to the draft EIR are necessary.

27 **Comment 19-75**

28 The commenter states their opinion that the effects of the project water demand on the need to
29 build a regional water supply project would be negligible and an insignificant contributor to the
30 secondary physical significant impacts of such a project.

31 The County concurs that the amount of water provided to the project from a regional water supply
32 project would be a small percentage. However, the EIR found that the previously adopted Regional
33 Water Project would have resulted in significant unavoidable impacts to the environment. It is
34 possible, but unknown at this time, that alternatives to the regional project could also result in
35 significant unavoidable impacts to the environment. The project's demand would contribute to
36 those impacts, as identified, just like all other water demands that would be served by the new
37 project. In essence, the secondary physical impacts of a new regional water supply constitute a
38 cumulative impact of providing water to the Monterey Peninsula. Thus, the project's contribution to
39 those significant physical impacts, while small indeed, is still considered a considerable contribution
40 to potentially significant cumulative impacts.

41 No revisions to the draft EIR are necessary.

1 Comment 19-76

2 The commenter states their opinion that the effects of the project water demand on Carmel River
3 biological resources prior to 2017 are insignificant in light of CDO-required reductions in Carmel
4 River withdrawals from 2009 to 2016.

5 As noted in the DEIR, the CDO does not limit withdrawals from the Carmel River to serve the PBWE
6 prior to 2017 and those withdrawals can be on top of the established CDO overall limits on
7 withdrawal. As such, the DEIR is correct in identifying that withdrawals could increase above that
8 which would occur without the project. Also, as described in the DEIR (see Page 3.12-35 of Volume
9 I), even reduced withdrawals in average, dry, and very dry years can still have adverse effects on
10 steelhead and other resources. Thus, the indirect effect of the project's increased water demand on
11 the biological resources of the river will depend on the type of water years that occur between now
12 and 2017 and the total amount of withdrawal by Cal-Am (and others). The DEIR assumes that
13 average, dry or very dry year conditions occur during this period and that the project would thus
14 contribute to cumulatively significant withdrawals and associated biological effects. Although the
15 contribution of the project's water demand (or that to serve the PBWE in total) to overall
16 withdrawals would be small, this is a cumulative impact issue, and the contribution would still be
17 cumulatively considerable.

18 No revisions to the draft EIR are necessary.

19 Comment 19-77

20 The commenter states that the DEIR's assumption that all of the project will be constructed and
21 demanding water immediately is an overstatement as residential development will take place over
22 many years and that the full water demand may not occur for 20 to 30 years.

23 The commenter is correct that the likely scenario for construction of the project and the use of the
24 PBWE by others is that buildout will take many years. However, the permits to build this project will
25 not limit the timing in which the project could be built and will not limit the ability of other users of
26 the PBWE in the DMF from also building their residences and using their portion of the PBWE.
27 Although somewhat unrealistic, the approach in the DEIR of assuming full buildout in a short period
28 of time is a conservative approach to disclosing potential impacts of project approval.

29 Revisions have been made in the text to indicate that the scenario of buildout used in the DEIR is
30 conservative and the more likely outcome is a slower buildout and a slower increase of water
31 demand associated with the project and the other users of the PBWE. Please see Chapter 4 of this
32 document for the specific changes.

33 Comment 19-78

34 The commenter describes that the litigation concerning CDO could result in modifications to the
35 CDO, including the ability to serve the PBWE with Carmel River withdrawals over and above the
36 CDO limitations after a regional water supply project is completed.

37 The DEIR describes the pending litigation. The outcome of that litigation is unknown and it would be
38 speculative to make any conclusions at this time that the CDO will be changed in regard to the
39 current requirements relative to the PBWE.

40 No revisions to the draft EIR are necessary.

1 **Comment 19-79**

2 The commenter asks that the cumulative analysis in the DEIR consider the comments provided on
3 the main water supply section.

4 All of the comments on water supply have been considered in light of the project and cumulative
5 impact analysis. Where revisions noted above are relevant to the cumulative impact analysis, they
6 have been made in Chapter 3 of the draft EIR. Please see Chapter 4 of this document for the specific
7 changes.

8 **Comment 19-80**

9 The comment is a statement that the draft EIR is correct that there are multiple options for
10 considering alternatives to the clustered and reduced-density residential designs (discussed in
11 Chapter 5 of Volume I), and that there is a reasonable range of alternatives on these options, from
12 which conclusions can also be made about other possibilities.

