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FINAL PROGRAM EIR

# SALINAS-AG INDUSTRIAL CENTER

SCH #2008041171

PREPARED FOR

City of Salinas

November 29, 2009

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

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# SALINAS-AG INDUSTRIAL CENTER

Final Program EIR

SCH #2008041171

PREPARED FOR

City of Salinas Community Development Department
65 West Alisal Street
Courtney Grossman
Salinas, CA 93901
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PREPARED BY

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November 29, 2009

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# 1.0 INTRODUCTION

The City of Salinas, acting as the Lead Agency, determined that the proposed Salinas-Ag Industrial Center (hereinafter "proposed project") may result in significant adverse environmental effects, as defined by the California Environmental Quality Act (CEQA) Guidelines section 15064. Therefore, the Lead Agency had a draft program environmental impact report (EIR) prepared to evaluate the potentially significant adverse environmental impacts of the proposed project. The state review period began July 15, 2009 and ended August 29, 2009. The public review period began two days later on July 17, 2009 and ended August 31, 2009. As stated in CEQA Guidelines section 15087(e), the state review period and the public review period may, but are not required to begin and end at the same time. CEQA Guidelines section 15200 indicates that the purposes of the public review process include sharing expertise, disclosing agency analysis, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.

This final program EIR has been prepared to address comments received during the public review period and changes to the draft program EIR resulting from the public comments. The final program EIR includes the draft program EIR, herein incorporated by reference. This final program EIR includes the following sections:

- Section 1 contains the introduction to the final program EIR.
- Section 2 contains comments on the draft program EIR and responses to comments.
- Section 3 contains the revisions to the draft program EIR summary and draft program EIR text resulting from comments on the draft program EIR.
- Section 4 describes administrative analysis refinements and the potential environmental effects of the refinements.

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# 2.0
# RESPONSE TO COMMENTS

This section presents the comments received on the draft program EIR and Lead Agency responses to those comments. CEQA Guidelines sections 15132(b) and 15132(d) require that the final program EIR contain the comments that raise significant environmental points in the review and consultation process, and written response to those comments.

CEQA Guidelines section 15132(c) requires that the final EIR contain a list of persons, organizations, and public agencies that have commented on the draft EIR. A list of the letters or other correspondence received during the public review period is presented below. Each letter is included in this document and each is followed by responses to comments raised in the letter. Each response is numbered, with each number corresponding to the comment number included in the letter (if the author numbered the comments) or to numbers inserted in the left-hand margin of each letter. Table 1, Commenting Agencies/Persons and Environmental Issues, summarizes the environmental topics raised in each letter received.

The following correspondence was received during the public review period:

- Association of Monterey Bay Area Governments (AMBAG) (August 13, 2009)
- John Bailey, Attorneys at Law (August 20, 2009)
- Brian Finegan, Attorneys at Law (August 28, 2009)
- Mark Lasnik (August 21, 2009)
- Monterey County Local Agency Formation Commission (LAFCO) (August 24, 2009)
- Monterey Bay Unified Air Pollution Control District (MBUAPCD) (August 31, 2009)
- LandWatch Monterey County (August 24, 2009)
- Monterey Regional Water Pollution Control Agency (MRWPCA) (August 31, 2009)

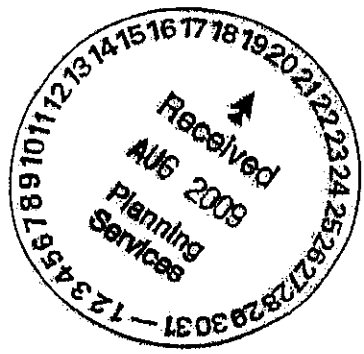
- California Regional Water Quality Control Board (CRWQCB) (August 31, 2009)
- Monterey County Water Resources Agency (MCWRA) (August 27, 2009)
- California Department of Transportation (Caltrans) (August 31, 2009)
- Monterey County Resource Management Agency (MCRMA) (August 31, 2009)

Table 1 below summarizes the environmental topic comments contained in each comment letter.

**Table 1 Commenting Agencies/Persons and Environmental Issues**

| Environmental Issues | AMBAG | John Bailey | Brian Finegan | Mark Lasnik | LAFCO | MBUAPCD | LandWatch | MRWPCA | CRWQCB | MCWRA | Caltrans | MCRMA |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Aesthetics | | | | | | | | | | | | |
| Agricultural Resources | | X | X | X | X | | X | | | | | |
| Air Quality | | | | | | X | X | | | | | |
| Climate Change | | | | X | | | X | | | | | |
| Cultural Resources | | | | | | | | | | | | |
| Geology and Soils | | | X | | | | | | | | | |
| Hazards/Materials | | | | | | | | | | | | |
| Hydrology/Water Quality | | | | | | | | | X | X | | |
| Public Services | | | | | | | | | | | | |
| Transportation | | | X | | | | X | | | | X | X |
| Water Supply | | | | | | | X | | | | | |
| Sanitary/Industrial Wastewater | | | | | | | | X | | | | |
| Noise | | | | | | | | | | | | |
| Cumulative Impacts | | | | | | | | | | | | |
| Alternatives | | | | | | | | | | | | |
| Planning Issues | X | | | | X | | | | | | | X |

AMBAG
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS




Courtney Grossman
City of Salinas
Community Development Department
65 W. Alisal Street
Salinas, CA 93901

August 13th, 2009

Dear Mr. Courtney Grossman:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment

The AMBAG Board of Directors considered the project on August 12, 2009 and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,

Stephen A. Nelson
Planner, Association of Monterey Bay Area Governments

*Responses to Comments from AMBAG*

The letter from AMBAG raises no environmental issues as presented in the draft program EIR. No response is necessary.

BRIAN FINEGAN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SIXTY WEST ALISAL STREET, SUITE 1
POST OFFICE BOX 2058
SALINAS, CALIFORNIA 93902

BRIAN FINEGAN
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AREA CODE 831
SALINAS TELEPHONE 757-3641
MONTEREY TELEPHONE 375-9652
FACSIMILE 757-9329

August 20, 2009

Christopher A. Callihan, Esq.
Sr. Deputy City Attorney
City of Salinas
200 Lincoln Avenue
Salinas, California 93901-2639

Re: The Draft Environmental Impact Report (DEIR) for the proposed Uni-Kool Ag-Industrial Park Project

Dear Chris:

As a representative of UniKool, I wish to bring your attention to the fact that the APNs listed in the Ag-Buffer easement have been amended. Therefore, page 3-32 of the DEIR, item 1(c) of the Ag Buffer easement (Appendix F) must be amended to reflect this change, as follows:

"... with the exception of County Assessors number 177-132-034, 177-132-035, 177-132-036, and 177-132-037 [the existing Harris Place industrial complex].

Should be amended to read:

"...with the exception of the existing Harris Place Industrial Complex; this property is currently described generally as nine Monterey County Assessors numbers 177-191-00[1, 2, 3, 4, and 5] and 177-191-[011, 13, 14, 15]."

Thank you.

Very Truly Yours,

John Bailey

*Responses to Comments from John Bailey*

1. The comment identifies that parcel numbers described on page 32 of the draft program EIR have been amended. This change has been made in the draft program EIR. Please refer to Section 3.0, Changes to the Draft EIR.


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August 28, 2009

Courtney Grossman
Planning Manager
City of Salinas
68 West Alisal Street
Salinas, California 93901

Re: Salinas Ag-Industrial Center Draft Program EIR

Dear Mr. Grossman:

On behalf of the applicant, The Uni-Kool Partners, I submit the following comments on the Draft Program EIR for the Salinas Ag-Industrial Center.

**Agricultural Resources**

One of the principal areas of concern with respect to the Salinas Ag-Industrial Center is the subject of the conversion of agricultural land. The subject occupies twelve pages of text in the Draft EIR (pages 2-12 through 2-13).

Although the conversion of agricultural land is a matter of significant concern to the City, the region and the state, the DEIR correctly focuses on three important considerations that distinguish this project from other projects involving ag land conversions:

1) The purpose of the Salinas Ag-Industrial Center is to provide facilities and services essential to the continued viability and expansion of agriculture in the Salinas Valley. As the Specific Plan states: The project is "a key component in implementing the General Plan's vision of maintaining the agricultural industry as Salinas' primary industry."

2) The applicant has worked closely with the County's primary agricultural land conservancy, the Ag Land Trust, to structure an agreed-upon mitigation program for the Salinas Ag-Industrial Center. Prior to filing its project application,

The Uni-Kool Partners entered into a mitigation agreement with the Ag Land Trust providing for the creation of agricultural buffers and ag land conservation that significantly exceed the granting of traditional conservation easements. A copy of the agreement (referred to herein as the Mitigation Agreement) is enclosed, and its terms are explained in detail below.

3) By addressing the need for agricultural support facilities in a comprehensive and cohesive manner, the project has the potential to discourage scattered and piecemeal conversion of other valuable agricultural farmlands.

Two issues related to the conversion of agricultural land that are mentioned in the DEIR require further amplification in the context of the Mitigation Agreement: agricultural buffers and conservation easements.

## 1. Agricultural Buffers

Agricultural land borders the project site on the southwestern side for the full length of the project, and on a portion of the southeastern (Harris Road) side. As noted in Section 2.2 of the DEIR, the Specific Plan calls for a 70-foot wide agricultural buffer along the southwest boundary of the project, and a 20-foot wide buffer along the southeasterly boundary.

In fact, the effective buffer areas on both sides of the project area are significantly wider than the area designated within the buffer easement. The 70-foot wide buffer along the southwest boundary is part of an 84-foot wide road right-of-way (Street B). Furthermore, the project design includes an additional 22 feet of vegetated bio-swale along the interior (project) side of Road B. See Specific Plan page 6-12, Figure 6.6.) Thus the entire area of separation between adjacent agricultural operations and project uses is at least 106 feet.

Similarly, the ultimate right-of-way of Harris Road (currently 65 feet) will be 94 feet, plus a 22-foot vegetated swale along the interior (project) side. (See Specific Plan page 6-10, Figure 6-3.) Thus the entire area of separation between operations southeasterly of Harris Road and project uses is at least 116 feet.[1]

Major public roads (such as Street B and Harris Road), particularly with separations of 100 feet or more, have in the past been recognized and accepted as adequate agricultural buffers. In this case, the width of the agricultural buffers was reviewed with and agreed upon by the Ag Land Trust as being adequate.

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[1] As noted in John Bailey's letter of August 20, 2009 to Assistant City Attorney Christopher Callihan, the assessor parcel numbers of the parcels southeasterly of Harris Road have been changed. Consequently, Section 1© of Appendix F, and the DEIR text on page 3-32, should be amended to reflect that the new assessor parcel numbers for the Harris Place Industrial Complex are APNs 177-191-001, -002, -003, -004, -005, -011, -013, -014 and –015.

Unlike the typical case in which agricultural buffers are intended to separate agricultural uses from non-agricultural uses (usually residential use), in this case the project itself consists of agricultural (albeit ag-industrial) uses. Consequently, the typical agricultural/residential land use conflict that buffers are intended to address does not exist in this case.

For all of the above reasons, the agricultural buffers as proposed by the project are more than adequate.

2. **Conservation Easements**

The DEIR contains a number of references to City policy calling for the use of agricultural land conservation easements "to provide for the permanent protection of agricultural land." Policy COS-12 of the City's General Plan provides for the payment of a mitigation fee "that could be used to purchase easements through a mitigation bank." Typically, such conservation easements are granted to a land conservation organization such as the Ag Land Trust.

In this case, The Uni-Kool Partners have agreed to convey to the Ag Land Trust not just a conservation easement, but fee title to 196.9 acres of prime row crop land known as the Odello Ranch (APN 253-014-003) west of the City of Salinas. Thus the Ag Land Trust can not only preserve and protect the land for agricultural purposes (as they would be able to do with a conservation easement), but in addition they will have the rent from the property that they can use to acquire ag conservation easements on other farmlands. The rent will far exceed the amount that would ever be received by way of a mitigation fee.

It is clear that this unprecedented arrangement contributes significantly more to the overall ag land conservation effort than a mere conservation easement or the payment of in-lieu fees. Consequently, the following should be substituted for Mitigation Measure AG-1 in the final EIR:

> *"The applicant shall dedicate to the Ag Land Trust fee title to 196.9 acres of prime row crop land known as the Odello Ranch (APN 253-014-003)."*

This substitute measure, as noted above, is more effective than the granting of a mere conservation easement for the purpose of mitigating the direct loss of agricultural land: as owner of fee title, the conservancy will have total control over the agricultural use of the property. Furthermore, the Ag Land Trust will derive significant rental income from the farming of the property which it can use to finance acquisition of other agricultural conservation easements. The substitution of this "fee title" mitigation will not cause any potentially significant effect on the environment; it will simply assure that the 196.9 acres remains in its historic farming use.

3. **Mitigation Measure Geo-2, page 2-81**

Each individual developer will be required to prepare a design-level soils/geologic report, per Mitigation Measure GEO-1. This design-level soils/geologic report should include a determination as to the liquefaction potential for the individual developer parcel being studied and require the liquefaction study in Mitigation Measure GEO-2 if necessary, based on that determination. Please reword MM GEO-1 and GEO-2 accordingly.

4. **Mitigation Measure related to Blanco Road (Cooper Road – Davis Road), page 2-164**

This road segment is identified in the City of Salinas TFO as segments #26 and #41, and is referred to therein as a "four-lane arterial". Therefore, the following correction should be made on page 2-164:

"1. Widen to a four-lane ~~expressway~~ arterial."

Thank you for the opportunity to comment on the Draft EIR. We look forward to the City's good faith, reasoned responses to these comments and to the comments of other individuals and agencies. We encourage the City to continue its efforts to complete an informative and legally adequate environmental impact report.

Very truly yours,

Brian Finegan
For The Uni-Kool Partners

cc: Steve Kovacich, The Uni-Kool Partners
Arminta Jensen, Ruggeri-Jensen-Azar
Ron Sissem, EMC Planning Group
Larry Seeman, City of Salinas Project Manager
Christopher Callihan, Esq., Assistant City Attorney

***Responses to Comments from Brian Finegan***

1. Based on the City's preliminary review of the applicant's initial proposal to provide a conservation easement for and convey fee title to 196.9 acres of irrigated agricultural land to the Ag Trust, the proposal appears to meet the intent of the Agricultural Land Preservation Program. As of the date of this final program EIR, the easement agreement has yet to be formally completed by the applicant and the Ag Trust. This preliminary conclusion is based on the fact that the proposal results in the dedication of an agricultural conservation easement and additionally, would generate revenue for the Ag Trust that can be used by the Ag Trust to facilitate additional agricultural land preservation activities. This latter outcome of the proposal is a significant added benefit that facilitates the City's interest in facilitating agricultural land conservation. Therefore, the request to modify mitigation measure AG-1 as proposed appears valid. Please refer to Section 3.0, Changes to the Draft EIR.

   Prior to certification of the EIR and prior to determining whether or not to approve the proposed project, the City Council will make the final determination about whether implementation of the revised mitigation measure AG-1 meets the intent of the City's Agricultural Land Preservation Program.

2. The Landset report, included in the draft program EIR as Appendix G, was used as a technical input to the analysis of potential geologic hazards within the Plan Area. The report includes a conclusion on page 8 that "potential for liquefaction hazard to affect the site is High." This conclusion is based on conditions across the Plan Area as described on page 7, which Landset suggests are relatively uniform (i.e., soil types, depth to groundwater, etc.). Given the relative uniformity of conditions, it would not appear that geologic reports prepared for individual development projects would find that the hazard at any one individual site is substantially lower than generally concluded by Landset. Therefore, the requested modification to mitigation measure GEO-2 may not provide the level of mitigation desired by the City.

   As a mitigation option, the applicant or a master developer could, with prior approval of the City, choose to prepare a detailed liquefaction hazard analysis for the entire Plan Area as recommended by Landset. The detailed analysis could then be used by developers of all individual sites as a basis for their detailed site engineering design. This would streamline the design process for each individual project. Mitigation measure GEO-2 has been modified to enable this option. Please refer to Section 3.0, Changes to the Draft EIR.

3. The correction proposed is warranted and has been made. Please refer to Section 3.0, Changes to the Draft EIR.

Esmeralda Alvarez, Office Technician

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****Effective June 29, 2009, City Hall and the Permit Center will be open to the public Monday to Thursday, 8:00 am to 5:30 pm, and closed on Friday.**

-----Original Message-----
**From:** mwlsfgiants@comcast.net [mailto:mwlsfgiants@comcast.net]
**Sent:** Tuesday, July 21, 2009 10:30 AM
**To:** housingwebmail
**Subject:** Contact From Salinas Website

The following comment was sent from the City website on 21-Jul-09 at 01:30 PM.

**Mark Lasnik** mwlsfgiants@comcast.net

Attn: Courtney Grossman Regarding: Salinas Ag-Industrial Center Draft EIR The City of Salinas should find ways to utilize existing INDUSTRIAL land instead of PRIME FARMLAND. The City of Salinas should provide it's citizens with an inventory of abandoned or under-utilized existing INDUSTRIAL land between Highway 101, Blanco/Sherwood, and Spreckles Blvd, such that this project would be placed OR replace on that property, instead of existing PRIME FARMLAND. AND furthermore, all plans should include requirements to adhere to the USGBC LEED credits and pre-requisites, such that new construction and major renovations achieve LEED Certification. Thank you.

*Responses to Comments from Mark Lasnik*

1. The issue of prime farmland loss was an important component of the environmental review process for the proposed project. Section 3.5, Alternatives, of the draft program EIR examines the potential impacts on loss of agricultural land from locating the proposed project on vacant sites designated for industrial use that are located within the City's existing Sphere of Influence and that are sizeable enough to support the proposed project. It is acknowledged that the City does have an inventory of vacant and underutilized land whose acreage in total may be sufficient to support 257 acres of agricultural-industrial development. However, a key objective of the proposed project is to establish a major agricultural-industrial center of a size that enables consolidation of similar uses in one location, thereby promoting synergies among users within the center. This in turn would help, for example, to reduce existing cross-town truck traffic within the City, reduce air emissions, and reduce GHG emissions. The environmental and economic benefits resulting from consolidation and synergies would not be realized if the total development capacity proposed for the Plan Area were to be distributed across multiple existing undeveloped and/or underutilized industrial sites.

2. As discussed in Section 2.4, Climate Change, of the draft program EIR, the proposed Specific Plan includes design standards and development regulations which require future development projects to implement of a range of green building measures. The City worked extensively with the applicant to ensure that green building measures were incorporated into the Specific Plan. A number of these measures mirror LEED certification prerequisites and measures that can be implemented to obtain credits under LEED. Due to the significant challenges involved adapting LEED (which is largely designed as a green building certification process for residential, commercial, and institutional projects) to an industrial project, the City will not require future development within the Plan Area to be certified under LEED.

# LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369 — 132 W. Gabilan Street, Suite 102
Salinas, CA 93902 — Salinas, CA 93901
Telephone (831) 754-5838 — Fax (831) 754-5831
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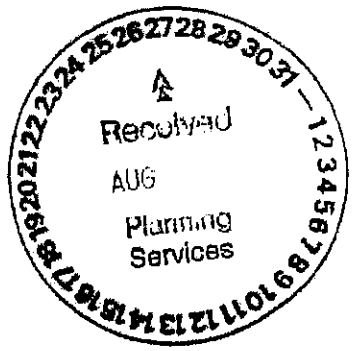
KATE McKENNA, AICP
Executive Officer




August 24, 2009

Courtney Grossman, Planning Manager
City of Salinas
Community Planning & Development
65 W. Alisal Street
Salinas, CA 93901

RE: Comments on Draft Program Environmental Impact Report for the Proposed Salinas Ag-Industrial Center (Uni-Kool Site)

Dear Mr. Grossman:

On behalf of the Local Agency Formation Commission, thank you for consulting with our staff early in the process of developing the Salinas Ag-Industrial Center project proposal. We acknowledge that the proposal is anticipated in the City-County 2006 Greater Salinas Area Memorandum of Understanding, and appreciate the current opportunity to review the project's Draft Program Environmental Impact Report (DEIR).

As you are aware, LAFCO has the statutory responsibility to review changes in local government boundaries. For purposes of CEQA compliance, we are a Responsible Agency for the Salinas Ag-Industrial Center project. In this role, LAFCO commented on the Environmental Impact Report's Notice of Preparation in May 2008. As a Responsible Agency, LAFCO will consider the Final Environmental Impact Report when the Commission formally reviews the City's future proposal for a Sphere of Influence amendment and annexation.

At its meeting of August 24, 2009, the Commission authorized me to submit the following comments to assist the City in preparing an environmental document that will support the future analysis and actions of LAFCO.

1. **City Prezoning.** The DEIR states in several places that "LAFCO has the primary discretion to approve or deny SOI amendment and prezoning/annexation requests." The word "prezoning" should be removed from this statement because LAFCO has no authority over the zoning, or pre-zoning, of proposed annexations.

Government Code section 56375(a)(7) states that: "A commission shall require, as a condition to annexation, that a city prezone the territory to be annexed or present evidence satisfactory to the commission that the existing development entitlements on the territory are vested or are already at buildout, and are consistent with the city's general plan. However, the commission shall not specify how, or in what manner, the territory shall be prezoned."

2. **Monterey Regional County Sanitation District Sphere of Influence Amendment.** The list of required LAFCO project approvals (page 1-50) should include a Sphere of Influence Amendment for the Monterey Regional County Sanitation District (MRCSD), as well as an annexation to that District. The MRCSD is a LAFCO-regulated district dependent upon the Monterey Regional Water Pollution Control Agency (MRWPCA). The MRWPCA is a joint-powers agency that is not regulated by LAFCO.

3. **Justification for a 70-Foot Agricultural Land Buffer.** On page 1-39, it is stated that "independent of mitigation requirements ... the applicant is proposing ... a 70-foot agricultural buffer easement..." inside the southwest and southeast project borders. On page 2-23, the environmental impact of the "Indirect Conversion of Adjacent Agricultural Land" was determined to be less than significant because the project includes these buffers. Please describe how the effectiveness of a 70-foot buffer was determined in light of the particular mix of land uses, topography, weather patterns, and commodity-specific farming practices on and adjacent to the project site.

4. **Agricultural Conservation Easements.** Mitigation Measure AG-1 (page 2-23) states that "the applicant shall dedicate agricultural conservation easements to permanently protect agricultural land consistent with the City's Agricultural Land Preservation Program," and states that the "City Attorney shall verify that easements have been dedicated prior to approval of the Specific Plan." The mitigation should be specific as to the size, location, and the soil quality of the area proposed for the easement(s) by giving the specifics of the parcel or parcels involved or, alternatively, by outlining the criteria for the selection of conservation easement parcels, including size, location, and the soil quality.

Finally, we encourage the City to continue to work with the County of Monterey to confirm compliance with consultation and tax transfer requirements of Government Code section 56425 and the Taxation Code section 99, prior to submittal of a formal application to LAFCO.

Thank you again for this opportunity to review and comment on the DEIR. Please contact Executive Officer Kate McKenna or Senior Analyst Thom McCue at 754-5838 if you have any questions and for assistance in initiating the LAFCO boundary change process.

Sincerely,

Simón Salinas
Chair

*Responses to Comments from LAFCO*

1. Comment noted. Please refer to Section 3.0, Changes to the Draft EIR.

2. Comment noted. Please refer to Section 3.0, Changes to the Draft EIR.

3. Please refer back to the letter from Brian Finegan for an explanation of the origin and purpose of the agricultural buffer easements. The buffers serve a function to reduce conflicts between activities on adjacent lands used for agricultural production and agricultural industrial activities proposed within the Plan Area. Conflicts between agricultural uses and the proposed agricultural industrial uses are inherently not as substantial relative to conflicts between agricultural uses and more sensitive residential or institutional uses (i.e., schools, hospitals, public facilities) for which agricultural buffering is typically designed.

   As discussed on page 2-22 of the draft program EIR, a key "feature" of the agricultural buffer easement agreement (included in the Specific Plan as Appendix F) is that with one exception, extension of utilities across the buffers to adjacent agricultural land is prohibited. The exception is that utilities needed to serve existing business park/industrial development at the southeast corner of Harris Road and Abbott Street are permitted. This prohibition substantially limits the proposed project's potential to remove a key constraint to future development of adjacent agricultural lands; the owners of those lands would not have access to infrastructure (roads, utilities, etc.) available within the Plan Area. This was a key factor in the determination in the draft program EIR that the potential impacts of the proposed project on conversion of agricultural land would be less than significant. The physical separation of uses afforded by the agricultural buffers also serves to reduce potential conflicts that could otherwise be used as a proxy to consider future conversion of the adjacent agricultural land as described in the impact statement on page 2-23.

4. The mitigation measure is based on requirements of the City's Agricultural Land Preservation Program. The City did not include specific criteria for determining the suitability of proposal conservation easements because it desires to retain flexibility in considering conservation easement proposals that meet the overall goal of the Program.

