

Purpose of the EIR

The County of Monterey (County) has prepared this environmental impact report (EIR) to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed Carmel Valley Traffic Improvement Program (proposed program or proposed project). This EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).

As described in the CEQA Guidelines, Section 15121(a), an EIR is a public information document that assesses potential environmental effects of a proposed project, as well as identifies mitigation measures and alternatives to the project that could reduce or avoid adverse environmental impacts (14 CCR 15121[a]). CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. The proposed Carmel Valley Traffic Improvement Program constitutes a “project” under CEQA. The EIR is an informational document used in the planning and decision-making process. It is not the purpose of an EIR to recommend either approval or denial of a project.

The procedures required by CEQA “...are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which would avoid or substantially lessen such significant effects.” (13 California Public Resources Code [PRC] 21002). As a general rule, CEQA policy states: “Public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” However, “...in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof” (13 PRC 21002). Stated differently, under CEQA, a lead agency must make certain determinations before it can approve or carry out a project if the EIR reveals that the project would result in one or more significant environmental impacts.

The lead agency must certify the final EIR. According to the CEQA Guidelines, “certification” consists of three separate steps. The agency’s decision-making body must conclude, first, that the document “...has been completed in compliance with CEQA;” second, that the body has reviewed and considered the information within the EIR prior to approving the project; and third, that “...the final EIR reflects the lead agency’s independent judgment and analysis.” (14 CCR 15090[a], 13 PRC 21082.1[c].)

Before approving a project for which a certified final EIR has identified significant environmental effects, the lead agency must make one or more of the following specific written findings for each of the identified significant impacts (14 CCR 15091[a]).

1. Changes or alternations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alternations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

If significant environmental effects remain following the adoption of all feasible mitigation measures or alternatives, the lead agency must adopt a “statement of overriding considerations” before it can proceed with the project. The statement of overriding consideration must be supported by substantial evidence in the record (14 CCR 15092-3).

These overriding considerations include the economic, legal, social, technological, or other benefits of the proposed project. The lead agency must balance these potential benefits against the project’s unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the lead agency may consider the adverse environmental impacts to be acceptable (14 CCR 15093[a]). These benefits should be set forth in the statement of overriding considerations, and may be based on the final EIR and/or other information in the record of proceedings (14 CCR 15093[b]).

Subsequent EIR

Once an EIR has been certified for a project, no subsequent EIR is required unless there is a substantial change in the conditions analyzed in the original EIR indicating that there is a new or more severe significant effect. Specifically, a subsequent EIR is necessary when the agency determines, on the basis of substantial evidence in light of the whole record, that substantial changes

proposed in the project or conditions under which the project would be undertaken, including new information that was not known when the previous EIR was certified, will require major revisions to the previous EIR because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

To address local concerns regarding retention of rural qualities within Carmel Valley, growth limit and traffic thresholds were established as mitigation measures in the 1984 Carmel Valley Master Plan and EIR (certified in 1986). These mitigations were adopted as policies of the current CVMP. Specifically, Policy 39.3.2.1 of the CVMP requires monitoring and reporting of traffic conditions in Carmel Valley to determine whether traffic thresholds are being reached. On October 11, 1988 the Monterey County Board of Supervisors found that traffic volumes on Carmel Valley Road had not exceeded the threshold levels for purposes of policy 39.3.2.1 of the CVMP. However, because traffic threshold conditions were being approached in certain areas, the Board directed staff to proceed with the preparation of a subsequent EIR addressing traffic impacts and mitigation on Carmel Valley Road. This subsequent EIR focused on traffic improvements and was prepared and certified in 1990 (County of Monterey 1990). Because there have been substantial changes since certification in both (1) the circumstances under which traffic improvements would be undertaken and (2) changes in the proposed traffic improvement program, preparation of this new subsequent EIR was determined to be warranted for the proposed project.

Program-Level Analysis and Tiering

Because of the nature of the proposed traffic improvement program, this EIR is a program-level EIR. The State CEQA Guidelines encourage agencies to use a program EIR in circumstances that involve a series of related projects. A program EIR provides a framework for conducting future environmental analyses for the more specific projects, a process known as *tiering*. In this case, environmental analyses of individual traffic improvement projects would be tiered off this program EIR. The concept of tiering is described in State CEQA Guidelines Section 15152 as follows:

- (a) “Tiering” refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.
- (b) Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects.... This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review.

This approach reduces repetitive analysis of issues that may be relevant to multiple projects. In this case, use of a program EIR allows the County (the lead agency) to characterize the proposed program as the “project” being analyzed

and approved and to consider broad policy alternatives and program-wide mitigation measures early in the planning effort for the traffic improvements.

This program EIR is the first tier of environmental documentation and would be augmented by second-tier environmental documents as appropriate when additional details for the specific traffic improvements are developed during the engineering design process. Specific traffic improvements included in the proposed program would be reevaluated when they are proposed for implementation. Planning for each improvement would involve refining project information to indicate the type of project to be implemented, the location of the project, and a description of actions to be taken throughout implementation of the project.