13 Comment noted. The comment does not concern the adequacy of the EIR. No revisions to the draft
14 EIR are necessary.

15

1 **Comments Received Late**

2 **Response to Comment Letter 20 (HOPE)**

3 **Comment 20-1**

4 The comment includes introductory statements that PBC and County can't get it right after five tries,
5 Pebble Beach Forest Destruction Project (Version 5) and affiliated zoning changes violates CEQA in
6 12 ways, and HOPE objects to the project and environmental review.

7 There are no specific statements in this comment explaining how the project violates CEQA so it is
8 not possible to respond to this claim. The commenter's opinion of the project is noted. No revisions
9 to the draft EIR are necessary.

10 **Comment 20-2**

11 The commenter states their opinion that the Applicant has no right to their water entitlement
12 because the agency that gave them the entitlement had no authority to do so.

13 As described in the DEIR (Section 3.12 of Volume I), the Pebble Beach Water Entitlement (PBWE)
14 was derived from MPWMD ordinances and agreements and was granted due to the Applicant's
15 financing of the Recycled Water Plant, which has lowered potable water use and withdrawals from
16 the Carmel River by approximately 1,000 AF. The potable use of water under the PBWE totaled
17 about 40 AFY in fall 2011. The total amount of entitlement is 380 AF (365 AFY to PBC) which is the
18 maximum amount of potable that could be derived. If this full amount is actually used, there will still
19 be a net reduction of over 600 AFY in use and withdrawals from the Carmel River.

20 The entitlement is not a right to withdraw water from the Carmel River, but rather an entitlement to
21 service from Cal-Am from legal sources. As describe in the December 14, 2011 comment letter from
22 MPWMD (refer to Comment 6-1 in Chapter 2 of this document), MPWMD holds regulatory power to
23 require Cal-Cam to provide water service to the holders of the water entitlement through the Cal-Am
24 system. The DEIR describes the effect of the Cease and Desist order (CDO) on the ability of Cal-Am to
25 provide water to the PBWE, including from the Carmel River before and after 2016. The PBWE has
26 been affirmed as a water entitlement in SWRCB Order 95-10, 2009-0060 (as amended) and other
27 SWRCB correspondence to date, as well as a final Judgment of Validation by the Superior Court of
28 California, County of Monterey, in Case No. M21594 (July 12, 1990).

29 No revisions to the draft EIR are necessary.

30 **Comment 20-3**

31 The comment states that the water issue is highly important because all Monterey Peninsula
32 residents are laboring under a water emergency.

33 The commenter's opinion of the water issue is noted. The DEIR describes the water supply situation
34 thoroughly. No revisions to the draft EIR are necessary.

1 Comment 20-4

2 The comment states that three major changes have occurred since the PBC project was first filed in
3 1999 and then rejected by the Coastal Commission in June 2007. The changes concerning traffic, lots
4 and endangered species are discussed in subsequent comments.

5 No comments on the EIR are provided so no response is required. No changes to the draft EIR are
6 necessary.

7 Comment 20-5

8 The comment states that special event traffic inside the forest has worsened since Haul Road closed,
9 and the EIR did not recognize this.

10 The closure of Haul Road is part of the baseline and is not caused by the project.

11 The proposed project would not increase the size or change the nature or frequency of the events
12 taking place in Del Monte Forest. With the proposed increase in the number of guest rooms in Del
13 Monte Forest, more people attending weekend special events could stay in Del Monte Forest and
14 would be less likely to drive during the event activities. Traffic associated with special events is
15 discussed in the EIR on pages 3.11-72 and 3.11-90 in Volume I.

16 No revisions to the draft EIR are necessary.

17 Comment 20-6

18 The commenter asks why no golf event in Pebble Beach ever had to obtain a coastal permit. If an
19 individual holds an outside event with more than 50 people, a county permit is needed.

20 This comment does not pertain to the proposed project or the EIR. No changes to the draft EIR are
21 necessary.

22 Comment 20-7

23 The commenter states that PBC only has 43 lots of record but claim 90.

24 As described in the DEIR Page 5-7, Lines 28- 30 (Chapter 5 of Volume I), the County has certificates
25 of compliance for 41 approved legal lots within the proposed project area. In addition, the Applicant
26 believes that up to another 44 90 legal lots exist, for a total of 85. However, the Applicant has not
27 taken the steps to obtain certificates of compliance for any of these potential 44 additional lots.
28 Therefore, for purposes of this EIR, the assumption has been made that the Applicant only has the
29 41 legal lots for which certificates of compliance have been obtained.

30 The purpose of a subdivision is to subdivide existing legal lots into additional new legal lots. The
31 Applicant proposes to have a total of 90 residential lots in the area included in the proposed project,
32 and would extinguish any legal lots, or the right to obtain certificates of compliance for any potential
33 legal lots, outside of the 90 for which approval is being requested.