   For example, agricultural land conservation programs sometimes include a requirement that the minimum acreage required for an agricultural conservation easement must be equal to or greater that than the acreage of agricultural land that would be lost to development. As described in the comment letter from Brian Finegan, the applicant is proposing to dedicate fee title of a 196-acre ranch that has historically been in row crop production to the Ag Land Trust to be held in perpetuity as agricultural land. If, for example, the City had included a minimum 1:1 agricultural conservation easement acreage

criterion in the Agricultural Land Preservation Program, on its face, the applicant's proposal would not be consistent with the Program as the 196 acre easement would be less than the 257 acres within the Plan Area. However, dedication of fee title to the Ag Land Trust, an action that exceeds the City's required dedication of a conservation easement, provides benefits for agricultural land conservation (rents to the Ag Land Trust) that would not be achieved solely with dedication of a conservation easement over the same parcel. The annual revenue can be leveraged by the Ag Land Trust to secure additional conservation easements or facilitate agricultural land conservation in other ways that may not otherwise have been possible. The City Council will consider this benefit of the applicant's proposal in its determination about the proposed project's consistency with the intent of the Agricultural Land Preservation Program.

**MONTEREY BAY**
**Unified Air Pollution Control District**
*serving Monterey, San Benito, and Santa Cruz counties*

Air Pollution Control Officer
Richard Stedman

*24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501*



August 31, 2009

Mr. Courtney Grossman
City of Salinas
Community Development Department
65 West Alisal Street
Salinas, CA 93901

Sent Electronically to:
courtg@ci.salinas.ca.us
Original Sent by First Class Mail

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE SALINAS AG-INDUSTRIAL CENTER PROJECT

Dear Mr. Grossman:

The Air District submits the following comments for your consideration:

Attainment Status: Inference of "Non-Attainment" Status
On page 2-28, the DEIR specifies that "Non-attainment infers that the air basin has had less than three exceedances at any one monitoring station." This actually refers to ARB's nonattainment transitional designation which currently doesn't apply to the NCCAB. For the California ozone and $PM_{10}$ standards, a "nonattainment" designation implies that the area exceeds the applicable standard more than once per year when averaged over a three year period.

The form of the ozone NAAQS requires the use of a 3-year period to determine the average number of exceedances per year. The NAAQS for ozone is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard.

Air Quality Management Plan. Page 2-28.
In addition to presenting measures to controls emissions of volatile organic compounds (not "volatile organic carbons"), the AQMP presents measures to reduce oxides of nitrogen (NOx), another ozone precursor.

EIR's Focus on Cumulative Air Quality Impact on Regional Ozone. Page 2-29.
The DEIR does not quantify any potential relocation of existing ag-industrial businesses to the new project area.

Project Analysis, Construction Emissions. Page 2-37.
The DEIR specifies that development of the Plan Area would take place based on market demand and the applicant projects that build-out would occur over an approximate five year timeframe, yet "it is unknown which parcels within the Plan Area will de developed first or which areas will develop in what order." Given that, the District suggests that analysis of project-level construction impacts be deferred until specific project applications are submitted. Inasmuch as the District's thresholds of significance are expressed as daily standards, phasing and/or scheduling of construction activity have the potential to reduce impacts to less than significant levels.

Construction Diesel Emissions. Page 2-38.
The document specifies that "mass grading and infrastructure construction would occur over the entire Plan area prior to development of individual parcels for a period of eight months starting in 2010." Would grading and excavation be done over an eight-month period, or would this activity be done in a compressed time frame to realize economies of scale? Without knowing the grading/excavation schedule, the daily impacts cannot be determined.

Emissions of Diesel Particulates from Trucks. Page 2-38.
The DEIR indicates there will be emissions of diesel particulates from truck travel and other construction equipment exhaust during a period of at least eight months. Though the number of truck trips to import construction materials is quantified, there is no quantification of emissions from on-site construction equipment. The document concludes that because the health risk from carcinogenic toxic air contaminants such as diesel particulate is expressed as an increased risk over 70 years, emissions would be less than significant.

The fact that risk is expressed as an average increase for exposure over 70 years does not make a high level of exposure for a short period of time less than significant. In fact, the State Office of Environmental Health Hazard Assessment (OEHHA) established the cancer potency value based on studies with exposure levels less than 70 years (OEHHA Technical Support Document for Describing Available Cancer Potency Factors December 2002, Pages 426-475 Particulate Matter From Diesel-Fueled Engines and Health Risk Assessment For Diesel Exhaust written for the Toxic Air Contaminant program, OEHHA, 1998).

Without documentation of the diesel particulate emissions from construction equipment or the impact of these emissions on receptors, the impact may be significant and should be subject to mitigation per District CEQA Guidelines Table 8.3. Heavy- duty construction equipment should meet current standards.

Operational Emissions. Page 2-39.
Inasmuch as "a specific development phasing plan has not been proposed by the applicant" (page 2-39), and "There is no definitive means to determine what the

stationary source emissions would be for build out of the Plan Area because future commercial and industrial uses are unknown at this time" (page 2-42), it seems that any analysis of air quality impacts at this stage would be speculative. As stated previously, the District suggests that project impacts be deferred until specific project applications are submitted.

Anti-Idling Regulation

Please see Title 13, California Code of Regulations, Section 2485 (c) (1) regarding idling of commercial vehicles, which follows:

> **California Code of Regulations**
> Title 13. § 2485. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (a) Purpose. The purpose of this airborne toxic control measure is to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. (b) Applicability. This section applies to diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. This specifically includes: (1) California-based vehicles; and (2) Non-California-based vehicles. (c) Requirements. On or after February 1, 2005, the driver of any vehicle subject to this section: (1) shall not idle the vehicle's primary diesel engine for greater than 5.0 minutes at any location, except as noted in Subsection (d); and (2) shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d).

Higgins Associates Traffic Impact Analysis (July 6, 2009). Page 2.

What are the passenger car equivalence values used in estimating LOS impacts for project generated MHD and HHD trucks?

Table 6. Page 2-39 of DEIR.

Table 6 reports 1,942.1 lbs./day of direct PM emissions. Please specify whether this estimate of daily PM emissions generated by the project includes diesel emissions from truck trips generated by the project. Because truck diesel PM emissions were not separately reported, please state the amount of diesel PM emissions that would be produced solely by the MHD and HD truck trips generated by the project (see related comment below on p.2-40).

Truck Trips. Page 2-40.

"These [truck] trips [2,350 daily trips by MHD trucks, and 3,500 daily trips by HHD trucks ] would increase diesel exhaust emissions along the city's truck routes leading to and from the Plan Area, and along U.S. Highway 101."

Please specify the method of estimating truck trip lengths for purposes of estimating total daily emissions by trucks.

Please state the distribution of project-generated truck trips by route, and report how the distribution of truck trips was determined.

Impacts and Mitigation Measures. Page 2-42.
Please note than while a full complement of mitigation measures may be applied to decrease the impacts of excavation and grading by more than 50%, the magnitude of daily excavation is controlling; 10 acres of excavation per day, even with a full complement of mitigation measures, could be significant. Similarly, 20 acres of grading per day could be significant.

Mitigation Measures AQ-1 and AQ-2. Page 2-43.
As stated previously, the magnitude of daily excavation or grading determines whether impacts would be significant. As presented, AQ-1 would reduce grading/excavation impacts to a less-than-significant level. AQ-2, however, may not reduce impacts to a less-than-significant level.

Significant and Unavoidable Impact – Operational Emissions. Page 2-44.
The District suggests that the Project Applicant consider additional design and mitigation measures that could further reduce operational emissions. These include:

- Electrification of loading docks to reduce emissions from trucks while waiting to unload or load
- Catalyzed particulate filters for diesel-powered trucks
- Puri-NOx emulsified diesel fuel for diesel-powered trucks
- ARB-verified retrofit for diesel-powered trucks
- Repower with CNG/LNG technology
- Possible coordination of the project with the truck-to-rail project, to reduce MHD and HD trucks trips.

The District would be glad to discuss additional mitigation measures with the Project Applicant.

Sincerely,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

cc: Lance Ericksen, Engineering Division

*Responses to Comments from the MBUAPCD*

1. Comment noted. The noted text has been modified to reflect the comment. Please refer to Section 3.0, Changes to the Draft EIR.

2. Comment noted. The reference and correction have been made in the draft program EIR. Please refer to Section 3.0, Changes to the Draft EIR.

3. The possibility that other agricultural industrial uses could relocate to the Plan Area was discussed at length on several occasions during the course of the EIR preparation process. The City and the applicant do expect that some existing agricultural industrial uses would relocate. However, it is probable that the vacated sites would be reutilized over time with uses that cannot be known at present. The City determined that it would be too speculative to assume that environmental effects of future uses on vacated sites would be less intense than those uses which relocate to the Plan Area. This determination may; however, result in a very conservative assessment of impacts of the proposed project. It is quite possible that that replacement uses at vacated sites would not generate the magnitude of truck trips, air emissions, GHG emissions, water demand, etc. as do uses such as coolers that could relocate to the Plan Area. Consequently, impacts of the proposed project such as circulation effects, air emissions generation, GHG emissions, and noise generation may be overestimated. The analysis approach is conservative.

4. Comment noted. Construction activities would occur during site preparation when the site is mass graded and initial backbone infrastructure is installed, and over time as individual sites are developed and infrastructure is extended to those sites as needed. Mass grading is expected over the first eight months, with fine individual site grading to occur as each site is developed. It is possible that the need for grading of individual sites will be substantially reduced through the initial mass grading process. The draft EIR is programmatic. Each individual proposed project will be subject to environmental review, with that analysis tiered from this program EIR.

5. There is no indication from the applicant that mass grading and excavation would be compressed into a timeframe of less than eight months to realize economies of scale.

6. The URBEMIS report included in the draft program EIR as Appendix D indicates that diesel exhaust would be a small portion of total $PM_{10}$ emissions during construction of the proposed project. Daily diesel exhaust $PM_{10}$ emissions would be less than five pounds per day over a period of about eight months. The Plan Area is not located near sensitive receptors.

7. Comment noted. Environmental review of individual projects will occur as such projects are proposed. Sources of stationary emissions would be identified and addressed as part of the project level environmental review and permitting process.

8. Passenger car equivalents were not utilized as part of the traffic impact analysis. The analysis bases LOS impacts on the percentage of trucks using a particular transportation facility.

9. Total construction phase $PM_{10}$ for the first year of construction would be 1,285 pounds per day (1,280.3 pounds per day from dust and 4.7 pounds per day from exhaust), with less than two pounds per day of construction related $PM_{10}$ in following years. Total operational $PM_{10}$ at Plan Area build out would be 1,942.1 pounds per day. Medium-duty trucks (79 percent diesel) make up about 14.4 percent of trips and heavy-duty trucks (100 percent diesel) make up about 21.6 percent of trips. About 34 percent of total trips are diesel-powered vehicles (mostly medium and heavy trucks). URBEMIS does not report separate emissions totals per vehicle type.

10. Truck trips were estimated as part of the greenhouse gas emissions report prepared by Rimpo and Associates, Inc., included in the draft program EIR as Appendix F. The average one way distance for each truck trip was estimated by determining the percentage of trips originating from zones around the Plan Area. Table B-1 of the Rimpo report shows those distances, the percentage originating from each distance, and the average one-way truck trip distance for line haul trucks. Line haul trip destinations of San Francisco, Los Angeles, and St. Louis were selected as representative.

    Table B-2 of the Rimpo report shows distances for field trucks based on distances to representative farming regions (i.e., Salinas Valley, Pajaro Valley, and San Joaquin Valley). Table B-3 shows the weighted average distances for line haul and field trucks. The weighted average one-way trip distance for line haul trucks was estimated to be 138.7 miles, and the average one-way trip distance for field trucks was estimated to be 14.0 miles. This weighted average trip distance was input into URBEMIS as the average truck trip length. Table B-4 shows the total vehicle miles traveled for truck trips. These values were used to calculate methane and nitrous oxide emissions associated with diesel fuel use. Total VMT/year assumes 365 days per year of operation. The actual VMT/year will be substantially less than assumed for purposes of URBEMIS modeling and Rimpo report calculations. Most uses in the Plan Area are expected to be seasonal, as agricultural industrial operations generally slow dramatically during the approximately six-month non-harvest season.

    The distribution of proposed project traffic is described in the Traffic Impact Analysis included as Appendix K of the draft program EIR. Employee trip distribution is shown on

Exhibit 15A of the Traffic Impact Analysis, and field and line truck distributions are shown on Exhibits 15B and Exhibit 15C, respectively. Under Background plus Project Build Out conditions, approximately 40 percent of line trucks are projected to travel to and from the south on U.S. Highway 101, 59 percent to and from the north on U.S. Highway 101, and approximately one percent to and from the north and south on State Route 183. Approximately 62 percent of field trucks would travel to and from the south on U.S. Highway 101, 25 percent to and from the north on U.S. Highway 101, with the balance of approximately 13 percent traveling on local roadways in the vicinity of the Plan Area.

Truck trip distribution assumptions were based on an interchange survey conducted by Higgins Associates, information provided by the applicant (based on detailed understanding of produce market locations), and through review and adjustments made by the City as deemed necessary.

11. Mitigation measures AQ-2 has been modified to further ensure that it functions to reduce potential impacts to a less than significant level. As part of their construction dust mitigation plans, future project applicants shall be required to identify the maximum daily acreage of grading that can be undertaken, assuming that dust reduction measures included in AQ-2 are implemented, to ensure that construction phase $PM_{10}$ from grading do not exceed the MBUAPCD standard of 82 pounds per day. Please refer to Section 3.0, Changes to the Draft EIR.

12. Please refer to response #11 above.

13. It is recognized that the noted measures can help to reduce truck related emissions. However, with the exception of the dock electrification measure, the remaining measures are not within the control of the applicant. The applicant does not own or operate the fleets of trucks that would travel to and from the site. These are owned by independent commercial operators. Therefore, the applicant does not have the ability to implement the related measures.

Public agencies including the California Air Resources Board and the U.S. Environmental Protection Agency are now regulating emissions from transportation refrigeration units. Several public agencies and private companies are beginning to partner on truck trailers refrigeration electrification technologies or other alternative truck refrigeration technologies. One goal is to enable refrigeration systems to be turned off while line trucks are loading, thereby reducing diesel emissions from diesel powered motors that normally power the refrigeration systems. The applicant considered loading dock electrification options during the project design process. This measure was not included for implementation in the Specific Plan because the applicant feels that electrified refrigeration technology is not yet widely commercialized and questions remain about whether it will

become widely commercialized. Given this uncertainty, the applicant determined that the cost of installing electrified dock systems is not yet warranted.

The applicant has had discussions with agencies involved with the possible future truck-to-rail project. That project was deemed to be too premature and its feasibility too uncertain to warrant the current significant capital investments that would be needed to link future development within the Plan Area to such a project. Consideration could be given to doing so if the truck-to-rail project is ultimately approved, funded, and constructed.

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Courtney Grossman
City of Salinas Department of Development and Engineering
68 West Alisal Street
Salinas, CA 93901


SUBJECT: DEIR FOR SALINAS-AG INDUSTRIAL CENTER

Dear Mr. Grossman:

LandWatch Monterey County reviewed the draft environmental impact report (DEIR) for the project which is an agricultural industrial center on 257 acres of Prime Farmland partially within or adjacent to the southern city limits of the City of Salinas. We have the following comments:

1. Mitigation Measure AG-1 (p. 2-23). This mitigation measure includes implementation of two easements – a 70-foot agricultural buffer along the southwest boundary of the Plan Area and a 20-foot agricultural buffer along the southeast boundary of the Plan Area. The FEIR should describe criteria for determining agricultural buffer widths and why these widths were selected over alternative widths.

2. Construction Diesel Emissions (p. 2-3). The analysis fails to address acrolein emissions resulting from the combustion of diesel fuel. What would be the impact of these emissions on surrounding populations?

3. Operational Diesel Exhaust Emissions (particulates and acrolein). The DEIR fails to address impacts of diesel exhaust emissions from heavy duty truck traffic occurring on local streets. Impact information should be provided in the FEIR or a recirculated DEIR.

4. Operational Emissions (p. 2-44). Project traffic would generate about 269 lbs/day of VOC emissions and 2,304 lbs/day of NOx emissions, far in excess of Monterey Bay Unified Air Pollution Control District (MBUAPCD)'s thresholds of significance of 137 lbs/day for both pollutants. Recommended mitigation measures include improved energy efficiency, use of alternative energy sources and alternative energy vehicles, development of transit facilities and promotion of non-motorized transportation. **Off-site mitigation through the purchase of offsets through MBUAPCD programs such as the Moyer and School Bus programs should be added to the list of mitigation measures to be evaluated.**

   The cumulative impact analysis for air quality (p. 3-4) finds the project would not have a significant cumulative impact on regional air quality because it is an

industrial project intended to meet the needs of the population as forecast in the Air Quality Management Plan (AQMP). The finding does not account for mobile source emissions identified above which are far in excess of the District's thresholds of significance. The MBUAPCD CEQA Air Quality Guidelines state (Chapter 5, Stationary and Area Source Emissions), "Emissions from sources not subject to District permit authority may be deemed consistent with the AQMP if such emissions are forecasted in the AQMP emission inventory. The District should be contacted for a determination." Such an analysis should be undertaken to determine the project's cumulative impact on regional air quality.

5. Climate Change (p. 2-66). The project would generate 389,017 metric tons per year of greenhouse gas (GHG) emissions. For comparison, the draft California Air Resources Board proposed threshold of significance for GHG emissions is 7,000 metric tons per year. Proposed on-site mitigation measures and measures to be undertaken by the State would reduce emissions to 280,678 metric tons per year, a 28% percent reduction. Total project GHG emissions after mitigation would still have a significant adverse project level and cumulative impact on climate change.

The DEIR does not evaluate the feasibility of off-site mitigation measures as described by the California Attorney General in his memorandum on "The California Environmental Quality Act and Addressing Global Warming Impacts at the Local Level".

The following is an excerpt from the Attorney General's list of feasible mitigation measures:

> If, after analyzing and requiring all reasonable and feasible on-site mitigation measures for avoiding or reducing greenhouse gas-related impacts, the lead agency determines that additional mitigation is required, the agency may consider additional off-site mitigation. The project proponent could, for example, fund off-site mitigation projects (*e.g.*, alternative energy projects, or energy or water audits for existing projects) that will reduce carbon emissions, conduct an audit of its other existing operations and agree to retrofit, or purchase carbon "credits" from another entity that will undertake mitigation. The topic of offsets can be complicated, and a full discussion is outside the scope of this summary Document. Issues that the lead agency should consider include:
>
> - The location of the off-site mitigation. (If the off-site mitigation is far from the project, any additional, non-climate related benefits of the mitigation will be lost to the local community.)
> - Whether the emissions reductions from off-site mitigation can be quantified and verified.
> - Whether the mitigation ratio should be greater than 1:1 to reflect any uncertainty about the effectiveness of the offset.

To comply with CEQA, the FEIR must evaluate potential mitigation measures for their feasibility including off-site measures.

6. Transportation Impacts. The project would have significant project level and cumulative impacts on 25 intersections or road segments. To help the reader understand the project's impact on the transportation system, the FEIR should provide a table identifying impacts, proposed mitigation measures, construction schedule for mitigation measures, and mitigation measure effectiveness.

7. Impacts of Proposed Mitigation Measures. Significant project impacts on many intersections and road segments would be mitigated by projects implemented by the City of Salinas (TFO), TAMC (Regional Impact Fee Program) or Caltrans. Impacts of the proposed mitigation measures should be identified per CEQA Guidelines. Additionally, the schedule for implementation of mitigation measures should be identified to determine if their effectiveness at reducing impacts would occur in a timely manner.

8. SB 610 Finding (p. 2-171). Cal Water finds that the water supply, storage and distribution system would be adequate to meet project demands. The DEIR indicates the net decrease in water demand over existing use would be 139 AFY (p. 2-183). Part of the analysis indicates that 416 AFY of irrigation water would be returned to the basin. As stated on p. 2-185, "Under current conditions, a percentage of precipitation which falls within the boundary...has a significant chance for being recharged to groundwater given existing soil conditions, topography, etc." This finding appears to conflict with the following statement (p. 2-99): "The investigation largely confirmed that within the Plan Area stormwater accumulates rather than infiltrates, that percolation rates are slow and insufficient to manage stormwater runoff from development." Please address this inconsistency.

9. The DEIR states the Salinas Valley Water Project (SVWP) will be completed in 2010 and finds, "The project will halt further groundwater intrusion into the SVGB (Salinas Valley Groundwater Basin) and bring the SVGB into hydrological balance through the year 2030. The Salinas Valley Water Project was designed with the assumption that nearly 29,300 acres of undeveloped land would be converted to urban uses by the year 2030. The proposed project is representative of the conversion of agricultural land to urban use that the MCWRA (Monterey County Water Resources Agency) assumed would occur and for which the Salinas Valley Water Project was designed to mitigate short-term and long-term cumulative water demand impacts on the SVGB. Therefore, the Salinas Valley Water Project is assumed to serve as mitigation for impacts on groundwater quantity and quality that would occur from the continued demand for groundwater created by buildout of the Plan Area."

   The SVWP is already over-sold and untested.

(a) The SVWP EIR estimated that urban acreage would replace agricultural acreage, resulting in decreased water use in the Salinas basin. This estimate was not supported by any evidence; it was simply a stated assumption. This analysis predates the GPU5 proposals that winery corridors, a mix of agricultural, industrial and commercial uses, be developed in the Salinas Valley. For example, the SVWP EIR projected that new vineyard acreage would be reached by 2030; in fact, it was exceeded in 2007 – 23 years ahead of schedule. It also predates the proposed slope policies under GPU5 which will potentially increase cultivation on an additional 500,000 previously uncultivated acres.

(b) Although 2008 AMBAG population projections are similar to the population projections in the SVWP EIR, the SVWP cannot meet the water demand that would result from combined build out envisioned by the general plans of the Salinas Valley cities and the County. CalWater, testified recently before the Planning Commission that the level of growth contained in GPU5 would endanger CalWater's ability to provide water to its customers.

(c) The DEIR on GPU5 stated that the SVWP ***would not*** halt seawater intrusion into the basin by 2030. To do so, according to the DEIR, will require increased water diversion. This was specifically not permitted by NOAA when it permitted the diversion facility (the rubber dam). According to NOAA, increased diversions would unacceptably lower stream flows below levels necessary to protect endangered steelhead.

(d) The SVWP hasn't been completed yet, so it is untested. In order to deliver water during the growing season, there needs to be enough water in the reservoirs. In late February, one reservoir was at 35% capacity and the other was at 55% capacity – even after what has been a normal rain year. Prolonged drought and climate change may completely change how much water is even available for release and diversion.

(e) It may take many years for sub-areas to recover by sub-surface recharge. This is especially critical to all water users in subareas north of Chualar. Surface recharge in those areas is "virtually nil," according to the Department of Water Resources.

(f) The SVWP EIR did not consider impacts of climate change on water use, rainfall or rising sea levels. All of these could have significant impacts on recharge and seawater intrusion.

Thank you for the opportunity to comment on the document.

Sincerely,

Amy L. White, Interim Executive Director
LandWatch Monterey County

*Responses to Comments from LandWatch*

1. Please refer back to the comment letter from Brian Finegan for information on the basis for establishing the agricultural buffer easements included in the proposed project. Also see the response to comment #3 from LAFCO.

2. A reference exposure level (REL) for acrolein was adopted by the Office of Environmental Health Hazard Assessment on December 19, 2008. However, the acrolein standard remains suspended in the Monterey Bay Unified Air Pollution Control District. Consequently, the MBUAPCD does not require analysis of acrolein impacts in CEQA documents prepared for projects within the District boundary. Given that the MBUAPCD is legally responsible for implementing State and Federal air quality laws and regulations, including as they may be evaluated in CEQA documents, the MBUAPCD's direction is taken regarding analysis of acrolein issues.

3. Please refer to response #2 above regarding acrolein.

   Regarding diesel emissions, there are no sensitive receptors located along the primary routes to and from the Plan Area onto which approximately 99 percent of the line trucks would be distributed. Please refer to the response to comment #10 from the MBUAPCD for more information on truck trip distribution. Line trucks generate the vast majority of all operational emissions for the proposed project, including diesel emissions.

   As described on page 2-40 of the draft program EIR, the air quality impact analysis is considered to be extremely conservative for a number of reasons, the most significant of which is that most agricultural industrial operations within the Plan Area (i.e. coolers) are likely to operate only six months of the year during the harvest season. Emissions were calculated as though uses within the Plan Area operate over an entire 12-month period. Further, as described on page 2-66 of the draft program EIR, it is likely that a significant volume of the emissions attributed to the proposed project will not be new emissions. The City and the applicant anticipate that some existing agricultural industrial business within the City will relocate to the Plan Area. It is likely that the proposed project will capture a significant percentage of the existing field and line truck trips associated with those businesses. Vacated sites will likely be reutilized with activities that are unknown at this time. The City felt that it would be too speculative to assume that replacement uses would have lesser environmental impacts that the uses that relocate to the Plan Area. Therefore, no net reduction in environmental effects was assumed as part of the draft program EIR analysis.

