Attachment 19

FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

WEST AREA SPECIFIC PLAN

OCTOBER 2019

Prepared for:

City of Salinas
Community Development Department
65 West Alisal Street (Second Floor)
Salinas, CA 93901

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

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Chapter **Page Number**

Table **Page Number**

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1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This Final Environmental Impact Report (FEIR) for the proposed West Area Specific Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- The Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- Any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose a proposed project's expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its significant adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize significant environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Salinas has determined that a program-level EIR was required for the proposed West Area Specific Plan (herein the Specific Plan) Project (proposed project) pursuant to the requirements of CEQA. The Draft EIR focuses on the environmental effects related to air quality, biological resources, cultural and tribal resources, greenhouse gases, climate change and energy, hydrology and water quality, noise, population, public services, transportation, and utilities.

The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential significant adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This document and the Draft EIR, as amended herein, constitute the FEIR, which will be used as the primary environmental document to evaluate all subsequent planning and permitting actions

associated with the proposed project. Subsequent actions that may be associated with the proposed project are identified in Chapter 2.0, Project Description, of the Draft EIR.

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION AND INITIAL STUDY

The City circulated a Notice of Preparation (NOP) of an EIR for the proposed project on October 14, 2015 to responsible and trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on October 29, 2015 at 6:30 p.m., at McKinnon Elementary School in Salinas to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties are presented in **Appendix A** of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City published a public Notice of Availability (NOA) for the Draft EIR on February 27, 2019, thereby soliciting comments from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2006021072) and the County Clerk, and was published in a regional newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from February 27, 2019 through April 15, 2019. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City of Salinas received ten (10) comment letters during the Draft EIR public review period. In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata. This document and the Draft EIR, as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City Council of Salinas will review and consider the Draft EIR together with the Final EIR. In order to take actions based upon the Final EIR (such as approving the proposed project or an alternative), the City Council must first "certify" the document under State CEQA Guidelines section 15090. Certification consists of three separate findings to the effect that "(1) The final EIR has been

completed in compliance with CEQA; (2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency's independent judgment and analysis." In addressing the first of these three issues, the City Council may find that the Final EIR complies with CEQA if the Council finds that the Final EIR is "adequate and complete." The rule of adequacy generally holds that a Final EIR can be certified if:

1) The EIR shows a good faith effort at full disclosure of environmental information; and

2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the certified Final EIR, the City Council may take action to approve, revise, or reject the project. A decision to approve the proposed project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the proposed project to reduce or avoid significant effects on the environment. The City has prepared a Mitigation Monitoring Program to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR. It is found in Chapter 4 of this document.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 (this chapter) briefly describes the purpose of the environmental evaluation, identifies the lead agency (the City), summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commentors, copies of written comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 - ERRATA

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments on the Draft EIR, as well as minor staff edits. The revisions to the Draft EIR do not change the intent or content of the analysis or mitigation.

CHAPTER 4.0 – FINAL MMRP

Chapter 4.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

CHAPTER 5.0 - REPORT PREPARERS

Chapter 5.0 lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

2.1 INTRODUCTION

The City of Salinas received ten (10) comment letters on the Draft EIR during the EIR 45-day public review period. Acting as lead agency, the City of Salinas has prepared responses to the Draft EIR comments. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

2.2 LIST OF COMMENTORS

Table 2-1 lists the comments on the Draft EIR that were submitted to the City of Salinas. The assigned comment letter number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

TABLE 2-1 LIST OF COMMENTORS

RESPONSE LETTER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE OF LETTER
A	Gayle Totton	Native American Heritage Commission	3-4-2019
B	Julie A. Vance	California Department of Fish and Wildlife (CDFW) - Central Region	4-10-2019
C	Matt Krenz	Monterey County Health Department, Environmental Health Bureau (EHB)	4-10-2019
D	Michael DeLapa	Land Watch Monterey County	4-11-2019
E	Chris Bjornstad	California Department of Transportation (Caltrans) District 5	4-12-2019
F	Dan Burns	Salinas Union High School District	4-12-2019
G	Dr. Hector A. Rico	Alisal Union School District	4-15-2019
H	Alan Romero	Monterey Bay Air Resources District	4-15-2019
I	Devon B. Lincoln	Lozano Smith Attorneys at Law representing Santa Rita Union High School District	4-15-2019
J	Brian Finegan	Brian Finegan & Michael J. Harrington, Limited Liability Partnership, Attorneys at Law representing the West Area Specific Plan Applicants	4-15-2019

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that consider an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific

comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need to only respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commentor, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204). The level of detail contained in the response may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information or does not explain the relevance of evidence submitted with the comment.

CEQA Guidelines Section 15204 recommends that commentors provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commentors provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064(f)(5), an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR is an Errata that identifies all revisions to the Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

Errata

Where changes to the Draft EIR text result from the response to comments, those changes are included in the response and identified with revision marks (underline for new text, ~~strike out~~ for deleted text).

Subject: SCH# 2006021072 West Area Specific Plan

Good afternoon Ms. Miller,

I have reviewed the DEIR for the project referenced above. Since the document is substantially in compliance, I did not want to send a formal comments letter. However, there is an error and an oversight that I wanted to bring to your attention. A-1

First, in Mitigation Measure 3.3-3 (a), the timeline for a Most Likely Descendant (MLD) to make recommendation on the disposition of Native American human remains is in error. Public Resources Code section 5097.98 specifies that the MLD has 48 hours from the time they are give access to the site to make recommendations to the landowner. Please make that correction prior to the document being certified. A-2

Also, in the Cultural and Tribal Resources section, a statement is made that the outreach letters supporting the statement that SB-18 consultation was done would be found in Appendix A. The comments received on the Notice of Preparation are there, but the tribal consultation letters are not. Were you going to include them (recommended)? If not, the statement in the text should be deleted. A-3

Please let me know if you have any questions about these items. A-4
Sincerely,

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714

Response to Letter A: Gayle Totton, Native American Heritage Commission

Response A-1: This comment serves as an introduction to the letter. The commentor indicates that the Draft EIR is in substantial compliance and that they have sent the email instead of a formal comment letter. The commentor does, however, indicate that there is an error and oversight that she wants to bring to the attention of the City of Salinas, which is elaborated on in the following paragraphs. This comment is noted and does not warrant a response. No further response is necessary.

Response A-2: The commentor states the following: "*First, in Mitigation Measure 3.3-3 (a), the timeline for a Most Likely Descendant (MLD) to make recommendation on the disposition of Native American human remains is in error. Public Resources Code section 5097.98 specifies that the MLD has 48 hours from the time they are give [sic] access to the site to make recommendations to the landowner. Please make that correction prior to the document being certified.*"

This comment is noted. Based on this comment, we have updated Mitigation Measure 3.3-3 on pages 3.3-15 and ES-25 of the Draft EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

> ***Mitigation Measure 3.3-3****: If human remains are found during construction within the Specific Plan Area, or at off-site infrastructure improvement locations, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archeological monitor and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:*
>
> *a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within ~~24~~48 hours after being notified by the commission;*
> *b) the descendent identified fails to make a recommendation; or*
> *c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*
>
> *Grading permit/building permit plans shall note this measure.*

Response A-3: The commentor states the following: *"Also, in the Cultural and Tribal Resources section, a statement is made that the outreach letters supporting the statement that SB-18 consultation was done would be found in Appendix A. The comments received on the Notice of*

Preparation are there, but the tribal consultation letters are not. Were you going to include them (recommended)? If not, the statement in the text should be deleted."

This comment is noted. Based on this comment, the City has updated applicable text within the Cultural Resources section, as follows, to reflect that the SB-18 consultation records can be found in Appendix A. The City has also updated Appendix A to incorporate the SB-18 consultation records. This is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

On page 3.3-1:

> One comment was received during the public review period for the Notice of Preparation regarding environmental impacts associated with cultural resources. The Ohlone/Costanoan-Esselen Nation (OCEN) responded with a letter dated January 11, 2016. The OCEN requested to be included in ongoing project consultation. The letter did not identify any cultural resources in the Specific Plan Area. The comment letter~~s~~, along with the SB-18 consultation records, are ~~is~~ included in **Appendix A** of this EIR.

On page 3.3-11:

> Letters were sent to: the Native American Heritage Commission; Ms. Jakki Kehl; Tony Cerda, Chairperson, Coastanoan Rumsen Carmel Tribe; Ms. Louise Miranda-Ramirez, Chairperson, Ohlone Coastanoan-Esselen Nation; Ms. Ramona Garibay, Representative, Trina Marine Ruano Family; Mr. Valentine Lopez, Amah Mutsun Tribal Band; Ms. Irene Zwierlein, Chairperson, Amah Mutsun Tribal Band of Mission San Juan Bautista; Ms. Christianne Arias, Vice Chairperson Ohlone/Coastanoan-Esselen Nation; Mr. Edward Ketchum, Amah Mutsun Tribal Band; Ms. Pauline Martinez-Arias, Tribal Council Women, Ohlone/Coastanoan-Esselen Nation; Ms. Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Coastanoan; Ms. Linda G. Yamane; and, Ms. Michelle Zimmer, Amah Mutsun Tribal Band of Mission San Juan Bautista regarding the West Area Specific Plan Area. The Native American Heritage Commission responded with a letter dated August 12, 2015. The Ohlone/Costanoan-Esselen Nation (OCEN) responded with a letter dated January 11, 2016. Consultation was requested by, and meetings were held with, the Ohlone Coastanoan-Esselen Nation (Ms. Louise J. Miranda-Ramirez). The tribal consultation records, along with t~~T~~he ~~C~~comment letter~~s~~ received (from OCEN, dated January 11, 2016) is~~are~~ included in **Appendix A** of this EIR.

In Appendix A:

City of Salinas
COMMUNITY DEVELOPMENT DEPARTMENT
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RICH IN LAND · RICH IN VALUES
65 W. Alisal Street, 2nd Floor • Salinas, California 93901
(831) 758-7387 • (831) 775-4258 (Fax) • www.ci.salinas.ca.us

August 28, 2017

Ms. Louise J. Miranda Ramirez
Tribal Chairwoman, Ohlone/Costanoan-Esselen Nation
2653 McLaughline Avenue
San Jose, CA 95121

Dear Ms. Miranda Ramirez :

RE: Tribal Consultation Meeting

Thank you for meeting with us on August 16, 2017 in connection with the following projects:

- Salinas Travel Center (SB 18)
- Central Area Specific plan (AB52)
- West Area Specific Plan (SB 18)
- Public Safety Facility (AB 52)

I am enclosing a draft of summary notes of the meeting. Please review and send me any comments or suggested revisions by September 11, 2017 at jill.miller@ci.salinas.ca.us or (831) 758-7206. We look forward to working with you on the follow-up items.

Sincerely,

Jill Miller
Senior Planner

Enc.: Draft Summary Notes of Tribal Consultation August 16, 2017

Cc: Courtney Grossman, Planning Manager
Thomas Wiles, Senior Planner
Jennifer Coile, Project Manager

Ohlone/Costanoan-Esselen Nation

Previously acknowledged as
The San Carlos Band of Mission Indians
The Monterey Band
And also known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942

www.ohlonecostanoanesselennation.org.

August 16, 2017

Jill Miller
Jennifer Coile
City of Salinas
65 West Alisal
Salinas, CA

Re: Consultation

Saleki Atsa,

I would like to discuss what is considered the end of Consultation. I do not agree to end AB52 Consultation until the project is complete and our requests have been met. OCEN's Tribal leadership desires to be provided with:

Archaeological reports/surveys,
Including subsurface testing, and presence/absence testing,
OCEN request to be included in mitigation and recovery programs,
Reburial of any of our ancestral remains,
Placement of all cultural items,
A Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the
OCEN Tribal Council be used within our aboriginal territory.

I can agree to closing steps in the process, but there must be follow up. Until work on site is complete and our requests completed, consultation is not finished. We must be involved in the project in order to request mitigation and recovery programs, reburial of our ancestral remains and placement of all cultural items. Closing a project and no follow up is not considered meaningful consultation, it is our hope that the City will follow though with OCEN's requests in Consultation. As of this date, there is no follow through as requested in Consultation.

Please feel free to contact me at 408 629-5189 or 408 661-2486 cell.

Nimasianexelpasaleki

Louise J. Miranda Ramirez
OCEN Tribal Chairwoman
2653 McLaughlin Ave.
San Jose, CA 95121

Cc: OCEN Tribal Council

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TRIBAL CONSULTATIONS SB 18 (Salinas Travel Center, West Area Specific Plan) and AB 52 (Central Area Specific Plan and Public Safety Facility)

8-16-17 11 a.m. Small Permit Center Conference Room

Agency/Organization	Print Name	Sign - in
City of Salinas	Thomas Wiles	
City of Salinas	Courtney Grossman	
City of Salinas	Jennifer Coile	
City of Salinas	Jill Miller	
OCEN	Louise Miranda Ramirez	

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Tribal Consultation Meeting
August 16, 2017, 11 a.m.
Summary Notes

Attendees
OCEN: Louise Miranda Ramirez (LMR)
City CDD: Jill Miller (JM), Jennifer Coile (JC), Thomas Wiles (TW), Courtney Grossman (CG)

Projects and Handouts/Information Provided to LMR by City

- Salinas Travel Center (SB 18): Parcel map, project site on aerial, CHRIS report of November 16, 2016
- Central Area Specific Plan (AB52): map of boundaries, CHRIS report
- West Area Specific Plan (SB 18): map of boundaries
- Police Department Headquarters (AB 52): text description, maps of site

Summary of Discussion
General Comments – Tribal Concerns

- LMR spoke about the experience of the tribe with jurisdictions not listening to the tribe's request (other jurisdictions, not exclusively Salinas)
- Requests any/all archeological and historical reports and lists of known sites
- OCEN-trained native monitor on-site during soil disturbance
- Tribe views consultation is considered 'complete' when the project is complete and the end of soil disturbance
- Monterey County/Bob Schubert is preparing a process/project checklist to review every time they meet
- CG reviewed the general process of consultations: an Initial Study (IS) will discuss the consultation conducted prior to issuing the IS; if an EIR is prepared, a Notice of Availability of the Draft EIR is circulated which establishes a 45 day public review process; when the tribe submits comments during that period, those comments are provided to the decision-makers (City Council) together with the staff responses; the City Council considers the comments and responses in drafting mitigations to incorporate in the Final EIR which they certify
- LMR noted that the Native American Heritage Commission website has a flow chart of the process

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- When artifacts are discovered, legally they belong to the property owner, however tribe has requested Monterey County to suggest the property owner consider providing any artifacts to the tribe and not to museums; tribe understands legalities but only suggests the government staff to make the request to the private property owner

Salinas Travel Center (SB 18)

- During the AB52 consultation on April 11, 2017, CHRIS report wasn't available then, so provided to LMR today
- Caltrans Airport Blvd. interchange project of 2005 Mitigated Neg Dec: the 2016 CHRIS references an Environmental Assessment with a 2003 archeological resource study covering 30% of the site that concluded no impact; JM has not yet located copy; LMR requested copy
- Site has been used for agriculture which means the soil has not been disturbed very deeply; LMR noted a pipe project in Monterey, under a street, which involved digging 6 inches deeper than ever previously disturbed which resulted in the discovery of three ancestor remains, therefore LMR requests monitoring during soils disturbance

Central Area Specific plan (AB52)

- JM provided CHRIS Report with note that Peak and Associates is doing an additional study
- Creeks and riparian corridors in the area
- LMR noted that tribal member James who lives in Gonzales grew up in that area/San Juan Grade Road and is familiar with burial sites; tribe seeking to document his knowledge

West Area Specific Plan (SB 18)

- AB52 consultation in April 2016, meeting notes provided previously to LMR
- Primarily agricultural, no creeks

Police Department Headquarters (AB 52)

- CG/TW discussed the Administrative Permit for the building of the Police Department Headquarters and a CEQA process for other permits (Initial Study will determine if Mitigated Neg Dec or EIR to be prepared)
- Removal of buildings plus new construction
- Preliminary historical survey by Ken Seavey

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- City submitted CHRIS request, CHRIS response requested archaeological and historical studies, which will be coordinated by Don Reynolds, Project Coordinator in Department of Public Works
- On August 14, TW submitted request to NAHC regarding sacred sites
- Letter to LMR re consultation is going out this week
- Draft site plan schematics of a month ago were reviewed, CG noted that meeting today likely will result in revised/updated conceptual site plan; will provide to LMR when public
- LMR requested copies of reports and that a monitor be present during soil disturbance

General Admin:
Correspondence: City will USPS to Tribal address at PO Box in Monterey and to San Jose address, with simultaneous email sent to LMR

Follow-up Items

Salinas Travel Center
- JM will seek 2003 study referenced in CHRIS summary and MND from Caltrans and provide to LMR

Police Department Headquarters
- When conceptual site plan is available, CG will provide to LMR
- TW will provide the OCEN letter delivered today to the Consultants

CASP:
- JM to provide Pekin report to LMR when available

WASP:
- April 2016 meeting notes from AB 52 consultation indicate that the archaeological report was provided to LMR. She will review her files and JM is to obtain another copy of the report and email to LMR.

Attachments
- Meeting Sign-in Sheet
- Letter from OCEN re Consultation
- Handouts noted above

Source: City of Salinas 2007, Esri 2015

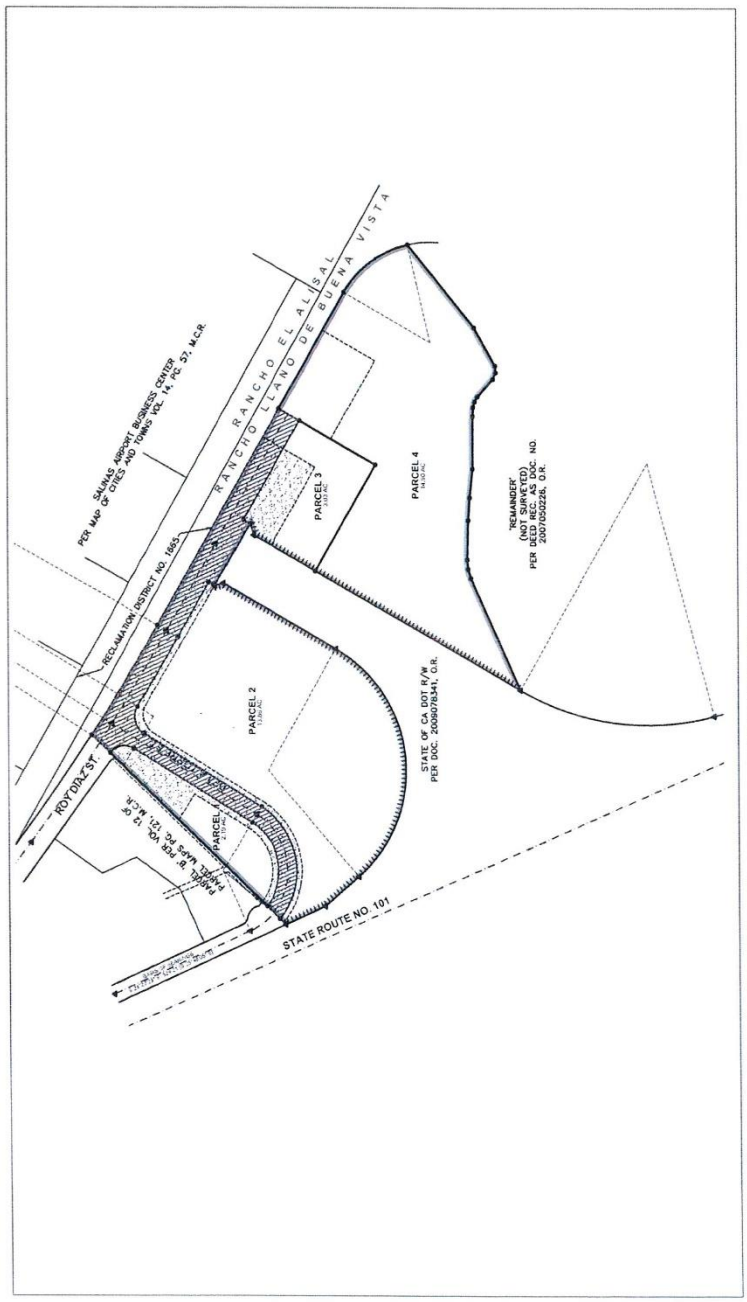
0 800 feet

Annexation Area

Figure 2

Project Site Boundary

Salinas Travel Stop NOP



Source: Lane Engineers, Inc.

Figure 3
Parcel Map
Salinas Travel Stop NOP

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA, COLUSA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO, MONTEREY, NAPA, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLATA, SANTA CRUZ, SOLANO, SONOMA, YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
http://www.sonoma.edu/nwic

November 23, 2016 File No.: 16-0737

Jill Miller, Associate Planner
City of Salinas
Community Development Department
65 W. Alisal Street, 2nd Floor
Salinas, CA 93901

re: County File Number 2016101058 / APN 177-131-011 / Salinas Travel Stop

Dear Ms. Miller:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Previous Studies:

_XX_ Study #S-030213 (Clark Historic Resource Consultants 2000) identified no historical buildings and/or structures within the surveyed portion of the proposed project area. Study #S-046966 (Nelson et al. 2003), covering approximately 30% of the proposed project area, identified no cultural resources within the surveyed portion of the proposed project area (see recommendations below).

Archaeological and Native American Resources Recommendations:

_XX_ The proposed project area has a moderate possibility of containing unrecorded archaeological site(s). Therefore, we recommend a qualified archaeologist conduct further archival and field study of the unsurveyed portions of the proposed project area to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at http://www.chrisinfo.org.

_XX_ We recommend lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

Built Environment Recommendations:

_XX_ The 1912 USGS Salinas 15' quad and the 1947 (photorevised 1968) USGS Natividad 7.5' quad depict one or more buildings in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, it is recommended that if such buildings or structures are present, a qualified professional familiar with the architecture and history of Monterey County conduct a formal CEQA evaluation prior to the commencement of project activities.

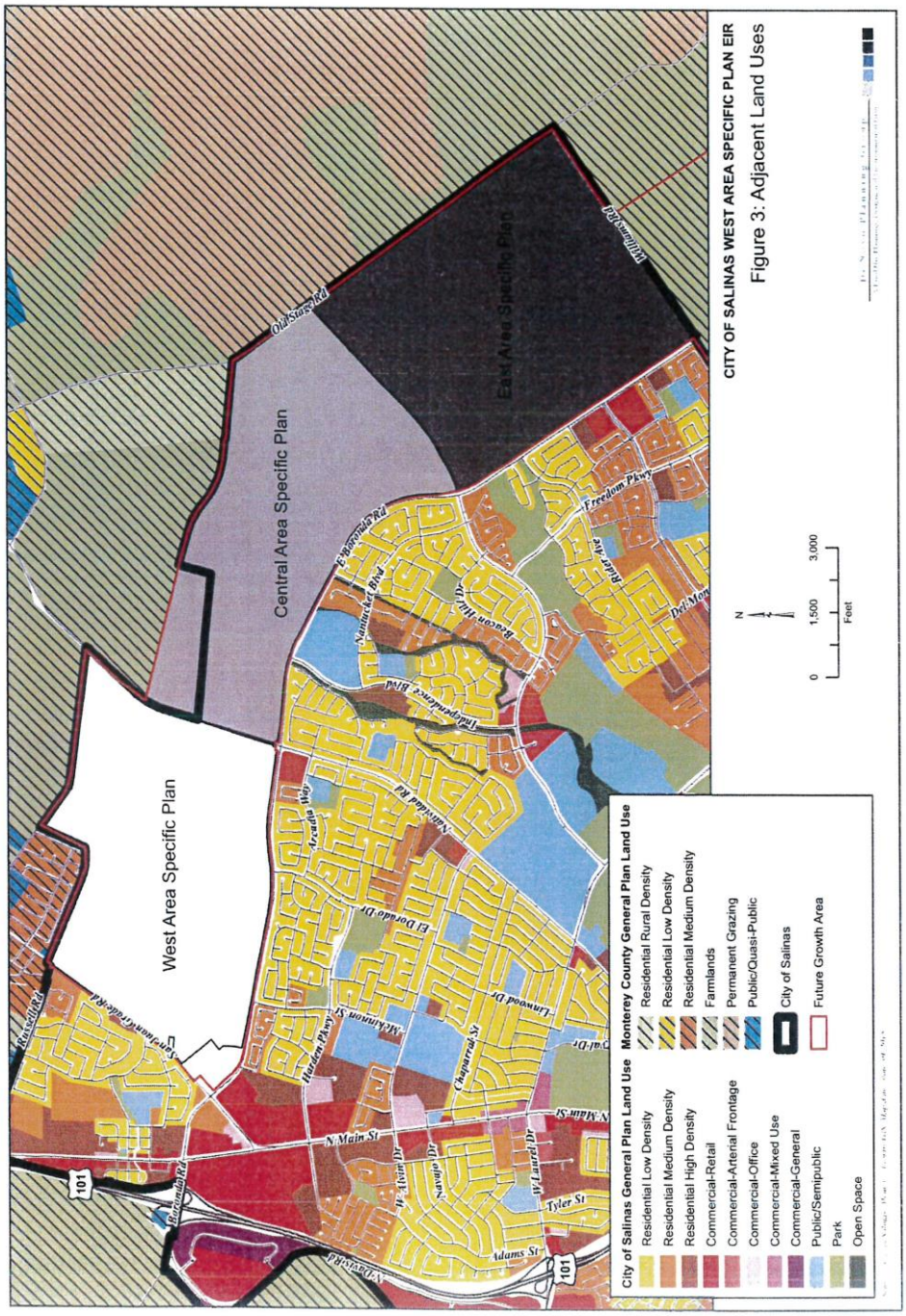
Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at http://www.chrisinfo.org. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions, please give us a call at (707) 588-8455.

Sincerely,

Jessika Akmenkalns
Researcher


CITY OF SALINAS WEST AREA SPECIFIC PLAN EIR
Figure 3: Adjacent Land Uses
West Area Specific Plan
Central Area Specific Plan
East Area Specific Plan
Old Stage Rd
Williams Rd
Freedom Pkwy
Rider Ave
Del Monte
Beacon Hill Dr
Natividad Blvd
Natividad Rd
Independence Blvd
Arrada Way
Harden Pkwy
N. Main St
W. Alvin Dr
Navajo Dr
Chaparral St
Lawrence Dr
W. Laurel Dr
Tyler St
Adams St
N. Main St
Rossi Rd
Sherman Ranch Rd
Boronda Rd
101
0 1,500 3,000
Feet
N
City of Salinas General Plan Land Use
Residential Low Density
Residential Medium Density
Residential High Density
Commercial-Retail
Commercial-Arterial Frontage
Commercial-Office
Commercial-Mixed Use
Commercial-General
Public/Semipublic
Park
Open Space
Monterey County General Plan Land Use
Residential Rural Density
Residential Low Density
Residential Medium Density
Farmlands
Permanent Grazing
Public/Quasi-Public
City of Salinas
Future Growth Area

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA, COLUSA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO, MONTEREY, NAPA, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLATA, SANTA CRUZ, SOLANO, SONOMA, YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
http://www.sonoma.edu/nwic

4/12/2017 NWIC File No.: 16-1410

Neal Neuenschwander
Peak & Associates, Inc.
3161 Godman Avenue
Chico, CA 95973

re: Central Area Specific Plan (CASP) Project

The Northwest Information Center received your record search request for the project area referenced above, located on the Natividad USGS 7.5' quad. The following reflects the results of the records search for the project area and a 0.1 mile radius:

Resources within project area:	None
Resources within 0.1 mile radius:	None
Reports within project area:	S-31347, 5558, 8022, 27611, 11396, & 22819 (did not copy S-11396 & 22819).
Reports within 0.1 mile radius:	S-7855, 8021, & 27976.
Other Reports within records search radius:	S-848, 2164, 24494, 30204, & 32596 . These reports are classified as Other Reports; reports with little or no field work or missing maps. The electronic maps do not depict study areas for these reports, however a list of these reports has been provided. In addition, you have not been charged any fees associated with these studies.

Resource Database Printout (list):	☐ enclosed	☐ not requested	☒ nothing listed
Resource Database Printout (details):	☐ enclosed	☒ not requested	☐ nothing listed
Resource Digital Database Records:	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (list):	☒ enclosed	☐ not requested	☐ nothing listed
Report Database Printout (details):	☐ enclosed	☒ not requested	☐ nothing listed
Report Digital Database Records:	☐ enclosed	☒ not requested	☐ nothing listed
Resource Record Copies:	☐ enclosed	☐ not requested	☒ nothing listed
Report Copies:	☒ enclosed	☐ not requested	☐ nothing listed
OHP Historic Properties Directory:	☒ enclosed	☐ not requested	☐ nothing listed
Archaeological Determinations of Eligibility:	☐ enclosed	☐ not requested	☒ nothing listed

CA Inventory of Historic Resources (1976):	☒ enclosed	☐ not requested	☐ nothing listed
Caltrans Bridge Survey:	☐ enclosed	☒ not requested	☐ nothing listed
Ethnographic Information:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Literature:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Maps:	☐ enclosed	☒ not requested	☐ nothing listed
Local Inventories:	☐ enclosed	☐ not requested	☒ nothing listed
GLO and/or Rancho Plat Maps:	☒ enclosed	☐ not requested	☐ nothing listed
Shipwreck Inventory:	☐ enclosed	☒ not requested	☐ nothing listed

*Notes:

** Current versions of these resources are available on-line:

Caltrans Bridge Survey: http://www.dot.ca.gov/hq/structur/strmaint/historic.htm

Soil Survey: http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

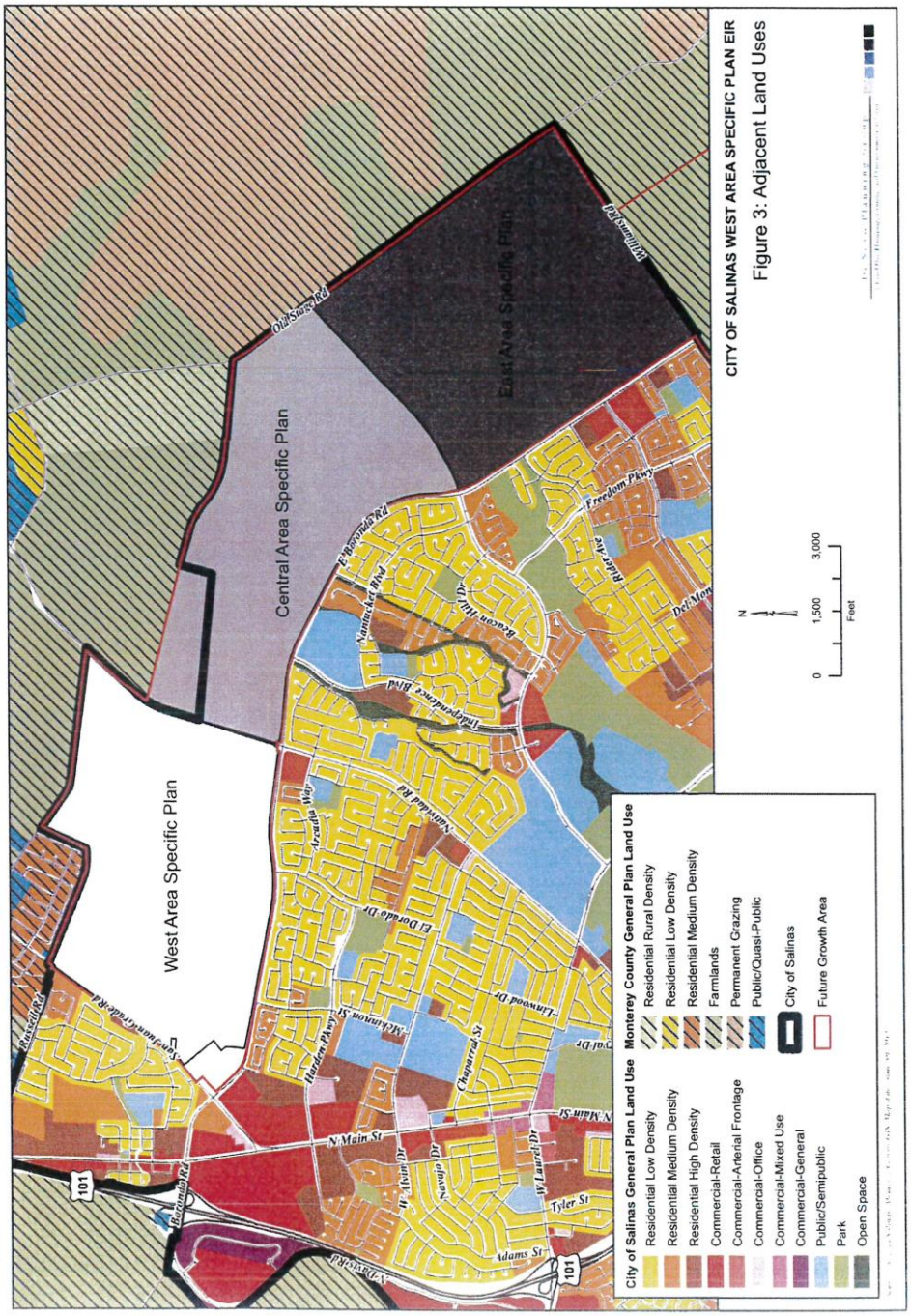
Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Lisa C. Hagel
Researcher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Commercial-Retail
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Public/Quasi-Public
City of Salinas
Future Growth Area

THE NEW SALINAS POLICE DEPARTMENT
312 E. ALISAL STREET SALIANS CA

The new Salinas Police Department ("the Project") will be built on vacant property consisting of 8.5 acres. Of the 8.5 acres, 6.5 acres located at 312 E Alisal and 7 Murpohy Street will house two Department buildings and associated parking. The proposed use of the two additional acres at 282 and 285 E. Alisal Street will be determined in the future with community dialogue originating from the creation of the new Department. It is envisioned that these two-acres will be developed as community amenities to enhance the civic experience of the new Police Department and to help it fit into the new location.

The Project conceived for the 6.5 acre site will consist of two buildings the larger is which will be the "Headquarters." It will most likely be a two-story building of between 40,000 and 60,000 square feet. Headquarters will be connected by a secure sally-port to a second 34,000 square foot building that will house the non-essential services. Some of these non-essential services may be more efficiently developed as separate out-buildings and be located elsewhere on the same property. It is estimated that 378 at-grade parking spaces will need to be accommodated. The building will be completely finished and furnished as a turnkey project.

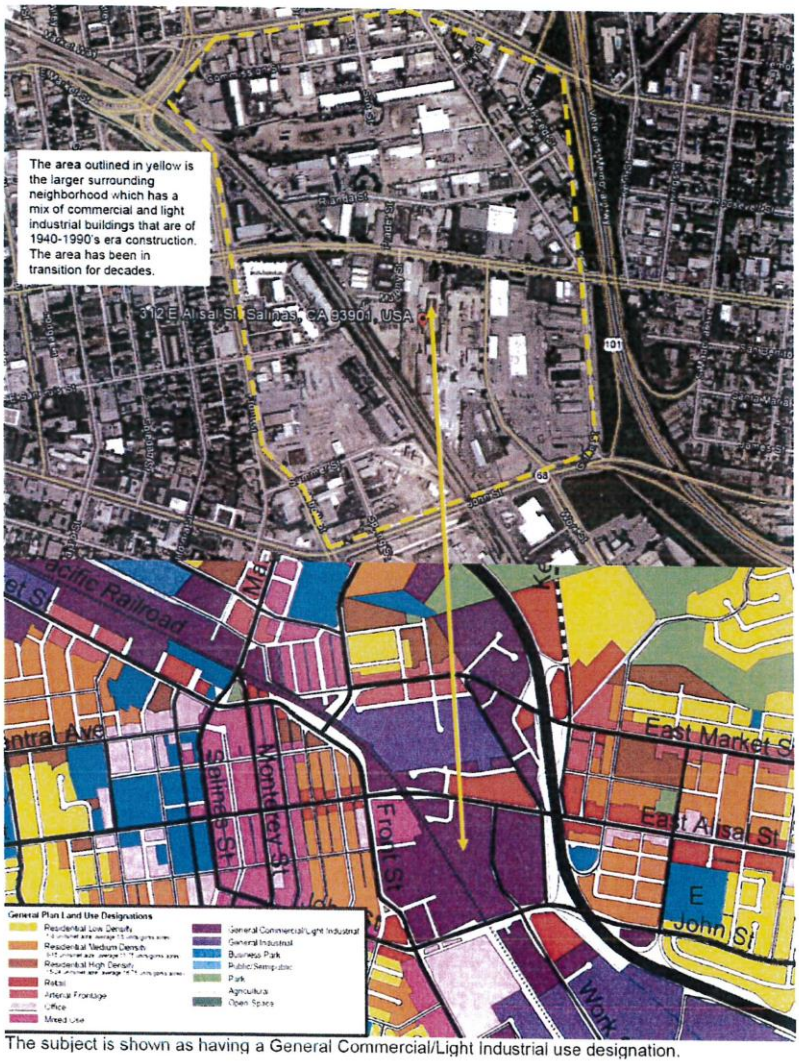
The Headquarters Building will include all of the patrol, administrative, support and investigative functions normally associated with law enforcement activities. After receiving public and community input, an assessment will be made to determine how to best include the community into this space, through meeting rooms, offices, board rooms and other spaces that promote the inclusionary vision of shared facility. This building will house all first-responder functions and is to be built to include all of the areas that life safety building codes require to the highest wind and seismic standards in strict accordance with the California Health and Safety Code Sections 16000-16022, known as the Essential Services Buildings Seismic Safety Act ("ESBSSA") implemented in Title 24, part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3. The buildings themselves will include universal access to persons of various abilities. The rooms will be clearly labeled for easy identification. Private and public spaces will be clearly identified and secured to help resolve confusion before it occurs. Prior to the acceptance of the City the new building must be fully-equipped, furnished and operational.

The Secondary Building will house functions that are odiferous, noisy and purely storage in nature. Examples might include evidence drying, evidence storage, forensic vehicle investigation, forensic laboratory, K-9, a fire-arms proficiency range and warehouse uses. No first-responder functions are presently contemplated to be housed in this building and it is anticipated that it will be constructed to commercial office standards. Warehousing evidence may be better suited for a third separate building. Hazardous and bio-hazardous waste must be anticipated in design. Prior to acceptance, it will be fully equipped, furnished and operational.

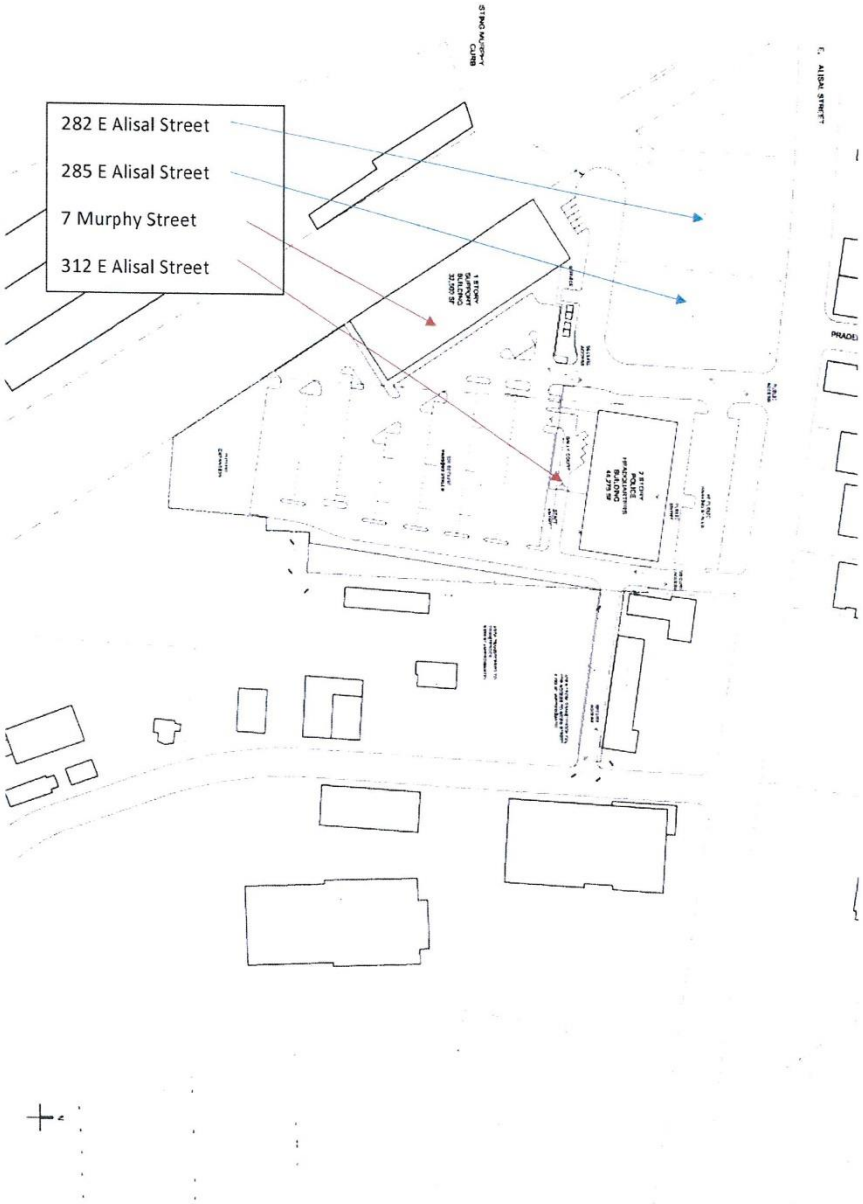
It is estimated that 378 secure at grade parking spaces will be needed and located to the south behind the two buildings between the rail tracks and the building. This will accommodate both sworn and nonsworn staff, and fleet resources. Efforts are underway to secure an easement through the private property east to Work Street that can be used by Department staff to enter and exit the secure parking behind the building (southern side of the property- refer to Subsection 4 and photo of the site). The southern border along the Union Pacific rail tracks must be secure, under video surveillance and gated from public access. There are to be 50 public parking spaces in front of the building. These spaces are to be attractive, safe and accessible from East Alisal Street. The parking lots will be designed to manage

storm water run-off and storm water pollution prevention plans in compliance with the provisions of the City's National Pollution Discharge Elimination System Permit.

Below are a location map and site plan for the Project.



The subject is shown as having a General Commercial/Light Industrial use designation.



Response A-4: This comment serves as a conclusion to the letter. This comment is noted and does not warrant a response. No further response is necessary.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

April 10, 2019

Jill Miller, Senior Planner
City of Salinas
65 West Alisal Street, Second Floor
Salinas, California 93901

Subject: West Area Specific Plan (Project)
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH No.: 2006021072

Dear Ms. Miller:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from the City of Salinas for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

B-1

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statue for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). B-1 (Cont'd)

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures implementation of the Project could result in pollution of Waters of the State from storm water runoff or construction-related erosion. Potential impacts to the wildlife resources that utilize these watercourses include the following: increased sediment input from road or structure runoff; toxic runoff associated with development activities and implementation; and/or impairment of wildlife movement along riparian corridors. The Regional Water Quality Control Board and United States Army Corps of Engineers also have jurisdiction regarding discharge and pollution to Waters of the State.

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (i.e., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Salinas

Jill Miller
West Area Specific Plan
April 10, 2019
Page 3

Objective: The City of Salinas has developed the West Area Specific Plan (hereafter, Specific Plan) which establishes the land use planning and regulatory guidance, including the land use and zoning designations and policies, development regulations, and design standards, for the approximately 797-acre Specific Plan area. The Specific Plan will serve as a bridge between the Salinas General Plan and individual development applications in the Specific Plan Area. Proposed land uses in the Specific Plan area include residential, mixed use commercial, community park, neighborhood parks, small parks, schools, and open space. The objective of the proposed Project includes development of 4,340 residential dwelling units, up to 571,500-square-feet of commercial/mixed use building area, and up to 177-acres of public facilities including three elementary schools, a high school, a middle school, open space areas and 11 parks. It is anticipated that the Specific Plan area will house up to 15,298 residents at Project build-out. B-1 (Cont'd)

Location: The Project is located in northwest Salinas, California. The Specific Plan area is bounded on the north by Rogge and Russel Roads; on the east by Natividad Road; on the west by San Juan Grade Road; and on the south by East Boronda Road. Assessor's Parcel Numbers 211-011-011, 211-011-008, 211-011-003, 211-001-009, 211-011-002, 211-011-010, 211-011-001, 211-231-067, 211-231-012, 211-231-013, 211-231-059, 211-231-068, 211-231-016.

Timeframe: Unspecified.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Salinas in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Currently, the DEIR indicates that the Project's impacts would be less than significant with the implementation of mitigation measures described in the DEIR. However, as currently drafted, it is unclear whether the mitigation measures described will be enforceable or sufficient in reducing impacts to a level that is less than significant. In particular, CDFW is concerned regarding adequacy of mitigation measures for special-status species including, but not limited to, the State and federally Threatened California tiger salamander (*Ambystoma californiense*), the State Species of Special Concern and federally threatened California red-legged frog (*Rana draytonii*).

I. Environmental Setting and Related Impact B-2

Would the Project have a substantial adverse effect, either directly or through

Jill Miller
West Area Specific Plan
April 10, 2019
Page 4

habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?

COMMENT 1: California Tiger Salamander (CTS)

Section 3.2. Biological Resources; Mitigation Measures (MM) 3.2-1 and 3.2-2; pages 3.2-34 through 3.2-35.

Issue: CTS are known to occur within and in the vicinity of the Project site (CDFW 2019). The DEIR, as currently drafted, includes measures that may not be enforceable or adequate in minimizing take to a level that is less than significant or that may themselves result in take. Take is defined in Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or the attempt to do so. In addition, there are no focused surveys for CTS proposed, no survey protocols specified, and details on how avoidance of take would be achieved are absent from these measures. For example, MM 3.2-1 requires that Project applicants consult with CDFW for "concurrence and a final confirmation that a take permit is not necessary" for CTS. However, in practice, CDFW offers no such concurrence for projects. In addition, MM 3.2-2 requires hand excavation of burrows, installation of drift fencing with pitfall traps as an exclusion method, and salvage and relocation of CTS found during burrow excavation and pit fall trapping. The measures in MM 3.2-2 will result in take of CTS if present via entrapment and direct capture and are thus not appropriate mitigation measures to minimize Project impacts. Take of CTS and other listed species will violate Fish and Game Code if not authorized through the acquisition of an Incidental Take Permit (ITP) pursuant to Fish and Game Code Section 2081(b). B-2 (Cont'd)

Specific Impacts: Without appropriate mitigation measures, potential Project-related impacts include collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to breeding sites, reduced reproductive success, reduction in health, and direct mortality of individuals.

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to development (Searcy et al. 2013). Loss, degradation, and fragmentation of habitat are the primary threats to CTS. Contaminants and vehicle strikes are also sources of mortality for the species (CDFW 2015, USFWS 2017a). The Project area is within the range of CTS and larvae have been found within a detention basin within the Project area (CDFW 2019). CTS have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011) and the entire Project area lies within 1.5 miles of the larvae occurrence record. Therefore, the Project has the potential to significantly impact local populations of CTS.

Recommended Potentially Feasible Mitigation Measure(s)
Because CTS occur within the Project area, CDFW recommends conducting the following evaluation of individual Project sites, editing the DEIR to include the following measures, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: Focused CTS Site Assessment and Survey

CDFW recommends that a qualified wildlife biologist assess individual Project sites and their vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) to evaluate the potential for CTS. CDFW recommends site assessments follow the USFWS "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003). CDFW recommends the qualified biologist determine the impacts of Project-related activities to all CTS upland and breeding habitat features within and/or adjacent to the construction footprint.

If, following the site assessment, it is determined there is suitable habitat present for breeding or upland refugia on the Project site, protocol-level surveys are advised to be conducted in accordance with the USFWS' Interim Guidance document (USFWS 2003). CDFW recommends that survey findings be submitted for review. In order for a negative finding for CTS to be accepted, CDFW must make a determination whether it will accept negative findings based on whether there has been sufficient rainfall. In addition, acceptance of a negative finding for CTS requires protocol-level surveys for two consecutive wet seasons.

B-2 (Cont'd)

Recommended Mitigation Measure 2: CTS Avoidance

CDFW advises that a minimum 50-foot no disturbance buffer be delineated around all small mammal burrows in suitable upland habitat and a minimum 250-foot no disturbance buffer around occupied breeding pools within and/or adjacent to the Project sites' construction footprints. CDFW also recommends avoiding any impacts that could alter the hydrology or result in sedimentation of breeding pools. If avoidance is not feasible, consultation with CDFW is warranted to determine if projects can avoid take.

Recommended Mitigation Measure 3: CTS Take Authorization

If through surveys it is determined that CTS are occupying or have the potential to occupy the Project site and take cannot be avoided, take authorization would be warranted prior to initiating ground-disturbing activities. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code

Jill Miller
West Area Specific Plan
April 10, 2019
Page 6

Section 2081(b). Alternatively, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and obtain an ITP from CDFW. B-2 (Cont'd)

COMMENT 2: California red legged frog (CRLF)

Section 3.2. Biological Resources; MM 3.2-4; page 3.2-37.

Issue: The DEIR acknowledges the potential for CRLF to occur within the Project area. The DEIR, as currently drafted, includes measures that may not be enforceable or adequate in minimizing take to a level that is less than significant or that may themselves result in take. For example, MM 3.2-4 requires installation of drift fencing as an exclusion method. The measures in MM 3.2-4 will result in take of CRLF if present via entrapment and are thus not appropriate mitigation measures to minimize Project impacts.

Specific impact: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the Project's activities could include entrapment, direct mortality effects, and indirect negative effects by altering habitat availability and quality.

B-3

Evidence impact is potentially significant: CRLF populations throughout the state have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF (Thomson et al. 2016, USFWS 2017c). All of these impacts have the potential to result from the Project. Therefore, project activities have the potential to significantly impact CRLF.

Recommended Potentially Feasible Mitigation Measure(s)
Because the DEIR identifies the potential for CRLF to occur in the Project area, CDFW recommends conducting the following evaluation of individual Project sites, editing the DEIR to include the following measures, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: CRLF Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if project sites or their immediate vicinity contain suitable habitat for CRLF.

Recommended Mitigation Measure 5: CRLF Surveys

If suitable habitat is present, CDFW recommends that a qualified wildlife biologist conduct surveys for CRLF within 48 hours prior to commencing work (two night surveys immediately prior to construction or as otherwise required by the USFWS) in accordance with the USFWS' *"Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog"* (USFWS 2005) to determine if CRLF are within or adjacent to individual Project sites.

Recommended Mitigation Measure 6: CRLF Avoidance B-3 (Cont'd)

If any CRLF are found during preconstruction surveys or at any time during construction, CDFW recommends that construction cease and that CDFW be contacted to discuss a relocation plan for CRLF by a qualified biologist.

CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends a qualified biologist monitor construction activities daily for CRLF.

II. Editorial Comments and/or Suggestions

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CTS and CRLF. Take under the federal Endangered Species Act (ESA) is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with ESA is advised well in advance of any ground disturbing activities.

Nesting Birds: CDFW encourages Project implementation occur during the bird non-nesting season. However, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project's applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. B-4

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and

determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends the work causing that change cease and that CDFW be consulted for additional avoidance and minimization measures.

B-4 (Cont'd)

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250-feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to CNDDB. The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

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CDFW appreciates the opportunity to comment on the Project to assist the City of Salinas in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions, please contact Renée Robison, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014, extension 274, or by electronic mail at Renee.Robison@wildlife.ca.gov. B-6 (Cont'd)

Sincerely,

Julie A. Vance
Regional Manager

cc: Leilani Takano
United States Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, California 93003

ec: California Department of Fish and Wildlife:
Veronica Salazar, LSA Program
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Jeff Cann, Environmental Scientist
Jeff.Cann@wildlife.ca.gov

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Response to Letter B: Julie A. Vance, California Department of Fish and Wildlife (CDFW) – Central Region

Response B-1: The commentor provides an introduction to the comment letter. The commentor describes the role of the California Department of Fish and Wildlife (CDFW) as both a Trustee Agency for fish and wildlife resources (and holds those resources in trust by statute for all the people of the State), and as a Responsible Agency under CEQA. The commentor describes that the CDFW has jurisdiction over the potential to result in disturbance or destruction of active nest sites or the unauthorized take of birds, and that "*Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species*", and that "*In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (i.e. CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.*"

The commentor provides a brief summary of the project description, objective, and location of the proposed project. Additionally, the commentor states that: "*CDFW offers the following comments and recommendations to assist the City of Salinas in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.*" The commentor then states that it is unclear whether the mitigation measures provided in the Biological Resources section of the DEIR are sufficient in reducing impacts to a level that is less than significant. The commentor states the CDFW has concern regarding the adequacy of mitigation measures for the special-status species including, but not limited to, the State and federally Threatened California tiger salamander (*Ambystoma californiense*), and the State Species of Special Concern and federally threatened California red-legged frog (*Rana draytonii*).

The concerns described by this comment are responded to in full in the following responses (Responses B-2 through B-5). This comment serves as an introduction to the comment letter and no further response is required.

Response B-2: The commentor states the following:

> "***Issue***: *CTS are known to occur within and in the vicinity of the Project site (CDFW 2019). The DEIR, as currently drafted, includes measures that may not be enforceable or adequate in minimizing take to a level that is less than significant or that may themselves result in take. Take is defined in Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or the attempt to do so. In addition, there are no focused surveys for CTS proposed, no survey protocols specified, and details on how avoidance of take would be achieved are absent from these measures. For example, MM 3.2-1 requires that Project applicants consult with CDFW for "concurrence and a final confirmation that a take permit is not necessary" for CTS. However, in practice, CDFW offers no such concurrence for projects. In addition, MM 3.2-2*

requires hand excavation of burrows, installation of drift fencing with pitfall traps as an exclusion method, and salvage and relocation of CTS found during burrow excavation and pit fall trapping. The measures in MM 3.2-2 will result in take of CTS if present via entrapment and direct capture and are thus not appropriate mitigation measures to minimize Project impacts. Take of CTS and other listed species will violate Fish and Game Code if not authorized through the acquisition of an Incidental Take Permit (ITP) pursuant to Fish and Game Code Section 2081 (b).

***Specific Impacts**: Without appropriate mitigation measures, potential Project-related impacts include collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to breeding sites, reduced reproductive success, reduction in health, and direct mortality of individuals.*

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to development (Searcy et al. 2013). Loss, degradation, and fragmentation of habitat are the primary threats to CTS. Contaminants and vehicle strikes are also sources of mortality for the species (CDFW 2015, USFWS 2017a). The Project area is within the range of CTS and larvae have been found within a detention basin within the Project area (CDFW 2019). CTS have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011) and the entire Project area lies within 1.5 miles of the larvae occurrence record. Therefore, the Project has the potential to significantly impact local populations of CTS."

The California tiger salamander (CTS) (*Ambystoma californiense*) is addressed on pages 3.2-31 through 3.2-35 of the Draft EIR. Within this text, the CTS federal and state listing status is presented, a full description of the species and habitat is provided, and California Natural Diversity Database (CNDDB) records are presented. Page 3.2-31 states "*There are CNDDB records from 2007 and 2008 of CTS located in an agricultural basin immediately adjacent to the Specific Plan Area. The basin was estimated to be five feet deep and approximately 0.25 acres in size located on the east side of Natividad Road, approximately 0.4 miles north of East Boronda Road. The habitat was described as "substantial submergent and emergent vegetation; basin is surrounded by active agricultural product in in all directions." There were 30 larvae observed on September 5, 2007. Twenty-two larval tail clippings were collected for genetic testing by the UC Davis Schaffer Laboratory. The results of the testing indicated that the larvae are hybrids."* The EIR then states that "*It is anticipated that CTS adults will disperse at night up to 1.3 miles to refuge sites. The entire Specific Plan Area is within the 1.3 miles migration distance for CTS…."*

On pages 3.2-31 through 3.2-32, the EIR describes six microhabitats found within the Specific Plan area and provides a discussion of the suitability of the habitat for the different stages of the CTS lifecycle (i.e., upland refugia and aquatic breeding). The EIR states "*While the Specific Plan Area is largely agricultural with a high level of ground disturbance, there are small microhabitats, some of which can provide habitat for CTS. The microhabitats include: farmland fringe (or edge), irrigation ditch (1.13 acres), roadside/ditch bank (3.26 acres) and areas farmland residence/structures*."

The EIR concludes that "*there are numerous locations for refugia (debris, burrows, crevices, barns, sheds, etc.) within the Plan Area that could be used by migrating CTS. Higher quality upland habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential refuge sites. It is noted that there is not any known CTS taking refuge in the Specific Plan Area during their estivation period. It is also theoretically possible that a breeding CTS would emerge from the breeding basin and migrate west of Natividad Road to find refugia in the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the farmland fringe, irrigation ditch, roadside ditch, and farmland residence. The paved roads, dirt roads, and tilled farmland provide limited habitat because of the frequency of disturbance in these areas. Given that the entire Specific Plan Area is within the 1.3-mile migration radius, and there is potential aquatic breeding and upland habitat, the proposed project will affect this breeding population of CTS.*"

The EIR does disclose that the CTS surveys included a genetic evaluation of the population. Page 3.2-33 states "*this population has been genetically evaluated and has been determined to be a hybrid population which does not receive the same legal protections as a distinct population segment (DPS). As of the writing of this EIR, neither the USFWS nor the California Fish and Game Commission had officially listed this metapopulation under either ESA or CESA. While it is anticipated that the proposed project would eliminate all potential for refuge in the Specific Plan Area, it is not ruled a significant impact because this metapopulation is not protected. Regardless, there is the potential for a species status to change at some future time and present a new impact that could not have been determined at this time.*"

It is acknowledged that, as it appears in the Draft EIR, Mitigation Measure 3.2-1 requires the applicant to "*consult with the USFWS and CDFW for concurrence and a final confirmation that a take permit is not necessary for impacts to the hybrid population of California tiger salamander located along Natividad Road. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file."* The commentor indicates that the CDFW provides no such concurrence. The City consulted with the CDFW (per. comm. Renee Robison 7/23/19) to discuss these comments, and the regulatory permit process as it relates to CTS. The CDFW noted that even though the CTS population has been genetically evaluated and has been determined to be a hybrid population, and is not a distinct population segment (DPS), any incidental take, including its habitat, would warrant authorization under Fish and Game Code Section 2081. The CDFW indicated that their agency, along with the USFWS, will establish avoidance, minimization, and mitigation measures through the regulatory permitting process. These measures would require activities to avoid and minimize impacts to CTS. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report. The regulatory agencies may also require compensatory mitigation for any take,

including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated." (Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant.

As a result of these comments, and the per. comm. with CDFW, the City has modified the DEIR text, including modifications to the mitigation measure. The City has therefore modified the Draft EIR text on page 3.2-32 through 3.3-36 as follows:

CONCLUSION

As previously noted, there are numerous locations for refugia (debris, burrows, crevices, barns, sheds, etc.) within the Specific Plan Area that could be used by migrating CTS. Higher quality upland habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential refuge sites. It is noted that there is not any known CTS taking refuge in the Specific Plan Area during their estivation period. It is also theoretically possible that a breeding CTS would emerge from the breeding basin and migrate west of Natividad Road to find refugia in the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the farmland fringe, irrigation ditch, roadside ditch, and farmland residence. The paved roads, dirt roads, and tilled farmland provide limited habitat because of the frequency of disturbance in these areas. Given that the entire Specific Plan Area is within the 1.3-mile migration radius, and there is potential aquatic breeding and upland habitat, the proposed project will affect this breeding population of CTS.

It is noted that this population has been genetically evaluated and has been determined to be a hybrid population ~~which does not receive the same legal protections as~~ and is not a distinct population segment (DPS). ~~As of the writing of this EIR, neither the USFWS nor the California Fish and Game Commission had officially listed this metapopulation under either ESA or CESA. While it is anticipated that the proposed project would eliminate all potential for refuge in the Specific Plan Area, it is not ruled a significant impact because this metapopulation is not protected. Regardless, there is the potential for a species status to change at some future time and present a new impact that could not have been determined at this time.~~

Mitigation measures are presented ~~to ensure a final concurrence is obtained from the~~ that require consultation with the regulatory agencies to ensure that there is no illegal take for CTS ~~even though they are well documented as a hybrid population~~. Additionally, the regulatory agencies have established avoidance, minimization, and mitigation measures

that they impose on projects through the regulatory permitting process. These measures ~~are presented that~~ would require activities to avoid and minimize impacts to CTS ~~to the extent feasible. Such avoidance and minimization measures include conducting environmental education training for all construction personnel covering the California tiger salamander, the importance of avoiding adverse effects to the species. A biologist(s) would be responsible for overseeing any hand excavation of burrows using hand-trowels and spades. Burrows would be excavated to the terminus of the tunnels, or to where the burrow is less than or equal to 0.5 inch in diameter. If ground disturbing activities in suitable habitat (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence) are projected to extend beyond the first rain of the rainy season, the applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California tiger salamanders from entering these sites. Drift fencing will be installed and inspected by the biologist(s) no less than 72 hours prior to the first rain event of the rainy season. If weather conditions necessitate the installation of drift fencing, the approved biologist(s) will oversee the installation of pit traps to capture California tiger salamanders migrating during the rain events. The biologist(s) will check pit traps twice daily, once in the morning prior to the start of construction and once at the end of the work day. Any California tiger salamanders captured in pit traps or uncovered in burrows will be transferred immediately to a site designated by the USFWS and CDFW. Transported animals must be kept cool and moist. A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project. The report will include: dates of project groundbreaking and completion, information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California tiger salamanders, an explanation of failure to meet such measures, if any, known project effects on the California tiger salamander, observed incidences of injury to or mortality of the species, and any other relevant information.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated." (Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or

designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant.

With implementation of the following measures, the proposed project would not, directly or indirectly, have a substantial adverse effect on amphibian or reptile species through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. This potential impact is reduced to a ***less than significant*** level.