34 No revisions to the draft EIR are necessary.

1 Comment 20-8

2 The commenter states their opinion that the Coastal Act and CCC prior decision require the
3 Applicant to avoid harm to the Monterey pine forest as habitat for Yadon's piperia and other
4 protected endangered species.

5 The Coastal Act applies to the project through the requirements of the Local Coastal Plan. As the
6 commenter is aware, a separate LCP Amendment has been proposed and is presently being
7 processed for consideration by the CCC in 2012. That LCP Amendment specifically allows for
8 development in the areas proposed for development in the proposed project analyzed in the EIR. If
9 the LCP is approved by the CCC, then the proposed project's development within areas that are
10 defined as ESHA would then be allowable without violating the Coastal Act. As noted in the DEIR, the
11 LCP Amendment is based on a staff level agreement between the Applicant and the CCC staff but
12 does not yet have CCC approval from the Commission itself.

13 Because the LCP Amendment is required in order to permit the proposed project, and the LCP
14 Amendment needs to be considered and approved by the CCC prior to County consideration of
15 project approval, the DEIR used the ESHA definitional approach in the LCP Amendment, rather than
16 the definitions in the current LCP.

17 Areas that fit the definition of ESHA using the approach in the LCP Amendment are first and
18 foremost biological resources. Under CEQA, determinations of whether physical impacts to the
19 environment can or cannot be mitigated must be based on the physical effects of a project and the
20 effect of mitigation on the resource as a whole.

21 ESHA areas within project areas are defined in the DEIR (beginning on page 3.3-26 in Section 3.3 of
22 Volume I), including the reasons why each area is considered ESHA. ESHA areas defined in the DEIR
23 include some (but not all) areas of Monterey pine forest (including the resources contained therein),
24 coastal sand dunes, maritime chaparral (included in Monterey pine forest), natural wetlands and
25 seasonal ponds, riparian habitat, California red-legged frog aquatic habitat, Yadon's piperia habitat,
26 Gowen cypress habitat, certain plants specified in the current LUP as state or federally listed.
27 Specific geographic areas are identified in the DEIR as well.

28 Each of these resources is analyzed both as an ESHA area and separately as a biological resource in
29 Section 3.3, Biological Resources in the DEIR (Volume I). Under Impact BIO-A1, the DEIR discloses
30 impacts to ESHA areas and mitigation is identified in the DEIR for all identified significant impacts to
31 ESHA. The conclusion of significance after mitigation in the DEIR previously mentioned the
32 proposed LCP Amendment, Coastal Act balancing and the identified mitigation. The LCP Amendment
33 was mentioned because, as noted on Page 3.8-25 of Volume I, the proposed project is not consistent
34 with the current LUP. The Coastal Act balancing was mentioned because, as disclosed in the DEIR on
35 Page 3.8-27 of Volume I, the LCP Amendment is not fully consistent with Coastal Act policies on
36 ESHA. As such, the proposed project cannot ultimately be approved unless the LCP Amendment is
37 approved first. The compliance with the LCP and the LCP's compliance with the Coastal Act is
38 ultimately a matter of land use plan and policy consistency and is best understood as a land use
39 planning matter, rather than strictly a matter of biological resource impacts.

40 As such, reference to the LCP Amendment and Coastal Act balancing have been deleted from the
41 significance conclusion for Impact BIO-A1 on Pages 3.3-40 and 3.3-44 of Volume I. However, the
42 EIR's conclusion that the physical impacts to biological resources that are defined as ESHA can be
43 mitigated to a less than significant level with the adoption of the proposed mitigation remains

1 unchanged as it is the physical effects of mitigation in preserving sensitive biological resources for
2 the Del Monte Forest as a whole that provides the mitigation value, not the consistency with a LCP
3 policy or the Coastal Act. CEQA's fundamental purpose is to evaluate physical impacts to the
4 environment. While consistency with policies and plans are required to be disclosed in CEQA
5 documents, under CEQA, an inconsistency is only a significant impact if it is related to an actual
6 physical impact on the environment and the impact level is significant. As such, the project's
7 inconsistency with the existing LCP or the LCP Amendment's partial inconsistency with the Coastal
8 Act is not considered, in isolation, a significant impact on biological resources. Instead the EIR relies
9 on the physical impacts of the project and the physical effects of proposed mitigation in preserving
10 sensitive habitats in the Del Monte Forest.