Project-level environmental documents would incorporate by reference appropriate information from this program EIR regarding secondary effects, cumulative impacts, broad alternatives, and other relevant factors. These environmental documents would focus solely on site-specific issues that have not been considered in this program EIR. If activities were later found to have effects that were not examined in this program EIR, additional CEQA review would be required. If the County finds that implementation of a later activity would have no new effects and that no new mitigation measures would be required, that activity would require no additional CEQA review.

Scope of the EIR

This EIR contains a description of the proposed program, a description of the environmental setting, discussions of potentially significant program impacts, discussions of measures to be implemented to mitigate impacts found to be potentially significant, as well as an analysis of alternatives to the proposed program.

In accordance with State CEQA Guidelines (14 CCR 15082[a], 15103, 15375), the County circulated a notice of preparation (NOP) of an EIR for the proposed program on August 30, 2006 (see Appendix A). The NOP, in which the County was identified as lead agency for the proposed project, was circulated to the public; to local, state, and federal agencies; and to other interested parties. The purpose of the NOP was to inform responsible agencies and the public that the proposed program could have significant effects on the environment and to solicit their comments. Concerns raised in response to the NOP were considered during preparation of this EIR.

This EIR evaluates the potential impacts of the proposed program in relation to the following:

- geology and soils;
- hydrology and water quality;
- biological resources;

- aesthetics;
- land use;
- transportation and circulation;
- air quality;
- noise;
- public services and utilities;
- cultural resources; and
- population and housing.

This EIR also analyzes the following:

- significant unavoidable impacts;
- significant irreversible changes in the environment;
- growth-inducement;
- cumulative impacts; and
- alternatives to the proposed program.

Impact Terminology

This EIR uses the following terminology to describe environmental effects of the proposed program.

- **Significance Criteria:** A set of criteria used by the lead agency to determine at what level or “threshold” an impact would be considered significant. Significance criteria used in this EIR include some that are set forth in the CEQA Guidelines (or can be discerned from the CEQA Guidelines); criteria based on factual or scientific information; criteria based on regulatory standards of local, state, and federal agencies; and criteria based on goals and policies identified in the County’s general plan and the Carmel Valley Specific Plan.
- **No Impact:** A no impact response is provided if, based on the current environmental setting, the stated impact simply does not apply in the context of the Proposed Project.
- **Less-Than-Significant Impact:** A project impact is considered less than significant when it does not reach the standard of significance and would therefore cause no substantial change in the environmental (no mitigation required).
- **Potentially Significant Impact:** A potentially significant impact is an environmental effect that may cause a substantial adverse change in the environment; however, additional information is needed regarding the extent of the impact to make the determination of significance. For CEQA

purposes, a potentially significant impact is treated as if it were a significant impact.

- **Significant Impact:** A project impact is considered significant if it results in a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of project effects in the context of specified significance criteria. Mitigation measures and/or project alternatives are identified to reduce these effects to the environment.
- **Significant Unavoidable Impact:** A project impact is considered significant and unavoidable if it would result in a substantial adverse change in the environment that cannot be avoided or mitigated to a less-than-significant level if the project is implemented.
- **Cumulative Significant Impact:** A cumulative impact can result when a change in the environment results from the incremental impact of a project when added to other related past, present, or reasonably foreseeable future projects. Significant cumulative impacts may result from individually minor but collectively significant projects.

The EIR also identifies particular mitigation measures that are intended to lessen project impacts. The CEQA Guidelines (14 CCR 15370) define mitigation as:

- (a) avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- (c) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- (e) compensating for the impact by replacing or providing substitute resources or environments.

Review Process for the Proposed Project

This document will be circulated to local, state, and federal agencies and to interested organizations and individuals who may wish to review and comment on the report. Its publication marks the beginning of a 45-day public review period. Written comments or questions concerning this EIR should be directed to the name and address listed below.

Submittal of written comments via e-mail (Microsoft Word format) would be greatly appreciated.

Chad Alinio
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Monterey County Resource Management Agency
Department of Public Works

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Documents related to this project can be reviewed between the hours of 7:30 A.M. and 4:00 P.M. Monday through Thursday, and 7:30 A.M. and 12:30 P.M. on Fridays at the Monterey County Resource Management Agency – Planning Department Permit Center, located at the following address:

Monterey County Resource Management Agency
Planning Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901-2680

Written comments received in response to the Draft EIR will be addressed in a Response to Comments addendum document, which, together with the Draft EIR, will constitute the final EIR. After review of the project and the EIR, County staff will recommend to the Planning Commission and Monterey County Board of Supervisors whether to approve or deny the project. This governing body will then review the project, the final EIR, staff recommendations, and public testimony and decide whether to certify the EIR and whether to approve or deny the project.

If the Board of Supervisors or other agency approves the proposed project in spite of significant impacts identified by the EIR that cannot be mitigated, the Board or other agency must state in writing the reasons for its actions. A Statement of Overriding Considerations must be included in the record of the project approval and mentioned in the Notice of Determination (14 CCR 15093[c]).