MITIGATION MEASURES

Mitigation Measure 3.2-1*: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CTS. The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CTS habitat.* ~~shall consult with the USFWS and CDFW for concurrence and a final confirmation that a take permit is not necessary for impacts to the hybrid population of California tiger salamander located along Natividad Road. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file. If the status of this metapopulation were to change and become protected prior to construction, or the regulatory agencies do not concur that the metapopulation does not require a take permit, then the project applicant shall initiate a consultation with the agencies and obtain the appropriate take permits.~~

Mitigation Measure 3.2-2*: Prior* to *issuance of grading and/or building permits, in order to avoid and minimize impacts to California tiger salamander* ~~*to the extent feasible*~~*, the proposed project activities shall be compliant with all* ~~*the following*~~ *Avoidance and Minimization Measures imposed by the USFWS and/or CDFW during Construction Activities.* ~~*These measures are intended to apply, regardless of the consultation process with regulatory agencies.*~~ *Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start*

and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.

~~*a) Prior to excavation work or other ground disturbance, a qualified biologist(s) will conduct environmental education training for all construction personnel covering the California tiger salamander, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.*~~

~~*b) The biologist(s) will oversee the hand excavation of any burrows located in suitable habitat that are within the project footprint (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence). These excavations will be performed carefully using hand-trowels and spades. Burrows will be excavated to the terminus of the tunnels, or to where the burrow is less than or equal to 0.5 inch in diameter.*~~

~~*c) If ground disturbing activities in suitable habitat (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence) are projected to extend beyond the first rain of the rainy season, the applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California tiger salamanders from entering these sites. Drift fencing will be installed and inspected by the biologist(s) no less than 72 hours prior to the first rain event of the rainy season. If weather conditions necessitate the installation of drift fencing, the approved biologist(s) will oversee the installation of pit traps to capture California tiger salamanders migrating during the rain events. The biologist(s) will check pit traps twice daily, once in the morning prior to the start of construction and once at the end of the work day.*~~

~~*d) Any California tiger salamanders captured in pit traps or uncovered in burrows will be transferred immediately to a site designated by the USFWS and CDFW. Transported animals must be kept cool and moist.*~~

~~*e) A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project for which the grading and/or building permit was required. The report will include:*~~

~~*a. Dates of project groundbreaking and completion.*~~

~~*b. Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California tiger salamanders.*~~

~~*c. An explanation of failure to meet such measures, if any.*~~

~~*d. Known project effects on the California tiger salamander.*~~

~~*e. Observed incidences of injury to or mortality of the species.*~~

~~*f. Any other relevant information.*~~

Appendix D of the EIR includes the original Biological Resources Report for the entire North of Boronda Future Growth Area (herein referred to as Future Growth Area or FGA), of which the Specific Plan Area is a portion. The Biological Resources Report is referenced on Page 3.2-1 of the Draft EIR and it serves as the basis for the conclusions related to the CTS. Page 2 of the Biological Resources Report states:

> *"2.2.1 California Tiger Salamander (CTS) Assessment and Survey. The CTS assessment was performed, following the protocol - Interim Guidance on Site Assessment for Determining the Presence or a Negative Finding of the California Tiger Salamander, October 2003 (USFWS and CDFG, 2003). The protocol includes a habitat assessment, spring surveys for two consecutive years, and an intervening winter drift fence study if the initial spring surveys result in negative findings. For the purposes of this study, surveys for CTS were limited to spring larval sampling in 2004, due to the uncertainty of the federal listing status of CTS during the course of this study.*
>
> *2.2.1.1 Habitat Assessment. The existing habitat conditions of the Project area and within 1.24 miles of the site were initially evaluated during a preliminary reconnaissance of the 2,400-acre Project area on 10 February 2004. The 2,400-acre area was cursorily evaluated by driving the perimeter of the site, as well as through interpretation of the USGS Natividad quadrangle and a 1 ''= 500' scale aerial map. Additional information also was derived from observations during focused surveys performed in 2002-03 for Creekbridge Homes on a 600-acre site located within the current study area (Bryan Mori, Biological Consulting Services and Biotic Resources Group 2003). The CNDDB was accessed for information on CTS locations within 3.1 miles of the project site. Other sources for CTS records included relevant biological assessments and consultation with other biologists. A preliminary habitat assessment incorporating the above information was provided to the USFWS and CDFG as part of a notification letter-report to conduct spring aquatic sampling of the project site for this study, per protocol requirements (Bryan Mori, Biological Consulting Services, letter dated 30 March 2004).*
>
> *2.1.2 Spring Aquatic Surveys. Initially, CTS aquatic surveys were performed on a limited portion of the study site in spring of 2002 and 2003, as part of a separate biological constraints analysis performed on the 600-acre Creekbridge Homes site, referenced above. The 2002-03 CTS study was conducted following the protocol in affect at that time -Inland Fisheries Informational Leaflet No. 44, Survey Protocol for California Tiger Salamander (Ambystoma californiense) (CDFG 1997). Two agricultural ponds and portions of Natividad Creek and an unnamed drainage were sampled, using a combination of dipnets, seine and minnow traps, but no larvae were observed over the two spring seasons. However, an adult, road-kill tiger salamander was observed adjacent to the site on Old Stage Road during the intervening winter upland survey (Bryan Mori, Biological Consulting Services and Biotic Resources Group 2003). The aquatic sites sampled in 2002-03 were not sampled during the course of this study, due to the negative results obtained and because the two ponds were removed by the property owner shortly after the 2002 spring sampling.*

For this study, two agricultural ponds (Ponds 1 and 2) and portions of an unnamed tributary drainage to Natividad Creek were surveyed for CTS larvae (Figure 4). Under the current protocol, three spring larval surveys are required at each aquatic site, with one survey performed each month from March through May, however, surveys should cease when the presence of larvae is confirmed. Ponds 1 and 2 were sampled on 7 April and 19 May 2004, while the drainage was sampled on 8 and 26 April, and 12 May 2004. A March survey of the aquatic sites was not performed due to the late start of the study. Consequently, two surveys were scheduled in April to increase sampling effort. Ponds 1 and 2 were sampled twice due to the early confirmation of tiger salamander larvae; the presence of tiger salamander larvae was established at these ponds on 7 April, and an additional survey was performed on 19 May in association with Ben Fitzpatrick (UC Davis) to collect tissue samples for DNA analysis, in order to determine the taxonomic status of the tiger salamanders present. A combination of dipnets and seines were used for sampling at all aquatic sites. At each sampling site, the habitat was photographed, and general habitat characteristics observed and species collected were recorded in a field notebook. The details of the CTS surveys are presented as a separate document that was submitted to the USFWS, per protocol (Bryan Mori of Biological Consulting Services 2005)."

The commenter's Recommended Mitigation Measure 1 calls for a Focused CTS Site Assessment and Survey. The City believes that such an assessment and survey are unnecessary. A Focused CTS Site Assessment and Survey was previously performed by Bryan Mori of Biological Consulting Services in in 2002 and 2003. Additionally, another survey was performed on February 10, 2004. These surveys are documented in the Biological Resources Report (Appendix D to the Draft EIR). A preliminary habitat assessment incorporating the information found was provided to the USFWS and CDFG as part of a notification letter-report to conduct spring aquatic sampling in the Specific Plan Area per protocol requirements (Bryan Mori Biological Consulting Services, letter dated March 30, 2004). The inclusion of "Recommended Mitigation Measure 1: Focused CTS Site Assessment and Survey" as provided by the commentor is not necessary given it has been performed already as previously noted. The City acknowledges, however, that the regulatory permit process will include surveys and assessments as deemed necessary by the regulatory agencies at the time that the permit applications are provided.

The commenter's Recommended Mitigation Measure 2 calls for CTS Avoidance, including a 50-foot no disturbance buffer be delineated around all small mammal burrows in suitable upland habitat and a minimum 250-foot no disturbance around occupied breeding pools within and/or adjacent to the Specific Plan Area. The recommended measure also calls for avoiding alteration of the hydrology if it would impact breeding pools. As previously noted, the City consulted with the CDFW (per. comm. Renee Robison 7/23/19) to discuss these comments, and the regulatory permit process as it relates to CTS. The CDFW indicated that their agency, along with the USFWS, will establish avoidance, minimization, and mitigation measures through the regulatory permitting process. These measures would require activities to avoid and minimize impacts to CTS. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the

regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated." (Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant.

As a result of these comments, and the per. comm. with CDFW, the City has modified the DEIR text, including modifications to mitigation measures. The modified text is on page 3.2-32 through 3.3-36, and was presented earlier in this response.

The substance of the commenter's "Recommended Mitigation Measure 3: CTS Take Authorization" is addressed in Mitigation Measure 3.2-1 of the Draft EIR (as modified herein), which calls for consultation with the regulatory agencies regarding the need for an incidental take permit, and if determined that such a permit is necessary, it provides the requirement to obtain that permit.

Response B-3: The commentor states the following:

> "***Issue****: The DEIR acknowledges the potential for CRLF to occur within the Project area. The DEIR, as currently drafted, includes measures that may not be enforceable or adequate in minimizing take to a level that is less than significant or that may themselves result in take. For example, MM 3.2-4 requires installation of drift fencing as an exclusion method. The measures in MM 3.2-4 will result in take of CRLF if present via entrapment and are thus not appropriate mitigation measures to minimize Project impacts.*
>
> ***Specific impact****: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the Project's activities could include entrapment, direct mortality effects, and indirect negative effects by altering habitat availability and quality.*
>
> **Evidence impact is potentially significant***: CRLF populations throughout the state have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF*

(Thomson et al. 2016, USFWS 2017c). All of these impacts have the potential to result from the Project. Therefore, project activities have the potential to significantly impact CRLF."

Potential impacts to the California Red-legged Frog (CRLF) (*Rana draytonii*) are addressed on pages 3.2-35 through 3.2-36 of the Draft EIR. Within this text, the CRLF federal and State listing status is presented, a full description of the species and habitat is provided, and CNDDB records are presented. Page 3.2-36 states "*This species was detected along Old Stage Road and the Natividad Creek drainage, which is approximately 1.8 miles from the eastern boundary of the Specific Plan Area. There are also numerous documented occurrences of CRLF, including breeding sites within five miles of the Specific Plan Area. CRLF may disperse through any of the drainages in the vicinity. While the Specific Plan Area does not provide high quality habitat for CRLF, the network of irrigation ditches presents some habitat opportunities for this species*."

The EIR concludes that "*there are numerous documented occurrences of CRLF in the vicinity of the Specific Plan Area. Higher quality upland and aquatic habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential habitat within the drainage features (i.e. ditches). It is noted that there is not any known CRLF within the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the irrigation ditches and roadside ditches. The paved roads, dirt roads, tilled farmland, farmland fringe, and farmland residences provide very limited to no habitat. The proposed project would eliminate all potential use of the land within the Specific Plan Area.*"

Appendix D of the Draft EIR includes the original Biological Resources Report for the entire Future Growth Area, of which the Specific Plan Area is a portion. The Biological Resources Report is referenced on Page 3.2-1 of the Draft EIR and it serves as the basis for the conclusions related to the CRLF. Pages 27 and 28 of the Biological Resources Report states:

"*4.3.2.1 Local Occurrence. As part of a separate study in 2002-03, red-legged frogs were documented on the study site and on Old Stage Road, immediately adjacent to the study site (Bryan Mod Biological Consulting Services and Biotic Resources Group 2003). One sub-adult was observed on Old Stage Road on 9 December 2002; one road-kill adult was observed in the same vicinity on 12 February 2003; and one adult was observed on-site in a pool, at the uppermost end of the east tributary of Natividad Creek, below the culverts at Old Stage Road (Figure 4). In addition, the CNDDB indicates that adults were seen on the study site in October 2003 (CDFG 2004a). Other records within 5 miles of the study site include two breeding sites north of Salinas, one near Blackie Road and the other off of Pesante Canyon Road (CDFG 2004a), and an observation of adults in Gabilan Creek, near San Juan Road, north of Salinas (D. Pereksta, pers. comm.).*

4.3.2.2 Site Assessment. During this study, CRF were observed on the study site on 12 and 27 May 2004, during general reconnaissance surveys and focused surveys for CTS larvae. The 12 May observation was of an adult and tadpoles at separate locations in the unnamed drainage paralleling Old Stage Road (Figure 4), whereas the 27 May observation was of a single adult at a culvert pool, at the uppermost end of the east tributary to Natividad Creek

(Figure 4). The observation of tadpoles is significant, as the location represents a CRF breeding site; confirmed breeding sites are lacking in the immediate vicinity of Salinas.

Based on the results of the 2002-03 study together with this study, CRF breeding habitat is present in the unnamed drainage paralleling Old Stage Road, but appears to be absent from Natividad Creek and the east tributary, due to the degraded habitat conditions along the drainages resulting from vegetation removal and adjacent agricultural operations. In contrast, the breeding site is located within a densely vegetated drainage corridor with adjacent annual grassland habitat. The habitat quality of Gabilan Creek could not be assessed, due to restricted access. However, all drainages within the study site likely support CRF during one or more life stages (e.g., breeding, over-summering, dispersal), depending on the hydrologic characteristics, presence of predators, extent of vegetation and adjacent upland uses. Although no CRF were observed at Ponds No. 1 and 2, focused surveys for this species were not performed. As is the case for the drainages within the study site, the irrigation ponds also may support CRF during dispersal or over-summering, and perhaps breeding during optimal conditions. Another factor to consider is movement on- and off-site. The observations of CRF on Old Stage Road during the winter of 2002-03 suggest that they may move to and from the site, perhaps dispersing from breeding habitat located in the foothills to the east of the study site."

The Recommended Mitigation Measure 4 calls for a CRLF Habitat Assessment, which has been performed by Bryan Mori, Biological Consulting Services and Biotic Resources Group, and is documented in the Biological Resources Report and described above. The inclusion of "Recommended Mitigation Measure 4: CRLF Habitat Assessment" as provided by the commentor is therefore not necessary given it has been performed already. The City acknowledges, however, that the regulatory permit process will include surveys and assessments as deemed necessary by the regulatory agencies at the time that the permit applications are provided.

The Recommended Mitigation Measure 5 calls for CRLF Surveys within 48 hours prior to commencing work, and Recommended Mitigation Measure 6 calls for CRLF Avoidance. The City consulted with the CDFW (per. comm. Renee Robison 7/23/19) to discuss these comments, and the regulatory permit process as it relates to CRLF. The CDFW indicated that their agency, along with the USFWS, will establish avoidance, minimization, and mitigation measures through the regulatory permitting process. These measures would require activities to avoid and minimize impacts to CRLF. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for any monitoring, 3) erecting drift fencing around the work areas, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours, 5) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 6) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. As a result of these comments, and the per. comm. with CDFW, the City has

modified the DEIR text, including modifications. The City has therefore modified the Draft EIR text on page 3.2-35 through 3.3-36 as follows:

CONCLUSION

As previously noted, there are numerous documented occurrences of CRLF in the vicinity of the Specific Plan Area. Higher quality upland and aquatic habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential habitat within the drainage features (i.e. ditches). It is noted that there is not any known CRLF within the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the irrigation ditches and roadside ditches. The paved roads, dirt roads, tilled farmland, farmland fringe, and farmland residences provide very limited to no habitat. The proposed project would eliminate all potential use of the land within the Specific Plan Area.

The following mitigation measures are presented ~~to ensure a final concurrence is obtained from~~ that require consultation with the regulatory agencies to ensure that there is no illegal take for CRLF. Additionally, the regulatory agencies have established avoidance, minimization, and mitigation measures that they impose on projects through the regulatory permitting process. These measures would require activities ~~are presented~~ to avoid and minimize impacts to CRLF~~ to the extent feasible~~. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for any monitoring, 3) erecting drift fencing around the work areas, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours, 5) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 6) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW.~~Such avoidance and minimization measures include conducting environmental education training for all construction personnel covering the California red-legged frog, the importance of avoiding adverse effects to the species. A biologist(s) will monitor construction activities located in suitable habitat that is within the project footprint (Irrigation Ditch, Roadside Ditch). The applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California red-legged frog from entering the construction site. Drift fencing will be installed and inspected by the biologist(s). A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project. The report will include: Dates of project groundbreaking and completion, Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California red-legged frog. An explanation of failure to meet such measures, if any, known project effects on the California red-legged frog, observed incidences of injury to or mortality of the species, and any other relevant information.~~ By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated."

(Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant.

With implementation of the following measures, the proposed project would not, directly or indirectly, have a substantial adverse effect on amphibian or reptile species through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. This potential impact is reduced to a ***less than significant*** level.

MITIGATION MEASURES

Mitigation Measure 3.2-3*: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CRLF. ~~The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director.~~ The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CRLF habitat ~~shall consult with the USFWS for concurrence and a final confirmation that a take permit is not necessary for impacts to the California red-legged frog that is documented in the region, and has the potential to utilize the surrounding drainages. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file. If the regulatory agency does not concur that the project does not require a take permit, then the project applicant shall initiate a consultation with the agency and obtain the appropriate take permit.~~*

Mitigation Measure 3.2-4*: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to CRLF ~~to the extent feasible~~, the proposed project activities shall be compliant with all ~~the following~~ Avoidance and Minimization Measures imposed by the USFWS and/or CDFW during Construction Activities. ~~These measures are intended to apply, regardless of the consultation process with regulatory agencies.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for overseeing any hand excavation of burrows using hand-trowels*

and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CRLF migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.

~~*a. Prior to excavation work or other ground disturbance, a biologist(s) will conduct environmental education training for all construction personnel covering the California red-legged frog, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.*~~

~~*b. The biologist(s) will monitor construction activities located in suitable habitat that is within the project footprint (Irrigation Ditch, Roadside Ditch).*~~

~~*c. The applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California red-legged frog from entering the construction site. Drift fencing will be installed and inspected by the biologist(s).*~~

~~*d. A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the U.S. Fish and Wildlife Service within 90 calendar days of completion of the project, for which the grading/building permit was required. The report will include:*~~

- ~~*Dates of project groundbreaking and completion.*~~
- ~~*Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of.*~~
- ~~*An explanation of failure to meet such measures, if any.*~~
- ~~*Known project effects on the California red-legged frog.*~~
- ~~*Observed incidences of injury to or mortality of the species.*~~
- ~~*Any other relevant information.*~~

~~*If proposed construction activities may result in the "take" (harass, harm, pursue, wound, kill, trap, or capture) of California red-legged frog or California tiger salamander, the project proponent shall obtain state and federal Incidental Take Permits, and comply with all stipulated conditions to protect special-status amphibians.*~~

Response B-4: The commentor provided additional comments and suggestions regarding take under the federal Endangered Species Act (ESA), and regarding nesting birds. Specifically, the commentor states the following:

> "***Federally Listed Species: CDFW*** *recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CTS and CRLF. Take under the federal Endangered Species Act (ESA) is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with ESA is advised well in advance of any ground disturbing activities.*
>
> **Nesting Birds**: *CDFW encourages Project implementation occur during the bird non-nesting season. However, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project's applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.*
>
> *To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends the work causing that change cease and that CDFW be consulted for additional avoidance and minimization measures.*
>
> *If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250-feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance".*

The City acknowledges the commentor's recommendation to consult with the USFWS relative to federally listed species.

Birds are addressed on pages 3.2-38 through 3.2-40 of the Draft EIR. The text acknowledges a wide variety of birds that could be present at any given time due to the mobility and range of birds found in the region. The analysis indicated that there are very few trees suitable for nesting within the Specific Plan Area. All trees are associated with the farm residence complexes located along Natividad Road and San Juan Grade Road. There was no evidence of nesting in the on-site trees during any of the past field surveys. There are also powerlines located along Natividad Road, Rogge Road, portions of San Juan Grade Road, and various dirt farm roads through the Specific Plan Area. There were no nests observed in the powerlines/poles.

The Draft EIR indicated that the construction activities in the Specific Plan Area would create temporary sources of noise and light that could affect nesting songbirds if they are located adjacent to the Specific Plan Area in the future. The ongoing activities associated with the operational phase (i.e., human and/or domesticated animal presence, light, noise, etc.) could disrupt nesting birds if they are located adjacent to the Specific Plan Area in the future.

The Draft EIR presents a mitigation measure that is intended to avoid and minimize impacts to special-status birds. The measure requires a preconstruction survey of the Specific Plan Area and immediate vicinity for all special-status birds protected by the federal and state ESA, MBTA and CFGC prior to construction. Such a survey would ensure that appropriate avoidance and minimization measures could be applied during the construction process to ensure that nesting birds were not adversely affected if determined to be present at that time. If nesting birds are found during the survey, a 300-foot buffer would be developed around active nests to ensure that the nesting birds are not disrupted during the breeding (February 1 – September 15). If construction stops for a period of 15 days or more during the avian breeding season, then an additional bird survey shall be conducted. Construction activity shall be prohibited within the buffer zones until the young have fledged. Nests shall be monitored at least twice per week during the nesting season and a report submitted to the City and CDFW monthly. This mitigation measure provides the protective values that are recommended by the commentor in their recommendations.

Response B-5: The commentor states that:

> "*CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to CNDDB. The CNDDB field survey form can be found at the following link: https://wvwv.wildlife.ca.gov/Data/CNDDB/SubmittingData. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-andAnimals.*"

This comment is noted. The City has provided the CEQA materials to the CDFW for their use in any database they deem appropriate. The CEQA materials were also provided to the State Clearinghouse, which has included the document within the CEQAnet database. We understand that

the field surveys performed by Bryan Mori of Biological Resources Consulting and Biotic Resources Group have been included in the CNDDB by way of the CNDDB field survey form available at that time.

Response B-5: The commentor states that an assessment of filing fees is necessary if it is determined that the Protect has the potential to impact biological resources. The commentor also provides concluding remarks, stating that the CDFW appreciates the opportunity to comment on the Project to assist the City of Salinas in identifying and mitigating the Project's impacts on biological resources.

This comment is noted and no further action is required.

COUNTY OF MONTEREY
HEALTH DEPARTMENT
Elsa Jimenez, Director of Health

Administration
Behavioral Health
Clinic Services
Emergency Medical Services
Environmental Health/Animal Services
Public Health
Public Administrator/Public Guardian

Nationally Accredited for Providing Quality Health Services

April 10, 2019

City of Salinas
Community Development Department
65 West Alisal St.
Salinas, CA 93901
Attention: Jill Miller, Senior Planner

Dear Ms. Miller

The Monterey County Health Department, Environmental Health Bureau (EHB) has reviewed the West Area Specific Draft Plan Environmental Impact Report and the Draft Specific Plan. Our office appreciates the opportunity to provide comments on the project in accordance with State CEQA Guidelines Section 15087 and Government Code Section 65453. The comment(s) for each of the Service Sections within the EHB are listed below. C-1

Solid Waste Management Services and Recycling Resource Recovery Services oversees solid waste disposal, liquid waste hauling/disposal as well as recycling and waste diversion in the unincorporated area of Monterey County. EHB does not oversee waste hauling and recycling in the City of Salinas. Our office will work collaboratively with the Salinas community in ongoing education and outreach assistance to residents.

Hazardous Materials Management Services works with the US EPA, state Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) on site cleanup where soil and groundwater have been impacted by hazardous materials or hazardous wastes. Several locations were identified. Our office concurs with the recommendations shown in Mitigation Measures 3.5-1. C-2

Environmental Health Review Services ensures proper disposal of wastewater and greywater in the unincorporated area of Monterey County. As part of the project, the City of Salinas is working with Monterey 1 Water (M1W) to ensure proper infrastructure is constructed to augment the existing wastewater disposal system so that it will accept the increase in wastewater discharge at the M1W centralized collection facility. Properties within the construction boundary that have existing onsite septic systems and that will be within 200 feet of the sewer line will be required to connect to sewer, and the owners must file for permits to destroy the existing onsite wastewater treatment systems. C-3

Drinking Water Protection Service ensures potable water to residents in Monterey County through drinking water well construction oversight, well water sampling, and working with the state to inspect and monitor existing systems. Property owners that have existing wells on properties within the project boundary may be required to decommission an existing well/existing wells after connecting to the public water system. Our office concurs with Mitigation Measures 3.5-2 and 3.5-3.

1270 Natividad Road, Salinas, CA 93906 831-755-4500 www.mtyhd.org

Consumer Health Protection Services is responsible for retail food protection and cottage food operation regulations, substandard rental housing inspections, recreational and beach water quality monitoring, public swimming pools and spa inspections, vector control, agricultural field toilet inspections, tobacco licensing inspections, the Childhood Lead Poisoning Prevention Program, and other general health protection activities. This service section concurs with the proposed project recommendations.

C-4

Cannabis Management Services reviews and issues permits for cannabis cultivation or nursery sites, dispensaries, manufacturing facilities, testing facilities, and transportation and distribution operations in both the unincorporated area of Monterey County and within city jurisdictions. Our office will work with any cannabis business applicant proposing to operate within this project boundary. This service section concurs with the proposed project recommendations.

If you have any questions please contact me at (831) 755-4724.

Sincerely,

Matt Krenz, Senior Environmental Health Specialist
Monterey County Health Department, Environmental Health Bureau

Cc: John Ramirez, Director, Environmental Health Bureau
Ricardo Encarnacion, Assistant Director, Environmental Health Bureau
Nicole Fowler, Supervising Environmental Health Specialist
Cheryl Sandoval, Supervising Environmental Health Specialist
Susan Rimando, Supervising Environmental Health Specialist
Marni Flagg, Supervising Environmental Health Specialist
Maria Ferdin, Supervising Environmental Health Specialist
Roger Van Horn, Supervising Environmental Health Specialist
Randy McMurray, Supervising Environmental Health Specialist
Brian Azevedo, Supervising Environmental Health Specialist
Rob Durham, Management Analyst III

1270 Natividad Road, Salinas, CA 93906 831-755-4500 www.mtyhd.org

Response to Letter C: Matt Krenz, Monterey County Health Department, Environmental Health Bureau (EHB)

Response C-1: The commentor provides an introduction to the comment letter. The commentor also states that:

> "*Solid Waste Management Services and Recycling Resource Recovery Services oversees solid waste disposal, liquid waste hauling/disposal as well as recycling and waste diversion in the unincorporated area of Monterey County. EHB does not oversee waste hauling and recycling in the City of Salinas. Our office will work collaboratively with the Salinas community in ongoing education and outreach assistance to residents.*"

This comment is noted and no further response is warranted.

Response C-2: The commentor states that:

> "*Hazardous Materials Management Services works with the US EPA, state Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) on site cleanup where soil and groundwater have been impacted by hazardous materials or hazardous wastes. Several locations were identified. Our office concurs with the recommendations shown in Mitigation Measures 3.5-1.*"

This comment is noted and no response is warranted.

Response C-3: The commentor states that:

> "*Environmental Health Review Services ensures proper disposal of wastewater and greywater in the unincorporated area of Monterey County. As part of the project, the City of Salinas is working with Monterey 1 Water (M1W) to ensure proper infrastructure is constructed to augment the existing wastewater disposal system so that it will accept the increase in wastewater discharge at the M1W centralized collection facility. Properties within the construction boundary that have existing onsite septic systems and that will be within 200 feet of the sewer line will be required to connect to sewer, and the owners must file for permits to destroy the existing onsite wastewater treatment systems.*
>
> *Drinking Water Protection Service ensures potable water to residents in Monterey County through drinking water well construction oversight, well water sampling, and working with the state to inspect and monitor existing systems. Property owners that have existing wells on properties within the project boundary may be required to decommission an existing well/existing wells after connecting to the public water system. Our office concurs with Mitigation Measures 3.5-2 and 3.5-3.*"

This comment is noted and no response is warranted.

Response C-4: The commentor states that:

> "*Consumer Health Protection Services is responsible for retail food protection and cottage food operation regulations, substandard rental housing inspections, recreational and beach water quality monitoring, public swimming pools and spa inspections, vector control, agricultural field toilet inspections, tobacco licensing inspections, the Childhood Lead Poisoning Prevention Program, and other general health protection activities. This service section concurs with the proposed project recommendations.*
>
> *Cannabis Management Services reviews and issues permits for cannabis cultivation or nursery sites, dispensaries, manufacturing facilities, testing facilities, and transportation and distribution operations in both the unincorporated area of Monterey County and within city jurisdictions. Our office will work with any cannabis business applicant proposing to operate within this project boundary. This service section concurs with the proposed project recommendations.*"

This comment is noted and no response is warranted.

LandWatch monterey county

April 11, 2019

Jill Miller, Senior Planner
City of Salinas Community Development Department
65 West Alisal Street
Salinas, California 93901.
jill.miller@ci.salinas.ca.us

Subject: DEIR for Salinas' West Area Specific Plan

Dear Ms. Miller:

As currently proposed, Salinas' West Area Specific Plan is a case study in urban sprawl. The plan proposes developing approximately 797 acres of annexed farmland with up to 4,340 residential dwelling units, up to 571,500 square feet of commercial/mixed use building area, and up to 177 acres of public facilities. Average residential density is 9 units per acre, which favors large expensive single family homes over apartments and homes designed for affordability. By favoring cars rather than walking and biking, low density also generates significant greenhouse gas emissions.

D-1

LandWatch urges a more sustainable planning approach. The Draft EIR offers an improved Reduced Land Area (RLA) Project alternative. Under the RLA alternative the average residential density (units per net acre) would increase from 9.0 to approximately 11.3 units – a modest improvement that would conserve agricultural land, lower housing prices, and lead to more economically and environmentally sustainable outcomes.

With that perspective, LandWatch Monterey County offers the following comments on the Draft Environmental Impact Report for Salinas' West Area Specific Plan.

Project Description

The West Area Specific Plan establishes the land use planning and regulatory guidance for approximately 797 acres. It is anticipated the Specific Plan Area will house up to 15,928 residents at project build-out. Buildout is expected in 2040. The project area was annexed to the City of Salinas in 2008.

Data on the number and types of residential units were found in the Air Quality analysis. The Plan assumes 1,351 single family dwelling units on 441.88 acres with a population of 3,892 people; 91 apartments on 2.39 acres with a population of 260 people; and 2,888 condominium/townhouse units on 180.5 acres with a population of 8,260 people. (DEIR, Appendix B).

D-2

<u>If these unit count and acreage data assumptions are incorrect, please identify assumptions regarding number of units by residential type per acre</u>.

The acres reported by Appendix B for residential uses (totaling 624.77 acres) are greater than the net residential acres listed in Table 2-1 (totaling 480.55 acres). The DEIR states that "net

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residential acres" are "private lands zoned for residential uses exclusive of streets, parks, and all other uses." (DEIR, p. 2.0-11.) We note that Appendix B and DEIR Table 2-2 list 50 acres for parks separately, implying that the Appendix B residential acreage does not include parks. Please explain and provide the calculations used to determine the "net residential acres," the "planning area net acres," and the "net acres" in Tables 2-1 and 2-2. For example, what uses and acreage were subtracted from the acreage set out in Appendix B to obtain "net residential acres?" We seek to understand how to calculate "net developable residential acres" (DEIR, p. 2.0-9) and "net residential acres" (DEIR, pp. 2.0-14 to 2.0-15) from acres set out in the CalEEMod runs in Appendix B. D-2 (Cont'd)

Consistency with the Salinas General Plan

The Salinas General Plan mandates that new residential development have a minimum average density of 9 dwelling units per net developable residential acre with 15% to 25% of residential units at a density of 16-24 units per acre and 34% to 45% with a density at 7-14 units per acre. (DEIR p. 2.0-9). As noted above, the project residential density averages 9 units per acre, only nominally meeting General Plan requirements. This contrasts with the Reduced Land Use Area Project Alternative, which increases density to 11.3 units per acre. D-3

Air Quality

The DEIR finds the project would have significant and unavoidable impacts on ozone levels both at the project level and cumulatively. Impacts are mainly due to motor vehicle emissions. Proposed mitigation measures do not address increasing project density, which would mitigate air quality impacts by reducing motor vehicle emissions. For example, single family dwelling units generate 9.52 daily trips in contrast to condos which generate 5.81 daily trips, a 40% reduction in daily trips (ITE, 9th edition). Mid-rise apartments generate even fewer trips at 4.20 daily trips. D-4

Increased density (i.e., increased residential units/acre) should be identified as a mitigation measure.

Greenhouse Gas Emissions

Because other specific mitigation measures identified in the DEIR would not reduce impacts to less than significant, Mitigation Measure 3.4-1 would require applicants to prepare Greenhouse Gas Reduction Plans (GGRPs) prior to the approval of the tentative maps and development review permits. The GGRPs would be aimed at achieving per-capita-based specific performance standards through implementation of on-site measures. Off-site measures, including purchase of offsets, would only be considered if sufficient onsite measures were unable to attain performance standards. If sufficient feasible reduction measures included in the GGRPs were unavailable to reduce GHG emissions to below the threshold of significance, the project applicant would be required to include evidence in the Plan to this effect. Implementation of Mitigation Measure 3.4-1 would not be required if the City has a qualified GHG reduction plan in place on the date a future individual project application is deemed complete. (DEIR p. 3.4-37). D-5

Because it is possible that individual projects within the Plan Area may not achieve GHG reductions needed for their individual impacts to be less than significant, the DEIR finds that implementation of the Specific Plan would have a cumulatively considerable contribution and significant and unavoidable impact to GHGs. (DEIR p. 3.4-49)

Increasing residential unit density is a feasible on-site mitigation method that would help attain the per capita-based performance standard. As identified in comments regarding air quality, increased density should be identified as a mitigation measure.

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Utilities – Water Supply

The estimated 4,320 AFY groundwater pumping for existing agricultural use in the West Area Specific Plan is 2,947 AFY more than the total buildout estimated demand for the West Area Specific Plan, which is 1,373 AFY.

D-6

The project proposes to construct three new wells, each with a minimum capacity of 1.72 million gallons per day (mgd) to meet a maximum day demand at full plan development of 2,257.6-acre feet/year (AFY). Two wells would be in operation and one well would be in reserve as a backup (this capacity greatly exceeds the projected demand of the Specific Plan of approximately 1,373 AFY, as provided in greater detail below). (DEIR p.2.0-18)

Water Impacts – Setting Description

The 2019 DEIR relies on the out-of-date 2015 West Area Specific Plan Salinas California SB610 Water Supply Assessment and the out-of-date 2015 Cal Water Salinas District Urban Water Management Plan (UWMP). The most recent groundwater reports show substantial increase in the areas subject to seawater intrusion, which the DEIR fails to acknowledge. (See MCWRA, 2017 Salinas Valley Groundwater level contours and Seawater intrusion Maps, available at http://www.co.monterey.ca.us/home/showdocument?id=63777.) In response to this new information, MCWRA staff issued *Recommendations to Address Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin*, Special Reports Series 17-01, dated October 2017. (Available at https://www.co.monterey.ca.us/home/showdocument?id=57394.) MCWRA recommended moratoria on new wells in a defined Area of Impact, an expansion of the Castroville Seawater Intrusion Project (CSIP) Service Area, termination of pumping from the Area of Impact, certain well destructions, and a moratorium on new wells in the Deep Aquifer pending a study of its viability as a groundwater source. The proposed moratoria would exempt municipal supply wells but not agricultural wells.

Please update the setting description to reflect the most recently available data and analysis for the Salinas Valley.

D-7

Please explain whether the project would draw water from wells in the Area of Impact identified in MCWRA's *Recommendations to Address Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin*.

The DEIR identifies the Salinas Valley Water Project Phase II (SVWP Phase II) as a "Current/Planned Water Project to Reduce Groundwater Overdraft." (DEIR, pp. 3.11-27 to 3.11-28.) MCWRA issued a Notice of Preparation for an EIR for the project on June 25, 2014. (See MCWRA websites at http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/salinas-valley-water-project-phase-ii#wra; http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/background#wra; http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/salinas-valley-water-project-phase-ii/project-status#wra; http://www.co.monterey.ca.us/home/showdocument?id=2425.) MCWRA has explained that a Settlement Agreement amending Water Right Permit #11043 requires MCWRA to meet "a series of milestones . . . in order to demonstrate progress toward implementation of the Salinas Valley Water Project, Phase II." (see MCWRA website at http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/background#wra; SWRCB Order WR 2013-0030-EXEC, Order Approving Settlement Agreement and Partial Revocation, August 7, 2013, available at http://www.co.monterey.ca.us/home/showdocument?id=24248.) In the five years since issuing the 2014 NOP, MCWRA has not issued an EIR for the SVWP Phase II; and there is no evidence that MCWRA has met any of the SWRCB's milestones since 2014. The SVWP Phase II is not funded, and MCWRA acknowledges that it does not have adequate funding.

Please correct the misleading impression that the SVWP Phase II represents a foreseeable part of the solution to Basin overdraft. D-7 (Cont'd)

Water Impacts – Project Level

The DEIR concludes the project would have a less than significant project level impact on the Salinas Valley Basin groundwater:

> Water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the West Area Specific Plan, to the year 2035 under all hydrologic conditions. … Moreover, the development of the West Area Specific Plan would reduce consumption of groundwater (equivalent to increasing groundwater storage), when compared to the existing agricultural uses; this would also have the effect of reducing the potential for seawater intrusion into the groundwater basin, when compared to the existing agricultural uses. Therefore, overall, buildout of the West Area Specific Plan would result in a less than significant impact relative to this topic. (DEIR p. 3.11-41)

A project-specific Water Supply Assessment (WSA) has been prepared to evaluate the City's current and future water demands (including those of the Plan Area) against water supplies to ensure that adequate water is, or will be, available to accommodate the West Area Specific Plan. This WSA was prepared in December 2015 (see West Area Specific Plan Salinas California SB610 Water Supply Assessment). This report feeds into the update to the Cal Water Salinas District Urban Water Management Plan (UWMP), in its 2015 Update). The studies conclude that adequate water supplies are available to serve the West Area Specific Plan. However, the DEIR notes that the overdraft of the Salinas Valley Groundwater Basin is approximately 45,300 acre-feet per year in non-drought years. (DEIR 3.6-4).

While the project would use less water than current uses, it would continue to draw groundwater from a critically overdrafted groundwater basin. Because the basin continues to be severely overdrafted with no identified projects to reverse the trend, the City should find that water supplies are not sufficient to meet the projected water demand associated with the proposed project *in addition to the existing and planned future uses.* D-8

The DEIR devotes two sentences to the Salinas Valley Basin Groundwater Sustainability Agency. (DEIR p. 3.11-35.) Yet it is this agency that is currently preparing plans to bring the critically overdrafted 180/400 foot sub-basin into sustainability with a plan due in 2020. While specific projects to address seawater intrusion have not been identified, broad categories of projects to reduce groundwater pumping are under consideration, including the fallowing of agricultural land. The EIR should acknowledge that, even though the proposed project would reduce groundwater pumping because it would replace agriculture with land uses with lower water demands, urban land uses cannot be fallowed.

The DEIR's comparison of a water supply used by agriculture and housing does not reflect the actual impact of committing a water supply to housing. Agricultural water demand is seasonal and can be discontinued if water is not available for some period or not available permanently. Unlike the use of water for agriculture, the use of water for housing requires a permanent commitment to protect the substantial capital investment for housing. Thus, for example, MCWRA has recommended exempting municipal supply wells from the proposed moratoria on pumping in the 400-foot and Deep Aquifers.

Groundwater supplies may be cut back in the future to address the currently unsustainable state of groundwater pumping in the Basin. The County, MCWRA, and the SVGBGSA all have the authority to order such cutbacks in the use of groundwater. And in fact, the County has recently ordered certain moratoriums on groundwater use. Those moratoriums have exempted water used for municipal supply purposes and have thus disproportionately targeted agricultural and

industrial uses. As part of the mandated Sustainable Groundwater Plan, SGMA would require cutbacks in groundwater use if there were no other methods available to attain a sustainable basin. **Currently, there are no funded, approved groundwater management projects that have the potential to prevent seawater intrusion and overdraft conditions, so cutbacks are the only certain means of SGMA compliance**.

Thus, the commitment of groundwater that is now used for agriculture on an interruptible basis to be used instead for housing on a non-interruptible basis will limit the options for the future groundwater management. In short, diversion of groundwater to housing may deny groundwater to agriculture. As discussed above, unlike agricultural wells, municipal supply wells may be exempted from existing and future moratoriums on groundwater pumping, as MCWRA has already recommended. Because of this likelihood, the EIR must acknowledge that the replacement of interruptible water demand with uninterruptible demand is a significant impact, even if the urban demand is less than the displaced agricultural demand. D-8 (Cont'd)

Please evaluate the effect on competing uses, including agricultural uses and industrial uses, of committing a non-interruptible supply of water for the proposed housing.

Water Supply-Cumulative Impacts

The DEIR finds the project would not have a significant and unavoidable cumulative impact on the groundwater basin:

> There would be sufficient water resources available to provide supply for buildout of the cumulative scenario, so that no significant cumulative effect on the overall water supply would result. Therefore, this would result in a less than significant cumulative impact and a less than cumulatively considerable impact on water utilities. (DEIR p. 3.11-431)

The DEIR cumulative water supply impact analysis assumes, without evidence, that there is no impact from replacing agricultural land with urban uses as long as the on-site water use declines. **It should not be assumed that the water impact analysis can be confined to the on-site effects of replacing agricultural land with urban uses**.

Trend analysis of urbanization of agricultural land and of conversions of habitat land to agriculture indicate that displacement of agricultural use by urbanization causes conversion of additional habitat land to provide replacement farmland. For example, the 2010 Monterey County General Plan EIR projects that 10,253 acres of farmland will be added to the SVGB by conversion of previously uncultivated land available in the SVGB. (Final EIR, Monterey County General Plan, March 2010, p. 2-36, available at http://co.monterey.ca.us/home/showdocument?id=45384.) That analysis assumed that 2,571 acres of farmland would be lost to urbanization within the unincorporated area of the county during the life of the County General Plan. (Draft EIR, Monterey County General Plan, September 2008, p. 4.2-12, available at http://co.monterey.ca.us/home/showdocument?id=43988.) The West Area Specific Plan DEIR acknowledges that for every acre of agricultural land converted to urban uses, ten acres of previously unirrigated land (e.g., range land or open space land) have been converted to agricultural use. (DEIR, p. 3.11-42.) It is clear that conversion of land for new cultivation within the Salinas Valley Groundwater Basin exceeds the loss of agricultural land to urbanization. The evidence is that there is a continuing demand for new irrigated land in the Salinas Valley. D-9

Accordingly, the conversion of the project site to urban uses, displacing existing agricultural use, could accelerate conversions of previously uncultivated land for agriculture, with the net effect of an increase in cumulative water demand from the Salinas Valley Groundwater Basin, **even if the demand at the newly urbanized site declines**. **Thus, there is no basis to assume that the project's new water use will not increase overall water use in the Salinas Valley in light of**

the evidence that demand for agricultural land use is increasing and that displaced agricultural land is being replaced by conversion of other areas in the Valley to irrigated agriculture.

Please evaluate the effect on the demand for additional agricultural land conversions within the Salinas Valley Groundwater Basin caused by displacing the existing agricultural use from the project site.

Please estimate the water demand from new agricultural conversions that are attributable to this displacement.

D-9 (Cont'd)

Transportation

Under Cumulative Plus Project with Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the transportation performance measures established by the City of Salinas, Monterey County, and Caltrans. Because implementation of the West Area Specific Plan under cumulative conditions would cause significant and unavoidable impacts to some facilities, implementation of the proposed project would make a cumulatively considerable contribution to significant traffic impacts. (DEIR p. 4.0-27).

The proposed project is estimated to generate a total of approximately 221,017 average daily vehicle miles travelled (Average Daily VMT) at project buildout. (DEIR 3.4-46). Under the CEQA requirements for traffic analysis to be implemented by July 1, 2020, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. Please address the project's impact on transportation based on this criterion. Again, we note that increased residential unit density per acre would reduce VMT.

D-10

Project Alternatives

The following alternatives are evaluated in the DEIR:

- No Project (No Build) Alternative
- Reduced Land Area Project Alternative - Under this alternative, approximately 162 acres of land in the northeast corner of the Plan Area would be removed. The proposed land uses within this area identified for removal under this alternative would be incorporated into the remaining 635 acres of the Plan Area, which would increase the residential density of the Plan Area under this alternative, while retaining the same number of residences, mixed use commercial areas, schools, parks, etc. as the proposed project. Under this alternative the average residential density (units per net acre) would increase from 9.0 to approximately 11.3 units/acre. (DEIR p.5.0-6)
- Reduced Residential Intensity/Density Project Alternative - Under this alternative, the Plan Area would be developed with a reduction in the overall residential intensity/density while maintaining the approximate overall project footprint. For the purposes of discussion, this option considers a 25 percent reduction in the intensity/density of the residential components of the project while maintaining the approximately 797-acre project footprint. This would result in fewer residential lots, but larger lot sizes. This alternative would result in up to 3,255 residential units. Under this alternative, the average residential density (units per net acre) would decrease from 9.0 to approximately 6.8 units/acre. (DEIR p.5.0-6)
- Smaller-Scale Project Alternative-Under this alternative, the Plan Area would be reduced by approximately 33 percent and the proposed residential and non-residential uses would also be reduced by approximately 33 percent. The resultant Plan Area under this alternative would

D-11

be approximately 533 acres in size, and include up to 2,908 residential units, up to 382,905 square feet of commercial/mixed use building area, and up to 119 acres of public facilities (including two elementary schools, a high school, a middle school, open space (including supplemental detention/retention basins) and up to 8 parks). The number of residential units under this alternative would not meet the minimum of 3,553 residential units as provided within the City of Salinas General Plan. The residential densities under this alternative would be similar to the proposed Project. (DEIR p.5.0-7) D-11 (Cont'd)

Reduced Land Area Project Alternative

The DEIR purports to provide conclusions regarding the Reduced Land Area Project alternative (RLA Alternative) in Table 5.0-1 (Ability of Alternatives to Meet Proposed Project Objectives) and Table 5.0-10 (Comparison of Alternative Project Impacts to the West Area Specific Plan). The Tables contain unexplained and apparently erroneous conclusions.

Public Services And Infrastructure Objective: Table 5.0-1 indicates without any explanation that the RLA Alternative would not "Provide public services and infrastructure improvements that achieve and maintain City service standards." Please indicate in what respect the RLA Alternative would fail to meet this objective. Which service standards would not be met by the RLA Alternative and why? We note that the DEIR states that the RLA Alternative would result in development of public facilities, such as schools and parks, and would be required to pay public safety impact fees. (DEIR, p. 5.0-25.) D-12

Table 5.0--1 does not indicate whether the West Area Specific Plan would *itself* meet this objective. Please indicate whether the West Area Specific Plan would itself meet this objective.

Table 5.0-1 does not provide any explanation as to whether the RLA Alternative would *better* meet this objective than the West Area Specific Plan. Please indicate whether the RLA Alternative or the West Area Specific Plan would better meet this objective and why. We note that the DEIR states that the RLA Alternative "would have a slightly reduced impact to public services when compared to the proposed project" (DEIR, p. 5.0-25) and "the demand for utilities would be reduced under this alternative when compared to the proposed project" (DEIR, p. 5.0-26).

Interconnected Pathway Objective: Table 5.0-1 indicates without any explanation that the RLA Alternative would not "Establish an interconnected sidewalk/pathway and open space system throughout the development which links to the greater FGA and City as a whole." Please indicate in what respect the RLA would fail to meet this objective. Note that the discussion of the RLA Alternative states that it would provide "greater opportunities for non-motorized transportation choices (such as walking or cycling)." (DEIR, p. 5-0-18, emphasis added.) D-13

Table 5.0--1 does not indicate whether the West Area Specific Plan would *itself* meet this objective. Please indicate whether the West Area Specific Plan would itself meet this objective. Table 5.0-1 does not provide any explanation as to whether the RLA Alternative would *better* meet this objective than the West Area Specific Plan. Please indicate whether the RLA Alternative or the West Area Specific Plan would better meet this objective and why.

Air Quality Impacts: Table 5.0-10 indicates that the RLA Alternative would have "greater" impacts with respect to AQ Impact 3.1-1, which is identified as "the potential to conflict with or obstruct implementation of the applicable air quality plan." This determination is unexplained and inconsistent with the determination in Table 5.0-10 and in the discussion section that in all other respects the RLA Alternative would have slightly less air quality impacts due to its more compact development size and reduction in mobile source emissions, the predominant source of air quality impacts. (DEIR, pp. 5.0-16 to 5.0-18.) Please explain how the RLA Alternative could have "greater impacts" with respect to AQ Impact 3.1-1 than the West Area Specific Plan. D-14

D-14 (Cont'd)

The DEIR identifies AQ Impact 3.1-1 as less than significant for the West Area Specific Plan. Please explain whether AQ Impact 3.1-1 would also be less than significant for the RLA Alternative.

D-15

Hydrological Impacts: Table 5.0-10 indicates that the RLA Alternative would have "slightly greater" impact with respect to HYD Impact 3.6-3, which is identified as the "potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge." Table 5.0-10 indicates that the RLA Alternative would have a "slightly greater" impact with respect to HYD Impact 3.6-10, which is identified as "Cumulative impacts related to degradation of groundwater supply or recharge." These determinations appear to be founded on the discussion that concludes that the areas "not to be developed would remain under agricultural production" and would "continue to require intensive groundwater pumping for the agricultural production." (DEIR, p. 5.0-23.) This analysis is inconsistent with the impact analysis used elsewhere in the DEIR, which considers only the difference in the water use for urban and agricultural uses *in the area to be developed*. Indeed, the RLA Alternative description states that "162 acres in the northeast corner of the plan Area would be removed." (DEIR, p. 5.0-17.) Because the 162 acres would not be part of the RLA Alternative it is improper to charge the RLA Alternative with the water that would be used in that area for purposes that are not part of the project.

D-16

Furthermore, the comparison of hydrological impacts of the RLA Alternative and the West Area Specific Plan omits any consideration of two critical differences. First, as the DEIR admits, the RLA Alternative "would have a greater chance of groundwater recharge because it would reduce the amount of impervious surfaces by 20 percent as compared to the West Area Specific Plan." Second, the DEIR fails to assess the reduction in per-unit water use for denser residential development. Multi-family residential use and smaller single-family lots uses less water. Please estimate the reduction in per-unit and overall water use attributable to increased recharge and denser residential development in the RLA Alternative compared to the West Area Specific Plan.

D-17

Population And Housing Impacts: Table 5.0-10 indicates that the RLA Alternative would have "greater" impact with respect to POP Impact 3.8-1, which is identified as the "potential to induce substantial population growth in an area." Table 5.0-10 indicates that the RLA Alternative would have a "greater" impact with respect to POP Impact 3.8-2, which is identified as "Cumulative impact on the potential to induce substantial population growth in an area." These determinations are based on the erroneous statement in the discussion section that under the RLA Alternative "fewer units would be build" and the City would have to look to other undeveloped areas to accommodate the demand that would have been met by the West Area Specific Plan. (DEIR, p. 5.0-24.) This is not true. The RLA Alternative is described as increasing the residential density from 9 to 11.3 units per acre by reducing the footprint 20% "*while retaining the same number of residences, mixed use commercial areas, schools, parks, etc. as the proposed project*."[1] (DEIR, p. 5.0-6, emphasis added.) Please correct the erroneous determination that the RLA Alternative would have greater population and housing impacts which is founded on a mischaracterization of the RLA Alternative.

D-18

Transportation Impacts: Table 5.0-10 indicates that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-7, which is identified as "impacts related to emergency access." There is no apparent basis for this determination. The discussion section states that the RLA Alternative would have less of an overall traffic impact than the proposed project. Please explain the basis for the determination that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-7.

The DEIR identifies TC Impact 3.10-7 as less than significant for the West Area Specific Plan. Please explain whether TC Impact 3.10-7 would also be less than significant for the RLA Alternative.

[1] If the RLA Alternative does not in fact retain the same number of residential units, then a reduced area alternative that does retain the same number of units should be evaluated.

Table 5.0-10 indicates that the RLA Alternative would have a "slightly greater" impact with respect to TC Impact 3.10-8, which is identified as "conflict with adopted multi-modal circulation policies, plans, or programs" or a "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities." There is no apparent basis for this determination. The discussion section states that the RLA Alternative would have less of an overall traffic impact than the proposed project. Furthermore, it states that the more compact development of the RLA Alternative would provide "greater opportunities for non-motorized transportation choices (such as walking or cycling)," i.e., *greater opportunity for multi-modal circulation*. (DEIR, p. 5.0-18.) Please explain the basis for the determination that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-8. D-18 (Cont'd)

Loss of Agricultural Land: As this project's DEIR acknowledges, the Salinas General Plan EIR acknowledges that there is a significant and unavoidable impact related to the loss of important farmland. (DEIR, p. 1.0-16.) The mitigation required by the General Plan EIR and by regulation will not render this impact less than significant for this project. However, the adoption of the RLA Alternative will serve to substantially reduce this significant impact by reducing the loss of agricultural land by 20%. This DEIR's alternatives analysis should identify the reduction in this significant impact to agricultural land as a benefit of the RLA Alternative compared to the proposed West Area Specific Plan. D-19

Environmentally Superior Alternatives.

The Smaller-Scale Project Alternative is identified as the Environmentally Superior Alternative even though it does not meet the number of residential units as provided in the Salinas General Plan. (DEIR 5.0-45.) However, the Reduced Land Area Alternative meets all the same project objectives as the Smaller-Scale alternative as identified in Table 5.0-1. Furthermore, as discussed above, there appears to be no basis for the determinations in Table 5.0-1 that the RLA Alternative does not meet the project objectives related to public service standards or connected pathways as well as the proposed West Area Specific Plan would meet these two objectives.

Compared to the proposed West Area Specific Plan, the RLA Alternative would increase density to 11.3 units per acre, meet the number of residential units as provided in the Salinas General Plan, and reduce the project foot print by 162 acres. As discussed above, there is no basis for the determinations in Table 5.0-10 that any specific impacts for the RLA alternative are greater, or even slightly greater, than for the West Area Specific Plan. D-20

Please explain whether the Reduced Land Area Project Alternative is environmentally superior to the proposed West Area Specific Plan.

Thank you for the opportunity to review the DEIR.

Sincerely,

Michael DeLapa
Executive Director

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Response to Letter D: Michael DeLapa, Land Watch Monterey County

Response D-1: The commentor provides an introduction to the comment letter by stating that:

> *"As currently proposed, Salinas' West Area Specific Plan is a case study in urban sprawl. The plan proposes developing approximately 797 acres of annexed farmland with up to 4,340 residential dwelling units, up to 571,500 square feet of commercial/mixed use building area, and up to 177 acres of public facilities. Average residential density is 9 units per acre, which favors large expensive single family homes over apartments and homes designed for affordability. By favoring cars rather than walking and biking, low density also generates significant greenhouse gas emissions.*
>
> *LandWatch urges a more sustainable planning approach. The Draft EIR offers an improved Reduced Land Area (RLA) Project alternative. Under the RLA alternative the average residential density (units per net acre) would increase from 9.0 to approximately 11.3 units – a modest improvement that would conserve agricultural land, lower housing prices, and lead to more economically and environmentally sustainable outcomes."*

This comment provides introductory text to the comment letter, as well as a recommendation for a more sustainable approach than is proposed by the West Area Specific Plan. The commentor references a Reduced Land Area alternative from the EIR that would create a modest improvement to conserve agricultural land, lower housing prices, and lead to more economically and environmentally sustainable outcomes. This comment is noted.

Response D-2: The commentor states that:

> *"The West Area Specific Plan establishes the land use planning and regulatory guidance for approximately 797 acres. It is anticipated the Specific Plan Area will house up to 15,928 residents at project build-out. Buildout is expected in 2040. The project area was annexed to the City of Salinas in 2008.*
>
> *Data on the number and types of residential units were found in the Air Quality analysis. The Plan assumes 1,351 single family dwelling units on 441.88 acres with a population of 3,892 people; 91 apartments on 2.39 acres with a population of 260 people; and 2,888 condominium/townhouse units on 180.5 acres with a population of 8,260 people. (DEIR, Appendix B).*
>
> *<u>If these unit count and acreage data assumptions are incorrect, please identify assumptions regarding number of units by residential type per acre.</u>*
>
> *The acres reported by Appendix B for residential uses (totaling 624.77 acres) are greater than the net residential acres listed in Table 2-1 (totaling 480.55 acres). The DEIR states that "net residential acres" are "private lands zoned for residential uses exclusive of streets, parks, and all other uses." (DEIR, p. 2.0-11.) We note that Appendix B and DEIR Table 2-2 list 50 acres*

for parks separately, implying that the Appendix B residential acreage does not include parks. Please explain and provide the calculations used to determine the "net residential acres," the "planning area net acres," and the "net acres" in Tables 2-1 and 2-2. For example, what uses and acreage were subtracted from the acreage set out in Appendix B to obtain "net residential acres?" We seek to understand how to calculate "net developable residential acres" (DEIR, p. 2.0-9) and "net residential acres" (DEIR, pp. 2.0-14 to 2.0-15) from acres set out in the CalEEMod runs in Appendix B."

"Net acres" within the Draft EIR refers to all land measured to remove certain features such as roads, utilities, and open space. Acres for such features are accounted for separately in the accounting of acreages for the approximately 797-acre Specific Plan Area. For the purposes of the Specific Plan and Draft EIR, "net residential acres" is equivalent to "net acres" but for residential uses only. The Specific Plan refers to "net residential acres" as a term to differentiate net acres of residential land uses from non-residential land uses. As stated in the Specific Plan: "…net residential acres (NRA)…are the private lands zoned for residential uses exclusive of streets, parks, and other non-residential uses" (see page 119 of the Specific Plan). Separately, "planning area net acres" are the net acres within the Specific Plan Area minus the internal streets (see page 119 of the Specific Plan). Finally, "net developable residential acres" refers to the total residential area of land available for development (that is, it represents the developable portion of "net residential acres").

Some of the residential acreages found in Appendix B were identified to be higher than the final framework acreages (i.e., net acres) provided in Table 2-2 of the Specific Plan (February 2019). The CalEEMod model warranted an update to reflect additional emission reduction measures recommended by the Air District. With the update to the CalEEMod model, the acreages were adjusted to reflect the final acreage as identified in 2-2 of the Specific Plan (consistent with what is found in Tables 2-1 and 2-2 of the Draft EIR). It is noted that the modification results in a reduction of total acreage modeled, which results in a reduction of emissions. The updated model run is provided in Section 3.0 Errata and the appropriate emission outputs are provided in an Errata for the Section 3.1 (Air Quality) and Section 3.4 (GHG, Climate Change, and Energy) within the Final EIR.

Response D-3: The commentor states:

"The Salinas General Plan mandates that new residential development have a minimum average density of 9 dwelling units per net developable residential acre with 15% to 25% of residential units at a density of 16-24 units per acre and 34% to 45% with a density at 7-14 units per acre. (DEIR p. 2.0-9). As noted above, the project residential density averages 9 units per acre, only nominally meeting General Plan requirements. This contrasts with the Reduced Land Use Area Project Alternative, which increases density to 11.3 units per acre."

As the commentor points out, the proposed project's density of 9 dwelling units per net residential acre is consistent with the requirements of the Salinas General Plan. The City acknowledges that the Reduced Land Use Area Project Alternative would have an increased density of 11.3 units per acre.

This is noted; however, the existence of this higher density alternative does not negate the fact that the proposed project meets the density requirements of the General Plan. The proposed density is consistent with the General Plan.

Response D-4: The commentor states:

> *"The DEIR finds the project would have significant and unavoidable impacts on ozone levels both at the project level and cumulatively. Impacts are mainly due to motor vehicle emissions. Proposed mitigation measures do not address increasing project density, which would mitigate air quality impacts by reducing motor vehicle emissions. For example, single family dwelling units generate 9.52 daily trips in contrast to condos which generate 5.81 daily trips, a 40% reduction in daily trips (ITE, 9th edition). Mid-rise apartments generate even fewer trips at 4.20 daily trips.*
>
> *Increased density (i.e., increased residential units/acre) should be identified as a mitigation measure."*

The City notes the commentor's recommendation that increased density should be identified as a mitigation measure for air quality impacts. The formulation of a mitigation measure requiring increased density was unnecessary, as the inclusion of the Reduced Land Area Project Alternative, which includes higher residential densities than the proposed project, satisfies the CEQA requirement of providing the City's decisionmakers with an option for reducing the overall air pollutant emissions of the project as proposed. "{A]lternatives and mitigation measures have the same function—diminishing or avoiding adverse environmental effects." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 403.) However, it is also noted that the Reduced Land Area Project Alternative was found to be less likely to achieve some of the proposed project objectives, such as the provision of public services and infrastructure improvements that would achieve and maintain City service standards (see Table 5.0-1 within the Draft EIR).

Moreover, the commenter has not acknowledged the extent to which the proposed project has been designed to incentivize residents to reduce their automobile usage and thus their air quality impacts. The West Area Specific Plan has been in development for over a decade, and the City has worked to develop a plan that is acceptable from the standpoint of New Urbanism principles, consistent with the General Plan. The New Urbanism principles include walkability, connectivity, mixed-use & diversity, mixed housing, traditional neighborhood design, increased density, and sustainability, all of which are built-in design principles that are intended to reduce environmental impacts, including air quality impacts. Many of these principles align with LandWatch's desire for a sustainable planning approach. More specifically, the Specific Plan contains numerous features that reduce project emissions, including the development of the Village Center concept, which provides high-density housing, the provision of a compact community that promotes pedestrian, bicycle, and transit features, and the establishment of an interconnected sidewalk/path and open space system.

Moreover, the proposed project is consistent with the goals and objectives contained within the Specific Plan, such as the provision of a variety of land uses in easy walking distance, the provision of a variety of housing options for residents, and the provision of opportunities for senior housing.