4. The MBUAPCD currently does not fund or implement programs that result in the creation of certified emissions reductions for criteria air pollutants or GHGs. This is true of the

Moyer and School Bus programs that are noted in the comment. Neither program results in the creation of significant emissions reductions, nor are the reductions certified such that they could be purchased as off-site mitigation.

Regarding the cumulative impacts of the proposed project, the comment suggests that the cumulative impact analysis methodology described on page 3-4 of the draft program EIR does not account for the mobile source emissions calculated for the proposed project that are far in excess of MBUAPCD's project level thresholds of significance. The fact that the proposed project exceeds MBUAPCD level thresholds of significance is clearly defined as a significant unavoidable project level on page 2-44 of the draft program EIR. The cumulative analysis is a population based approach and is based on the MBUAPCD's accepted cumulative impact assessment methodology. The section of the MBUAPCD CEQA Guidelines to which the comment refers is related to guidance for stationary and area source emissions, not mobile source emissions.

5. It is agreed that off-site mitigation for GHG emissions generation may be considered by a Lead Agency in certain circumstances as outlined by the California Attorney General and described in the comment. The City considered, but declined to require off-site mitigation for several reasons. First, as described by the Attorney General, the Lead Agency has discretion to consider off-site mitigation after analyzing and requiring reasonable and feasible on-site mitigation. The City analyzed and required a range of on-site green building and other measures that were incorporated into the Specific Plan by the applicant. These measures could achieve up to a 28 percent reduction in non-truck transport related emissions. The City felt this reduction is substantial and consistent with the AB 32 Scoping Plan goal for reduction of existing emissions. Consequently, the City feels that no further mitigation of on-site generated GHG emissions is necessary.

   Truck emissions represent approximately 70 percent of the total emissions volume estimated for the proposed project. As discussed on page 2-62 of the draft program EIR and in response #4 above, the operational GHG emissions volume of 389,017 tons per year is considered exceptionally conservative. It is highly unlikely that the proposed project would generate a significant number of new trips, especially new truck trips, for the reasons described on page 2-62. Further, the applicant does not have control of the truck fleets that would travel to and from the Plan Area; they would be owned and operated by independent interests. Operation of these fleets is subject to air quality regulations promulgated in California and the states where the fleets are licensed. For fleets operating in California, the state is already targeting GHG emissions reductions from them by implementing regulations such as the Low Carbon Fuel Standard (see http://www.arb.ca.gov/fuels/lcfs/lcfs.htm).

6. Exhibits 5, 6, and 7 of the Traffic Impact Analysis included in the draft program EIR are tables that identify the impacts at intersections and road segments and the improvements needed to reduce impacts to a less than significant level where possible. In limited cases, impacts and mitigations identified in these tables have been refined based on collaboration with Caltrans. Please also refer to the response to comments from Caltrans for more information on additional analysis and clarification of traffic impacts, including the timing anticipated for improvements needed to mitigate significant impacts.

7. Individual circulation network improvements that would be implemented over time to mitigate impacts of Plan Area build out may have the potential to create significant impacts. The improvements are part of the implementation of the "program" of building out the Specific Plan area. Potential impacts may be quite variable depending on existing conditions in the area where the improvements are proposed, the type and character of the proposed improvements, the construction duration period, etc. Air quality, agriculture, biological resource, cultural resource, water quality, noise, transportation, and utility impacts are possible. Several of these potential effects would be short-term in nature and occur only during construction activities. As circulation improvement projects are "projects" under CEQA, the City, TAMC, and Caltrans (depending on the agency implementing the improvements), will be required to conduct CEQA analysis to identify potential impacts and mitigations for each project. Please also refer to the response to comments from Caltrans for more information on additional analysis and clarification of traffic impacts, including the timing anticipated for improvements needed to mitigate significant impacts. Project related mitigations should not result in impacts that are outside of the scope of impacts that would result from construction of circulation improvements already planned by the City, County, and/or Caltrans/TAMC as part of their respective circulation facility improvement programs.

8. The comment implies that 416 acre-feet of irrigation water would be returned to groundwater under post-project conditions. The WSA concludes that under the existing agricultural use of the Plan Area, approximately 416 acre-feet of irrigation water currently applied to the site percolates to groundwater. This volume represents 30 percent of the total volume of irrigation water applied to the site. Implicit in this assumption is that some portion of the applied water is lost due to runoff, possibly as a result of overwatering and/or the fact that the percolation rates of site soils are generally low.

   On page 2-182 of the draft program EIR, data from the WSA about recharge volumes under post-Plan Area build out conditions is summarized. Cal Water estimates that approximately 15 percent of the total water demand will be used for landscaping. Of that amount, approximately 20 percent will infiltrate to groundwater. Applying these factors, approximately 94 acre-feet or three percent of the total proposed project demand would be

recharged to groundwater. Cal Water used a factor of only 20 percent recharge to account, in part, for losses of landscape irrigation water to evaporation, evapotranspiration, runoff, and other losses. Losses to runoff can occur in part due to poor percolation rates of soils. Hence, the amount of recharge assumed under post-project conditions considers loss factors including potentially poor percolation.

The statement made on page 2-185 as referenced suggests that some portion of the precipitation that falls within the Plan Area will percolate and support groundwater recharge. It does not suggest that groundwater recharge potential within the Plan Area is high. The information on page 2-99 states that percolation rates of Plan Area soils are generally low. Storm water runoff volumes are consequently expected to be relatively high. Since the relationship between runoff and groundwater recharge is inverse, groundwater recharge potential within the Plan Area during storm events is likely to be low. Development of the Plan Area would incrementally lower the already low recharge potential – an effect that would not substantially affect groundwater levels. Implementation of Low Impact Development Design would, as stated on page 2-185, partially off-set the effect of reduced recharge potential.

The statement on page 2-185 does not affect analyses conducted in the draft program EIR regarding the total Plan Area water balance and does not affect the WSA finding that the proposed project would have a net decrease in groundwater demand of approximately 139 acre-feet per year.

9. The comment does not raise a specific environmental issue for the draft program EIR. Rather, it raises several points about the ability of the Salinas Valley Water Project (SVWP) to mitigate cumulative impacts of groundwater extraction on groundwater quality caused by seawater intrusion. It is assumed that the point of the comment is to question whether the SVWP will serve as adequate mitigation of the proposed project's potential to incrementally exacerbate groundwater quality impacts caused by seawater intrusion.

The draft program EIR concludes that the SVWP will serve as adequate mitigation of the proposed project's potential groundwater quality effects. This conclusion is based on factual information developed by a County agency, the Monterey County Water Resources Agency (MCWRA). The information is contained in the certified *Environmental Impact Report/Environmental Impact Statement for the Salinas Valley Water Project* that was prepared by the MCWRA in April 2002 and in project design documentation. The MCWRA has not generated subsequent information that suggests the SVWP will not achieve its intended goals or must be redesigned and reconsidered in a new subsequent CEQA/NEPA process.

The proposed project is consistent with assumptions made for the SVWP that conversion of agricultural land to non-agricultural production would result in a decrease in demand for groundwater. As stated in the proposed project WSA and reflected in the draft program EIR, the proposed project is anticipated to reduce groundwater demand by 139 acre-feet per year relative to the current agricultural use of the Plan Area. Therefore, the proposed project would also contribute to an incremental reduction in potential to exacerbate seawater intrusion impacts relative to existing conditions. Even so, since the proposed project will continue to contribute to a cumulative demand for groundwater, it will continue to incrementally contribute to conditions that cause seawater intrusion.

The SVWP is not designed to halt seawater intrusion potential created by the build out envisioned in the County's draft GPU 5. The increased demand for groundwater under a GPU 5 build out scenario was not known when the SVWP was designed and its EIR certified. The commenter's statements that the SVWP is not sufficient to halt seawater intrusion caused by build out per existing general plans plus GPU 5 are, therefore, not at issue. The SVWP could not have been designed to do so. The salient point is that the proposed project is representative of the type of development/conversion of agricultural land to non-agricultural production use that was anticipated in the design and analysis of the SVWP and in the MCRWA's conclusion that it would halt seawater intrusion. The draft EIR for GPU 5 finds that impacts on groundwater resources and seawater intrusion from build out under GPU 5 are significant and unavoidable. The County retains the discretion to approve GPU 5 even though significant unavoidable impacts on the groundwater and groundwater quality have been indentified for that project. This does not change the stated purpose, function, or ability of the SVWP to halt seawater intrusion without consideration of GPU 5.

Though it appears that the County is getting closer to concluding deliberations on the GPU 5 EIR and on GPU 5 itself, it remains possible that both documents could be modified prior to their certification and adoption, respectively. Therefore, a possibility remains that points raised in the comment about the potential impacts on groundwater quality as described in the EIR for GPU 5 may require reconsideration.

# Monterey Regional Water Pollution Control Agency

*"Dedicated to meeting the wastewater and reclamation needs of our member agencies, while protecting the environment."*

Treatment Facility and Water Recycling Project:
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Website: www.mrwpca.org

August 31, 2009

City of Salinas
Community Development Department
c/o Courtney Grossman
65 West Alisal Street
Salinas, CA 93901

Subject: Draft EIR for Salinas Ag-Industrial Center, SCH #2008041171

Dear Ms. Grossman,

Thank you for the opportunity to comment on the subject EIR. The Monterey Regional Water Pollution Control Agency (MRWPCA) comments generally pertain to section 2.12 Sanitary and Industrial Wastewater, and are as follows:

1. Page 2-190. MRWPCA recently retained Carollo Engineers to prepare a Salinas Sewage Conveyance Study (July 2009). The Study concluded that the pump station has a firm capacity (three pumps running) of 33 – 35 mgd and a maximum capacity (all four pumps running) of 35 – 38 mgd. In addition, the existing average dry weather flows have been relatively stable over the last several years at approximately 12 mgd; existing peak wet weather flows, based on pump station flow data, is estimated at 25 mgd.

2. MRWPCA does not collect both "connection fees and capacity fees". The terms are sometimes used interchangeably. The preferred term, in accordance with the Agency's May 2000 report on Wastewater Capacity Charges, is "Capacity Fee". In accordance with the Agency's policy, the Capacity Fee and monthly user fees are calculated each year as part of the Agency's budget preparation cycle. As users connect to the sanitary sewer system they will be required to pay the appropriate Capacity Fee based on the flow and strength of their wastewater. The Agency encourages the developer to consult with Agency staff to determine and plan for the Capacity fee. The Capacity fee is currently slightly less than $3,000 per Equivalent Development Unit (EDU). An EDU equals one residential unit.

3. Page 2-197. Although not significant from an overall water use criteria, the range of estimated sanitary wastewater generated 620,000 gpd versus 230,000 gpd (according to the WSA) is significant when sizing and constructing wastewater conveyance systems. A refinement of these estimates would be helpful to ensure water supply facilities are not undersized (recognizing that fire fighting demand flows typically dictate infrastructure sizing) and/or wastewater facilities are not oversized.

4. Page 2-198. MRWPCA (based on confirming findings from the Carollo Report referenced in Comment 1. above) acknowledges that the Salinas pump station does have existing capacity to serve the sanitary sewage flows from the proposed facility. There may have been capacity concerns at the time the Salinas General Plan FEIR was prepared, but those concerns are no longer valid as they pertain to the proposed project.

5. Page 2-200. Less than Significant Impact – MRWPCA Sanitary Wastewater Conveyance and Treatment Facility Capacity. We suggest that the authors recognize that the proposed project will generate a range of 230,000 to 620,000 gpd of sanitary wastewater. In addition, we suggest the following language for the last sentence of the paragraph "The proposed project will pay fees to the City to off-set the incremental cost of providing the additional facilities and will pay a Capacity fee to MRWPCA to pay for their fair share of the existing capacity at the Salinas pump station, conveyance pipeline and Regional Treatment Plant." The Agency concurs that the impact is less than significant.

Thank you for the opportunity to comment on the EIR.

Sincerely,

Brad Hagemann, PE
Assistant General Manager
Monterey Regional Water Pollution Control Agency

*Responses to Comments from MRWPCA*

1. The comment provides updated information about wastewater flows to and the capacity of the Salinas Pump Station. The updated information does not substantially vary from the information contained in the draft program EIR, which was also derived from the MRWPCA. Nevertheless, the draft program EIR has been modified to reflect the new information. Please refer to Section 3.0, Changes to the Draft EIR.

2. Comment noted. The references to connection fee and capacity fees included in the draft program EIR have been modified. Please refer to Section 3.0, Changes to the Draft EIR.

3. The sanitary sewer generation rate of 620,000 gpd described in the applicant's Engineers Report is calculated based on the City's design criteria for conveyance system design. The rate is based on rates for industrial areas and includes Rainfall Dependant Inflow and Infiltration (RDII) flow. The RDII volume is the amount of surface water estimated to infiltrate the conveyance system. It is over and above the wastewater volume anticipated to be generated by future development itself. The RDII was calculated at 130,000 gpd of the total 620,000 gpd, with the actual wastewater generation rate from future development calculated at about 490,000 gpd.

   The WSA sanitary sewer generation rate of 230,000 gpd is based on an assumed percentage of the total proposed project water use becoming sanitary wastewater and the rest being delivered to the City's industrial wastewater conveyance and treatment system. RDII is not accounted for in the WSA rate. The City's design criteria guide the design of the conveyance system, but have no effect on calculation of water demand. The RDII volume is not drawn from groundwater and its inclusion in calculations used for design of the conveyance system does not affect the water balance calculations included in the WSA.

4. The comment does not raise an environmental issue regarding the draft program EIR. No response is necessary.

5. The existing impact discussion includes a reference that the proposed project would generate 0.62 mgd of additional sanitary wastewater that would be delivered to the regional wastewater treatment plant. As stated in response #3 above, approximately 130,000 gpd of this amount is inflow to the sanitary wastewater collection conveyance system and is not generated by the proposed project itself. The impact statement has been modified to state that the proposed project would generate up to 0.62 mgd.

   A portion of the language in the last sentence of the referenced impact statement has been modified to reflect the comment. The recommended change regarding payment of City fees has not been made. That requirement is already addressed in the prior impact statement regarding proposed project effects on the City's wastewater conveyance facility capacity. Please refer to Section 3.0, Changes to the Draft EIR.

Linda Adams
*Secretary for Environmental Protection*

# California Regional Water Quality Control Board

## Central Coast Region

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Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzen
*Governo.*

August 31, 2009

**BY ELECTRONIC AND REGULAR MAIL**

Courtney Grossman
courtg@ci.salinas.ca.us
65 West Alisal Street
City of Salinas, CA 93901

Dear Mr. Grossman:

**CENTRAL COAST WATER BOARD COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE SALINAS-AG INDUSTRIAL CENTER PROJECT (PROJECT)**

Thank you for the opportunity to evaluate the above-referenced document. The Central Coast Water Board is a responsible agency under the California Environmental Quality Act (CEQA). The proposed project includes conversion of 257 acres of prime farmland to urban use. Probable uses for the site include a range of agricultural industrial related uses. The majority of the 257-acre project is located in unincorporated Monterey County, but 17 acres are located in the City of Salinas. The Plan Area is bordered by Abbott Street to the northeast, Harris Road to the southeast, cultivated agricultural land on the southwest, and existing industrial development on the northwest.

We appreciate the opportunity we had to meet with the applicant, their representatives, and the City to discuss this project, and we also appreciate the changes proposed to the project as a result of our meeting. Those changes improve the overall project. While we appreciate that progress, this letter addresses insufficiencies Water Board staff finds with the DEIR and the fact that this project does not fully minimize the potential impacts to water quality. Water Board staff finds the DEIR does not sufficiently cover the following:

**Compliance with the City's Stormwater Development Standards (SWDS)** – The DEIR states the project is adhering to the numeric requirements included in the City's SWDS approved by the Central Coast Water Board on December 5, 2008. However, the DEIR and supporting documentation do not include an adequate assessment to demonstrate the project flows and sediment reductions will not detrimentally affect the receiving water. The May 18, 2009 Sediment Transport Assessment and Evaluation assess the current condition of the receiving channel. However, the evaluation does not assess the potential impacts the project flows and altered sediment loading and transport regime will have on the receiving water's existing condition, including potential downstream erosion. Water Board staff finds the project applicant has not met SWDS numeric criteria 4.B; therefore, the City should not exempt the project from adhering to 4.A. If the applicant can not adequately demonstrate the project will not have erosive effects to the Reclamation Ditch or change the sediment forming regimes, the project must mitigate for potential impacts to flows and sediment forming regimes by adhering to

SWDS numeric criteria 4.A. The City is required to implement their SWDS pursuant to their National Pollutant Discharge Elimination System Phase I Municipal Stormwater Permit.

**Outfall Structures** – The project proposes to route runoff from the site to existing storm drain lines that are connected to existing outfalls that discharge to the Monterey County Water Resource Agency (MCWRA) Reclamation Ditch. The project has proposed no modifications to the existing outfall structures or to the Reclamation Ditch near the outfall locations to account for the proposed higher volumes, rates, and longer durations of runoff discharging at these outfalls. The project proposes to increase peak runoff rates by 61 percent over the existing condition and this hydromodification of the site will increase the peak discharge at these outfall points by 3 percent. The DEIR does not adequately assess the impact this increased discharge rate will have on the Reclamation Ditch at the existing outfalls. The final EIR must include more evidence to justify the existing outfall structures can withstand additional flows without causing significant erosive effects to the Reclamation Ditch near the outfall locations, or identify measures to mitigate this potentially significant impact.

**Cumulative Effects of Full Build-out** – The DEIR discusses potential cumulative effects on the Reclamation Ditch accounting for full build out of the Plan Area, but the DEIR does not discuss the cumulative effects of this project accounting for other proposed new development and significant redevelopment in the vicinity of the project within the watershed. From the information provided, we cannot determine if the DEIR preparer used reasonable assumptions to determine the following: 1) potential cumulative increases in shear stresses in the receiving waterway, resulting from increased flows, velocities, and flow durations, will not cause erosive impacts to the Reclamation Ditch, and 2) cumulative alterations to the natural sediment balance will not impact the natural sediment regime. Section 3-7 of the DEIR states, "The maximum increase in surface water elevation in key off-site storm and flood control facilities, i.e. Carr Lake, Heinz Lake, and the Reclamation Ditch, during design storm events would be 0.002 inches or less. This minimal contribution to surface water elevations is considered less than cumulatively considerable. Analysis also shows that the proposed project would not result in downstream erosion and sedimentation impacts; this potential effect is also considered to be less than cumulatively considerable." The project applicant has provided insufficient information to support the conclusion that this project will have hydrologic and water quality impacts that are considered less than cumulatively considerable.

**Impacts on Receiving Water Future Improvements** – The DEIR does not adequately assess the impact project will have on future planned efforts proposed by the MCWRA in the "Reclamation Ditch Watershed Assessment and Management Strategy." MCWRA has outlined future management practices to revitalize the 157 square-mile watershed running from its headwaters in the Gabilan Range down to the entrance to Moss Landing Harbor. If the City approves this project that will contribute higher volumes of water, with faster rates and longer durations, to the Reclamation Ditch, the MCWRA will have to mitigate to an even greater extent when conducting revitalization work within this reach of the Reclamation Ditch. The FEIR should consider the potential impacts this project may have on Reclamation Ditch management strategies proposed by the MCWRA.

**Effects of Reduced Infiltration** – The project proposes detaining stormwater runoff, but proposes very minimal retention of runoff, without considering how changes to the infiltration may impact the Reclamation Ditch. The project applicant states that stormwater retention is not feasible because of the soil types existing at the site. However, the project site likely has some existing recharge value. By adding impervious surface to 85 to 90 percent of the 257-acre site, the hydrology will likely change, affecting recharge and any baseflow contribution to the

Reclamation Ditch. The DEIR does not account for any possible impacts, nor presents compelling evidence, that no impact will occur from reduced infiltration opportunities at the project site.

If we may clarify any of our comments or be of further assistance, please contact **Tamara Presser at (805) 549-3334**, or email Tpresser@waterboards.ca.gov through September 15, 2009 and then contact **Jennifer Epp at (805) 594-6181** or **Phil Hammer at (805) 549-3882**.

Sincerely,

Roger W. Briggs
Executive Officer

cc: (by electronic mail)

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***Responses to Comments from CRWQCB***

1. The referenced June 17, 2009 Sediment Transport Assessment and Evaluation Salinas Ag-Industrial Center prepared by the consulting firm ENGEO Incorporated (ENGEO) was prepared to evaluate the erosion potential of the downstream receiving water from the proposed project and recommend if the project conditions meet the City of Salinas Stormwater Design Standards Section 1.5.3.4. In this report, ENGEO found that:

   - The Reclamation Ditch is a trapezoidal-engineered earthen channel that lacks the geomorphic characteristics of a natural fluvial system. The Reclamation Ditch does not contain geomorphic features such as floodplain terraces or channel sinuosity, which facilitate sediment transport in natural channels. There is no natural sediment balance or natural sediment regime in the Reclamation Ditch.

   - The gradient of the channel is too flat to support the transport of the majority of sediment regimes likely to occur in the system based on obtained information regarding longitudinal channel gradient.

   - From site reconnaissance, confirmation that the channel is in a state of sediment aggradation, even after smaller storm events.

   - Aggravation of downstream erosion by the proposed project is highly unlikely because the proposed project's receiving water, the Reclamation Ditch, is globally dominated by depositional sediment transport processes.

   - Based on sediment transport equilibrium calculations performed in the report, it is expected that an increase in channel flow rates of approximately 100% would be required before the channel would approach an "equilibrium" sediment transport state, where concerns about aggravation of downstream erosion would begin to become relevant.

   Given these findings, the channel will remain globally dominated by depositional processes and periodic downstream dredging of the channel will still be required in order for the channel to operate as a water conveyance system after the proposed project is implemented. Because the channel is operating so far below sediment transport equilibrium conditions, and because the channel has not been constructed with the geomorphic characteristics of a natural fluvial system, numeric modeling is not needed to demonstrate compliance in terms of hydromodification standards.

   Moreover, the reduction of current sediment loads through the land conversion that would result from the proposed project will improve water quality in the Reclamation Ditch and reduce potentially detrimental sediment loads relative to existing conditions. The

implementation of the proposed project will eliminate the discharge of sediment particles associated with existing farming activities. The result should thus be overall lower turbidity and lower total suspended solids levels downstream of the proposed project, which would benefit the Reclamation Ditch and Monterey Bay aquatic habitat and decrease the frequency of dredging operations in the receiving waters of Moss Landing Harbor.

Storm water runoff from the proposed project was analyzed with regard to its potential impact on downstream conditions. The proposed project area sequentially drains into two proximate regional detention basins, which serve to buffer the impact of inflows on the downstream drainage system. As detailed in the City's Stormwater Master Plan (CDM, 2004) and Figure 12 of the draft program EIR, the proposed project area drains into the nearby Reclamation Ditch at the inlet of Heinz Lake. From the outlet of Heinz Lake, the Reclamation Ditch runs approximately 3 ¼ miles further to Carr Lake before continuing further downstream. Carr Lake serves as a regional detention basin, which reduces discharge in the downstream portion of the Reclamation Ditch during large watershed flows. This volumetric buffer effect is facilitated at the outlet of Carr Lake, the Main Street culvert, which restricts the flow rate coming out of Carr Lake. Carr Lake is normally a dry agricultural area and fills with stormwater during significant storm events and as such serves a vital role in both flood and erosion control in the region.

Given this downstream hydrology, the stormwater impacts of the proposed project's volumetric flow were analyzed (using the unsteady-state HEC-RAS regional model developed by Monterey County Water Resource Agency) by its modeled increase in water surface elevation of Heinz Lake and Carr Lake, and the increase in modeled flow in the Reclamation Ditch between Heinz Lake and Carr Lake (John Street), at the Carr Lake outlet (Main Street) and further downstream (San Jon Road) as shown in Table 2, Appendix I of the draft EIR:

**Table 2 Potential Impacts of the Proposed Project on Regional 100-Year Flood Conditions**

| Location | Existing Condition | Increase | Unit |
|---|---|---|---|
| Heinz Lake Stage | 56.612 | -0.002 | feet |
| John Street Flow | 869.6 | -0.17 | cubic feet/second |
| Carr Lake Stage | 45.308 | 0.001 | feet |
| Main Street Flow | 1219.4 | 0.1 | cubic feet/second |
| San Jon Road Flow | 1153.5 | 0.2 | cubic feet/second |

With the site BMP mitigations proposed for the 257-acre proposed project, it can be seen that there is actually a slight decrease in volume driven peak conditions during the regional

100-year flood as indicated by the reduction in peak stage in Heinz Lake and peak flow at John Street. The evaluation indicates Carr Lake peak stage increasing by only 0.001 feet and peak downstream flows increasing by less than two hundredths of a percent. From these results, and that of the qualitative downstream sedimentation analysis, both the Preliminary Hydrology and Hydraulics Study and the Salinas-Ag Industrial Center Draft Program EIR concluded that the impact from proposed project flows and sediment reduction are less than significant.