11 **Comment 20-9**

12 The commenter states that the B-8 zoning should not be removed because of existing water and
13 traffic problems.

14 The B-8 zoning is required by the current LUP Policy 113. The project would not amend LUP Policy
15 113. The proposed LUP Amendment would amend Policy 113. As described on page 2-23 of the
16 DEIR (in Chapter 2 of Volume I), the LCP amendment is not part of the project analyzed in the EIR
17 and is being processed separately under the requirements of the Coastal Act.

18 Regarding Policy 113 in the current LUP, this is what it says regarding water and traffic:

19 The Resource Constraint Area designation shall be removed only when water and sewer capacity
20 sufficient to serve such development becomes available and that highway capacity and circulation
21 solutions have been agreed upon and adopted.

22 Regarding water, as described in the LUP Amendment and as described in the DEIR, there is
23 adequate water to provide the project with water pursuant to the PBWE, discussed in prior
24 responses and at length in the DEIR (refer to responses to Comment Letter 16).

25 Regarding traffic, the DEIR identifies that all project impacts to SR 68 can be mitigated to a less than
26 significant level with full mitigation; but due to the fact that the project's fair share is but a portion of
27 the needed funding to address existing or cumulative traffic impacts along SR 68, there will be a
28 period in which traffic impacts will be significant and unavoidable until sufficient funds are
29 generated to complete all the mitigation. Thus, the evidence in the EIR is consistent with the finding
30 in the LUP amendment that solutions to local roadway issues around the Del Monte Forest "have
31 been agreed upon and adopted". Also refer to response to Comment 11-7.

32 **Comment 20-10**

33 The comment states that the County is piecemealing two separate projects (Poppy Hills and this
34 proposed project) both by the same applicant (PBC) which is forbidden by CEQA. The comment also
35 states that although the two projects are processed by the same agency, are adjacent to each other,
36 and destroy huge amounts of Monterey pines and their habitat for endangered species, the two
37 projects are separated and the environmental analyses has used different significance thresholds.

38 Refer to responses to Comments 11-2, 12-1 to 12-5 concerning the Poppy Hills Golf Course project
39 and cumulative impact analysis.

1 Comment 20-11

2 The commenter asks for the EIR to be recirculated after addressing the errors the commenter
3 asserts in his comments.

4 As discussed in prior responses, the errors alleged by commenter do not exist in the DEIR and do
5 not trigger the CEQA requirements for recirculation; and thus there is no need for recirculation of
6 the document.

7 Comment 20-12

8 The commenter asks for inclusion of the CCC's June 2007 findings and evidence for denial of
9 Measure A as part of the administrative record for this project and the findings and evidence be
10 considered.

11 The CCC's June 2007 findings concerning Measure A were referenced in the DEIR (see references in
12 Chapter 7 of Volume I) and are already included in the administrative record. The DEIR specifically
13 considered these findings in the identification of areas meeting the LUP Amendment's definition of
14 ESHA.

15 No revisions to the draft EIR are necessary.

16 Comment 20-13

17 The commenter asks for inclusion of the CCC's May 1999 findings and evidence for Appeal A-3-MCO-
18 98-085 be made part of the administrative record for this project as the appeal concerned issues of
19 Monterey pine forest habitat, endangered species around the existing Driving Range and the need
20 for an update of the Del Monte Forest LCP.

21 The CCC's May 1999 findings and evidence concerning Appeal A-3-MCO-98-085 were reviewed in
22 response to this comment. The subject appeal concerned a previously proposed project and is not
23 binding on review of the current project. Since 1999, extensive surveys and evaluations of Monterey
24 pine forest and PBC properties has occurred, the CCC has completed a periodic review of the DMF
25 LCP, and the CCC comprehensively reviewed ESHA and biological resources at all current project
26 locations as part of its review of Measure A in June 2007. The June 2007 findings and evidence are
27 more recent, thorough, and comprehensive in terms of reviewing Monterey pine forest and other
28 sensitive species with the DMF and thus better represent current data on resource sensitivity and
29 are the latest opinion from the CCC on what they believe to be ESHA and what resources are
30 sensitive. As such, the CCC's June 2007 findings are relevant information and are included in this
31 project's consideration and supersede the prior 1999 information cited by the commenter.

32 Regarding the substance of the findings and evidence for the subject Appeal mentioned in this
33 comment, the profile of resources for the area around the existing Pebble Beach Driving Range in the
34 DEIR is based on more recent available data than that extant in 1999, including extensive surveys
35 for Yadon's piperia conducted in 2004 and botanical surveys conducted after 1999. Regarding the
36 comment about the need for an update of the LCP, only local jurisdictions can originate LCP updates
37 – the CCC can only recommend a LCP update and cannot mandate a LCP update on their own
38 authority. Subsequent to 1999, Monterey County through a voter referendum advanced a
39 comprehensive update to the LCP (Measure A), but the CCC denied it in 2007. The County is again
40 proposing a comprehensive LCP update, working cooperatively with CCC staff, for full Commission
41 consideration in Spring 2012.