Response D-5: The commentor states:

> *"Because other specific mitigation measures identified in the DEIR would not reduce impacts to less than significant, Mitigation Measure 3.4-1 would require applicants to prepare Greenhouse Gas Reduction Plans (GGRPs) prior to the approval of the tentative maps and development review permits. The GGRPs would be aimed at achieving per-capita-based specific performance standards through implementation of on-site measures. Off-site measures, including purchase of offsets, would only be considered if sufficient onsite measures were unable to attain performance standards. If sufficient feasible reduction measures included in the GGRPs were unavailable to reduce GHG emissions to below the threshold of significance, the project applicant would be required to include evidence in the Plan to this effect. Implementation of Mitigation Measure 3.4-1 would not be required if the City has a qualified GHG reduction plan in place on the date a future individual project application is deemed complete. (DEIR p. 3.4-37).*
>
> *Because it is possible that individual projects within the Plan Area may not achieve GHG reductions needed for their individual impacts to be less than significant, the DEIR finds that implementation of the Specific Plan would have a cumulatively considerable contribution and significant and unavoidable impact to GHGs. (DEIR p. 3.4-49)*
>
> *Increasing residential unit density is a feasible on-site mitigation method that would help attain the per capita-based performance standard. As identified in comments regarding air quality, increased density should be identified as a mitigation measure."*

The City notes the commentor's recommendation that increased density should be identified as a mitigation measure for air quality/GHG impacts. See the response to comment D-4 above. The proposed project incorporates all feasible mitigation measures, including those identified by this comment (such as implementation of Mitigation Measure 3.4-1, which would require the development of a GGRP where sufficient feasible GHG reduction measures are unavailable to reduce GHG emissions to below the threshold of significance). Additionally, the City has worked to develop a plan that is acceptable from the standpoint of New Urbanism principles, consistent with the General Plan. The New Urbanism principles include walkability, connectivity, mixed-use & diversity, mixed housing, traditional neighborhood design, increased density, and sustainability, all of which are built-in design principles that are intended to reduce environmental impacts, including air quality impacts. Many of these principles align with LandWatch's desire for a sustainable planning approach that reduce air quality/GHG emissions. More specifically, the Specific Plan contains numerous features that reduce project emissions, including the development of the Village Center concept, which provides high-density housing, the provision of a compact community that promotes

pedestrian, bicycle, and transit features, and the establishment of an interconnected sidewalk/path and open space system. Moreover, the proposed project is consistent with the goals and objectives contained within the Specific Plan, such as the provision of a variety of land uses in easy walking distance, the provision of a variety of housing options for residents, and the provision of opportunities for senior housing. Moreover, the proposed project is fully consistent with the General Plan, including residential density levels.

It is noted that the City developed and analyzed the Reduced Land Area Project Alternative, and it was found that the Reduced Land Area Project Alternative did not achieve some of the proposed project objectives, such as the provision of public services and infrastructure improvements that would achieve and maintain City service standards (see Table 5.0-1 within the Draft EIR).

Response D-6: The commentor states:

> *"The estimated 4,320 AFY groundwater pumping for existing agricultural use in the West Area Specific Plan is 2,947 AFY more than the total buildout estimated demand for the West Area Specific Plan, which is 1,373 AFY.*
>
> *The project proposes to construct three new wells, each with a minimum capacity of 1.72 million gallons per day (mgd) to meet a maximum day demand at full plan development of 2,257.6-acre feet/year (AFY). Two wells would be in operation and one well would be in reserve as a backup (this capacity greatly exceeds the projected demand of the Specific Plan of approximately 1,373 AFY, as provided in greater detail below). (DEIR p.2.0-18)"*

This comment describes project water demand as presented in the Draft EIR. This description is intended to serve as introductory text for several comments provided by the comment on the following pages (Responses D-7 through D-9). Responses D-7 through D-9 provide full responses to this topic. Therefore, no response to this comment is warranted.

Response D-7: The commentor states:

> *"The 2019 DEIR relies on the out-of-date 2015 West Area Specific Plan Salinas California SB610 Water Supply Assessment and the out-of-date 2015 Cal Water Salinas District Urban Water Management Plan (UWMP). The most recent groundwater reports show substantial increase in the areas subject to seawater intrusion, which the DEIR fails to acknowledge. (See MCWRA, 2017 Salinas Valley Groundwater level contours and Seawater intrusion Maps, available at http://www.co.monterey.ca.us/home/showdocument?id=63777.) In response to this new information, MCWRA staff issued Recommendations to Address Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin, Special Reports Series 17-01, dated October 2017. (Available at https://www.co.monterey.ca.us/home/showdocument?id=57394.) MCWRA recommended moratoria on new wells in a defined Area of Impact, an expansion of the Castroville Seawater*

Intrusion Project (CSIP) Service Area, termination of pumping from the Area of Impact, certain well destructions, and a moratorium on new wells in the Deep Aquifer pending a study of its viability as a groundwater source. The proposed moratoria would exempt municipal supply wells but not agricultural wells.

Please update the setting description to reflect the most recently available data and analysis for the Salinas Valley.

Please explain whether the project would draw water from wells in the Area of Impact identified in MCWRA's Recommendations to Address Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin."

"The DEIR identifies the Salinas Valley Water Project Phase II (SVWP Phase II) as a "Current/Planned Water Project to Reduce Groundwater Overdraft." (DEIR, pp. 3.11-27 to 3.11-28.) MCWRA issued a Notice of Preparation for an EIR for the project on June 25, 2014. (See MCWRA websites at http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/salinas-valley-water-project-phase-ii#wra; http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/background#wra; http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/salinas-valley-water-project-phase-ii/project-status#wra; http://www.co.monterey.ca.us/home/showdocument?id=2425.) MCWRA has explained that a Settlement Agreement amending Water Right Permit #11043 requires MCWRA to meet "a series of milestones . . . in order to demonstrate progress toward implementation of the Salinas Valley Water Project, Phase II." (see MCWRA website at http://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/background#wra; SWRCB Order WR 2013-0030-EXEC, Order Approving Settlement Agreement and Partial Revocation, August 7, 2013, available at http://www.co.monterey.ca.us/home/showdocument?id=24248.) In the five years since issuing the 2014 NOP, MCWRA has not issued an EIR for the SVWP Phase II; and there is no evidence that MCWRA has met any of the SWRCB's milestones since 2014. The SVWP Phase II is not funded, and MCWRA acknowledges that it does not have adequate funding.

Please correct the misleading impression that the SVWP Phase II represents a foreseeable part of the solution to Basin overdraft."

The Water Supply Assessments and Urban Water Management Plans that were referenced in the Draft EIR, contain water supply and demand data that was generated by the Cal Water, which is the water purveyor for the Specific Plan Area. This data is the most reliable water supply and demand information available.

The City notes that recent groundwater reports (*2017 Salinas Valley Groundwater level contours and Seawater Intrusion Maps*) show substantial increases in the areas subject to seawater intrusion in and around the Specific Plan Area, as stated by the commentor. The City disagrees, however, with the comment that the Draft EIR fails to acknowledge the substantial increase in the areas subject to seawater intrusion. Page 3.11-25 of the Draft EIR incorporates the results found in the *2017 Salinas Valley Groundwater level contours and Seawater Intrusion Maps*. More specifically, the Draft EIR states the following:

> "As described in Cal Water's 2015 UWMP, the groundwater basin was in an overdraft condition at the time the UWMP was adopted. The State has designated the 180-foot and 400-foot aquifers as critically overdrafted. While the basin remains unadjudicated, the California Department of Water Resources has listed the groundwater basin as a high priority. The main concern of the overdraft is not water level, but rather seawater intrusion into these two aquifers. Seawater intrusion threatens the quality of water extracted from the aquifers.
>
> The UWMP notes the annual non-drought overdraft of the groundwater basin is approximately 45,300 AFY. Because of the hydrologic continuity between the ocean and the aquifers of the Pressure Area, seawater has been intruding into these aquifers at a rate of approximately 28,800 AFY. During droughts, the annual overdraft can escalate to between 150,000 and 300,000 AFY per year.
>
> Refined data on the imbalance of the groundwater basin can be found in the Brown & Caldwell's 2015 State of the Salinas River Groundwater Basin. That report investigates conditions in "Zone 2C" of the groundwater basin. Zone 2C is comprised of seven of the subbasins within the groundwater basin. The report further focuses on the four water-producing subareas, including the Pressure Subarea and the East Side Subarea, that produce nearly all of the reported groundwater use within Zone 2C. The report states that the basin appears to be out of hydrologic balance. The average annual groundwater extraction for the four noted subareas that compose Zone 2C was about 523,000 AFY from 1959 to 2013. The average annual change in storage was about 17,000 to 24,000 AFY, including seawater intrusion. Based on the continued large storage declines in the East Side and Pressure Subareas (and resulting groundwater declines and seawater intrusion), the current distribution of groundwater extractions is not sustainable. Seawater intrusion can account for up to 18,000 AFY of the total storage loss of 24,000 AFY. It is stated that sustainable use of groundwater can only be achieved by aggressive and cooperative water resources planning to mitigate seawater intrusion and groundwater head declines (Brown & Caldwell 2015, p. ES-16). Brown & Caldwell note three possible options for reducing seawater intrusion impacts. These include: 1) reducing pumping in the Pressure and East Side subareas; 2) shifting pumping to areas farther away from the coast as long as it is shifted to areas far enough inland; and 3) shifting pumping from the 180-foot and 400-foot aquifers to the deep 900-foot aquifer. Regarding the latter, it is uncertain whether this is a viable option given the lack of information about connectivity between the three aquifers and

whether pumping in the 900-foot aquifer would lead to the onset of regional seawater intrusion (Brown & Caldwell 2015, pp. 6-3 – 6-4).

Intruding seawater has advanced into the 180-foot aquifer to within one mile of Cal Water's closest well. Cal Water has shifted production as much as possible out of the 180-foot and East Side aquifers and located it further south and more in the 400-foot aquifer of the Pressure area. Cal Water does not pump from the 900-foot aquifer. According to the latest historical seawater intrusion maps provided by MCWRA, although seawater intrusion has slowed considerably in recent years, seawater intrusion in the 180-foot aquifer advanced by approximately 49 acres between 2015 and 2017, the last year for which data is available (MCWRA, 2018). Additionally, seawater in the 400-foot aquifer advanced by approximately 812 acres over this time period (MCWRA, 2018)."

Page 3.11-39 through 3.11- 41 further addresses Seawater Intrusion as follows:

Groundwater Basin Overdraft and Seawater Intrusion

Groundwater is currently the dominant source of water supply for agricultural and municipal water demands in the Salinas Valley. Agricultural water use represents approximately 90 percent of all water used in the Salinas Valley. Unlike the trend in reduced agricultural pumping, urban water use has been increasing. Increases in urban water use, particularly on non-irrigated lands in the northern portion of the Salinas Valley, will place additional pressure on groundwater pumping (Brown & Caldwell 2016, pp. 2-4 – 2-5). The Plan Area is located on irrigated agricultural land. Hence, water demand from their development with urban uses will replace water demand for irrigation.

Urban water supply to Salinas is currently derived exclusively from groundwater. There are no sources of imported water available to augment groundwater supplies within the district or within the groundwater basin. For this reason, the condition of groundwater resources from a supply and demand perspective is critically important in considering potential effects of increased water demand that would result from development of the Plan Area. Due to the growth of urban development and agricultural activities over time, demand for groundwater has increased, resulting in impacts on groundwater availability and quality.

Cal Water extracts groundwater from two hydraulically connected subbasins of the groundwater basin known as the Pressure Subarea and the East Side Subarea. Much of the water supply for Salinas is extracted from the Pressure Subarea. The Pressure Area is a region of gradually declining groundwater elevations and is characterized by three confined aquifer systems, overlain and separated by thick clay layers that act as aquicludes. These aquifers are named for their relative depths, and are known as the "180-foot", the "400-foot", and "900-foot" aquifers, respectively. The groundwater level in the East Side Area is declining more rapidly than any other area in the groundwater basin. The East Side Area is comprised of unconfined, randomly scattered water bearing strata (Cal Water, 2015).

As described in Cal Water's 2015 UWMP, the groundwater basin was in an overdraft condition at the time the UWMP was adopted. The State has designated the 180-foot and

400-foot aquifers as critically overdrafted. While the basin remains unadjudicated, the California Department of Water Resources has listed the groundwater basin as a high priority. The main concern of the overdraft is not water level, but rather seawater intrusion into these two aquifers. Seawater intrusion threatens the quality of water extracted from the aquifers.

The proposed project would replace agricultural water uses with urban water uses. The net change in water demand derived from this conversion is the difference between the existing agricultural baseline demand and water demand from development within the Plan Area. The groundwater basin is currently in overdraft. If the proposed project results in increased water demand that must be met by expanded groundwater pumping within the Pressure Subarea and/or the East Side Subarea, the proposed project would likely exacerbate overdraft and seawater intrusion conditions. In such a case, the sufficiency of water supply entitlements from Cal Water could be in question given the impact. The following analysis examines the net change in water demand (as provided within the WSA).

An estimated 90% of the land in the Plan Area or 720 acres is presently used to grow irrigated crops – lettuce and various vegetables (strawberries, broccoli, cauliflower, and alfalfa). Between two and three crops are grown annually. General cropping practice is to rotate crops. While as many as three crops can be produced in a year, normal practice is to grow two crops. Irrigation is by sprinkler or drip systems, which are supplied by groundwater pumped from agricultural wells in the area.

Groundwater recharge from irrigated agricultural land is a function of many variables including weather, hydrologic conditions, irrigation practices, crops, soil types, soil conditions, etc. One approach to determining recharge is to collect data and make estimates of monthly irrigation, monthly precipitation, runoff, plant evapotranspiration, evaporation, initial soil moisture and the soil's available water holding capacity. (Recharge is the net of irrigation and precipitation minus water losses associated with other factors).

Estimated groundwater pumping for existing irrigated agricultural use in the Plan Area is 4,320 AFY (Cal Water, 2015). The estimated 4,320 AFY ground water pumping for existing agricultural use in the West Area Specific Plan is 2,947 AFY more than the total buildout estimated demand for the West Area Specific Plan in the Water Supply Assessment, which is 1,373 AFY. Therefore, the total buildout estimated water demand for the West Area Specific Plan is projected to use less water than required for current irrigated agricultural uses.

The estimated amount of recharge from existing irrigated agriculture use is 1,296 AFY (Cal Water, 2015). Estimated net consumptive water use by existing irrigated agriculture use in the Plan Area upon buildout of the West Area Specific Plan is 3,024 AFY. The estimated average indoor water use of the West Area Specific Plan is: 0.265 x 78% + 0.735 x 67% = ~ 70%. Assuming similar average percentages of indoor water use for the other use categories results in a total estimated outdoor annual water demand for the Plan Area at buildout is 412 AFY. Additionally, the estimated amount of indoor water use that will become sanitary

wastewater is 0.70 x 1,373 = 961 AFY (Cal Water, 2015). It should be noted that these values differ slightly than what was provided in the Cal Water SB 610 WSA, based on a calculation error (i.e. 1,373.4 AFY versus the 1,368 AFY provided in the WSA).

Sanitary wastewater is conveyed to the M1W Treatment Plant for tertiary treatment in compliance with California State Title 22 requirements. Approximately, 60% of treated effluent is used for agricultural crop irrigation through the Castroville Seawater Intrusion Project/purple pipe program.

The City of Salinas contributes approximately 60% of wastewater flows to the Regional Treatment Plant. Therefore, wastewater from the City of Salinas supplies approximately 36% of treated water used for crop irrigation (0.6 x 0.6 = 0.36). Treated sanitary wastewater (recycled water) from the Plan Area that will be used for agricultural irrigation is: 0.36 x 961 = 346 AFY. This recycled water is groundwater not pumped for agricultural irrigation assuming irrigators use a set amount of water annually for irrigation.

On the basis of this analysis, the estimated total amount of West Area Specific Plan consumptive water use at buildout would be 945 AFY. The estimated total amount of water consumptively used in the Plan Area for irrigating crops is 3,024 AFY (Cal Water, 2015). Therefore, conversion of the Plan Area from agricultural to urban land use could result in an estimated reduction of consumptive groundwater use (or increase in groundwater storage) of 2,078 AFY. This is a significant contribution in reducing overdraft in the Salinas Valley Ground Water basin. Therefore, buildout of the West Area Specific Plan would result in a **beneficial** impact relative impacts related to groundwater basin overdraft and the potential for seawater intrusion.

The Draft EIR concludes that water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the West Area Specific Plan, to the year 2035 under all hydrologic conditions. It is noted that the development of the West Area Specific Plan would reduce consumption of groundwater (equivalent to increasing groundwater storage), when compared to the existing agricultural uses; this would also have the effect of reducing the potential for seawater intrusion into the groundwater basin, when compared to the existing agricultural uses.

Nevertheless, the City has updated the setting description within Section 3.11 Utilities section of the EIR to incorporate relevant information from the MCWRA's *Recommendations to Address Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin*, Special Reports Series 17-01, dated October 2017. This updated information provides additional disclosure of issues related to seawater intrusion within the Salinas Valley Groundwater Basin. The City has also updated the following text to remove reference to the Salinas Valley Water Project Phase II (SVWP Phase II), as requested by this comment. To that end, the City has updated pages 3.11-28 through 3.11-29 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with <u>underline</u> for new text, ~~strike out~~ for deleted text):

~~**Salinas Valley Groundwater Project Phase II**. A conceptual design for Phase II of the Salinas Valley Water Project has been developed by MCWRA. Under this plan additional winter flood flows would be diverted from the Salinas River. These diversions, up to 135,000 AFY, could be directly used by urban customers. A technical memorandum was completed in 2013. Phase II incorporates two surface water diversion points and will be accompanied by conveyance and delivery facilities.~~

Pure Water Monterey Project. The approved Pure Water Monterey Groundwater Replenishment Project will serve northern Monterey County. The project will provide both purified recycled water for recharge of the Seaside Groundwater Basin that serves as drinking water supply, and recycled water to augment the existing Castroville Seawater Intrusion Project's crop irrigation supply. The project is jointly sponsored by the M1W and the Monterey Peninsula Water Management District, and also includes participation by the City of Salinas, the Marina Coast Water District, and the MCWRA. CEQA documentation has been completed for this project.

The project includes collection of a variety of new source waters and conveyance of that water to the M1W regional wastewater treatment plant (regional plant) for treatment and recycling. New source waters include: 1) water from the City of Salinas agricultural wash water system; 2) stormwater flows from the southern part of Salinas and the Lake El Estero facility in Monterey; 3) surface water and agricultural tile drain water that is captured in the Reclamation Ditch and Tembladero Slough; and 4) surface water and agricultural tile drain water that flows in the Blanco Drain. The project would enable California American Water Company to reduce its diversions from the Carmel River system by up to 3,500 acre-feet per year by injecting the same amount of purified recycled water into the Seaside Groundwater Basin. The project would also provide additional recycled water for agricultural irrigation in northern Salinas Valley through the Castroville Seawater Intrusion Project's agricultural irrigation system. It is anticipated that in normal and wet years approximately 4,500 to 4,750 acre-feet per year of additional recycled water supply could be created for agricultural irrigation purposes. In drought conditions, the project could provide up to 5,900 acre-feet per year for crop irrigation (Denise Duffy & Associates, 2016). It is this latter source of new agricultural water that would replace an equivalent volume that is now pumped from the groundwater basin and contributes to groundwater overdraft and seawater intrusion.

Other Water Supply Projects. The Cal Water UWMP includes discussion of new water supply projects from which Cal Water may be able to obtain water supply that would reduce its need to pump groundwater from the groundwater basin. These include Monterey Peninsula Water Supply Project (referenced in the UWMP as the former named Coastal Water Project) and the DeepWater Desal project in Moss Landing.

The Monterey Peninsula Water Supply Project is designed to supply supplemental water to consumers on the Monterey Peninsula. The primary purpose is to enable California American Water, the primary water purveyor for these customers, to reduce California American Water's diversion of water from the Carmel River as mandated by the State. Therefore, this project is not expected to have significant potential to reduce groundwater extraction within the Salinas Valley.

The DeepWater Desal project, proposed for a location in Moss Landing, is in the planning and environmental review stages. If approved, the project is projected to be operational in 2021. If the project proceeds as proposed, it could become a source of municipal water supply for the City of Salinas, thereby potentially reducing the volume of groundwater extracted to serve demand in the city.

Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin

In October 2017, the MCWRA prepared a report (entitled Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin) to discuss the current knowledge and related background information surrounding seawater intrusion pathways and potential impacts on the Salinas Valley Groundwater Basin. Within this report, the MCRWA provided six recommendations with the aim to slow or halt seawater intrusion and impacts related thereto, within the Salinas Valley Groundwater Basin, with each focused on a component that influences, or could be impacts by, the advancement of seawater intrusion. The recommendations include, in no particular order:

1. An immediate moratorium on groundwater extractions from new wells in the Pressure 400-Foot Aquifer within an identified Area of Impact4, except for the following use categories:

a. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,

b. Monitoring wells owned and maintained by the Agency or other water management agencies.

2. Enhancement and expansion of the Castroville Seawater Intrusion Project (CSIP) Service Area. The expansion should include, at a minimum, lands served by wells currently extracting groundwater within the Area of Impact.

3. Following expansion of the CSIP Service Area, termination of all pumping from existing wells Pressure 180-Foot or Pressure 400-Foot Aquifer wells within the Area of Impact, except for the following use categories:

a. Municipal water supply wells;

b. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,

c. Monitoring wells owned and maintained by the Agency or other water management agencies.

4. Initiate and diligently proceed with destruction of wells in Agency Zone 2B, in accordance with Agency Ordinance No. 3790, to protect the Salinas Valley Groundwater Basin against further seawater intrusion.

5. An immediate moratorium on groundwater extractions from new wells within the entirety of the Deep Aquifers of the 180/400 Foot Aquifer and Monterey Subbasins until such time as an investigation of the Deep Aquifers is completed and data pertaining to the hydraulic properties and long-term viability of the Deep Aquifers are available for knowledge-based water resource planning and decision making.

a. Monitoring wells, public agency wells, municipal water supply wells, wells for which a construction permit has already been issued, and well repairs should be considered for exemption from this recommendation.

b. The moratorium should include a prohibition of:

i. Replacement wells, unless it can be demonstrated that the installation of such a well will not result in further expansion of the seawater intrusion front; and,

ii. Deepening of wells from overlying aquifers into the Deep Aquifers, deepening of wells within the Deep Aquifers, and other activities that would expand the length, depth, or capacity of an existing well.

6. Initiate and diligently proceed with an investigation to determine the hydraulic properties and long-term viability of the Deep Aquifers.

The MCWRA as identified an Area of Impact, encompassing an area of the 180/400 Foot Aquifer and Monterey Subbasins that meets the following criterion:

- That portion of the 180/400 Foot Aquifer and Monterey Subbasins in which chloride concentrations in either the Pressure 180-Foot Aquifer or the Pressure 400-Foot Aquifer are 250 milligrams per liter (mg/L) or greater.

The location of areas where chloride concentrations in groundwater are 250 mg/L chloride concentration or greater will be defined by the most recently published data from the Agency; currently this is data from 2015. The use of the 250 mg/L threshold is applicable only to identifying the Area of Impact as it pertains to these recommendations. The Agency will continue to define the extent of seawater intrusion as the area in which chloride concentrations are 500 mg/L or greater.

It should be noted that the report recommends consideration of an exemption for new municipal water supply wells in the entirety of the Deep Aquifers.

Response D-8: The commentor states:

"The DEIR concludes the project would have a less than significant project level impact on the Salinas Valley Basin groundwater:

> *Water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the West Area Specific Plan, to the year 2035 under all hydrologic conditions. … Moreover, the development of the West Area Specific Plan would reduce consumption of groundwater (equivalent to increasing groundwater storage), when compared to the existing agricultural uses; this would also have the effect of reducing the potential for seawater intrusion into the groundwater basin, when compared to the existing agricultural uses. Therefore, overall, buildout of the West Area Specific Plan would result in a less than significant impact relative to this topic. (DEIR p. 3.11-41)*

A project-specific Water Supply Assessment (WSA) has been prepared to evaluate the City's current and future water demands (including those of the Plan Area) against water supplies to ensure that adequate water is, or will be, available to accommodate the West Area Specific Plan. This WSA was prepared in December 2015 (see West Area Specific Plan Salinas California SB610 Water Supply Assessment). This report feeds into the update to the Cal Water Salinas District Urban Water Management Plan (UWMP), in its 2015 Update). The studies conclude that adequate water supplies are available to serve the West Area Specific

Plan. However, the DEIR notes that the overdraft of the Salinas Valley Groundwater Basin is approximately 45,300 acre-feet per year in non-drought years. (DEIR 3.6-4).

While the project would use less water than current uses, it would continue to draw groundwater from a critically overdrafted groundwater basin. Because the basin continues to be severely overdrafted with no identified projects to reverse the trend, the City should find that water supplies are not sufficient to meet the projected water demand associated with the proposed project in addition to the existing and planned future uses.

The DEIR devotes two sentences to the Salinas Valley Basin Groundwater Sustainability Agency. (DEIR p. 3.11-35.) Yet it is this agency that is currently preparing plans to bring the critically overdrafted 180/400 foot sub-basin into sustainability with a plan due in 2020. While specific projects to address seawater intrusion have not been identified, broad categories of projects to reduce groundwater pumping are under consideration, including the fallowing of agricultural land. The EIR should acknowledge that, even though the proposed project would reduce groundwater pumping because it would replace agriculture with land uses with lower water demands, urban land uses cannot be fallowed.

The DEIR's comparison of a water supply used by agriculture and housing does not reflect the actual impact of committing a water supply to housing. Agricultural water demand is seasonal and can be discontinued if water is not available for some period or not available permanently. Unlike the use of water for agriculture, the use of water for housing requires a permanent commitment to protect the substantial capital investment for housing. Thus, for example, MCWRA has recommended exempting municipal supply wells from the proposed moratoria on pumping in the 400-foot and Deep Aquifers.

Groundwater supplies may be cut back in the future to address the currently unsustainable state of groundwater pumping in the Basin. The County, MCWRA, and the SVGBGSA all have the authority to order such cutbacks in the use of groundwater. And in fact, the County has recently ordered certain moratoriums on groundwater use. Those moratoriums have exempted water used for municipal supply purposes and have thus disproportionately targeted agricultural and industrial uses. As part of the mandated Sustainable Groundwater Plan, SGMA would require cutbacks in groundwater use if there were no other methods available to attain a sustainable basin. Currently, there are no funded, approved groundwater management projects that have the potential to prevent seawater intrusion and overdraft conditions, so cutbacks are the only certain means of SGMA compliance.

Thus, the commitment of groundwater that is now used for agriculture on an interruptible basis to be used instead for housing on a non-interruptible basis will limit the options for the future groundwater management. In short, diversion of groundwater to housing may deny groundwater to agriculture. As discussed above, unlike agricultural wells, municipal supply wells may be exempted from existing and future moratoriums on groundwater pumping, as

MCWRA has already recommended. Because of this likelihood, the EIR must acknowledge that the replacement of interruptible water demand with uninterruptible demand is a significant impact, even if the urban demand is less than the displaced agricultural demand.

Please evaluate the effect on competing uses, including agricultural uses and industrial uses, of committing a non-interruptible supply of water for the proposed housing."

The commentor states that the City should find that water supplies are not sufficient to meet the projected water demand associated with the proposed project in addition to the existing and planned future uses. As identified under Impact 3.1-6 of the Draft EIR, the Water Supply Assessment completed for the West Area Specific Plan demonstrates that the City's existing and additional potable water supplies are sufficient to meet the City's existing and projected future potable water demands, including those future water demands associated with the West Area Specific Plan, to the year 2035, under all hydrologic conditions. The West Area Specific Plan proposes to construct three wells with a minimum capacity of 1.72 million gallons per day (MGD) each to meet a maximum day demand at full plan development of 2,257.6 acre-feet/year with two wells in operation and one well in reserve as a backup. Well locations are chosen on the basis of water quality and potential production capabilities.

The Specific Plan Area is currently located on irrigated agricultural land. Hence, water demand from their development with urban uses will replace water demand for irrigation. Urban water supply to Salinas is currently derived exclusively from groundwater. Cal Water extracts groundwater from two hydraulically connected subbasins of the groundwater basin known as the Pressure Subarea and the East Side Subarea. Much of the water supply for Salinas is extracted from the Pressure Subarea. The Pressure Area is a region of gradually declining groundwater elevations and is characterized by three confined aquifer systems, overlain and separated by thick clay layers that act as aquicludes. These aquifers are named for their relative depths, and are known as the "180-foot", the "400-foot", and "900-foot" aquifers, respectively.

The proposed project would replace agricultural water uses with urban water uses. The net change in water demand derived from this conversion is the difference between the existing agricultural baseline demand and water demand from development within the Specific Plan Area. The groundwater basin is currently in overdraft. If the proposed project results in increased water demand that must be met by expanded groundwater pumping within the Pressure Subarea and/or the East Side Subarea, the proposed project would likely exacerbate overdraft and seawater intrusion conditions. However, the proposed project would not result in increased water demand when compared to the existing water demand. The project would result in a net reduction in water demand used within the Specific Plan Area.

As provided under Impact 3.1-6 of the Draft EIR, estimated groundwater pumping for existing irrigated agricultural use in the Specific Plan Area is 4,320 AFY (as provided in the Cal Water WSA). The estimated 4,320 AFY ground water pumping for existing agricultural use in the West Area Specific Plan is 2,947 AFY more than the total buildout estimated demand for the West Area Specific

Plan in the Water Supply Assessment, which is 1,373 AFY. Therefore, the total buildout estimated water demand for the West Area Specific Plan is projected to use less water than required for current irrigated agricultural uses. Furthermore, overall (as identified on page 3.11-41 of the Draft EIR), conversion of the Specific Plan Area from agricultural to urban land use could result in an estimated reduction of consumptive groundwater use (or increase in groundwater storage) of 2,078 AFY. This represents a significant contribution in reducing overdraft in the Salinas Valley Ground Water basin. Therefore, city water supplies would be sufficient to meet the projected water demand associated with the proposed project in addition to the existing and planned future uses. This is also true under cumulative conditions, as provided under Impact 3.11-7 (as identified on pages 3.11-41 through 3.11-43 of the Draft EIR). For these reasons, City staff does not concur that the City should find that water supplies are not sufficient to meet the projected water demand associated with the proposed project in addition to the existing and planned future uses.

It is acknowledged that, even though the proposed project would reduce groundwater pumping because it would replace agriculture with land uses with lower water demands, urban land uses cannot be fallowed. Therefore, the proposed project represents a more permanent, unchangeable demand on the groundwater basin than the current agricultural land uses. However, in 2014, the State of California enacted the Sustainable Groundwater Management Act (SGMA). The SGMA shifted planning and management of groundwater resources to Groundwater Sustainability Agencies, which are made up of local agencies (e.g. cities, counties, and water districts). The SGMA requires development of Groundwater Sustainability Plans (GSPs) by 2020 for priority basins, which includes the Salinas Valley. This law requires groundwater basins or subbasins that are designated as medium or high priority to be managed sustainably. The Salinas Valley Basin Groundwater Sustainability Agency is tasked with developing a comprehensive groundwater sustainability plan by 2020 and implementing the plan to achieve basin sustainability by 2040. Since a long-term solution to the region's groundwater sustainability is required by the State by 2040, and since buildout of the proposed project would take approximately 20 to 30 years, the region's groundwater is required by law to be in a sustainable state by the time of project buildout. Therefore, despite that the proposed project would require a more permanent, unchangeable demand on the groundwater basin than the current agricultural uses, the State's requirement for long-term sustainability of the underlying groundwater basin ensures that the impact to groundwater would be less than significant.

Response D-9: The commentor states:

> *"The DEIR finds the project would not have a significant and unavoidable cumulative impact on the groundwater basin:*
>
> > *There would be sufficient water resources available to provide supply for buildout of the cumulative scenario, so that no significant cumulative effect on the overall water supply would result. Therefore, this would result in a less than significant cumulative impact and a less than cumulatively considerable impact on water utilities. (DEIR p. 3.11-431)*

The DEIR cumulative water supply impact analysis assumes, without evidence, that there is no impact from replacing agricultural land with urban uses as long as the on-site water use declines. ***It should not be assumed that the water impact analysis can be confined to the on-site effects of replacing agricultural land with urban uses.***

Trend analysis of urbanization of agricultural land and of conversions of habitat land to agriculture indicate that displacement of agricultural use by urbanization causes conversion of additional habitat land to provide replacement farmland. For example, the 2010 Monterey County General Plan EIR projects that 10,253 acres of farmland will be added to the SVGB by conversion of previously uncultivated land available in the SVGB. (Final EIR, Monterey County General Plan, March 2010, p. 2-36, available at http://co.monterey.ca.us/home/showdocument?id=45384.) That analysis assumed that 2,571 acres of farmland would be lost to urbanization within the unincorporated area of the county during the life of the County General Plan. (Draft EIR, Monterey County General Plan, September 2008, p. 4.2-12, available at http://co.monterey.ca.us/home/showdocument?id=43988.) The West Area Specific Plan DEIR acknowledges that for every acre of agricultural land converted to urban uses, ten acres of previously unirrigated land (e.g., range land or open space land) have been converted to agricultural use. (DEIR, p. 3.11-42.) It is clear that conversion of land for new cultivation within the Salinas Valley Groundwater Basin exceeds the loss of agricultural land to urbanization. The evidence is that there is a continuing demand for new irrigated land in the Salinas Valley.

Accordingly, the conversion of the project site to urban uses, displacing existing agricultural use, could accelerate conversions of previously uncultivated land for agriculture, with the net effect of an increase in cumulative water demand from the Salinas Valley Groundwater Basin, ***even if the demand at the newly urbanized site declines. Thus, there is no basis to assume that the project's new water use will not increase overall water use in the Salinas Valley in light of the evidence that demand for agricultural land use is increasing and that displaced agricultural land is being replaced by conversion of other areas in the Valley to irrigated agriculture****.*

Please evaluate the effect on the demand for additional agricultural land conversions within the Salinas Valley Groundwater Basin caused by displacing the existing agricultural use from the project site.

Please estimate the water demand from new agricultural conversions that are attributable to this displacement."

The proposed project results in a conversion of agricultural land to an urban use, which will reduce total water consumption in the Specific Plan Area. This is a material fact that is the basis for the conclusion that water use will decrease. The proposed project does not propose any other

conversions of land to an alternative use outside the boundary of the Specific Plan Area, nor are there any indications that the proposed project would result in increased water use on another site outside of the Specific Plan Area. "The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." (CEQA Guidelines section 15064(h)(4).) "Just as zero when added to any other sum results in no change to the final amount, so, too, when no environmental impacts cognizable under CEQA are added to the alleged environmental impacts of past projects, there is no cumulative increased impact." (Santa Monica Chamber of Commerce v. City of Santa Monica (2002) 101 Cal.App.4th 786, 799.)

Additionally, the City does not control any land use decision that is made outside the boundary of the City limits. Instead, the County of Monterey is the local land use authority that is responsible for land use decisions in the unincorporated boundary. The Agricultural Commission also has responsibility for agricultural use in the unincorporated parts of Monterey County. The notion that the City's action in approving the Specific Plan (should that occur) would be the proximate cause of the conversion of habitat lands to agricultural uses somewhere else is speculative. Even if it were true that the conversion of agricultural lands to urban uses sometimes facilitates the conversion of habitat lands to agricultural uses, it would be speculative for the City to try to predict exactly where with the Monterey County region such conversions might occur. Too many potential variables exist to allow for any kind of informed prediction, as any conversions of habitat lands to agriculture would occur only due to a multitude of individual decisions by individual actors in light of factors such as the cost of land, soil types in various areas, the cost of securing irrigation water, crop demands, crop prices, and the like. Any such conversions might also require discretionary decisions by Monterey County that could trigger CEQA review that would allow for public input prior to the conversion. At such times, issues relating to groundwater overdraft could be vetted. "[W]here future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences." (City of Maywood v. Los Angeles Unified School Dist. (2012) 208 Cal.App.4th 362, 399.)

The City acknowledges the commentor's reference to the County General Plan EIR, which notes that there is an estimated 10,253 acres of farmland that will be added in the Salinas Valley. But this projection of what *could* occur should be tempered by the reality of limited water supplies, which the commenter has emphasized. Water is a limited resource in Monterey County and the availability of water will dictate the ability for any currently uncultivated land to become cultivated in the future. It is highly speculative to assume that all demand for irrigated farmland will be met given that there is a limited resource (i.e., water) that must be considered in the equation. Such assumptions would be in conflict with the basic principles of supply and demand economics. A case in study is the vast uncultivated areas of the Central Valley and Imperial Valley, which remains unirrigated due to the lack of water available to irrigation. These potentially highly productive uncultivated areas, or in some cases, previously cultivated areas, cannot become cultivated though it is desirable, because

there is no available water. Again, water is a limited resource that affects the ability of land to be irrigated. If the following assumptions were to materialize on an uncultivated property in Monterey County then it is possible that that individual property could convert to an irrigated farm. The following would need to happen: 1) if a property owner desires to convert its property to an irrigated farmland, and 2) if the property owner gains the land use and environmental clearance approvals to convert the uncultivated land to irrigated farmland, and 3) if the property owner is able to purchase, or otherwise gain the water rights necessary to irrigate the land, then 4) it is possible that the individual property owner would be able to convert their property into an irrigated farmland operation. As such, if any property owner desires to convert uncultivated land within the SVGB to an irrigated farmland then there may be a path available for such an action, but alternatively, given that water is a limited resource, this path may not be available for all property owners in the future. A decision by a property owner in unincorporated Monterey County to pursue cultivation of its property is a decision made by that property owner, and is not proposed by the West Area Specific Plan and is not associated with the City's desire to plan its growth in the City's Future Growth Area.

Regardless, once a Groundwater Sustainability Plan (GSP) is in place and the region moves towards a sustainable groundwater situation by 2040 under the Sustainable Groundwater Management Act, any new groundwater pumping will have to operate within the legal framework set forth by the GSP.

Response D-10: The commentor states:

> *Under Cumulative Plus Project with Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the transportation performance measures established by the City of Salinas, Monterey County, and Caltrans. Because implementation of the West Area Specific Plan under cumulative conditions would cause significant and unavoidable impacts to some facilities, implementation of the proposed project would make a cumulatively considerable contribution to significant traffic impacts. (DEIR p. 4.0-27).*
>
> *The proposed project is estimated to generate a total of approximately 221,017 average daily vehicle miles travelled (Average Daily VMT) at project buildout. (DEIR 3.4-46). Under the CEQA requirements for traffic analysis to be implemented by July 1, 2020, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. Please address the project's impact on transportation based on this criterion. Again, we note that increased residential unit density per acre would reduce VMT.*

The proposed project would add vehicle miles traveled in the Specific Plan Area compared to existing conditions. It is noted that increased residential unit density per acre would reduce VMT. As further noted by this comment, the CEQA requirements for traffic analysis to include VMT analysis is not required for proposed projects prior to July 1, 2020. (CEQA Guidelines section 15064.3(c).) Since the proposed project has already gone out for public review (prior to July 1, 2020), the traffic analysis provided within the Draft EIR, which is based off of the Transportation Impact Analysis developed

by Fehr & Peers, is currently adequate from the legal standpoint. The commenter is not contending otherwise. The existing Transportation Impact Analysis provided by Fehr & Peers, and the environmental impact analysis provided in Section 3.10 (Transportation and Circulation) of the EIR provides a thorough disclosure of and analysis of the transportation impacts of the West Area Specific Plan. The analysis follows the adopted methodology as established by the City of Salinas. It is noted that the City of Salinas will make the appropriate adjustments to include a VMT analysis in its adopted transportation analysis methodology prior to the July 1, 2020 deadline; however, such an analysis is not required for the proposed project.

Response D-11: This comment describes details of the project alternatives and is introductory text for two of the following comments (Comments D-12 and D-13), related to the project alternatives. See the responses to comments for Comments D-12 and D-13 for detailed responses to issues to this topic. No response to this comment is warranted here.

Response D-12: The commentor states:

> *"The DEIR purports to provide conclusions regarding the Reduced Land Area Project alternative (RLA Alternative) in Table 5.0-1 (Ability of Alternatives to Meet Proposed Project Objectives) and Table 5.0-10 (Comparison of Alternative Project Impacts to the West Area Specific Plan). The Tables contain unexplained and apparently erroneous conclusions.*
>
> *Public Services And Infrastructure Objective: Table 5.0-1 indicates without any explanation that the RLA Alternative would not "Provide public services and infrastructure improvements that achieve and maintain City service standards." <u>Please indicate in what respect the RLA Alternative would fail to meet this objective.</u> Which service standards would not be met by the RLA Alternative and why? We note that the DEIR states that the RLA Alternative would result in development of public facilities, such as schools and parks, and would be required to pay public safety impact fees. (DEIR, p. 5.0-25.)*
>
> *Table 5.0-1 does not indicate whether the West Area Specific Plan would itself meet this objective. <u>Please indicate whether the West Area Specific Plan would itself meet this objective.</u>*
>
> *Table 5.0-1 does not provide any explanation as to whether the RLA Alternative would better meet this objective than the West Area Specific Plan. <u>Please indicate whether the RLA Alternative or the West Area Specific Plan would better meet this objective and why.</u> We note that the DEIR states that the RLA Alternative "would have a slightly reduced impact to public services when compared to the proposed project" (DEIR, p. 5.0-25) and "the demand for utilities would be reduced under this alternative when compared to the proposed project" (DEIR, p. 5.0-26).*

The commentor states that Table 5.0-1 and 5.0-10 of the West Area Specific Plan draft EIR contain unexpected and apparently erroneous conclusions. A review of Table 5.0-1 by City staff shows that the information and conclusions are correct. The table shows that the Reduced Land Area Project Alternative does not fully meet the objective to "Provide public services and infrastructure improvements that achieve and maintain City service standards." The Reduced Land Area Project Alternative does not fully meet the project objective to "Provide public services and infrastructure improvements that achieve and maintain City service standards" because the Reduced Land Area Project Alternative would develop fewer roadways, bicycle and pedestrian pathways, and other infrastructure improvements (such as well sites) when compared with the proposed project. Under this alternative, APNs 211-011-008 and 211-011-009, as shown in Figure 5.0-1 of the Draft EIR, would not be developed. The effect of this area not developing in accordance with the General Plan, would result in the following roadways and infrastructure improvements not being developed:

- Natividad Road (Major Arterial) expansion frontage improvements;
- Russell Road (Major Arterial) expansion;
- Rogge Road frontage improvements;
- The proposed water well #3 and water treatment site;
- The supplemental stormwater basins along Natividad Road; and
- Neighborhood Park WA-3 (3-acre park).

Therefore, based on the above list of roadways and infrastructure improvements that would not be developed under this alternative, the ability of the City to provide public services and infrastructure improvements in accordance with the adopted General Plan would be hampered under the Reduced Land Area Project Alternative. It should be noted a similar rationale is also the basis for determining that the Smaller-Scale Project Alternative would not meet this project objective.

The proposed project would meet this objective, however, since it would, as detailed throughout the Draft EIR, provide public services and infrastructure improvements that meet and maintain City standards and are in accordance with the General Plan. Specifically, the proposed project would also meet this objective through incorporation of the mitigation measures provided in Section 3.10 (Transportation and Circulation), as well as consistency of the proposed project with the 2002 Salinas Bikeways Plan and other City plans and policies, as detailed within Impact 3.10-8 of the Draft EIR.

The commentor has noted a transcription error identified in Table 5.0-10 relating to the public services impacts of the Reduced Land Area Project Alternative. The table shows a conclusion of "Equal" impact on Public Services (Fire Service, Police Service, School Service, Park Service, and Other Public Facilities), while the alternative analysis for Public Services shows that there is a "Slightly Less" impact on public services impacts under this alternative. The analysis under this impact has not changed. Table 5.0-10 on pages 5.0-7 through 5.0-49 within the Final EIR warrants a

correction as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

TABLE 5.0-10: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE WEST AREA SPECIFIC PLAN

ENVIRONMENTAL TOPIC	PROPOSED PROJECT[1]	NO PROJECT (NO BUILD) ALTERNATIVE	REDUCED LAND AREA PROJECT ALTERNATIVE	REDUCED RESIDENTIAL INTENSITY/DENSITY ALTERNATIVE	SMALLER-SCALE PROJECT ALTERNATIVE
SECTION 3.9 - PUBLIC SERVICES (PS)					
PS Impact 3.9-1	LS/MM	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-2	LS	Slightly Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-3	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-4	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-5	LS	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-6	CC & SU	Less	Slightly Less	Slightly Less	Slightly Less

Response D-13: The commentor states:

> *Interconnected Pathway Objective: Table 5.0-1 indicates without any explanation that the RLA Alternative would not "Establish an interconnected sidewalk/pathway and open space system throughout the development which links to the greater FGA and City as a whole." Please indicate in what respect the RLA would fail to meet this objective. Note that the discussion of the RLA Alternative states that it would provide "greater opportunities for non-motorized transportation choices (such as walking or cycling)." (DEIR, p. 5-0-18, emphasis added.)*
>
> *Table 5.0--1 does not indicate whether the West Area Specific Plan would itself meet this objective. Please indicate whether the West Area Specific Plan would itself meet this objective. Table 5.0-1 does not provide any explanation as to whether the RLA Alternative would better meet this objective than the West Area Specific Plan. Please indicate whether the RLA Alternative or the West Area Specific Plan would better meet this objective and why.*

The Reduced Land Area Project Alternative does not meet the project objective to "Establish an interconnected sidewalk/pathway and open space system throughout the development which links to the greater FGA and City as a whole" because this alternative would leave a portion of the proposed project undeveloped (APNs 211-011-008 and 211-011-009), as shown in Figure 5.0-1 of the Draft EIR. This is an area located adjacent to the future Central Area Specific Plan (within the City's FGA). This means that there would be fewer interconnected sidewalks/pathways and available open space areas for City residents, and would limit the connectivity between the West Area Specific

Plan (the proposed project) and the planned for Central Area Specific Plan (a planned Specific Plan area that would be located just to the east of the proposed project). This reduced connectivity means that the Reduced Land Area Project Alternative would not establish an interconnected sidewalk/pathway and open space system which fully links with the greater FGA and the City as a whole. It should be noted that this rationale is also the basis for determining that the Smaller-Scale Project Alternative would not meet this Specific Plan objective. Specifically, the following roadways would not be developed under this alternative:

- Natividad Road (Major Arterial) expansion frontage improvements (proposed Class II bike lane);
- Russell Road (Major Arterial) expansion (proposed Class II Bike Lane); and
- Rogge Road frontage improvements.

The proposed project would meet this objective through incorporation of the mitigation measures provided in Section 3.10 (Transportation and Circulation), and consistency of the proposed project with the 2002 Salinas Bikeways Plan and other City plans and policies. The proposed project would develop the full extent of Natividad Road (Major Arterial), Russell Road (Major Arterial), and Rogge Road. Class II bike lanes are proposed along Natividad Road and Russell Road, which would not be fully developed and provide planned for connections to the other portions of the City's FGA. For these reasons, while the proposed project would meet this objective, the Reduced Land Area Project alternative would not meet this objective.

Response D-14: The commentor states:

> *"Air Quality Impacts: Table 5.0-10 indicates that the RLA Alternative would have "greater" impacts with respect to AQ Impact 3.1-1, which is identified as "the potential to conflict with or obstruct implementation of the applicable air quality plan." This determination is unexplained and inconsistent with the determination in Table 5.0-10 and in the discussion section that in all other respects the RLA Alternative would have slightly less air quality impacts due to its more compact development size and reduction in mobile source emissions, the predominant source of air quality impacts. (DEIR, pp. 5.0-16 to 5.0-18.) Please explain how the RLA Alternative could have "greater impacts" with respect to AQ Impact 3.1-1 than the West Area Specific Plan."*
>
> *The DEIR identifies AQ Impact 3.1-1 as less than significant for the West Area Specific Plan. Please explain whether AQ Impact 3.1-1 would also be less than significant for the RLA Alternative.*

The proposed project alternatives, including the Reduced Land Area Project Alternative, would have greater impacts with respect to Air Quality Impact 3.1-1, which is identified as "the potential to conflict with or obstruct implementation of the applicable air quality plan." This is because the Association of Monterey Bay Area Governments (AMBAG), in consultation with the City of Salinas,

included the North of Boronda Future Growth Area (inclusive of the West Area Specific Plan) within the AMBAG 2018 Regional Growth Forecast. The AMBAG 2018 Regional Growth Forecast feeds into the Monterey Bay Air Resources Board's (MBARD) 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) as well as the future version of the Air Quality Management Plan (AQMP). Therefore, while an increase in density has the potential to reduce mobile source emissions, this is not guaranteed. Alteration of the proposed project to increase density would be less consistent with the region's air quality and transportation planning documents, since alternatives to the proposed project were not included or modeled within the relevant plans and forecasts. Therefore, although the Reduced Land Area Project Alternative is expected to have many reduced impacts as compared with the proposed project, given its increased residential density compared to the proposed project, since it was not specifically planned for in the MBARD planning documents and within the AMBAG forecasts, its impact to this topic is considered greater than that of the proposed project (for this particular impact). Nevertheless, as shown in Table 5.0-10, the Reduced Land Area Project Alternative is expected to have a slightly lower impact for each of the other air quality impacts.

Response D-15: The commentor further states:

> *Hydrological Impacts: Table 5.0-10 indicates that the RLA Alternative would have "slightly greater" impact with respect to HYD Impact 3.6-3, which is identified as the "potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge." Table 5.0-10 indicates that the RLA Alternative would have a "slightly greater" impact with respect to HYD Impact 3.6-10, which is identified as "Cumulative impacts related to degradation of groundwater supply or recharge." These determinations appear to be founded on the discussion that concludes that the areas "not to be developed would remain under agricultural production" and would "continue to require intensive groundwater pumping for the agricultural production." (DEIR, p. 5.0-23.) This analysis is inconsistent with the impact analysis used elsewhere in the DEIR, which considers only the difference in the water use for urban and agricultural uses in the area to be developed. Indeed, the RLA Alternative description states that "162 acres in the northeast corner of the plan Area would be removed." (DEIR, p. 5.0-17.) <u>Because the 162 acres would not be part of the RLA Alternative it is improper to charge the RLA Alternative with the water that would be used in that area for purposes that are not part of the project</u>.*

The baseline physical conditions of the Specific Plan Area include the entirety of the Specific Plan Area, even when considering the analysis of the significant effects of the proposed project and its alternatives. Therefore, even though the 162 acres in the northwest corner of the Specific Plan Area would be excluded from the Reduced Land Area Project Alternative, this area is included with the Specific Plan Area for the proposed project, and is thus part of the baseline physical conditions by which a significance determination is made. In order to make a proper comparison of the proposed project with each of the alternatives, the entire Specific Plan Area must be taken into account. For

this reason, the analysis of any alternative's impact relative to the proposed project includes an analysis of the area that would be excluded by the Reduced Land Area Project Alternative, to the extent that is included within the Specific Plan Area (i.e. project site) for the proposed project. Since agricultural water use is currently occurring in the entire Specific Plan Area, it is reasonably foreseeable that, if only a portion of the planning area were developed, agricultural water use would continue on the remainder.

Support for the City's approach on this issue is provided in CEQA Guidelines Section 15125 (Environmental Setting): "*An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.*"

Response D-16: The commentor states:

> *Furthermore, the comparison of hydrological impacts of the RLA Alternative and the West Area Specific Plan omits any consideration of two critical differences. First, as the DEIR admits, the RLA Alternative "would have a greater chance of groundwater recharge because it would reduce the amount of impervious surfaces by 20 percent as compared to the West Area Specific Plan." Second, the DEIR fails to assess the reduction in per-unit water use for denser residential development. Multi-family residential use and smaller single-family lots uses less water. Please estimate the reduction in per-unit and overall water use attributable to increased recharge and denser residential development in the RLA Alternative compared to the West Area Specific Plan.*

The Reduced Land Area Alternative "would have a greater chance of groundwater recharge compared with the proposed project because it would reduce the amount of impervious surfaces by 20 percent as compared to the West Area Specific Plan," and there could be a reduction in per-unit water use for denser residential development. The City does not agree, however, that these factors make the Reduced Land Area Alternative less water-intensive than the proposed project, as the remaining agricultural water use under this alternative would involve greater volumes of water than would be saved through increased recharge in the undeveloped areas. The Draft EIR goes into detail to describe the dramatically increased water usage associated with agricultural land uses when compared to proposed project land uses. Therefore, the existing analysis of hydrological impacts of the Reduced Land Area Alternative, which asserts that overdraft conditions would worsen in the Salinas Valley Ground Water basin under this alternative when compared to the proposed project, remains valid. This is due to the dramatically higher water usage under the current irrigated agricultural cultivation uses as compared with developed residential and/or commercial uses.

Response D-17: The commentor states:

> *Population And Housing Impacts: Table 5.0-10 indicates that the RLA Alternative would have "greater" impact with respect to POP Impact 3.8-1, which is identified as the "potential to induce substantial population growth in an area." Table 5.0-10 indicates that the RLA Alternative would have a "greater" impact with respect to POP Impact 3.8-2, which is identified as "Cumulative impact on the potential to induce substantial population growth in an area." These determinations are based on the erroneous statement in the discussion section that under the RLA Alternative "fewer units would be build" and the City would have to look to other undeveloped areas to accommodate the demand that would have been met by the West Area Specific Plan. (DEIR, p. 5.0-24.) This is not true. The RLA Alternative is described as increasing the residential density from 9 to 11.3 units per acre by reducing the footprint 20% "while retaining the same number of residences, mixed use commercial areas, schools, parks, etc. as the proposed project."[1] (DEIR, p. 5.0-6, emphasis added.) Please correct the erroneous determination that the RLA Alternative would have greater population and housing impacts which is founded on a mischaracterization of the RLA Alternative.*

This comment warrants a text on page 5.0-24 as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

> **Population and Housing**
>
> The City anticipates growth within the community over time, and has responded to the anticipated growth by establishing a Future Growth Area (FGA). The FGA was established through a community process that focused on allowing new development to specific areas of the city that have been determined to have adequate infrastructure and resources to accommodate the growth. The Plan Area is within the North of Boronda FGA, and the West Area Specific Plan is a planning document that implements the City's intent to focus new development, and the growth that goes along with the new development, into the FGA. The West Area Specific Plan would not displace substantial numbers of existing housing and/or substantial numbers of people, but would instead provide new housing consistent with the City's General Plan. The West Area Specific Plan does not divide the community, but rather, it is an extension of the existing community.
>
> Under the Reduced Land Area Project Alternative, the project footprint~~development~~ would be reduced by 20 percent when compared with the proposed project. However, although the residential density would increase from approximately 9.0 to 11.3 residential units per acre under this alternative, the number of residences developed under this alternative would be the same as for the proposed project.~~Development of housing would still occur under this alternative, but fewer units would be built. Growth would still be anticipated to occur within the region, but it would not be fully accommodated in the North of Boronda FGA which has undergone extensive planning efforts by the City and community for over a decade. This would not be consistent with the FGA and General Plan.~~

[1] *If the RLA Alternative does not in fact retain the same number of residential units, then a reduced area alternative that does retain the same number of units should be evaluated.*

~~The City would need to look to other undeveloped areas of the region to develop for new housing which would be expected to have environmental impacts that have not yet been assessed but could well be worse than those of the West Area Specific Plan, particularly with respect to prime agricultural land, which is abundant in the region.~~ Overall, this alternative would have an equal ~~greater~~ impact when compared to the proposed project.

We have also updated Table 5.0-10 on page 5.0-48 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

TABLE 5.0-10: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE WEST AREA SPECIFIC PLAN

ENVIRONMENTAL TOPIC	PROPOSED PROJECT[1]	NO PROJECT (NO BUILD) ALTERNATIVE	REDUCED LAND AREA PROJECT ALTERNATIVE	REDUCED RESIDENTIAL INTENSITY/DENSITY ALTERNATIVE	SMALLER-SCALE PROJECT ALTERNATIVE
SECTION 3.8 - POPULATION & HOUSING (POP)					
POP Impact 3.8-1	LS	Greater	~~Slightly Greater~~Equal	Slightly Greater	Slightly Greater
POP Impact 3.8-2	LS & LCC	Greater	~~Slightly Greater~~Equal	Slightly Greater	Slightly Greater

Response D-18: The commentor states:

Transportation Impacts: Table 5.0-10 indicates that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-7, which is identified as "impacts related to emergency access." There is no apparent basis for this determination. The discussion section states that the RLA Alternative would have less of an overall traffic impact than the proposed project. Please explain the basis for the determination that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-7.

The DEIR identifies TC Impact 3.10-7 as less than significant for the West Area Specific Plan. Please explain whether TC Impact 3.10-7 would also be less than significant for the RLA Alternative.

Table 5.0-10 indicates that the RLA Alternative would have a "slightly greater" impact with respect to TC Impact 3.10-8, which is identified as "conflict with adopted multi-modal circulation policies, plans, or programs" or a "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities." There is no apparent basis for this determination. The discussion section states that the RLA Alternative would have less of an overall traffic impact than the proposed project. Furthermore, it states that the more compact development of the RLA Alternative would provide "greater opportunities for non-motorized transportation choices (such as walking or cycling)," i.e., greater opportunity for multi-modal circulation. (DEIR, p. 5.0-18.) Please explain the basis for the determination that the RLA Alternative would have "slightly greater" impact with respect to TC Impact 3.10-8.

The Reduced Land Area Project Alternative would have "slightly greater" impact with respect to Transportation and Circulation Impact 3.10-7, which is identified as "impacts related to emergency access." The basis for this determination is that the increased density of the proposed project would increase congestion on existing and planned roadways as compared to the proposed project, given that fewer roadways would be developed under this alternative (because the APNs 211-011-008 and 211-011-009 would not be developed under this alternative). Specifically, Natividad Road (Major Arterial), Russell Road (Major Arterial), and Rogge Road would not be expanded with full frontage improvements under this alternative. Congestion is also expected to be slightly higher under this alternative compared to the proposed project, given the increased density of traffic (based on fewer roadway miles being developed under this alternative compared with the proposed project), and the increased density of the proposed project (to 11.3 residential units per acre under this alternative, compared to 9.0 residential units per acre under the proposed project). This represents a slightly greater impact with respect to emergency access within the Specific Plan Area. It is noted that the significance determination under Transportation and Circulation Impact 3.10-7 would likely still be less than significant for the Reduced Land Area Alternative, similar to the proposed project; however, the roadway network will not have the same capacity as under the proposed project so the determination remains "slightly greater."

Additionally, the Reduced Land Area Project Alternative would have a "slightly greater" impact with respect to Transportation and Circulation Impact 3.10-8, which is identified as "conflict with adopted multi-modal circulation policies, plans, or programs" or a "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities." The basis for this determination is that the following roadways would not be developed in full under this alternative:

- Natividad Road (Major Arterial) expansion frontage improvements (proposed Class II bike lane);
- Russell Road (Major Arterial) expansion (proposed Class II Bike Lane);
- Rogge Road frontage improvements.

Since these roadways would not be developed in full, as planned for by the proposed project, connectivity with the remainder of the City and County, including other areas within the City's FGA, would be more limited under the Reduced Land Area Project Alternative as compared to the proposed project.

These determinations are consistent with the conclusions provided in Table 5.0-10 for Transportation and Circulation Impact 3.10-8.

Response D-19: The commentor states:

> *Loss of Agricultural Land: As this project's DEIR acknowledges, the Salinas General Plan EIR acknowledges that there is a significant and unavoidable impact related to the loss of important farmland. (DEIR, p. 1.0-16.) The mitigation required by the General Plan EIR and*

by regulation will not render this impact less than significant for this project. However, the adoption of the RLA Alternative will serve to substantially reduce this significant impact by reducing the loss of agricultural land by 20%. This DEIR's alternatives analysis should identify the reduction in this significant impact to agricultural land as a benefit of the RLA Alternative compared to the proposed West Area Specific Plan."

Although the Reduced Land Area Project Alternative would have fewer adverse effects than the proposed project on agricultural lands, the fact that the effects would be diminished is not considered a "benefit" under a standard CEQA analysis. Rather, both alternatives would have adverse effects, though those of the Reduced Land Area Project Alternative would be less severe.

The loss of agricultural land associated with new development contemplated by the City's General Plan was addressed previously and was not revisited at length in the text of this EIR, though the issue is discussed in the Initial Study for the project (Appendix A to the Draft EIR). This EIR tiered from, and relied upon, the City's General Plan EIR with respect to this subject matter.

The Final Environmental Impact Report, Salinas General Plan (Cotton Bridges Associates 2002) noted that General Plan buildout would result in the conversion of 3,525 acres of agriculture lands to urban uses. The Final Environmental Impact Report, Salinas General Plan (Cotton Bridges Associates 2002) also indicated that General Plan buildout would result in agricultural activity in proximity to residential and other urban uses, which may result in conflicts between the uses. It is noted that agricultural activity can cause nuisances related to air quality and noise that may disturb surrounding development. Urban activities may also negatively affect nearby agricultural uses, as increased vandalism often occurs and the introduction of domestic animals may disturb certain agricultural activities.

Any future development under the approved General Plan, which includes all development under the proposed project, would be required to comply with the regulations, policies, and standards referenced within the Final Environmental Impact Report, Salinas General Plan (Cotton Bridges Associates 2002). As stated within the Draft EIR, and recapitulated in the comment, implementation of the proposed project would not result in any new significant adverse impacts beyond those addressed in the Final Environmental Impact Report, Salinas General Plan (Cotton Bridges Associates 2002) and Final Supplemental for the Salinas General Plan Final Program EIR (EDAW/AECOM 2007). Therefore, the agricultural resources topic was determined to not warrant additional analysis and was not addressed further in the Draft EIR.

Response D-20: The commentor states:

"The Smaller-Scale Project Alternative is identified as the Environmentally Superior Alternative even though it does not meet the number of residential units as provided in the Salinas General Plan. (DEIR 5.0-45.) However, the Reduced Land Area Alternative meets all the same project objectives as the Smaller-Scale alternative as identified in Table 5.0-1.

Furthermore, as discussed above, there appears to be no basis for the determinations in Table 5.0-1 that the RLA Alternative does not meet the project objectives related to public service standards or connected pathways as well as the proposed West Area Specific Plan would meet these two objectives.

Compared to the proposed West Area Specific Plan, the RLA Alternative would increase density to 11.3 units per acre, meet the number of residential units as provided in the Salinas General Plan, and reduce the project foot print by 162 acres. As discussed above, there is no basis for the determinations in Table 5.0-10 that any specific impacts for the RLA alternative are greater, or even slightly greater, than for the West Area Specific Plan.

Please explain whether the Reduced Land Area Project Alternative is environmentally superior to the proposed West Area Specific Plan."