Volumetric proposed project flows are further discussed in detail in response #2 below.

With regard to compliance with the City of Salinas Stormwater Development Standards (SWDS), the City reviewed the proposed project for compliance with the noted Stormwater Development Standards criteria 4A and 4B in context of the feasibility of application of Stormwater Development Standards 4A and B to the proposed project, the hydromodification mitigation measures proposed by the applicant, and the net post-project impact on downstream hydrology.

ENGEO provided an extensive qualitative analysis that proposed project flow peaks would not cause downstream erosion impacts. Although the assessment of did not incorporate sediment transport modeling, it would be reasonable to conclude from this analysis that such would not be needed to meet the intent of the SWDS criteria 4B. Reasons for this conclusion include:

a. Other jurisdictions with hydromodification mitigation requirements that have been adopted include provisions for exempting certain areas from hydromodification mitigation procedures where it can be demonstrated by a qualitative assessment that meeting a prescriptive quantitative requirement is not necessary, such as enclosed pipes, hardened channels, and channels which are aggrading, i.e., consistently subject to accumulation over decades and with no indicators of erosion on the channel banks.

b. There is no natural sediment balance or natural sediment regime in the Reclamation Ditch. The system has areas of erosion and sedimentation which have been mechanically maintained. The system is not natural as it is primarily a constructed trapezoidal earthen ditch which is maintained devoid of vegetation to maintain flood control conveyance capacity. Sediment transport into the system has been impacted by modification of the floodplains along natural creeks upstream from Carr Lake; however, the subject property is not along a natural sediment carrying creek. Prior to construction of the Reclamation Ditch (which allowed the property to be farmed), no sediment from the proposed project area would have eroded and reached Moss Landing. Reduction of transport of very fine sediments from the existing project site,

as may be expected upon its conversion from agricultural to industrial uses, will benefit the system because these sediments would likely remain in suspension until the flows reach the man-made Moss Landing Harbor where velocities may be low enough to allow settling and require dredging.

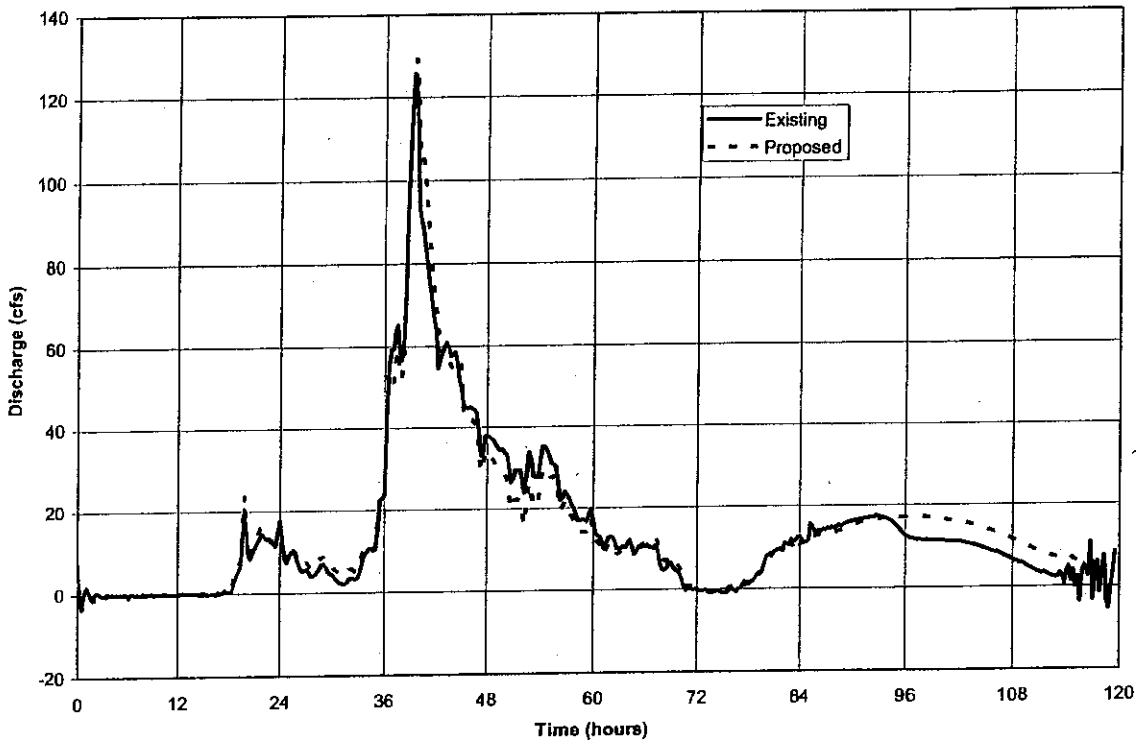
The application of the alternative requirement, SWDS criteria 4A, is not a reasonable option for this proposed project. Unlike hydromodification criteria adopted in Santa Clara Valley or Contra Costa County, SWDS criteria 4.A does not include a low flow threshold, and therefore may not be practicable. For example, the Santa Clara Valley permit allows for increased duration of discharges at rates less than 10 percent of the pre-project 2-year peak discharge or greater than the pre-project 10-year peak discharge. Without a low flow threshold, only onsite retention and percolation could meet the criterion of SWDS criteria 4.A. Based on the geotechnical report conclusions, adequate onsite retention and percolation is not feasible; therefore, the SWDS criteria 4A requirement without a low flow threshold exceeds the maximum extent practicable standard. The low flow threshold adopted in Santa Clara Valley may be appropriate for natural streams for which it is intended, but may not be appropriate for the man-made system through Salinas.

The proposed project includes low impact development BMPs with detention volumes similar to that which would be required to meet Santa Clara Valley hydromodification mitigation requirements, but uses a discrete storm analysis in lieu of using a long-duration simulation to demonstrate function. The use of discrete storm analysis such as that performed by RBF Consulting is more appropriate for local conditions than flow duration curves used in the review of long duration simulation because of the sensitive nature of the Reclamation Ditch to the timing of flows released from the site.

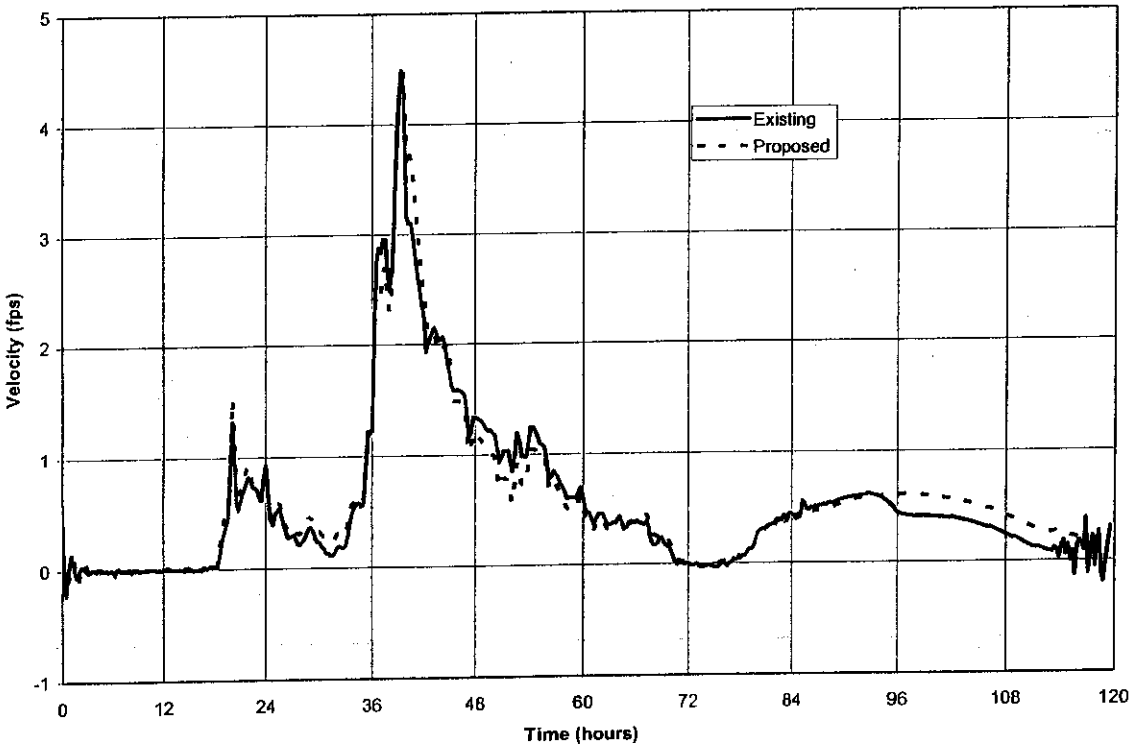
Stormwater Development Standard Section 4 basically requires that the proposed project be implemented using appropriate hydromodification mitigation procedures or demonstrate that the proposed project flows will not cause erosion in the downstream streams, creeks, or rivers. For this proposed project, the applicant has essentially met both of these options and further demonstrated no significant downstream impacts using extensive regional modeling. As such, it the City of Salinas accepts that the proposed project meets the requirements of SWDS section 4.

2. The statement that the proposed project proposes to increase peak runoff rates by 61 percent over the existing condition does not accurately describe the potential impact of the proposed project. The potential impact of the proposed project on runoff rate, volumes and durations may be better understood by viewing these graphically. Charts 1 and 2 illustrate discharge rates and velocities in the 72-inch outfall pipe to the Reclamation Ditch during a 100-year storm event. These graphs show that proposed discharges are higher at some points and lower at other points during the design storm.

## Chart 1: Discharge to Reclamation Ditch



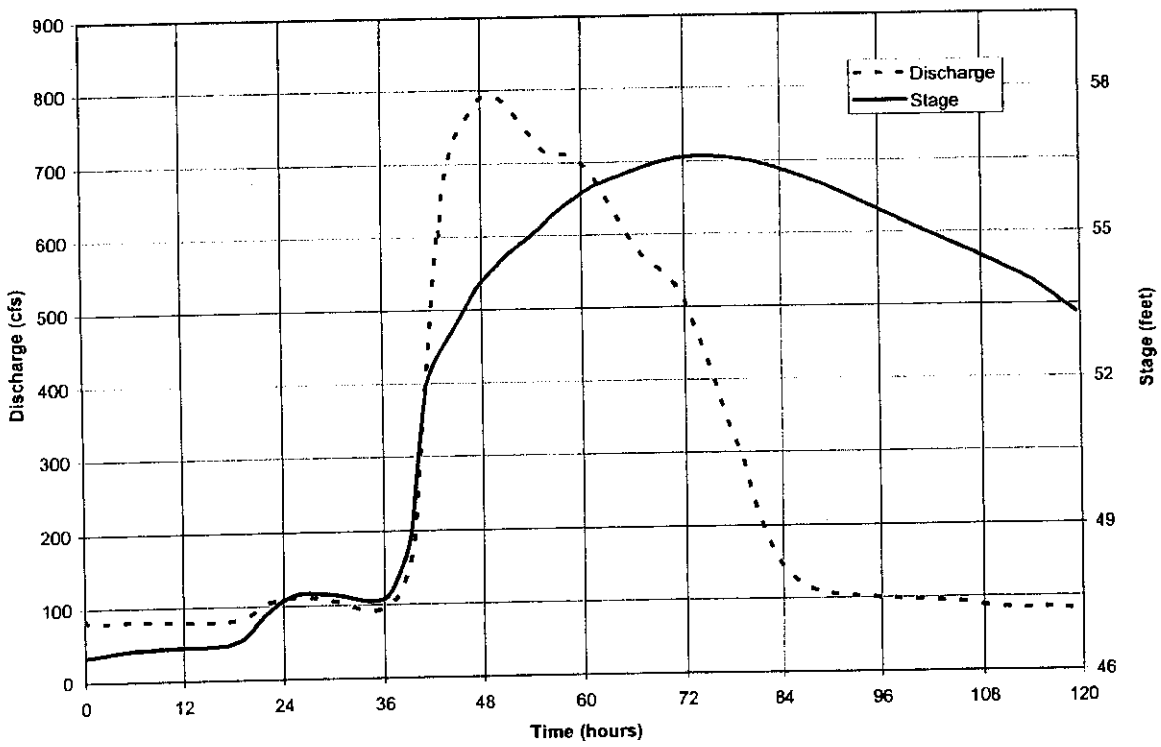

## Chart 2: Velocity in Outfall to Reclamation Ditch



The potential for increased discharges to cause significant erosive effects to the Reclamation Ditch depends on the duration of high velocity discharges. In that discharge velocities never exceed five feet per second (fps) during the 100-year event, and only exceed 4 fps for a short period during the 100-year event, high velocity discharges are not a significant factor. Based on the durations that velocities are above two fps during a 100-year event, it can readily be concluded that even potential mildly erosive discharge velocities are rare, short duration occurrences that would not measurably contribute to sediment loading. Therefore, no additional mitigation other than the onsite detention being proposed should be necessary to mitigate for this potentially significant impact.

To understand the potential significance of hydromodification of this site, it should be understood that delaying runoff from the site [even if there is no increase in the volume of runoff as is typically the case with the implementation of low impact design (LID) measures] is not necessarily beneficial to the regional drainage system because delayed releases can actually cause local peaks to more closely coincide with the timing of system-wide peak flows. Chart 3 illustrates discharge and stage hydrographs in the Reclamation Ditch near the 72-inch outfall.

**Chart 3: Reclamation Ditch Stage and Discharge Hydrograph**



At the time of peak discharge in the 100-year event in the Reclamation Ditch (hour 50), the proposed condition discharge from the 72-inch outfall is lower than the existing condition. At the time of peak stage in the Reclamation Ditch in the 100-year event (hour 74) there is no discharge from the 72-inch outfall because backwater blocks outflow.

To mitigate for the added impervious area on the site, a system with multiple detention facilities with outflow regulated by orifices and weirs is proposed. The detention basins would permit percolation of runoff, but the system analysis was performed assuming that there would be no infiltration. The inconsistent layers of silt, clays, and dense sands preclude the ability to establish sustainable percolation rates for design, though some amount of percolation will occur. The proposed site includes over 55 acre-feet of detention storage capacity. This is much more than the existing site which has about 18 acre-feet of effective detention based on existing topography and 24-inch outlet. The proposed 55 acre-feet corresponds to approximately 0.24 acre-feet of detention capacity for each proposed impervious acre and that the site proposes to add. This is about 37 acre-feet of detention storage, or 0.16 acre-feet per impervious acre over the existing condition. Detention storage of about 0.16 acre-feet per impervious acre is typical for hydromodification management measures designed to meet Santa Clara Valley or Contra Costa County requirements. The proposed detention system was developed to limit impacts on the receiving waters. Therefore, it would be reasonable to assume that the proposed project includes sufficient detention capacity to mitigate for hydromodification impacts to the maximum extent practicable.

3. The project site is south of the current City of Salinas boundary, and is to be annexed. There are currently no plans for development either with the City of Salinas or the County of Monterey upstream (south) of the proposed project along the Reclamation Ditch.

   Stormwater development impact downstream within the City is addressed in the City's 2007 Supplemental General Plan EIR. Most notable is the plan for development in the City's Future Growth Area which lies north and upstream of Carr Lake. In the Supplemental General Plan EIR the planned mitigation approach for the Future Growth Area is described in detail and projects no net additional stormwater flows up to the 100 year storm event. As such, no additional impact is seen for Carr Lake.

   All other anticipated growth in the City of Salinas would primarily be infill and redevelopment. Given the City's Stormwater Development Standards, the expected net impact of redevelopment on stormwater flow and quality would be a decrease in flow and an improvement in water quality.

4. The draft program EIR notes that the Monterey County Water Resource Agency (MCWRA) has a draft Reclamation Ditch Watershed Impact Fee/Nexus Study Summary

Report. MCWRA plans for future Reclamation Ditch improvements that increase its hydraulic capacity and considers a build out scenario of future development within the City and Monterey County's per their respective general plans. Fees collected by MCWRA for this and future projects will be used towards the Reclamation Ditch. The future planned efforts of MCWRA for improvements to the Reclamation Ditch are based on hydrological analysis that assumes complete build out of the City and County General Plans within the Reclamation Ditch watershed with no assumed development volumetric mitigation for flood control. While this approach is understandably conservative given MCWRA's public charge for flood control, it is not reflective of mitigation measures anticipated of future development. It is also anticipated that the new pending County General Plan will show less development in the Reclamation Ditch Watershed. Therefore, there will likely be lower volumes and rates in the Reclamation Ditch Watershed than anticipated in the MCWRA planning studies. As such, it is not anticipated that the MCWRA plans for improvements will change as a result of this proposed project.

5. Overall, the existing site percolation and recharge value is negligible. However, all available pervious areas are proposed for use to promote surface water percolation. The proposed project geotechnical report presents the results of extensive soil testing performed to confirm the Plan Area's percolation value and to develop an accurate soil profile over the Plan Area. The proposed project soil report concluded that existing soil conditions allow for small percolation quantities. However, available percolation "pockets" at specific locations per the geotechnical report will be used to maximize surface water infiltration. Examples of this include directing roof leaders and other concentrated water to specific locations with higher percolation rates per the geotechnical report.

   As indicated in response #2 above, low impact development BMP bioretention features will be used that include a significant amount of detention, with enough volume to meet typical hydromodification management requirements of other regions. These BMPs include low flow orifices and will be configured to promote contact time of detained flows with site soils. Because the bottom of these BMPs will be in cut, detained flows will likely have better opportunity to percolate into soils with higher sand concentrations, and therefore higher infiltration rates, than encountered in the clay soils on the surface. However, soils conditions and infiltration rates are highly variable both spatially within the site, and over time.

   As a conservative measure, no infiltration is assumed in the stormwater runoff calculations for the evaluation of off-site impacts. However, it is likely that a significant portion of the volume of frequent rain events will be retained by the bioretention BMPs and either infiltrated or released through evapotranspiration.

   Impacts to groundwater supplies are addressed in the water supply section of the draft program EIR.

# MONTEREY COUNTY

## WATER RESOURCES AGENCY

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GENERAL MANAGER

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SALINAS, CA 93901-4455



August 27, 2009

Mr. Courtney Grossman
City of Salinas
Community Development Department
65 West Alisal Street
Salinas, CA 93901

**SUBJECT: SALINAS AG-INDUSTRIAL CENTER DRAFT EIR - COMMENTS**

Dear Mr. Grossman:

Monterey County Water Resources Agency (Agency) appreciates the opportunity to comment on the Salinas Ag-Industrial Center Draft EIR. The project lies entirely within unincorporated Monterey County and the 157 square-mile Reclamation Ditch (Ditch) watershed area.

This Agency's mission is to manage, protect, and enhance the quantity and quality of water and provide specified flood control services for present and future generations living in Monterey County. We operate and maintain the Ditch, which provides critical flood protection for most of the City of Salinas (City) and surrounding areas, and receives all the surface runoff from the project area. The Ditch was originally constructed circa 1917 and was not designed to any specific criteria.

We are currently working with the City to develop long-term solutions and to mitigate any immediate impacts that would result from increased peak flows and volumes in the system. The County is drafting an impact fee ordinance based on new impervious surfaces within the watershed, which will mitigate any resulting impacts. These efforts will maintain the existing level of protection within the system. The City is expected to pass a similar ordinance.

We respectfully request the following comments be addressed in the final EIR document.

**Appendix I**

According to the reports in Appendix I of the draft EIR, the on-site drainage system will use detention and not retention because the soils on the site are not able to percolate additional runoff into the ground in a timely manner. Detention and release of the on-site drainage waters allows

the additional runoff generated by the proposed project to enter the Ditch and to use that system to further store and transport that additional runoff to the Pacific Ocean.

The undocumented cover memo in Appendix I states that there is no significant impact to maximum water surface elevations or maximum discharges in the Ditch. But the additional runoff volume sent to the Ditch system over the next two plus days after the end of a 72-hour, 100-year storm, reduces the ability of the Ditch system to handle any additional runoff events and thus, increases the risk of failure in the Ditch system.

A review of the Appendices to the RJA report "Preliminary Hydrology & Hydraulics Study" located in Appendix I indicated that of the 55 plus acre-feet of needed storage on the site, more than 16 acre-feet were still in use two days after the end of the 72-hour, 100-year storm. This remaining storage also increases the risk to the Ditch system because additional storm events will not necessarily experience dry detention basins as was assumed for as the initial condition of the detention basins for the analysis of the 72-hour, 100-year storm event.

The impacts to the Reclamation Ditch system are: disposal of additional runoff to that system and the slow emptying time of the on-site runoff. Both these impacts place an additional risk of failure on the Ditch system.

The Agency recommends that the additional runoff volume be retained on site. The Preliminary Hydrology & Hydraulics Study should be updated for the DEIR to analyze alternative methods for on-site stormwater retention. If on-site retention facilities are not feasible or if there are no feasible alternative methods, the Agency recommends adding a mitigation measure requiring the applicant to pay an impact fee to Water Resources Agency.

Again, thank you for the opportunity to comment on this draft EIR. If you have any questions, please contact Mr. Manuel L. Quezada at (831) 755-4860.

Sincerely,

Curtis V. Weeks
General Manager
Monterey County Water Resources Agency

Cc: Mike Novo, Planning Director, Monterey County RMA
Manuel L. Quezada, MCWRA
Carl Niizawa PE, Deputy City Engineer, City of Salinas
Dave Foote PE, Schaaf & Wheeler Consultants

*Responses to Comments from MCWRA*

1. This response addresses the entirety of the MCWRA comment letter.

   The analysis of impact for the additional post-project stormwater flow into the Reclamation Ditch focused on possible impacts to flood control during modeled 100-year flood conditions. While the description of additional flow in the Reclamation Ditch is acknowledged and with it some incremental risk noted, it does not rise to the level of significance for the CEQA analysis. Detailing all risks associated with implementation of the proposed project is considered beyond the scope of the EIR.

   Please also refer to the responses to the Central Coast Regional Water Quality Control Board letter of August 31, 2009, particularly responses #2, #4, and #5, which provide additional, more detailed, analysis of the proposed project's drainage system and effects of the project on the Reclamation Ditch.

**DEPARTMENT OF TRANSPORTATION**
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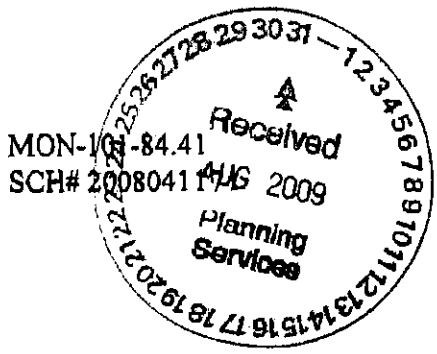
August 31, 2009




Courtney Grossman
City of Salinas Planning Department
65 West Alisal Street
Salinas, CA 93901

Dear Mr. Grossman:

COMMENTS TO SALINAS AG-INDUSTRIAL CENTER-UNIKOOL-DRAFT EIR

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of transportation-related impacts.

Due to the size of this development, Caltrans does not believe that the existing roadway network, nor any mitigation discussed in the Draft EIR, will adequately accommodate the project's impacts. Further, based upon the data in the Draft EIR and our experience in these matters, we feel that the unmitigated impacts will be to the detriment of the transportation network in the area, including but not limited to, the State Highway System.

1. Anticipated Gridlock to Southern Salinas Traffic Grid. Figure 14 of the trip generation report indicates that the project will generate **16,219** new daily trips. Of those, **5,839** trips are heavy-truck trips. Just for perspective, assuming a perfectly even distribution of trucks in a 24-hour period, this equates to:

   -**5,839** trucks per day
   -**243** trucks per hour
   - 4 trucks per minute

2. Lack of Discussion Regarding A New Interchange. While it is not the responsibility of Caltrans to identify mitigation alternatives for development-related impacts, what we do notice and bring to your attention now is the lack of discussion in the mitigation documents of a potential new interchange to serve the needs of the project. Understandably, one project would typically not warrant a mitigation finding of a new interchange; however, considering the scope, size, and impact of the Salinas Ag Center, it is fitting to take a close look at such a project. Caltrans requests that the City of Salinas, the Transportation Agency for Monterey County (TAMC), and project consultants discuss further the opportunities this project has to mitigate its specific impacts, to include the alternative of a new interchange.