1 No revisions to the draft EIR are necessary.

2 **Comment 20-14**

3 The commenter asks for inclusion of the CCC's May and October 1999 letters to Monterey County
4 regarding the Pebble Beach Lot Program be made part of the administrative record for this project
5 as they concerned the Coastal Act definition of ESHA, ESHA Avoidance vs. CEQA mitigation, in situ
6 preservation of Monterey pine forest, and wetlands delineation.

7 Similar to the response to Comment 20-13, the cited 1999 letters from the CCC are superseded by
8 the 2007 findings and evidence concerning the proposed project lands in the Measure A review
9 because they consider more recent data and represent more recent CCC determinations. The cited
10 1999 letter considered the Pebble Beach Lot Program, which is the project that preceded the project
11 that preceded the current project. As such, the 1999 letters concern a project no longer under
12 consideration and do not represent the most recent opinion of the Coastal Commission.

13 As such, the CCC's June 2007 findings are relevant information and are included in this project's
14 consideration and supersede the prior 1999 information cited by the commenter.

15 Regarding the substance of the cited 1999 letters mentioned in this comment: responses regarding
16 the definition of ESHA and ESHA avoidance vs. mitigation are provided in response to Comment 20-
17 8 above; *in situ* preservation of Monterey pine forest is provided throughout the Del Monte forest in
18 large, contiguous, high-value preservation areas proposed with this project; and wetlands
19 delineation for the current project were conducted in cooperation with CCC staff who have
20 concurred with the wetland identification used in this EIR.

21 No revisions to the draft EIR are necessary.

22 **Comment 20-15**

23 The commenter requests that the County add a document called "Final EIR" to the County website as
24 there is still no such document available as of January 25, 2012.

25 It is not clear what the commenter is referencing, the Final EIR for this project or the Final EIR for
26 another project.

27 If this comment concerns the Final EIR for this project, the Final EIR was not complete as of January
28 25, 2012. The public review period for the draft EIR (Volumes I and II) ended January 9, 2012.
29 Subsequently, the County prepared responses to the comments received. Upon completion, the Final
30 EIR will be posted on the website and will include: Volume I Draft EIR, Volume II Draft EIR
31 Appendices, and Volume III, Comments, Responses to Comments, and Revisions to the Draft EIR.

32 No revisions to the draft EIR are necessary.

33 **Comment 20-16**

34 The commenter states that if Monterey County prepared a legally adequate EIR that illuminated the
35 environmental harm done by the proposal, HOPE would have nothing to litigate; this would ease the
36 burden on County staff and save PBC money.

1 The Draft EIR discloses the environmental impacts and is a legally adequate document prepared in
2 compliance with CEQA. With the responses to comments and text revisions in Volume III, the final
3 EIR will be a comprehensive, legally adequate document prepared in compliance with CEQA.

4 No revisions to the Draft EIR are necessary.

5 **Comment 20-17**

6 The commenter states that it is a waste of the public's time to speak to Supervisors at the County
7 meetings.

8 The commenter's opinion is noted. The comment does not concern the adequacy of the EIR. No
9 revisions to the draft EIR are necessary.

10 **Comment 20-18**

11 The commenter asks what water conservation methods are used on the Applicant's golf courses,
12 including whether soil compacting, as-needed watering, deep/infrequent watering, lowered mowing
13 height, use of dull-mowing blades, and reduced fertilizer use are used.

14 The water use of the existing golf courses is not a matter of consideration for the proposed project.
15 the proposed project does not include a golf course nor does it propose changing any golf course and
16 would not in any way change golf course water use. Therefore management and water usage of the
17 existing golf courses is not relevant to the consideration of the proposed project.

18 Of note, with the Applicant's financing of the Phase 2 improvements to the Recycled Water Plant, the
19 golf courses in Pebble Beach are presently using 100% recycled water, not potable water and thus
20 are not having any effect on the potable water situation on the Monterey Peninsula nor on
21 withdrawals from the Carmel River. As discussed in the DEIR, the Applicant's financing of the
22 Recycled Water Plant has made possible substantial reductions in potable water use and
23 withdrawals from the Carmel River.

24 No revisions to the draft EIR are necessary.

25 **Comment 20-19**

26 The comment states that HOPE is the organization which led the successful 15-year effort to protect
27 the native Monterey pine forest, is the only group which filed a lawsuit against the project, and is the
28 only group who attended every meeting, let tours and provided written objections with best
29 available science over the 15 years.