The Reduced Land Area Project Alternative would generate some impacts that would be greater, or slightly greater, than the West Area Specific Plan. As provided within Table 5.0-1 of the Draft EIR, and as amended by the errata changes described herein, these include:

- Air Quality Impact 3.1-1;
- Hydrology and Water Quality Impact 3.6-3;
- Hydrology and Water Quality Impact 3.6-10;
- Transportation and Circulation Impact 3.10-7; and
- Transportation and Circulation Impact 3.10-8.

As previously identified, the Reduced Land Area Project Alternative would have greater impacts with respect to Air Quality Impact 3.1-1, which is identified as "the potential to conflict with or obstruct implementation of the applicable air quality plan." This is because the Association of Monterey Bay Area Governments (AMBAG), in consultation with the City of Salinas, included development of the entirety of the North of Boronda Future Growth Area (inclusive of the West Area Specific Plan) within the AMBAG 2018 Regional Growth Forecast. The AMBAG 2018 Regional Growth Forecast feeds into the Monterey Bay Air Resources Board's (MBARD) 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) as well as the future version of the Air Quality Management Plan (AQMP). Therefore, while an increase in density has the potential to reduce mobile source emissions, this is not guaranteed. Alteration of the proposed project to increase density would be less consistent with the region's air quality and regional transportation planning plan documents, since alternatives to the proposed project were not included or modeled within the relevant plans and forecasts. Therefore, although the Reduced Land Area Project Alternative is expected to have many reduced impacts as compared with the proposed project, given its increased residential density compared to the proposed project, since it was not specifically planned for in the MBARD planning documents and within the AMBAG forecasts, its impact to this topic is considered greater than that of the proposed project (for this particular impact).

With respect to impacts, the baseline physical conditions of the Specific Plan Area include the entirety of the Specific Plan Area, even when considering the analysis of the significant effects of the proposed project and its alternatives. Therefore, even though the 162 acres in the northwest corner of the Specific Plan Area would be excluded from the Reduced Land Area Project Alternative, this area is included with the Specific Plan Area for the proposed project, and is thus part of the baseline physical conditions by which a significance determination is made. In order to make a proper comparison of the proposed project with each of the alternatives, the entire Specific Plan Area must be taken into account. For this reason, the analysis of any alternative's impact relative to the proposed project includes an analysis of the area that would be excluded by the Reduced Land Area Project Alternative, to the extent that is included within the Specific Plan Area (i.e. project site) for the proposed project. Since the Reduced Land Area Project Alternative would leave a large area of the Specific Plan Area as agricultural land, based on the substantially higher water usage levels for agricultural land compared with developed land (as detailed extensively throughout the Draft EIR), the Reduced Land Area Project Alternative would have a greater potential to deplete groundwater supplies or interfere with groundwater recharge, and generate cumulative impacts related to degradation of groundwater supply or recharge, as compared to the proposed project.

Furthermore, as previously identified, the Reduced Land Area Project Alternative would have a greater impact than the proposed project for Transportation and Circulation Impact 3.10-7, which is identified as "impacts related to emergency access", and Transportation and Circulation Impact 3.10-8, which is identified as the potential to "conflict with adopted multi-modal circulation policies, plans, or programs" or a cause "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities". The basis for these determinations is that the increased density of the proposed project would increase congestion on existing and planned roadways as compared to the proposed project, given that fewer roadways would be developed under this alternative (because the APNs 211-011-008 and 211-011-009 would not be developed under this alternative). Specifically, Natividad Road (Major Arterial), Russell Road (Major Arterial), and Rogge Road would not be expanded with full frontage improvements under this alternative. Congestion is also expected to be slightly higher under this alternative compared to the proposed project, given the increased density of traffic (based on fewer roadway miles being developed under this alternative compared with the proposed project), and the increased density of the proposed project (to 11.3 residential units per acre under this alternative, compared to 9.0 residential units per acre under the proposed project). This represents a slightly greater impact with respect to emergency access within the Specific Plan Area.

Additionally, the Reduced Land Area Project Alternative would have a "slightly greater" impact with respect to Transportation and Circulation Impact 3.10-8, which is identified as "conflict with adopted multi-modal circulation policies, plans, or programs" or a "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities." The basis for this determination is that the following roadways would not be developed in full under this alternative:

- Natividad Road (Major Arterial) expansion frontage improvements (proposed Class II bike lane);
- Russell Road (Major Arterial) expansion (proposed Class II Bike Lane);
- Rogge Road frontage improvements.

Since these roadways would not be developed in full, as planned for by the proposed project, connectivity with the remainder of the City and County, including other areas within the City's FGA, would be more limited under the Reduced Land Area Project Alternative as compared to the proposed project. This would lead to a decrease in the safety of bicycle and pedestrian facilities in the Specific Plan Area.

In conclusion, as stated in Section 5.0 of the Draft EIR, the No Project Alternative is the environmentally superior alternative in the Draft EIR because it results in the fewest adverse environmental impacts when compared to the proposed project. However, as required by CEQA, when the No Project Alternative is the environmentally superior alternative, the environmentally superior alternative among the others must be identified. The Smaller-scale Project Alternative is the next best alternative, even though the number of residential units under this alternative would not meet the minimum of 3,553 residential units as provided within the City of Salinas General Plan (as provided on page 5.0-7 of the Draft EIR). The Smaller-scale Project Alternative ranks equal or better than the proposed project for every environmental issue (in aggregate), and ranks better than the other remaining alternatives (i.e. the Reduced Land Area Project Alternative and the Reduced Residential Intensity/Density Alternative), as shown in Table 5.0-10 of the Draft EIR. Additionally, even after incorporation of the errata changes made, as provided throughout this Response in Comments, the Smaller-scale Project Alternative remains the superior alternative based on such criteria.

The commenter assumes that, in identifying the environmentally superior alternative in an EIR, a lead agency must take into account the extent to which particular alternatives do or do not meet project objectives. No such requirement exists. Indeed, the CEQA requirement to identify an environmentally superior alternative consists of a single sentence within CEQA Guidelines section 15126.6(e)(2):

> If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Nothing in these sparse words suggests that the lead agency's determination takes any account of feasibility issues. Rather, the required determinations should be focused solely on environmental considerations. Notably, moreover, the Natural Resources Agency has provided no specific rules or directives to guide lead agencies' analyses, leaving such agencies very considerable discretion as to how they undertake such analyses.

Even so, however, the City will address the issue of consistency with project objectives, as the commenter has raised it. As previously stated under Response D-12, the Reduced Land Area Project Alternative would not meet the following two project objectives:

- "Provide public services and infrastructure improvements that achieve and maintain City service standards; and
- "Establish an interconnected sidewalk/pathway and open space system throughout the development which links to the greater FGA and City as a whole".

The Reduced Land Area Alternative would not meet these objectives, while the proposed project would meet these objectives, for the following reasons:

- The Reduced Land Area Project Alternative does not fully meet the project objective to "Provide public services and infrastructure improvements that achieve and maintain City service standards" because the Reduced Land Area Project Alternative would develop fewer roadways, bicycle and pedestrian pathways, and other infrastructure improvements (such as well sites) when compared with the proposed project. The proposed project has been planned for by the City for many years. Since a portion of the Specific Plan Area would not be developed under this alternative (represented by APNs 211-011-008 and 211-011-009, as shown in Figure 5.0-1 of the Draft EIR), the following roadways and infrastructure improvements would not be developed under this alternative:

    - Natividad Road (Major Arterial) expansion frontage improvements;
    - Russell Road (Major Arterial) expansion;
    - Rogge Road frontage improvements;
    - The proposed water well #3 and water treatment site;
    - The supplemental stormwater basins along Natividad Road; and
    - Neighborhood Park WA-3 (3-acre park).

    Therefore, the ability to provide public services and infrastructure improvements that achieve and maintain City service standards would be hindered under this alternative, which is not the case for the proposed project. It should be noted a similar rationale is also the basis for determining that the Smaller-Scale Project Alternative would not meet this project objective.

- The Reduced Land Area Project Alternative does not meet the project objective to "Establish an interconnected sidewalk/pathway and open space system throughout the development which links to the greater FGA and City as a whole" because this alternative would leave a portion of the proposed project that would remain undeveloped (APNs 211-011-008 and 211-011-009), as shown in Figure 5.0-1 of the Draft EIR. Under the Reduced Land Area Project Alternative, there would be fewer interconnected sidewalks/pathways and available open space areas for City residents, which would limit the connectivity between the West

Area Specific Plan (the proposed project) and the planned for Central Area Specific Plan (a planned Specific Plan are that would be located just to the east of the proposed project). For example, Russell Road (a Major Arterial) would no longer connect with Natividad Road (a Major Arterial) under this alternative. Frontage improvements (such as sidewalks, pedestrian pathways, and bike routes that are associated with the extension of these roadways) would no longer be developed in full. This reduced connectivity means that the Reduced Land Area Project Alternative would not establish an interconnected sidewalk/pathway and open spaced system that fully links with the greater FGA, in contrast to the proposed project. It should be noted that a similar rationale is also the basis for determining that the Smaller-Scale Project Alternative would not meet this objective.

The Reduced Land Area Project Alternative is environmentally superior to the proposed West Area Specific Plan, in aggregate (as demonstrated in Table 5.0-10 within the Draft EIR). However, the Smaller-scale Project Alternative was determined to be the environmentally superior alternative (after the No Project Alternative). The Reduced Land Area Project Alternative appears to be only slightly inferior to the Smaller-scale Project Alternative (as shown in Table 5.0-10 within the Draft EIR).

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

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Making Conservation a California Way of Life.

April 12, 2019

MON-1-91.002
SCH#2000021072

Jill Miller
Senior Planner
City of Salinas Community Development
65 West Alisal Street (Second Floor)
Salinas, CA 93901

Dear Ms. Miller:

COMMENTS FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – WEST AREA SPECIFIC PLAN, SALINAS, CA

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the West Area Specific Plan which will provide up to 4,340 new residences, 571,500 square feet of commercial/office space, 5 schools, and associated infrastructure. Caltrans offers the following comments in response to the DEIR:

1. Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals. E-1

2. Caltrans requests the traffic study be updated using the most current Highway Capacity Manual (HCM) 6 methodology for Level of Service (LOS) calculations. Both the HCM 2000 and HCM 2010 are outdated methods. In response to the LOS information provided, Caltrans requests that the cusp of C/D be used as standard for all state facilities. E-2

3. Please note, the optimization of traffic signals is not acceptable as mitigation unless the configuration of the intersection or phase changes are proposed as part of the mitigation. Please provide the signal timing sheets used for the existing signal timing, and the proposed optimization for review. E-3

4. Caltrans requests the Synchro and Sidra sheets to verify the traffic impact analysis findings. Also, Synchro and Sidra sheets should show the signal timing for existing, near term, and cumulative conditions. E-4

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Jill Miller
April 12, 2019
Page 2

5. We request a Leisch weaving analysis be used for analyzing freeway weaving segments. E-5

6. The heavy vehicle percentages need to be based on the traffic count percentages; knowing the nature of the transportation network being impacted (heavy agriculture and commercial-oriented) the assumptions in the DEIR appear low at 2-5%. Caltrans would also like to review the traffic counts with heavy vehicle percentages along with the peak hour calculations. E-6

Thank you for the opportunity to review and comment on the proposed project. In light of the significant technical and methodology concerns with the traffic analysis, we request a meeting with the City to provide assistance in revising the analysis or clarifying the comments in this letter. Please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov to arrange the meeting. E-7

Sincerely,

Chris Bjornstad

Chris Bjornstad
Transportation Planner
District 5 Development Review

cc: Mike Zeller, TAMC
Heather Adamson, AMBAG
Chad Alinio, Monterey County DPW

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Response to Letter E: Chris Bjornstad, California Department of Transportation (Caltrans) District 5

Response E-1: The commentor provides introductory text, and then offers six sub-comments on the response to the Project DEIR. Caltrans states:

> "*Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.*"

This comment serves as introductory text and no response is warranted.

Response E-2: Caltrans states:

> *"Caltrans requests the traffic study be updated using the most current Highway Capacity Manual (HCM) 6 methodology for Level of Service (LOS) calculations. Both the HCM 2000 and HCM 2010 are outdated methods. In response to the LOS information provided, Caltrans requests that the cusp of C/D be used as standard for all state facilities".*

The transportation analysis conducted for the project incorporates the guidelines and standards of the City of Salinas. Level of Service (LOS) calculations are performed using the methodology of the Transportation Research Board's *Highway Capacity Manual*. In most instances, the HCM 2010 methodology was used; however, there were a small number of facilities wherein the HCM 2000 methodology was incorporated due to the inability of the HCM 2010 to evaluate a particular intersection's phasing. The HCM 6 methodology referenced by the comment was not available until 2016, after the WASP NOP was published and the majority of the transportation analysis was complete. The City of Salinas has not yet adopted it into its published guidelines for the preparation of transportation studies. If it was to be incorporated, none of the conclusions of the report would be altered as the differences between the methodology and procedures between manuals are extremely minor. The main change between the HCM 2010 and HCM 6 manuals was a modest increase in capacity at roundabouts as recent research has shown drivers becoming more comfortable in their navigation. Other changes between manuals, such as the addition of diverging diamond interchanges, have no bearing on the project's transportation study.

For facilities of regional significance (i.e. basic freeway segments and ramps), the transition between level of service D and E is used as the standard of significance. This transition is commonly used as a standard of significance by local and regional agencies and is the adopted LOS standard of the City of Salinas and the County of Monterey. The Transportation Authority for Monterey County (TAMC) previously used the LOS D to E transition as its standards of significance; however, TAMC no longer publishes significance standards and does not actively use LOS as a measure of effectiveness at this

time. As noted by the comment, Caltrans has adopted the transition from LOS C to D as its "target" for state facilities.

Free flow speeds on basic freeway segments within LOS C and D are similar, with both serving traffic at 55 miles an hour or higher (*Highway Capacity Manual*, Transportation Research Board, 2010, Exhibit 12-16 LOS Criteria and Speed-Flow Curves for Basic Freeway Segments). When a basic freeway segment enters LOS E, speeds begin to deteriorate below 55 miles per hour and below the speed limit. As freeways function at 55 miles per or greater on both sides of the LOS C/D threshold, but begin to deteriorate once in LOS E, the use of the LOS D/E threshold was found to be more applicable to the determination of significance for regional facilities. The project's transportation study reflects the use of current state of the practice tools, guidelines and applicable local and national standards; further analysis is not required.

Response E-3: Caltrans states:

> *"Please note, the optimization of traffic signals is not acceptable as mitigation unless the configuration of the intersection, or phase changes are proposed as part of the mitigation, Please provide the signal timing sheets used for the existing signal timing, and the proposed optimization for review."*

Signal optimization is an acceptable mitigation measure and is incorporated as a means to improve traffic operating conditions under the existing plus project scenario. Traffic signal optimization is used as mitigation for existing plus project scenarios for instances wherein project generated traffic results in adverse effects to current operations (i.e., not for cumulative future year scenarios). At those locations where the project significantly alters traffic levels and traveling patterns through an intersection resulting in the need for traffic signal timing modifications, those changes/improvements are identified as mitigation. The project is responsible for implementing those modifications as mitigation. Without these changes, the intersections would continue to operate poorly as resources do not exist to conduct the analysis and perform the necessary work in the field to implement the required modifications. It should be noted that signal optimization is not proposed as mitigation for any intersection under the jurisdiction of Caltrans. The Synchro analysis worksheets for all scenarios, including the mitigated condition are attached in the transportation study's technical appendices. The City has provided the transportation study's full technical appendices to Caltrans, in response to this comment letter.

Response E-4: Caltrans states:

> *"Caltrans requests the Synchro and Sidra sheets to verify the traffic impact analysis findings. Also, Synchro and Sidra sheets should show the signal timing for existing, near term, and cumulative conditions".*

The transportation study's technical appendices (the Draft EIR) include the Synchro and Sidra worksheets for all analysis scenarios. The worksheets show traffic signal phasing, green-time, phase durations, yellow-time, red-time and other signal timing details. The City has provided the transportation study's full technical appendices to Caltrans, in response to this comment letter.

Response E-5: Caltrans states:

> "*We request a Leisch weaving analysis be used for analyzing freeway weaving segments.*"

The project's transportation study's evaluation of freeway facilities (i.e. US 101) includes a detailed assessment of ten freeway segments and nine ramp merge-diverge junctions, which were identified as those locations wherein the project could potentially result in an adverse impact. The only weaving section that currently exists near the project site is located between the Boronda Road and Sala Road interchanges. This freeway segment was identified as operating at Level of Service B/C in the Existing Condition and Level of Service B/C in the Cumulative plus Project condition. Further, more detailed, operational assessments of this section, including a Leisch weaving analysis, of US 101 are not expected to identify significant adverse impacts or operational deficiencies.

Response E-6: Caltrans states:

> *"The heavy vehicle percentages need to be based on the traffic count percentages; knowing the nature of the transportation network being impacted (heavy agriculture and commercial-oriented) the assumptions in the DER appear low at 2-5%. Caltrans would also like to review the traffic counts with heavy vehicle percentages along with the peak hour calculations."*

The transportation study utilizes a standard assumption of two percent heavy vehicles on non-truck routes within the City and five percent heavy vehicles on designated truck routes. An assumption of five percent heavy vehicles is included within all freeway and ramp junction analyses. These assumptions are consistent with recent measurements of heavy vehicles within the City. It should also be noted that the transportation assessment focuses on conditions during the AM and PM peak hours of travel. These periods tend to be those times wherein automobile commute traffic is highest and truck traffic is lowest (both as a percentage of overall travel and as a whole as to not be delayed by peak commute conditions). The most recent available data from Caltrans on US 101 (http://pems.dot.ca.gov/ - accessed May 3, 2019) shows a peak hour heavy vehicle percentage between four and five percent on US 101 in the City of Salinas. This data supports the approach utilized within the project's transportation study.

Response E-7: This comment serves as a conclusion and closing statement. Caltrans requests a meeting with the City to provide assistance in revising the analysis or clarifying comments in this letter. The City concurs with Caltrans request to meet. No further response is warranted.

Salinas Union High School District

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April 12, 2019

City of Salinas
Community Development Department
Attn: Jill Miller, Senior Planner
65 West Alisal Street
Salinas, California 93901

Re: Comments to the Draft Environmental Impact Report for the West Area Specific Plan

Dear Ms. Miller:

Please accept this letter as the Salinas Union High School District's ("District") comments to the Draft Environmental Impact Report ("Draft EIR") for the West Area Specific Plan ("Specific Plan").

The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place. The 4,340 new homes included in the Specific Plan will generate approximately 900 high school students within the District's boundaries. The Specific Plan will also generate between 1,300 and 2,000 elementary and middle school students, the vast majority of which will make their way into the District's system. The crucial issue here is that there is simply insufficient school facilities to house these students and no available funding to construct new facilities. What will occur instead is an influx of students to the District's existing school facilities, which are already at or exceeding capacity. F-1

The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. Here, there will be impacts resulting directly the inability to construct new school facilities and the influx of students to the District's existing facilities. This includes, but is not limited, to increased traffic, air quality, noise, and other reasonably foreseeable impacts needed to serve students from the Specific Plan development. The Specific Plan alone causes these impacts, and the Draft EIR needs to analyze and address them appropriately. F-2

431 West Alisal Street, Salinas, CA 93901 • Phone: (831) 796-7000 • Fax: (831) 796-7005 • www.salinasuhsd.org

Capacity of Existing School Facilities and Generation of New Students

The District understands that the Specific Plan includes up to 4,340 residential units and 571,500 square feet of mixed-use/commercial development. There is no question that such growth will generate additional students to be served by the District. However, the Specific Plan and Draft EIR fail to consider the true impacts of such growth on a school district that already has more students than seats.

The District currently operates four high school sites, with a fifth set to open in the fall at full capacity. The District's enrollment has continued to increase during the past several years, and student enrollment currently exceeds the capacity of the District's school facilities. The District expects student enrollment to continue to increase over the next several years (without even considering students generated by the Specific Plan). The new high school has been planned for nearly 15 years and has always been intended to alleviate overcrowding at the District's other high school sites. This new school site was not built with the Specific Plan in mind, and will already be at or near capacity when opened in the fall of 2019. F-3

With respect to student generation, the Draft EIR provides that a minimum of 600 and a maximum of 731 high school students will be generated by the development of the Specific Plan. (See Draft EIR, Table 3.9-9.) The District believes that these numbers are too low, and that actual student generation will be considerably higher. Using the student generation rates from the District's recent facilities needs analysis, the District expects the number of high school students generated by the Specific Plan will be approximately 900 students. As mentioned above, this is in addition to the roughly 2,000 elementary and middle school students that will also be generated by the Specific Plan and will make their way into the District. These students—whether generated immediately as high school students or after they funnel through the elementary and middle schools—must be served by the District, which will continue to exceed its own capacity (despite opening a brand new school in the Fall) and is continuing to increase in enrollment each year. F-4

Lack of Specific School Funding

The Specific Plan and Draft EIR are non-committal with respect to the development and funding of school facilities, leaving these responsibilities solely to the District. The Specific Plan notes that the "[responsibility for development of public schools lies with District]", with school facilities to be built "based on the projections of the need for those facilities" in a phased approach as "determined and controlled" by the District. (Specific Plan, Section 2.1 & 9.4). This concept is reinforced by the Draft EIR, which provides that "public schools . . . will be constructed based on projections of the need for these facilities," with the District to "determine the appropriate phasing of [its] facilities" as driven by increased demand and enrollment. (Draft EIR, Section 2.0.) F-5

What the Draft EIR does not do is consider the possibility that funding may not be available to fund new school facilities, and if that is the case, what will be the Specific Plan's impact on the environment if students are housed at the District's existing sites. Both the Draft EIR and Specific Plan provide only that the school development impact fees (also known as "developer fees") will be paid prior to development of the Specific Plan area. (See Draft EIR, Mitigation Measure 3.9-2; Specific Plan, Sections 8.4, 8.5, 8.6, & 9.2.1.) Unfortunately, such reliance on

school development impact fees to fund school facilities is woefully optimistic. Construction costs for the District's fifth high school will exceed $80 million, and this does not include site acquisition costs, design costs, or other related expenses. The funds needed to build another high school facility would meet or exceed that number, in addition to other significant costs, like site acquisition. While the actual amount of school development impact fees to be collected is unknown, such fees will not be sufficient to cover the site acquisition and construction costs for an additional high school site.

Based on the District's experience, school development impact fees are generally insufficient to cover all of the costs associated with the necessary infrastructure around schools and other impacts to schools caused by the development, let alone the construction of the additional schools themselves. It must also be noted that school impact fees would be collected incrementally across the 20 to 30 year build-out period of the Specific Plan, and are not funds that the District would receive up front or at once. It is also vital to recognize that school development impact fees will be needed to mitigate the immediate impacts of overcrowding at existing sites (installing portables, etc.), and all development impact fees collected will not necessarily go towards construction of new school sites.

F-5 (Cont'd)

The only other funding mechanisms for school facilities referenced in either document is in Table 8.1 of the Specific Plan, which suggests that "TAMC and State or Federal" funding sources may be available for the construction of new school facilities. The District is not aware of any school facilities funding available through TAMC (the Transportation Agency for Monterey County) or any Federal source, and does not believe that such funding exists for California K-12 facilities construction. Simply put, neither TAMC funds nor Federal funds are a viable option, and it is misleading for the Draft EIR to suggest that such funds may be available for the District's school facilities. Additionally, the District cannot reasonably expect to rely on State money to fund all of the necessary school facilities. While the District will aggressively pursue State facilities funding, such funding is in a perpetual state of flux and it is not certain if, or when, the District would receive State funding. In fact, no State facilities funds have been available in recent times.

Neither the Specific Plan nor the Draft EIR provide realistic options for securing funds that will be necessary to construct school facilities to accommodate students generated by the Specific Plan. Without a specific funding mechanism in place before development of the Specific Plan there will not be sufficient school facilities to house students. These students will be directed to the District's existing facilities, which are already at capacity.

Impacts to Existing Schools

The District's facilities are at capacity and there is simply insufficient funding to construct the school facilities needed to house students generated by the Specific Plan. The District has an obligation to serve students residing in its boundaries, and when they arrive, the District will have few options available to address this influx. One option, which is often the first utilized in these situations, is to install portable classrooms at existing school sites. This may be coupled with expansion to existing school facilities and/or the construction of new facilities at existing sites. Another option is reorganizing attendance boundaries, which leads to sending students to other existing school sites that can best accommodate them. If facilities are overcrowded, parents may also seek transfers to another high school, in which case students will travel to

F-6

another school site within the District. These options are not mutually exclusive, and it is very likely that any or all would be utilized in an attempt to offset the influx of students generated within the District by the Specific Plan.

Here, the crux of the matter is that the Draft EIR fails to address the environmental impacts that will result from the Specific Plan's implications for school facilities needs. Installation of portables and ongoing construction on existing sites will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. Changing of attendance boundaries, bussing, or parents electing to send their children to other school sites will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be District staff or students and their families. These impacts are a direct result of the Specific Plan and the Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard. F-6 (Cont'd)

Conclusion and Requested Mitigation

The Specific Plan proposes a "balanced, walkable community" comprised of different neighborhoods, each of which is supported by school facilities that are nearby and accessible to the residents in the Specific Plan area. The City of Salinas General Plan also acknowledges the goal of the City to "continue to work with the school districts . . . to ensure adequate school and recreational facilities are provided and maintained by the community." Under the existing Specific Plan and Draft EIR, neither goal is achieved.

The Specific Plan and Draft EIR do not guarantee that new school facilities will be constructed prior to residential development. Rather, these documents assume that the facilities will be constructed, ignoring the true reality of the situation: the District serving the Specific Plan area is already at capacity and lacks the funding necessary for construction of new school facilities necessary to accommodate student enrollment growth from the Specific Plan. This reality will result in environmental impacts which must be appropriately analyzed and addressed. Without adequate school facilities, the entire concept of these communities will fail. F-7

The District remains an active and cooperative partner and welcomes discussions with the City of Salinas and the developers of the Specific Plan. We are hopeful for the opportunity to discuss our concerns and work together to reach a solution that ensures that quality school facilities can be provided to accommodate the families residing within the Specific Plan. Should you have any questions or would like to discuss these issues further, please feel free to contact the District office directly.

Sincerely,

Dan Burns
Superintendent

Response to Letter F: Dan Burns, Salinas Union High School District

Response F-1: The commentor states:

> *"The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place. The 4,340 new homes included in the Specific Plan will generate approximately 900 high school students within the District's boundaries. The Specific Plan will also generate between 1,300 and 2,000 elementary and middle school students, the vast majority of which will make their way into the District's system. The crucial issue here is that there is simply insufficient school facilities to house these students and no available funding to construct new facilities. What will occur instead is an influx of students to the District's existing school facilities, which are already at or exceeding capacity."*

Impacts associated with schools are analyzed in Section 3.9 Public Services. Page 3.9-12 of the Draft EIR presents the City's policy toward working with School Districts to identify land needed for new schools, and to consider impacts of proposed projects on school enrollment and facilities when considering new projects. The City's policies are as follows:

Policy LU-9.1: Work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students.

Policy LU-9.2: Consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met.

Page 3.9-20 of the Draft EIR states that the proposed project includes five schools within the Specific Plan Area. One of these schools (McKinnon Elementary School) has already been constructed and another (a new high school) is currently under construction on Rogge Road. A description of the additional planned schools (including the high school, which is under construction) are listed below:

- Two elementary schools are planned to be constructed on opposite sides of the Specific Plan Area. One school will be located on a 10.0-acre site in Neighborhood 2, while the other will be located in Neighborhood 3 on a 10.0-acre site. The two new elementary schools would be expected to serve students residing in the Specific Plan Area and adjacent areas. Attendance areas will ultimately be adopted by the SRUSD Board of Trustees.
- The Specific Plan provides a site for one middle school. The middle school site, approximately 20 acres in size, is located adjacent to and north of the community park. The middle school is expected serve students residing in the Specific Plan Area as well as adjacent areas as determined by attendance areas ultimately adopted by the SRUSD Board of Trustees.

- A high school site is located in the northern portion of the Specific Plan Area adjacent to Rogge Road. The site is approximately 38 acres and it has already been acquired by the Salinas Union High School District and the high school facility is currently under construction. The high school is expected to serve students both within and outside of the Specific Plan Area. Attendance areas will ultimately be adopted by the SUHSD Board of Trustees.

The purpose for identifying sites for new schools is to ensure that there is adequate land set aside for the development of new school facilities within the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of its own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development (including the reservation and or dedication of school sites as required by Subdivision Map Act), as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees; instead, that responsibility lies with the applicable School District. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area. The City will fully cooperate with the School District, as they have in the past, in the collection of the school impact fees that have been established by School District.

Response F-2: The commentor states:

> *"The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. Here, there will be impacts resulting directly the inability to construct new school facilities and the influx of students to the District's existing facilities. This includes, but is not limited, to increased traffic, air quality, noise, and other reasonably foreseeable impacts needed to serve students from the Specific Plan development. The Specific Plan alone causes these impacts, and the Draft EIR needs to analyze and address them appropriately."*

The City believes that, in assessing the impacts of developing the entire Specific Plan Area, the EIR has sufficiently addressed, at least in general terms, the physical impacts of constructing new schools within the Specific Plan Area. The footprint-related impacts of the schools are subsumed within the analysis of the footprint of the entire Specific Plan. The same is true of impacts involving air pollutant emissions, greenhouse gas emissions, traffic, and demands on public services and utilities.

In addressing public service demand issues under CEQA, the appropriate focus is on the environmental effects of the steps that might be necessary to achieve or maintain adequate service. For example, if proposed new development would create an increased demand for public services,

an EIR should inquire as to whether new or expanded physical facilities may be required in order to provide such service. The "impacts" addressed under CEQA are the physical effects of providing service, not any possible failure to provide adequate service under applicable standards. (See City of Hayward v. Board of Trustees of the Cal. State University (2015) 242 Cal.App.4th 833, 843 ["[t]he need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate"]; Goleta Union School Dist. v. Regents of Univ. of Cal. (1995) 37 Cal.App.4th 1025, 1031–1034 [school overcrowding attributable to new development is not an environmental effect subject to CEQA, though the physical effects of new facility construction to serve new students would be]; and CEQA Guidelines, § 15131, subd. (a) ["[e]conomic or social effects of a project shall not be treated as significant effects on the environment"].)

Page 3.9-21 of the Draft EIR discusses the environmental impacts associated with school development in the Specific Plan Area. This includes physical impacts from construction of the five school sites within the Specific Plan Area. The purpose of the new schools is to serve the new residents/students generated by the Specific Plan development. The Draft EIR discloses that there would be impacts related to relevant environmental topics included throughout the Draft EIR, such as: air quality (Section 3.1), biological resources (Section 3.2), cultural resources (Section 3.3), greenhouse gas emissions and climate change (Section 3.4), hazards and hazardous materials (Section 3.5), hydrology and water quality (Section 3.6), noise (Section 3.7) population (Section 3.8), public services (Section 3.9), transportation (Section 3.10), and utilities (Section 3.11). Page 3.9-21 of the Draft EIR states that "A detailed discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Furthermore, site-specific environmental review would be required for each school by the responsible School District prior to approval of a design for the facility and would consider any site-specific impacts unknown at this time." The analysis in the Draft EIR considers the physical development of the sites that are identified in the Specific Plan, as well as operational impacts associated with a school facility in those locations. The City, however, does not have a specific school design for three of the school sites given that the School District has not yet approved a design at those locations. As such, the Draft EIR does not speculate beyond the material facts that are available for each site at the time the Specific Plan is being considered.

Cumulative impacts from public facilities resulting from the construction of public facilities, including schools, is addressed under Impact 3.9-6 (pages 3.9-24 and 3.9-25 of the DEIR). As provided under Impact 3.9-6, the 2002 General Plan Final Program EIR analyzed impacts to public services (including schools), and found that General Plan policies addressed the public services needs of future development resulting from implementation of the General Plan. The specific environmental impact of constructing new facilities could not be determined at the time, but the Final Program EIR found that construction and operation of such facilities could potentially cause significant impacts. These potential impacts, however, were addressed and mitigated to the greatest extent feasible by the General Plan policies and mitigation measures included in Sections 5.1 through 5.12 of the Salinas General Plan Final Program EIR.

It is important to consider the statutory requirements that apply to school facilities impacts in this discussion. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) are deemed to be "full and complete school facilities mitigation" for impacts caused by new development. Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal.App.4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts. The School District has established the appropriate fee for all development in the City of Salinas. This fee established by the School District, following the requirements of State law, is the fair share funding that the City will require of this development. By statute, the City and School District cannot require fees beyond that allowed by the State law, and affirmed by the District through their approved nexus study. The City will fully cooperate with the School District, as they have in the past, in the collection of the school impact fees that have been established by School District.

Response F-3: The commentor states:

> *"The District understands that the Specific Plan includes up to 4,340 residential units and 571,500 square feet of mixed-use/commercial development. There is no question that such growth will generate additional students to be served by the District. However, the Specific Plan and Draft EIR fail to consider the true impacts of such growth on a school district that already has more students than seats.*
>
> *The District currently operates four high school sites, with a fifth set to open in the fall at full capacity. The District's enrollment has continued to increase during the past several years, and student enrollment currently exceeds the capacity of the District's school facilities. The District expects student enrollment to continue to increase over the next several years (without even considering students generated by the Specific Plan). The new high school has been planned for nearly 15 years and has always been intended to alleviate overcrowding at the District's other high school sites. This new school site was not built with the Specific Plan in mind, and will already be at or near capacity when opened in the fall of 2019."*

The City recognizes the commenter's concerns regarding school facilities, and their capacity to serve the population. Because of these concerns, the City has established policies toward working with School Districts to identify land needed for new schools, and to consider impacts of proposed

projects on school enrollment and facilities when considering new projects. The City's policies are as follows:

Policy LU-9.1: Work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students.

Policy LU-9.2: Consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met.

As discussed on page 3.9-20 of the Draft EIR, the proposed project includes five schools within the Specific Plan Area, including the new High School as referenced in the comment. The City recognizes that the High School has been planned for more than a decade, which is consistent with the fact that the Specific Plan Area is part of the City's Future Growth Area, which has been planned for growth since 2002. Placing a new High School within new growth areas is a common land use planning exercise to ensure that new students have school facilities proximate to their homes. The site of the new High School is a product of collaboration between the City and the School District dating back to the time the Future Growth Area was first contemplated by the City. At that time, the City worked to ensure that there is adequate land set aside for the development of new school facilities within the Future Growth Area. That planning effort by the City resulted in the new high school and the other new school sites that are within the Specific Plan Area, as well as other schools in other parts of the Future Growth Area that are outside the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of their own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees; instead, that responsibility lies with the School District. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area. The City will fully cooperate with the School District, as it has in the past, in the collection of the school impact fees that have been established by School District.

Response F-4: The commentor further states:

> *"With respect to student generation, the Draft EIR provides that a minimum of 600 and a maximum of 731 high school students will be generated by the development of the Specific Plan. (See Draft EIR, Table 3.9-9.) The District believes that these numbers are too low, and that actual student generation will be considerably higher. Using the student generation*

rates from the District's recent facilities needs analysis, the District expects the number of high school students generated by the Specific Plan will be approximately 900 students. As mentioned above, this is in addition to the roughly 2,000 elementary and middle school students that will also be generated by the Specific Plan and will make their way into the District. These students—whether generated immediately as high school students or after they funnel through the elementary and middle schools—must be served by the District, which will continue to exceed its own capacity (despite opening a brand new school in the Fall) and is continuing to increase in enrollment each year."

Based on this comment, and based on the data available at this time, the City has updated Table 3.9-9 on page 3.3-15 within the Final EIR as follows, to reflect the most recent version of the student generation rates provided in School District's School Facility Needs Analysis, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

~~TABLE 3.9-9: PROJECTED PLAN AREA STUDENT GENERATION ESTIMATES~~

~~DU TYPE~~	~~MIN. DU~~	~~MAX. DU~~	~~EDUCATION LEVEL~~	~~GENERATION FACTOR~~	~~STUDENTS GENERATED~~		~~ESTIMATED NUMBER OF STUDENTS GENERATED BY EDUCATION LEVEL (MIN. / MAX.)~~
					~~MIN.~~	~~MAX.~~	
~~SFD~~	~~1,114~~	~~1,361~~	~~Elementary~~	~~.3416~~	~~380~~	~~465~~	~~Elementary 910 / 1,114~~
			~~Middle~~	~~.1948~~	~~217~~	~~265~~	
			~~High~~	~~.149~~	~~166~~	~~202~~	
~~SFA~~	~~1,476~~	~~1,803~~	~~Elementary~~	~~.1967~~	~~290~~	~~355~~	~~Middle School 417 / 509~~
			~~Middle~~	~~.0738~~	~~109~~	~~133~~	
			~~High~~	~~.149~~	~~220~~	~~268~~	
~~MF~~	~~963~~	~~1,176~~	~~Elementary~~	~~.2492~~	~~240~~	~~294~~	~~High School 600 / 731~~
			~~Middle~~	~~.0944~~	~~91~~	~~111~~	
			~~High~~	~~.222~~	~~214~~	~~261~~	
~~Total~~	~~3,553~~	~~4,340~~			~~1,927~~	~~2,354~~	~~1,927 / 2,354~~

~~*SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT (JANUARY 2014), SANTA RITA UNION SCHOOL DISTRICT/COOPERATIVE STRATEGIES (OCTOBER 2018).*~~

TABLE 3.9-9: PROJECTED SPECIFIC PLAN AREA STUDENT GENERATION ESTIMATES

DWELLING UNIT TYPE	*TOTAL DWELLING UNITS*	*EDUCATION LEVEL*	*GENERATION FACTOR*	*STUDENTS GENERATED*
SINGLE-FAMILY (NE AND NG-1)	3,164	Elementary	0.3148	996
		Middle	0.1955	619
		High	0.208	658
MULTIFAMILY (NG-2 AND VILLAGE CENTER)	1,176	Elementary	0.5715	672
		Middle	0.1892	223
		High	0.041	48
Total				3,216

SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT: 2018 SCHOOL FACILITY NEEDS ANALYSIS AND JUSTIFICATION REPORT; SANTA RITA UNION SCHOOL DISTRICT SCHOOL FACILITIES NEEDS ANALYSIS MARCH 6, 2018.

NOTE: TABLE ASSUMES (HIGH) SINGLE FAMILY (SF) DETACHED UNITS FOR ALL SF UNITS, DUE TO LACK OF DETAILED LOT COUNTS

FOR ATTACHED AND DETACHED SFU'S.

The proposed project is expected to generate approximately between 1,927 and 2,3543,216 additional students for the SUHSD and SRUSD, as shown in Table 3.9-9. It is also important to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be "full and complete school facilities mitigation" for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. However, even where applicants have agreed to pay school impact mitigation fees, if the proposed development requires the construction or expansion of additional facilities that would cause other physical environmental impacts, then those physical impacts to non-school resources may be analyzed under CEQA (Gov. Code § 65995(i)).

Response F-5: The commentor states:

The Specific Plan and Draft EIR are non-committal with respect to the development and funding of school facilities, leaving these responsibilities solely to the District. The Specific Plan notes that the "[responsibility for development of public schools lies with District]", with school facilities to be built "based on the projections of the need for those facilities" in a phased approach as "determined and controlled" by the District. (Specific Plan, Section 2.1 & 9.4).

This concept is reinforced by the Draft EIR, which provides that "public schools . . . will be constructed based on projections of the need for these facilities," with the District to "determine the appropriate phasing of [its] facilities" as driven by increased demand and enrollment. (Draft EIR, Section 2.0.)

What the Draft EIR does not do is consider the possibility that funding may not be available to fund new school facilities, and if that is the case, what will be the Specific Plan's impact on the environment if students are housed at the District's existing sites. Both the Draft EIR and Specific Plan provide only that the school development impact fees (also known as "developer fees") will be paid prior to development of the Specific Plan area. (See Draft EIR, Mitigation Measure 3.9-2; Specific Plan, Sections 8.4, 8.5, 8.6, & 9.2.1.) Unfortunately, such reliance on school development impact fees to fund school facilities is woefully optimistic. Construction costs for the District's fifth high school will exceed $80 million, and this does not include site acquisition costs, design costs, or other related expenses. The funds needed to build another high school facility would meet or exceed that number, in addition to other significant costs, like site acquisition. While the actual amount of school development impact fees to be collected is unknown, such fees will not be sufficient to cover the site acquisition and construction costs for an additional high school site.

Based on the District's experience, school development impact fees are generally insufficient to cover all of the costs associated with the necessary infrastructure around schools and other impacts to schools caused by the development, let alone the construction of the additional schools themselves. It must also be noted that school impact fees would be collected incrementally across the 20 to 30 year build-out period of the Specific Plan, and are not funds that the District would receive up front or at once. It is also vital to recognize that school development impact fees will be needed to mitigate the immediate impacts of overcrowding at existing sites (installing portables, etc.), and all development impact fees collected will not necessarily go towards construction of new school sites.

The only other funding mechanisms for school facilities referenced in either document is in Table 8.1 of the Specific Plan, which suggests that "TAMC and State or Federal" funding sources may be available for the construction of new school facilities. The District is not aware of any school facilities funding available through TAMC (the Transportation Agency for Monterey County) or any Federal source, and does not believe that such funding exists for California K-12 facilities construction. Simply put, neither TAMC funds nor Federal funds are a viable option, and it is misleading for the Draft EIR to suggest that such funds may be available for the District's school facilities. Additionally, the District cannot reasonably expect to rely on State money to fund all of the necessary school facilities. While the District will aggressively pursue State facilities funding, such funding is in a perpetual state of flux and it is not certain if, or when, the District would receive State funding. In fact, no State facilities funds have been available in recent times.

Neither the Specific Plan nor the Draft EIR provide realistic options for securing funds that will be necessary to construct school facilities to accommodate students generated by the Specific Plan. Without a specific funding mechanism in place before development of the Specific Plan there will not be sufficient school facilities to house students. These students will be directed to the District's existing facilities, which are already at capacity."

It is important to consider the statutory requirements that apply to school facilities impacts in this discussion. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) are deemed to be "full and complete school facilities mitigation" for impacts caused by new development. Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

The School District has established the appropriate fee for all development in the City of Salinas. This fee established by the School District, following the requirements of State law, is the fair share funding that the City will require of this development. By statute, the City and School District cannot require fees beyond that allowed by the State law, and affirmed by the District through their approved nexus study. Nor may the City deny the project proponents' request for approval of the

Specific Plan solely due to projected funding shortfalls. The City will fully cooperate with the School District, as it has in the past, in the collection of the school impact fees that have been established by School District.

The City has established sites for new schools to ensure that there is adequate land set aside for the development of new school facilities within the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of its own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees; instead, that responsibility lies with the School District. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area.

Response F-6: The commentor states:

> *"The District's facilities are at capacity and there is simply insufficient funding to construct the school facilities needed to house students generated by the Specific Plan. The District has an obligation to serve students residing in its boundaries, and when they arrive, the District will have few options available to address this influx. One option, which is often the first utilized in these situations, is to install portable classrooms at existing school sites. This may be coupled with expansion to existing school facilities and/or the construction of new facilities at existing sites. Another option is reorganizing attendance boundaries, which leads to sending students to other existing school sites that can best accommodate them. If facilities are overcrowded, parents may also seek transfers to another high school, in which case students will travel to another school site within the District. These options are not mutually exclusive, and it is very likely that any or all would be utilized in an attempt to offset the influx of students generated within the District by the Specific Plan.*
>
> *Here, the crux of the matter is that the Draft EIR fails to address the environmental impacts that will result from the Specific Plan's implications for school facilities needs. Installation of portables and ongoing construction on existing sites will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. Changing of attendance boundaries, bussing, or parents electing to send their children to other school sites will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be District staff or students and their families. These impacts are a direct result of the Specific Plan and the*

Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard."

The potential scenarios described by the commenter are too speculative to give rise to meaningful environmental assessment, particularly since, if they occur, they will occur over an extended period of time (perhaps 20 to 30 years), consistent with buildout of the Specific Plan Area. Just as the number of students living in the Specific Area will gradually ramp up over time, so too will the District have the ability to make decisions as to where such students should attend schools, if no on-site school facilities are yet in place. The specific decisions the District will have to make cannot be predicted with any level of certainty at present, and, in any event, are beyond the City's control. In particular, the City has no way at present to try to predict boundary changes the District might impose in future years. Although such decisions could affect traffic and other environmental resources, any details of such impacts cannot be predicted at present. The same is true of options such as student transfers, the construction of other, currently unplanned schools at other sites, or changes in current patterns of school bussing. To the extent that the District contemplates the installation of additional portable classrooms at existing school facilities, the City notes that CEQA provides a categorical exemption (Class 14) for "minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less."

Response F-7: This comment serves as a conclusion and closing statement. This comment is noted and no further response is warranted.

ALISAL UNION SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT
155 Bardin Road, Salinas, CA 93905
(831)753-5700 • FAX (831)753-5709

Board of Trustees
Noemi Armenta
Guadalupe Ruiz Gilpas
José Antonio Jiménez
Fernando Mercado
Robert Ocampo

Dr. Héctor A. Rico, Superintendent

April 15, 2019

RECEIVED
APR 15 2019
COMMUNITY DEVELOPMENT DEPARTMENT

City of Salinas
Community Development Department
Attn: Jill Miller, Senior Planner
65 West Alisal Street
Salinas, California 93901

Re: Comments to the Draft Environmental Impact Report for the West Area Specific Plan

Dear Ms. Miller:

Please accept this letter as the Alisal Union School District's ("District") comments to the Draft Environmental Impact Report ("Draft EIR") for the West Area Specific Plan ("Specific Plan"). The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place.

The 4,340 new homes included in the Specific Plan will generate between 1,300 and 2,000 elementary and middle school students. The critical issue here is that there is insufficient school facilities to house these students and no available funding to construct new facilities. There is nothing in the Specific Plan or Draft EIR that ensures funding for the school facilities necessary to accommodate students generated by the Specific Plan, and the funding mechanisms that are referenced are both inadequate and woefully optimistic. The bottom line is that the Specific Plan and Draft EIR simply assume that new school facilities will be provided, despite the fact funding for such facilities does not exist. This will result in an influx of students to the existing facilities of the school district serving the Specific Plan area as well as other school districts in the area, including the District. G-1

The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. In this instance, there will be impacts resulting directly from the affected school districts' inability to construct new school facilities and the influx of students to existing school facilities. Installation of portables and ongoing construction on existing sites necessary to accommodate these students will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. The changing of attendance boundaries, bussing, and inter-district transfer or parents electing to send their children to other school districts or school sites will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be staff or students and their families. These impacts are a direct result of the Specific Plan and the Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard. G-2

The Specific Plan's failure to ensure funding for necessary school facilities and the resulting inadequacies of the Draft EIR are a significant concern for every local educational agency serving the City of Salinas. The

District is aware that other local educational agencies have submitted letters commenting on the inadequacy of the Specific Plan and Draft EIR. The District fully supports these agencies and agrees with the issues raised in their respective comment letters. G-2 (Cont'd)

We are hopeful for the opportunity to discuss our concerns and work together to reach a solution that ensures that quality school facilities can be provided. Should you have any questions or would like to discuss these issues further, please feel free to contact the District office directly. G-3

Sincerely,

Dr. Héctor A. Rico

Response to Letter G: Dr. Hector A. Rico, Alisal Union School District

Response G-1: The commentor expresses concerns regarding the insufficiency of school funding. The commentor claims that the Draft EIR does not address the realities of school facilities funding, which is therefore a failure to appropriately analyze and address the impacts that will result from development of the proposed project without the necessary school facilities in place. The commentor specifically states the following:

> *"Please accept this letter as the Alisal Union School District's ("District") comments to the Draft Environmental Impact Report ("Draft EIR") for the West Area Specific Plan ("Specific Plan"). The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place.*
>
> *The 4,340 new homes included in the Specific Plan will generate between 1,300 and 2,000 elementary and middle school students. The critical issue here is that there is insufficient school facilities to house these students and no available funding to construct new facilities. There is nothing in the Specific Plan or Draft EIR that ensures funding for the school facilities necessary to accommodate students generated by the Specific Plan, and the funding mechanisms that are referenced are both inadequate and woefully optimistic. The bottom line is that the Specific Plan and Draft EIR simply assume that new school facilities will be provided, despite the fact funding for such facilities does not exist. This will result in an influx of students to the existing facilities of the school district serving the Specific Plan area as well as other school districts in the area, including the District.*

Impacts associated with schools are analyzed in Section 3.9 Public Services. Page 3.9-12 of the Draft EIR presents the City's policy toward working with School Districts to identify land needed for new schools, and to consider impacts of proposed projects on school enrollment and facilities when considering new projects. The City's policies are as follows:

Policy LU-9.1:	Work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students.
Policy LU-9.2:	Consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met.

Page 3.9-20 of the Draft EIR states that the proposed project includes five schools within the West Area Specific Plan Area. One of these schools (McKinnon Elementary School) has already been constructed and another (a new high school) is currently under construction on Rogge Road. However, the Alisal Union School District boundaries do not encompass the Specific Plan Area.

Nevertheless, a description of the additional planned schools (including the high school, which is under construction) are listed below:

- Two elementary schools are planned to be constructed on opposite sides of the Specific Plan Area. One school will be located on a 10.0-acre site in Neighborhood 2, while the other will be located in Neighborhood 3 on a 10.0-acre site. The two new elementary schools would be expected to serve students residing in the Specific Plan Area and adjacent areas. Attendance areas will ultimately be adopted by the SRUSD Board of Trustees.
- The Specific Plan provides a site for one middle school. The middle school site, approximately 20 acres in size, is located adjacent to and north of the community park. The middle school is expected serve students residing in the Specific Plan Area as well as adjacent areas as determined by attendance areas ultimately adopted by the SRUSD Board of Trustees.
- A high school site is located in the northern portion of the Specific Plan Area adjacent to Rogge Road. The site is approximately 38 acres and it has already been acquired by the Salinas Union High School District and the high school facility is currently under construction. The high school is expected to serve students both within and outside of the Specific Plan Area. Attendance areas will ultimately be adopted by the SUHSD Board of Trustees.

The purpose for identifying sites for new schools is to ensure that there is adequate land set aside for the development of new school facilities within the West Area Specific Plan Area. Ultimately, the Education Code tasks the applicable School Districts with the responsibility for design and construction of their own schools. While the City is not the lead agency responsible for school development, the City fully supports the applicable School Districts with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees; instead, that responsibility lies with the school district. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area. The City will fully cooperate with the SUSD and SUHSD, as it has in the past, in the collection of the school impact fees that have been established by School District.

Response G-2: The commentor states the following:

> *"The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. In this instance, there will be impacts resulting directly from the affected school districts' inability to construct new school facilities and the influx of students to existing school facilities. Installation of portables and*

ongoing construction on existing sites necessary to accommodate these students will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. The changing of attendance boundaries, bussing, and inter-district transfer or parents electing to send their children to other school districts or school sites will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be staff or students and their families. These impacts are a direct result of the Specific Plan and the Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard.

The Specific Plan's failure to ensure funding for necessary school facilities and the resulting inadequacies of the Draft EIR are a significant concern for every local educational agency serving the City of Salinas. The District is aware that other local educational agencies have submitted letters commenting on the inadequacy of the Specific Plan and Draft EIR. The District fully supports these agencies and agrees with the issues raised in their respective comment letters."

The City believes that, in assessing the impacts of developing the entire Specific Plan Area, the EIR has sufficiently addressed, at least in general terms, the physical impacts of constructing new schools within the Specific Plan Area. The footprint-related impacts of the schools are subsumed within the analysis of the footprint of the entire Specific Plan. The same is true of impacts involving air pollutant emissions, greenhouse gas emissions, traffic, and demands on public services and utilities.

In addressing public service demand issues under CEQA, the appropriate focus is on the environmental effects of the steps that might be necessary to achieve or maintain adequate service. For example, if proposed new development would create an increased demand for public services, an EIR should inquire as to whether new or expanded physical facilities may be required in order to provide such service. The "impacts" addressed under CEQA are the physical effects of providing service, not any possible failure to provide adequate service under applicable standards. (See City of Hayward v. Board of Trustees of the Cal. State University (2015) 242 Cal.App.4th 833, 843 ["[t]he need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate"]; Goleta Union School Dist. v. Regents of Univ. of Cal. (1995) 37 Cal.App.4th 1025, 1031–1034 [school overcrowding attributable to new development is not an environmental effect subject to CEQA, though the physical effects of new facility construction to serve new students would be]; and CEQA Guidelines, § 15131, subd. (a) ["[e]conomic or social effects of a project shall not be treated as significant effects on the environment"].)

Page 3.9-21 of the Draft EIR discusses the environmental impacts associated with school development in the Specific Plan Area. This includes physical impacts from construction of the five school sites within the Specific Plan Area. The purpose of the new schools is to serve the new residents/students generated by the Specific Plan development. The Draft EIR discloses that there

would be impacts related to relevant environmental topics included throughout the Draft EIR, such as: air quality (Section 3.1), biological resources (Section 3.2), cultural resources (Section 3.3), greenhouse gas emissions and climate change (Section 3.4), hazards and hazardous materials (Section 3.5), hydrology and water quality (Section 3.6), noise (Section 3.7) population (Section 3.8), public services (Section 3.9), transportation (Section 3.10), and utilities (Section 3.11). Page 3.9-21 of the Draft EIR states that "A detailed discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Furthermore, site-specific environmental review would be required for each school by the responsible school district prior to approval of a design for the facility and would consider any site-specific impacts unknown at this time." The analysis in the Draft EIR considers the physical development of the sites that are identified in the Specific Plan, as well as operational impacts associated with a school facility in those locations. The City, however, does not have a specific school design for three of the school sites given that the School District has not yet approved a design at those locations. As such, the Draft EIR does not speculate beyond the material facts that are available for each site at the time the Specific Plan is being considered.

Cumulative impacts from public facilities resulting from the construction of public facilities, including schools, is addressed under Impact 3.9-6 (pages 3.9-24 and 3.9-25 of the DEIR). As provided under Impact 3.9-6, the 2002 General Plan Final Program EIR analyzed impacts to public services (including schools), and found that General Plan policies addressed the public services needs of future development resulting from implementation of the General Plan. The specific environmental impact of constructing new facilities could not be determined at the time, but the Final Program EIR found that construction and operation of such facilities could potentially cause significant impacts. These potential impacts, however, were addressed and mitigated to the greatest extent feasible by the General Plan policies and mitigation measures included in Sections 5.1 through 5.12 of the Salinas General Plan Final Program EIR.

It is important to consider the statutory requirements that apply to school facilities impacts in this discussion. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) are deemed to be "full and complete school facilities mitigation" for impacts caused by new development. Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal.App.4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts. The School District has established the appropriate fee for all development in the City of Salinas. This fee established by the School District, following the requirements of State law, is the fair share funding

that the City will require of this development. By statute, the City and School District cannot require fees beyond that allowed by the State law, and affirmed by the District through their approved nexus study. Nor may the City deny the project proponents' request for approval of the Specific Plan solely due to projected funding shortfalls. The City will fully cooperate with the School District, as they have in the past, in the collection of the school impact fees that have been established by School District.

Response G-3: This comment serves as a conclusion and closing statement. This comment is noted and no further response is warranted.

Monterey Bay Air Resources District
Serving Monterey, San Benito, and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 • FAX: (831) 647-8501

April 15, 2019

Jill Miller, Senior Planner
City of Salinas
Community Development Department
65 West Alisal Street
Salinas, CA 93901
Email: jill.miller@ci.salinas.ca.us

SUBJECT: WEST AREA SPECIFIC PLAN DRAFT EIR

Dear Ms. Miller,

Thank you for providing the Monterey Bay Air Resources District (Air District) with the opportunity to comment on the above-referenced project. The Air District has reviewed the document and has the following comments: H-1

- Chapter 3: 3.1 Air Quality, Impact 3.1-2 and 3.1-7
  - The California Supreme Court's opinion in Sierra Club v. County of Fresno on December 24, 2018 identifies that if a project's NOx and ROG emissions (precursors to Ozone formation) are estimated to be significant and unavoidable, the EIR must include an analysis that correlates the project's emission of air pollutants to its impact on human health (or must provide an explanation of why this analysis is not possible) and accurately reflect the net health effect of the proposed air quality mitigation measures so that the public can understand how the bare numbers translate into adverse health impacts. This analysis must be included in the DEIR in order to meet the intent of the Court's opinion. H-2
  - The Air District prefers that emissions from mobile sources be mitigated at the project level. Since both impacts listed above cannot reduce emissions below the significance thresholds, the Air District requests that the City of Salinas cooperate with the Air District to develop off-site mitigation measures. Please contact David Frisbey, Planning and Air Monitoring Manager, at 831.718.8016 or dfrisbey@mbard.org for assistance in developing the off-site mitigation measures. H-3
  - Mitigation Measure 3.1.8 should include the following mitigation clarifications: H-4
    - The use of cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards
    - Further, where feasible, construction equipment should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.

- Mitigation Measure 3.1.7 should include:
  - The installation of Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces)
  - Publically available dual post Level 2 charge stations throughout the Plan Area.

  Note: A local annual funding opportunity from the Air District is available for EV charging infrastructure.

H-4 Cont'd

- Chapter 3: 3.10 Transportation and Circulation
  - All Mitigation Measures addressing new signalized intersections throughout the Plan Area should:
    - Include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design

    Note: A local annual funding opportunity from the Air District is available for ATCS projects.

H-5

  - All Mitigation Measures addressing timing optimization for existing signalized intersections throughout the Plan Area should:
    - Include the use of currently available ATCS in the intersection design

    Note: A local annual funding opportunity from the Air District is available for ATCS projects.

  - All Mitigation Measures addressing the widening or physical change to existing intersections throughout the Plan Area should:
    - Include roundabout design and construction as an alternative mitigation

    Note: A local annual funding opportunity from the Air District is available for roundabout design and construction.

H-6

The Air District appreciates the level of detail and analysis provided in the Air Quality section and looks forward to the success of the City of Salinas West Area Specific Plan. If there are any questions regarding this comment letter please feel free to contact Alan Romero at aromero@mbard.org or a direct office line 831.718.8030.

H-7

Best Regards,

Alan Romero
Air Quality Planner III

Richard A. Stedman, Air Pollution Control Officer

Response to Letter H: Alan Romero, Monterey Bay Air Resources District

Response H-1: The comment serves as introductory text. No response is required.

Response H-2: The Monterey Bay Air Resources District (MBARD) states:

> *"The California Supreme Court's opinion in Sierra Club v. County of Fresno on December 24, 2018 identifies that if a project's NOx and ROG emissions (precursors to Ozone formation) are estimated to be significant and unavoidable, the EIR must include an analysis that correlates the project's emission of air pollutants to its impact on human health (or must provide an explanation of why this analysis is not possible) and accurately reflect the net health effect of the proposed air quality mitigation measures so that the public can understand how the bare numbers translate into adverse health impacts. This analysis must be included in the DEIR in order to meet the intent of the Court's opinion."*

The Draft EIR addresses the California Supreme Court's opinion *in Sierra Club v. County of Fresno* on December 24, 2018. Specifically, the Draft EIR addresses the California Supreme Court's opinion *in Sierra Club v. County of Fresno* on page 3.1-21 of the Draft EIR, as follows:

> "Even though the Specific Plan, viewed in the context of the City of Salinas, appears to cover a substantial land area, the emissions of ozone precursors such as ROG and NOx attributable to the Specific Plan would not be substantial enough on a regional basis for the City to be able, with currently available technical tools, to predict how the emissions of such pollutants would translate into either physical environmental changes, such as measurable effects on ambient ozone concentrations within the NCCAB, or health effects, such as increased respiratory problems, within any discrete population within the City or the region. Such an analysis is not reasonably feasible within the meaning of CEQA."

As stated within the preceding text (and as contained on page 3.1-21 of the Draft EIR), current technical tools are not available to be able to accurately predict how the emissions of ozone precursors such as ROG and NOx attributable to the Specific Plan would translate precisely into either physical environmental changes or health effects within any discrete population within the City or the region. As stated within this text, such an analysis for this project is not reasonably feasible within the meaning of CEQA. This fact, as provided within the Draft EIR itself, provides sufficient explanation for why this analysis is not possible, consistent with the California Supreme Court's opinion in *Sierra Club v. County of Fresno* on December 24, 2018.

The Air Quality analysis does not ignore the issue of potential health effects from air pollutants. Far from it. It is generally feasible to assess potential health effects from air pollutant concentrations occurring on a more localized level (compared with regional ozone levels created by vehicle emissions and other sources of ROG and NOx). But, because the proposed project is a land use plan as opposed to a specific development project with specific air pollution sources at specific locations, further analysis will become possible as individual projects within the Specific Plan Area are submitted for processing and approval in future years. The Air Quality section of the Draft EIR includes an analysis of the potential for the proposed project to generate a carbon monoxide

hotspot impact, and cause public exposure to toxic air contaminants. Mitigation Measure 3.1-9 requires the project applicant to perform prioritization screening in accordance with the Air Toxics "Hot Spots" program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act, for those uses that would emit toxic air contaminants (such as gas stations). The prioritization screening is required to be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which is responsible for determining which facilities based on their prioritization screening score must perform a health risk assessment. If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant would be required to assess the facilities for the potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). Health Risk prioritization screening, and/or AERMOD modeling is not possible at this stage in the Specific Plan because the details of the sites with the potential to have a toxic emitter is not known (i.e., no commercial development site plans are available for the commercial land uses).

While the Draft EIR currently provides some discussion and analysis related to health effects from air emissions, this comment warrants additional text to amplify the discussion provided in the Draft EIR as it relates to health effects of Criteria Pollutants. To that end, the City has updated pages 3.1-2 through 3.1-4 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

CRITERIA POLLUTANTS

All criteria pollutants can have human health and environmental effects at certain concentrations. The United States Environmental Protection Agency (EPA) uses six "criteria pollutants" as indicators of air quality, and has established for each of them a maximum concentration above which adverse effects on human health may occur. These threshold concentrations are called National Ambient Air Quality Standards (NAAQS). In addition, California establishes ambient air quality standards, called California Ambient Air Quality Standards (CAAQS). California law does not require that the CAAQS be met by a specified date as is the case with NAAQS.