3. Airport Road Interchange. The current design for the new Airport Road Interchange was not intended to accommodate the levels of traffic being proposed by this project. Caltrans has started the effort to identify the amount of trips from Unikool which will exceed the design capacity. This effort will more accurately provide a baseline to determine impacts and appropriate mitigation at this location. The size of the Unikool project, without a more effective mitigation package, could in fact negate any of the benefits of the newly constructed Airport Interchange project. This will be a detriment to the existing businesses and motorists currently needing traffic relief at this location.

4. Cumulative Fee Programs vs. Project Specific Mitigation. Caltrans has consistently stated that participation in the TAMC Regional Development Impact Fee Program is considered sufficient to mitigate cumulative impacts of new development. Where confusion seems to exist in the Draft EIR is the pointing to TAMC's Regional Fee program for mitigating your project-specific impacts, which is incorrect.

5. Ramp Merge and Diverge Analysis Methodology. We have noted in the Draft EIR that ramp Levels of Service (LOS) were determined using numerous ideal assumptions which were seemingly intended for "preliminary planning purposes only" (Note #1, Appendix A4). The complex characteristics of the State Highway System in this area call into question the use of these assumptions in the determination of an accurate LOS. Caltrans requests that the ramp LOS be recomputed to include characteristics that reflect existing conditions of the surrounding corridor (e.g., heavy truck use, ramp geometries, adjacent ramps distance and flow, etc.). This analysis should adhere to Chapter 25 of the Highway Capacity Manual, which provides a measure of effectiveness and a consistent methodology.

6. Caltrans Priority To Protect State Facilities. As stated in previous correspondence, Caltrans supports development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. This includes working with local jurisdictions to ensure the transportation system accommodates interregional and local motorist travel. However, in light of the significant impacts created by this project and the lack of adequate mitigation, we are poised to take steps necessary to protect the traveling public on the State Highway System and work to avoid Highway 101 mainline gridlock in the South Salinas area. An example of possible steps we may need to take is the phasing in of operational strategies such as ramp metering at critical highway nodes.

7. Continued Planning Effort Necessary. For the reasons stated above, Caltrans does not believe that the Draft EIR adequately addresses mitigation for the project's specific impacts, nor has sufficient justification for overriding considerations been made. We look forward to working with you to resolve these critical issues. Staff from Caltrans Planning and Traffic Operations are available to participate in meetings (in person or via conference call) to the extent necessary to meet these goals.

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator

cc: Mike Zeller (TAMC)
Rick Sauerwien (MonCoDPW)
John Doughty (AMBAG)
Kate McKenna (LAFCO)
Mark McCumsey (D5)
David Silberberger (D5)

*Responses to Comments from Caltrans*

1. The comment does not require a response per se. But to clarify, as presented in Figure 14 of the draft program EIR, at Plan Area build out, an estimated 5,839 truck trip ends would be generated. Thus, assuming a truck arrives and departs (i.e., two trip ends) the Plan Area in a 24-hour period, the proposed project will generate 2,920 trucks daily. Daily trip estimates were not used to identify impacts.

2. The commenter correctly notes that an individual project does not typically generate the need for a new freeway interchange. The draft program EIR identifies impacts and mitigation measures consistent with the improvements identified in the City of Salinas Traffic Fee Ordinance (TFO) Program and the Transportation Agency for Monterey County (TAMC) Regional Development Fee Program.

   The transportation impact analysis (TIA) for the proposed project (Appendix K of the draft program EIR) includes evaluation of Year 2030 Cumulative Conditions without and with a U.S. Highway 101/Harris Road interchange located south of the Harris Road and Abbott Street intersection. As discussed in the TIA, construction of this interchange would shift existing and future traffic from the nearest existing U.S. Highway 101 interchanges (e.g., Sanborn Road, Airport Boulevard, and Abbott Street). The ramp junctions, ramp intersections, and adjacent local streets at these interchanges would operate better if the Harris Road interchange were constructed. However, construction of the new interchange would increase traffic along Harris Road south of Abbott Street and Spreckels Avenue between Hatton Avenue and State Route 68, which would require additional improvements at the State Route 68 and Spreckels Avenue interchange.

   As discussed in response #3 below, consistent with Caltrans' suggestion, the City, Caltrans, TAMC, and Monterey County have held meetings and conference calls after the close of the draft program EIR public review period in an effort to refine mitigation measures included in the draft program EIR.

3. The mitigation approach for potential impacts of the proposed project at the U.S. Highway 101/Airport Road, U.S. Highway 101/Abbott Street, and U.S. Highway 101/Sanborn interchanges and at U.S. Highway 101/Hartnell Road has been refined to clarify with more precision how potential Plan Area build out impacts at these locations can be mitigated to a less than significant level. To facilitate this process, the City, Caltrans, and TAMC held meetings and conference calls, and refined traffic analyses after the close of the draft program EIR public review period. The outcome of the consultations is a "letter of intent" (LOI) to Caltrans prepared by the City. The LOI identifies specific physical improvements needed and actions to be taken to mitigate project specific impacts. It also

identifies the mechanisms that will be used to fund the improvements and actions. The LOI and documentation to support it is included in this final program EIR as Appendix A.

The improvements described in the LOI at the U.S. Highway 101/Airport Road and U.S. Highway 101/Sanborn interchanges will be funded through the City's TFO. Prior to City Council deliberations regarding the proposed project approvals, the City Council will consider approving an update of the TFO. Among the updates would be the inclusion of the specific improvements listed in the LOI needed to mitigate impacts at these interchanges. The master developer and/or future project developers/users would then be able to mitigate their incremental project impacts by paying the City's TFO impact fee. The improvements would be constructed in a timely manner as needed to mitigate impacts.

Project impacts at the U.S. Highway 101/Abbott Street interchange would be mitigated by requiring the applicant to evaluate, fund, and install metering lights on the southbound Abbott Street on-ramp to U.S. Highway 101. Actions needed to implement this mitigation will be required as conditions of approval of the final Master Parcel Map.

Project impacts at U.S. Highway 101/Hartnell Road would be mitigated by requiring the applicant to fund analyses needed to accelerate TAMC's ability to construct improvements in this area that will mitigate the impacts. These improvements are already programmed as part of the TAMC Regional Development Fee Program and would be implemented using funds collected through that program. Actions needed to implement this mitigation will be required as conditions of approval of the final Master Parcel Map.

Regarding the comment about U.S. Highway 101/Airport Road interchange, as specified in the LOI, reconstruction of the planned Phase I interchange improvements, widening of the southbound U.S. Highway 101 off-ramp storage to Airport Boulevard, and intersection modifications at Airport Boulevard/Terven Avenue would mitigate project level traffic impacts. Therefore, no detrimental effects to existing businesses or motorists are anticipated once the interchange modifications are complete.

The refinement of mitigation actions identified in the LOI is reflected in a number of changes to the text of Section 2.10, Transportation and Circulation, of the draft program EIR. None of the refinements result in new direct significant environmental impacts, nor result in a substantial increase in the severity of any environmental impact identified in the draft program EIR. In some cases, impacts that were defined as significant and potentially unavoidable will now be mitigated to a less than significant level as a result of the refinements. Implementation of the refined mitigation measures is not expected to result in impacts that would not already be expected for future improvements to related facilities to be undertaken by the City, County, and/or Caltrans and TAMC through their respective

transportation improvement programs. Such effects will be considered in detail in CEQA processes to be conducted for the individual improvement projects.

As part of its effort to refine project specific mitigation requirements, the City, in collaboration with the applicant's traffic consultant, further examined improvements needed at several other intersections and road segments under the control of the City and/or the County. The purpose was to differentiate between improvements needed to specifically mitigate project specific build out impacts relative to those needed to mitigate impacts under the Background Plus Project Build Out scenario. Changes to the text of Section 2.10, Traffic and Circulation, of the draft program EIR were also made for this purpose and to update level of service conditions associated with the changes. None of these refinements/changes result in new significant environmental impacts from the proposed project or from implementation of the refined mitigation measures, nor would the refinements/changes result in a substantial increase in the severity of any environmental impact.

Caltrans also commented that use of the TAMC fee to mitigate project specific impacts is not appropriate, as that program is designed to mitigate impacts of cumulative development on the regional road network. In response, changes have been made in Section 2.10, Traffic and Circulation, of the draft program EIR to eliminate reference to the TAMC fee as appropriate mitigation for project specific impacts. There is one exception. The County feels that use of the TAMC fee is an appropriate mitigation mechanism for impacts on road segment #3a as identified in the TIA and described in Section 3.0, Changes to the Draft EIR, of this final program EIR.

None of the refinements/changes result in new significant environmental impacts from the proposed project or from implementation of the refined mitigation measures, nor would the refinements/changes result in a substantial increase in the severity of any environmental impact already described in the draft program EIR.

4. The master developer and/or individual project developers/users will pay the TAMC impact fees to contribute towards regional roadway improvements needed to address impacts of cumulative developments. Some of these improvements will not be constructed before the anticipated build out of the Plan Area. To address near-term project specific impacts on regional facilities of specific concern to Caltrans, the City has prepared a LOI as described in response #3 above. The LOI will facilitate funding and construction of improvements that mitigate impacts on those facilities, thereby expediting near-term congestion relief.

5. Per Caltrans request, City staff and the applicant's traffic consultant provided Caltrans with additional technical analysis under four scenarios: Existing, Existing plus Phase 1,

Background, and Background plus Project Build Out, for six U.S. Highway 101 ramp merge-diverge locations that address factors associated with sub-standard design and heavy truck traffic. Caltrans did not request analyses for cumulative conditions. These near-term improvements address closely spaced ramp junction operations at Sanborn Road to northbound U.S. Highway 101 and Abbott Street to southbound U.S. Highway 101 with ramp metering, and a widened southbound U.S. Highway 101 off-ramp to address queuing onto southbound U.S. Highway 101 at the Airport Boulevard/Terven Avenue intersection. No additional impacts were identified. Please refer back to response #3 above for a discussion of the refinement of mitigation actions needed to mitigate the identified impacts.

6. The comment is acknowledged. As noted in response #3 above, the City is proposing to fund and construct near-term improvements at existing interchanges to improve operations and to provide additional vehicle capacity. Ramp metering to control mainline flow at the U.S. Highway 101/Abbott Street interchange is part of the refined mitigation approach that would be implemented as discussed in the LOI.

7. The draft program EIR includes a comprehensive list of mitigation measures to address proposed project impacts. Some of these mitigations have been refined in consultation with Caltrans to ensure that near-term impacts on Caltrans facilities are mitigated, as described in response #3 above. Funding for improvements needed to mitigate project specific impacts will be available through payment of the City TFO program and direct funding by the applicant.

# MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
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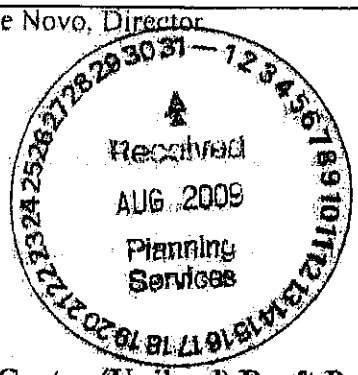


August 31, 2009

Mr. Courtney Grossman
65 West Alisal Street
Salinas, CA 93901

**Subject: Salinas Ag-Industrial Center (Unikool) Draft Program Environmental Impact Report.**

Dear Mr. Grossman:

The County of Monterey appreciates the opportunity to comment on the EIR for the Salinas Ag-Industrial Center. The County submits the following comments:

1. A tentative LAFCO map of future annexation should be included as an exhibit in the DPEIR.
2. On pages 2-119, 2-120 and 2-121 of the Draft Program Environmental Impact Report (DPEIR) proposes the TAMC Regional Development fee and City of Salinas Traffic Fee Ordinance fees as mitigation for cumulative impacts. Even though impacts have been identified and mitigations measure proposed there is no clear distinction between direct and cumulative impacts and appropriate mitigation. The DPEIR needs to clearly distinguish between direct and cumulative impacts and propose mitigations for those impacts. Because these locations include Caltrans, City of Salinas and County roadway facilities, implementation of these mitigations must be coordinated with Caltrans, City of Salinas and County.
3. Due to the magnitude of traffic generated by the proposed project, mitigation alternatives with and without the Harris Road interchange need to be mentioned in the DPEIR.
4. With or without construction of the Harris Road/ Highway 101 interchange there will be significant impacts to County Roads such as Abbott St, Harris Road, Harkins Road, Spreckels Blvd and other County roads that intersect with State Highways. Please propose mitigation measures for direct and indirect impacts.
5. Based on the Traffic Index Calculations cited on page 2-148 of the DPEIR under Traffic Index Issues what mitigations measures are proposed to alleviate damages on pavement from heavy truck traffic?
6. The DPEIR identifies impacts at six County intersections and on four road segments and because of the magnitude of vehicle and truck traffic direct impacts should be identified and mitigated either through a Countywide Traffic Impact Fee program or a fair share contribution to project improvements.

Sincerely

John Ford
Planning Services Manager
Monterey County, RMA – Planning Department.

*Responses to Comments from the MCRMA*

1. As part of the proposed project consideration process, the City and LAFCO will be considering annexation of the unincorporated portion of the Plan Area to the City. If the City conditionally approves the proposed annexation, it will then prepare and submit a complete Reorganization application to LAFCO. A formal annexation map will be prepared as part of the application, consistent with LAFCO requirements. Figure 7, Existing Land Use Designations, contained in the draft program EIR, shows the portions of the Plan Area now located within the County and which carry County land use designations. Figure 2-7 of the Specific Plan includes a map showing the proposed annexation area. Please refer to Section 4.0, Administrative Analysis Refinements, for a discussion of the proposed annexation boundary and reference to a current proposed annexation map.

2. The draft program EIR identifies improvements needed at all impacted facilities to mitigate Background plus Project Build Out scenario circulation impacts. The master developer and/or individual project developers/users will provide funding for these improvements through payment of the City TFO fee, TAMC fee, and/or County fee should the latter then be in effect. Direct project improvements would be made along the project site frontage.

   Similar to the City, Caltrans, and TAMC consultation process described in response #3 to comments from Caltrans, the City and the County held consultations after the close of the draft program EIR public review period. The purpose was to discuss refinements needed to the mitigation approach for near-term project impacts on County transportation facilities. The County concurred that for the most part, near-term circulation effects on its facilities would be adequately mitigated by direct improvements along the Plan Area frontages and by mitigation refinements being made through the City's LOI with Caltrans.

3. Please refer to response #2 to Caltrans.

4. The applicant and/or master developer will construct and/or upgrade existing Monterey County intersection and roadway segments along the Plan Area frontage, which will be annexed to the City. These improvements include widening of Harris Road from Harris Place to Abbott Street to a four-lane divided arterial, and improvements to intersections on Abbott Street and Harris Road along the Plan Area boundary. Harkins Road roadway segments within Monterey County's jurisdiction will operate acceptably under Background plus Project Build Out conditions and Year 2030 plus Project conditions. Because the U.S. Highway 101/Harris Road interchange is not proposed or required as mitigation, no

indirect impacts or additional mitigation is identified. Please also refer to response #2 above regarding City/County consultations regarding the mitigation approach for County facilities.

5. The Traffic Index Calculation is provided as information to local agencies. Pavement impacts are not a CEQA issue. These calculations were not used to identify environmental impacts.

6. As noted in responses #2 and #4 above, and in response #3 to Caltrans, the applicant, master developer, and individual project developers/users will fund or contribute to a package of roadway improvements to mitigate near-term and cumulative traffic impacts. Fair-share contributions will be made towards regional and local improvements through payment of the TAMC fee and the City TFO fee. The master developer and/or individual project developers/users will also pay the County traffic impact fee if it is implemented prior to issuance of building permits for individual projects within the Plan Area.

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# 3.0
# CHANGES TO THE DRAFT EIR

Changes made to each section of the draft program EIR text in response to comments are identified below. The subsections in which changes were made correspond to those found in the draft program EIR. The text that has been changed is identified by the page number of the draft program EIR on which it is located or would be placed. Text additions are underlined. Text deletions are shown in strikethrough.

## SUMMARY

THE FOLLOWING CHANGE WAS MADE ON PAGES S-7 AND S-8 OF THE DRAFT EIR SUMMARY:

| | | | | |
|---|---|---|---|---|
| Transportation and Circulation | Exceedence of City, County, and/or Caltrans level of service thresholds at ~~31~~ 20 of 44 intersections evaluated in traffic scenarios described in this EIR under Background Plus Project Conditions and ~~at~~ an additional seven intersections under Cumulative (2030) Plus Project conditions.<br>Six of eight U.S. Highway 101 weaving sections or ramp junctions under Background Plus Project Conditions<br>Six new intersections are created by the project and potential impacts mitigated through appropriate intersection design. | T-1, T-2, T-3, T-4, T-5, T-6, or T-7 | T-1. Payment of traffic impact fees per the City's Traffic Fee Ordinance;<br>T-2. Payment of traffic impact fees per the TAMC Regional Development Impact Fee program. ~~Payment of traffic impact fees through the County's planned Countywide traffic impact fee program;~~<br>T-3. First developer within Plan Area funds improvements at the State Route 68/Westbound Ramp/Spreckels Boulevard intersection ~~Applicant construction of improvements along the Plan Area frontages with Abbott Street and Harris Road~~; and/or<br>T-4. Payment of traffic impact fees through the County's planned Countywide traffic impact fee program;<br>Payment of traffic impact fees per the TAMC Regional Development Impact Fee program.<br>T-5. Payment of traffic impact fees per the City's Traffic Fee Ordinance for use consistent with the City of Salinas Letter of Intent with Caltrans;<br>T-6. Consistent with the City of Salinas "letter of intent" with Caltrans and as a condition of approval of a final Master | 1) Less than significant except: ~~approximately 10 intersections~~;<br>2) Significant and potentially unavoidable at approximately 12~~5~~ intersections under both Background Plus Project and Cumulative scenarios *unless* improvements needed to mitigate impacts ~~to the intersections that are identified in the Traffic Impact Analysis~~ are added to the City, TAMC, and/or planned Countywide traffic fee programs;<br>3) Significant and unavoidable at the Airport Blvd./Hansen St. intersection |

| | | | | |
|---|---|---|---|---|
| | | | Parcel Map, Applicant to prepare a Frontage Road Preliminary Design Study to accelerate construction of improvements programmed in TAMC Regional Development Fee Program Project #7; or T-7. Consistent with the City of Salinas Letter of Intent with Caltrans and as a condition of approval of a final Master Parcel Map, Applicant to design, fund, and construct a metering signal on the southbound Abbott Street on-ramp to U.S. Highway 101. | |
| Transportation and Circulation | Significant impacts on circulation conditions on approximately 120 roadway segments and weaving segments/ramp junctions under Background Plus Project Conditions and an additional nine ~~five~~ intersections under Cumulative (2030) Plus Project conditions. | T-1, T-4 | See T-1, T-2, T-5, T-6, and T-7 above ~~T-1. Payment of traffic impact fees per the City's Traffic Fee Ordinance; and~~ ~~T-4. Payment of traffic impact fees per the TAMC Regional Development Impact Fee program.~~ | ~~Less than significant~~ 1) Less than significant except: 2) Significant and potentially unavoidable at approximately four segments under the Cumulative scenario *unless* improvements needed to mitigate impacts are added to the City and TAMC fee programs. |

*Source:* EMC Planning Group Inc. 2008

# 1.0 INTRODUCTION

## 1.3 Project Description

THE FOLLOWING CHANGE WAS MADE ON PAGE 1-32 OF THE DRAFT EIR:

### Proposed SOI Amendment and Annexation

The applicant is requesting that both the City and the Monterey County Local Agency Formation Commission (LAFCO) approve an SOI amendment and to annex 240 acres of the Plan Area. In addition, this area must be attached/detached to and from the service areas of two special districts and the sphere of influence of a third must be amended and the unincorporated portion of the Plan Area annexed to that district; actions that are subject to LAFCO approval.

THE FOLLOWING CHANGE WAS MADE ON PAGE 1-35 OF THE DRAFT EIR:

LAFCO has the primary discretion to approve or deny SOI amendment ~~and pre-zoning/~~annexation requests. If the City first conditionally approves the applicant's requests, the City will file a Resolution of Application and submit supplemental application materials to LAFCO. This would represent the City's formal request to LAFCO to consider and approve the proposed SOI amendment and ~~pre-zoning/~~annexation. If LAFCO approves the City's request, the City's prior conditional approval for the same actions would then become effective.

The applicant and the City consulted with LAFCO staff regarding the proposed SOI amendment and ~~pre-zoning/~~annexation actions and held a pre-application meeting consistent with LAFCO processing requirements. Pursuant to LAFCO requirements the City and the County also held a consultation meeting to discuss key issues related to the actions.

THE FOLLOWING CHANGE WAS MADE ON PAGE 1-42 OF THE DRAFT EIR:

The proposed SOI, annexation of the unincorporated portions of the Plan Area to the City, ~~and~~ attachment/detachment of the same area to/from the service area of two special districts and the amendment of the Monterey County Sanitation District sphere of influence and annexation of the unincorporated portion of the Plan Area to the District are within the purview of LAFCO. Consequently, LAFCO will act as a Responsible Agency for this EIR. If the proposed project is conditionally approved by the City, the City will then request LAFCO to consider approval of the proposed Sphere of Influence amendment, annexation, ~~and~~ service district detachments/attachments, and district sphere of influence amendment/annexation in

accordance with local LAFCO policies and the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

THE FOLLOWING CHANGE WAS MADE ON PAGE 1-50 OF THE DRAFT EIR:

### Local Agency Formation Commission

- Consideration of the City-certified Salinas Ag-Industrial Center EIR
- SOI amendment
- Annexation of a portion of the Plan Area
- Annexation of segments of Abbott Street and Harris Road
- Annexation to the Monterey Regional Water Pollution Control Agency service area
- Detachments from the Monterey County Resource Conservation District and Salinas Rural Fire Protection District
- Sphere of Influence Amendment for the Monterey Regional County Sanitation District and annexation of the unincorporated portion of the Plan Area to the District

# 2.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

## 2.2 *Agricultural Resources*

THE FOLLOWING CHANGE WAS MADE ON PAGE 2- 23 OF THE DRAFT EIR:

AG-1. The applicant shall dedicate an agricultural conservation easements ~~to permanently protect agricultural land consistent with the City's Agricultural Land Preservation Program~~ and fee title to the Ag Land Trust for 196.6 acres of prime row crop land known as the Odello Ranch (APN 253-104-003). The City Attorney shall verify that the easements ~~has~~ve been dedicated and fee title has been conveyed prior to approval of the Specific Plan.

## 2.3 Air Quality

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-28 OF THE DRAFT EIR:

...quality monitoring stations in the air basin. The air basin does not meet the state ambient air quality standards for ozone or particulate matter ($PM_{10}$). The ozone attainment status is currently "non-attainment" and the particulate matter attainment status is currently "non-attainment." Non-attainment infers that the air basin exceeds the applicable standards more than once per year when averaged over a three year period ~~the air basin has had less than three exceedences at any one monitoring station~~. All other pollutants are not considered to have a non-attainment status relative to established state and federal thresholds. Table 4, North Central Coast Air Basin Attainment Status, identifies the current status within the NCCAB for each criteria pollutant.

**Air Quality Management Plan.** The MBUAPCD is delegated with local responsibility to implement both federal and state mandates for improving air quality in the air basin through implementation of an air quality plan. The MBUAPCD adopted the Monterey Bay Unified Air Pollution Control District Air Quality Management Plan (AQMP) in 1991 and several updates in subsequent years. The AQMP presents measures to control emissions of volatile organic ~~carbons~~ compounds (VOC) from stationary and mobile sources in order to meet the ozone standard mandated by the CCAA, as well as measures to reduce oxides of nitrogen, another ozone precursor. In 2006 the ARB made the AAQS more stringent by adding an 8-hour ozone average to the standard.

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-43 OF THE DRAFT EIR:

AQ-2. Construction Dust Mitigation Plans. Applicants for infrastructure improvements and for individual projects on sites over 2.2 acres shall prepare a construction dust mitigation plan for approval by the City of Salinas Engineering Services Department. Each mitigation plan shall identify the maximum number of acres of grading per day that may be permitted without exceeding the MBUAPCD's construction phase $PM_{10}$ threshold of 82 pounds per day. The mitigation plan shall specify the methods of dust control that would be utilized, demonstrate the availability of needed equipment and personnel, use of reclaimed water for dust control, and identify a responsible individual who, if needed, can authorize implementation of additional measures. The mitigation plan shall incorporate best management practices to be implemented during all construction activities including, but not limited to, the following:

## 2.6 Geology and Soils

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-81 OF THE DRAFT EIR:

GEO-2. Applicants for future projects within the Plan Area shall each prepare a detailed site-specific supplemental liquefaction study. The supplemental liquefaction study shall be performed in accordance with the guidelines contained within the California Division of Mines and Geology Special Publication 117, as adopted by the State Mining and Geology Board in accordance with the State of California Seismic Hazards Mapping Act of 1990. The supplemental liquefaction study should also include additional cone penetrometer test (CPT) borings in order to more accurately characterize the site subsurface conditions, determine liquefaction factors of safety, and estimate potential ground settlements as a result of liquefaction. As an option, the applicant or master developer may, at the discretion of the City, choose to conduct a detailed liquefaction analysis for the entire Plan Area for use by individual project developers in their respective project design processes. Final improvement plans shall be prepared subject to recommendations in the site specific liquefaction analysis or the Plan Area liquefaction analysis and be consistent with applicable recommendations provided in the Landset report. Final improvement plans shall be subject to review and approval of the City of Salinas Development and Engineering Services Department prior to issuance of a grading permit.