30 The commenter's opinion is noted. The comment does not concern the adequacy of the EIR. No
31 revisions to the draft EIR are necessary.
32

1 **Response to Comment Letter 21 (LWV-2)**

2 **Comment 21-1**

3 The comment is an introduction stating the League of Women Voters of the Monterey Peninsula has
4 reviewed the environmental documents for the PBC project and the Poppy Hills Golf Course project
5 and the over 125 LCP amendments; and that it has come to their attention that they incorrectly
6 stated in their earlier letter that the PBC is the applicant for both projects, but their concerns remain
7 the same.

8 Comment noted. No revisions to the draft EIR are necessary.

9 **Comment 21-2**

10 The comment states that the environmental documents for the PBC project and the Poppy Hills Golf
11 Course project do not account for the cumulative impact of both projects, which remove trees and
12 include construction emissions with potential health impacts.

13 Refer to the responses to Comments 11-2, 12-2 and 12-4.

14 **Comment 21-3**

15 The commenter states that that the two CEQA documents for the PBC project and the Poppy Hills
16 Golf Course project use different methodologies for addressing climate change.

17 Refer to response to Comment 11-16.

18 **Comment 21-4**

19 The commenter requests that the two environmental documents address the totality of the impacts
20 of both projects on the environment, use consistent methodologies for addressing climate change
21 and that these documents be recirculated for public review and comment.

22 Refer to the responses for Comments 11-2 and 12-2 to 12-5.

23

1 **Response to Comment Letter 22 (Blum-1)**

2 **Comment 22-1**

3 The commenter describes that a “riparian” drainage channel is located between the Bierne (Fairway
4 One) parcel and the Scifres property (at 3871 17-Mile Drive). The commenter describes that they
5 could not find any discussion or evaluation of this drainage channel and presumes that there are no
6 mitigation measures for setbacks from this channel. The commenter asks if the channel has been
7 evaluated, whether the drainage constitutes a riparian corridor, and requests the analysis be
8 provided.

9 The drainage channel referenced in this comment is a narrow (12- to 18-inch wide) channel,
10 approximately 180 feet in length located within a 16-foot wide utility parcel that is located between
11 the Beirne parcel and the Scifres parcel and is owned by the Pebble Beach Company. The drainage
12 channel conveys flow from culverts on the south side of 17-Mile drive which collects stormwater
13 drainage from upgradient residential areas (including part of the Scifres property) and local
14 roadways (including a portion of 17-Mile Drive). The drainage is not connected to an upgradient
15 natural stream or channel north of 17-Mile Drive (Zander 2012). The drainage conveys flow to a
16 culvert under Fairway One.

17 Based on these facts, it appears, in all likelihood, that the channel developed as a result of the
18 culverted flow from developed areas upgradient, is part of the storm drainage system, and is not a
19 remnant natural channel.

20 The wetland and riparian characteristics were reviewed by Zander & Associates (Zander 2012). The
21 drainage channel proper is nearly devoid of vegetation with the exception of English Ivy that has
22 taken root between storm flows (English Ivy is a non-native non-wetland plant). No wetland
23 vegetation was observed in the channel, along its banks, or in the vicinity. The banks of the channel
24 are covered in English ivy. Adjacent vegetation consists of French broom, ornamental bamboo, holly,
25 and blackberry and common ornamentals (pittosporum, various acacia species) mixed with
26 occasional remnant landscape coast live oaks and pines. On the Beirne side of the fence, a similar
27 mix of ornamentals is found along with asparagus fern, palms, and podocarpus. A field survey by
28 Zander & Associates observed nothing that would be considered riparian vegetation associated with
29 this drainage (Zander 2012).

30 A photograph showing the drainage is provided in an exhibit 1 below.

31 ICF and the County independently reviewed the information provided by Zander & Associates and
32 concur with the judgment that the drainage channel is neither a wetland nor a riparian channel. As a
33 result, the requirements of the existing Local Coastal Plan (LCP) or the Local Coastal Plan
34 Amendment (LCPA) in regard to wetlands or riparian channels and setbacks do not apply. Further,
35 given the characteristic of local vegetation, which mostly consists of non-native landscaping species,
36 the lack of cover in channel, the lack of perennial flow, the limited width and length, and location in a
37 highly developed context, the channel is not considered to be habitat for any special-status aquatic
38 species (such as California red-legged frog or Western pond turtle). Given these determinations, the
39 drainage does not meet the definition of an Environmentally Sensitive Habitat Area (ESHA) per the
40 existing LCP, the proposed LCPA, and the California Coastal Act.