The ambient air quality standards for the six criteria pollutants (as shown in Table 3.1-1) are set to public health and the environment within an adequate margin of safety (as provided under Section 109 of the Federal Clean Air Act). Epidemiological, controlled human exposure, and toxicology studies evaluate potential health and environmental effects of criteria pollutants, and form the scientific basis for new and revised ambient air quality standards. Principal characteristics and possible health and environmental effects from exposure to the six primary criteria pollutants generated by the project are discussed below.

Ozone (O_3) is a photochemical oxidant and the major component of smog. While O_3 in the upper atmosphere is beneficial to life by shielding the earth from harmful ultraviolet radiation from the sun, high concentrations of O_3 at ground level are a major health and environmental concern. O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) and

oxides of nitrogen (NO_x) in the presence of sunlight. These reactions are stimulated by sunlight and temperature so that peak O_3 levels occur typically during the warmer times of the year. Both VOCs and NO_x are emitted by transportation and industrial sources. VOCs are emitted from sources as diverse as autos, chemical manufacturing, dry cleaners, paint shops and other sources using solvents. Relatedly, reactive organic compounds (ROG) are defined as the subset of VOCs that are reactive enough to contribute substantially to atmospheric photochemistry.

The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b). The average background level of ozone in the California and Nevada is approximately 48.3 parts per billion, which represents approximately 77 percent of the total ozone in the western region of the U.S. (NASA, 2015).

In addition to human health effect, ozone has been tied to crop damage, typically in the form of stunted growth, leaf discoloration, cell damage, and premature death. O_3 can also act as a corrosive and oxidant, resulting in property damage such as the degradation of rubber products and other materials.

Carbon monoxide (CO) is a colorless, odorless and poisonous gas produced by incomplete burning of carbon in fuels. Carbon monoxide is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased

exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects (California Air Resources Board, 2019c). Exposure to CO at high concentrations can also cause fatigue, headaches, confusion, dizziness, and chest pain. There are no ecological or environmental effects to ambient CO (California Air Resources Board, 2019d).

Very high levels of CO are not likely to occur outdoors. However, when CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability for getting oxygenated blood to their hearts in situations where the heart needs more oxygen than usual. They are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (EPA, 2016). Such acute effects may occur under current ambient conditions for some sensitive individuals, while increases in ambient CO levels increases the risk of such incidences.

~~When CO enters the bloodstream, it reduces the delivery of oxygen to the body's organs and tissues. Health threats are most serious for those who suffer from cardiovascular disease, particularly those with angina or peripheral vascular disease. Exposure to elevated CO levels can cause impairment of visual perception, manual dexterity, learning ability and performance of complex tasks.~~

Nitrogen oxides (NO_x) is a brownish, highly reactive gas that is present in all urban atmospheres. The main effect of increased NO_2 is the increased likelihood of respiratory problems. Under ambient conditions, NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O_3) and acid rain, and may affect both terrestrial and aquatic ecosystems. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO_2.

The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NOx). NOx plays a major role, together with VOCs, in the atmospheric reactions that produce O_3. NOx forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

~~are an important precursor both to ozone and acid rain, and may affect both terrestrial and aquatic ecosystems. NO_x plays a major role, together with VOCs, in the atmospheric reactions that produce O_3. NO_x forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers. Nitrogen dioxide (NO_2), a form of NO_x is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide~~

~~(NO). NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections.~~

Sulfur dioxide (SO_2) is one of the multiple gaseous oxidized sulfur species and is formed during the combustion of fuels containing sulfur, primarily coal and oil. The largest anthropogenic source of SO_2 emissions in the U.S. is fossil fuel combustion at electric utilities and other industrial facilities. SO_2 is also emitted from certain manufacturing processes and mobile sources, including locomotives, large ships, and construction equipment.

SO_2 affects breathing and may aggravate existing respiratory and cardiovascular disease in high doses. Sensitive populations include asthmatics, individuals with bronchitis or emphysema, children and the elderly. SO_2 is also a primary contributor to acid deposition, or acid rain, which causes acidification of lakes and streams and can damage trees, crops, historic buildings and statues. In addition, sulfur compounds in the air contribute to visibility impairment in large parts of the country. This is especially noticeable in national parks. Ambient SO_2 results largely from stationary sources such as coal and oil combustion, steel mills, refineries, pulp and paper mills and from nonferrous smelters.

Short-term exposure to ambient SO_2 has been associated with various adverse health effects. Multiple human clinical studies, epidemiological studies, and toxicological studies support a causal relationship between short-term exposure to ambient SO_2 and respiratory morbidity. The observed health effects include decreased lung function, respiratory symptoms, and increased emergency department visits and hospitalizations for all respiratory causes. These studies further suggest that people with asthma are potentially susceptible or vulnerable to these health effects. In addition, SO_2 reacts with other air pollutants to form sulfate particles, which are constituents of fine particulate matter ($PM_{2.5}$). Inhalation exposure to $PM_{2.5}$ has been associated with various cardiovascular and respiratory health effects (EPA, 2017). Increased ambient SO_2 levels would lead to increased risk of such effects.

SO_2 emissions that lead to high concentrations of SO_2 in the air generally also lead to the formation of other sulfur oxides (SO_x). SO_x can react with other compounds in the atmosphere to form small particles. These particles contribute to particulate matter (PM) pollution. Small particles may penetrate deeply into the lungs and in sufficient quantity can contribute to health problems.

Particulate matter (PM) includes dust, dirt, soot, smoke and liquid droplets directly emitted into the air by sources such as factories, power plants, cars, construction activity, fires and natural windblown dust. Particles formed in the atmosphere by condensation or the transformation of emitted gases such as SO_2 and VOCs are also considered particulate matter. PM is generally categorized based on the diameter of the particulate matter: PM_{10} is particulate matter 10 micrometers or less in diameter (known as respirable particulate matter), and $PM_{2.5}$ is particulate matter 2.5 micrometers or less in diameter (known as fine particulate matter).

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, there are major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution causes health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed.

Respirable particulate matter (PM_{10}) consists of small particles, less than 10 microns in diameter, of dust, smoke, or droplets of liquid which penetrate the human respiratory system and cause irritation by themselves, or in combination with other gases. Particulate matter is caused primarily by dust from grading and excavation activities, from agricultural activities (as created by soil preparation activities, fertilizer and pesticide spraying, weed burning and animal husbandry), and from motor vehicles, particularly diesel-powered vehicles. PM_{10} causes a greater health risk than larger particles, since these fine particles can more easily penetrate the defenses of the human respiratory system.

Fine particulate matter ($PM_{2.5}$) consists of fine particles, which are less than 2.5 microns in size. Similar to PM_{10}, these particles are primarily the result of combustion in motor vehicles, particularly diesel engines, as well as from industrial sources and residential/agricultural activities such as burning. It is also formed through the reaction of other pollutants. As with PM_{10}, these particulates can increase the chance of respiratory disease, and cause lung damage and cancer. In 1997, the EPA created new Federal air quality standards for $PM_{2.5}$.

The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children. Particulate matter also impacts soils and damages materials, and is a major cause of visibility impairment.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lunch function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

Lead (Pb) exposure can occur through multiple pathways, including inhalation of air and ingestion of Pb in food, water, soil or dust. Once taken into the body, lead distributes throughout the body in the blood and is accumulated in the bones. Depending on the level

of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system. Lead exposure also affects the oxygen carrying capacity of the blood. Excessive Pb exposure can cause seizures, mental retardation and/or behavioral disorders. Low doses of Pb can lead to central nervous system damage. Recent studies have also shown that Pb may be a factor in high blood pressure and subsequent heart disease.

Lead is persistent in the environment and can be added to soils and sediments through deposition from sources of lead air pollution. Other sources of lead to ecosystems include direct discharge of waste streams to water bodies and mining. Elevated lead in the environment can result in decreased growth and reproductive rates in plants and animals, and neurological effects in vertebrates.

Lead exposure is typically associated with industrial sources; major sources of lead in the air are ore and metals processing and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters. As a result of the EPA's regulatory efforts, including the removal of lead from motor vehicle gasoline, levels of lead in the air decreased by 98 percent between 1980 and 2014 (EPA, 2019d). Based on this reduction of lead in the air over this period, and since most new developments to not generate an increase in lead exposure, the health impacts of ambient lead levels are not typically monitored by the California Air Resources Board.

This comment also warrants additional text to amplify the discussion provided in the Draft EIR for the Regulatory Setting (Federal Clean Air Act) relative to health effects of Criteria Pollutants. To that end, the City has updated pages 3.1-10 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: NAAQS for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The EPA is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health (with an adequate margin of safety, including for sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases), and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

NAAQS standards define clean air and represent the maximum amount of pollution that can be present in outdoor air without any harmful effects on people and the environment. Existing violations of the ozone and $PM_{2.5}$ ambient air quality standards indicate that certain individuals exposed to these pollutants may experience certain health effects, including increased incidence of cardiovascular and respiratory ailments.

NAAQS standards have been designed to accurately reflect the latest scientific knowledge and are reviewed every five years by a Clean Air Scientific Advisory Committee (CASAC), consisting of seven members appointed by the USEPA administrator. Reviewing NAAQS is a lengthy undertaking and includes the following major phases: Planning, Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), Policy Assessment (PA), and Rulemaking. The process starts with a comprehensive review of the relevant scientific literature. The literature is summarized and conclusions are presented in the ISA. Based on the ISA, USEPA staff perform a risk and exposure assessment, which is summarized in the REA document. The third document, the PA, integrates the findings and conclusions of the ISA and REA into a policy context, and provides lines of reasoning that could be used to support retention or revision of the existing NAAQS, as well as several alternative standards that could be supported by the review findings. Each of these three documents is released for public comment and public peer review by the CASAC. Members of CASAC are appointed by the USEPA Administrator for their expertise in one or more of the subject areas covered in the ISA. The committee's role is to peer review the NAAQS documents, ensure that they reflect the thinking of the scientific community, and advise the Administrator on the technical and scientific aspects of standard setting. Each document goes through two to three drafts before CASAC deems it to be final.

Although there is some variability among the health effects of the NAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. NAAQS standards were last revised for each of the six criteria pollutant as listed below, with detail on what aspects of NAAQS changed during the most recent update:

- Ozone: On October 1, 2015, the U.S. EPA lowered the national eight-hour standard from 0.075 ppm to 0.070 ppm, providing for a more stringent standards consistent with the current California state standard.
- CO: In 2011, the primary standards were retained from the original 1971 level, without revision. The secondary standards were revoked in 1985.
- NO_2: The national NO_2 standard was most recently revised in 2010 following an exhaustive review of new literature pointed to evidence for adverse effects in asthmatics at lower NO_2 concentrations than the existing national standard.
- SO_2: On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national

standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb.

- PM: the national annual average $PM_{2.5}$ standard was most recently revised in 2012 following an exhaustive review of new literature pointed to evidence for increased risk of premature mortality at lower $PM_{2.5}$ concentrations than the existing standard.
- Lead: The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. In 2016, the primary and secondary standards were retained.

The law recognizes the importance for each state to locally carry out the requirements of the FCAA, as special consideration of local industries, geography, housing patterns, etc. are needed to have full comprehension of the local pollution control problems. As a result, the EPA requires each state to develop a State Implementation Plan (SIP) that explains how each state will implement the FCAA within their jurisdiction. A SIP is a collection of rules and regulations that a particular state will implement to control air quality within their jurisdiction. CARB is the state agency that is responsible for preparing the California SIP.

This comment also warrants additional text to amplify the discussion provided in the Draft EIR for the Regulatory Setting (California Air Quality Standards) relative to health effects of Criteria Pollutants. To that end, the City has updated pages 3.1-11 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

California Air Quality Standards

Although NAAQS are determined by the USEPA, states have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards. Federal and state ambient air quality standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulates (PM_{10}) and lead. In addition, California has created standards for pollutants that are not covered by federal standards. Although there is some variability among the health effects of the CAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. The existing state and federal primary standards for major pollutants are shown in Table 3.1-1.

Air quality standard setting in California commences with a critical review of all relevant peer reviewed scientific literature. The Office of Environmental Health Hazard Assessment (OEHHA) uses the review of health literature to develop a recommendation for the standard. The recommendation can be for no change, or can recommend a new standard. The review, including the OEHHA recommendation, is summarized in a document called the draft Initial Statement of Reasons (ISOR), which is released for comment by the public, and also for public peer review by the Air Quality Advisory Committee (AQAC). AQAC members

are appointed by the President of the University of California for their expertise in the range of subjects covered in the ISOR, including health, exposure, air quality monitoring, atmospheric chemistry and physics, and effects on plants, trees, materials, and ecosystems. The Committee provides written comments on the draft ISOR. The ARB staff next revises the ISOR based on comments from AQAC and the public. The revised ISOR is then released for a 45-day public comment period prior to consideration by the Board at a regularly scheduled Board hearing.

In June of 2002, the CARB adopted revisions to the PM_{10} standard and established a new $PM_{2.5}$ annual standard. The new standards became effective in June 2003. Subsequently, staff reviewed the published scientific literature on ground-level ozone and nitrogen dioxide and the CARB adopted revisions to the standards for these two pollutants. Revised standards for ozone and nitrogen dioxide went into effect on May 17, 2006 and March 20, 2008, respectively. These revisions reflect the most recent changes to the CAAQS.

~~National Ambient Air Quality Standards (NAAQS) are determined by the U.S. EPA. The standards include both primary and secondary ambient air quality standards. Primary standards are established with a safety margin. Secondary standards are more stringent than primary standards and are intended to protect public health and welfare. States have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards.~~

~~Federal and State ambient air quality standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulates (PM_{10}) and lead. In addition, California has created standards for pollutants that are not covered by federal standards. The State and federal primary standards for major pollutants are shown in Table 3.1-1.~~

This comment also warrants additional text to amplify the discussion provided in the Draft EIR that describes the methodologies for assessing health effects of Criteria Pollutants, as well as the accuracy and feasibility of assessing impacts. To that end, the City has updated pages 3.1-18 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

IMPACTS RELATED TO PROJECT-GENERATED POLLUTANTS OF HUMAN HEALTH CONCERN

In December 2018, the California Supreme Court issued its decision in *Sierra Club v. County of Fresno* (226 Cal.App.4th 704) (hereafter referred to as the Friant Ranch Decision). The case reviewed the long-term, regional air quality analysis contained in the EIR for the proposed Friant Ranch development. The Friant Ranch project is a 942-acre master-plan development in unincorporated Fresno County within the San Joaquin Valley Air Basin, an air basin currently in nonattainment for the ozone and $PM_{2.5}$ NAAQS and CAAQS. The Court found that the air quality analysis was inadequate because it failed to provide enough detail "for the public to translate the bare [criteria pollutant emissions] numbers provided into

adverse health impacts or to understand why such a translation is not possible at this time." The Court's decision clarifies that the agencies authoring environmental documents must make reasonable efforts to connect a project's air quality impacts to specific health effects or explain why it is not technically feasible to perform such an analysis.

All criteria pollutants that would be generated by the project are associated with some form of health risk (e.g., asthma). Criteria pollutants can be classified as either regional or localized pollutants. Regional pollutants can be transported over long distances and affect ambient air quality far from the emissions source. Localized pollutants affect ambient air quality near the emissions source. Ozone is considered a regional criteria pollutant, whereas CO, NO_2, SO_2, and lead (Pb) are localized pollutants. PM can be both a local and a regional pollutant, depending on its composition. As discussed above, the primary criteria pollutants of concern generated by the project are ozone precursors (ROG and NO_x) and PM (including Diesel PM). The MBARD does not currently have a methodology that would correlate the expected air quality emissions of projects to the likely health consequences of the increased emissions.

REGIONAL PROJECT-GENERATED CRITERIA POLLUTANTS (OZONE PRECURSORS AND REGIONAL PM)

Adverse health effects induced by regional criteria pollutant emissions generated by the project (ozone precursors and PM) are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, the number and character of exposed individuals [e.g., age, gender]). For these reasons, ozone precursors (ROG and NO_x) contribute to the formation of ground-borne ozone on a regional scale, where emissions of ROG and NO_x generated in one area may not equate to a specific ozone concentration in that same area. Similarly, some types of particulate pollutants may be transported over long-distances or formed through atmospheric reactions. As such, the magnitude and locations of specific health effects from exposure to increased ozone or regional PM concentrations are the product of emissions generated by numerous sources throughout a region, as opposed to a single individual project.

Models and tools have been developed to correlate regional criteria pollutant emissions to potential community health impacts. Appendix B contains a table that summarizes many of these tools, identifies the analyzed pollutants, describes their intended application and resolution, and analyzes whether they could be used to reasonably correlate project-level emissions to specific health consequences. As provided in Appendix B, while there are models capable of quantifying ozone and secondary PM formation and associated health effects, these tools were developed to support regional planning and policy analysis and have limited sensitivity to small changes in criteria pollutant concentrations induced by individual projects. Therefore, translating project generated criteria pollutants to the locations where specific health effects could occur or the resultant number of additional days of nonattainment cannot be estimated with a high degree of accuracy.

Technical limitations of existing models to correlate project-level regional emissions to specific health consequences are recognized by air quality management districts throughout the state, including the San Joaquin Valley Air Pollution Control District (SJVAPCD) and South Coast Air Quality Management District (SCAQMD), who provided amici curiae briefs for the Friant Ranch legal proceedings. In its brief, SJVAPCD (2015) acknowledges that while health risk assessments for localized air toxics, such as DPM, are commonly prepared, "it is not feasible to conduct a similar analysis for criteria air pollutants because currently available computer modeling tools are not equipped for this task." The air district further notes that emissions solely from the Friant Ranch project (which equate to less than one-tenth of one percent of the total NO_x and VOC in the Valley) is not likely to yield valid information," and that any such information should not be "accurate when applied at the local level." SCAQMD presents similar information in their brief, stating that "it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels"[2].

As discussed above, air districts develop region-specific CEQA thresholds of significance in consideration of existing air quality concentrations and attainment or nonattainment designations under the NAAQS and CAAQS. The NAAQS and CAAQS are informed by a wide range of scientific evidence that demonstrates there are known safe concentrations of criteria pollutants. While recognizing that air quality is cumulative problem, air districts typically consider projects that generate criteria pollutant and ozone precursor emissions below these thresholds to be minor in nature and would not adversely affect air quality such that the NAAQS or CAAQS would be exceeded. Emissions generated by the project could increase photochemical reactions and the formation of tropospheric ozone and secondary PM, which at certain concentrations, could lead to increased incidence of specific health consequences. Although these health effects are associated with ozone and particulate pollution, the effects are a result of cumulative and regional emissions. As such, a project's incremental contribution cannot be traced to specific health outcomes on a regional scale, and a quantitative correlation of project-generated regional criteria pollutant emissions to specific human health impacts is not included in this analysis.

LOCALIZED CARBON MONOXIDE CONCENTRATIONS

Heavy traffic congestion can contribute to high levels of CO, and individuals exposed to such hot spots may have a greater likelihood of developing adverse health effects. The MBARD recommends that the guidance provided in Section 3.1 of the most recent Caltrans' *SER Air Quality Conformity Analysis Annotated Outline* (last published in 2014) should be used for analysis of this potential impact for the proposed project (MBARD, 2017). ("SER" stands for Standard Environmental Reference.) Section 3.1 of the *SER Air Quality Conformity Analysis Annotated Outline* advises that, if a project is located in an area that is designated

[2] For example, SCAQMD's analysis of their 2012 Air Quality Attainment Plan showed that modeled NOx and ROG reductions of 432 and 187 tons per day, respectively, only reduced ozone levels by 9 parts per billion. Analysis of SCAQMD's Rule 1315 showed that emissions of NOx and ROG of 6,620 and 89,180 pounds per day, respectively, contributed to 20 premature deaths per year and 89,947 school absence (South Coast Air Quality Management District, 2015).

attainment-unclassified for CO, no project-level conformity analysis is necessary for CO (Caltrans, 2014).

MODELS AND TOOLS TO CORRELATE PROJECT-GENERATED CRITERIA POLLUTANT EMISSIONS TO HEALTH IMPACTS

Several models and tools capable of translating mass emissions of criteria pollutants to various health endpoints have been developed. The table provided in Appendix B summarizes key tools, identifies the analyzed pollutants, describes their intended application and resolution, and analyzes whether they could be used to reasonably correlate project-level emissions to specific health consequences. As shown in the table provided in Appendix B, almost all tools were designed to be used at the national, state, regional, and/or city-levels. Several of the methods have additional problems related to their applicability for translating mass emissions of criteria pollutants to various health endpoints. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are generally not recommended for CEQA analyses.

The impact analysis does not directly evaluate airborne lead. Neither construction nor future operations would generate quantifiable lead emissions because of regulations that require unleaded fuel and that prohibit lead in new building materials.

TAC emissions associated with project construction that could affect surrounding areas are evaluated qualitatively. The potential for the project operations to expose residents to TAC emissions that would exceed applicable health standards is also discussed qualitatively.

Lastly, the MBARD recommends that odor impacts be addressed in a qualitative manner. Such an analysis must determine if the project would result in excessive nuisance odors, as defined under MBARD's Rule 402 and California Code of Regulations, Health and Safety Code Section 41700, Air Quality Public Nuisance.

This comment also warrants additional text to amplify the impact analysis provided in the Draft EIR as it relates to health effects of Criteria Pollutants from Operational Emissions. To that end, the City has updated the analysis under Impact 3.1-2 on pages 3.1-21 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

PROJECT EFFECTS ON PUBLIC HEALTH

Monterey County has a state designation of Nonattainment for ozone and PM_{10}. As shown in Table 3.1-9, operation of the project would generate ozone precursors (ROG and NO_x) and PM exhaust in excess of the MBARD's numeric thresholds for operational emissions. The MBARD developed these project-level thresholds based on the emissions that would exceed a CAAQS or contribute substantially to an existing or projected violation of a CAAQS. Ambient levels of these criteria pollutants are likely to decrease in the future, based on

current and future implementation of federal and/or state regulatory requirements, such as improvements to the statewide vehicle fleet over time (including the long-term replacement of internal combustion engine vehicles with electric vehicles in coming decades).

As shown in the table provided in Appendix B, almost all tools available to measure criteria pollutant emissions were designed to be used at the national, state, regional, and/or city-levels. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are not recommended by the MBARD for CEQA analyses. Instead, the following analysis of health effects is presented qualitatively.

Ozone

O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) (also known as ROG) and oxides of nitrogen (NO_x) in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b).

The project would generate emissions of ROG and NOx during project operational activities, as shown in Table 3.1-9. Although the exact effects of project-level emissions on local health are not precisely known, it is likely that the increases in ROG and NOx generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed project in comparison to Monterey County as a whole. Instead, the increases in ROG and NOx generated by the proposed

project when combined with the existing ROG and NOx emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Particulate Matter

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, PM can cause major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

The project would generate emissions of PM during project operational activities, as shown in Table 3.1-9. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Discussion

As previously discussed, the magnitude and locations of any potential changes in ambient air quality, and thus health consequences, from these additional emissions cannot be quantified with a high level of certainty due to the dynamic and complex nature of pollutant formation and distribution (e.g., meteorology, emissions sources, sunlight exposure), as well

as the variabilities in the receptors that reside in a particular area. Additionally, MBARD has not established any methodology or thresholds (quantitative or qualitative) for assessing the health effects from criteria pollutants. From a qualitative perspective, it is well documented from scientific studies that criteria pollutants can have adverse health effects. The federal and state governments have established the NAAQS or CAAQS as an attempt to regionally, and cumulatively, assess and control the health effects that criteria pollutants have within Air Basins. It is anticipated that public health will continue to be affected by the emission of criteria pollutants, especially by those with impaired respiratory systems in the City of Salinas and the surrounding region so long as the region does not attain the CAAQS or NAAQS. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in criteria pollutants generated by the proposed project when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

This comment also warrants additional text to amplify the impact analysis provided in the Draft EIR as it relates to health effects of Criteria Pollutants from Construction Emissions. To that end, the City has updated the analysis under Impact 3.1-3 on pages 3.1-24 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

PROJECT EFFECTS ON PUBLIC HEALTH

Monterey County has a state designation of Nonattainment for ozone and PM_{10}. As shown in Table 3.1-11, construction of the project would generate PM_{10} exhaust in excess of the MBARD's numeric threshold for construction emissions. The MBARD developed this project-level threshold based on the emissions that would exceed a CAAQS or contribute substantially to an existing or projected violation of a CAAQS. Ambient levels of these criteria pollutants are likely to decrease in the future, based on current and future implementation of federal and/or state regulatory requirements, such as improvements to the statewide vehicle fleet over time (including the long-term replacement of internal combustion engine vehicles with electric vehicles in coming decades).

As shown in the table provided in Appendix B, almost all tools available to measure criteria pollutant emissions were designed to be used at the national, state, regional, and/or city-levels. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are not recommended by the MBARD for CEQA analyses. Instead, the following analysis of health effects is presented qualitatively.

Ozone

O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) (also known as ROG) and oxides of nitrogen (NO_x) in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b).

As previously stated, precursors of ozone (ROG and NO_x) are accommodated in the emission inventories of State- and federally-required air plans and would not have a significant impact on the attainment and maintenance of ozone AAQS. Therefore, only the MBARD construction air emissions threshold for PM_{10} is applicable for the purposes of this impact analysis. Although the exact effects of ROG and NO_x emissions on local health are not known, it is likely that the increases in ROG and NOx generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed project in comparison to Monterey County as a whole. Instead, the increases in ROG and NOx generated by the proposed project when combined with the existing ROG and NOx emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Particulate Matter

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, PM can cause major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease,

alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

The project would generate emissions of PM during project construction activities, as shown in Table 3.1-11. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Discussion

As previously discussed, the magnitude and locations of any potential changes in ambient air quality, and thus health consequences, from these additional emissions cannot be quantified with a high level of certainty due to the dynamic and complex nature of pollutant formation and distribution (e.g., meteorology, emissions sources, sunlight exposure). However, it is known that public health will continue to be affected in the City of Salinas and the surrounding region so long as the region does not attain the CAAQS or NAAQS. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole.

This comment also warrants additional text to amplify the impact analysis provided in the Draft EIR as it relates to health effects of Carbon Monoxide emissions. To that end, the City has updated the

analysis under Impact 3.1-4 on pages 3.1-25 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

> **Impact 3.1-4: The proposed project has the potential to have carbon monoxide hotspot impacts (Less than Significant)**
>
> Very high levels of CO are not likely to occur outdoors. However, when CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability for getting oxygenated blood to their hearts in situations where the heart needs more oxygen than usual. They are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (USEPA, 2016). Such acute effects may occur under current ambient conditions for some sensitive individuals, while increases in ambient CO levels could increase the risk of such incidences.

Response H-3: The MBARD states (with regard to operational NOx and ROG emissions):

> *"The Air District prefers that emissions from mobile sources be mitigated at the project level. Since both impacts listed above cannot reduce emissions below the significance thresholds, the Air District requests that the City of Salinas cooperate with the Air District to develop off-site mitigation measures. Please contact David Frisbey, Planning and Air Monitoring Manager, at 831.718.8016 or dfrisbey@mbard.org for assistance in developing the off-site mitigation measures."*

The City is supportive of the Air District's rules and regulations, and requires all projects to comply with all Air District rules and regulations. The Draft EIR contains many mitigation measures that address NOx and ROG emissions from mobile sources, both directly and indirectly. For example, Mitigation Measures 3.1-1, 3.1-2, 3.1-6, and 3.1-7 as contained within Section 3.1 (Air Quality) provide operational mobile-related measures that would reduce NOx and ROG emissions. Furthermore, Mitigation Measure 3.4-1 within the Draft EIR specifies that the project applicant must develop a Greenhouse Gas Reduction Plan (GGRP) aimed at achieving the specific required greenhouse gas operational emissions level (a per capita operational emissions level of 1.94 MT CO_2e/service population per year by 2035, and 0.80 MT CO_2e/service population/year by year 2050), as feasible. The requirements contained within Mitigation Measure 3.4-1 would also reduce NOx and ROG emissions. As specified under Mitigation Measure 3.4-1, the GGRP may include "off-site" measures, such as participation in a community-wide GHG reduction program(s), if any are adopted, or payment of GHG reduction fees (carbon offsets) into a qualified existing program, if one is in place, may be considered after all feasible on-site reduction measures are considered. While Mitigation Measure 3.4-1 is intended to reduce GHG emissions (and is not directed at criteria pollutant emissions such as NOx and ROG), the use of off-site mitigation would be required after all feasible on-site reduction measures are applied, which would typically have the indirect benefit of reducing NOx and ROG emissions. This is consistent with the Air District's request to cooperate with

the Air District to develop off-site mitigation measures (as needed), relative to NOx and ROG emissions.

Based on this comment, the City has consulted with the Air District (per. comm. Alan Romero, 7/22/19). The Air District indicated that it does not have a Basin-wide offsite mitigation program; rather, instead it recommends that offsite mitigation programs be developed on a project-by-project basis and in consultation with the Air District. Further, the District recommended for a long-range planning document, such as the West Area Specific Plan, that an off-site mitigation program be developed for individual phases of the project as they move forward. The District recommended against having an offsite mitigation program developed to cover the entire Planning Area because the program may become dated, and not relevant, for later phases of the project. Moreover, based on this comment, and after further consultation with the Air District, the proposed project would incorporate an additional mitigation measure (numbered Mitigation Measure 3.1-8), which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text), as follows:

> ***Mitigation Measure 3.1-8****: Prior to the approval of individual phases (i.e. tentative maps, commercial design review, etc.), the project applicant(s) shall develop an offsite mitigation program that provides funding to offset the project-generated air emissions that are still above the Air District's operational criteria pollutant thresholds after the adoption of other applicable air quality mitigation measures. The offsite mitigation program is subject to the review and approval of the Air District and the City of Salinas on a project-by-project basis (or phase-by-phase), and is intended to be in addition to offsets that are obtained through any on-site mitigation measures. Example projects that could be included in the offsite mitigation program may include, but are not limited to, the following:*
>
> - *Replace existing agricultural combustion-based generators/pumps with electric agricultural water pumps (in place of generators/pumps;);*
> - *Replace combustion school buses with electric school buses within the local community;*
> - *Install adaptive traffic control systems;*
> - *Install solar photovoltaic (PV) systems.*

Response H-4: The MBARD states:

- *"Mitigation Measure 3.1.8 should include the following mitigation clarifications:*
  - *The use of cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards*
  - *Further, where feasible, construction equipment should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*
- *Mitigation Measure 3.1.7 should include:*

- *The installation of Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces)*
- *Publically available dual post Level 2 charge stations throughout the Plan Area."*

These additional measures recommended by the commentor would provide additional reductions in emissions, and have been added to Mitigation Measures 3.1.7 and 3.1.8 (it should also be noted that the mitigation measure that the Air District refers to as Mitigation Measure 3.1-8 has been renumbered to Mitigation Measure 3.1-9). Because of the resulting reductions, the City has updated the CalEEMod model used to model air quality and greenhouse gas emissions for the proposed project. The results of the updated CalEEMod models show a reduction in emissions, which is an improvement from what was reflected in the Draft EIR. The results of the CalEEMod model run replace the results contained in Appendix B of the Draft EIR. The results of the updated CalEEMod model affect many of numerical air pollutant emissions (including greenhouse gases) and energy usage estimates contained within the following sections of the Draft EIR: Sections 3.1 (Air Quality), 3.4 (GHG, Climate Change, and Energy), and Chapter 4.0 (Other CEQA-Required Topics). Errata changes to reflect the updated results from the CalEEMod model are provided below.

Based on this comment, the proposed project Mitigation Measure 3.1-8 (note: now renumbered as 3.1-9) has been updated to incorporate the mitigation clarifications provided by the commentor, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text), as follows:

> ***Mitigation Measure 3.1-~~8~~9****: Prior to the issuance of grading permits, the project applicant shall prepare a grading plan subject to review and approval by the City. In the event that ground-disturbance exceeds 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (e.g., grubbing, excavation, rough grading), and 8.1 acres per day for activities that involve minimal earth-moving (e.g., finish grading), the required grading plans shall include the following measures to be implemented as needed to prevent visible dust emissions:*
>
> - *Water all active construction sites to prevent visible dust emissions. Frequency should be based on the type of operation, soil, and wind exposure;*
> - *Prohibit grading and earthmoving activities, and cover stock piles, during periods of high wind (over 15 mph);*
> - *Limit vehicle speed on construction sites to 15 mph.*
> - *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);*
> - *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area;*
> - *Maintain at least 1-foot of freeboard in each haul truck;*

- *Provide windbreaks on the windward perimeter of construction projects where adjacent to open land;*
- *Cover inactive storage piles;*
- *Sweep streets if visible soil material is carried out from the construction site;~~ and/or~~*
- *Post a publicly visible sign written in English and Spanish which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to ensure compliance with Rule 402 (Nuisance). The sign shall be in accordance with MBARD and/or City requirements, as applicable;*
- *Use cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards; and/or*
- *Further, where feasible construction should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*

Additionally, based on this comment, the proposed project Mitigation Measure 3.1-7 has been updated to incorporate the mitigation clarifications provided by the commentor, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text), as follows:

> ***Mitigation Measure 3.1-7****: Prior to the issuance of development review permit(s), the project applicant(s) shall incorporate of one or more of the following additional Specific Plan Area requirements, as determined by the City of Salinas:*
>
> - *Install secured bicycle storage facilities (bike lockers, cages, interior space, or similar as approved by the City Engineer) at all commercial and public facilities with 50 employees or more;*
> - *Incorporate a park-and-ride lots~~.~~;*
> - *Install Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces); and*
> - *Install publicly-available dual post Level 2 charge stations within commercial zones, and/or other zones as deemed acceptable by the City of Salinas. (Note: The 'level' of the charging station refers to the voltage that the electric vehicle charger uses. Level 1 charging is your typical traditional home outlet, while level 2 is a 240 Volt Portable Cordset or Wall-mounted Charging Station (2-10 hours charging).*

The CalEEMod model warranted an update to reflect these additional emission reduction measures recommended by the Air District. The updated model run is provided in Section 3.0 Errata and the appropriate emission outputs are provided in an Errata for the Section 3.1 (Air Quality) and Section 3.4 (GHG, Climate Change, and Energy) within the Final EIR.

Lastly, Mitigation Measure 3.1-9 has been renumbered as Mitigation Measure 3.1-10, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text), as follows:

Mitigation Measure 3.1-~~9~~10*: Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations), the project applicant shall, at a minimum, perform prioritization screening in accordance with the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act. The prioritization screening shall be performed in accordance with the California Air Pollution Control Officers Association Air Toxic "Hot Spots" Program guidance. The prioritization screening shall also be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which will be responsible for determining which facilities based on their prioritization screening score, must perform a health risk assessment. In determining the need to prepare a health risk assessment, the Monterey Bay Air Resources District considers the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors specific to the facility that indicate that it may pose a significant health risk.*

If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant shall assess the facilities for the potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). As of the time of this writing, the commonly accepted threshold for cancer risk is 10 in a million for carcinogens, and the reference exposure level for non-carcinogens (HI = 1). Facilities that exceed the applicable threshold(s) have the potential to expose the public to toxic air contaminants levels that would be considered significant. Facilities that exceed the applicable threshold(s) must incorporate mitigation to reduce the risks from emission of toxic air contaminants to an acceptable level (i.e., to a level that does not exceed the applicable threshold[s]). Potential mitigation includes: reducing the size of the facility area; rearranging the site to reduce the potential for impacts on the nearest sensitive receptors; and utilizing products that reduce the level of toxic air contaminants, or removal of such products from the operational phase of the project.

Response H-5: The MBARD commentor states:

"Chapter 3: 3.10: Transportation and Circulation

- *All Mitigation Measures addressing new signalized intersections throughout the Plan Area should:*
  - *Include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design;*

Note: A local annual funding opportunity from the Air District is available for ATCS projects.

- *All Mitigation Measures addressing timing optimization for existing signalized intersections throughout the Plan Area should:*

- *Include the use of currently available ATCS in the intersection design*

Note: A local annual funding opportunity from the Air District is available for ATCS projects."

Based on this comment, the City has updated each of the mitigation measures that address new signalized intersections or timing optimization for existing signalized intersections throughout the Specific Plan Area. The changes include incorporating text stating that such intersections will use currently available ATCS in the intersection design, or at least consider using such technology, depending on the particular intersection (based on consultation with City of Salinas Traffic Engineer Andrew Easterling). The following updated mitigation measures are also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text), as follows:

Mitigation Measure 3.10-1*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal at San Juan Grade Road/Van Buren Avenue, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans for each stage of project development shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-2*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of the existing signal timing at San Juan Grade Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-3*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the signalization of the intersection at Hemingway Drive/East Boronda Road or equivalent traffic control (such as a roundabout), in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If this intersection is developed as a signalized intersection (instead of a roundabout), this measure shall include the use of currently*

available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

Mitigation Measure 3.10-4*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings at North Main Street/West Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-6*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal or equivalent traffic control (such as a roundabout) at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If this intersection is developed as a signalized intersection (instead of a roundabout), this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-7*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and to add an eastbound left turn pocket at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. This mitigation includes the addition of an eastbound left turn pocket and optimization of the existing signal timing to better accommodate the expected changes in traffic distribution and volume with implementation of the proposed project. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-8*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the addition a southbound left turn lane and optimization of the traffic signal's timing at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for*

non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-10**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-13**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a traffic signal at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-14**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at the South Sanborn/North Sanborn/John Street intersection, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-15**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of funding to the TAMC Regional Development Impact Fee provides mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road. Regional fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of*

currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-16**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of the TAMC Regional Development Impact Fee to provide mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Northbound Ramps/Crazy Horse Canyon Road. Total fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-17**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Crazy Horse Canyon Road/San Juan Grade Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-18**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Rogge Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-19**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Russell Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-22**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at the*

intersection of Old Stage Road/Williams Road/Private Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-28~~9~~**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Old Stage Road/Hebert Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Response H-6: The commentor states:

- *"All Mitigation Measures addressing the widening or physical change to existing intersections throughout the Plan Area should:*
  - *Include roundabout design and construction as an alternative mitigation*

Note: A local annual funding opportunity from the Air District is available for roundabout design and construction."

The City has recently started to consider the use of roundabouts as an alternative to typical signalized intersections. In 2018, the City has evaluated and approved a roundabout project along East Boronda Road, which is along the boundary of the Specific Plan Area. Mitigation provided in the Draft EIR requires payment of fair-share funding for the intersection improvements necessary to maintain acceptable levels of service. The City recognizes that there are additional funding opportunities from the Air District for roundabout design and construction at intersections, and these will be considered as individual projects are considered. However, from a traffic impact perspective, a typical signalization design and a roundabout can functionally work to mitigate traffic impacts to an insignificant level. At the time of writing this Draft EIR, CalEEMod was used for Air Quality modeling in accordance with the Air District's recommendations. This model does not have the capability of refining mobile source emissions to reflect the design and construction of roundabouts in-lieu of typical signalized intersections. The City recognizes that there are some anticipated emissions reductions that can be associated with roundabouts. The impacts of roundabouts on greenhouse gas (GHG) emissions depend on their effect on traffic flow, particularly traffic speeds, accelerations, and decelerations for the vehicles traveling through the roundabout.

There are limited studies available at this time, and some of the data is conflicting (i.e., some show increases in emissions and some show reductions in emissions). It is generally accepted by the scientific community that replacing an intersection controlled by stop signs (stop-controlled) or by signals with a roundabout will have some level of reduction on mobile source emissions, fuel consumption, or both. The reductions are mainly attributed to reduced delay, which affects fuel consumption. However, some studies also show that there are higher rates of deceleration and acceleration, which can increase fuel consumption at roundabouts. The data available at this stage is not definitive, and cannot be universally applied to roundabout projects. It is noted that CAPCOA currently includes a Neighborhood/Site Enhancement Measure (SDT-2) that suggests that a roundabout can reduce VMT by .25-1.00%, which would in effect reduce mobile source emissions. However, such a reduction should be used with caution given that roundabout itself would effectively reduce delay, but not necessarily reduce VMT. Given the current data available regarding roundabouts impacts on emissions reductions, the City cannot definitely conclude that emissions would be reduced, so the City declines to make it a mitigation requirement of this project. However, the City will continue its evaluations of individual intersection improvement designs, which have shifted in recent years to considering roundabouts as an alternative.

Response H-7: This comment serves as a conclusion and closing statement. The commentor states that the Air District appreciates the level of detail and analysis provided in the Air Quality section and looks forward to the success of the City of Salinas West Area Specific Plan. No response is required.

Lozano Smith
ATTORNEYS AT LAW

Devon B. Lincoln
Attorney at Law

E-mail: dlincoln@lozanosmith.com

April 15, 2019

By Overnight Mail and Email (jill.miller@ci.salinas.ca.us)

City of Salinas
Community Development Department
Attn: Jill Miller, Senior Planner
65 West Alisal Street
Salinas, California 93901

Re: Comments to the Draft Environmental Impact Report for the West Area Specific Plan

Dear Ms. Miller:

Our office represents the Santa Rita Union School District ("District"). Please accept this letter as the District's comments to the Draft Environmental Impact Report ("Draft EIR") for the West Area Specific Plan ("Specific Plan").

The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place. The 4,340 new homes included in the Specific Plan will generate approximately 2,000 elementary and middle school students within the District's boundaries, enough to completely fill two new elementary schools and one new middle school. The crucial issue here is that there is simply insufficient funding for these school facilities, and they will not be constructed in the manner assumed by the Specific Plan and Draft EIR. What will occur, however, is an influx of students to the District's other school facilities, which are already at or exceeding capacity. I-1

The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. Here, there will be impacts resulting directly from the inability to construct new school facilities and the influx of students to the District's existing facilities. This includes, but is not limited, to increased traffic, air quality, noise, and other reasonably foreseeable impacts needed to serve students from the Specific Plan development. The Specific Plan alone causes these impacts, and the Draft EIR needs to analyze and address them appropriately. I-2

Limited Liability Partnership

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Capacity of Existing School Facilities and Generation of New Students

The District understands that the Specific Plan includes up to 4,340 residential units and 571,500 square feet of mixed-use/commercial development. There is no question that such growth will generate additional students to be served by the District, however, the Specific Plan and Draft EIR fail to consider the true impacts of such growth on a school district that already has more students than seats.

I-3

The District operates four elementary schools and two middle schools. Since the 2010–2011 school year, elementary and middle school enrollment has continued to increase, with the District's school facilities reaching an "at capacity" level during the 2016–2017 year. During the 2017–2018 year, the District had a cumulative shortage of 54 seats at the elementary school level and shortage of four (4) seats at the middle school level, thereby exceeding the capacity of its school facilities. (See Draft EIR, Tables 3.9-4 and 3.9-5.) The District's capacity issues have continued into the current school year, with total enrollment continuing to exceed available seats.

With respect to student generation, the Draft EIR provides that a minimum of 1,327 and a maximum of 1,623 elementary and middle school students will be generated by the development of the Specific Plan. (See Draft EIR, Table 3.9-9.) The District's own calculations demonstrate even greater numbers of students generated. Using the student generation rates from the District's recent facilities' needs analysis, the District expects the number of elementary and middle school students generated by the Specific Plan to exceed 2,000 students (approximately 1,425 elementary school and 608 middle school students).[1] This would not only completely fill, but would exceed, the expected capacity of two new elementary schools and one new middle school.

I-4

While there may be some disagreement as to the specific number of additional students to be generated by the Specific Plan, the crucial issue—and one that is not disputed—is that a significant number of students will be generated within the District's boundaries. These students must be served by the District, which is already exceeding its own capacity and is continuing to increase in enrollment each year.

Lack of Specific School Funding

The Specific Plan and Draft EIR are non-committal with respect to the development and funding of school facilities, leaving these responsibilities solely to the District. The Specific Plan notes that the "[r]esponsibility for development of public schools lies with [District]," with school facilities to be built "based on the projections of the need for those facilities" in a phased approach as "determine[d] and control[led]" by the District. (Specific Plan, Section 2.1 & 9.4).

I-5

[1] The District's estimate of student generation is based on the student generation rates derived from the District's 2017/2018 School Facilities Need Analysis/Development School Fee Justification Study. The District consider this estimate to be both reasonable and conservative, and the District—on multiple occasions—has shared this information with the proposed developers and the City of Salinas and requested that it be incorporated into the Specific Plan and Draft EIR.

This concept is reinforced by the Draft EIR, which provides that "public schools . . . will be constructed based on projections of the need for these facilities," with the District to "determine the appropriate phasing of [its] facilities" as driven by increased demand and enrollment. (Draft EIR, Section 2.0.)

What the Draft EIR does not do is consider the possibility that funding may not be available to fund new school facilities, and if that is the case, what will be the Specific Plan's impact on the environment if students are housed at the District's existing sites. Both the Draft EIR and Specific Plan provide only that the school development impact fees (also known as "developer fees") will be paid prior to development of the Specific Plan area. (See Draft EIR, Mitigation Measure 3.9-2; Specific Plan, Sections 8.4, 8.5, 8.6, & 9.2.1.) Unfortunately, such reliance on school development impact fees to fund school facilities is woefully optimistic. The District's conservative estimate of the costs to acquire property and construct the three new schools contemplated by the Specific Plan is approximately $127.5 million.[2] School development impact fees are expected to be approximately $36 million—creating a $90 million shortfall. It must also be noted that school impact fees would be collected incrementally across the 20 to 30 year build-out period of the Specific Plan, and the estimated $36 million does <u>not</u> represent funds that the District would receive up front or at once. It is also vital to recognize that school development impact fees will be needed to mitigate the immediate impacts of overcrowding (installing portables, etc.), and all development impact fees collected will not necessarily go towards construction of new school sites.

The only other funding mechanisms for school facilities referenced in either document is in Table 8.1 of the Specific Plan, which suggests that "TAMC and State or Federal" funding sources may be available for the construction of new school facilities. The District is not aware of any school facilities' funding available through TAMC (the Transportation Agency for Monterey County) or any Federal source, and does not believe that such funding exists for California K-12 facilities construction. Simply put, neither TAMC funds nor Federal funds are a viable option, and it is misleading for the Draft EIR to suggest that such funds may be available for the District's school facilities.

Additionally, the District cannot reasonably expect to rely on State money to fund all of the necessary school facilities. While the District will aggressively pursue State facilities funding, such funding is in a perpetual state of flux and it is not certain if, or when, the District would receive State funding. In fact, no State facilities funds have been available in recent times. Assuming, *arguendo*, the District does receive State facilities funds, the District expects that the <u>most</u> it would receive is approximately $37.5 to $50 million—sufficient to cover the costs of one school site. Even in the best-case scenario of the District receiving such State funds and the estimated $36 million in developer fees, this still creates a total unfunded liability of between $41 million and $54 million. Neither the Specific Plan nor the Draft EIR address this shortfall, nor do they even suggest realistic options for securing the funds that will be necessary to construct the school facilities required to accommodate students generated by the Specific Plan.

I-5 (Cont'd)

[2] The District estimates that the costs for each elementary school would be approximately $37.4 million ($74.8 million total), and approximately $52.75 million for the middle school.

Impacts to Existing Schools

The District's facilities are at capacity and there is simply insufficient funding to construct the school facilities needed to house students generated by the Specific Plan. The District has an obligation to serve students residing in its boundaries, and when they arrive, the District will have few options available to address this influx. One option, which is often the first utilized in these situations, is to install portable classrooms at existing school sites. This may be coupled with expansion to existing school facilities and/or the construction of new facilities at existing sites. Another option is reorganizing attendance boundaries, which leads to sending students to other existing school sites that can best accommodate them. If facilities are overcrowded, parents may seek inter-district transfers, in which case students will travel to school sites of other nearby school districts. These options are not mutually exclusive, and it is very likely that any or all would be utilized in an attempt to offset the influx of students generated within the District by the Specific Plan. I-6

Here, the crux of the matter is that the Draft EIR fails to address the environmental impacts that will result from the above. Installation of portables and ongoing construction on existing sites will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. Changing of attendance boundaries, bussing, or parents electing to send their children to other school sites or other school districts will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be District staff or students and their families. These impacts are a direct result of the Specific Plan and the Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard.

Conclusion and Requested Mitigation

The Specific Plan proposes a "balanced, walkable community" comprised of different neighborhoods, each of which is supported by school facilities that are nearby and accessible to the residents in the Specific Plan area. The City of Salinas General Plan also acknowledges the goal of the City to "[c]ontinue to work with the school districts . . . to ensure adequate school and recreational facilities are provided and maintained by the community." Under the existing Specific Plan and Draft EIR, neither goal is achieved. I-7

The Specific Plan and Draft EIR do not guarantee that new school facilities will be constructed prior to residential development. Rather, these documents assume that the facilities will be constructed, ignoring the true reality of the situation: the District serving the Specific Plan area is already at capacity and lacks the funding necessary for construction of new school facilities necessary to accommodate student-enrollment growth from the Specific Plan. This reality will result in environmental impacts which must be appropriately analyzed and addressed. Without adequate school facilities, the entire concept of these communities will fail.

The District remains an active and cooperative partner and welcomes further discussions with the City of Salinas and the developers of the Specific Plan. We are hopeful for the opportunity to discuss our concerns and work together to reach a solution that ensures that quality school facilities can be provided to accommodate the families residing within the Specific Plan. Should you have any questions or would like to discuss these issues further, please feel free to contact the District office directly. I-7 (Cont'd)

Sincerely,

LOZANO SMITH

Devon B. Lincoln

DBL/sb

cc: Timothy Ryan, Acting Superintendent/Chief Business Officer
Santa Rita Union School District
(By Email: tryan@santaritaschools.org)

Response to Letter I: Devon B. Lincoln, Lozano Smith Attorneys at Law representing Santa Rita Union High School District

Response I-1: The commentor states:

> *"The District's major area of concern is the Draft EIR's failure to consider the realities of school facilities funding, and in turn, its failure to appropriately analyze and address the impacts that will result from development of the Specific Plan without the necessary school facilities in place. The 4,340 new homes included in the Specific Plan will generate approximately 2,000 elementary and middle school students within the District's boundaries, enough to completely fill two new elementary schools and one new middle school. The crucial issue here is that there is simply insufficient funding for these school facilities, and they will not be constructed in the manner assumed by the Specific Plan and Draft EIR. What will occur, however, is an influx of students to the District's other school facilities, which are already at or exceeding capacity."*

Impacts associated with schools are analyzed in Section 3.9 Public Services. Page 3.9-12 of the Draft EIR presents the City's policy toward working with School Districts to identify land needed for new schools, and to consider impacts of proposed projects on school enrollment and facilities when considering new projects. The City's policies are as follows:

Policy LU-9.1: Work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students.

Policy LU-9.2: Consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met.

Page 3.9-20 of the Draft EIR states that the proposed project includes five schools within the Specific Plan Area. One of these schools (McKinnon Elementary School) has already been constructed and another (a new high school) is currently under construction on Rogge Road. A description of the additional planned schools (including the high school, which is under construction) are listed below:

- Two elementary schools are planned to be constructed on opposite sides of the Specific Plan Area. One school will be located on a 10.0-acre site in Neighborhood 2, while the other will be located in Neighborhood 3 on a 10.0-acre site. The two new elementary schools would be expected to serve students residing in the Specific Plan Area and adjacent areas. Attendance areas will ultimately be adopted by the SRUSD Board of Trustees.
- The Specific Plan provides a site for one middle school. The middle school site, approximately 20 acres in size, is located adjacent to and north of the community park. The middle school is expected serve students residing in the Specific Plan Area as well as

adjacent areas as determined by attendance areas ultimately adopted by the SRUSD Board of Trustees.

- A high school site is located in the northern portion of the Specific Plan Area adjacent to Rogge Road. The site is approximately 38 acres and it has already been acquired by the Salinas Union High School District and the high school facility is currently under construction. The high school is expected to serve students both within and outside of the Specific Plan Area. Attendance areas will ultimately be adopted by the SUHSD Board of Trustees.

The purpose for identifying sites for new schools is to ensure that there is adequate land set aside for the development of new school facilities within the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of their own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees; instead, that responsibility lies with the school district. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area. The City will fully cooperate with the School District, as it has in the past, in the collection of the school impact fees that have been established by School District.

Response I-2: The commentor states:

> *"The law does not excuse a lead agency from conducting environmental review of impacts other than those that are direct impacts on school facilities. Here, there will be impacts resulting directly the inability to construct new school facilities and the influx of students to the District's existing facilities. This includes, but is not limited, to increased traffic, air quality, noise, and other reasonably foreseeable impacts needed to serve students from the Specific Plan development. The Specific Plan alone causes these impacts, and the Draft EIR needs to analyze and address them appropriately."*

The City believes that, in assessing the impacts of developing the entire Specific Plan Area, the EIR has sufficiently addressed, at least in general terms, the physical impacts of constructing new schools within the Specific Plan Area. The footprint-related impacts of the schools are subsumed within the analysis of the footprint of the entire Specific Plan. The same is true of impacts involving air pollutant emissions, greenhouse gas emissions, traffic, and demands on public services and utilities.

In addressing public service demand issues under CEQA, the appropriate focus is on the environmental effects of the steps that might be necessary to achieve or maintain adequate service.

For example, if proposed new development would create an increased demand for public services, an EIR should inquire as to whether new or expanded physical facilities may be required in order to provide such service. The "impacts" addressed under CEQA are the physical effects of providing service, not any possible failure to provide adequate service under applicable standards. (See City of Hayward v. Board of Trustees of the Cal. State University (2015) 242 Cal.App.4th 833, 843 ["[t]he need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate"]; Goleta Union School Dist. v. Regents of Univ. of Cal. (1995) 37 Cal.App.4th 1025, 1031–1034 [school overcrowding attributable to new development is not an environmental effect subject to CEQA, though the physical effects of new facility construction to serve new students would be]; and CEQA Guidelines, § 15131, subd. (a) ["[e]conomic or social effects of a project shall not be treated as significant effects on the environment"].)

Page 3.9-21 of the Draft EIR discusses the environmental impacts associated with school development in the Specific Plan Area. This includes physical impacts from construction of the five school sites within the Specific Plan Area. The purpose of the new schools is to serve the new residents/students generated by the Specific Plan development The Draft EIR discloses that there would be impacts related to relevant environmental topics included throughout the Draft EIR, such as: air quality (Section 3.1), biological resources (Section 3.2), cultural resources (Section 3.3), greenhouse gas emissions and climate change (Section 3.4), hazards and hazardous materials (Section 3.5), hydrology and water quality (Section 3.6), noise (Section 3.7) population (Section 3.8), public services (Section 3.9), transportation (Section 3.10), and utilities (Section 3.11). Page 3.9-21 of the Draft EIR states that "A detailed discussion of relevant operational and construction impacts can be found in each respective section of this EIR. Furthermore, site-specific environmental review would be required for each school by the responsible School District prior to approval of a design for the facility and would consider any site-specific impacts unknown at this time." The analysis in the Draft EIR considers the physical development of the sites that are identified in the Specific Plan, as well as operational impacts associated with a school facility in those locations. The City, however, does not have a specific school design for three of the school sites given that the School District has not yet approved a design at those locations. As such, the Draft EIR does not speculate beyond the material facts that are available for each site at the time the Specific Plan is being considered.

Cumulative impacts from public facilities resulting from the construction of public facilities, including schools, is addressed under Impact 3.9-6 (pages 3.9-24 and 3.9-25 of the DEIR). As provided under Impact 3.9-6, the 2002 General Plan Final Program EIR analyzed impacts to public services (including schools), and found that General Plan policies addressed the public services needs of future development resulting from implementation of the General Plan. The specific environmental impact of constructing new facilities could not be determined at the time, but the Final Program EIR found that construction and operation of such facilities could potentially cause significant impacts. These potential impacts, however, were addressed and mitigated to the greatest extent feasible by the

General Plan policies and mitigation measures included in Sections 5.1 through 5.12 of the Salinas General Plan Final Program EIR.

It is important to consider the statutory requirements that apply to school facilities impacts in this discussion. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) are deemed to be "full and complete school facilities mitigation" for impacts caused by new development. Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal.App.4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts. The School District has established the appropriate fee for all development in the City of Salinas. This fee established by the School District, following the requirements of State law, is the fair share funding that the City will require of this development. By statute, the City and School District cannot require fees beyond that allowed by the State law, and affirmed by the District through their approved nexus study. Nor may the City deny the project proponents' request for approval of the Specific Plan solely due to projected funding shortfalls. The City will fully cooperate with the School District, as they have in the past, in the collection of the school impact fees that have been established by School District.

Response I-3: The commentor further states:

> *"The District understands that the Specific Plan includes up to 4,340 residential units and 571,500 square feet of mixed-use/commercial development. There is no question that such growth will generate additional students to be served by the District. However, the Specific Plan and Draft EIR fail to consider the true impacts of such growth on a school district that already has more students than seats.*
>
> *The District operates four elementary schools and two middle schools. Since the 2010-2011 school year, elementary and middle school enrollment has continued to increase, with the District's school facilities reaching an "at capacity" level during the 2016-2017 year. During the 2017-2018 year, the District had a cumulative shortage of 54 seats at the elementary school level and shortage of four (4) seats at the middle school level, thereby exceeding the capacity of its school facilities. (See Draft EIR, Tables 3.9-4 and 3.9-5.) The District's capacity issues have continued into the current school year, with total enrollment continuing to exceed available seats."*

The City recognizes the commenter's concerns regarding school facilities, and the District's capacity to serve the population. Because of these concerns, the City has established policies toward working with School Districts to identify land needed for new schools, and to consider impacts of proposed projects on school enrollment and facilities when considering new projects. The City's policies are as follows:

Policy LU-9.1: Work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students.

Policy LU-9.2: Consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met.

As discussed on page 3.9-20 of the Draft EIR, the proposed project includes five schools within the Specific Plan Area, including the new High School as referenced in the comment. The City recognizes that the High School has been planned for more than a decade, which is consistent with the fact that the Specific Plan Area is part of the City's Future Growth Area, which has been planned for growth for over a decade. Placing a new High School within new growth areas is a common land use planning exercise to ensure that new students have school facilities proximate to their homes. The site of the new High School is a product of collaboration between the City and the School District dating back to the time the Future Growth Area was first contemplated by the City. At that time, the City worked to ensure that there is adequate land set aside for the development of new school facilities within the Future Growth Area. That planning effort by the City resulted in the five schools that are within the Specific Plan Area, as well as other schools in other parts of the Future Growth Area that are outside the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of their own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees, instead that responsibility lies with the School District. Education Code (EC) section 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area. The City will fully cooperate with the School District, as they have in the past, in the collection of the school impact fees that have been established by School District.

Response I-4: The commentor further states:

"With respect to student generation, the Draft EIR provides that a minimum of 1,327 and a maximum of 1,623 elementary and middle school students will be generated by the development of the Specific Plan. (See Draft EIR, Table 3.9-9.) The District's own calculations demonstrate even greater numbers of students generated. Using the student generation rates from the District's recent facilities' needs analysis, the District expects the number of elementary and middle school students generated by the Specific Plan to exceed 2,000 students (approximately 1,425 elementary school and 608 middle school students). This would not only completely fill, but would exceed, the expected capacity of two new elementary schools and one new middle school.

While there may be some disagreement as to the specific number of additional students to be generated by the Specific Plan, the crucial issue—and one that is not disputed—is that a significant number of students will be generated within the District's boundaries. These students must be served by the District, which is already exceeding its own capacity and is continuing to increase in enrollment each year."

Based on this comment, and based on the data available at this time, the City has updated Table 3.9-9 on page 3.3-15 within the Final EIR as follows, to reflect the most recent version of the student generation rates provided in School District's School Facility Needs Analysis, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

~~***TABLE 3.9-9: PROJECTED PLAN AREA STUDENT GENERATION ESTIMATES***~~

~~DU TYPE~~	~~MIN. DU~~	~~MAX. DU~~	~~EDUCATION LEVEL~~	~~GENERATION FACTOR~~	~~STUDENTS GENERATED~~		~~ESTIMATED NUMBER OF STUDENTS GENERATED BY EDUCATION LEVEL (MIN. / MAX.)~~
					~~MIN.~~	~~MAX.~~	
~~SFD~~	~~1,114~~	~~1,361~~	~~Elementary~~	~~.3416~~	~~380~~	~~465~~	~~Elementary 910 / 1,114~~
			~~Middle~~	~~.1948~~	~~217~~	~~265~~	
			~~High~~	~~.149~~	~~166~~	~~202~~	
~~SFA~~	~~1,476~~	~~1,803~~	~~Elementary~~	~~.1967~~	~~290~~	~~355~~	~~Middle School 417 / 509~~
			~~Middle~~	~~.0738~~	~~109~~	~~133~~	
			~~High~~	~~.149~~	~~220~~	~~268~~	
~~MF~~	~~963~~	~~1,176~~	~~Elementary~~	~~.2492~~	~~240~~	~~294~~	~~High School 600 / 731~~
			~~Middle~~	~~.0944~~	~~91~~	~~111~~	
			~~High~~	~~.222~~	~~214~~	~~261~~	
~~Total~~	~~3,553~~	~~4,340~~			~~1,927~~	~~2,354~~	~~1,927 / 2,354~~

~~*SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT (JANUARY 2014), SANTA RITA UNION SCHOOL DISTRICT/COOPERATIVE STRATEGIES (OCTOBER 2018).*~~

TABLE 3.9-9: PROJECTED SPECIFIC PLAN AREA STUDENT GENERATION ESTIMATES

DWELLING UNIT TYPE	*TOTAL DWELLING UNITS*	*EDUCATION LEVEL*	*GENERATION FACTOR*	*STUDENTS GENERATED*
SINGLE-FAMILY (NE AND NG-1)	3,164	Elementary	0.3148	996
		Middle	0.1955	619
		High	0.208	658
MULTIFAMILY	1,176	Elementary	0.5715	672

(NG-2 AND VILLAGE CENTER)		Middle	0.1892	223
		High	0.041	48
Total				3,216

SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT: 2018 SCHOOL FACILITY NEEDS ANALYSIS AND JUSTIFICATION REPORT; SANTA RITA UNION SCHOOL DISTRICT SCHOOL FACILITIES NEEDS ANALYSIS MARCH 6, 2018.