## 2.9 Public Services

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-110 OF THE DRAFT EIR:

### LAFCO Considerations

Annexation of the unincorporated portion of the Plan Area to the City will require that this area be detached from the Salinas Rural Fire Protection District and from the Resource Conservation District of Monterey County and that the Monterey Regional County Sanitation District Sphere of Influence be amended to include the Plan Area with the Plan Area also annexed to the District. The detachment request and the Monterey Regional County Sanitation District sphere of influence amendment/annexation will be part of the City's reorganization application to LAFCO, which has discretion over service agency attachments and detachments and service agency sphere of influence amendments/annexations.

THE FOLLOWING CHANGE WAS MADE TO PAGE 2-113 OF THE DRAFT EIR:

### Service District Sphere of Influence Amendment/Annexation

The Monterey County Sanitation District is a LAFCO-regulated district that is dependent upon the Monterey Regional Water Pollution Control Agency. The Plan Area is currently outside the District's sphere of influence. The sphere of influence must be amended and the Plan Area annexed to the District in order for new development to receive service from the Monterey Regional Water Pollution Control Agency.

## 2.10 Transportation and Circulation

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-128 TO 2-129 OF THE DRAFT EIR:

### Weaving Segments

~~26. U.S. Highway 101 Northbound between Hartnell Road and Abbott Street~~
~~27. U.S. Highway 101 Southbound between Hartnell Road and Abbott Street~~
28. U.S. Highway 101 Northbound between Airport Boulevard and Fairview Avenue
29. U.S. Highway 101 Southbound between Airport Boulevard and Sanborn Road
~~30. U.S. Highway 101 Northbound between Fairview Avenue and Sanborn Road.~~

### Ramp Junctions

100. Southbound off-ramp at Sanborn Road
102. Northbound off-ramp at Sanborn Road
103. Northbound off-ramp at Airport Boulevard
104. Southbound on-ramp at Airport Boulevard
105. Southbound on-ramp at Abbott Street
106. Northbound on-ramp at Fairview Avenue

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-136 THROUGH 2-137 OF THE DRAFT EIR:

**Weaving Segments.** ~~Two~~ one of the ~~five~~ two study weaving segments would operate at unacceptable levels of service under background not project conditions. They are presented below:

~~***Northbound U.S. Highway 101 between Hartnell Road and Abbott Street (Segment #26).*** This weaving area would operate at LOS D during the AM peak hour and LOS E during the PM peak hour. The following improvement is recommended under background no project conditions:~~

- ~~The westbound Hartnell Road right turn movement should be prohibited at the U.S. Highway 101/Hartnell Road connector intersection, and relocated to the existing on ramp to northbound U.S. Highway 101 from Hartnell Road just north of Abbott Street. This improvement would eliminate the weaving section entirely. Implementation of this improvement would be best accomplished through the conversion of Hartnell Road to one-way traffic (in the northwest direction) between the Hartnell Road connector and the Hartnell Road onramp. The existing driveway to a residence on Hartnell Road near U.S. Highway 101 should be relocated to the intersection of Hartnell Road and the northbound onramp to U.S. Highway 101. As a consequence of these improvements, the westbound Hartnell Road left turn movement onto southbound U.S. Highway 101 would also be removed from the U.S. Highway 101/Hartnell intersection.~~

~~*Improvements along this segment of U.S. Highway 101 are included in the TAMC Regional Development Fee Program (#7).*~~

***Northbound U.S. Highway 101 between Airport Boulevard and Fairview Avenue (Segment #28).*** This weaving area would operate at LOS D during the PM peak hour. The following improvement is recommended under background no project conditions:

- Implementation of the planned reconstruction and relocation of the northbound offramps and onramps at the Airport Boulevard interchange would result in weaving operations of LOS B.

  *Improvements along this segment of U.S. Highway 101 are planned as part of the Caltrans Airport Boulevard reconstruction project (#0318) and are included in the City of Salinas TFO (#38).*

**Ramp Junctions.** Two of the six study ramp junctions would operate unacceptable levels of service under Background No Project Conditions. They are presented below:

***Northbound U.S. Highway 101 Off-Ramp at Sanborn Road (#102).*** This ramp junction would operate at LOS D during the PM peak hour. The following improvement would improve off-ramp operations at this location under Background No Project Conditions:

- Install a ramp metering signal for the US 101 northbound US 101 Fairview Avenue on-ramp.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37, and #66). In addition, this off-ramp is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are included in the City of Salinas "letter of intent" with Caltrans to apply City TFO fees to fund and construct identified improvements. Installation of the ramp metering signal will provide near-term capacity relief for the off-ramp at Sanborn Road and enhance safety and operations on the U.S. Highway 101 mainline.*

*Northbound U.S. Highway 101 On-Ramp at Fairview Avenue (#106).* This ramp junction would operate at LOS D during the PM peak hour. The following improvement would improve on-ramp operations at this location Background No Project Conditions:

- Install a ramp metering signal for the U.S. Highway 101 northbound U.S. Highway 101 Fairview Avenue on-ramp.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37, and #66). In addition, this on-ramp is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are included in the City of Salinas "letter of intent" with Caltrans to apply City TFO fees to fund and construct identified improvements. Installation of the ramp metering signal will provide near-term capacity relief for the on-ramp at Sanborn Road and enhance safety and operations on the U.S. Highway 101 mainline.*

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-144 OF THE DRAFT EIR:**

- ~~U.S. Highway 101 Northbound between Hartnell Road and Abbott Street (Weaving Segment 26)~~
- Northbound Offramp at Airport Boulevard (#103)
- Southbound Onramp at Airport Boulevard (#104)

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-148 OF THE DRAFT EIR:**

## INTERSECTION IMPACTS

Adding traffic from build out of the Plan Area would have a significant impact on the following study intersections.

**Significant ~~and Potentially Unavoidable Impact~~ – SR68/Blanco Road (#1) Signalized.** With the addition of project traffic, this intersection would continue to operate at an overall LOS D and LOS E during the AM and PM peak hours, respectively. The corresponding increase in the V/C ratio would be 0.01 during both peak hours, with a one to 1.5 second increase in a vehicle's wait at the intersection. Per Caltrans significance criteria, the project would have a significant impact at this intersection. The following intersection improvements would improve the LOS to D ~~E~~ in the AM and D in the PM:

1. Add a second northbound SR 68 left-turn lane.
2. ~~Convert the northbound SR 68 right turn lane to a free right turn. This would require a receiving lane on eastbound Blanco Road.~~

~~3. Add a third westbound Blanco Road left-turn lane. This will require a receiving lane on southbound SR 68.~~

4. Convert the westbound Blanco Road share through-right-turn lane to a through lane.

5. Add a dedicated westbound Blanco Road right-turn lane.

~~6. Adjust signal timing and include right-turn overlap phasing on the southbound, eastbound, and westbound approaches.~~

*Improvements 1, 4 and 5 are included in the City of Salinas TFO (#59).* ~~*Improvements 2, 3 and 6 are also recommended, but would only improve operations to level of service D during the PM peak hour. It is proposed that the City add these improvements to the City of Salinas TFO. If the City adds improvements 2, 3 and 6 to the City of Salinas TFO,*~~ *t*~~*T*~~*he payment of traffic impact fees per the City of Salinas TFO by developers of individual projects within the Plan Area will mitigate their project impacts at this intersection.* ~~*If the City does not add these improvements to the TFO, then developers of new projects within the Plan Area will be responsible for their pro rata fair share of these improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level.*~~

*The City will need to consider several challenges at this intersection.* ~~*For example, widening the south leg of the intersection to accommodate a third receiving lane on southbound SR 68 may require*~~ *including the relocation of PG&E electrical equipment located on the southeast corner of the intersection,* ~~*and the addition of a westbound right turn lane would require the reconfiguration of the*~~ *location of a parking lot on the northeast corner of the intersection.* ~~*For these reasons, the City must determine whether or not the recommended improvements are feasible.*~~

~~If the City includes improvements 2, 3, and 6 in the TFO, implementation of the mitigation measure would reduce the impact to a less than significant level. If the City of Salinas does not include improvements 2, 3, and 6 in the TFO, the impact would be partially mitigated, but not to a less than significant level.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-150 OF THE DRAFT EIR:

**Significant and ~~Potentially~~ Unavoidable Impact - SR 68 / Hunter Lane (#2) – Stop Controlled (Westbound).** With the addition of project traffic, the minor street approach of this intersection would continue to operate at LOS F during the AM peak hour, with a six second increase in a vehicle's wait at the intersection. Per Caltrans significance criteria, the project would have a significant impact at this intersection.

*Options for improving operations at this intersection include consolidating access points and eliminating left-turns into and out of the driveways and minor intersections along SR 68 between Foster Road and Blanco Road, or the installation of a median barrier that would to allow left-turns into the minor streets but prevent left-turns out. These options would improve safety and the levels of service at the intersections along the corridor but would result in traffic diversions and the need to accommodate U-turns along the corridor. As pointed out by Monterey County Department of Public Works staff, the corridor merits a systems analysis to address these impacts, which is beyond the scope of this study. Caltrans should consider commissioning a systems analysis of the corridor. Corridor improvements are beyond the scope of a single development.*

*It should be noted that installation of a traffic signal would improve operations at this intersection to an acceptable level of service. However, it would also have an adverse impact on the through traffic on SR 68 and could cause an increase in rear-end collisions. As a result, a traffic signal is not recommended for this intersection because of the different character of the roadway (i.e. no other signals and this is a multi-lane highway).*

*This intersection is within the responsibility and jurisdiction of Caltrans, and not the City of Salinas. The TAMC Regional Development Fee Program is designed to facilitate improvements to the regional roadway network, including Caltrans facilities, needed to accommodate cumulative development. This fee program is not designed as a mechanism to mitigate project specific impacts on Caltrans facilities. Therefore, at this time, there is no mitigation mechanism in place that will assure implementation of the improvements needed to mitigate the project impact in a timely manner. In order to approve the project, the City must adopt a statement of overriding considerations for this impact (CEQA Guidelines Section 15093).* ~~*Improvements along this corridor should be added to the TAMC Regional Development Fee Program. If they are, payment of the TAMC fee by developers of individual projects within the Plan Area would mitigate impacts of their projects at this intersection to a less than significant level. If improvements are not added to the TAMC fee prior to the development of the first project within the Plan Area, then each project developer will be responsible for a pro rata fair share of the improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City will would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15902(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*~~

## Mitigation Measure

No feasible mitigation measures are available. The impact is significant and unavoidable.

~~T-2. Developers of individual projects within the Plan Area shall pay the TAMC regional impact fee prior to issuance of their respective project building permits. If TAMC includes needed improvements at this intersection in the TAMC Regional Development Fee Program, implementation of the mitigation measure would reduce impacts to a less than significant level. If TAMC does not include these improvements in the fee program, the impact would be significant and unavoidable.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-151 THROUGH 2-153 OF THE DRAFT EIR:

**Significant Impact - Sanborn Road / Fairview Ave.-U.S. Highway 101 NB Offramp (#6) – Stop Controlled (Eastbound and Westbound).** With the addition of project traffic, this intersection would continue to operate at an overall LOS F during the AM and PM peak hours, with an unidentified increase in the wait time for a vehicle at the intersection. *(Note: the traffic model stops calculating the seconds delay when the delay reaches 300 seconds. Under both background and project conditions, the wait is greater than 300 seconds [five minutes]).* The minor street approach would also operate at LOS F during both the AM and PM peak hours. Per Caltrans significance criteria the project would have a significant impact at this intersection. The following intersection improvements would improve the LOS to A in the AM and B in the PM.

1. Consider signalizing the intersection with an eastbound right-turn overlap, although gaps are created by the signal at the Sanborn Road / U.S. Highway 101 SB Ramps intersection.
2. Lengthen the southbound Sanborn Road left turn-lane pocket.
3. ~~Add an eastbound U.S. Highway 101 offramp right-turn lane.~~
4. Add a third northbound Sanborn Road through lane.
5. ~~Add a third southbound Sanborn Road through lane.~~

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32 and #37). In addition, this intersection is within the responsibility and jurisdiction of Caltrans. Improvements at this intersection are identified in the City of Salinas "letter of intent" with Caltrans. The City will apply Traffic Fee Program fees to fund and construct the identified improvements in a timely manner.*

## Mitigation Measure

T-5. Developers of individual projects within the Plan Area shall pay City of Salinas Traffic Fee Program traffic impact fees prior to issuance of their respective project building permits. The City shall utilize the fees to fund and construct improvements required at this intersection in a timely manner consistent with the City of Salinas "letter of intent" with Caltrans.

~~Implementation of mitigation measure T-1 (Salinas traffic impact fee program) presented earlier would reduce this impact to a less than significant level.~~

**Significant Impact ~~and Potentially Unavoidable~~ - Sanborn Road / Elvee Drive-U.S. Highway 101 SB Ramps (#8) – Signalized**. With the addition of project traffic, the operations at this intersection would change from LOS C to LOS D in the AM peak hour and LOS E to LOS F in the PM peak hour. This equates to a 10 second increase in vehicle delay during the AM peak hour and 19 second increase during the PM peak hour. Per Caltrans significance criteria the project would have a significant impact at this intersection. Implementation of the following improvements would improve intersection operations to LOS B in the AM peak hour and LOS C in the PM peak hour.

1. Close Elvee Drive at Sanborn Road and extend the north end to Work Street.

   (i.e. Phase I Elvee Drive includes travel lands and bridge while Phase II includes parking lane and sidewalk to be built with development of adjacent parcel development)

2. Widen the southbound U.S. Highway 101 offramp to accommodate two left-turn lanes, one shared through/right turn lane, and one dedicated right-turn lane.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37 and #66). In addition, this intersection is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are identified in the City of Salinas "letter of intent" with Caltrans. The City will apply Traffic Fee Program fees to fund and construct the identified improvements in a timely manner. ~~should be added to the TAMC Regional Development Fee Program. If they are, payment of the TAMC fee by developers of individual projects within the Plan Area would mitigate impacts of their projects at this intersection to a less than significant level. If improvements are not added to the TAMC Regional Development Fee Program prior to the development of the first project within the Plan Area, then each project developer will be responsible for a pro-rata fair share of the improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).~~*

## Mitigation Measure

Implementation of mitigation measure T-5 presented earlier would reduce this impact to a less than significant level.

~~Implementation of mitigation measure T-2 (TAMC regional development fee program) presented earlier would reduce this impact to a less than significant level if the improvements needed at this intersection are added to the TAMC Regional Development Fee Program. If TAMC does not include these improvements in its fee program, the impact would be significant and unavoidable.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-155 OF THE DRAFT EIR:

**Significant Impact - Airport Boulevard / Terven Avenue (#13) – Signalized.** With the addition of project traffic, the operations at this intersection would change from LOS C to LOS F in the AM peak hour and from LOS E to LOS F in the PM peak hour. The increase in delay would be 91 seconds during the AM peak hour and 182 seconds during the PM peak hour. Per Caltrans significance criteria, the project would have a significant impact at this intersection. Implementation of the following improvement would improve the operations at this intersection to LOS D ~~C~~ in both the AM and PM peak hours.

~~1. Reconstruct the southbound ramps as planned by the ultimate configuration of Airport Boulevard interchange project.~~

1. Reconstruct the southbound ramps as planned by the Airport Boulevard Phase I interchange project by converting the northbound right-turn lane to a free movement.

2. Three additional improvements are required for mitigation that are not part of the Phase I or II Airport Boulevard interchange:

   a. Modify eastbound Terven Avenue approach from a shared left-through-right lane to a dedicated left-turn and shared through-right lane.

   b. Modify the westbound approach to include a left turn lane, a shared left-through lane and a right-turn lane.

   c. Lengthen the U.S. Highway 101 southbound off-ramp storage pocket.

~~*Improvements at this intersection are planned but not fully funded as Phase 2 of the Caltrans Airport Boulevard interchange project (#0318). Improvements at this intersection are included in the City of Salinas TFO (#32 and #38).*~~

*The Phase I improvements along the Airport Boulevard corridor are included in the City of Salinas TFO (#32 and #38). In addition, this intersection is within the responsibility and jurisdiction of Caltrans and not*

*the City. Improvements to this intersection including the Phase I interchange, westbound approach modifications, and lengthening of the southbound off-ramp, are included in the City of Salinas "letter of intent" with Caltrans.*

## Mitigation Measure

Implementation of mitigation measure T-5 presented earlier would reduce this impact to a less than significant level.

~~Implementation of mitigation measure T-1 (Salinas traffic impact fee program) presented earlier would reduce this impact to a less than significant level. Same issue as before.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-157 OF THE DRAFT EIR:

**Significant Impact - U.S. Highway 101 / Hartnell Road Connector (#26) – Stop Controlled (Westbound).** With the addition of project traffic, the overall operations at this intersection would continue to operate at LOS A in both the AM and PM peak hours. However, the worst approach at this intersection would continue to operate at LOS F in the AM peak hour (124 second increase in delay) and change from LOS D to LOS F in the PM peak hour (19 second increase in delay). Per Caltrans significance criteria, the project would have a significant impact at this intersection. Implementation of the following improvement would eliminate this impact.

1. Eliminate intersection and construct frontage road system.

*Improvements in the TAMC Regional Development Fee Program (#7) include constructing two-lane frontage roads on the east and west sides of U.S. Highway 101 from the future Harris Road interchange to the community of Chualar. This would result in the elimination of this intersection.*

*As stated in the City of Salinas "letter of intent" with Caltrans, as a condition of approval of the final Master Parcel Map, the City will require the applicant to prepare a Frontage Road Preliminary Design Study whose purpose is to accelerate TAMC's ability to phase and construct improvements included in TAMC Regional Development Fee Program (#7) that will mitigate the project impact to a less than significant level. Because a similar study is already programmed in TAMC Regional Development Fee Program (#7), the applicant's cost to prepare the study will be off-set by a fee credit towards the applicant's TAMC fee obligations and/or the TAMC fee obligations of the master developer and/or individual project developers/users.*

## Mitigation Measure

T-6. Consistent with the City of Salinas "letter of intent" with Caltrans and as a condition of approval of a final Master Parcel Map, the applicant shall prepare a Frontage Road Preliminary Design Study which includes identification of a First Phase Frontage Road

project for TAMC Regional Development Fee Program Project #7. A draft Frontage Road Preliminary Design Study shall be completed and submitted to TAMC prior to, or concurrent with the City's issuance of a building permit for any development within the Plan Area that represents the 51st acre of development within the Plan Area.

~~Implementation of mitigation measure T-2 (TAMC regional impact fee program) presented earlier would reduce this impact to a less than significant level.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-158 OF THE DRAFT EIR:

**Significant and Potentially Unavoidable Impact - Cooper Road / Blanco Road (#37) – Stop Controlled (Southbound).** With the addition of project traffic, this intersection would continue to operate at an overall LOS A and LOS C during the AM and PM peak hours, respectively. The worst approach at the intersection would continue to operate at LOS F during both the AM and PM peak hours, with a corresponding delay of more than 300 seconds. Per County significance criteria, the project would have a significant impact at this intersection. The following intersection improvements or roadway widening improvements would improve the overall LOS to A in both the AM and PM peak hours, and the worst movement to LOS D in the AM and LOS E in the PM:

1. Widen and restripe southbound Cooper Road to one left-turn lane and one right-turn lane; and

2. Add a median acceleration lane on the east leg of the intersection to facilitate southbound left-turns; or

3. Widen Davis Road and Davis Road to four lanes each to provide parallel capacity and reduce volumes at the Cooper Road/Blanco Road intersection.

*Intersection i~~I~~mprovements 1 and 2 ~~at this intersection~~ are not currently included in any fee program. This intersection operates deficiently under existing conditions and is within the County's responsibility and jurisdiction. The County should include the recommended improvements at this intersection in their proposed future impact fee per the Greater Salinas Memorandum of Understanding (MOU) dated August 2006.*

*If the County adopts an impact fee program that includes these improvements prior to issuance of the first building permit for any project within the Plan Area, payment of the fee by individual project developers will mitigate the impact of their individual projects to a less than significant level. If the County does not adopt an impact fee program including these improvements prior to issuance of the first building permit, then each project developer will be responsible for a pro-rata fair-share of these improvements as mitigation as provided in Section 3 of the Agreement Regarding Supplement to the Final Program EIR for the Salinas Future Growth Area between the City of Salinas and the County of Monterey (March 27, 2008). In that event,*

*because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*

*Improvement 3 is an alternative to the combination of improvements 1 and 2. Widening of Davis Road and Reservation Road are included in improvements in the TAMC Regional Development Fee Program (#8). TAMC fees are intended to address cumulative improvements to the regional traffic network. However, in this case, the project impacts are the same as its cumulative impacts and the widening improvements would mitigate impacts under both scenarios.*

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-159 OF THE DRAFT EIR:**

**Significant and Potentially Unavoidable Impact - Davis Road / Blanco Road (#38) – Signalized.** With the addition of project traffic, this intersection would continue to operate at an overall LOS D and LOS F during the AM and PM peak hours, respectively. The wait at this intersection would increase by less than one second in the AM and five seconds in the PM. Per County significance criteria, the project would have a significant impact at this intersection. The following intersection improvements would improve the overall LOS to D~~C~~ in ~~both~~ the AM peak hour and LOS E in the PM peak hours:

1. Convert the northbound Davis Road shared through/right-turn lane to a through lane.
2. Add a dedicated northbound Davis Road right-turn lane.
3. ~~Add a second southbound Davis Road left-turn lane.~~
4. ~~Add a second southbound Davis Road right-turn lane.~~
5. ~~Add a third eastbound Blanco Road left-turn lane.~~
6. ~~Convert the eastbound Blanco Road shared through/right-turn lane to a through lane.~~
7. ~~Add a dedicated eastbound Blanco Road right-turn lane.~~
8. ~~Convert southbound and westbound right-turns to overlap phasing.~~
9. Add a second southbound Davis Road through lane.

~~10. Add a second westbound Blanco Road left-turn lane.~~

~~11. Convert the southbound Davis Road right-turn to a free right turn.~~

*Improvements at this intersection are included in the City's TFO (#26, #41). The improvements are also included in ~~and~~ the TAMC Regional Development Impact Fee (#8). In addition, the County should include these improvements in their proposed future impact fee per the Greater Salinas Memorandum of Understanding (MOU) dated August 2006.*

*If the County adopts an impact fee program that includes these improvements prior to issuance of the first building permit for any project within the Plan Area, payment of the fee by individual project developers will mitigate the impact of their individual projects to a less than significant level. If the County does not adopt an impact fee program including these improvements, then each project developer will be responsible for a pro-rata fair-share of these improvements as mitigation as provided in Section 3 of the Agreement Regarding Supplement to the Final Program EIR for the Salinas Future Growth Area between the City of Salinas and the County of Monterey (March 27, 2008). In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*

## Mitigation Measure

Implementation of mitigation measures T-1 (Salinas traffic impact fee)~~,~~ ~~T-2 (TAMC regional development impact fee),~~ and T-4 (County fee program yet to be adopted) presented earlier would reduce this impact to a less than significant level if the County fee is adopted prior to issuance of the first building permit and the fee includes improvements needed at this intersection. If Monterey County does not adopt a traffic impact fee program, the impact would be partially mitigated, but not to a less than significant level and would be significant and unavoidable.

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-160 OF THE DRAFT EIR:**

**Significant and ~~Potentially~~ Unavoidable Impact - SR 68 / Hitchcock Road (#39) – Stop Controlled (Eastbound).** With the addition of project traffic, this intersection would continue to operate at an overall LOS A during both the AM and PM peak hours. However, the worst approach at this intersection would change from LOS C to LOS D in the AM peak hour (a less

than one second increase in delay) and continue to operate at LOS F in the PM peak hour (with a six second increase in delay). Per Caltrans significance criteria, the project would have a significant impact at this intersection.

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-161 OF THE DRAFT EIR:**

*This intersection is within the responsibility and jurisdiction of Caltrans, and not the City of Salinas. The TAMC Regional Development Fee Program is designed to facilitate improvements to the regional roadway network, including Caltrans facilities, needed to accommodate cumulative development. This fee program is not designed as a mechanism to mitigate project specific impacts on Caltrans facilities. Therefore, at this time, there is no mitigation mechanism in place that will assure implementation of the improvements needed to mitigate the project impact in a timely manner. In order to approve the project, the City must adopt a statement of overriding considerations for this impact (CEQA Guidelines Section 15093).* ~~*Improvements along this corridor should be added to the TAMC Regional Development Fee Program. If they are, payment of the TAMC fee by developers of individual projects within the Plan Area would mitigate impacts of their projects at this intersection to a less than significant level. If improvements are not added to the TAMC Regional Development Fee Program prior to the development of the first project within the Plan Area, then each project developer will be responsible for a pro rata fair share of the improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*~~

## Mitigation Measure

No feasible mitigation measures are available. The impact is significant and unavoidable.