41 Regarding the potential for development at the Fairway One Complex to affect this drainage,
42 according to the Applicant (Stilwell 2012), none of the project construction will encroach on the

1 ditch. The Applicant is proposing to build a wall on the Beirne (Fairway One) parcel to provide
2 additional visual screening and noise attenuation for the benefit of the Scifres property (see pages
3 PB-11, PB-20, and PB 20.2 in the application plan set, May 2011, on file with the County). Minor
4 grading will be required to install the wall foundation and will occur within approximately 15 feet of
5 the ditch. The Applicant also proposes to underground utilities that currently run partially within
6 the utility easement and partially within the Scifres property, again as a benefit to the Scifres
7 property. These utilities will be installed underground in the same general location as they are
8 currently located above ground, and therefore approximately 10-15 feet from the ditch, although
9 final siting will be done in the field (Stilwell 2012).

10 The EIR already requires all construction to have a stormwater pollution prevention plan to control
11 site erosion and to prevent downstream effect on drainages and water quality per Mitigation
12 Measure HYD-C1. The Applicant has identified that they specifically would provide sediment control
13 barriers to prevent any construction run-off from entering the ditch for construction at the Fairway
14 One Complex, including the wall and utility components noted above (Stilwell 2012).

15 The Fairway One Complex will not drain to the subject ditch and will instead drain southwest of the
16 ditch into other existing storm drain lines (Stilwell 2012).

17 The Fairway One Complex will require removing some non-native landscape trees and other
18 plantings along the Beirne property boundary with the utility easement and replanting new trees to
19 provide additional visual screening and noise attenuation for the benefit of the Scifres property
20 (Stilwell 2012).

21 There is no need for specified setbacks to protect the drainage because the subject drainage does
22 not contain wetlands, is not a riparian corridor, does not contain habitat for special-status species, is
23 not an ESHA, and the project will not encroach on the drainage nor affect it directly or indirectly due
24 to construction or operational drainage. Further, there are no regulatory compliance requirements
25 concerning state and federal regulations for streams and wetlands, except the prior mitigation
26 applied generally to all construction concerning stormwater pollution prevention during
27 construction.

28 The evaluation by Zander & Associates (Zander & Associates 2012) and the applicant's plans
29 relevant to this drainage (Stilwell 2012) have been added to the administrative record and are
30 available for review at the County Planning Department along with the application plan set.

31 Since this drainage is not located on project parcels and will not be affected in any way that would
32 give rise to a significant impact to water quality or biological resources, there is no need for revision
33 of any of the analysis or conclusions in the Draft EIR and no need for adoption of new mitigation or
34 consideration of new alternatives in regard to this drainage.

1 **Exhibit 1: View from Drainage Ditch between Fairway One (Bierne) Property and Scifres Property**



2

1 **Response to Comment Letter 23 (Blum-2)**

2 The commenter submitted a comment letter to the California Coastal Commission (CCC) concerning
3 the proposed LCP Amendment (LCPA) in which certain comments were provided concerning a
4 private agreement between the Applicant and the Neighborhood Preservation Association (referred
5 to as the “NPA Agreement”), the adequacy of the EIR, project review, and private NPA. Those issues
6 relative to project approval and the proposed project EIR are responded to below.

7 **Comment 23-1**

8 The commenter states that the NPA Agreement prohibits the Applicant from using the Beirne Parcel
9 for uses other than residential, open space, landscaping or access without the written consent of the
10 owners of the Scifres’ Parcel, that the Scifres have not provided their consent, that the Scifres have a
11 number of concerns that must be resolved prior to their consent being provided, that the the LCPA
12 (including the Concept Plan) would commit future use of the parcel to commercial use, and that this
13 action would violate the NPA Agreement.

14 The NPA Agreement is a private agreement between the subject parties. Whether or not the
15 Applicant’s proposed use of the property complies with this private agreement is not the purview of
16 Monterey County or the CCC. The potential approval of the LCPA by the CCC does not compel
17 commercial use of the project, it merely allows the approval of proposed commercial use as
18 consistent with the Coastal Act. The potential approval of the proposed project by Monterey County
19 also does not compel commercial use of the project. If, after receiving the approval of the proposed
20 project, the Applicant decides to proceed with commercial use of the parcel, then it is the Applicant
21 that is responsible to comply with any and all private legal obligations that may exist in regard to
22 that parcel.

23 The County renders no opinion as to the content or requirement of the NPA Agreement, as it is not a
24 party to that agreement.