NOTE: TABLE ASSUMES (HIGH) SINGLE FAMILY (SF) DETACHED UNITS FOR ALL SF UNITS, DUE TO LACK OF DETAILED LOT COUNTS FOR ATTACHED AND DETACHED SFU'S.

The proposed project is expected to generate approximately ~~between 1,927 and 2,354~~3,216 additional students for the SUHSD and SRUSD, as shown in Table 3.9-9. It is also important to understand that special legal principles apply to impacts to school facilities. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be "full and complete school facilities mitigation" for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. However, even where applicants have agreed to pay school impact mitigation fees, if the proposed development requires the construction or expansion of additional facilities that would cause other physical environmental impacts, then those physical impacts to non-school resources may be analyzed under CEQA (Gov. Code § 65995(i)).

Response I-5: The commentor states:

The Specific Plan and Draft EIR are non-committal with respect to the development and funding of school facilities, leaving these responsibilities solely to the District. The Specific Plan notes that the "[responsibility for development of public schools lies with District]", with school facilities to be built "based on the projections of the need for those facilities" in a phased approach as "determined and controlled" by the District. (Specific Plan, Section 2.1 & 9.4).

This concept is reinforced by the Draft EIR, which provides that "public schools . . . will be constructed based on projections of the need for these facilities," with the District to "determine the appropriate phasing of [its] facilities" as driven by increased demand and enrollment. (Draft EIR, Section 2.0.)

What the Draft EIR does not do is consider the possibility that funding may not be available to fund new school facilities, and if that is the case, what will be the Specific Plan's impact on the environment if students are housed at the District's existing sites. Both the Draft EIR and Specific Plan provide only that the school development impact fees (also known as "developer fees") will be paid prior to development of the Specific Plan area. (See Draft EIR, Mitigation Measure 3.9-2; Specific Plan, Sections 8.4, 8.5, 8.6, & 9.2.1.) Unfortunately, such reliance on school development impact fees to fund school facilities is woefully optimistic. The District's conservative estimate of the costs to acquire property and construct the three new schools contemplated by the Specific Plan is approximately $127.5 million. School

development impact fees are expected to be approximately $36 million—creating a $90 million shortfall. It must also be noted that school impact fees would be collected incrementally across the 20 to 30 year build-out period of the Specific Plan, and the estimated $36 million does not represent funds that the District would receive up front or at once. It is also vital to recognize that school development impact fees will be needed to mitigate the immediate impacts of overcrowding (installing portables, etc.), and all development impact fees collected will not necessarily go towards construction of new school sites.

The only other funding mechanisms for school facilities referenced in either document is in Table 8.1 of the Specific Plan, which suggests that "TAMC and State or Federal" funding sources may be available for the construction of new school facilities. The District is not aware of any school facilities' funding available through TAMC (the Transportation Agency for Monterey County) or any Federal source, and does not believe that such funding exists for California K-12 facilities construction. Simply put, neither TAMC funds nor Federal funds are a viable option, and it is misleading for the Draft EIR to suggest that such funds may be available for the District's school facilities.

Additionally, the District cannot reasonably expect to rely on State money to fund all of the necessary school facilities. While the District will aggressively pursue State facilities funding, such funding is in a perpetual state of flux and it is not certain if, or when, the District would receive State funding. In fact, no State facilities funds have been available in recent times. Assuming, arguendo, the District does receive State facilities funds, the District expects that the most it would receive is approximately $37.5 to $50 million—sufficient to cover the costs of one school site. Even in the best-case scenario of the District receiving such State funds and the estimated $36 million in developer fees, this still creates a total unfunded liability of between $41 million and $54 million. Neither the Specific Plan nor the Draft EIR address this shortfall, nor do they even suggest realistic options for securing the funds that will be necessary to construct the school facilities required to accommodate students generated by the Specific Plan."

It is important to consider the statutory requirements that apply to school facilities impacts in this discussion. According to Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) are deemed to be "full and complete school facilities mitigation" for impacts caused by new development. Section 65996 also prohibits public agencies from using CEQA or "any other provision of state or local law" to deny approval of "a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization" on the basis of the project's impacts on school facilities.

The School District has established the appropriate fee for all development in the City of Salinas. This fee established by the School District, following the requirements of State law, is the fair share funding that the City will require of this development. By statute, the City and School District cannot

require fees beyond that allowed by the State law, and affirmed by the District through their approved nexus study. The City will fully cooperate with the School District, as it has in the past, in the collection of the school impact fees that have been established by School District.

The City has established sites for new schools to ensure that there is adequate land set aside for the development of new school facilities within the Specific Plan Area. Ultimately, the Education Code tasks the School District with the responsibility for design and construction of their own schools. While the City is not the lead agency responsible for school development, the City fully supports the School District with the provision of infrastructure and land to facilitate school facility development, as well as the collection of school impact fees to fund new school development. It is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities, including the payment of school impact fees that are established by the School District through their nexus study/fee justification efforts. The City, however, does not establish the school impact fees, instead that responsibility lies with the School District. Education Code (EC) 17620 grants the School District the authority to impose school impact fees, and the School District has established impact fees that are applicable to development in the Specific Plan Area.

Response I-6: The commentor states:

> *The District's facilities are at capacity and there is simply insufficient funding to construct the school facilities needed to house students generated by the Specific Plan. The District has an obligation to serve students residing in its boundaries, and when they arrive, the District will have few options available to address this influx. One option, which is often the first utilized in these situations, is to install portable classrooms at existing school sites. This may be coupled with expansion to existing school facilities and/or the construction of new facilities at existing sites. Another option is reorganizing attendance boundaries, which leads to sending students to other existing school sites that can best accommodate them. If facilities are overcrowded, parents may seek inter-district transfers, in which case students will travel to school sites of other nearby school districts. These options are not mutually exclusive, and it is very likely that any or all would be utilized in an attempt to offset the influx of students generated within the District by the Specific Plan.*
>
> *Here, the crux of the matter is that the Draft EIR fails to address the environmental impacts that will result from the above. Installation of portables and ongoing construction on existing sites will affect noise levels, air quality, loss of greenspace or play areas, and other reasonably foreseeable impacts connected with adding or modifying school facilities at existing school sites. Changing of attendance boundaries, bussing, or parents electing to send their children to other school sites or other school districts will increase traffic (both vehicular and pedestrian), and will similarly affect noise, and air quality/pollution. The increased traffic in or around existing school sites also raises significant concerns regarding the safety of school visitors, whether it be District staff or students and their families. These impacts are a direct result of the Specific Plan and the Draft EIR is required to analyze and address them appropriately. The current Draft EIR fails in this regard."*

The potential scenarios described by the commenter are too speculative to give rise to meaningful environmental assessment, particularly since, if they occur, they will occur over an extended period of time (perhaps 20 to 30 years), consistent with buildout of the Specific Plan Area. Just as the number of students living in the Specific Area will gradually ramp up over time, so too will the District have the ability to make decisions as to where such students should attend schools, if no on-site school facilities are yet in place. The specific decisions the District will have to make cannot be predicted with any level of certainty at present, and, in any event, are beyond the City's control. In particular, the City has no way at present to try to predict boundary changes the District might impose in future years. Although such decisions could affect traffic and other environmental resources, any details of such impacts cannot be predicted at present. The same is true of options such as student transfers, the construction of other, currently unplanned schools at other sites, or changes in current patterns of school bussing. To the extent that the District contemplates the installation of additional portable classrooms at existing school facilities, the City notes that CEQA provides a categorical exemption (Class 14) for "minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less."

Response I-7: This comment serves as a conclusion and closing statement. This comment is noted and no further response is warranted.

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April 15, 2019

Ms. Jill Miller, Senior Planner
Salinas Community Development Department
65 West Alisal Street, Second Floor
Salinas, CA 93901

Re: Comments on the Draft Environmental Impact Report for the West Area Specific Plan

Dear Ms. Miller:

This comment letter is submitted on behalf of the applicants for the West Area Specific Plan and related entitlements: Rexford Title, Inc., Harden Foundation, (by Ray Harrod, Jr., dba Harrod Construction Company), Patricia Jane Bondesen, Andrew C. Madolora (by Global Investment & Development, LLC) and Alvin C. and Karen R. Mortensen (for the Mortensen family).

Thank you for the opportunity to provide comments on the West Area Specific Plan Draft Environmental Impact Report (DEIR). We particularly appreciate the thorough exposition contained in the Introduction of the DEIR explaining the types and functions of EIRs and related CEQA documents. This information will certainly help the project developers and the public to understand the procedures that the City intends to follow in implementing this EIR in conjunction with the Specific Plan. We specifically endorse the City's utilization of the streamlining procedures (particularly the Section 65457 CEQA exemption) outlined on pages ES-3 and ES-4 of the DEIR. Having labored through the entitlement maze for nearly fifteen years, the Project sponsors welcome any means offered by the City to abridge the process for the many permit applications that lie ahead. J-1

Overall, we found the DEIR to be professionally prepared, unusually readable and comprehensive in addressing the requirements of CEQA. However, we do have a few specific comments on the document.

1. **Feasible.**

The DEIR uses the words "feasible" and "reasonably feasible" numerous times to describe avoidance and mitigation measures (e.g., "reduced to the extent feasible," "reduce emissions to the maximum extent feasible," "if avoidance is not feasible" and "as deemed reasonably feasible"). We assume that the word "feasible" is to be interpreted and applied in the context of the definition contained in Section 21061.1 of the CEQA statute, to wit, "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." J-2

2. **Agricultural Resources**.

Page 1.0-16 of the DEIR refers to the City's adoption of Resolution No. 19422 approving the City's Agricultural Land Preservation Program ("ALPP").[1] It is important to note that the ALPP expressly provides that no agricultural mitigation easement shall be required in connection with development of the North of Boronda Future Growth Area. J-3

3. **Schools**.

a) School Impact Fees.

The WASP area owners and developers strongly endorse the DEIR's citation to Section 65996 of the Government Code declaring state-wide school impact fees to be "...the exclusive means of considering and mitigating impacts on school facilities" and "deemed to provide full and complete school facilities mitigation for impacts caused by new development." Although EIRs for new development projects must still consider school issues not related to accommodating new students in school facilities, (such as traffic from additional students traveling to school, and the impacts of dust and noise resulting from the construction of additional school facilities), it is clear that the City "may not deny or refuse to approve new development on the basis that school facilities are inadequate." J-4

b) Existing School Facilities Capacity and Enrollment.

The figures cited in the DEIR for Santa Rita Union School District (SRUSD) student enrollment (Tables 3.9-4, 3.9-5 and 3.9-7) are taken directly from SRUSD J-5

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[1] Resolution No. 19422 was actually adopted on April 2008, not in 2006.

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facilities needs analyses and from State Department of Education sources. While these enrollment numbers are consistent with the information provided to the Project applicants by SRUSD, and are reasonably verifiable from State sources, the Project applicants have serious reservations about the accuracy and verifiability of figures provided by the District relative to facility capacities and student generation rates. The Project's 4,340 homes will not suddenly appear on the ground, sending thousands of students off to school on the Monday following City Council approval of the WASP. Foreseeability of facility demands, facility capacity, student generation rates and availability of State and Federal sources of school finance involve a high degree of subjectivity and speculation, especially when used to plan for a twenty- to forty-year Project buildout.[2] Discussions between the Applicants and the District are continuing, recently in a much more collaborative tone, and we would hope (given that the Applicants will be paying the statutory impact fees in "full and complete school facilities mitigation," as noted above), that all issues related to school facilities can be resolved amicably in the near future. J-5 (Cont'd)

4. **Reclamation Ditch**.

As noted on page 3.6-18, MCWRA's draft Reclamation Ditch Watershed Impact Fee/Nexus Study Summary Report, released thirteen years ago, was never adopted. The report was rife with factual errors, and was predicated on an improvement project (lining the ditch for its full length) that was neither feasible nor desirable. At the time of its release in 2006, the report was met with almost universal scorn, and was never brought forward for adoption. The report has no standing today as a planning document or a nexus study.

Today the reclamation ditch has taken on a new mission- as an important source of reclaimed irrigation and drinking water. The Monterey County Water Resources Agency (MCWRA) and Monterey One Water (M1W), have entered into a Water Recycling Agreement which include consideration of the financing, design, construction, operation, maintenance, and replacement of New Source Water Facilities to provide approximately 4,381 acre-feet per year of additional recycled water to MCWRA for use in the existing Castroville Seawater Intrusion Project (CSIP), a coastal irrigation project. In addition, M1W would be provided approximately 4,320 AFY of new source water to provide drinking water. The project is reflected in the report entitled Monterey County Water Resources Agency New Source Water Supply Study (September 28, 2018). The report is available on MCWRA;s website. The report provides that the reclamation ditch is expected to supply 272 acre feet of recyclable water in a normal year. J-6

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[2] The current school financing system based on SB 50 was enacted only eight years ago.

Although the reclamation ditch will remain an important collector and conveyor of drainage water, that drainage water, at least above the diversion point, will be considered a resource to be enhanced rather than an impediment to be decreased. The DEIR should be revised to reflect this change of mission for the reclamation ditch. J-6 (Cont'd)

5. **Roadside Ditches.**

The DEIR states that the WASP will eliminate the roadside ditches along the north side of Boronda Road and the east side of San Juan Grade Road. The DEIR then posits that the USACE, irrespective of the small acreage (3.26 acres) and the absence of any presence of special status species, intends to exert jurisdiction over these ditches as navigable waters of the U.S. According to this designation, elimination of the roadside ditches would result in a significant and unavoidable impact on biological resources, requiring that Project applicants obtain a Section 404 permit and comply with USACE "no net loss" mitigation (replacement of wetland on a 1:1 ratio).

It is unlikely that the roadside ditches will be eliminated as a result of implementation of the WASP; it is much more likely that the City will eliminate them in connection with the Boronda Road widening project before the Project commences. We understand the City, in the interest of expediency, is conceding USACE jurisdiction for the purposes of the Boronda Road widening project, and is applying for a Section 404 permit for that project. J-7

The Project applicants disagree with the designation of the roadside ditches as jurisdictional waters of the U.S. They find the proposed mitigation, particularly the "no net loss" provisions, to be infeasable. Consequently, the Project applicants reserve the right to challenge the "navigable waters" designation as applied to their Project.

We appreciate your review and consideration of these comments. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours

Brian Finegan

Brian Finegan

cc: Tara Hullinger
Christopher Callihan
Mark Kelton
Jared Slopko
Patricia Bondesen
Joseph Rivani

Response to Letter J: Brian Finegan, Brian Finegan & Michael J. Harrington, Limited Liability Partnership, Attorneys at Law representing the West Area Specific Plan Applicants

Response J-1: The commentor presents a brief introduction to his comment letter, and includes an endorsement of the streamlining procedures (including those provided by the Section 65457 CEQA exemption) laid out in the Draft EIR. These comments are noted. No further response is required.

Response J-2: The commentor states that the Draft EIR uses the words "feasible" and "reasonably feasible" numerous times to describe avoidance and mitigation measures. The commentor states that they assume that the word "feasible" is to be interpreted and applied in the context of the definition contained in Section 21061.1 of the CEQA statute.

The commentor's understanding for the use of the term "feasible" and "reasonably feasible" throughout the Draft EIR is consistent with the use of the term as defined by Section 21061.1 of the CEQA statute (i.e. "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors").

Response J-3: The commentor states that page 1.0-16 of the Draft EIR refers to the City's adoption of Resolution No. 19422 approving the City's Agricultural Land Preservation Program (ALPP). The commentor states that: "*It is important to note that the ALPP expressly provides that no agricultural mitigation easement shall be required in connection with development of the North of Boronda Future Growth Area".*

The City concurs with this statement that no agricultural mitigation easement is required in connection with development of the North of Boronda Future Growth Area. The Draft EIR does not require a mitigation easement. Notably, however, the project proponents are subject to City Council Resolution No. 19422, adopted in 2002. It approved the City's current Agricultural Land Preservation Program. The resolution adopted a $750.00 per acre mitigation fee for agricultural lands currently designated by the California Department of Conservation's Farmland Mapping Program as "Prime" or "of Statewide Importance."

Response J-4: The commentor endorses the Draft EIR's citation to Section 65996 of the Government Code that declares state-wide school impact fees to be "…the exclusive means of considering and mitigating impacts on school facilities" and "deemed to provide full and complete school facilities mitigation for impacts caused by new development". The commentor provides that the City "may not deny or refuse to approve new development on the basis that school facilities are inadequate".

This comment is noted. The City agrees with the commenter's view of applicable law. No further response is required.

Response J-5: The commentor states:

> *"The figures cited in the DEIR for Santa Rita Union School District (SRUSD) student enrollment (Tables 3.9-4, 3.9-5, and 3.9-7) are taken directly from SRUSD facilities needs analyses and from State Department of Education sources. While these enrollment numbers are consistent with the information provided to the Project applicants by SRUSD, and are reasonably verifiable from State sources, the Project applicants have serious reservations about the accuracy and verifiability of figures provided by the District relative to facility capacities and student generation rates. The Project's 4,340 homes will not suddenly appear on the ground, sending thousands of students off to school on the Monday following City Council approval of the WASP. Foreseeability of facility demands, facility capacity, student generation rates and availability of State and Federal sources of school finance involve a high degree of subjectivity and speculation, especially when used to plan for a twenty- to forty-year Project buildout. Discussions between the Applicants and the District are continuing, recently in a much more collaborative tone, and we would hope (given that the Applicants will be paying the statutory impact fees in "full and complete school facilities mitigation," as noted above), that all issues related to school facilities can be resolved amicably in the near future."*

As noted above, the project applicants will pay the statutory impact fees in "full and complete school facilities mitigation". The tables that are referenced (Tables 3.9-4, 3.9-5, and 3.9-7) are taken directly from SRUSD facilities needs analyses and from State Department of Education sources. These are presented in the EIR as the best available information provided to the City by the School Districts. The City recognizes, however, that the commentor has concerns with the accuracy and verifiability for the information related to capacities and student generation. It is noted that the student generation figures presented in Table 3.9-9 have been updated based on a comment provided by the School District. Please see Response E-4 and the Section 3.0 Errata.

Response J-6: The commentor provides clarifying information regarding the intended use of the reclamation ditch identified within the Draft EIR. The commentor states:

> *"As noted on page 3.6-18, MCWRA's draft Reclamation Ditch Watershed Impact Fee/Nexus Study Summary Report, released thirteen years ago, was never adopted. The report was rife with factual errors, and was predicated on an improvement project (lining the ditch for its full length) that was neither feasible nor desirable. At the time of its release in 2006, the report was met with almost universal scorn, and was never brought forward for adoption. The report has no standing today as a planning document or a nexus study.*
>
> *Today the reclamation ditch has taken on a new mission - as an important source of reclaimed irrigation and drinking water. The Monterey County Water Resources Agency (MCWRA) and Monterey One Water (M1W), have entered into a Water Recycling Agreement which include consideration of the financing, design, construction, operation, maintenance,*

and replacement of New Source Water Facilities to provide approximately 4,381 acre-feet per year of additional recycled water to MCWRA for use in the existing Castroville Seawater Intrusion Project (CSIP), a coastal irrigation project. In addition, M1W would be provided approximately 4,320 AFY of new source water to provide drinking water. The project is reflected in the report entitled Monterey County Water Resources Agency New Source Water Supply Study (September 28, 2018). The report is available on MCWRA's website. The report provides that the reclamation ditch is expected to supply 272 acre feet of recyclable water in a normal year.

Although the reclamation ditch will remain an important collector and conveyor of drainage water, that drainage water, at least above the diversion point, will be considered a resource to be enhanced rather than an impediment to be decreased. The DEIR should be revised to reflect this change of mission for the reclamation ditch."

This comment is noted. The Draft EIR has been updated to reflect the information contained in this comment. Based on this comment, the City has updated page 3.6-19 within the Final EIR as follows, which is also noted in Section 3.0 (Errata) of the Final EIR (with underline for new text, ~~strike out~~ for deleted text):

Reclamation Ditch Watershed Impact Fee/Draft Nexus Study Summary Report

The Monterey County Water Resources Agency (MCWRA) oversees the development and implementation of water quality, water supply, and flood control projects in Monterey County, including operation and maintenance of the Reclamation Ditch. The Reclamation Ditch is part of a complex drainage system within the lower Salinas Valley. The final draft (August 2006) of the MCWRA's *Reclamation Ditch Watershed Impact Fee/Nexus Study Summary Report* ("Draft Nexus Study"), while not adopted, provides useful background information related to the current state of the Reclamation Ditch system.

The MCWRA has imposed regulations for floodplains in the County. Pertinent regulations include the following:

1. Lands within the FEMA FIRM identified 1-percent annual chance flood floodplain, Special Flood Hazards Areas (SFHA), and areas within 200 feet of a river or with 50 feet of a watercourse are subject to these regulations.
2. No construction is allowed within regulatory floodways or Zones AE.
3. Any encroachment into a regulatory floodway shall not result in any increase of base flood elevations.
4. All construction shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

(Note: All development in City of Salinas, including development in the Reclamation Ditch Watershed, must meet city flood damage prevention regulations.)

Currently, the Reclamation Ditch has taken on a new mission - as an important source of reclaimed irrigation and drinking water. The MCWRA and Monterey One Water (M1W), have entered into a Water Recycling Agreement which include consideration of the financing, design, construction, operation, maintenance, and replacement of New Source Water Facilities to provide approximately

4,381 acre-feet per year of additional recycled water to MCWRA for use in the existing Castroville Seawater Intrusion Project (CSIP), a coastal irrigation project. In addition, M1W would be provided approximately 4,320 AFY of new source water to provide drinking water. The project is reflected in the report entitled Monterey County Water Resources Agency New Source Water Supply Study (September 28, 2018). The report is available on MCWRA's website. The report provides that the Reclamation Ditch is expected to supply 272 acre-feet of recyclable water in a normal year.

Although the Reclamation Ditch will remain an important collector and conveyor of drainage water, that drainage water, at least above the diversion point, will be considered a resource to be enhanced rather than an impediment to be decreased.

Response J-7: The commentor provides the following comments regarding the elimination of roadside ditches, as provided within the Draft EIR. The commentor provides that:

"The DEIR states that the WASP will eliminate the roadside ditches along the north side of Boronda Road and the east side of San Juan Grade Road. The DEIR then posits that the USACE, irrespective of the small acreage (3.26 acres) and the absence of any presence of special status species, intends to exert jurisdiction over these ditches as navigable waters of the U.S. According to this designation, elimination of the roadside ditches would result in a significant and unavoidable impact on biological resources, requiring that Project applicants obtain a Section 404 permit and comply with USACE "no net loss" mitigation (replacement of wetland on a 1:1 ratio).

It is unlikely that the roadside ditches will be eliminated as a result of implementation of the WASP; it is much more likely that the City will eliminate them in connection with the Boronda Road widening project before the Project commences. We understand the City, in the interest of expediency, is conceding USACE jurisdiction for the purposes of the Boronda Road widening project, and is applying for a Section 404 permit for that project.

The Project applicants disagree with the designation of the roadside ditches as jurisdictional waters of the U.S. They find the proposed mitigation, particularly the "no net loss" provisions, to be infeasable. Consequently, the Project applicants reserve the right to challenge the "navigable waters" designation as applied to their Project."

This comment is noted. It is possible that the Boronda Road congestion relief project would eliminate the roadside ditches along the north side of Boronda Road and the east side of San Juan Grade Road, instead of this being a part of the Specific Plan. The City did consult with the USACE regarding jurisdiction of the ditches in association with the Boronda Road congestion relief project, and the USACE exerted jurisdiction. It is noted that the City originally did not view these ditches as jurisdictional, and viewed them as exempt under the USACE agricultural ditch exemption. However, the USACE exerted its jurisdiction over the ditches and the Draft EIR reflects that determination. The City is applying for a Section 404 permit for fill activities of the ditches in association with that project. The City recognizes that the Project applicants disagrees with the designation of the roadside ditches as jurisdictional waters of the U.S., and that they find the proposed mitigation,

particularly the "no net loss" provisions, to be infeasible. The City also recognizes that the Project applicants reserve the right to challenge the "navigable waters" designation as applied to their Project." It is also noted that Mitigation Measure 3.2-7 provides that "If these regulatory agencies [note: referring to the USACE and CDFW] concur that these facilities [note: including the roadside ditches] are exempt [note: from obtaining a jurisdictional determination]…then no further mitigation is necessary". Therefore, this mitigation does not require authorization from these agencies for permits if these agencies concur with the project applicant's claim that the roadside ditches are exempt from obtaining a jurisdictional determination. Therefore, no revisions have been made to the analysis of the drainage ditch within the Draft EIR relative to this issue. No further response is required.

Revisions made to the Draft EIR are identified below. None of the revisions identify new significant environmental impacts, nor does any of the revisions result in substantive changes to the Draft EIR.

3.1 REVISIONS TO THE DRAFT EIR

SECTION 0.0 EXECUTIVE SUMMARY

Pages ES-7 of the Draft EIR is amended as follows:

TABLE ES-1: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE WEST AREA SPECIFIC PLAN

ENVIRONMENTAL TOPIC	PROPOSED PROJECT[1]	NO PROJECT (NO BUILD) ALTERNATIVE	REDUCED LAND AREA PROJECT ALTERNATIVE	REDUCED RESIDENTIAL INTENSITY/DENSITY ALTERNATIVE	SMALLER-SCALE PROJECT ALTERNATIVE
SECTION 3.9 - PUBLIC SERVICES (PS)					
PS Impact 3.9-1	LS/MM	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-2	LS	Slightly Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-3	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-4	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-5	LS	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-6	CC & SU	Less	Slightly Less	Slightly Less	Slightly Less

The following mitigation measures, as shown on pages ES-14 through ES-48 of the Draft EIR are amended as follows:

Mitigation Measure 3.1-6: *Prior to approval of improvement plans or development review permits, as applicable, the project applicant(s) shall ensure that pedestrian/bicycle facilities (e.g. pedestrian paths, outdoor bike racks, etc.) are provided within the Specific Plan Area, in coordination with and subject to approval by the City of Salinas. The project proponent shall also provide ~~covered~~ bicycling parking near the entrance to commercial establishments within the Specific Plan Area, consistent with or better than the requirements contained within the City's Municipal Code.*

Mitigation Measure 3.1-7*: Prior to the issuance of development review permit(s), the project applicant(s) shall incorporate of one or more of the following additional Specific Plan Area requirements, as determined by the City of Salinas:*

- *Install secured bicycle storage facilities (bike lockers, cages, interior space, or similar as approved by the City Engineer) at all commercial and public facilities with 50 employees or more;*

- *Incorporate a park-and-ride lots~~.~~;*
- *Install Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces); and*
- *Install publicly-available dual post Level 2 charge stations within commercial zones, and/or other zones as deemed acceptable by the City of Salinas. (Note: The 'level' of the charging station refers to the voltage that the electric vehicle charger uses. Level 1 charging is your typical traditional home outlet, while level 2 is a 240 Volt Portable Cordset or Wall-mounted Charging Station (2-10 hours charging)~~.throughout the Plan Area~~.*

Mitigation Measure 3.1-8*: Prior to the approval of individual phases (i.e. tentative maps, commercial design review, etc.), the project applicant(s) shall develop an offsite mitigation program that provides funding to offset the project-generated air emissions that are above the Air District's operational criteria pollutant thresholds after the adoption of other applicable air quality mitigation measures. The offsite mitigation program is subject to the review and approval of the Air District and the City of Salinas on a project-by-project basis (of phase-by-phase), and is intended to be in addition to offsets that are obtained through any on-site mitigation measures. Example projects that could be included in the offsite mitigation program may include, but are not limited to, the following:*

- *Replace existing agricultural combustion-based generators/pumps with electric agricultural water pumps (in place of generators/pumps;*
- *Replace combustion school buses with electric school buses within the local community;*
- *Install adaptive traffic control systems;*
- *Install solar photovoltaic (PV) systems.*

Mitigation Measure 3.1-~~8~~9*: Prior to the issuance of grading permits, the project applicant shall prepare a grading plan subject to review and approval by the City. In the event that ground-disturbance exceeds 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (e.g., grubbing, excavation, rough grading), and 8.1 acres per day for activities that involve minimal earth-moving (e.g., finish grading), the required grading plans shall include the following measures to be implemented as needed to prevent visible dust emissions:*

- *Water all active construction sites to prevent visible dust emissions. Frequency should be based on the type of operation, soil, and wind exposure;*
- *Prohibit grading and earthmoving activities, and cover stock piles, during periods of high wind (over 15 mph);*
- *Limit vehicle speed on construction sites to 15 mph.*
- *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);*
- *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area;*

- *Maintain at least 1-foot of freeboard in each haul truck;*
- *Provide windbreaks on the windward perimeter of construction projects where adjacent to open land;*
- *Cover inactive storage piles;*
- *Sweep streets if visible soil material is carried out from the construction site;~~ and/or~~*
- *Post a publicly visible sign written in English and Spanish which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to ensure compliance with Rule 402 (Nuisance). The sign shall be in accordance with MBARD and/or City requirements, as applicable;*
- *Use cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards; and/or*
- *Further, where feasible construction should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*

Mitigation Measure 3.1-~~9~~10*: Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations), the project applicant shall, at a minimum, perform prioritization screening in accordance with the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act. The prioritization screening shall be performed in accordance with the California Air Pollution Control Officers Association Air Toxic "Hot Spots" Program guidance. The prioritization screening shall also be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which will be responsible for determining which facilities based on their prioritization screening score, must perform a health risk assessment. In determining the need to prepare a health risk assessment, the Monterey Bay Air Resources District considers the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors specific to the facility that indicate that it may pose a significant health risk.*

If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant shall assess the facilities for the potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). As of the time of this writing, the commonly accepted threshold for cancer risk is 10 in a million for carcinogens, and the reference exposure level for non-carcinogens (HI = 1). Facilities that exceed the applicable threshold(s) have the potential to expose the public to toxic air contaminants levels that would be considered significant. Facilities that exceed the applicable threshold(s) must incorporate mitigation to reduce the risks from emission of toxic air contaminants to an acceptable level (i.e., to a level that does not exceed the applicable threshold[s]). Potential mitigation includes: reducing the size of

the facility area; rearranging the site to reduce the potential for impacts on the nearest sensitive receptors; and utilizing products that reduce the level of toxic air contaminants, or removal of such products from the operational phase of the project.

***Mitigation Measure 3.2-1**: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CTS. The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CTS habitat. ~~shall consult with the USFWS and CDFW for concurrence and a final confirmation that a take permit is not necessary for impacts to the hybrid population of California tiger salamander located along Natividad Road. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file. If the status of this metapopulation were to change and become protected prior to construction, or the regulatory agencies do not concur that the metapopulation does not require a take permit, then the project applicant shall initiate a consultation with the agencies and obtain the appropriate take permits.~~*

***Mitigation Measure 3.2-2**: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to California tiger salamander ~~to the extent feasible~~, the proposed project activities shall be compliant with all ~~the following~~ Avoidance and Minimization Measures imposed by the USFWS and/or CDFW during Construction Activities. ~~These measures are intended to apply, regardless of the consultation process with regulatory agencies.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.*

~~*a) Prior to excavation work or other ground disturbance, a qualified biologist(s) will conduct environmental education training for all construction personnel covering the California tiger salamander, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.*~~

~~*b) The biologist(s) will oversee the hand excavation of any burrows located in suitable habitat that are within the project footprint (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence). These excavations will be performed*~~

~~*carefully using hand-trowels and spades. Burrows will be excavated to the terminus of the tunnels, or to where the burrow is less than or equal to 0.5 inch in diameter.*~~

~~*c) If ground disturbing activities in suitable habitat (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence) are projected to extend beyond the first rain of the rainy season, the applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California tiger salamanders from entering these sites. Drift fencing will be installed and inspected by the biologist(s) no less than 72 hours prior to the first rain event of the rainy season. If weather conditions necessitate the installation of drift fencing, the approved biologist(s) will oversee the installation of pit traps to capture California tiger salamanders migrating during the rain events. The biologist(s) will check pit traps twice daily, once in the morning prior to the start of construction and once at the end of the work day.*~~

~~*d) Any California tiger salamanders captured in pit traps or uncovered in burrows will be transferred immediately to a site designated by the USFWS and CDFW. Transported animals must be kept cool and moist.*~~

~~*e) A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project for which the grading and/or building permit was required. The report will include:*~~

~~*a. Dates of project groundbreaking and completion.*~~

~~*b. Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California tiger salamanders.*~~

~~*c. An explanation of failure to meet such measures, if any.*~~

~~*d. Known project effects on the California tiger salamander.*~~

~~*e. Observed incidences of injury to or mortality of the species.*~~

~~*f. Any other relevant information.*~~

Mitigation Measure 3.2-3*: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CRLF. The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CRLF habitat.~~~~shall consult with the USFWS for concurrence and a final confirmation that a take permit is not necessary for impacts to the California red-legged frog that is documented in the region, and has the potential to utilize the surrounding drainages. The regulatory agency~~

~~*concurrence confirmation shall be provided to the City of Salinas for the project file. If the regulatory agency does not concur that the project does not require a take permit, then the project applicant shall initiate a consultation with the agency and obtain the appropriate take permit.*~~

Mitigation Measure 3.2-4*: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to CRLF ~~to the extent feasible~~, the proposed project activities shall be compliant with all ~~the following~~ Avoidance and Minimization Measures imposed by the USFWS and CDFW during Construction Activities. ~~These measures are intended to apply, regardless of the consultation process with regulatory agencies.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CRLF migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.*

~~*a. Prior to excavation work or other ground disturbance, a biologist(s) will conduct environmental education training for all construction personnel covering the California red-legged frog, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.*~~

~~*b. The biologist(s) will monitor construction activities located in suitable habitat that is within the project footprint (Irrigation Ditch, Roadside Ditch).*~~

~~*c. The applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California red-legged frog from entering the construction site. Drift fencing will be installed and inspected by the biologist(s).*~~

~~*d. A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the U.S. Fish and Wildlife Service within 90 calendar days of completion of the project, for which the grading/building permit was required. The report will include:*~~

- ~~*Dates of project groundbreaking and completion.*~~
- ~~*Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of.*~~
- ~~*An explanation of failure to meet such measures, if any.*~~

- ~~*Known project effects on the California red-legged frog.*~~
- ~~*Observed incidences of injury to or mortality of the species.*~~
- ~~*Any other relevant information.*~~

~~*If proposed construction activities may result in the "take" (harass, harm, pursue, wound, kill, trap, or capture) of California red-legged frog or California tiger salamander, the project proponent shall obtain state and federal Incidental Take Permits, and comply with all stipulated conditions to protect special-status amphibians.*~~

Mitigation Measure 3.2-5: *Building and grading permits and plans issued for development in the ~~project~~Specific Plan Area shall note the following: If construction activities occur during the avian breeding season (February 1 – September 15) then the project proponent shall conduct pre-construction surveys to prevent impacts to nesting birds. No more than 15 days prior to the start of construction a bird survey shall be conducted by a qualified biologist to identify any active nests within the ~~Specific Plan Area~~300 feet of the construction zone, and shall be submitted to the City. If construction stops for a period of 15 days or more during the avian breeding season than an additional bird survey shall be conducted. The biologist will conduct a survey ~~in the Specific Plan Area~~within 300 feet of the construction zone for all special-status birds protected by the federal and state ESA, MBTA and CFGC. The biologist shall map all nests that are within, and visible from, ~~in the Specific Plan Area~~300 feet of the construction zone. If nests are identified, the biologist shall map the location and establish a minimum 300-foot buffer zone around active nests. Construction activity shall be prohibited within the buffer zones until the young have fledged. Nests shall be monitored at least twice per week during the nesting season and a report submitted to the City and CDFW monthly.*

Mitigation Measure 3.2-6: *Grading and/or building permits and plans issued for development in the ~~project area~~Specific Plan Area shall note the following: Fifteen days prior to construction activities within 200 feet of the residential complexes located along Natividad Road and San Juan Grade Road, the project applicant shall retain a qualified biologist familiar with bat biology to perform a preconstruction survey for roosting special-status bats; and shall be submitted to the City. The survey shall include a minimum of one daytime and one evening survey. The survey shall cover the trees, structures, and debris located within these complexes. If active roosting is observed, removal of the tree or building shall be avoided until the bats can be excluded. All active non-maternity roosting sites shall be fitted with passive exclusion devices, such as one-way flaps or doors, and all bats shall be allowed to leave voluntarily. Once it is confirmed that all bats have left the roost (minimum of five days), crews shall be allowed to continue work in the area. If a maternity roosting site is discovered, a minimum 50-foot buffer shall be established around the roost. The project applicant shall consult with the qualified biologist in order to determine if a greater buffer is warranted based on the bat species, roost location, and specific construction activities to be performed in the vicinity. The buffer shall stay in effect until all young are determined to be volant (i.e., able to fly and feed independently) by a qualified biologist. Once it is determined that all young are volant (generally by August 1st), passive exclusion devices shall be*

installed and all bats shall be allowed to leave voluntarily. Once it is determined by a qualified biologist that all bats have left the roost (minimum of five days), crews shall be allowed to work within the buffer zone. Project Improvement Plans will include this measure as a note in the plans.

***Mitigation Measure 3.3-3**: If human remains are found during construction within the Specific Plan Area, or at off-site infrastructure improvement locations, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archeological monitor and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:*

The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:

a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within ~~24~~48 hours after being notified by the commission;
b) the descendent identified fails to make a recommendation; or
c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

***Mitigation Measure 3.7-4:** Prior to the approval of building permits, the first row of residential dwellings located along E. Boronda Road and Natividad Road shall include windows having a Sound Transmission Class (STC) 35, or higher, rating installed in second floor facades and rooms that have windows or doors that ~~face~~abut E. Boronda Road and/or Natividad Road. Exterior walls shall also require 3-coat stucco and RC-channels, sheathing, or another acceptable construction application that effectively attenuates noise intrusion to the interior of the house. The exterior wall specifications would specifically apply to the first row of homes that abut E. Boronda Road and/or Natividad Road and ~~does~~only applies~~not apply~~ to the facades facing ~~away from the~~these roadways. These specifications do not apply to single story homes, or the first floor of a two-story home, both of which are attenuated by the sound wall. These requirements shall be included in the building plans for the specific dwelling units and noted on the building permits. A detailed analysis of any additional interior mitigation measures shall be conducted when building plans are available and prior*

to building permit issuance to verify these requirements. These requirements shall also be noted in the site improvement plans prior to approval by the City.

Mitigation Measure 3.7-5: *Prior to the approval of building permits, mechanical ventilation shall be required in the first row of all residential dwellings that ~~face~~abut E. Boronda Road and/or Natividad Road, sufficient to allow residents, as desired for acoustical isolation, to keep their doors and windows closed and still maintain acceptable interior temperature and noise levels. This requirement shall be included in the building plans for the specific dwelling units and noted on the building permits. This requirement shall also be noted in the site improvement plans prior to approval by the City.*

Mitigation Measure 3.7-7: *Prior to the approval of development review permits, the plans shall demonstrate: where commercial, business professional, office, or similar uses ~~face~~abut residential uses or where loading docks or truck circulation routes abut residential areas, the following measures shall be included in the project design:*

- *All HVAC equipment shall be located within mechanical rooms where possible or shielded from view with solid or grated barriers;*
- *Emergency generators shall comply with the City's noise criteria at the nearest noise-sensitive receivers;*
- *Delivery/loading activities shall comply with the Salinas Zoning Code standards and regulations; and*

The applicant shall submit a noise study to verify that the appropriate noise control measures have been incorporated into the project design and will achieve compliance with the City's noise level standards.

Mitigation Measure 3.10-1*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal at San Juan Grade Road/Van Buren Avenue, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans for each stage of project development shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-2*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of the existing signal timing at San Juan Grade Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final*

improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-3**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the signalization of the intersection at Hemingway Drive/East Boronda Road or equivalent traffic control (such as a roundabout), in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If This intersection is developed as a signalized intersection (instead of a roundabout), ~~T~~this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-4**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings at North Main Street/West Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-6**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal or equivalent traffic control (such as a roundabout) at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If This intersection is developed as a signalized intersection (instead of a roundabout), this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-7**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and to add an eastbound left turn pocket at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. This mitigation includes*

the addition of an eastbound left turn pocket and optimization of the existing signal timing to better accommodate the expected changes in traffic distribution and volume with implementation of the proposed project. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-8**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the addition a southbound left turn lane and optimization of the traffic signal's timing at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-10**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-13**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a traffic signal at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-14**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at the South Sanborn/North Sanborn/John Street intersection, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City*

of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.

***Mitigation Measure 3.10-15**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of funding to the TAMC Regional Development Impact Fee provides mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road. Regional fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-16**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of the TAMC Regional Development Impact Fee to provide mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Northbound Ramps/Crazy Horse Canyon Road. Total fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-17**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Crazy Horse Canyon Road/San Juan Grade Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

***Mitigation Measure 3.10-18**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Rogge Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-19*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Russell Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-22*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at the intersection of Old Stage Road/Williams Road/Private Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

~~***Mitigation Measure 3.10-28****: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound left turn lane at the intersection of South Main Street/West Blanco Road/East Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*~~

Mitigation Measure 3.10-28~~9~~*: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Old Stage Road/Hebert Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*

Mitigation Measure 3.10-~~30~~29*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of northbound and southbound through lanes on Natividad Road and for the conversion of the existing eastbound right turn lane on East Laurel Drive to a shared through-right turn lane, in*

proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.

Mitigation Measure 3.10-~~31~~30*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of eastbound and southbound left turn lanes at Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~32~~31*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of North Sanborn Road/Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~33~~32*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane at Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~34~~33*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of East Front Street/Sherwood Drive/Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement*

SECTION 3.1 AIR QUALITY

Page 3.1-2 through 4 of the Draft EIR is amended as follows:

CRITERIA POLLUTANTS

All criteria pollutants can have human health and environmental effects at certain concentrations. The United States Environmental Protection Agency (EPA) uses six "criteria pollutants" as indicators of air quality, and has established for each of them a maximum concentration above which adverse effects on human health may occur. These threshold concentrations are called National Ambient Air Quality Standards (NAAQS). In addition, California establishes ambient air quality standards, called California Ambient Air Quality Standards (CAAQS). California law does not require that the CAAQS be met by a specified date as is the case with NAAQS.

The ambient air quality standards for the six criteria pollutants (as shown in Table 3.1-1) are set to public health and the environment within an adequate margin of safety (as provided under Section 109 of the Federal Clean Air Act). Epidemiological, controlled human exposure, and toxicology studies evaluate potential health and environmental effects of criteria pollutants, and form the scientific basis for new and revised ambient air quality standards. Principal characteristics and possible health and environmental effects from exposure to the six primary criteria pollutants generated by the project are discussed below.

Ozone (O_3) is a photochemical oxidant and the major component of smog. While O_3 in the upper atmosphere is beneficial to life by shielding the earth from harmful ultraviolet radiation from the sun, high concentrations of O_3 at ground level are a major health and environmental concern. O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x) in the presence of sunlight. These reactions are stimulated by sunlight and temperature so that peak O_3 levels occur typically during the warmer times of the year. Both VOCs and NO_x are emitted by transportation and industrial sources. VOCs are emitted from sources as diverse as autos, chemical manufacturing, dry cleaners, paint shops and other sources using solvents. Relatedly, reactive organic compounds (ROG) are defined as the subset of VOCs that are reactive enough to contribute substantially to atmospheric photochemistry.

The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends

on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b). The average background level of ozone in the California and Nevada is approximately 48.3 parts per billion, which represents approximately 77 percent of the total ozone in the western region of the U.S. (NASA, 2015).

In addition to human health effect, ozone has been tied to crop damage, typically in the form of stunted growth, leaf discoloration, cell damage, and premature death. O_3 can also act as a corrosive and oxidant, resulting in property damage such as the degradation of rubber products and other materials.

Carbon monoxide (CO) is a colorless, odorless and poisonous gas produced by incomplete burning of carbon in fuels. Carbon monoxide is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects (California Air Resources Board, 2019c). Exposure to CO at high concentrations can also cause fatigue, headaches, confusion, dizziness, and chest pain. There are no ecological or environmental effects to ambient CO (California Air Resources Board, 2019d).

Very high levels of CO are not likely to occur outdoors. However, when CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability for getting oxygenated blood to their hearts in situations where the heart needs more oxygen than usual. They are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (EPA, 2016). Such acute effects may occur under current ambient conditions for some sensitive individuals, while increases in ambient CO levels increases the risk of such incidences.

~~When CO enters the bloodstream, it reduces the delivery of oxygen to the body's organs and tissues. Health threats are most serious for those who suffer from cardiovascular disease, particularly those with angina or peripheral vascular disease. Exposure to elevated CO levels can cause impairment of visual perception, manual dexterity, learning ability and performance of complex tasks.~~

Nitrogen oxides (NO_x) is a brownish, highly reactive gas that is present in all urban atmospheres. The main effect of increased NO_2 is the increased likelihood of respiratory problems. Under ambient conditions, NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O_3) and acid rain, and may affect both terrestrial and aquatic ecosystems. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO_2.

The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NOx). NOx plays a major role, together with VOCs, in the atmospheric reactions that produce O_3. NOx forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

~~are an important precursor both to ozone and acid rain, and may affect both terrestrial and aquatic ecosystems. NO_x plays a major role, together with VOCs, in the atmospheric reactions that produce O_3. NO_x forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers. Nitrogen dioxide (NO_2), a form of NO_x is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO). NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections.~~

Sulfur dioxide (SO_2) is one of the multiple gaseous oxidized sulfur species and is formed during the combustion of fuels containing sulfur, primarily coal and oil. The largest anthropogenic source of SO_2 emissions in the U.S. is fossil fuel combustion at electric utilities and other industrial facilities. SO_2 is also emitted from certain manufacturing processes and mobile sources, including locomotives, large ships, and construction equipment.

SO_2 affects breathing and may aggravate existing respiratory and cardiovascular disease in high doses. Sensitive populations include asthmatics, individuals with bronchitis or emphysema, children and the elderly. SO_2 is also a primary contributor to acid deposition, or acid rain, which causes acidification of lakes and streams and can damage trees, crops, historic buildings and statues. In addition, sulfur compounds in the air contribute to visibility impairment in large parts of the country. This is especially noticeable in national parks. Ambient SO_2 results largely from stationary sources such as coal and oil combustion, steel mills, refineries, pulp and paper mills and from nonferrous smelters.

Short-term exposure to ambient SO_2 has been associated with various adverse health effects. Multiple human clinical studies, epidemiological studies, and toxicological studies support a causal relationship between short-term exposure to ambient SO_2 and respiratory morbidity. The observed health effects include decreased lung function, respiratory

symptoms, and increased emergency department visits and hospitalizations for all respiratory causes. These studies further suggest that people with asthma are potentially susceptible or vulnerable to these health effects. In addition, SO_2 reacts with other air pollutants to form sulfate particles, which are constituents of fine particulate matter ($PM_{2.5}$). Inhalation exposure to $PM_{2.5}$ has been associated with various cardiovascular and respiratory health effects (EPA, 2017). Increased ambient SO_2 levels would lead to increased risk of such effects.

SO_2 emissions that lead to high concentrations of SO_2 in the air generally also lead to the formation of other sulfur oxides (SO_x). SO_x can react with other compounds in the atmosphere to form small particles. These particles contribute to particulate matter (PM) pollution. Small particles may penetrate deeply into the lungs and in sufficient quantity can contribute to health problems.

Particulate matter (PM) includes dust, dirt, soot, smoke and liquid droplets directly emitted into the air by sources such as factories, power plants, cars, construction activity, fires and natural windblown dust. Particles formed in the atmosphere by condensation or the transformation of emitted gases such as SO_2 and VOCs are also considered particulate matter. PM is generally categorized based on the diameter of the particulate matter: PM_{10} is particulate matter 10 micrometers or less in diameter (known as respirable particulate matter), and $PM_{2.5}$ is particulate matter 2.5 micrometers or less in diameter (known as fine particulate matter).

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, there are major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution causes health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed.

Respirable particulate matter (PM_{10}) consists of small particles, less than 10 microns in diameter, of dust, smoke, or droplets of liquid which penetrate the human respiratory system and cause irritation by themselves, or in combination with other gases. Particulate matter is caused primarily by dust from grading and excavation activities, from agricultural activities (as created by soil preparation activities, fertilizer and pesticide spraying, weed burning and animal husbandry), and from motor vehicles, particularly diesel-powered vehicles. PM_{10} causes a greater health risk than larger particles, since these fine particles can more easily penetrate the defenses of the human respiratory system.

Fine particulate matter ($PM_{2.5}$) consists of fine particles, which are less than 2.5 microns in size. Similar to PM_{10}, these particles are primarily the result of combustion in motor vehicles, particularly diesel engines, as well as from industrial sources and residential/agricultural activities such as burning. It is also formed through the reaction of other pollutants. As with

PM_{10}, these particulates can increase the chance of respiratory disease, and cause lung damage and cancer. In 1997, the EPA created new Federal air quality standards for $PM_{2.5}$.

The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children. Particulate matter also impacts soils and damages materials, and is a major cause of visibility impairment.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lunch function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

Lead (Pb) exposure can occur through multiple pathways, including inhalation of air and ingestion of Pb in food, water, soil or dust. Once taken into the body, lead distributes throughout the body in the blood and is accumulated in the bones. Depending on the level of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system. Lead exposure also affects the oxygen carrying capacity of the blood. Excessive Pb exposure can cause seizures, mental retardation and/or behavioral disorders. Low doses of Pb can lead to central nervous system damage. Recent studies have also shown that Pb may be a factor in high blood pressure and subsequent heart disease.

Lead is persistent in the environment and can be added to soils and sediments through deposition from sources of lead air pollution. Other sources of lead to ecosystems include direct discharge of waste streams to water bodies and mining. Elevated lead in the environment can result in decreased growth and reproductive rates in plants and animals, and neurological effects in vertebrates.

Lead exposure is typically associated with industrial sources; major sources of lead in the air are ore and metals processing and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters. As a result of the EPA's regulatory efforts, including the removal of lead from motor vehicle gasoline, levels of lead in the air decreased by 98 percent between 1980 and 2014 (EPA, 2019d). Based on this reduction of lead in the air over this period, and since most new developments to not generate an increase in lead exposure, the health impacts of ambient lead levels are not typically monitored by the California Air Resources Board.

Page 3.1-10 of the Draft EIR is amended as follows:

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: NAAQS for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The EPA is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health (with an adequate margin of safety, including for sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases), and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

NAAQS standards define clean air and represent the maximum amount of pollution that can be present in outdoor air without any harmful effects on people and the environment. Existing violations of the ozone and $PM_{2.5}$ ambient air quality standards indicate that certain individuals exposed to these pollutants may experience certain health effects, including increased incidence of cardiovascular and respiratory ailments.

NAAQS standards have been designed to accurately reflect the latest scientific knowledge and are reviewed every five years by a Clean Air Scientific Advisory Committee (CASAC), consisting of seven members appointed by the USEPA administrator. Reviewing NAAQS is a lengthy undertaking and includes the following major phases: Planning, Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), Policy Assessment (PA), and Rulemaking. The process starts with a comprehensive review of the relevant scientific literature. The literature is summarized and conclusions are presented in the ISA. Based on the ISA, USEPA staff perform a risk and exposure assessment, which is summarized in the REA document. The third document, the PA, integrates the findings and conclusions of the ISA and REA into a policy context, and provides lines of reasoning that could be used to support retention or revision of the existing NAAQS, as well as several alternative standards that could be supported by the review findings. Each of these three documents is released for public comment and public peer review by the CASAC. Members of CASAC are appointed by the USEPA Administrator for their expertise in one or more of the subject areas covered in the ISA. The committee's role is to peer review the NAAQS documents, ensure that they reflect the thinking of the scientific community, and advise the Administrator on the technical and scientific aspects of standard setting. Each document goes through two to three drafts before CASAC deems it to be final.

Although there is some variability among the health effects of the NAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. NAAQS standards were last revised for each of the six criteria pollutant as listed below, with detail on what aspects of NAAQS changed during the most recent update:

- Ozone: On October 1, 2015, the U.S. EPA lowered the national eight-hour standard from 0.075 ppm to 0.070 ppm, providing for a more stringent standards consistent with the current California state standard.
- CO: In 2011, the primary standards were retained from the original 1971 level, without revision. The secondary standards were revoked in 1985.
- NO_2: The national NO_2 standard was most recently revised in 2010 following an exhaustive review of new literature pointed to evidence for adverse effects in asthmatics at lower NO_2 concentrations than the existing national standard.
- SO_2: On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb.
- PM: the national annual average $PM_{2.5}$ standard was most recently revised in 2012 following an exhaustive review of new literature pointed to evidence for increased risk of premature mortality at lower $PM_{2.5}$ concentrations than the existing standard.
- Lead: The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. In 2016, the primary and secondary standards were retained.

The law recognizes the importance for each state to locally carry out the requirements of the FCAA, as special consideration of local industries, geography, housing patterns, etc. are needed to have full comprehension of the local pollution control problems. As a result, the EPA requires each state to develop a State Implementation Plan (SIP) that explains how each state will implement the FCAA within their jurisdiction. A SIP is a collection of rules and regulations that a particular state will implement to control air quality within their jurisdiction. CARB is the state agency that is responsible for preparing the California SIP.

Page 3.1-11 of the Draft EIR is amended as follows:

California Air Quality Standards

Although NAAQS are determined by the USEPA, states have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards. Federal and state ambient air quality standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended

particulates (PM_{10}) and lead. In addition, California has created standards for pollutants that are not covered by federal standards. Although there is some variability among the health effects of the CAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. The existing state and federal primary standards for major pollutants are shown in Table 3.1-1.

Air quality standard setting in California commences with a critical review of all relevant peer reviewed scientific literature. The Office of Environmental Health Hazard Assessment (OEHHA) uses the review of health literature to develop a recommendation for the standard. The recommendation can be for no change, or can recommend a new standard. The review, including the OEHHA recommendation, is summarized in a document called the draft Initial Statement of Reasons (ISOR), which is released for comment by the public, and also for public peer review by the Air Quality Advisory Committee (AQAC). AQAC members are appointed by the President of the University of California for their expertise in the range of subjects covered in the ISOR, including health, exposure, air quality monitoring, atmospheric chemistry and physics, and effects on plants, trees, materials, and ecosystems. The Committee provides written comments on the draft ISOR. The ARB staff next revises the ISOR based on comments from AQAC and the public. The revised ISOR is then released for a 45-day public comment period prior to consideration by the Board at a regularly scheduled Board hearing.

In June of 2002, the CARB adopted revisions to the PM_{10} standard and established a new $PM_{2.5}$ annual standard. The new standards became effective in June 2003. Subsequently, staff reviewed the published scientific literature on ground-level ozone and nitrogen dioxide and the CARB adopted revisions to the standards for these two pollutants. Revised standards for ozone and nitrogen dioxide went into effect on May 17, 2006 and March 20, 2008, respectively. These revisions reflect the most recent changes to the CAAQS.

~~National Ambient Air Quality Standards (NAAQS) are determined by the U.S. EPA. The standards include both primary and secondary ambient air quality standards. Primary standards are established with a safety margin. Secondary standards are more stringent than primary standards and are intended to protect public health and welfare. States have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards.~~

~~Federal and State ambient air quality standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulates (PM_{10}) and lead. In addition, California has created standards for pollutants that are not covered by federal standards. The State and federal primary standards for major pollutants are shown in Table 3.1-1.~~

Page 3.1-18 of the Draft EIR is amended as follows:

IMPACTS RELATED TO PROJECT-GENERATED POLLUTANTS OF HUMAN HEALTH CONCERN

In December 2018, the California Supreme Court issued its decision in *Sierra Club v. County of Fresno* (226 Cal.App.4th 704) (hereafter referred to as the Friant Ranch Decision). The case reviewed the long-term, regional air quality analysis contained in the EIR for the proposed Friant Ranch development. The Friant Ranch project is a 942-acre master-plan development in unincorporated Fresno County within the San Joaquin Valley Air Basin, an air basin currently in nonattainment for the ozone and $PM_{2.5}$ NAAQS and CAAQS. The Court found that the air quality analysis was inadequate because it failed to provide enough detail "for the public to translate the bare [criteria pollutant emissions] numbers provided into adverse health impacts or to understand why such a translation is not possible at this time." The Court's decision clarifies that the agencies authoring environmental documents must make reasonable efforts to connect a project's air quality impacts to specific health effects or explain why it is not technically feasible to perform such an analysis.

All criteria pollutants that would be generated by the project are associated with some form of health risk (e.g., asthma). Criteria pollutants can be classified as either regional or localized pollutants. Regional pollutants can be transported over long distances and affect ambient air quality far from the emissions source. Localized pollutants affect ambient air quality near the emissions source. Ozone is considered a regional criteria pollutant, whereas CO, NO_2, SO_2, and lead (Pb) are localized pollutants. PM can be both a local and a regional pollutant, depending on its composition. As discussed above, the primary criteria pollutants of concern generated by the project are ozone precursors (ROG and NO_x) and PM (including Diesel PM). The MBARD does not currently have a methodology that would correlate the expected air quality emissions of projects to the likely health consequences of the increased emissions.

REGIONAL PROJECT-GENERATED CRITERIA POLLUTANTS (OZONE PRECURSORS AND REGIONAL PM)

Adverse health effects induced by regional criteria pollutant emissions generated by the project (ozone precursors and PM) are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, the number and character of exposed individuals [e.g., age, gender]). For these reasons, ozone precursors (ROG and NO_x) contribute to the formation of ground-borne ozone on a regional scale, where emissions of ROG and NO_x generated in one area may not equate to a specific ozone concentration in that same area. Similarly, some types of particulate pollutants may be transported over long-distances or formed through atmospheric reactions. As such, the magnitude and locations of specific health effects from exposure to increased ozone or regional PM concentrations are the product of emissions generated by numerous sources throughout a region, as opposed to a single individual project.

Models and tools have been developed to correlate regional criteria pollutant emissions to potential community health impacts. Appendix B contains a table that summarizes many of

these tools, identifies the analyzed pollutants, describes their intended application and resolution, and analyzes whether they could be used to reasonably correlate project-level emissions to specific health consequences. As provided in Appendix B, while there are models capable of quantifying ozone and secondary PM formation and associated health effects, these tools were developed to support regional planning and policy analysis and have limited sensitivity to small changes in criteria pollutant concentrations induced by individual projects. Therefore, translating project generated criteria pollutants to the locations where specific health effects could occur or the resultant number of additional days of nonattainment cannot be estimated with a high degree of accuracy.

Technical limitations of existing models to correlate project-level regional emissions to specific health consequences are recognized by air quality management districts throughout the state, including the San Joaquin Valley Air Pollution Control District (SJVAPCD) and South Coast Air Quality Management District (SCAQMD), who provided amici curiae briefs for the Friant Ranch legal proceedings. In its brief, SJVAPCD (2015) acknowledges that while health risk assessments for localized air toxics, such as DPM, are commonly prepared, "it is not feasible to conduct a similar analysis for criteria air pollutants because currently available computer modeling tools are not equipped for this task." The air district further notes that emissions solely from the Friant Ranch project (which equate to less than one-tenth of one percent of the total NO_x and VOC in the Valley) is not likely to yield valid information," and that any such information should not be "accurate when applied at the local level." SCAQMD presents similar information in their brief, stating that "it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels"[1].

As discussed above, air districts develop region-specific CEQA thresholds of significance in consideration of existing air quality concentrations and attainment or nonattainment designations under the NAAQS and CAAQS. The NAAQS and CAAQS are informed by a wide range of scientific evidence that demonstrates there are known safe concentrations of criteria pollutants. While recognizing that air quality is cumulative problem, air districts typically consider projects that generate criteria pollutant and ozone precursor emissions below these thresholds to be minor in nature and would not adversely affect air quality such that the NAAQS or CAAQS would be exceeded. Emissions generated by the project could increase photochemical reactions and the formation of tropospheric ozone and secondary PM, which at certain concentrations, could lead to increased incidence of specific health consequences. Although these health effects are associated with ozone and particulate pollution, the effects are a result of cumulative and regional emissions. As such, a project's incremental contribution cannot be traced to specific health outcomes on a regional scale,

[1] For example, SCAQMD's analysis of their 2012 Air Quality Attainment Plan showed that modeled NOx and ROG reductions of 432 and 187 tons per day, respectively, only reduced ozone levels by 9 parts per billion. Analysis of SCAQMD's Rule 1315 showed that emissions of NOx and ROG of 6,620 and 89,180 pounds per day, respectively, contributed to 20 premature deaths per year and 89,947 school absence (South Coast Air Quality Management District, 2015).

and a quantitative correlation of project-generated regional criteria pollutant emissions to specific human health impacts is not included in this analysis.

LOCALIZED CARBON MONOXIDE CONCENTRATIONS

Heavy traffic congestion can contribute to high levels of CO, and individuals exposed to such hot spots may have a greater likelihood of developing adverse health effects. The MBARD recommends that the guidance provided in Section 3.1 of the most recent Caltrans' *SER Air Quality Conformity Analysis Annotated Outline* (last published in 2014) should be used for analysis of this potential impact for the proposed project (MBARD, 2017). ("SER" stands for Standard Environmental Reference.) Section 3.1 of the *SER Air Quality Conformity Analysis Annotated Outline* advises that, if a project is located in an area that is designated attainment-unclassified for CO, no project-level conformity analysis is necessary for CO (Caltrans, 2014).

MODELS AND TOOLS TO CORRELATE PROJECT-GENERATED CRITERIA POLLUTANT EMISSIONS TO HEALTH IMPACTS

Several models and tools capable of translating mass emissions of criteria pollutants to various health endpoints have been developed. The table provided in Appendix B summarizes key tools, identifies the analyzed pollutants, describes their intended application and resolution, and analyzes whether they could be used to reasonably correlate project-level emissions to specific health consequences. As shown in the table provided in Appendix B, almost all tools were designed to be used at the national, state, regional, and/or city-levels. Several of the methods have additional problems related to their applicability for translating mass emissions of criteria pollutants to various health endpoints. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are generally not recommended for CEQA analyses.