~~Implementation of mitigation measure T-2 (TAMC region development impact fee) presented earlier would reduce this impact to a less than significant level if the improvements are included in the TAMC regional fee program. If TAMC does not include the recommended improvements in the regional fee program, the impact would be significant and unavoidable.~~

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-163 OF THE DRAFT EIR:**

**Significant Impact - U.S. Highway 101 / Spence Road (#44) – Stop Controlled (Westbound).** With the addition of project traffic, the overall operations at this intersection would change from LOS D to LOS F in the AM peak hour and would remain at LOS F in the PM peak hour, with a

250+ second increase in delay. Per Caltrans significance criteria, the project would have a significant impact at this intersection. Implementation of the following improvement would eliminate this impact.

1. Eliminate intersection and construct frontage road system.

*Improvements in the TAMC Regional Development Fee Program (#7) include constructing 2-lane frontage roads on the east and west sides of U.S. Highway 101 from the future Harris Road interchange to Chualar. This would result in the elimination of this intersection.*

*As stated in the City of Salinas "letter of intent" with Caltrans, as a condition of approval of the final Master Parcel Map, the City will require the applicant to prepare a Frontage Road Preliminary Design Study whose purpose is to accelerate TAMC's ability to phase and construct improvements included in TAMC Regional Development Fee Program (#7) that will mitigate the project impact to a less than significant level. Because a similar study is already programmed in TAMC Regional Development Fee Program (#7), the applicant's cost to prepare the study will be off-set by a fee credit towards the applicant's TAMC fee obligations and/or the TAMC fee obligations of the master developer and/or individual project developer/users.*

### Mitigation Measure

Implementation of mitigation measure T-6 presented earlier would reduce this impact to a less than significant level.

~~Implementation of mitigation measure T-2 (TAMC regional development impact fee) presented earlier would reduce this impact to a less than significant level.~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-163 OF THE DRAFT EIR:

## ROAD SEGMENT IMPACTS

**Significant Impact - Abbott Street (Harris Road – Firestone Driveway) (Segment #1f).** With the addition of project traffic, this segment would change from LOS B to LOS E in the AM peak hour and from LOS A to LOS E in the PM peak hour. Per Monterey County significance criteria, the project would have a significant impact on this road segment. Implementation of the following improvement would improve this road segment to LOS B.

1. Widen to a four-lane expressway.

*Improvements on this road segment are included in the TAMC Regional Development Fee Program (#7 and #10).*

*As stated in the City of Salinas "letter of intent" with Caltrans, as a condition of approval of the final Master Parcel Map, the City will require the applicant to prepare a Frontage Road Preliminary Design Study whose purpose is to accelerate TAMC's ability to phase and construct improvements included in TAMC Regional Development Fee Program (#7) that will mitigate the project impact to a less than significant level. Because a similar study is already programmed in TAMC Regional Development Fee Program (#7), the applicant's cost to prepare the study will be off-set by a fee credit towards the applicant's TAMC fee obligations and/or the TAMC fee obligations of the master developer and/or individual project developer/users.*

## Mitigation Measure

T-6. Consistent with the City of Salinas "letter of intent" with Caltrans and as a condition of approval of a final Master Parcel Map, the applicant shall prepare a Frontage Road Preliminary Design Study which includes identification of a First Phase Frontage Road project for TAMC Regional Development Fee Program Project #7. A draft Frontage Road Preliminary Design Study shall be completed and submitted to TAMC prior to, or concurrent with the City's issuance of a building permit for any development within the Plan Area that represents the 51st acre of development within the Plan Area.

~~Implementation of mitigation measure T-2 (TAMC regional development impact fee) presented earlier would reduce this impact to a less than significant level.~~

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-164 OF THE DRAFT EIR:**

**Significant Impact - Airport Boulevard (Terven Avenue – De la Torre Street) (Segment #2b).** With the addition of project traffic, this segment would change from LOS A to LOS C in the AM peak hour and from LOS D to LOS F in the PM peak hour. Per Caltrans significance criteria, the project would have a significant impact on this road segment. Implementation of the following improvement would improve this road segment to LOS D A.

1. Widen to a three ~~four~~-lane divided arterial.

*Improvements along this road segment are included in the City of Salinas TFO (#38). Payment of traffic impact fees per the City of Salinas TFO will mitigate project impacts on this road segment. ~~Improvements on this road segment are also planned but not fully funded as Phase 2 of the Caltrans Airport Boulevard interchange project (#0318).~~ The improvements in Phase 1 of the Airport Boulevard Interchange project are enough to mitigate the project's impacts on this road segment. Therefore, T-1 is adequate mitigation.*

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-164 OF THE DRAFT EIR:**

**Significant Impact - Blanco Road (Cooper Road – Davis Road) (Segment #3a).** With the addition of project traffic, this segment would continue operating at LOS E in the AM peak hour

and LOS F in the PM peak hour, with a corresponding volume increase of 17 vehicles in the AM peak hour and 18 vehicles in the PM peak hour. Per Monterey County significance criteria, the project would have a significant impact on this road segment. Implementation of the following improvement would improve this road segment to LOS B in the AM peak hour and LOS C in the PM peak hour.

1. Widen Davis Road to a four-lane expressway.

~~*Improvements on this road segment are included in the City of Salinas TFO (#26 and #41).*~~ *The widening of Davis Road to four lanes is included as TAMC Regional Development Fee Program (#8) and City of Salinas TFO (#26 and #41).*

*Per discussions with the County, it was determined that because this improvement is included in the TAMC Regional Development Fee Program (#8), the County is not planning to add the same improvement to its future County fee program. Further, given the very small contribution of the proposed project to this road segment, the tangible impact of the proposed project would in fact be quite minimal. Though the TAMC Regional Development Fee Program is not specifically designed to mitigate project level impacts, in this case, it is considered to be functional mitigation as it will result in mitigation that would otherwise not be available.*

## Mitigation Measure

T-2. Developers of individual projects within the Plan Area shall pay the TAMC regional impact fee prior to issuance of their respective project building permits. The TAMC fee has been determined by the County to be functional mitigation for project level impacts in lieu of a separate County-based mitigation mechanism in the unique context of impacts on the segment of Blanco Road between Cooper Road and Davis Road.

~~Implementation of mitigation measure T-1 (Salinas traffic impact fee program) presented earlier would reduce this impact to a less-than-significant level.~~

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-164 OF THE DRAFT EIR:**

**Significant Impact - Davis Road (Blanco Road – Ambrose Drive) (Segment #4b).** With the addition of project traffic, this segment would continue operating at LOS F during both the AM and PM peak hours, with a corresponding volume increase of 17 vehicles in the AM peak hour and 18 vehicles in the PM peak hour. Per Monterey County significance criteria, the project would have a significant impact on this road segment. Implementation of the following improvement would improve this road segment to LOS B in the AM peak hour and LOS C in the PM peak hour.

1. Widen to a four-lane expressway.

*Improvements on this road segment are included in the City of Salinas TFO (#26). Improvements are also included in TAMC Regional Development Fee Program (#8).*

### Mitigation Measure

Implementation of mitigation measure T-12 (Salinas traffic impact fee program) ~~(TAMC regional development impact fee)~~ presented earlier would reduce this impact to a less than significant level.

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-166 OF THE DRAFT EIR:

## RAMP JUNCTION~~WEAVING SEGMENT~~ IMPACTS

**Significant Impact - Southbound U.S. Highway 101 on-ramp ~~between Hartnell Road and~~ at Abbott Street (Segment #10527).** With the addition of project traffic, this on-ramp ~~weaving area~~ would remain LOS B ~~change from LOS A to LOS C~~ during the AM peak hour and change from LOS C to LOS D during the PM peak hour, with a corresponding volume increase of 447 vehicles during the AM peak hour and 803 vehicles during the PM peak hour. Per the Caltrans significance criteria, the project would have a significant impact on this ramp junction ~~weaving segment~~. Implementation of the following improvement would improve the ramp operations ~~eliminate this impact~~.

1. Install a ramp meter on Abbott to southbound U.S. Highway 101.

2~~1~~. Prohibit southbound U.S. Highway 101 left turn movement onto eastbound Hartnell Road. This can best be accomplished through a complete median closure at the U.S. Highway 101/Hartnell Road intersection. Implementation of this improvement would improve operations on U.S. Highway 101 at this ramp junction. ~~eliminate the weaving segment entirely~~.

*Frontage road ~~I~~improvements along this segment of U.S. Highway 101 are also included in the TAMC Regional Development Fee Program (#7).*

*As stated in the City of Salinas "letter of intent" with Caltrans, as a condition of approval of a final Master Parcel Map, the applicant will be required to design, fund, and construct a metering signal on the southbound Abbott Street on-ramp to U.S. Highway 101. The metering signal will provide near-term capacity relief on the southbound Abbott Street on-ramp to U.S. Highway 101 to enhance safety and operations on the U.S. Highway 101 mainline.*

## Mitigation Measure

T-7. Consistent with the City of Salinas "letter of intent" with Caltrans and as a condition of approval of a final Master Parcel Map, the applicant shall design, fund, and construct a metering signal on the southbound Abbott Street on-ramp to U.S. Highway 101. The applicant shall obtain Caltrans approval of the signal prior to or concurrent with the City's issuance of a building permit for any development that represents the 51st acre of development within the Plan Area. The metering improvements shall be installed prior to or concurrent with the City's issuance of a building permit for any development that represents the 76th acre of development within the Plan Area.

~~Implementation of mitigation measure T-2 (TAMC regional development impact fee) presented earlier would reduce this impact to a less than significant level.~~

**Significant Impact - Southbound U.S. Highway 101 Off-Ramp at Sanborn Road (#100).** With the addition of project traffic, this off-ramp would change from LOS C to LOS D during the AM peak hour and from LOS C to LOS D during the PM peak hour. Per the Caltrans significance criteria, the project would have a significant impact on this ramp junction. Under Existing Conditions queuing was observed onto the freeway mainline. Per consultations with Caltrans, implementation of the following improvement would improve off-ramp operations at this location and minimize queuing to the US 101 mainline.

1. Widen the southbound U.S. Highway 101 off-ramp at the Sanborn Road intersection.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37, and #66). In addition, this off-ramp is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are included in the City of Salinas "letter of intent" with Caltrans. Per the "letter of intent", the City will apply TFO fees to fund and construct the identified improvement.*

## Mitigation Measure

Implementation of mitigation measure T-5 presented earlier would reduce this impact to a less than significant level.

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-167 OF THE DRAFT EIR:

**Significant Impact - Northbound U.S. Highway 101 Off-Ramp at Sanborn Road (#102).** With the addition of project traffic, this off-ramp would change from LOS C to LOS C during the AM peak hour and from LOS C to LOS E during the PM peak hour. Per the Caltrans significance criteria, the project would have a significant impact on this weaving segment. Implementation of the following improvement would improve off-ramp operations at this location.

1. Install a ramp metering signal for the US 101 northbound US 101 Fairview Avenue on-ramp.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37, and #66). In addition, this off-ramp is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are included in the City of Salinas "letter of intent" with Caltrans to apply City TFO fees to fund and construct identified improvements. Installation of the ramp metering signal will provide near-term capacity relief for the off-ramp at Sanborn Road and enhance safety and operations on the US 101 mainline.*

## Mitigation Measure

Implementation of mitigation measure T-5 presented earlier would reduce this impact to a less than significant level.

**Significant Impact - Northbound U.S. Highway 101 On-Ramp at Fairview Avenue (#106).** With the addition of project traffic, this off-ramp would change from LOS C to LOS C during the AM peak hour and from LOS D to LOS D during the PM peak hour. Per the Caltrans significance criteria, the project would have a significant impact on this weaving segment. Implementation of the following improvement would improve off-ramp operations at this location.

1. Install a ramp metering signal for the US 101 northbound US 101 Fairview Avenue on-ramp.

*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37, and #66). In addition, this on-ramp is within the responsibility and jurisdiction of Caltrans and not the City. Improvements at this intersection are included in the City of Salinas "letter of intent" with Caltrans to apply City TFO fees to fund and construct identified improvements. Installation of the ramp metering signal will provide near-term capacity relief for the on-ramp at Sanborn Road and enhance safety and operations on the US 101 mainline.*

## Mitigation Measure

Implementation of mitigation measure T-5 presented earlier would reduce this impact to a less than significant level.

**THE FOLLOWING CHANGE WAS MADE ON PAGE 2-167 OF THE DRAFT EIR:**

~~**Significant Impact - Northbound U.S. Highway 101 between Fairview Avenue and Sanborn Road (Segment #30).** With the addition of project traffic, this weaving area would remain at LOS B during the AM peak hour and change from LOS C to LOS D during the PM peak hour,~~

~~with a corresponding volume increase of 126 vehicles during the AM peak hour and 184 vehicles during the PM peak hour. Per the Caltrans significance criteria, the project would have a significant impact on this road segment. Implementation of the following improvement would improve this weaving segment to improve to LOS C in the PM peak hour.~~

~~1. Construct a collector distributor roadway between the northbound U.S. Highway 101 ramps to and from Fairview Road and Sanborn Road. A collector distributor road is a distinct roadway separated from the mainline freeway lanes whose sole purpose is to access the on- and off-ramps. By moving the ramps to the collector-distributor roadway, fewer vehicles would be present within the weaving area, thereby providing more weaving opportunities. Both ramps to and from Fairview Avenue and Sanborn Road are recommended to connect to this collector distributor roadway, and Caltrans should also consider incorporating the northbound Airport Boulevard ramps as well. Implementation of this improvement would result in acceptable weaving operations.~~

~~*Improvements along this segment of U.S. Highway 101 are included in the City of Salinas TFO (#32 and #37).*~~

### ~~Mitigation Measure~~

~~Implementation of mitigation measure T-1 (Salinas traffic impact fee program) presented earlier would reduce this impact to a less than significant level.~~

## *2.12 Sanitary and Industrial Wastewater*

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-190 OF THE DRAFT EIR:

**MRWPCA Facilities.** Based on the *Salinas Conveyance Study* recently completed by Carollo Engineers in 2009 for the MRWPCA, the Salinas Pump Station has a firm capacity (three pumps running) of 33-35 mgd and a maximum capacity (all four pumps running) of 35-38 mgd. In addition, the existing average dry weather flows have been relatively stable over the last several years at approximately 12 mgd. Existing peak wet weather flows, based on pump station flow data, is estimated at 25 mgd. ~~According to the MRWPCA, the Salinas Pump Station and Interceptor have a peak capacity of about 36 million gallons per day (mgd). The current average flow is about 13 mgd with peak flows up to 18 mgd. The MRWPCA treatment plant has a permitted capacity of 29.6 mgd. Capacity of wastewater facilities is based on peak flow, not average or total flow.~~ The MRWPCA collects ~~both connection fees and~~ capacity fees from new users to off-set the cost of providing for their additional demands. ~~(Jennifer Gonzales, personal communication, February 11, 2009).~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 2-200 OF THE DRAFT EIR:

**Less Than Significant Impact – MRWPCA Sanitary Wastewater Conveyance and Treatment Facility Capacity.** At build out, the proposed project would generate up to 0.62 mgd of additional sanitary wastewater. MRWPCA has indicated through its Can and Will Serve Notice that there is adequate capacity in its Salinas Pump Station and regional wastewater treatment plant to accommodate the flows anticipated at build out of the Plan Area. ~~The proposed project~~ Developers of individual projects within the Plan Area will pay a capacity fee to the MRWPCA to pay for their fair share of the existing capacity at the Salinas Pump Station, conveyance pipeline, and regional wastewater treatment plant. ~~would pay fees to off-set the incremental cost of providing the additional services~~.

No new MRWPCA facilities would need to be constructed to accommodate flows from the project; therefore, the project would not result in indirect impacts on the environment that might otherwise occur if construction of new facilities was required to serve it.

# 3.0 RELATED ENVIRONMENTAL ISSUES

## *3.1 Cumulative Impacts*

### Transportation and Circulation

THE FOLLOWING CHANGE WAS MADE ON PAGE 3-11 OF THE DRAFT EIR:

~~**Potentially Significant and Unavoidable Impact – Sanborn Road / Elvee Drive-U.S. Highway 101 Southbound Ramps (#8) – Signalized.** This intersection would operate at an overall LOS F during the AM and PM peak hours under 2030 cumulative plus project no interchange traffic conditions. Per the Caltrans significance criteria the project would have a significant impact at this intersection. The following improvements are recommended under 2030 cumulative plus project no interchange conditions.~~

- ~~Close Elvee Drive at Sanborn Road and extend the north end to Work Street.~~
- ~~Widen the southbound U.S. Highway 101 offramp to accommodate two left turn lanes, one shared through/right turn lane, and one dedicated right turn lane.~~
- ~~Add a third northbound Sanborn Road through lane.~~
- ~~Add a third southbound Sanborn Road through lane.~~
- ~~Add a second southbound Sanborn Road left turn lane.~~

~~*Improvements along the Sanborn Road corridor are included in the City of Salinas TFO (#32, #37 and #66). In addition, this intersection is within the responsibility and jurisdiction of Caltrans. Improvements at this intersection should be added to the TAMC Regional Development Fee Program. If they are, payment of the TAMC fee by all developers of individual projects within the Plan Area would mitigate the cumulative impacts of the project at this intersection to a less than significant level. If improvements are not added to the TAMC Regional Development Fee Program prior to the development of the first project within the Plan Area, then all project developers will be responsible for a pro rata fair share of the improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*~~

**THE FOLLOWING CHANGE WAS MADE ON PAGE 3-14 OF THE DRAFT EIR:**

**Significant Impact - Airport Boulevard / Terven Avenue (#13) – Signalized**. With the addition of project traffic, the operations at this intersection would operate at LOS F during the AM and PM peak hours under 2030 cumulative. Per Caltrans significance criteria, the project would have a significant impact at this intersection. Either of the following improvements is required to mitigate the impact under 2030 Cumulative conditions:

- Reconstruct the southbound ramps as planned by the ultimate configuration of Phase II Airport Boulevard interchange project; or
- Reconstruct the southbound ramps as planned by the Airport Boulevard Phase I interchange project by converting the northbound right-turn lane to a free movement.
- Four additional improvements are required for mitigation that are not part of the Phase I or II Airport Boulevard interchange:
  - Modify eastbound Terven Avenue approach from a shared left-through-right lane to a dedicated left-turn and shared through-right lane.
  - Modify the westbound approach to include a left turn lane, a shared left-through lane and a right-turn lane.
  - Lengthen the U.S. Highway 101 southbound off-ramp storage pocket.
  - Widen the southbound approach to include a right turn lane, two shared through lane and a right-turn lane.

*The Phase I improvements along the Airport Boulevard corridor are included in the City of Salinas TFO (#32 and #38). Improvements at this intersection are planned but not fully funded as Phase 2 of the Caltrans Airport Boulevard interchange project (#0318). Improvements to this intersection including the Phase I interchange, westbound approach modifications, and lengthening of the southbound off-ramp, are included in the City of Salinas "letter of intent" with Caltans. The widening of the southbound approach may require additional right-of-way and/or removal of a sidewalk, which only serves the adjacent property and does not provide a link to any other destinations. Implementation of the above referenced mitigation and payment of traffic impact fees per the City of Salinas TFO will mitigate cumulative project impacts at this intersection. In addition, this intersection is within the responsibility and jurisdiction of Caltrans and not the City.*

**THE FOLLOWING CHANGE WAS MADE ON PAGE 3-19 OF THE DRAFT EIR:**

~~**Potentially Significant and Unavoidable Impact – Davis Road / Blanco Road (#38) – Signalized.** This intersection would operate at an overall LOS F during the AM and PM peak hours under 2030 cumulative plus project no interchange traffic conditions. Per the Monterey County significance criteria, the project would have a significant impact at this intersection. The following improvements are recommended under 2030 cumulative plus project no interchange conditions.~~

- ~~Convert the northbound Davis Road shared through/right turn lane to a through lane.~~
- ~~Add a dedicated northbound Davis Road right turn lane.~~
- ~~Add a second southbound Davis Road left turn lane.~~
- ~~Add a second southbound Davis Road right turn lane.~~
- ~~Add a third eastbound Blanco Road left turn lane.~~
- ~~Convert the eastbound Blanco Road shared through/right turn lane to a through lane.~~
- ~~Add a dedicated eastbound Blanco Road right turn lane.~~
- ~~Convert southbound and westbound right turns to overlap phasing.~~
- ~~Add a second northbound Davis Road right turn lane.~~
- ~~Add a second southbound Davis Road through lane.~~
- ~~Add a second westbound Blanco Road left turn lane.~~

~~*Improvements at this intersection are included in the City's TFO (#26 and #41) and the TAMC Regional Development Impact Fee (#8). In addition, the County should include this intersection in their proposed future impact fee per the GSA MOU dated August 2006.*~~

~~*If the County adopts an impact fee program that includes these improvements prior to issuance of the first building permit for any project within the Plan Area, payment of the fee by all project developers will mitigate the cumulative impact of the project to a less than significant level. If the County does not adopt an impact fee program including these improvements prior to issuance of the first building permit, all project developers will be responsible for a pro rata fair share of these improvements as mitigation as provided in Section 3 of the Agreement Regarding Supplement to the Final Program EIR for the Salinas Future Growth Area between the City of Salinas and the County of Monterey (March 27, 2008). In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*~~

THE FOLLOWING CHANGE WAS MADE ON PAGE 3-26 OF THE DRAFT EIR:

~~**Potentially Significant and Unavoidable Impact – U.S. 101 Northbound Weaving Segment between Hartnell Rd. and Abbott St. (Segment #26).** This weaving segment would operate at LOS E and LOS F during the AM and PM peak hours, respectively. Per Caltrans significance criteria the cumulative project would have a significant impact on this weaving segment. The following improvements are recommended under 2030 cumulative plus project no interchange conditions.~~

- ~~Prohibit right turns from westbound Hartnell Road connector to U.S. 101 and relocate them to the existing northbound onramp at Hartnell Road. This improvement would effectively eliminate the study weaving section.~~
- ~~Convert Hartnell Road to one way traffic (in the northwest direction) between the Hartnell Road connector and the Hartnell Road onramp.~~
- ~~Relocate the existing driveway to a residence on Hartnell Road near U.S. 101 to the intersection of Hartnell Road and the northbound on ramp to U.S. 101.~~
- ~~Prohibit left turns from the Hartnell Road connector onto southbound U.S. 101 at the U.S. 101/Hartnell Road connector intersection.~~

~~*Improvements in the TAMC Regional Development Impact Fee Program (#7) include constructing two-lane frontage roads on the east and west sides of U.S. Highway 101 from the future Harris Road interchange to Chualar. This would improve traffic operations on U.S. Highway 101 by eliminating minor intersections along the corridor. This road segment is within the responsibility and jurisdiction of Caltrans, and not the City of Salinas. Improvements along this corridor should be added to the TAMC Regional Development Impact Fee Program. If they are, payment of the TAMC fee by all developers of individual projects within the Plan Area would mitigate the cumulative impacts of the project on this road segment to a less-than-significant level. If improvements are not added to the TAMC Regional Development Impact Fee Program prior to the development of the first project within the Plan Area, then all project developers will be responsible for a pro rata fair share of the improvements. In that event, because an established improvement program would not exist through which to ensure the construction of such improvements, the payment of fair share fees in and of itself would not be considered effective mitigation to reduce the cumulative impact to a less than significant level. In order to approve the project, the City would then need to either: a) adopt findings that such improvements are within the responsibility and jurisdiction of another public agency (Caltrans, the County and/or TAMC) and not the City, and should be adopted by such other agency (CEQA Guidelines Section 15091(a)(4)) and that such impact is therefore found to be unavoidable and acceptable (CEQA Guidelines Section 15092(b)(2)(B)); or b) adopt a statement of overriding considerations (CEQA Guidelines Section 15093).*~~

## 3.2 Growth-Inducing Impacts

**THE FOLLOWING CHANGE WAS MADE ON PAGE 3-32 OF THE DRAFT EIR:**

The AG Land Trust Inc. and the County are parties to the easement agreement as shown in draft easement agreement included in Appendix F of the Specific Plan. The agreement specifically states in section 1.c.2:

> No services, municipal or otherwise, shall be extended to serve the property that is currently in agricultural use as of the date of this Buffer Easement that is located to the southeast and/or southwest of the Buffer Easement Property for as long as this Buffer Easement is in effect, with the exception of the existing Harris Place Industrial Complex. This property is currently described generally as the following nine Monterey County Assessors numbers: 177-191-00 (1, 2, 3, 4, and 5) and 177-191-(001, 13, 14 and 15). ~~County Assessors number 177-132-034, 177-132-035, 177-132-036, and 177-132-037 [the existing Harris Place industrial complex].~~

# 4.0

# ADMINISTRATIVE ANALYSIS REFINEMENTS

## CHANGE IN SPHERE OF INFLUENCE AND ANNEXATION BOUNDARIES

Subsequent to the close of the public review period for the draft program EIR, the City received comments from Caltrans and Monterey County regarding project impacts to circulation facilities under their control. Please refer back to the comment letters from Caltrans and to comment letter from Monterey County Resource Management Agency and to the respective responses to those comments found in Section 2.0, Response to Comments. After the close of the public review period, the City held several meetings with Caltrans and the County aimed to address comments from each agency. During meetings with the County, County staff suggested that the City consider modifying the boundaries of the proposed Sphere of Influence Amendment and the proposed Reorganization (annexation) to include roadways adjoining the Plan Area as well as a segment of Abbott Street south of Harris Road.