25 If the Beirne parcel could not be legally used for commercial purposes due to the NPA Agreement
26 (after receiving project approval from Monterey County) or for any other reason, this would not
27 create environmental impacts that are not disclosed in the EIR. The Fairway One Complex is a
28 visitor-serving development that stands on its own and if it is not built it will not affect or change the
29 rest of the proposed project in terms of environmental impact. Certain impacts related to water use,
30 air quality, and traffic would be less than disclosed in the EIR with less water demands, less traffic,
31 and less construction.

32 The LCPA would not preclude the continued use of the property for residential purposes because
33 Visitor-Serving Commercial (VSC) zoning allows residential structures with the granting of a Coastal
34 Development Permit.

35 As neither the potential approval of the LCPA nor the proposed project compels commercial use of
36 the parcel, the matter of consistency with the NPA Agreement is a private matter. Even if the
37 Agreement were to end up preventing commercial use of the property, it would not result in greater
38 environmental impacts of the project than disclosed in the EIR and thus this is not a concern for the
39 EIR.

40 No revisions to the document are necessary.

1 Comment 23-2

2 The commenter asserts that the LCPA is part of the project application PLN100138 and that the
3 Coastal Commission's current project and environmental review is both the LCPA and the proposed
4 project.

5 The LCPA is not part of the proposed project. The LCPA is a proposed change in the applicable land
6 use plan/local coastal plan and does not entitle nor approve any development. The LCPA, as it
7 concerns the adopted LCP under the California Coastal Act, is subject to the review procedures of the
8 CCC. Section 21080.5 of the Public Resources Code provides that a certified regulatory program is
9 exempt from CEQA as noted in CEQA guidelines Section 15250. The CCC's program is listed as a
10 certified regulatory program in regard to preparation, approval and certification of local coastal
11 programs in CEQA Guidelines Section 15251(f).

12 The CCC's current review authority is limited to the LCPA. The proposed project is not before the
13 CCC at present. Under the Coastal Act, once an LCP is approved by the CCC, the authority for project
14 approval is delegated to the local land use jurisdiction. In an area with an approved LCP, a proposed
15 project only comes before the CCC if there is an appeal of the local project approval to the CCC. No
16 project appeal has been filed at this time because local project approval has not occurred. As such,
17 the proposed project itself is not before the CCC and is not the subject of their current review.

18 Because the Concept Plan in the LCPA establishes the regulatory framework for the proposed
19 project, the Draft EIR (which analyzes the proposed project), along with other information, will be
20 utilized by the Coastal Commission to analyze the environmental effects of the Concept Plan, as part
21 of the overall review of the LCPA.

22 No revisions to the draft EIR are necessary.

23 Comment 23-3

24 The commenter asserts that Monterey County incorrectly determined that the LCPA is statutorily
25 exempt from CEQA because the scope of the activity as a whole includes both the LCP Amendment
26 and the proposed project and that the County's EIR for PLN1000138 and the CCC's CEQA
27 equivalency review must evaluate both the LCPA and the proposed project.

28 As noted above, the LCPA is not part of the project being analyzed in the EIR and the LCPA is a
29 separate planning action being processed per the CCC's certified regulatory program.

30 The EIR is limited to analysis of the project proposed by the Applicant. The project application to
31 Monterey County does not include the LCPA and is limited to the specific development and
32 preservation proposals included in the application. To the extent that the Concept Plan portions of
33 the LCPA allow the same development and preservation included in the proposed project, the EIR
34 has *de facto* analyzed the environmental impacts of the Concept Plan, but the intent and
35 responsibility of the EIR is to analyze the impacts of the proposed project not the LCPA.

36 The EIR does not piecemeal the analysis of the proposed project because it analyzes all impacts of
37 the project actually proposed by the Applicant. The commenter does not describe what aspects of
38 the proposed project are not analyzed in the EIR in their comment. The LCPA is broader than the
39 proposed project and includes elements that are not related to the proposed project. Analysis of the
40 impacts of unrelated parts of the LCPA as part of the proposed project in the EIR is inappropriate

1 because they are not reasonably foreseeable impacts of the project under review by Monterey
2 County.

3 The LCPA is, however, considered in the cumulative analysis in the EIR (see page 3-4 and 3-5 and
4 the cumulative analysis in the subject areas in Chapter 3 of the DEIR and revisions to those pages
5 and the cumulative analysis in Chapter 4 of this document) in terms of the potential effects on
6 buildout of the DMF. But inclusion in the cumulative analysis does not make the LCPA part of the
7 project.

8 No revisions to the draft EIR are necessary.
9

1

[This page intentionally left blank.]