The impact analysis does not directly evaluate airborne lead. Neither construction nor future operations would generate quantifiable lead emissions because of regulations that require unleaded fuel and that prohibit lead in new building materials.

TAC emissions associated with project construction that could affect surrounding areas are evaluated qualitatively. The potential for the project operations to expose residents to TAC emissions that would exceed applicable health standards is also discussed qualitatively.

Lastly, the MBARD recommends that odor impacts be addressed in a qualitative manner. Such an analysis must determine if the project would result in excessive nuisance odors, as defined under MBARD's Rule 402 and California Code of Regulations, Health and Safety Code Section 41700, Air Quality Public Nuisance.

Page 3.1-20 of the Draft EIR is amended as follows:

TABLE 3.1-9: OPERATIONAL PROJECT GENERATED EMISSIONS AT FULL BUILDOUT

	ROG		***NOx***		***PM_{10}***		***SOx***	
Threshold	**≤ 137 lbs/day**		**≤ 137 lbs/day**		**≤ 82 lbs/day**		**≤ 150 lbs/day**	
Category	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated
Area	~~1,170.9~~ 1,079.4	~~246.4~~ 160.7	31.5	25.3	168.4	3.7	2.3	0.2
Energy	~~5.1~~ 2.8	~~5.1~~ 2.8	~~44.7~~ 23.9	~~44.7~~ 23.9	~~3.5~~ 1.9	~~3.5~~ 1.9	~~0.3~~ 0.2	~~0.3~~ 0.2
Mobile	~~50.4~~ 51.7	~~48.1~~ 49.2	~~286.9~~ 293.9	~~277.0~~ 283.3	~~203.6~~ 209.2	~~174.1~~ 177.9	~~2.1~~ 1.9	~~1.8~~ 1.7
Total	**~~1,226.4~~ 1,133.9**	**~~299.6~~ 212.7**	**~~363.1~~ 349.4**	**~~347.0~~ 332.6**	**~~375.6~~ 379.6**	**~~181.3~~ 183.5**	**~~4.6~~ 4.5**	**~~2.2~~ 2.0**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**

SOURCES: CALEEMOD (V.2016.3.2)

TABLE 3.1-10: OPERATIONAL PROJECT GENERATED EMISSIONS (YEAR 2020 WITH 20% OF BUILDOUT)

	ROG		***NOx***		***PM_{10}***		***SOx***	
Threshold	**≤ 137 lbs/day**		**≤ 137 lbs/day**		**≤ 82 lbs/day**		**≤ 150 lbs/day**	
Category	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated
Area	~~234.2~~ 269.8	~~49.4~~ 40.3	~~6.3~~ 7.8	~~5.1~~ 6.3	~~33.7~~ 42.1	~~0.7~~ 1.0	~~0.5~~ 0.6	<0.1
Energy	~~1.0~~ 0.7	~~1.0~~ 0.7	~~8.9~~ 6.0	~~8.9~~ 6.0	~~0.7~~ 0.5	~~0.7~~ 0.5	~~0.1~~ <0.1	~~0.1~~ <0.1
Mobile	~~29.1~~ 37.2	~~28.0~~ 35.7	~~104.8~~ 126.2	~~97.4~~ 117.5	~~41.5~~ 53.1	~~35.5~~ 45.2	~~0.6~~ 0.7	~~0.5~~ 0.7
Total	**~~264.4~~ 307.6**	**~~78.3~~ 76.2**	**~~120.1~~ 140.1**	**~~111.4~~ 136.4**	**~~75.9~~ 95.7**	**~~36.9~~ 46.6**	**~~1.1~~ 1.3**	**~~0.6~~ 0.7**
Threshold Exceeded?	**Yes**	**Yes**	**No**	**No**	**No**	**No**	**No**	**No**

SOURCES: CALEEMOD (V.2016.3.2)

Page 3.1-21 of the Draft EIR is amended as follows:

PROJECT EFFECTS ON PUBLIC HEALTH

Monterey County has a state designation of Nonattainment for ozone and PM_{10}. As shown in Table 3.1-9, operation of the project would generate ozone precursors (ROG and NO_x) and PM exhaust in excess of the MBARD's numeric thresholds for operational emissions. The MBARD developed these project-level thresholds based on the emissions that would exceed a CAAQS or contribute substantially to an existing or projected violation of a CAAQS. Ambient levels of these criteria pollutants are likely to decrease in the future, based on current and future implementation of federal and/or state regulatory requirements, such as

improvements to the statewide vehicle fleet over time (including the long-term replacement of internal combustion engine vehicles with electric vehicles in coming decades).

As shown in the table provided in Appendix B, almost all tools available to measure criteria pollutant emissions were designed to be used at the national, state, regional, and/or city-levels. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are not recommended by the MBARD for CEQA analyses. Instead, the following analysis of health effects is presented qualitatively.

Ozone

O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) (also known as ROG) and oxides of nitrogen (NO_x) in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b).

The project would generate emissions of ROG and NOx during project operational activities, as shown in Table 3.1-9. Although the exact effects of project-level emissions on local health are not precisely known, it is likely that the increases in ROG and NOx generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed project in comparison to Monterey County as a whole. Instead, the increases in ROG and NOx generated by the proposed project when combined with the existing ROG and NOx emitted regionally, would affect

people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Particulate Matter

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, PM can cause major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

The project would generate emissions of PM during project operational activities, as shown in Table 3.1-9. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Discussion

As previously discussed, the magnitude and locations of any potential changes in ambient air quality, and thus health consequences, from these additional emissions cannot be quantified with a high level of certainty due to the dynamic and complex nature of pollutant formation and distribution (e.g., meteorology, emissions sources, sunlight exposure), as well as the variabilities in the receptors that reside in a particular area. Additionally, MBARD has

not established any methodology or thresholds (quantitative or qualitative) for assessing the health effects from criteria pollutants. From a qualitative perspective, it is well documented from scientific studies that criteria pollutants can have adverse health effects. The federal and state governments have established the NAAQS or CAAQS as an attempt to regionally, and cumulatively, assess and control the health effects that criteria pollutants have within Air Basins. It is anticipated that public health will continue to be affected by the emission of criteria pollutants, especially by those with impaired respiratory systems in the City of Salinas and the surrounding region so long as the region does not attain the CAAQS or NAAQS. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in criteria pollutants generated by the proposed project when combined with the existing criteria pollutants emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Page 3.1-23 of the Draft EIR is amended as follows:

Mitigation Measure 3.1-7*: Prior to the issuance of development review permit(s), the project applicant(s) shall incorporate of one or more of the following additional Plan Area requirements, as determined by the City of Salinas:*

- *Install secured bicycle storage facilities (bike lockers, cages, interior space, or similar as approved by the City Engineer) at all commercial and public facilities with 50 employees or more;*
- *Incorporate park-and-ride lots~~.~~;*
- *Install Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces); and*
- *Install publicly-available dual post Level 2 charge stations throughout the Plan Area.*

Mitigation Measure 3.1-8*: Prior to the approval of individual phases (i.e. tentative maps, commercial design review, etc.), the project applicant(s) shall develop an offsite mitigation program that provides funding to offset the project-generated air emissions that are still above the Air District's operational criteria pollutant thresholds after the adoption of other applicable air quality mitigation measures. The offsite mitigation program is subject to the review and approval of the Air District and the City of Salinas on a project-by-project basis (of phase-by-phase), and is intended to be in addition to offsets that are obtained through any on-site mitigation measures. Example projects that could be included in the offsite mitigation program may include, but are not limited to, the following:*

- *Replace existing agricultural combustion-based generators/pumps with electric agricultural water pumps (in place of generators/pumps;*
- *Replace combustion school buses with electric school buses within the local community;*

- *Install adaptive traffic control systems;*
- *Install solar photovoltaic (PV) systems.*

Page 3.1-24 of the Draft EIR is amended as follows:

CalEEMod (v.2016.3.2) was used to estimate construction emissions for the Specific Plan. Construction of the land uses proposed under the Specific Plan would occur over an approximately 20-year period, with construction expected to start as early as 2020, continuing through 2040, with buildout occurring by approximately 2040. Construction activities would be market-driven, and are therefore expected to wax and wane over the course of the expected 20-year buildout timeframe. Table 3.1-11, below, provides the unmitigated and mitigated construction PM_{10} emissions, as modelled within CalEEMod (v.2016.3.2).

TABLE 3.1-11: PM_{10} CONSTRUCTION EMISSIONS

	Unmitigated	*Mitigated*
MBARD Threshold	*≤ 82 lbs/day*	*≤ 82 lbs/day*
Maximum Daily	~~20.6~~ 46.3	~~10.7~~ 46.3
Threshold Exceeded?	**No**	**No**

SOURCES: CALEEMOD (V.2016.3.2)

PROJECT EFFECTS ON PUBLIC HEALTH

Monterey County has a state designation of Nonattainment for ozone and PM_{10}. As shown in Table 3.1-11, construction of the project would generate PM_{10} exhaust in excess of the MBARD's numeric threshold for construction emissions. The MBARD developed this project-level threshold based on the emissions that would exceed a CAAQS or contribute substantially to an existing or projected violation of a CAAQS. Ambient levels of these criteria pollutants are likely to decrease in the future, based on current and future implementation of federal and/or state regulatory requirements, such as improvements to the statewide vehicle fleet over time (including the long-term replacement of internal combustion engine vehicles with electric vehicles in coming decades).

As shown in the table provided in Appendix B, almost all tools available to measure criteria pollutant emissions were designed to be used at the national, state, regional, and/or city-levels. These tools are not well suited to analyze small or localized changes in pollutant concentrations associated with individual projects. Accordingly, they are not recommended by the MBARD for CEQA analyses. Instead, the following analysis of health effects is presented qualitatively.

Ozone

O_3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) (also known as ROG) and oxides of nitrogen (NO_x) in the presence of sunlight. The reactivity of O_3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to

other irritants. Scientific evidence indicates that ambient levels of O_3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O_3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Studies show associations between short-term ozone exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to ozone may increase the risk of respiratory-related deaths (U.S. Environmental Protection Agency 2019a). The concentration of ozone at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding no symptoms to the least responsive individual after a 2-hour exposure to 400 parts per billion of ozone and a 50 percent decrement in forced airway volume in the most responsive individual. Although the results vary, evidence suggest that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum ozone concentration reaches 80 parts per billion (U.S. Environmental Protection Agency 2019b).

As previously stated, precursors of ozone (ROG and NO_x) are accommodated in the emission inventories of State- and federally-required air plans and would not have a significant impact on the attainment and maintenance of ozone AAQS. Therefore, only the MBARD construction air emissions threshold for PM_{10} is applicable for the purposes of this impact analysis. Although the exact effects of ROG and NO_x emissions on local health are not known, it is likely that the increases in ROG and NOx generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the proposed project in comparison to Monterey County as a whole. Instead, the increases in ROG and NOx generated by the proposed project when combined with the existing ROG and NOx emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Particulate Matter

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, PM can cause major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. The major subgroups of the population that appear to be most

sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that every 1 microgram per cubic meter reduction in $PM_{2.5}$ results in a one percent reduction in mortality rate for individuals over 30 years old (Bay Area Air Quality Management District, 2017). Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis – and even premature death. Additionally, depending on its composition, both PM_{10} and $PM_{2.5}$ can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (U.S. Environmental Protection Agency 2019c).

The project would generate emissions of PM during project construction activities, as shown in Table 3.1-11. Although the exact effects of such emissions on local health are not known, it is likely that the increases in PM generated by the proposed project would especially affect people with impaired respiratory systems, but also healthy adults and children located in the immediate vicinity of the Specific Plan Area. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole. Instead, the increases in PM generated by the proposed project when combined with the existing PM emitted regionally, would affect people, especially those with impaired respiratory systems located in the immediate vicinity of the Specific Plan Area.

Discussion

As previously discussed, the magnitude and locations of any potential changes in ambient air quality, and thus health consequences, from these additional emissions cannot be quantified with a high level of certainty due to the dynamic and complex nature of pollutant formation and distribution (e.g., meteorology, emissions sources, sunlight exposure). However, it is known that public health will continue to be affected in the City of Salinas and the surrounding region so long as the region does not attain the CAAQS or NAAQS. However, the increases of these pollutants generated by the proposed project are not on their own likely to generate an increase in the number of days exceeding the NAAQS or CAAQS standards, based on the size of the project in comparison the Monterey County as a whole.

Page 3.1-24 through 3.1-25 of the Draft EIR is amended as follows:

Mitigation Measure 3.1-~~8~~9: *Prior to the issuance of grading permits, the project applicant shall prepare a grading plan subject to review and approval by the City. In the event that ground-disturbance exceeds 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (e.g., grubbing, excavation, rough grading), and 8.1 acres per day for activities that involve minimal earth-moving (e.g., finish grading), the*

required grading plans shall include the following measures to be implemented as needed to prevent visible dust emissions:

- *Water all active construction sites to prevent visible dust emissions. Frequency should be based on the type of operation, soil, and wind exposure;*
- *Prohibit grading and earthmoving activities, and cover stock piles, during periods of high wind (over 15 mph);*
- *Limit vehicle speed on construction sites to 15 mph.*
- *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);*
- *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area;*
- *Maintain at least 1-foot of freeboard in each haul truck;*
- *Provide windbreaks on the windward perimeter of construction projects where adjacent to open land;*
- *Cover inactive storage piles;*
- *Sweep streets if visible soil material is carried out from the construction site;~~ and/or~~*
- *Post a publicly visible sign written in English and Spanish which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to ensure compliance with Rule 402 (Nuisance). The sign shall be in accordance with MBARD and/or City requirements, as applicable;*
- *Use cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards; and/or*
- *Further, where feasible construction should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*

Mitigation Measure 3.1-~~9~~10*: Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations), the project applicant shall, at a minimum, perform prioritization screening in accordance with the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act. The prioritization screening shall be performed in accordance with the California Air Pollution Control Officers Association Air Toxic "Hot Spots" Program guidance. The prioritization screening shall also be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which will be responsible for determining which facilities based on their prioritization screening score, must perform a health risk assessment. In determining the need to prepare a health risk assessment, the Monterey Bay Air Resources District considers the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors specific to the facility that indicate that it may pose a significant health risk.*

If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant shall assess the facilities for the potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). As of the time of this writing, the commonly accepted threshold for cancer risk is 10 in a million for carcinogens, and the reference exposure level for non-carcinogens (HI = 1). Facilities that exceed the applicable threshold(s) have the potential to expose the public to toxic air contaminants levels that would be considered significant. Facilities that exceed the applicable threshold(s) must incorporate mitigation to reduce the risks from emission of toxic air contaminants to an acceptable level (i.e., to a level that does not exceed the applicable threshold[s]). Potential mitigation includes: reducing the size of the facility area; rearranging the site to reduce the potential for impacts on the nearest sensitive receptors; and utilizing products that reduce the level of toxic air contaminants, or removal of such products from the operational phase of the project.

Page 3.1-25 of the Draft EIR is amended as follows:

Impact 3.1-4: The proposed project has the potential to have carbon monoxide hotspot impacts (Less than Significant)

Very high levels of CO are not likely to occur outdoors. However, when CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability for getting oxygenated blood to their hearts in situations where the heart needs more oxygen than usual. They are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (USEPA, 2016). Such acute effects may occur under current ambient conditions for some sensitive individuals, while increases in ambient CO levels could increase the risk of such incidences.

SECTION 3.2 BIOLOGICAL RESOURCES

Page 3.2-33 of the Draft EIR is amended as follows:

CONCLUSION

As previously noted, there are numerous locations for refugia (debris, burrows, crevices, barns, sheds, etc.) within the Specific Plan Area that could be used by migrating CTS. Higher quality upland habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential refuge sites. It is noted that there is not any known CTS taking refuge in the Specific Plan Area during their estivation period. It is also theoretically possible that a breeding CTS would emerge from the breeding basin and migrate west of Natividad Road to find refugia in the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the farmland fringe, irrigation ditch, roadside ditch, and farmland residence. The paved roads, dirt roads, and tilled farmland provide limited habitat because of the frequency of disturbance in these areas.

Given that the entire Specific Plan Area is within the 1.3-mile migration radius, and there is potential aquatic breeding and upland habitat, the proposed project will affect this breeding population of CTS.

It is noted that this population has been genetically evaluated and has been determined to be a hybrid population ~~which does not receive the same legal protections as~~ and is not a distinct population segment (DPS). ~~As of the writing of this EIR, neither the USFWS nor the California Fish and Game Commission had officially listed this metapopulation under either ESA or CESA. While it is anticipated that the proposed project would eliminate all potential for refuge in the Specific Plan Area, it is not ruled a significant impact because this metapopulation is not protected. Regardless, there is the potential for a species status to change at some future time and present a new impact that could not have been determined at this time.~~

Mitigation measures are presented ~~to ensure a final concurrence is obtained from the~~ that require consultation with the regulatory agencies to ensure that there is no illegal take for CTS~~ even though they are well documented as a hybrid population~~. Additionally, the regulatory agencies have established avoidance, minimization, and mitigation measures that they impose on projects through the regulatory permitting process. These measures ~~are presented that~~ would require activities to avoid and minimize impacts to CTS ~~to the extent feasible. Such avoidance and minimization measures include conducting environmental education training for all construction personnel covering the California tiger salamander, the importance of avoiding adverse effects to the species. A biologist(s) would be responsible for overseeing any hand excavation of burrows using hand trowels and spades. Burrows would be excavated to the terminus of the tunnels, or to where the burrow is less than or equal to 0.5 inch in diameter. If ground disturbing activities in suitable habitat (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence) are projected to extend beyond the first rain of the rainy season, the applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California tiger salamanders from entering these sites. Drift fencing will be installed and inspected by the biologist(s) no less than 72 hours prior to the first rain event of the rainy season. If weather conditions necessitate the installation of drift fencing, the approved biologist(s) will oversee the installation of pit traps to capture California tiger salamanders migrating during the rain events. The biologist(s) will check pit traps twice daily, once in the morning prior to the start of construction and once at the end of the work day. Any California tiger salamanders captured in pit traps or uncovered in burrows will be transferred immediately to a site designated by the USFWS and CDFW. Transported animals must be kept cool and moist. A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project. The report will include: dates of project groundbreaking and completion, information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California tiger salamanders, an explanation of failure to meet such measures, if any, known project effects on the California tiger salamander, observed incidences of injury to or mortality of the species, and any other relevant~~

~~information.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated." (Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant.

With implementation of the following measures, the proposed project would not, directly or indirectly, have a substantial adverse effect on amphibian or reptile species through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. This potential impact is reduced to a ***less than significant*** level.

MITIGATION MEASURES

Mitigation Measure 3.2-1*: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CTS. This is anticipated to include the need to submit an application for incidental take to both the USFWS (Section 7 Consultation) and CDFW (2081 incidental take permit). If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CTS habitat.* ~~shall consult with the USFWS and CDFW for concurrence and a final confirmation that a take permit is not necessary for impacts to the hybrid population of California tiger salamander located along Natividad Road. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file. If the status of this metapopulation were to change and become protected prior to construction,~~

~~or the regulatory agencies do not concur that the metapopulation does not require a take permit, then the project applicant shall initiate a consultation with the agencies and obtain the appropriate take permits.~~

Mitigation Measure 3.2-2*: Prior* to *issuance of grading and/or building permits, in order to avoid and minimize impacts to California tiger salamander to the extent feasible, the proposed project activities shall be compliant with all ~~the following~~ Avoidance and Minimization Measures imposed by the USFWS and/or CDFW during Construction Activities. ~~These measures are intended to apply, regardless of the consultation process with regulatory agencies.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.*

~~*f) Prior to excavation work or other ground disturbance, a qualified biologist(s) will conduct environmental education training for all construction personnel covering the California tiger salamander, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.*~~

~~*g) The biologist(s) will oversee the hand excavation of any burrows located in suitable habitat that are within the project footprint (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence). These excavations will be performed carefully using hand-trowels and spades. Burrows will be excavated to the terminus of the tunnels, or to where the burrow is less than or equal to 0.5 inch in diameter.*~~

~~*h) If ground disturbing activities in suitable habitat (Farmland Fringe, Irrigation Ditch, Roadside Ditch, and Farmland Residence) are projected to extend beyond the first rain of the rainy season, the applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California tiger salamanders from entering these sites. Drift fencing will be installed and inspected by the biologist(s) no less than 72 hours prior to the first rain event of the rainy season. If weather conditions necessitate the installation of drift fencing, the approved biologist(s) will oversee the installation of pit traps to capture California tiger salamanders migrating during the rain events. The biologist(s) will check pit traps twice daily, once in the morning prior to the start of construction and once at the end of the work day.*~~

~~*i) Any California tiger salamanders captured in pit traps or uncovered in burrows will be transferred immediately to a site designated by the USFWS and CDFW. Transported animals must be kept cool and moist.*~~

~~*j) A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project for which the grading and/or building permit was required. The report will include:*~~

~~*g. Dates of project groundbreaking and completion.*~~

~~*h. Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California tiger salamanders.*~~

~~*i. An explanation of failure to meet such measures, if any.*~~

~~*j. Known project effects on the California tiger salamander.*~~

~~*k. Observed incidences of injury to or mortality of the species.*~~

~~*l. Any other relevant information.*~~

Page 3.2-35 of the Draft EIR is amended as follows:

CONCLUSION

As previously noted, there are numerous documented occurrences of CRLF in the vicinity of the Specific Plan Area. Higher quality upland and aquatic habitat is found to the east; however, the Specific Plan Area cannot be completely discounted as having potential habitat within the drainage features (i.e. ditches). It is noted that there is not any known CRLF within the Specific Plan Area. The areas with potential upland habitat in the Specific Plan Area includes the irrigation ditches and roadside ditches. The paved roads, dirt roads, tilled farmland, farmland fringe, and farmland residences provide very limited to no habitat. The proposed project would eliminate all potential use of the land within the Specific Plan Area.

The following mitigation measures are presented ~~to ensure a final concurrence is obtained from~~ that require consultation with the regulatory agencies to ensure that there is no illegal take for CRLF. Additionally, the regulatory agencies have established avoidance, minimization, and mitigation measures that they impose on projects through the regulatory permitting process. These measures would require activities ~~are presented~~ to avoid and minimize impacts to CRLF ~~to the extent feasible~~. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for any monitoring, 3) erecting drift fencing around the work areas, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours, 5) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per

protocol; and 6) post construction report. The regulatory agencies may also require compensatory mitigation for any take, including habitat loss. The determination of compensatory mitigation, including the appropriate ratio, is determined through the regulatory permit process in consultation with the USFWS and CDFW. By law, CDFW may not issue an incidental take permit unless "[t]he impacts of the authorized take shall be minimized and fully mitigated." (Cal. Fish & G. Code § 2018(b)(2).) Similarly, USFWS may not issue incidental take authorization where a proposed federal action would jeopardize the continued existence of an endangered or threatened species or designated or proposed critical habitat; and the agency must issue "reasonable and prudent measures … necessary or appropriate to minimize such impact." (16 USCA § 1536(a)(4), (b)(4).) These legal requirements operate as performance standards that will ensure that any potentially significant effects are rendered less than significant. ~~Such avoidance and minimization measures include conducting environmental education training for all construction personnel covering the California red-legged frog, the importance of avoiding adverse effects to the species. A biologist(s) will monitor construction activities located in suitable habitat that is within the project footprint (Irrigation Ditch, Roadside Ditch). The applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California red-legged frog from entering the construction site. Drift fencing will be installed and inspected by the biologist(s). A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the USFWS and CDFW within 90 calendar days of completion of the project. The report will include: Dates of project groundbreaking and completion, Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of California red-legged frog. An explanation of failure to meet such measures, if any, known project effects on the California red-legged frog, observed incidences of injury to or mortality of the species, and any other relevant information.~~

With implementation of the following measures, the proposed project would not, directly or indirectly, have a substantial adverse effect on amphibian or reptile species through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS. This potential impact is reduced to a ***less than significant*** level.

MITIGATION MEASURES

Mitigation Measure 3.2-3*: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CRLF. This is anticipated to include the need to submit an application for incidental take to both the USFWS (Section 7 Consultation) and CDFW (2081 incidental take permit). If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed*

to be viable CRLF habitat ~~shall consult with the USFWS for concurrence and a final confirmation that a take permit is not necessary for impacts to the California red-legged frog that is documented in the region, and has the potential to utilize the surrounding drainages. The regulatory agency concurrence confirmation shall be provided to the City of Salinas for the project file. If the regulatory agency does not concur that the project does not require a take permit, then the project applicant shall initiate a consultation with the agency and obtain the appropriate take permit.~~

***Mitigation Measure 3.2-4**: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to CRLF to the extent feasible, the proposed project activities shall be compliant with all ~~the following~~ Avoidance and Minimization Measures imposed by the USFWS and/or CDFW during Construction Activities. ~~These measures are intended to apply, regardless of the consultation process with regulatory agencies.~~ Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.*

~~e. Prior to excavation work or other ground disturbance, a biologist(s) will conduct environmental education training for all construction personnel covering the California red-legged frog, the importance of avoiding adverse effects to the species. New personnel who are added to the project after the training is first conducted also will be required to be trained.~~

~~f. The biologist(s) will monitor construction activities located in suitable habitat that is within the project footprint (Irrigation Ditch, Roadside Ditch).~~

~~g. The applicant will erect drift fencing around the work areas, prior to commencing work, to prevent California red-legged frog from entering the construction site. Drift fencing will be installed and inspected by the biologist(s).~~

~~h. A post-construction report detailing compliance with the avoidance/minimization measures will be provided to the U.S. Fish and Wildlife Service within 90 calendar days of completion of the project, for which the grading/building permit was required. The report will include:~~

- *~~Dates of project groundbreaking and completion.~~*

- ~~*Information concerning the success of the project in meeting minimization measures, such as the capture and offsite transport of.*~~
- ~~*An explanation of failure to meet such measures, if any.*~~
- ~~*Known project effects on the California red-legged frog.*~~
- ~~*Observed incidences of injury to or mortality of the species.*~~
- ~~*Any other relevant information.*~~

~~*If proposed construction activities may result in the "take" (harass, harm, pursue, wound, kill, trap, or capture) of California red-legged frog or California tiger salamander, the project proponent shall obtain state and federal Incidental Take Permits, and comply with all stipulated conditions to protect special-status amphibians.*~~

SECTION 3.3 CULTURAL AND TRIBAL RESOURCES

Page 3.3-1 of the Draft EIR is amended as follows:

> One comment was received during the public review period for the Notice of Preparation regarding environmental impacts associated with cultural resources. The Ohlone/Costanoan-Esselen Nation (OCEN) responded with a letter dated January 11, 2016. The OCEN requested to be included in ongoing project consultation. The letter did not identify any cultural resources in the Specific Plan Area. The comment letter~~s~~, along with the SB-18 consultation records, are ~~is~~ included in **Appendix A** of this EIR.

Page 3.3-11 of the Draft EIR is amended as follows:

> Letters were sent to: the Native American Heritage Commission; Ms. Jakki Kehl; Tony Cerda, Chairperson, Coastanoan Rumsen Carmel Tribe; Ms. Louise Miranda-Ramirez, Chairperson, Ohlone Coastanoan-Esselen Nation; Ms. Ramona Garibay, Representative, Trina Marine Ruano Family; Mr. Valentine Lopez, Amah Mutsun Tribal Band; Ms. Irene Zwierlein, Chairperson, Amah Mutsun Tribal Band of Mission San Juan Bautista; Ms. Christianne Arias, Vice Chairperson Ohlone/Coastanoan-Esselen Nation; Mr. Edward Ketchum, Amah Mutsun Tribal Band; Ms. Pauline Martinez-Arias, Tribal Council Women, Ohlone/Coastanoan-Esselen Nation; Ms. Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Coastanoan; Ms. Linda G. Yamane; and, Ms. Michelle Zimmer, Amah Mutsun Tribal Band of Mission San Juan Bautista regarding the West Area Specific Plan Area. The Native American Heritage Commission responded with a letter dated August 12, 2015. The Ohlone/Costanoan-Esselen Nation (OCEN) responded with a letter dated January 11, 2016. Consultation was requested by, and meetings were held with, the Ohlone Coastanoan-Esselen Nation (Ms. Louise J. Miranda-Ramirez). The tribal consultation records, along with t~~T~~he ~~C~~comment letter~~s~~ received (from OCEN, dated January 11, 2016) is~~are~~ included in **Appendix A** of this EIR.

3.0 3.0 ERRATA

Page 3.3-15 of the Draft EIR is amended as follows:

Mitigation Measure 3.3-3*: If human remains are found during construction within the Specific Plan Area, or at off-site infrastructure improvement locations, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archeological monitor and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:*

The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:

d) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within ~~24~~48 hours after being notified by the commission;
e) the descendent identified fails to make a recommendation; or
f) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

SECTION 3.4 GHG, CLIMATE CHANGE, AND ENERGY

Page 3.4-33 through 3.4-35 of the Draft EIR is amended as follows:

TABLE 3.4-1: CONSTRUCTION GHG EMISSIONS (UNMITIGATED AVERAGE MT CO_2E/YEAR)

Year	Bio- CO_2	Non-Bio- CO_2	Total CO_2	CH_4	N_2O	CO_2e
2020	0	385	385	0.1	0	388
2021	0	~~11,869~~ 8,062	~~11,869~~ 8,062	~~0.6~~ 0.4	0	~~11,883~~ 8,072
2022	0	~~11,688~~ 7,938	~~11,688~~ 7,938	~~0.5~~ 0.4	0	~~11,701~~ 7,947
2023	0	~~11,373~~ 7,721	~~11,373~~ 7,721	~~0.5~~ 0.3	0	~~11,385~~ 7,729
2024	0	~~11,200~~ 7,598	~~11,200~~ 7,598	~~0.4~~ 0.3	0	~~11,211~~ 7,606
2025	0	~~10,903~~ 7,390	~~10,903~~ 7,390	~~0.4~~ 0.3	0	~~10,913~~ 7,398
2026	0	~~10,657~~ 7,216	~~10,657~~ 7,216	~~0.4~~ 0.3	0	~~10,667~~ 7,224
2027	0	~~10,459~~ 7,077	10,~~459~~ 7,077	~~0.4~~ 0.3	0	~~10,468~~ 7,083.8
2028	0	~~10,245~~ 6,927	~~10,245~~ 6,927	~~0.4~~ 0.3	0	~~10,254~~ 6,933.8

2029	0	~~10,130~~ 6,845	~~10,130~~ 6,845	~~0.4~~ 0.3	0	~~10,139~~ 6,851
2030	0	~~10,035~~ 6,790	~~10,035~~ 6,790	~~0.3~~ 0.2	0	~~10,043~~ 6,795
2031	0	~~9,918~~ 6,707	~~9,918~~ 6,707	~~0.3~~ 0.2	0	~~9,925~~ 6,711
2032	0	~~9,856~~ 6,661	~~9,856~~ 6,661	~~0.3~~ 0.2	0	~~9,862~~ 6,665
2033	0	~~9,695~~ 6,549	~~9,695~~ 6,549	~~0.3~~ 0.2	0	~~9,702~~ 6,554
2034	0	~~9,623~~ 6,497	~~9,623~~ 6,497	0.2	0	~~9,629~~ 6,501
2035	0	~~9,598~~ 6,478	~~9,598~~ 6,478	0.2	0	~~9,604~~ 6,482
2036	0	~~9,634~~ 6,503	~~9,634~~ 6,503	0.2	0	~~9,640~~ 6,507
2037	0	~~9,598~~ 6,478	~~9,598~~ 6,478	0.2	0	~~9,604~~ 6,482
2038	0	~~9,598~~ 6,478	~~9,598~~ 6,478	0.2	0	~~9,604~~ 6,482
2039	0	~~9,561~~ 6,453	~~9,561~~ 6,453	0.2	0	~~9,567~~ 6,457
2040	0	~~8,103~~ 5,430	~~8,103~~ 5,430	0.2	0	~~8,108~~ 5,433
~~Total~~	**~~0~~**	**~~204,128~~**	**~~204,128~~**	**~~6.7~~**	**~~0~~**	**~~204,297~~**
Annual Maximum	**0**	**~~11,869~~ 8,062**	**~~11,869~~ 8,062**	**0.6 0.4**	**0**	**~~11,883~~ 8,072**

SOURCES: CALEEMOD (V.2016.3.2)

As presented in the table, short-term construction emissions of GHGs ~~associated are estimated to be a total of 204,297 MT CO_2e. This reflects~~would be at a low of 388 in 2020 and a high of ~~11,883~~8,072 MT CO_2e in 202~~0~~1, emitted during each of the construction years (2020 through 2040). Construction GHG emissions tend to be highest during years when building construction activities would occur, as opposed to site preparation or other construction activities. As shown in Table 3.4-1, the proposed project's construction emissions would exceed the mass emissions threshold of 1,150 MT CO_2e/year for nearly all years of construction.

Long-Term Operational GHG Emissions: The long-term operational GHG emissions estimate for the Specific Plan incorporates potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation.

Estimated GHG emissions associated with the Specific Plan in 2035 are summarized in Table 3.4-2 and 3.4-3, below. Although buildout of the Specific Plan Area is not expected until at least 2040, for the sake of a conservative analysis, the Specific Plan Area operational emissions were modelled for full buildout by 2035, in order to provide a conservative analysis (due to federal and State requirements having the effect of reducing mobile and built-environment GHG emissions over time). As shown in the following tables, the annual 2035 GHG emissions associated with the Specific Plan would be approximately ~~51,939.2~~43,649.4 MT CO_2e without any mitigation incorporated and ~~47,684.9~~39,273.3 MT CO_2e with mitigation incorporated into the proposed project (as provided by CalEEMod).

These mitigation measures therefore represent a decrease of ~~4,254.3~~4,376.1 MT CO_2e in year 2035.

TABLE 3.4-2: OPERATIONAL GHG EMISSIONS 2035 (UNMITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Area	661.2	748.6	~~1,409.8~~ 1,409.7	0.9	0.1	~~1,448.4~~ 1,448.3
Energy	0	~~14,718.3~~ 8,534.5	~~14.718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~29,989.3~~ 30,276.9	~~29,989.3~~ 30,276.9	~~1.2~~ 1.3	0	~~30,020.5~~ 30,308.3
Waste	~~1,843.5~~ 1,015.6	0	~~1,843.5~~ 1,015.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~145.0~~ 111.6	~~439.1~~ 289.3	~~584.1~~ 400.9	~~15.0~~ 11.5	~~0.4~~ 0.3	~~1,066.5~~ 771.6
Total	**~~2,649.7~~ 1,788.5**	**~~45,895.3~~ 39,849.2**	**~~48,545.0~~ 41.637.7**	**~~126.9~~ 74.2**	**~~0.7~~ 0.5**	**~~51,939.2~~ 43,649.4**

SOURCES: CALEEMOD (V.2016.3.2)

TABLE 3.4-3: OPERATIONAL GHG EMISSIONS 2035 (MITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Area	0	1,080.9	1,080.9	0.1	<0.1	1,088.6
Energy	0	~~14,718.3~~ 8,534.5	~~14,718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~26,283.3~~ 26,403.6	~~26,283.3~~ 26,403.6	1.1	0	~~26,311.7~~ 26,432.0
Waste	~~1,843.5~~ 1,105.6	0	~~1,843.5~~ 1,105.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	~~0.3~~ 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~40,844.8~~ 36,264.5**	**~~44,420.4~~ 37,369.4**	**~~123.1~~ 71.0**	**~~0.6~~ 0.4**	**~~47,684.9~~ 39,273.3**

SOURCES: CALEEMOD (V.2016.3.2)

Estimated GHG emissions associated with the Specific Plan in 2050 are summarized in Table 3.4-4 and 3.4-5, below. It should be noted that the same RPS standard as estimated for year 2035 was estimated for year 2050. Additionally, CalEEMod is highly limited to the extent that it can account for year 2050 reductions in GHG emissions, given the long timeframe involved. Given emerging technologies (such as affordable electric vehicles) and the high likelihood of increased federal and/or State regulation between 2035 and 2050, per capita emissions are likely to decrease further over this timeframe. Therefore, the year 2050 emissions results represent a conservative estimate. As shown in the following tables, the annual 2050 GHG emissions associated with the Specific Plan would be approximately 42,522.0~~50,825.0~~ MT CO_2e without any mitigation incorporated and 38,364.1~~46,779.4~~ MT CO_2e with mitigation incorporated into the proposed project (as provided by CalEEMod). These mitigation measures therefore represent a decrease of 4,045.6~~4,157.9~~ MT CO_2e in year 2050.

It should also be noted that the proposed project incorporates some features into the design of the Specific Plan Area that CalEEMod considers as "mitigation". Therefore, the

unmitigated scenario (in Table 3.4-2) below further acts as a conservative estimate of unmitigated Specific Plan Area emissions.

TABLE 3.4-4: OPERATIONAL GHG EMISSIONS 2050 (UNMITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Area	661.2	748.6	~~1,409.8~~ 1,409.7	0.9	0.1	1,448.4
Energy	0	~~14,718.3~~ 8,534.5	~~14.718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~29,879.2~~ 29,153.7	29,879.2 29,153.7	1.1	0	~~28,906.2~~ 29,180.9
Waste	~~1,843.5~~ 1,015.6	0	~~1,843.5~~ 1,015.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~145.0~~ 111.6	~~439.1~~ 289.3	~~584.1~~ 400.9	~~15.0~~ 11.5	~~0.4~~ 0.3	~~1,066.5~~ 771.6
Total	**~~2,649.7~~ 1,788.5**	**~~44,785.2~~ 38,726.0**	**~~47,434.9~~ 40,514.5**	**~~126.8~~ 74.1**	**~~0.7~~ 0.5**	**~~50,825.0~~ 42,522.0**

SOURCES: CALEEMOD (V.2016.3.2)

TABLE 3.4-5: OPERATIONAL GHG EMISSIONS 2050 (MITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Area	0	1,080.9	1,080.9	0.1	<0.1	1,088.6
Energy	0	~~14,718.3~~ 8,543.5	~~14,718.3~~ 8,543.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~25,381.5~~ 25,498.0	~~25,381.5~~ 25,498.0	1.0	0	~~25,406.2~~ 25,522.9
Waste	~~1,843.5~~ 1,015.6	0	~~1,843.5~~ 1,015.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	~~0.3~~ 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~41,559.1~~ 35,358.9**	**~~43,518.6~~ 36,463.9**	**122.9**	**~~0.6~~ 0.4**	**~~46,779.4~~ 38,364.1**

SOURCES: CALEEMOD (V.2016.3.2)

The significance thresholds for GHG emissions should be related to compliance with AB 32 and SB 32, and the City of Salinas, as lead agency, has chosen to utilize a threshold of significance for GHG emissions based on the guidance from the MBARD and the City of Salinas, and as required by the Newhall Ranch decision. This threshold was independently derived by De Novo Planning Group, based on statewide GHG emissions and future-year employment and population projections. The rationale for using this threshold is outlined in the previous subsection, entitled "Thresholds of Significance".

As provided by the West Area Specific Plan, the proposed project is anticipated to include approximately 15,928 residents at project buildout. The proposed project would also have approximately 857 employees at project buildout (based on 571,500 total square feet of mixed use commercial at project buildout[2], and an employment density factor of 667 square

[2] As provided by the West Area Specific Plan: see Table 3 of the Initial Study for Salinas West Area Specific Plan (proposed project).

feet per worker[3]). Therefore, with a total projected service population of 16,785, unmitigated operational GHG emissions of 43,649.4~~51,939.2~~ MT CO_2e (in Year 2035), and mitigated operational GHG emissions of 39,273.3~~47,684.9~~ MT CO_2e (in Year 2035), the proposed project would generate approximately 2.60~~3.09~~ MT CO_2e/service population/year (in Year 2035), for operational emissions, under the unmitigated scenario. Under the mitigated scenario, the proposed project would generate approximately ~~2.84~~2.34 MT CO_2e/service population/year (in Year 2035). These values are above the derived threshold of 1.94 MT CO_2e/service population/year for Year 2035.

For the purposes of this analysis, the service population in Year 2050 is assumed to be same as in Year 2035. Under such a scenario, unmitigated GHG emissions per service population in Year 2050 would be approximately ~~3.03~~2.53 MT CO_2e/service population/year, and mitigated GHG emissions ~~remain~~would be ~~2.79~~2.29 MT CO_2e/service population/year. However, the service population threshold applied for Year 2050 is lower than in Year 2035, at 0.80 MT CO_2e/service population/year (and therefore more difficult at to achieve as compared to Year 2035). The GHG emissions modelled for Year 2050 would exceed this threshold by a substantial margin.

Page 3.4-48 through 3.4-49 have been amended as follows:

As described in Impact 3.4-2, implementation of the proposed project will still generate GHG emissions that would not otherwise exist without the proposed project. Given the length of construction activities for a project of this size, the construction emissions would be a ~~long-term~~maximum annual release of approximately 8,072~~168,734.3~~ MT CO_2e. The operational emissions would be a long-term release totaling approximately 43,649.4~~51,939.2~~ MT CO2e per year in 2035 without mitigation, and 39,273.3~~47,684.9~~ MT CO_2e per year in 2035 with mitigation. The City of Salinas must weigh the economic and social benefits of development against the environment impacts associated with development. The City of Salinas's planning efforts included targeted growth that accommodates the economic and social needs of the community, while recognizing and seeking to mitigate environmental impacts when growth occurs. The use of New Urbanism principles, which emphasize compact, walkable communities, and which were incorporated into the design of the proposed project, would help minimize GHG emissions generated by the proposed project. Further, the proposed project would be required to implement mitigation measures that are intended to reduce GHG emissions to the maximum extent feasible. The State of California continues to implement measures that are intended to reduce emissions on a State-wide scale (i.e. vehicle fuel efficiency standards in fleets, low carbon fuels, etc.) that are consistent with AB 32 and SB 32. These types of statewide measures will benefit the proposed project (and city as a whole) in the long-term as they come into effect; however, the City does not have the jurisdiction to create far-reaching (i.e. statewide) measures to reduce GHG emissions. On a project-by-project case, the City of Salinas evaluates a project and the

[3] As provided in Table 2 of the City of Salinas Nexus Studies Overview and Summary (February, 2016), for the "Retail/Restaurant/Personal Services" land use type.

potential to impose project-specific mitigation, which has been done through this GHG analysis. However, because it is possible that individual projects within the Specific Plan Area may not achieve GHG reductions needed for their individual impacts to be less than significant, implementation of the Specific Plan would have a ***cumulatively considerable contribution*** and ***significant and unavoidable*** impact to GHGs.

SECTION 3.6 HYDROLOGY AND WATER QUALITY

Page 3.6-19 of the Draft EIR is amended as follows:

Reclamation Ditch Watershed Impact Fee/Draft Nexus Study Summary Report

The Monterey County Water Resources Agency (MCWRA) oversees the development and implementation of water quality, water supply, and flood control projects in Monterey County, including operation and maintenance of the Reclamation Ditch. The Reclamation Ditch is part of a complex drainage system within the lower Salinas Valley. The final draft (August 2006) of the MCWRA's *Reclamation Ditch Watershed Impact Fee/Nexus Study Summary Report* ("Draft Nexus Study"), while not adopted, provides useful background information related to the current state of the Reclamation Ditch system.

The MCWRA has imposed regulations for floodplains in the County. Pertinent regulations include the following:

1. Lands within the FEMA FIRM identified 1-percent annual chance flood floodplain, Special Flood Hazards Areas (SFHA), and areas within 200 feet of a river or with 50 feet of a watercourse are subject to these regulations.
2. No construction is allowed within regulatory floodways or Zones AE.
3. Any encroachment into a regulatory floodway shall not result in any increase of base flood elevations.
4. All construction shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

(Note: All development in City of Salinas, including development in the Reclamation Ditch Watershed, must meet city flood damage prevention regulations.)

Currently, the Reclamation Ditch has taken on a new mission - as an important source of reclaimed irrigation and drinking water. The MCWRA and Monterey One Water (M1W), have entered into a Water Recycling Agreement which include consideration of the financing, design, construction, operation, maintenance, and replacement of New Source Water Facilities to provide approximately 4,381 acre-feet per year of additional recycled water to MCWRA for use in the existing Castroville Seawater Intrusion Project (CSIP), a coastal irrigation project. In addition, M1W would be provided approximately 4,320 AFY of new source water to provide drinking water. The project is reflected in the report entitled Monterey County Water Resources Agency New Source Water Supply Study (September 28, 2018). The report is available on MCWRA's website. The report provides that the Reclamation Ditch is expected to supply 272 acre-feet of recyclable water in a normal year.

3.0 3.0 ERRATA

Although the Reclamation Ditch will remain an important collector and conveyor of drainage water, that drainage water, at least above the diversion point, will be considered a resource to be enhanced rather than an impediment to be decreased.

SECTION 3.7 NOISE

Page 3.7-28 of the Draft EIR is amended as follows:

> ***Mitigation Measure 3.7-4:*** *Prior to the approval of building permits, the first row of residential dwellings located along E. Boronda Road and Natividad Road shall include windows having a Sound Transmission Class (STC) 35, or higher, rating installed in second floor facades and rooms that have windows or doors that ~~face~~abut E. Boronda Road and/or Natividad Road. Exterior walls shall also require 3-coat stucco and RC-channels, sheathing, or another acceptable construction application that effectively attenuates noise intrusion to the interior of the house. The exterior wall specifications would specifically apply to the first row of homes that abut E. Boronda Road and/or Natividad Road and ~~does~~only applies~~not apply~~ to the facades facing ~~away from the~~these roadways. These specifications do not apply to single story homes, or the first floor of a two-story home, both of which are attenuated by the sound wall. These requirements shall be included in the building plans for the specific dwelling units and noted on the building permits. A detailed analysis of any additional interior mitigation measures shall be conducted when building plans are available and prior to building permit issuance to verify these requirements. These requirements shall also be noted in the site improvement plans prior to approval by the City.*
>
> ***Mitigation Measure 3.7-5:*** *Prior to the approval of building permits, mechanical ventilation shall be required in the first row of all residential dwellings that ~~face~~abut E. Boronda Road and/or Natividad Road, sufficient to allow residents, as desired for acoustical isolation, to keep their doors and windows closed and still maintain acceptable interior temperature and noise levels. This requirement shall be included in the building plans for the specific dwelling units and noted on the building permits. This requirement shall also be noted in the site improvement plans prior to approval by the City.*

Page 3.7-31 of the Draft EIR is amended as follows:

> ***Mitigation Measure 3.7-7:*** *Prior to the approval of development review permits, the plans shall demonstrate: where commercial, business professional, office, or similar uses ~~face~~abut residential uses or where loading docks or truck circulation routes abut residential areas, the following measures shall be included in the project design:*
>
> - *All HVAC equipment shall be located within mechanical rooms where possible or shielded from view with solid or grated barriers;*
> - *Emergency generators shall comply with the City's noise criteria at the nearest noise-sensitive receivers;*

- *Delivery/loading activities shall comply with the Salinas Zoning Code standards and regulations; and*

The applicant shall submit a noise study to verify that the appropriate noise control measures have been incorporated into the project design and will achieve compliance with the City's noise level standards.

SECTION 3.9 PUBLIC SERVICES

Page 3.9-20 of the Draft EIR is amended as follows:

~~TABLE 3.9-9: PROJECTED PLAN AREA STUDENT GENERATION ESTIMATES~~

~~DU TYPE~~	~~MIN. DU~~	~~MAX. DU~~	~~EDUCATION LEVEL~~	~~GENERATION FACTOR~~	~~STUDENTS GENERATED~~		~~ESTIMATED NUMBER OF STUDENTS GENERATED BY EDUCATION LEVEL (MIN. / MAX.)~~
					~~MIN.~~	~~MAX.~~	
~~SFD~~	~~1,114~~	~~1,361~~	~~Elementary~~	~~.3416~~	~~380~~	~~465~~	~~Elementary 910 / 1,114~~
			~~Middle~~	~~.1948~~	~~217~~	~~265~~	
			~~High~~	~~.149~~	~~166~~	~~202~~	
~~SFA~~	~~1,476~~	~~1,803~~	~~Elementary~~	~~.1967~~	~~290~~	~~355~~	~~Middle School 417 / 509~~
			~~Middle~~	~~.0738~~	~~109~~	~~133~~	
			~~High~~	~~.149~~	~~220~~	~~268~~	
~~MF~~	~~963~~	~~1,176~~	~~Elementary~~	~~.2492~~	~~240~~	~~294~~	~~High School 600 / 731~~
			~~Middle~~	~~.0944~~	~~91~~	~~111~~	
			~~High~~	~~.222~~	~~214~~	~~261~~	
~~Total~~	~~3,553~~	~~4,340~~			~~1,927~~	~~2,354~~	~~1,927 / 2,354~~

~~*SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT (JANUARY 2014), SANTA RITA UNION SCHOOL DISTRICT/COOPERATIVE STRATEGIES (OCTOBER 2018).*~~

TABLE 3.9-9: PROJECTED SPECIFIC PLAN AREA STUDENT GENERATION ESTIMATES

DWELLING UNIT TYPE	*TOTAL DWELLING UNITS*	*EDUCATION LEVEL*	*GENERATION FACTOR*	*STUDENTS GENERATED*
SINGLE-FAMILY (NE AND NG-1)	3,164	Elementary	0.3148	996
		Middle	0.1955	619
		High	0.208	658
MULTIFAMILY (NG-2 AND VILLAGE CENTER)	1,176	Elementary	0.5715	672
		Middle	0.1892	223
		High	0.041	48
Total				3,216

SOURCE: SALINAS UNION HIGH SCHOOL DISTRICT: 2018 SCHOOL FACILITY NEEDS ANALYSIS AND JUSTIFICATION REPORT; SANTA RITA UNION SCHOOL DISTRICT SCHOOL FACILITIES NEEDS ANALYSIS MARCH 6, 2018.

NOTE: TABLE ASSUMES (HIGH) SINGLE FAMILY (SF) DETACHED UNITS FOR ALL SF UNITS, DUE TO LACK OF DETAILED LOT COUNTS FOR ATTACHED AND DETACHED SFU'S.

The proposed project is expected to generate approximately ~~between 1,927 and 2,354~~3,216 additional students for the SUHSD and SRUSD, as shown in Table 3.9-9. It is also important to understand that special legal principles apply to impacts to school facilities. According to

Government Code Section 65996, the development fees authorized by Senate Bill 50 (1998) (described earlier) are deemed to be "full and complete school facilities mitigation" for impact caused by new development. The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. However, even where applicants have agreed to pay school impact mitigation fees, if the proposed development requires the construction or expansion of additional facilities that would cause other physical environmental impacts, then those physical impacts to non-school resources may be analyzed under CEQA (Gov. Code § 65995(i)).

SECTION 3.10 TRANSPORTATION AND CIRCULATION

Pages 3.10-43 through 3.10-46 of the Draft EIR is amended as follows:

- **North Sanborn Road/Boronda Road (#35): Implement** Mitigation Measure 3.10-~~5~~6 - Install a traffic signal or roundabout. Traffic signal mitigation was found to improve level of service to C in the morning peak hour and LOS B during the evening peak hour, with 22.8 seconds of delay and 15.1 seconds of delay, respectively. As this impact is a result of project traffic, the project applicant shall be responsible for its funding and implementation at the project approval stage. Alternatively, a roundabout that would reduce traffic to the same LOS (or better) is also acceptable. With the implementation of the identified mitigation measure, the impact would be less than significant**.**

- **Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way (#38):** Mitigation Measure 3.10-~~6~~7: Optimize existing signal timings and add an eastbound left turn pocket. The proposed mitigation is to add an eastbound left turn pocket and optimize the existing signal timing to better accommodate the expected changes in traffic distribution and volume in the with-project scenario. The proposed mitigation was found to improve LOS in the morning and evening peak periods to LOS B, with 18.0 seconds of delay and 18.3 seconds of delay, respectively. As this impact is a result of project traffic, the project applicant shall be responsible for its funding and implementation at the project approval stage. With the implementation of the identified mitigation measure, the impact would be less than significant.

- **Salinas Street/North Main Street/West Market Street/East Market Street (#55):** Mitigation Measure 3.10-~~7~~8: Add a southbound left turn lane and optimize the traffic signal timing. The implementation of this mitigation measure would improve intersection operation to LOS D in both the morning and evening peak hours, with 45.5 and 35.9 seconds of delay per vehicle, respectively. As this impact is a result of project traffic, the project applicant shall be responsible for its funding and implementation at the project approval stage. With the implementation of the identified mitigation measure, the impact would be less than significant**.**

- **U.S 101 Ramp Junctions:** Mitigation Measure~~s 3.10-8 and~~ 3.10-9**:** Contribution to the TAMC RDIF Program and payment of the City of Salinas's Traffic Impact Fees. The proposed mitigation for this impact is the project requirements to contribute to the TAMC Regional Development Impact Fee (RDIF) Program and the City of Salinas's Traffic Impact Fee (TIF) Program. These programs include improvements to U.S. 101 that would improve mainline and ramp junction operations, which would mitigate this project impact to a less than significant level**.**

CONCLUSION

Under Existing Plus Project conditions, implementation of the proposed Specific Plan would conflict with the performance measures established by the City of Salinas, Monterey County, and Caltrans. With implementation of these mitigation measures, the impacts to the above eight intersections and two ramp junctions are considered less than significant, and no further mitigation is required.

MITIGATION MEASURES

Mitigation Measure 3.10-1*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal at San Juan Grade Road/Van Buren Avenue, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans for each stage of project development shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-2*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of the existing signal timing at San Juan Grade Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-3*: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the signalization of the intersection at Hemingway Drive/East Boronda Road or equivalent traffic control (such as a roundabout), in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be*

determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.

***Mitigation Measure 3.10-4**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings at North Main Street/West Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-6**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal or equivalent traffic control (such as a roundabout) at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-7**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and to add an eastbound left turn pocket at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. This mitigation includes the addition of an eastbound left turn pocket and optimization of the existing signal timing to better accommodate the expected changes in traffic distribution and volume with implementation of the proposed project. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-8**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the addition a southbound left turn lane and optimization of the traffic signal's timing at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share requirement. This*

measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.

Page 3.10-55 through 3.10-56 of the Draft EIR is amended as follows:

***Mitigation Measure 3.10-10**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-11**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to convert the eastbound right turn lane to a shared through-right turn lane at Natividad Road/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-12**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for addition of an eastbound right turn pocket at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-13**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a traffic signal at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-14**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing*

and splits at the South Sanborn/North Sanborn/John Street intersection, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.

Pages 3.10-67 through 3.10-70 of the Draft EIR is amended as follows:

Mitigation Measure 3.10-15*: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of funding to the TAMC Regional Development Impact Fee provides mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road. Regional fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-16*: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of the TAMC Regional Development Impact Fee to provide mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Northbound Ramps/Crazy Horse Canyon Road. Total fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-17*: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Crazy Horse Canyon Road/San Juan Grade Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-18*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Rogge Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This*

measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.

***Mitigation Measure 3.10-19**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Russell Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-20**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of southbound and westbound left turn lanes at the intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-21**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-22**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at the intersection of Old Stage Road/Williams Road/Private Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

***Mitigation Measure 3.10-23**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound through lane, the addition of a northbound right turn overlap phase, and the conversion of the westbound through lane to a westbound shared through-left turn lane at the intersection*

of North Main Street/East Bernal Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note these improvements and the fair-share funding requirement.

***Mitigation Measure 3.10-24**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound and southbound through lanes at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-25**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of South Davis Road/Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-26**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane and a southbound left turn lane at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

***Mitigation Measure 3.10-27**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound left turn lane at the intersection of South Main Street/West Blanco Road/East Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

~~***Mitigation Measure 3.10-28**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound left turn lane at the intersection of South Main Street/West Blanco Road/East Blanco Road, in proportion to the area planned for development by such project applicant, in accordance*~~

~~*with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*~~

Page 3.10-57 of the Draft EIR is amended as follows:

The results of the intersection analysis for this scenario are shown in **Error! Reference source not found.** 3.10-21 below. As shown, although the worst movements at the Hebert Road/San Juan Grade Road intersection (i.e. Intersection #6) would operate at LOS E during the PM period, the intersection does not satisfy peak hour traffic signal warrants. Therefore, there would not be significant impact at this intersection under Cumulative Plus Project conditions and there would be no mitigation required.

Separately, although the North Main Street/West Laurel Drive intersection (i.e. Intersection #32) would operate at LOS D during the AM period and a LOS F during the PM period, the proposed project does not increase vehicular delay this intersection, compared with the Cumulative No Project condition. The proposed project adds a small amount of traffic at this intersection to movements that experience low delay, thereby making average delay decrease by a small amount at this intersection (161.8 seconds during the PM peak hour under the Cumulative No Project condition versus 158.6 seconds under the Cumulative Plus Project condition) (see Appendix I for more detail). Since the proposed project does not result in an increase in delay at this intersection under the Existing Plus Project conditions, this results in a less than significant impact and no mitigation is required for this intersection.

Page 3.10-65 of the Draft EIR is amended as follows:

- **Crazy Horse Canyon Road/San Juan Grade Road (#5)**: Mitigation Measure 3.10-~~30~~17: Install traffic signal. However, while the project would make a fair-share contribution to mitigate its contribution to this impact, there is no mechanism to ensure the full funding and completion of the improvement. Thus, this cumulative impact is considered significant and unavoidable.

- **Hebert Road/San Juan Grade Road (#6):** No ~~feasible~~ mitigation is ~~available~~required for this intersection. While the worst movement at this intersection would operate at LOS E under this scenario, this intersection does not satisfy peak hour traffic signal warrants (from the MUTCD). Thus, this cumulative impact is considered less than significant.~~Furthermore, there is no mechanism to ensure the full funding and completion of an improvement, should one become available. Thus, this cumulative impact is considered significant and unavoidable.~~

Page 3.10-66 of the Draft EIR is amended as follows:

- **North Main Street/West Laurel Drive (#32)**: ~~No feasible mitigation is available~~.The proposed project does not increase vehicular delay at this intersection, compared with the

Cumulative No Project condition. ~~Furthermore, there is no mechanism to ensure the full funding and completion of an improvement, should one become available.~~Thus, this cumulative impact is considered significant and unavoidable~~less than significant~~.

- **Natividad Road/East Laurel Drive (#33)**: Implement previously identified Mitigation Measures 3.10-5~~:~~ and 3.10-11 (Install northbound and southbound through lanes, and convert the eastbound right turn lane to a shared through-right turn lane at Natividad Road/East Laurel Drive). However, under cumulative conditions, the degradations in service levels are considered to be significant adverse cumulative impacts based on the City's significance thresholds. Thus, this cumulative impact is considered significant and unavoidable.

CUMULATIVE PLUS PROJECT WITH CENTRAL AREA SPECIFIC PLAN

The Cumulative Conditions Plus Project with Central Area Specific Plan scenario models the overall change in traffic volumes in Salinas as a result of forecast development, with the addition of the proposed project and the Central Area Specific Plan. The intent is to understand how the proposed project combined the Central Area Specific Plan will influence travel behavior in light of future conditions, and to identify possible significant future impacts.

Intersections

The results of the intersection operations analysis for the Cumulative Plus Project and Central Area Specific Plan conditions are shown in Table 3.10-26 below. Overall, twenty-two intersections were found to operate below the local LOS thresholds set by the City. As shown, although the worst movements at the Hebert Road/San Juan Grade Road intersection (i.e. Intersection #6) would operate at LOS E during the PM period, the intersection does not satisfy peak hour traffic signal warrants. Therefore, there would not be significant impact at this intersection under Cumulative Plus Project with Central Area Specific Plan conditions and there would be no mitigation required.

Separately, although the North Main Street/West Laurel Drive intersection (i.e. Intersection #32) would operate LOS F during the AM and PM periods, the proposed project does not increase vehicular delay this intersection, compared with the Cumulative No Project condition. The proposed project adds a small amount of traffic to movements that experience low delay, thereby making average delay decrease by a small amount at this intersection (161.8 seconds during the PM peak hour under the Cumulative No Project condition versus 161.3 seconds under the Cumulative Plus Project Plus Central Area Specific Plan condition) (see Appendix I for more detail). Since the proposed project does not result in an increase in delay at this intersection under this scenario, there is a less than significant impact for this intersection and no mitigation is required.

Page 3.10-78 of the Draft EIR is amended as follows:

Hebert Road/San Juan Grade Road (#6): ~~No feasible mitigation is available. The cumulative impact would be considered significant and unavoidable.~~ No mitigation is required for this intersection. While the worst movement at this intersection would operate at LOS E, this intersection does not satisfy peak hour traffic signal warrants (from the MUTCD). Thus, this cumulative impact is considered less than significant.

Page 3.10-79 of the Draft EIR is amended as follows:

- **North Main Street & West Laurel Drive (#32):** The proposed project does not increase vehicular delay at this intersection, compared with the Cumulative No Project condition. Thus, this cumulative impact would be less than significant. Nevertheless, this intersection would be required to i~~I~~mplement the previously identified Mitigation Measure 3.10-4 **-** Optimize existing signal timings. ~~With the implementation of the identified mitigation measure, the impact would be less than significant.~~

- **Natividad Road/East Laurel Drive (#33)**: ~~Mitigation Measure 3.10-30: Convert the existing eastbound right turn lane to a shared through-right turn lane. In addition, i~~Implement previously identified Mitigation Measure 3.10-5, which requires funding for the installation of northbound and southbound through lanes, and Mitigation Measure 3.10-11, which requires the conversion of the eastbound right turn lane to a shared-right turn lane. However, even with implementation of these mitigation measures, this cumulative impact would be significant and unavoidable.

- **Constitution Boulevard/East Laurel Drive (#34)**: Mitigation Measure 3.10-~~31~~29: Install an eastbound left turn lane. In addition, implement Mitigation Measure 3.10-21: Install southbound left turn lane. However, this cumulative impact is considered significant and unavoidable.

- **North Sanborn Road/Boronda Road (#35):** Mitigation Measure 3.10-~~32~~30: Install a westbound left turn lane. With the implementation of the identified mitigation measure, the cumulative impact would be less than significant.