The Determination of Boundaries Standards subsection of LAFCO's *Standards for Evaluation of Proposals*, includes standards for establishing appropriate annexation boundaries, one of which is as follows:

> 4. Boundary lines of areas proposed to be annexed shall be located so that all streets and rights-of-way will be placed within the same jurisdiction as the properties which abut thereon.

Per this standard, the City is proposing minor modifications to the Sphere of Influence Amendment and annexation boundaries to ensure they are logical and consistent with LAFCO standards. The originally proposed Sphere of Influence Amendment boundary has been modified to include the segment of Harris Road that abuts the Plan Area and an approximately 1000-foot long segment of Abbott Street located south of Harris Road which abuts lands already

within the city limits. The total area being proposed for inclusion within the Sphere of Influence Amendment is now 246.2 acres, which consists of the unincorporated portion of the Plan Area and the two noted road segments. Appendix B includes a map of the modified Sphere of Influence Amendment boundary as proposed by the City.

The originally proposed annexation boundary as shown in Figure 2-7 of the Specific Plan included the segments of Abbott Street and Harris Road that abut the Plan Area, but did not include the above-noted segment of Abbott Street south of Harris Road. Appendix C includes a map of the modified annexation boundary as proposed by the City which includes the additional Abbott Street segment. With this addition, the total area proposed for annexation is 254 acres. The total area consists of 240 acres of the unincorporated Plan Area, plus approximately 14 acres that comprise the three noted road segments.

The modifications to the Sphere of Influence Amendment and annexation boundaries do not create environmental impacts not previously identified in the draft program EIR, nor do they result in an increase in severity of impacts identified in the draft program EIR. The additional areas to be included in both boundaries are existing roadways that are fully developed. The boundary revisions themselves will not create new development potential or result in changes to these roadways that were not already identified in the draft program EIR, where applicable.

## ANALYSIS OF A STUDY INTERSECTION

Presentation of the effects of the proposed project at intersection #40, State Route 68/Foster Road, was unintentionally omitted from the draft program EIR. Impacts at this intersection are significant and potentially unavoidable under cumulative conditions as described on page 173 of the TIA, which is included in the draft program EIR as Appendix K. No improvements are recommended for this intersection under any scenario and payment of TAMC fees is described as the mitigation measure. The omission does not materially affect the conclusions of the draft program EIR or the final program EIR as no physical improvements are recommended and payment of the TAMC fee is required regardless of the project impact at this intersection. Caltrans considers payment of the TAMC fee to be sufficient to address cumulative impacts on regional transportation facilities.

# APPENDIX A

CITY OF SALINAS LETTER OF INTENT WITH CALTRANS

**City of Salinas**
Department of Engineering and Transportation Services
200 Lincoln Avenue • Salinas, California 93901 • (831) 758-7241

November 16, 2009

*Via Electronic Mail and U.S. Mail*

John Olejnik
Department of Transportation, District 5
50 Higuera Street
San Luis Obispo, California 93401-5415

**Re: Salinas Ag-Industrial Center (UniKool Project)—U.S. Highway 101 Corridor Improvements**

Dear Mr. Olejnik:

This letter is intended to memorialize the discussions had among City staff, County of Monterey staff, Transportation Agency for Monterey County (TAMC) staff, and CalTrans staff on October 21, 2009, October 28, 2009, and November 4, 2009. As you will recall, our discussions centered around the anticipated traffic impacts of the above-referenced project and the proposed roadway improvements to address traffic operation impacts at the U.S. 101 interchanges at Sanborn Road, Airport Boulevard, and Abbott Street. Following is a summary of the three main areas of discussion and the conclusions reached during our discussions at the staff level. Please understand that any changes to City policy, including the City's Traffic Fee Ordinance, require consideration and approval by the Salinas City Council. With respect to those items which require City Council approval, we intend to present those items to them at or before their consideration and approval of the Salinas Ag-Industrial Center project.

1. **U.S. Highway 101 Interchanges at Sanborn Road and Airport Boulevard.**

With respect to these two interchanges, both of which are located within the existing Salinas city limits, City staff proposed the following to address anticipated traffic impacts from the Salinas Ag-Industrial Center project:

- Include the improvements identified in Attachment 1 and Attachment 2 in the City's Traffic Fee Ordinance (TFO) program as individual specific, funded projects. Design and construct these TFO Projects within the framework of the City's Capital Improvement Program.
- Monitor traffic conditions in the vicinity of these TFO Projects as a part of the City's existing traffic monitoring program to determine the schedule for the design and construction of the improvements shown in Attachment 1 and Attachment 2 in a timely manner related to the construction of the Salinas Ag-Industrial Center project and other projects within the City.

2. **Abbott Street Metering Light at Southbound U.S. Highway 101.**

With respect to this anticipated improvement, located outside the existing Salinas city limits, City staff proposed the following:

- Include as a condition of approval that the project applicant (The UniKool Partners) design, construct, fund, and install a metering signal on the southbound Abbott Street on-ramp to US 101 to mitigate anticipated project impacts to the US 101 mainline. The proposed improvements are shown on Attachment 3.
- Further condition the approval to require the project applicant to design and to obtain CalTrans' approval of the metering signal prior to, or concurrent with, the City's issuance of a building permit for any development project within the Plan Area that represents the 51st acre of development, based on the total area of developed parcels within the Salinas Ag-Industrial Center Plan Area, as that area is defined in the Salinas Ag-Industrial Center Specific Plan.
- Further condition the approval to require the project applicant to construct, install, and commission the metering signal prior to, or concurrent with, the City's issuance of a building permit for any development within the Plan Area that represents the 76th acre of development, based on the total area of developed parcels within the Salinas Ag-Industrial Center Plan Area, as that area is defined in the Salinas Ag-Industrial Center Specific Plan.

3. **Left Turn Movement From Southbound U.S. Highway 101 onto Hartnell Road.**

We understand various agencies' desire to eliminate the left turn movement from southbound U.S. 101 onto Hartnell Road and to improve the frontage roads in this area as a means to improve safety and circulation. Through our discussions on this issue, we further understand that TAMC will facilitate as part of existing TAMC Project No. 7, the option of phased design and construction of frontage road improvements along U.S. 101 between the city of Salinas and the unincorporated area of Chualar. With respect to this issue and TAMC Project No. 7, City staff proposed the following:

- Include as a condition of project approval that the project applicant (The UniKool Partners) prepare a Frontage Road Preliminary Design Study (the "Study") for the area with Monterey County located between the southern Salinas city limits and Spence Road. The Study will include identification of a First Phase Frontage Road Project for TAMC Project No. 7 (the "First Phase") to remove or relocate the left movement from southbound U.S. 101 onto Hartnell Road. The condition will require that the project application bear the cost of preparing the Study with the understanding that the cost will be offset by a corresponding fee credit toward the project applicant's regional traffic fee obligations resulting from their development of the project within TAMC's Greater Salinas Benefit Zone.
- Further condition the approval to require the submittal of the first complete draft of the Study to TAMC prior to, or concurrent with, the City's issuance of a building permit for any development within the Plan Area that represents the 51st acre of development, based on the total area of developed parcels within the Salinas Ag-Industrial Center Plan Area, as that area is defined in the Salinas Ag-Industrial Center Specific Plan.

We understand that the eventual construction of the First Phase will be funded from Greater Salinas Benefit Zone fees collected by TAMC and/or the City from development that occurs within the Salinas Ag-Industrial Center and other new projects near the City of Salinas. We further understand that TAMC will determine the construction schedule for the First Phase improvements. The intent of identifying the First Phase improvements and designating their funding is to provide TAMC with a means of prioritizing and implementing the construction of the First Phase project in their capital improvement program.

I believe this letter accurately describes the discussions had among the various interested agencies and the commitments of each with respect to those items listed above. As we have discussed previously, refined mitigation measures addressing the items discussed in this letter will be incorporated in the Final Program EIR for this project.

As you may know, the Salinas Traffic and Transportation Commission will consider the Salinas Ag-Industrial Center project at its December 10, 2009 meeting and the Salinas Planning Commission will consider this project at its December 16, 2009 meeting. We anticipate the Salinas City Council will consider this project in January 2010. We look forward to these Commission's and the Salinas City Council's timely approvals of this project.

Please let me know if you have any questions or if you need additional information.

Sincerely,

CITY OF SALINAS

Robert C. Russell, P.E.
City Engineer

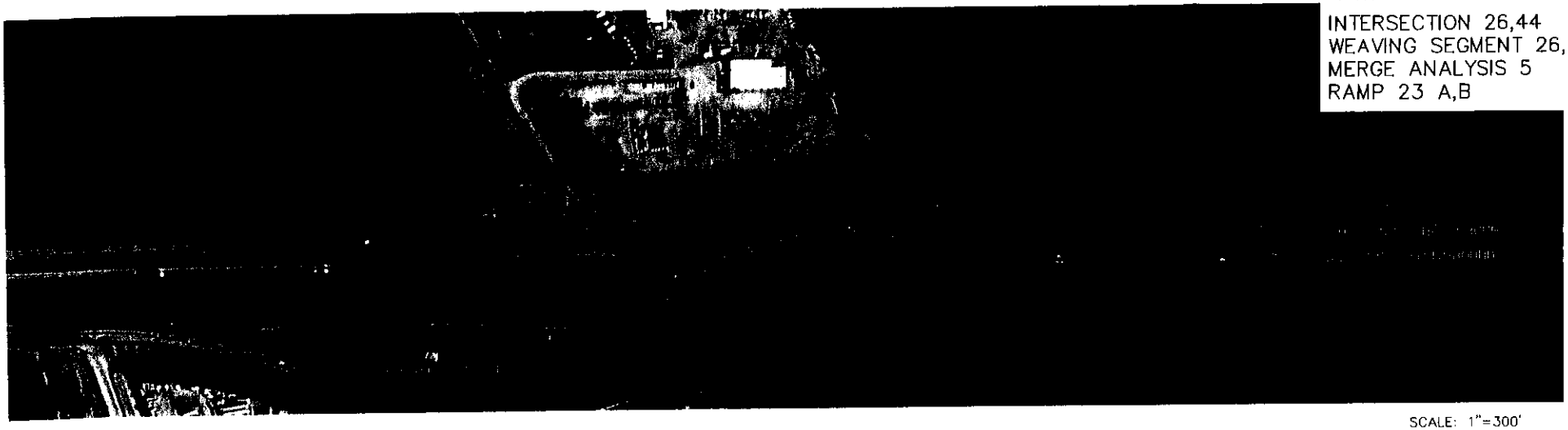
Enclosures: Sanborn Road/ US 101 Improvements, dated November 13, 2009
Airport Boulevard/US 101 Improvements, dated November 13, 2009
Abbott Street Metering Light at SB US 101, dated November 13, 2009

cc: Artie Fields, City Manager
Vanessa Vallarta, City Attorney
Christopher A. Callihan, Sr. Deputy City Attorney
Alan Stumpf, Community Development Director
Courtney Grossman, Planning Manager
James Serrano, Transportation Planner
Larry Seeman, Project Manager
Don Bachman, TAMC Deputy Executive Director
Yazdan Emrani, P.E., Director of Public Works, Monterey County
Rick Sauerwein, Management Specialist, Monterey County

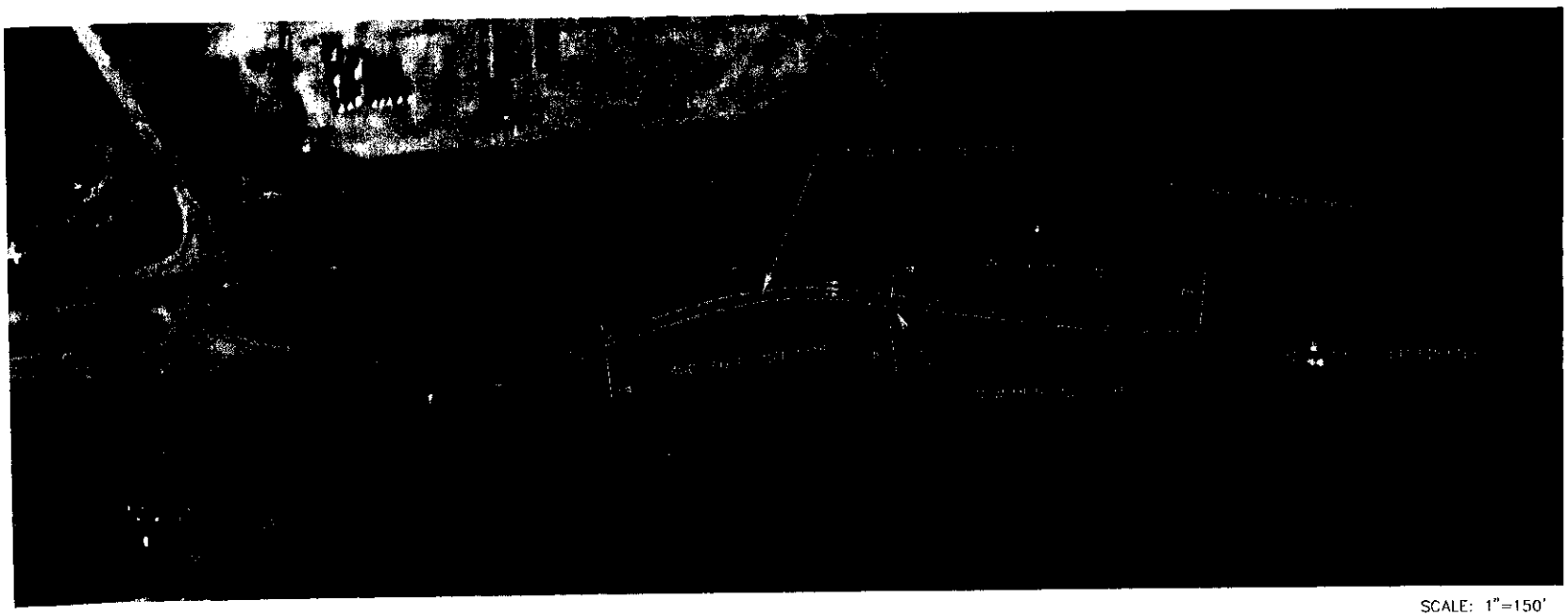
ATTACHMENT 3

US 101/ABBOTT STREET/
HARTNELL STREET

INTERSECTION 26,44
WEAVING SEGMENT 26,27
MERGE ANALYSIS 5
RAMP 23 A,B



SCALE: 1"=300'



SCALE: 1"=150'

SALINAS AG-INDUSTRIAL
BUSINESS PARK

RJA
RUGGERI-JENSEN-AZAR
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8250 CAMINO ARROYO GILROY, CA 95020
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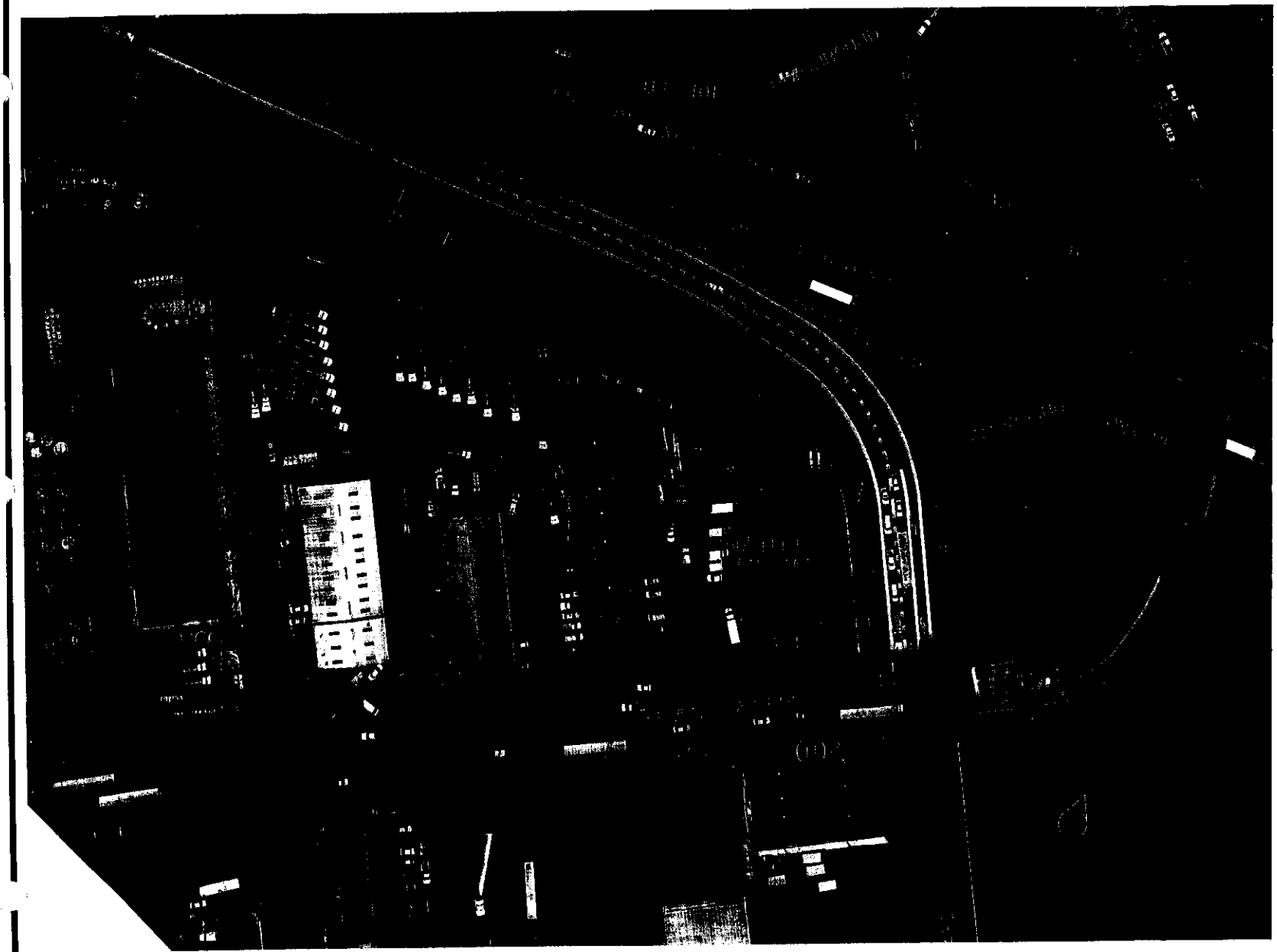

**ATTACHMENT 2**

US 101 ON & OFFRAMPS
AT AIRPORT BOULEVARD

INTERSECTION 12,13
WEAVING SEGMENT 28,29
DIVERGE ANALYSIS 3
MERGE ANALYSIS 4

NOTE:
US 101/AIRPORT BLVD PHASE I IMPROVEMENTS NOT SHOWN.

A FREE NORTHBOUND RIGHT TURN

B CONVERT EASTBOUND APPROACH TO INCLUDE A LEFT TURN LANE AND A SHARED THROUGH–RIGHT LANE

SCALE: 1"=80'

NOVEMBER 13, 2009

SALINAS AG–INDUSTRIAL BUSINESS PARK

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**ATTACHMENT 1**

SANBORN ROAD/
FAIRVIEW AVE./
ELVEE DRIVE/WORK ST
US 101 SB

INTERSECTION 6,8,9
WEAVING SEGMENT 30
DIVERGE ANALYSIS 1
DIVERGE ANALYSIS 2

SCALE: 1"=120'

NOVEMBER 13, 2009

SALINAS AG-INDUSTRIAL
BUSINESS PARK

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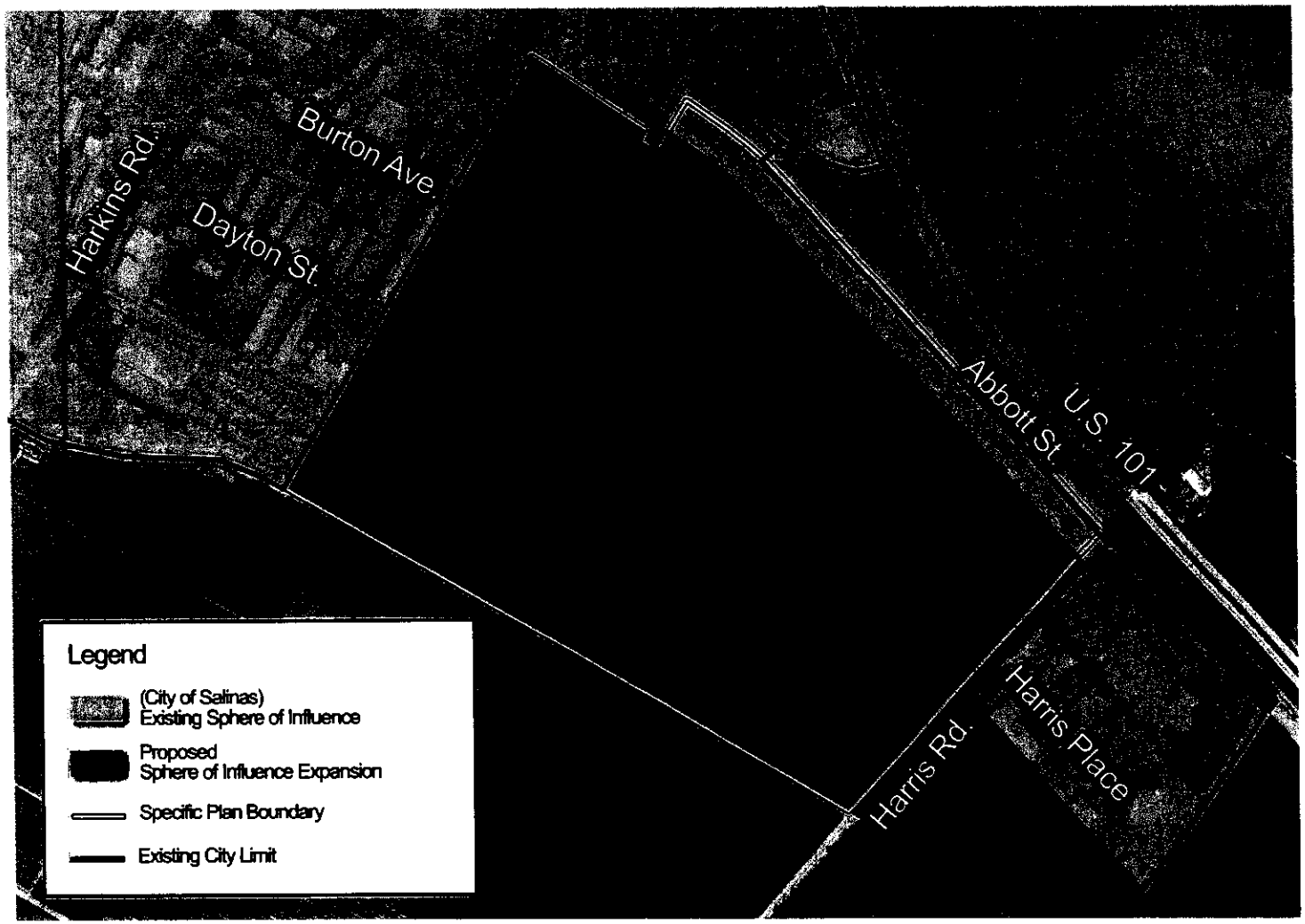
# APPENDIX B

## SPHERE OF INFLUENCE BOUNDARY REFINEMENT MAP




Source: EMC Planning Group Inc. 2009, Ruggeri Jensen Azar 2009

Appendix B

# Sphere of Influence Amendment Boundary Modification Map

Salinas-Ag Industrial Center Program EIR

# APPENDIX C

## ANNEXATION BOUNDARY REFINEMENT MAP


Source: EMC Planning Group Inc. 2009, Ruggeri Jensen Azar 2009

Appendix C

# Annexation Boundary Modification Map

Salinas-Ag Industrial Center Program EIR