Page 3.10-79 of the Draft EIR is amended as follows:

- **Williams Road/East Boronda Road (#40)**: Mitigation Measure 3.10-~~33~~31: Install an eastbound left turn lane. With the implementation of the identified mitigation measure, the cumulative impact would be less than significant.

- **East Front Street/Sherwood Drive/Market Street (#51)**: Mitigation Measure 3.10-~~34~~32: Install a southbound left turn lane. With the implementation of the identified mitigation measure, the cumulative impact would be less than significant.

Page 3.10-81 through 3.10-82 of the Draft EIR is amended as follows:

Mitigation Measure 3.10-28~~9~~: *Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Old Stage Road/Hebert Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*

Mitigation Measure 3.10-~~30~~29: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of northbound and southbound through lanes on Natividad Road and for the conversion of the existing eastbound right turn lane on East Laurel Drive to a shared through-right turn lane, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~31~~30: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of eastbound and southbound left turn lanes at Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~32~~31: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of North Sanborn Road/Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~33~~32: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane at Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

Mitigation Measure 3.10-~~34~~33: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of East Front Street/Sherwood Drive/Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*

SECTION 3.11 UTILITIES

Pages 3.11-28 through 3.11-29 of the Draft EIR is amended as follows:

~~**Salinas Valley Groundwater Project Phase II**. A conceptual design for Phase II of the Salinas Valley Water Project has been developed by MCWRA. Under this plan additional winter flood flows would be diverted from the Salinas River. These diversions, up to 135,000 AFY, could be directly used by urban customers. A technical memorandum was completed in 2013. Phase II incorporates two surface water diversion points and will be accompanied by conveyance and delivery facilities.~~

Pure Water Monterey Project. The approved Pure Water Monterey Groundwater Replenishment Project will serve northern Monterey County. The project will provide both purified recycled water for recharge of the Seaside Groundwater Basin that serves as drinking water supply, and recycled water to augment the existing Castroville Seawater Intrusion Project's crop irrigation supply. The project is jointly sponsored by the M1W and the Monterey Peninsula Water Management District, and also includes participation by the City of Salinas, the Marina Coast Water District, and the MCWRA. CEQA documentation has been completed for this project.

The project includes collection of a variety of new source waters and conveyance of that water to the M1W regional wastewater treatment plant (regional plant) for treatment and recycling. New source waters include: 1) water from the City of Salinas agricultural wash water system; 2) stormwater flows from the southern part of Salinas and the Lake El Estero facility in Monterey; 3) surface water and agricultural tile drain water that is captured in the Reclamation Ditch and Tembladero Slough; and 4) surface water and agricultural tile drain water that flows in the Blanco Drain. The project would enable California American Water Company to reduce its diversions from the Carmel River system by up to 3,500 acre-feet per year by injecting the same amount of purified recycled water into the Seaside Groundwater Basin. The project would also provide additional recycled water for agricultural irrigation in northern Salinas Valley through the Castroville Seawater Intrusion Project's agricultural irrigation system. It is anticipated that in normal and wet years approximately 4,500 to 4,750 acre-feet per year of additional recycled water supply could be created for agricultural irrigation purposes. In drought conditions, the project could provide up to 5,900 acre-feet per year for crop irrigation (Denise Duffy & Associates, 2016). It is this latter source of new agricultural water that would replace an

equivalent volume that is now pumped from the groundwater basin and contributes to groundwater overdraft and seawater intrusion.

Other Water Supply Projects. The Cal Water UWMP includes discussion of new water supply projects from which Cal Water may be able to obtain water supply that would reduce its need to pump groundwater from the groundwater basin. These include Monterey Peninsula Water Supply Project (referenced in the UWMP as the former named Coastal Water Project) and the DeepWater Desal project in Moss Landing.

The Monterey Peninsula Water Supply Project is designed to supply supplemental water to consumers on the Monterey Peninsula. The primary purpose is to enable California American Water, the primary water purveyor for these customers, to reduce California American Water's diversion of water from the Carmel River as mandated by the State. Therefore, this project is not expected to have significant potential to reduce groundwater extraction within the Salinas Valley.

The DeepWater Desal project, proposed for a location in Moss Landing, is in the planning and environmental review stages. If approved, the project is projected to be operational in 2021. If the project proceeds as proposed, it could become a source of municipal water supply for the City of Salinas, thereby potentially reducing the volume of groundwater extracted to serve demand in the city.

Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin

In October 2017, the MCWRA prepared a report (entitled Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin) to discuss the current knowledge and related background information surrounding seawater intrusion pathways and potential impacts on the Salinas Valley Groundwater Basin. Within this report, the MCRWA provided six recommendations with the aim to slow or halt seawater intrusion and impacts related thereto, within the Salinas Valley Groundwater Basin, with each focused on a component that influences, or could be impacts by, the advancement of seawater intrusion. The recommendations include, in no particular order:

1. An immediate moratorium on groundwater extractions from new wells in the Pressure 400-Foot Aquifer within an identified Area of Impact4, except for the following use categories:

a. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,

b. Monitoring wells owned and maintained by the Agency or other water management agencies.

2. Enhancement and expansion of the Castroville Seawater Intrusion Project (CSIP) Service Area. The expansion should include, at a minimum, lands served by wells currently extracting groundwater within the Area of Impact.

3. Following expansion of the CSIP Service Area, termination of all pumping from existing wells Pressure 180-Foot or Pressure 400-Foot Aquifer wells within the Area of Impact, except for the following use categories:

a. Municipal water supply wells;

b. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,

c. Monitoring wells owned and maintained by the Agency or other water management agencies.

4. Initiate and diligently proceed with destruction of wells in Agency Zone 2B, in accordance with Agency Ordinance No. 3790, to protect the Salinas Valley Groundwater Basin against further seawater intrusion.

5. An immediate moratorium on groundwater extractions from new wells within the entirety of the Deep Aquifers of the 180/400 Foot Aquifer and Monterey Subbasins until such time as an investigation of the Deep Aquifers is completed and data pertaining to the hydraulic properties and long-term viability of the Deep Aquifers are available for knowledge-based water resource planning and decision making.

a. Monitoring wells, public agency wells, municipal water supply wells, wells for which a construction permit has already been issued, and well repairs should be considered for exemption from this recommendation.

b. The moratorium should include a prohibition of:

i. Replacement wells, unless it can be demonstrated that the installation of such a well will not result in further expansion of the seawater intrusion front; and,

ii. Deepening of wells from overlying aquifers into the Deep Aquifers, deepening of wells within the Deep Aquifers, and other activities that would expand the length, depth, or capacity of an existing well.

6. Initiate and diligently proceed with an investigation to determine the hydraulic properties and long-term viability of the Deep Aquifers.

The MCWRA as identified an Area of Impact, encompassing an area of the 180/400 Foot Aquifer and Monterey Subbasins that meets the following criterion:

- That portion of the 180/400 Foot Aquifer and Monterey Subbasins in which chloride concentrations in either the Pressure 180-Foot Aquifer or the Pressure 400-Foot Aquifer are 250 milligrams per liter (mg/L) or greater.

The location of areas where chloride concentrations in groundwater are 250 mg/L chloride concentration or greater will be defined by the most recently published data from the Agency; currently this is data from 2015. The use of the 250 mg/L threshold is applicable only to identifying the Area of Impact as it pertains to these recommendations. The Agency will continue to define the extent of seawater intrusion as the area in which chloride concentrations are 500 mg/L or greater.

It should be noted that the report recommends consideration of an exemption for new municipal water supply wells in the entirety of the Deep Aquifers.

SECTION 4.0 OTHER CEQA-REQUIRED TOPICS

Pages 4.0-9 through 4.0-10 of the Draft EIR is amended as follows:

As described in Impact 3.4-2, implementation of the proposed project will still generate GHG emissions that would not otherwise exist without the proposed project. Given the length of construction activities for a project of this size, the construction emissions would be a ~~long-term~~maximum annual release of approximately 8,072~~168,734.3~~ MT CO_2e. The operational emissions would be a long-term release totaling approximately 43,649.4~~51,939.2~~ MT CO2e per year in 2035 without mitigation, and 39,273.3~~47,684.9~~ MT CO_2e per year in 2035 with mitigation.

As described in Impact 3.4-2 in Section 3.4, implementation of the proposed project will still generate GHG emissions that would not otherwise exist without the proposed project. Given the length of construction activities for a project of this size, the construction emissions would be a ~~long-term~~maximum annual release of approximately 8,072~~168,734.3~~ MT CO_2e. The operational emissions would be a long-term release totaling approximately 43,649.4~~51,939.2~~ MT CO2e per year in 2035 without mitigation, and 39,273.3~~47,684.9~~ MT CO_2e per year in 2035 with mitigation. The City of Salinas must weigh the economic and social benefits of development against the environment impacts associated with development. The City of Salinas's planning efforts included targeted growth that accommodates the economic and social needs of the community, while recognizing and seeking to mitigate environmental impacts when growth occurs. The use of New Urbanism principles, which emphasize compact, walkable communities, and which were incorporated into the design of the proposed project, would help minimize GHG emissions generated by the proposed project. Further, the proposed project would be required to implement mitigation measures that are intended to reduce GHG emissions to the maximum extent feasible. The State of California continues to implement measures that are intended to reduce emissions on a State-wide scale (i.e. vehicle fuel efficiency standards in fleets, low carbon fuels, etc.) that are consistent with AB 32 and SB 32. These types of statewide

measures will benefit the proposed project (and city as a whole) in the long-term as they come into effect; however, the City does not have the jurisdiction to create far-reaching (i.e. statewide) measures to reduce GHG emissions. On a project-by-project case, the City of Salinas evaluates a project and the potential to impose project-specific mitigation, which has been done through this GHG analysis. However, because it is possible that individual projects within the Specific Plan Area may not achieve GHG reductions needed for their individual impacts to be less than significant, implementation of the Specific Plan would have a ***cumulatively considerable contribution*** and ***significant and unavoidable*** impact to greenhouse gases.

SECTION 5.0 ALTERNATIVES

Pages 5.0-48 and 5.0-49 of the Draft EIR is amended as follows:

TABLE 5.0-10: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE WEST AREA SPECIFIC PLAN

ENVIRONMENTAL TOPIC	PROPOSED PROJECT[1]	NO PROJECT (NO BUILD) ALTERNATIVE	REDUCED LAND AREA PROJECT ALTERNATIVE	REDUCED RESIDENTIAL INTENSITY/DENSITY ALTERNATIVE	SMALLER-SCALE PROJECT ALTERNATIVE
SECTION 3.9 - PUBLIC SERVICES (PS)					
PS Impact 3.9-1	LS/MM	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-2	LS	Slightly Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-3	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-4	SU	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-5	LS	Less	~~Equal~~Slightly Less	Slightly Less	Slightly Less
PS Impact 3.9-6	CC & SU	Less	Slightly Less	Slightly Less	Slightly Less

Table 5.0-18 of the Draft EIR is amended as follows:

TABLE 5.0-2: ESTIMATED OPERATIONAL EMISSIONS OF THE REDUCED LAND AREA ALT. AT FULL BUILDOUT

	ROG		***NOx***		***PM_{10}***		***SOx***	
Threshold	**≤ 137 lbs/day**		**≤ 137 lbs/day**		**≤ 82 lbs/day**		**≤ 150 lbs/day**	
Category	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated
Reduced Land Area Alternative								
Area	~~1,170.9~~ 1,079.4	~~246.4~~ 160.7	31.5	25.3	~~168.4~~ 168.4	~~3.7~~ 3.7	2.3	0.2
Energy	~~5.1~~ 2.7	~~5.1~~ 2.8	~~44.7~~ 23.9	~~44.7~~ 23.9	~~3.5~~ 1.9	~~3.5~~ 1.8	~~0.3~~ 0.2	~~0.3~~ 0.2
Mobile	~~40.3~~ 41.3	~~38.5~~ 39.3	~~229.5~~ 235.1	~~221.6~~ 226.7	~~162.9~~ 167.4	~~139.3~~ 142.3	~~1.7~~ 1.6	~~1.4~~ 1.4
Total	**~~1,216.3~~ 1,123.5**	**~~290.0~~ 202.8**	**~~305.7~~ 290.6**	**~~291.6~~ 275.9**	**~~334.8~~ 337.7**	**~~146.5~~ 147.9**	**~~4.3~~ 4.0**	**~~1.9~~ 1.7**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**
Proposed Project								
Area	~~1,170.9~~ 1,079.4	~~246.4~~ 160.7	31.5	25.3	168.4	3.7	2.3	0.2
Energy	~~5.1~~ 2.8	~~5.1~~ 2.8	~~44.7~~ 23.9	~~44.7~~ 23.9	~~3.5~~ 1.9	~~3.5~~ 1.9	~~0.3~~ 0.2	~~0.3~~ 0.2
Mobile	~~50.4~~ 51.7	~~48.1~~ 49.2	~~286.9~~ 293.9	~~277.0~~ 283.3	~~203.6~~ 209.2	~~174.1~~ 177.9	~~2.1~~ 1.9	~~1.8~~ 1.7
Total	**~~1,226.4~~ 1,133.9**	**~~299.6~~ 212.7**	**~~363.1~~ 349.4**	**~~347.0~~ 332.6**	**~~375.6~~ 379.6**	**~~181.3~~ 183.5**	**~~4.6~~ 4.5**	**~~2.2~~ 2.0**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**

SOURCE: CALEEMOD (V.2016.3.2)

Pages 5.0-18 and 5.0-19 of the Draft EIR are amended a follows:

> This alternative would provide more compact development than the proposed project, providing greater opportunities for non-motorized transportation choices (such as walking or cycling). This would slightly reduce vehicle miles travelled (VMT) as compared to the proposed project, which would slightly the mobile source emissions. The Reduced Land Area Project Alternative would have greater impacts with respect to Air Quality Impact 3.1-1, which is identified as "the potential to conflict with or obstruct implementation of the applicable air quality plan." This is because the Association of Monterey Bay Area Governments (AMBAG), in consultation with the City of Salinas, included the North of Boronda FGA (inclusive of the West Area Specific Plan) within the AMBAG 2018 Regional Growth Forecast. The AMBAG 2018 Regional Growth Forecast feeds into the Monterey Bay Air Resources Board's (MBARD) 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) as well as the future version of the Air Quality Management Plan (AQMP). Therefore, while an increase in density has the potential to reduce mobile source emissions if residents chose alternative transportation modes (i.e. walk/bike/transit instead of driving a vehicle), this is not guaranteed to occur given that the choice to drive is still convenient and economical for most residents under this residential density in a suburban environment. The increased residential density under this alternative was not specifically planned for in the MBARD planning documents and within the AMBAG

forecasts. ~~As such,~~ Nevertheless, due to the reduced footprint and slightly reduced VMT, this impact would be slightly reduced when compared to the West Area Specific Plan.

Page 5.0-21 of the Draft EIR is amended as follows:

The Reduced Land Area Project Alternative would not develop approximately 162 acres that is proposed to be developed under the proposed project. This would provide more compact development, creating more opportunities for non-motorized transportation options (such as walking or cycling). This is likely to reduce overall vehicle miles travelled (VMT) as compared to the proposed project. This would reduce mobile-related GHG emissions by an amount approximately equivalent to proportional reduction in the size of the Specific Plan Area (twenty percent) under this alternative, as compared with the proposed project. Estimated mitigation operational GHG emissions at Specific Plan Area buildout are shown in Table 5.0-3. As shown, total operational emissions would be reduced by approximately ~~11~~13% under this scenario, as compared to the proposed project. However, Specific Plan Area operational activities under this alternative would be expected to generate a significant and unavoidable impact on operational greenhouse gases.

TABLE 5.0-3: REDUCED LAND AREA PROJECT ALT. GHG EMISSIONS (MITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Reduced Land Area Alternative						
Area	0	1,080.9	1,080.9	0.1	0	1,088.6
Energy	0	~~14,718.3~~ 8,534.5	~~14,718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~21,026.6~~ 21,122.8	~~21,026.6~~ 21,122.8	0.9	0	~~21,049.4~~ 21,145.6
Waste	~~1,843.5~~ 1,015.6	0	~~1,843.5~~ 1,015.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	0.3 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~37,204.2~~ 30,983.7**	**~~39,163.7~~ 32,088.7**	**~~122.8~~ 70.8**	**~~0.6~~ 0.4**	**~~42,422.6~~ 33,986.9**
Proposed Project						
Area	0	1,080.9	1,080.9	0.1	<0.1	1,088.6
Energy	0	~~14,718.3~~ 8,534.5	~~14,718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~26,283.3~~ 26,403.6	~~26,283.3~~ 26,403.6	1.1	0	~~26,311.7~~ 26,432.0
Waste	~~1,843.5~~ 1,105.6	0	~~1,843.5~~ 1,105.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	~~0.3~~ 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~40,844.8~~ 36,264.5**	**~~44,420.4~~ 37,369.4**	**~~123.1~~ 71.0**	**~~0.6~~ 0.4**	**~~47,684.9~~ 39,273.3**

SOURCES: CALEEMOD (V.2016.3.2)

With a total projected service population of 16,785 (same as the proposed project), this alternative would generate approximately ~~2.53~~2.02 MT CO_2e/service population/year in the mitigated scenario (in Year 2035). This value is above the derived per capita GHG threshold of 1.94 MT CO_2e/service population/year for Year 2035. However, this value is below the

per service population estimate for the proposed project of 2.84 MT CO_2e/service population/year (in Year 2035). Therefore, the emissions per capita under this alternative would be reduced as compared with the proposed project. This impact would be slightly reduced when compared to the proposed project.

Page 5.0-23 of the Draft EIR is amended a follows:

Under the Reduced Land Area Project Alternative, potential water quality impacts from construction and operation of the West Area Specific Plan would be reduced. Under this alternative, the developed area would be reduced by 20 percent when compared with the project. The Reduced Land Area Project Alternative would have a greater chance of groundwater recharge because it would reduce the amount of impervious surfaces by 20 percent as compared to the West Area Specific Plan. The areas that would not be developed (i.e., the 162 acres of land in the northeast corner of the Specific Plan Area) would remain under agricultural production. ~~and w~~While ~~they~~ the 162-acre agricultural area would ~~have better recharge in those areas~~provide opportunities for groundwater recharge, the agricultural uses would continue to require intensive groundwater pumping for the agricultural production. The higher amount of groundwater pumping required for the 162-acres of agricultural use under this alternative would result in a greater impact on the Salinas Valley Ground Water basin, when compared to the project. The amount of total consumptive water usage reduced by this alternative when compared to the existing uses in the Specific Plan Area would be approximately 1,666 AFY, compared with the approximately 2,078 AFY estimated to be saved by the proposed project. That is, buildout this alternative would save approximately 412 AFY less water than buildout of the proposed project. This would increase risks to the groundwater basin associated with seawater intrusion, when compared to the proposed project.

~~There would still be some benefit on the Salinas Valley Ground Water basin under this alternative because 80 percent of the land area would be converted into a use that would not require intensive groundwater pumping.~~

Under this alternative, there are some instances where the undeveloped portions of the Specific Plan Area would have greater discharges of certain pollutants (such as erosion, sedimentation, pesticides release, etc.) when compared to the project. Additionally, while the potential to result in water quality violations would be reduced under this alternative when compared with the project, overdraft conditions would worsen in the Salinas Valley Ground Water basin under this alternative because this alternative would increase groundwater pumping when compared to the project. As such, potential impacts related to hydrology and water quality would be increased under this alternative when compared to the project.

Page 5.0-24 of the Draft EIR is amended as follows:

Population and Housing

The City anticipates growth within the community over time, and has responded to the anticipated growth by establishing a Future Growth Area (FGA). The FGA was established through a community process that focused on allowing new development to specific areas of the city that have been determined to have adequate infrastructure and resources to accommodate the growth. The Specific Plan Area is within the North of Boronda FGA, and the West Area Specific Plan is a planning document that implements the City's intent to focus new development, and the growth that goes along with the new development, into the FGA. The West Area Specific Plan would not displace substantial numbers of existing housing and/or substantial numbers of people, but would instead provide new housing consistent with the City's General Plan. The West Area Specific Plan does not divide the community, but rather, it is an extension of the existing community.

Under the Reduced Land Area Project Alternative, the project footprint~~development~~ would be reduced by 20 percent when compared with the proposed project. However, although the residential density would increase from approximately 9.0 to 11.3 residential units per acre under this alternative, the number of residences developed under this alternative would be the same as for the proposed project.~~Development of housing would still occur under this alternative, but fewer units would be built. Growth would still be anticipated to occur within the region, but it would not be fully accommodated in the North of Boronda FGA which has undergone extensive planning efforts by the City and community for over a decade. This would not be consistent with the FGA and General Plan. The City would need to look to other undeveloped areas of the region to develop for new housing which would be expected to have environmental impacts that have not yet been assessed but could well be worse than those of the West Area Specific Plan, particularly with respect to prime agricultural land, which is abundant in the region.~~ Overall, this alternative would have an equal ~~greater~~ impact when compared to the proposed project.

Pages 5.0-25 and 5.0-26 of the Draft EIR are amended as follows:

Under the Reduced Land Area Project Alternative, the development area would be reduced by 20 percent. Residential and non-residential development would be ~~reduced~~ equal under the Reduced Land Area Project Alternative; therefore, the demand for police, fire and other public services would be ~~reduced~~equal. This alternative would still result in development of public facilities (i.e. schools and parks) and would be required to pay the appropriate public safety impact fees. Overall, this alternative would have a ~~slightly reduced~~equal impacts to public services when compared to the project.

Pages 5.0-26 and 5.0-27 of the Draft EIR are amended as follows:

Under the Reduced Land Area Project Alternative, the development area would be reduced by 20 percent. Residential and non-residential development would be ~~reduced~~ equal under the Reduced Land Area Project Alternative; therefore, traffic generated in the Specific Plan

Area would be ~~reduced~~equal. This alternative would still result in new traffic improvements on the City's roadway system to accommodate the new traffic generated. It would also still result in payments of traffic impact fees into the City's CIP program that would be used for the roadway system. Existing deficiencies in the traffic system would receive some benefit of improvements to improve existing deficiencies; however, there would still be significant and unavoidable cumulative impacts to this topic under this alternative.

The Reduced Land Area Project Alternative would have "slightly greater" impact with respect to Transportation and Circulation Impact 3.10-7, which is identified as "impacts related to emergency access." The basis for this determination is that the increased density of the proposed project would increase congestion on existing and planned roadways as compared to the proposed project, given that fewer roadways would be developed under this alternative (because the APNs 211-011-008 and 211-011-009 would not be developed under this alternative). Specifically, Natividad Road (Major Arterial), Russell Road (Major Arterial), and Rogge Road would not be expanded with full frontage improvements under this alternative. Congestion is also expected to be slightly higher under this alternative compared to the proposed project, given the increased density of traffic (based on fewer roadway miles being developed under this alternative compared with the proposed project, and the increased density of the proposed project (to 11.3 residential units per acre under this alternative, compared to 9.0 residential units per acre under the proposed project). This represents a slightly greater impact with respect to emergency access within the Specific Plan Area. It is noted that the significance determination under Transportation and Circulation Impact 3.10-7 would likely still be less than significant for the Reduced Land Area Alternative, similar to the proposed project, however, the roadway network will not have the same capacity as under the proposed project so the determination remains "slightly greater."

Additionally, the Reduced Land Area Project Alternative would have a "slightly greater" impact with respect to Transportation and Circulation Impact 3.10-8, which is identified as "conflict with adopted multi-modal circulation policies, plans, or programs" or a "decrease [in] the performance or safety of public transit, bicycle, or pedestrian facilities." The basis for this determination is that the following roadways would not be developed in full under this alternative:

- Natividad Road (Major Arterial) expansion frontage improvements (proposed Class II bike lane);
- Russell Road (Major Arterial) expansion (proposed Class II Bike Lane);
- Rogge Road frontage improvements.

Since these roadways would not be developed in full, as planned for by the proposed project, connectivity with the remainder of the City and County, including other areas within the City's FGA, would be more limited under the Reduced Land Area Project Alternative as compared to the proposed project. Overall, this alternative would have ~~less of an overall~~slightly greater traffic impacts than the project.

Utilities

Implementation of the West Area Specific Plan could result in potentially significant impacts to the utility systems including wastewater, water, storm water drainage, and solid waste providers. Mitigation measures have been incorporated into the project to ensure that capacity is available and any impacts from increased demand are reduced.

Under the Reduced Land Area Project Alternative, the development area would be reduced by 20 percent. The total quantity of infrastructure installed would be reduced, but the demand for wastewater and solid waste services would be approximately the same as the proposed project, given that the number of residential and non-residential users of such utilities would remain the same under this alternative as in the proposed project. That is, it is expected that this alternative would generate approximately 1.0 MGD of wastewater and approximately 48,922 lbs/day of solid waste, similar to the proposed project, since this alternative would generate approximately the same number of residents and workers as the proposed project.

Separately, the total storm drainage runoff under this alternative would be reduced compared to the proposed project, due to the reduction in impervious surfaces.

This alternative would not save as much groundwater when compared to the proposed project. The amount of total consumptive water usage reduced by this alternative when compared to the existing uses in the Specific Plan Area would be approximately 1,666 AFY, compared with the approximately 2,078 AFY estimated to be saved by the proposed project. That is, buildout this alternative would save approximately 412 AFY less water than buildout of the proposed project. This is due to the dramatically higher water usage under the current irrigated agricultural cultivation uses as compared with developed residential and/or commercial uses. This would increase risks to the groundwater basin associated with seawater intrusion, when compared to the project.

Page 5.0-27 of the Draft EIR is amended as follows:

TABLE 5.0-4: ESTIMATED OPERATIONAL EMISSIONS OF THE REDUCED DENSITY/INTENSITY ALT. AT FULL BUILDOUT

	ROG		***NOx***		***PM_{10}***		***SOx***	
Threshold	**≤ 137 lbs/day**		**≤ 137 lbs/day**		**≤ 82 lbs/day**		**≤ 150 lbs/day**	
Category	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated
Reduced Density/Intensity Alternative								
Area	~~878.2~~ 815.5	~~184.8~~ 125.9	~~23.6~~ 23.7	19.0	126.3	2.8	1.7	~~0.2~~ 0.1
Energy	~~3.8~~ 2.2	~~3.8~~ 2.2	~~33.5~~ 18.7	~~33.5~~ 18.7	~~2.6~~ 1.5	~~2.6~~ 1.5	~~0.2~~ 0.1	~~0.2~~ 0.1
Mobile	~~37.8~~ 45.3	~~36.1~~ 43.1	~~215.2~~ 258.0	~~207.8~~ 248.9	~~152.7~~ 180.4	~~130.6~~ 153.4	~~1.6~~ 1.7	~~1.4~~ 1.5
Total	**~~919.8~~ 862.9**	**~~224.7~~ 171.2**	**~~272.3~~ 300.3**	**~~260.3~~ 286.6**	**~~281.7~~ 308.2**	**~~136.0~~ 157.6**	**3.5**	**1.7**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**
Proposed Project								
Area	~~1,170.9~~ 1,079.4	~~246.4~~ 160.7	31.5	25.3	168.4	3.7	2.3	0.2
Energy	~~5.1~~ 2.8	~~5.1~~ 2.8	~~44.7~~ 23.9	~~44.7~~ 23.9	~~3.5~~ 1.9	~~3.5~~ 1.9	~~0.3~~ 0.2	~~0.3~~ 0.2
Mobile	~~50.4~~ 51.7	~~48.1~~ 49.2	~~286.9~~ 293.9	~~277.0~~ 283.3	~~203.6~~ 209.2	~~174.1~~ 177.9	~~2.1~~ 1.9	~~1.8~~ 1.7
Total	**~~1,226.4~~ 1,133.9**	**~~299.6~~ 212.7**	**~~363.1~~ 349.4**	**~~347.0~~ 332.6**	**~~375.6~~ 379.6**	**~~181.3~~ 183.5**	**~~4.6~~ 4.5**	**~~2.2~~ 2.0**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**

Page 5.0-30 of the Draft EIR is amended a follows:

TABLE 5.0-5: REDUCED INTENSITY/DENSITY ALT. GHG EMISSIONS (MITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Reduced Intensity/Density Alternative						
Area	0	~~810.7~~ 810.9	~~810.7~~ 810.9	0.1	0	~~816.5~~ 816.7
Energy	0	~~11,038.7~~ 6,805.4	~~11,038.7~~ 6,805.4	~~0.7~~ 0.5	0.2	~~11,127.7~~ 6,862.1
Mobile	0	~~19,712.5~~ 22,381.2	~~19,712.5~~ 22,381.2	~~0.8~~ 1.0	0	~~19,733.8~~ 22,405.5
Waste	~~1,382.6~~ 834.5	0	~~1,382.6~~ 834.5	~~81.7~~ 49.3	0	~~3,425.3~~ 2,067.5
Water	~~87.0~~ 71.4	~~283.8~~ 200.9	~~370.8~~ 272.3	~~9.0~~ 7.4	0.2	~~660.5~~ 509.4
Total	**~~1,469.6~~ 905.9**	**~~30,633.6~~ 30,198.3**	**~~33,315.3~~ 31,104.2**	**~~92.3~~ 58.2**	**~~0.5~~ 0.3**	**~~35,763.7~~ 32,661.1**
Proposed Project						
Area	0	1,080.9	1,080.9	0.1	<0.1	1,088.6
Energy	0	~~14,718.3~~ 8,534.5	~~14,718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~26,283.3~~ 26,403.6	~~26,283.3~~ 26,403.6	1.1	0	~~26,311.7~~ 26,432.0
Waste	~~1,843.5~~ 1,105.6	0	~~1,843.5~~ 1,105.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	~~0.3~~ 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~40,844.8~~ 36,264.5**	**~~44,420.4~~ 37,369.4**	**~~123.1~~ 71.0**	**~~0.6~~ 0.4**	**~~47,684.9~~ 39,273.3**

SOURCE: CALEEMOD (V.2016.3.2)

With a total projected service population of ~~12,803~~11,947 under this alternative (this is equivalent to a 25% smaller residential population but the same number of workers, when compared to the proposed project), this alternative would generate approximately ~~2.79~~2.74 MT CO_2e/service population/year in the mitigated scenario (in Year 2035). This value are above the derived per capita GHG threshold of 1.94 MT CO_2e/service population/year for Year 2035, but lower than the per service population estimate for the proposed project of 2.84 MT CO_2e/service population/year (in Year 2035). Therefore, this impact would be slightly reduced when compared to the proposed project.

3.0 3.0 ERRATA

Page 4.0-37 of the Draft EIR is amended as follows:

TABLE 5.0-7: ESTIMATED OPERATIONAL EMISSIONS OF THE SMALLER-SCALE ALT. AT FULL BUILDOUT

	ROG		***NOx***		***PM_{10}***		***SOx***	
Threshold	**≤ 137 lbs/day**		**≤ 137 lbs/day**		**≤ 82 lbs/day**		**≤ 150 lbs/day**	
Category	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated	Unmitigated	Mitigated
Smaller-scale Alternative								
Area	~~780.6~~ 718.6	~~164.3~~ 107.0	21.0	16.9	~~112.3~~ 112.1	2.5	1.5	0.1
Energy	~~3.4~~ 1.9	~~3.4~~ 1.9	~~29.8~~ 15.9	~~29.8~~ 15.9	~~2.3~~ 1.3	~~2.3~~ 1.3	~~0.2~~ 0.1	~~0.2~~ 0.1
Mobile	~~33.6~~ 34.4	~~32.1~~ 32.7	~~191.3~~ 195.7	~~184.7~~ 188.7	~~135.7~~ 139.4	~~116.1~~ 118.5	~~1.4~~ 1.3	~~1.2~~ 1.1
Total	**~~817.6~~ 754.9**	**~~199.7~~ 141.6**	**~~242.1~~ 232.7**	**~~231.3~~ 221.5**	**~~250.4~~ 252.8**	**~~120.9~~ 122.2**	**~~3.1~~ 2.9**	**~~1.5~~ 1.4**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**
Proposed Project								
Area	~~1,170.9~~ 1,079.4	~~246.4~~ 160.7	31.5	25.3	168.4	3.7	2.3	0.2
Energy	~~5.1~~ 2.8	~~5.1~~ 2.8	~~44.7~~ 23.9	~~44.7~~ 23.9	~~3.5~~ 1.9	~~3.5~~ 1.9	~~0.3~~ 0.2	~~0.3~~ 0.2
Mobile	~~50.4~~ 51.7	~~48.1~~ 49.2	~~286.9~~ 293.9	~~277.0~~ 283.3	~~203.6~~ 209.2	~~174.1~~ 177.9	~~2.1~~ 1.9	~~1.8~~ 1.7
Total	**~~1,226.4~~ 1,133.9**	**~~299.6~~ 212.7**	**~~363.1~~ 349.4**	**~~347.0~~ 332.6**	**~~375.6~~ 379.6**	**~~181.3~~ 183.5**	**~~4.6~~ 4.5**	**~~2.2~~ 2.0**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**

SOURCE: CALEEMOD (V.2016.3.2)

Page 5.0-39 and Page 5.0-40 is amended as follows:

TABLE 5.0-8: SMALLER-SCALE PROJECT ALT. GHG EMISSIONS (MITIGATED METRIC TONS/YEAR)

	Bio- CO_2	*NBio- CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Smaller-scale Alternative						
Area	0	~~720.6~~ 719.6	~~720.6~~ 719.6	0.1	0	~~725.7~~ 724.7
Energy	0	~~9,812.2~~ 5,684.0	~~9,812.2~~ 5,684.0	~~0.6~~ 0.4	~~0.2~~ 0.1	~~9,891.3~~ 5,730.9
Mobile	0	~~17,522.2~~ 17,586.0	~~17,522.2~~ 17,586.0	~~0.7~~ 0.8	0	~~17,541.1~~ 17,604.9
Waste	~~1,229.0~~ 676.5	0	~~1,229.0~~ 676.5	~~72.6~~ 40.0	0	~~3,044.7~~ 1,676.1
Water	~~77.3~~ 59.5	~~252.3~~ 163.6	~~329.6~~ 223.0	~~8.0~~ 6.1	~~0.2~~ 0.1	~~587.1~~ 420.7
Total	**~~1,306.3~~ 736.0**	**~~27,229.9~~ 24,153.0**	**~~29,613.6~~ 24,889.1**	**~~82.1~~ 47.3**	**~~0.4~~ 0.3**	**~~31,789.9~~ 26,157.3**
Proposed Project						
Area	0	1,080.9	1,080.9	0.1	<0.1	1,088.6
Energy	0	~~14,718.3~~ 8,534.5	~~14,718.3~~ 8,534.5	~~0.9~~ 0.6	~~0.3~~ 0.2	~~14,836.9~~ 8,604.9
Mobile	0	~~26,283.3~~ 26,403.6	~~26,283.3~~ 26,403.6	1.1	0	~~26,311.7~~ 26,432.0
Waste	~~1,843.5~~ 1,105.6	0	~~1,843.5~~ 1,105.6	~~108.9~~ 60.0	0	~~4,567.1~~ 2,516.2
Water	~~116.0~~ 89.3	~~378.4~~ 245.5	~~494.4~~ 334.9	~~12.0~~ 9.2	~~0.3~~ 0.2	~~880.6~~ 631.6
Total	**~~1,959.5~~ 1,104.9**	**~~40,844.8~~ 36,264.5**	**~~44,420.4~~ 37,369.4**	**~~123.1~~ 71.0**	**~~0.6~~ 0.4**	**~~47,684.9~~ 39,273.3**

SOURCE: CALEEMOD (V.2016.3.2)

With a total projected service population of ~~11,190~~10,608 under this alternative (this is equivalent to a 33% reduction in both residential and worker population, when compared to the proposed project), this alternative would generate approximately ~~2.84~~2.47 MT CO_2e/service population/year in the mitigated scenario (in Year 2035). This value is above the derived per capita GHG threshold of 1.94 MT CO_2e/service population/year for Year 2035. Additionally, this emissions per capita value would be the same as those generated by the proposed project. Therefore, this impact would be equal when compared to the proposed project.

3.0 3.0 ERRATA

Page 5.0-48 of the Draft EIR is amended a follows:

TABLE 5.0-10: COMPARISON OF ALTERNATIVE PROJECT IMPACTS TO THE WEST AREA SPECIFIC PLAN

ENVIRONMENTAL TOPIC	PROPOSED PROJECT[1]	NO PROJECT (NO BUILD) ALTERNATIVE	REDUCED LAND AREA PROJECT ALTERNATIVE	REDUCED RESIDENTIAL INTENSITY/DENSITY ALTERNATIVE	SMALLER-SCALE PROJECT ALTERNATIVE
SECTION 3.8 - POPULATION & HOUSING (POP)					
POP Impact 3.8-1	LS	Greater	~~Slightly Greater~~Equal	Slightly Greater	Slightly Greater
POP Impact 3.8-2	LS & LCC	Greater	~~Slightly Greater~~Equal	Slightly Greater	Slightly Greater

SECTION 7.0 REFERENCES

Section 7.0 of the Draft EIR is amended to include the following additional references:

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California Air Resources Board (CARB). 2014. Background Material: Almanac of Emissions and Air Quality 2013 Edition - Chapter 4 Regional Trends and Forecasts. Page last reviewed on February 7, 2014. Available: https://ww3.arb.ca.gov/aqd/almanac/almanac13/chap413.htm.

California Air Resources Board. 2019a. 2016 SIP Emission Projection Data. Statewide. Available: https://www.arb.ca.gov/app/emsinv/2017/emssumcat_query.php?F_YR=2012&F_DIV=-4&F_SEASON=A&SP=SIP105ADJ&F_AREA=CA#5.

California Air Resources Board. 2019b. AQMIS 2. Air Quality Data (PST) Query Tool. Accessed on July 11, 2019. Available: https://www.arb.ca.gov/aqmis2/aqdselect.php.

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https://www.epa.gov/co-pollution/basic-information-about-carbon-monoxide-co-outdoor-air-pollution#Effects

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United States Environmental Protection Agency (USEPA). 2018. National Air Quality: Status and Trends of Key Air Pollutants. Accessed: July 11, 2019. Available: https://www.epa.gov/air-trends

United States Environmental Protection Agency (USEPA). 2019a. Health Effects of Ozone Pollution. Accessed: July 11, 2019. Available: https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution

United States Environmental Protection Agency (USEPA). 2019b. Health Effects of Ozone In the General Population. Accessed: July 11, 2019. Available: https://www.epa.gov/ozone-pollution-and-your-patients-health/health-effects-ozone-general-population

United States Environmental Protection Agency (USEPA). 2019c. Health and Environmental Effects of Particulate Matter (PM). Accessed: July 12, 2019. Available: https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm

United States Environmental Protection Agency (USEPA). 2019d. Basic Information About Lead Pollution. Accessed: July 12, 2019. Available: https://www.epa.gov/lead-air-pollution/basic-information-about-lead-air-pollution#how

APPENDIX B

Appendix B of the Draft EIR includes additional information regarding models and tools for correlating project-generated criteria pollutant emissions to health end points. The following table is an addition to Appendix B.

ANALYSIS OF MODELS AND TOOLS TO CORRELATE PROJECT-GENERATED CRITERIA POLLUTANT EMISSIONS TO HEALTH END POINTS

TOOL	CREATED BY	DESCRIPTION	RESOLUTION	POLLUTANTS ANALYZED	PROJECT-LEVEL CEQA APPLICABILITY
AERMOD Modeling System[4,5]	AERMIC	A steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The modeling system incorporates air dispersion based on a planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain.	Project-level	SO_2, ROG, NO_2, Lead, $PM_{2.5}$, PM_{10}, NH_3	This model operates at the project-level and provides air dispersion modeling for a project's emissions on the surrounding environment. However, even with supplementary (i.e. additional software), the model cannot estimate specific health effects on receptors from the air dispersion modeling. Moreover, it cannot model the (complex) chemical reactions that occur between the ozone precursors (e.g. NOx and ROG) that generate ozone. Therefore, this model is not recommended for project-level CEQA analysis.
AirCounts[6]	Abt Assoc.	Online tool that helps large and medium-sized cities quickly estimate the health benefits of $PM_{2.5}$ emission reductions and economic value of those benefits. The tool estimates the number of deaths (mortality) avoided and economic value related to user-specified regional, annual $PM_{2.5}$ emissions reduction.	City-level	Primary $PM_{2.5}$	This tool is only illustrative, as it is limited to certain cities and does not target specific sectors. The tool is not sector specific, and includes limited California data. It cannot provide results at a project-level. Therefore, the tool is not recommended for project-level CEQA analysis.
Air Pollution Emission Experiments and Policy analysis (APEEP) model[7]	Mueller and Mendelsohn2006, 2009	The Air Pollution Emission Experiments and Policy (APEEP) analysis model (Muller and Mendelsohn 2006, 2009) is a traditional integrated assessment model. Like other integrated assessment models, APEEP connects emissions of air pollution through air-quality modeling to exposures, physical effects, and monetary damages. Making these links requires the use of findings reported in the peer-reviewed literature across several scientific disciplines. The air-quality models in APEEP use the emission data provided by EPA to estimate corresponding ambient concentrations in each county in the coterminous	National or county-level	SO_2, ROG, NO_x, Ozone, $PM_{2.5}$, PM_{10}	The model operates at the national scale but may be applied at the county-level (although it is not clear how this adjustment should be made). It cannot provide results at a project-level. The tool is also not commercially available. Therefore, the tool is not recommended for project-level CEQA analysis.

[4] See: https://www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models
[5] Note: May require additional software to estimate the level of each specific pollutant at the modeled receptors.
[6] See: https://www.abtassociates.com/tools
[7] See: https://public.tepper.cmu.edu/nmuller/APModel.aspx

TOOL	CREATED BY	DESCRIPTION	RESOLUTION	POLLUTANTS ANALYZED	PROJECT-LEVEL CEQA APPLICABILITY
		states.			
CALINE3/ CAL3QHC/ CAL3QHCR[1, 2]	USEPA	A steady-state Gaussian dispersion model designed to determine air pollution concentrations at receptor locations downwind of highways located in relatively uncomplicated terrain. CALINE3 is incorporated into the more refined CAL3QHC and CAL3QHCR models. CAL3QHCR is a more refined version based on CAL3QHC that requires local meteorological data.	Project-level	SO_2, ROG, NO_2, Lead, $PM_{2.5}$, PM_{10}	This model operates at the project-level and provides air dispersion modeling for a project's emissions on the surrounding environment. However, even with supplementary (i.e. additional software), the model cannot estimate specific health effects on receptors from the air dispersion modeling. Moreover, it cannot model the (complex) chemical reactions that occur between the ozone precursors (e.g. NOx and ROG) that generate ozone. Therefore, this model is not recommended for project-level CEQA analysis.
Complex Terrain Dispersion Model Plus Algorithms for Unstable Situations (CTDMPLUS)[1, 2]	USEPA	A refined point source gaussian air quality model for use in all stability conditions for complex terrain. The purpose of the model is to provide a practical, refined plum model for elevated point sources near complex terrain.	Project-level	SO_2, ROG, NO_2, Lead, $PM_{2.5}$, PM_{10}	This model operates at the project-level and provides air dispersion modeling for a project's emissions on the surrounding environment. However, even with supplementary (i.e. additional software), the model cannot estimate specific health effects on receptors from the air dispersion modeling. Moreover, it cannot model the (complex) chemical reactions that occur between the ozone precursors (e.g. NOx and ROG) that generate ozone. Therefore, this model is not recommended for project-level CEQA analysis.
Co-Benefits Risk Assessment (COBRA)[8]	USEPA	Preliminary screening tool that contains baseline emission estimates of a variety of air pollutants for a single year. COBRA is targeted to state and local governments as a screening assessment for clean energy policies. EPA's CO–Benefits Risk Assessment (COBRA) screening model is a free tool that helps state and local governments: • Explore how changes in air pollution from clean energy policies and programs; • Estimate the economic value of the health benefits associated with clean energy policies and programs to compare against program costs; • Map and visually represent the air quality, human health, and health-related economic benefits from reductions in emissions of particulate matter ($PM_{2.5}$), sulfur dioxide ($S0_2$),	National, regional, state, or county-levels	$PM_{2.5}$, SO_2, NO_x, NH_3, and ROG	COBRA is a preliminary screening tool only and cannot be used at sub-county resolution. It cannot provide results at a project-level. It also does not account for secondary emission changes resulting from market responses. Accordingly, the tool is not recommended for project-level CEQA analysis.

[8] See: https://www.epa.gov/statelocalenergy/co-benefits-risk-assessment-cobra-health-impacts-screening-and-mapping-tool

TOOL	CREATED BY	DESCRIPTION	RESOLUTION	POLLUTANTS ANALYZED	PROJECT-LEVEL CEQA APPLICABILITY
		nitrogen oxides (NO_X), ammonia (NH_3), and volatile organic compounds (VOCs) that result from clean energy policies and programs.			
Environmental Benefits and Mapping Program-Community Edition (BenMAP-CE)[9]	USEPA	The USEPA's detailed model for estimating the health impacts from air pollution. It relies on input concentrations and applies concentration-response (C-R) health impact functions, which relate a change in the concentration of a pollutant with a change in the incidence of a health endpoint, including premature mortality, heart attacks, chronic respiratory illnesses, asthma exacerbation and other adverse health effects. Detailed inputs are required for air quality changes (concentrations from AERMOD), population, baseline incidence rates, and effect estimates.	National, County, City, and sub-regional levels	Ozone, PM, NO_2, SO_2, CO	This model cannot provide results at a project-level. Accordingly, the tool is not recommended for project-level CEQA analysis.
Fast Scenario Screening Tool (TM5-FASST)[10]	Joint Research Centre (Italy)	A tool that allows users to evaluate how air pollutant emissions affect large scale pollutant concentrations and their impact on human health (mortality and years of life lost) and crop yield from national to regional air quality policies, such as climate policies. The target policy domains are national to regional air quality policies, or air pollutant scenarios linked to other policy domains (e.g. climate policy). The tool is web-based and does not require coding or modelling. Users must gain access through publishers.	Global and national-levels	$PM_{2.5}$, Ozone, NO_x, NH_3, CO, ROG, CH_4, SO_2	This tool is applicable at national to global scales. It cannot provide results a project-level. Accordingly, the tool is not recommended for project-level CEQA analysis.
Long-range Energy Alternatives Planning System-Integrated Benefits Calculator (LEAP-IBC)[11]	Climate and Clean Air Coalition (CCAC)	A calculator that allows users to rapidly estimate the impacts of reducing emissions on health, climate, and agriculture. The tool uses sensitivity coefficients that link gridded emissions of air pollutants and precursors to health, climate and agricultural impacts at a national level. The tool is primarily used for policy analysis. The tool is currently Excel-based and is available through the developers only. A web-based interface is currently under development.	National-level	$PM_{2.5}$, Ozone, NO_2	This tool is applicable at national scale. Accordingly, the tool is not recommended for project-level CEQA analysis.
Methodology for Estimating Premature Deaths Associated with	California Air Resources Board	The staff report identifies a relative risk of premature death associated with $PM_{2.5}$ exposure based on a review of all relevant scientific literature, and a new relative risk factor was developed. This new factor is a 10% increase in risk of	National	$PM_{2.5}$	The primary author of the CARB staff report notes that the analysis method is not suited for small projects and may yield unreliable results due to various uncertainties. The tool also cannot provide

[9] See: https://www.epa.gov/benmap
[10] See: http://tm5-fasst.jrc.ec.europa.eu/
[11] See: https://www.ccacoalition.org/en/resources/long-range-energy-alternatives-planning-integrated-benefits-calculator-leap-ibc-factsheet

TOOL	CREATED BY	DESCRIPTION	RESOLUTION	POLLUTANTS ANALYZED	PROJECT-LEVEL CEQA APPLICABILITY
Long-Term Exposure to Fine Airborne Particulate Matter in California[12]		premature death per 10 μg/m³ increase in exposure to $PM_{2.5}$ concentrations (uncertainty interval: 3% to 20%)			results on a project-level. Accordingly, the tool is not recommended for project-level CEQA analysis.
Multi-Pollutant Evaluation Method (MPEM)[13]	BAAQMD	Estimates the impacts of control measures on pollutant concentration, population exposures, and health outcomes for criteria, toxic, and GHG pollutants. Monetizes the value of total health benefits from reductions in $PM_{2.5}$, ozone, and certain carcinogens, and the social value of GHG reductions. MPEM was designed for development of a Clean Air Plan for the San Francisco Bay Area. The inputs are specific to the SF region and are not appropriate for projects outside BAAQMD.	Regional level in the SFBAAB	Ozone, PM, air toxics, GHG	This tool is designed to support the BAAQMD in regional planning and emissions analysis within the San Francisco Bay Area Air Basin (SFBAAB). The model applies changes in pollutant concentrations over a four-square kilometer grid. The tool also cannot provide results on a project-level. Additionally, this tool is only applicable for the SFBAAB. Accordingly, the tool is not recommended for project-level CEQA analysis.
Offshore and Coastal Dispersion Model Version 5 (OCD)[1, 2]	USEPA	A straight-line Gaussian model developed to determine the impact of offshore emissions from point, area or line sources on the air quality of coastal regions. OCD incorporates overwater plume transport and dispersion as well as changes that occur as the plume crosses the shoreline. Hourly meteorological data are needed from both offshore and onshore locations.	Project-level	SO_2, ROG, NO_2, Lead, $PM_{2.5}$, PM_{10}	This model operates at the project-level and provides air dispersion modeling for a project's emissions on the surrounding environment. However, even with supplementary (i.e. additional software), the model cannot estimate specific health effects on receptors from the air dispersion modeling. Moreover, it cannot model the (complex) chemical reactions that occur between the ozone precursors (e.g. NOx and ROG) that generate ozone. Therefore, this model is not recommended for project-level CEQA analysis.
Response Surface Model (RSM)-based Benefit-per-Ton Estimates[14]	USEPA	Consists of tables reporting the monetized $PM_{2.5}$-related health benefits from reducing $PM_{2.5}$ precursors from certain source types nationally and for 9 US cities/regions. Applying these estimates simply involves multiplying the emissions reduction by the relevant benefit per-ton metric. The resulting value is the PM mortality risk estimate at a 3% discount rate.	National or regional (San Joaquin County only) levels	SOx, VOC, NH_3, NO_x	RSM includes regional values specific to San Joaquin County. The values are also dated. Accordingly, the tool is not recommended for project-level CEQA analysis.
Sector-based Benefit-per-Ton	USEPA	Two specific sets of Benefit-per-ton (BPT) estimates for 17 key source categories are available. Both are a reduced-form approach based on BenMAP modeling. Applying these factors involves multiplying the emissions reduction (in	National-scale	$PM_{2.5}$, SO_2, NO_x	The BPT estimates do not account for project-specific emissions or receptor locations, local dispersion characteristics, or regional photochemistry. The resultant health effects are therefore reflective of

[12] See: https://ww3.arb.ca.gov/research/health/pm-mort/pmmortalityreportfinalr10-24-08.pdf
[13] See: http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/mpem_nov_dec_2016-pdf.pdf?la=en
[14] See: https://www.epa.gov/benmap/response-surface-model-rsm-based-benefit-ton-estimates

TOOL	CREATED BY	DESCRIPTION	RESOLUTION	POLLUTANTS ANALYZED	PROJECT-LEVEL CEQA APPLICABILITY
Estimates[15]		tons) by the relevant benefit (economic value) or incidence (rates of mortality and morbidity) per-ton metric. The resulting value is the economics, mortality, and morbidity of direct and indirect $PM_{2.5}$ emissions.			national averages and may not be accurate when applied to the project-level. Accordingly, the tool is not recommended for project-level CEQA analysis.

[15] See: https://www.epa.gov/benmap/sector-based-pm25-benefit-ton-estimates. The updated Technical Support Document (February 2018) is available at: https://www.epa.gov/sites/production/files/2018-02/documents/sourceapportionmentbpttsd_2018.pdf

APPENDIX B

Appendix B of the Draft EIR includes revised output files from updated CalEEMod model runs.

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FINAL MITIGATION MONITORING AND REPORTING PROGRAM

4.0

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Salinas West Area Specific Plan Project (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A FMMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR, some of which were revised after the Draft EIR were prepared. These revisions are shown in Chapter 3.0 of the Final EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP. The FMMRP also includes mitigation measures which are required by the *Final Environmental Impact Report, Salinas General Plan* (Cotton Bridges Associates 2002).

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Salinas will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures**: The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing**: Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility**: Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification**: This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
AIR QUALITY				
Impact 3.1-2: Project operation has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation	***Mitigation Measure 3.1-1:*** *Prior to approval of development review permits including tentative maps, the project applicant(s) shall incorporate the following features into project plans and specifications, as directed by the City of Salinas:* • *Provide traffic calming measures wherever feasible, within the Specific Plan Area;* • *Provide preferential carpool/vanpool parking spaces;* • *Provide electric-vehicle parking spaces;* • *Require the use of low-VOC paint for all new building architectural coatings within the Specific Plan Area, consistent with or better than, what is required by the City's Municipal Code.*	City of Salinas Community Development Department	Prior to approval of development review permits including tentative maps	
	Mitigation Measure 3.1-2: *Prior to approval of development review permit(s), the project applicant(s) shall incorporate effective methods to encourage the use of cleaner alternative fuel vehicles and carpooling within the Specific Plan Area. Effective methods may include the installation of alternative fuel (e.g. electric) charging stations at locations spaced throughout the Specific Plan Area, consistent with or better than what is required by the City's Municipal Code and Specific Plan. Additionally, this can be achieved by providing preferential parking for alternatively-powered vehicles, including electric cars, and/or by providing carpool/vanpool parking spaces.*	City of Salinas Community Development Department	Prior to approval of development review permit(s)	
	Mitigation Measure 3.1-3: *Prior to approval of development review permit(s), the project applicant(s) shall incorporate the use of alternative energy for the residential and mixed-use/commercial developments, including by implementing alternative energy (e.g. PV solar) building requirements, consistent with or better than, what is required by the City's Municipal Code. Project applicant(s) shall also ensure that pre-installed electrical hookups and/or charging stations, as applicable, are incorporated into all project plans and specifications.*	City of Salinas Community Development Department	Prior to approval of development review permit(s)	
	Mitigation Measure 3.1-4: *Prior to the issuance of building permits, the project applicant(s) shall provide plans that demonstrate that low-flow (high-efficiency) indoor water fixtures will be installed throughout the Specific Plan Area, including for bathroom and kitchen faucets, toilet fixtures,*	City of Salinas Community Development	Prior to the issuance of building permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	and showers, in both residential and non-residential buildings, in compliance with or better than the standards required within the most recent version of the California Green Building Standards Code.	Department		
	Mitigation Measure 3.1-5: *Prior to the issuance of building permits, the project applicant(s) shall provide plans that demonstrate that water-efficient irrigation systems will be installed throughout the Specific Plan Area, consistent with or better than the requirements contained within the State's Model Water Efficient Landscape Ordinance, the City's Water Conservation Ordinance and the Salinas Zoning Code Landscaping and Irrigation requirements.*	City of Salinas Community Development Department	Prior to the issuance of building permits	
	Mitigation Measure 3.1-6: *Prior to approval of improvement plans or development review permits, as applicable, the project applicant(s) shall ensure that pedestrian/bicycle facilities (e.g. pedestrian paths, outdoor bike racks, etc.) are provided within the Specific Plan Area, in coordination with and subject to approval by the City of Salinas. The project proponent shall also provide bicycling parking near the entrance to commercial establishments within the Specific Plan Area, consistent with or better than the requirements contained within the City's Municipal Code.*	City of Salinas Community Development Department	Prior to approval of improvement plans or development review permits, as applicable	
	Mitigation Measure 3.1-7: *Prior to the issuance of development review permit(s), the project applicant(s) shall incorporate of one or more of the following additional Specific Plan Area requirements, as determined by the City of Salinas:* • *Install secured bicycle storage facilities (bike lockers, cages, interior space, or similar as approved by the City Engineer) at all commercial and public facilities with 50 employees or more;* • *Incorporate a park-and-ride lot;* • *Install Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% of total available parking spaces); and*	City of Salinas Community Development Department	Prior to approval of development review permit(s)	
	• *Install publicly-available dual post Level 2 charge stations within commercial zones, and/or other zones as deemed acceptable by the City of Salinas. (Note: The 'level' of the charging station refers to the voltage that the electric vehicle charger uses. Level 1 charging is your typical traditional home outlet, while level 2 is a 240 Volt Portable Cordset or Wall-mounted Charging Station (2-10 hours*	City of Salinas Community Development Department	Prior to approval of development view permits including	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	charging). ***Mitigation Measure 3.1-8:*** *Prior to the approval of individual phases (i.e. tentative maps, commercial design review, etc.), the project applicant(s) shall develop an offsite mitigation program that provides funding to offset the project-generated air emissions that are still above the Air District's operational criteria pollutant thresholds after the adoption of other applicable air quality mitigation measures. The offsite mitigation program is subject to the review and approval of the Air District and the City of Salinas on a project-by-project basis (of phase-by-phase), and is intended to be in addition to offsets that are obtained through any on-site mitigation measures. Example projects that could be included in the offsite mitigation program may include, but are not limited to, the following:* • *Replace existing agricultural combustion-based generators/pumps with electric agricultural water pumps (in place of generators/pumps;* • *Replace combustion school buses with electric school buses within the local community;* • *Install adaptive traffic control systems;* • *Install solar photovoltaic (PV) systems.*		tentative maps	
Impact 3.1-3: Project construction has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation	***Mitigation Measure 3.1-9:*** *Prior to the issuance of grading permits, the project applicant shall prepare a grading plan subject to review and approval by the City. In the event that ground-disturbance exceeds 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (e.g., grubbing, excavation, rough grading), and 8.1 acres per day for activities that involve minimal earth-moving (e.g., finish grading), the required grading plans shall include the following measures to be implemented as needed to prevent visible dust emissions:* • *Water all active construction sites to prevent visible dust emissions. Frequency should be based on the type of operation, soil, and wind exposure;* • *Prohibit grading and earthmoving activities, and cover stock piles, during periods of high wind (over 15 mph);* • *Limit vehicle speed on construction sites to 15 mph.* • *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);* • *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas*	City of Salinas Community Development Department Monterey Bay Air Resources District	Prior to the issuance of grading permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	after cut and fill operations and hydroseed area; • *Maintain at least 1-foot of freeboard in each haul truck;* • *Provide windbreaks on the windward perimeter of construction projects where adjacent to open land;* • *Cover inactive storage piles;* • *Sweep streets if visible soil material is carried out from the construction site;* • *Post a publicly visible sign written in English and Spanish which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to ensure compliance with Rule 402 (Nuisance). The sign shall be in accordance with MBARD and/or City requirements, as applicable;* • *Use cleaner construction equipment that conforms to EPA's Tier 3 or Tier 4 emission standards; and/or* • *Further, where feasible construction should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*			
Impact 3.1-5: The proposed project has the potential for public exposure to toxic air contaminants	***Mitigation Measure 3.1-10:*** *Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations), the project applicant shall, at a minimum, perform prioritization screening in accordance with the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act. The prioritization screening shall be performed in accordance with the California Air Pollution Control Officers Association Air Toxic "Hot Spots" Program guidance. The prioritization screening shall also be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which will be responsible for determining which facilities based on their prioritization screening score, must perform a health risk assessment. In determining the need to prepare a health risk assessment, the Monterey Bay Air Resources District considers the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors specific to the facility that indicate that it may pose a significant health risk.* *If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant shall assess the facilities for the*	City of Salinas Community Development Department Monterey Bay Air Resources District	Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations)	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). As of the time of this writing, the commonly accepted threshold for cancer risk is 10 in a million for carcinogens, and the reference exposure level for non-carcinogens (HI = 1). Facilities that exceed the applicable threshold(s) have the potential to expose the public to toxic air contaminants levels that would be considered significant. Facilities that exceed the applicable threshold(s) must incorporate mitigation to reduce the risks from emission of toxic air contaminants to an acceptable level (i.e., to a level that does not exceed the applicable threshold[s]). Potential mitigation includes: reducing the size of the facility area; rearranging the site to reduce the potential for impacts on the nearest sensitive receptors; and utilizing products that reduce the level of toxic air contaminants, or removal of such products from the operational phase of the project.			
Impact 3.1-7: Cumulative impact on the region's air quality	*Implement Mitigation Measures 3.1-1 through 3.1-10.*	See Mitigation Measures 3.1-1 through 3.1-8	See Mitigation Measures 3.1-1 through 3.1-8	
BIOLOGICAL RESOURCES				
Impact 3.2-2: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS - Reptile and Amphibian	***Mitigation Measure 3.2-1:*** *Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CTS. The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS, CDFW, or the City's Community Development Director determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CTS habitat.* ***Mitigation Measure 3.2-2:*** *Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to California tiger*	City of Salinas Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist City of Salinas	Prior to issuance of grading and/or building permits Prior to	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	salamander, the proposed project activities shall be compliant with all Avoidance and Minimization Measures imposed by the USFWS and CDFW during Construction Activities. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by a biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.	Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist	issuance of grading and/or building permits	
	Mitigation Measure 3.2-3: *Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CRLF. The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS, CDFW, or the City's Community Development Director determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CRLF habitat.*	City of Salinas Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist	Prior to issuance of grading and/or building permits	
	Mitigation Measure 3.2-4: *Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to CRLF, the proposed project activities shall be compliant with all Avoidance and Minimization Measures imposed by the USFWS and CDFW during Construction Activities. Examples of standard avoidance and minimization measures include: 1)*	City of Salinas Community Development Department California	Prior to issuance of grading and/or building permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CRLF migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.	Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist		
Impact 3.2-3: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS - Birds	***Mitigation Measure 3.2-5:*** *Building and grading permits and plans issued for development in the Specific Plan Area shall note the following: If construction activities occur during the avian breeding season (February 1 – September 15) then the project proponent shall conduct pre-construction surveys to prevent impacts to nesting birds. No more than 15 days prior to the start of construction a bird survey shall be conducted by a qualified biologist to identify any active nests within 300 feet of the construction zone, and shall be submitted to the City. If construction stops for a period of 15 days or more during the avian breeding season than an additional bird survey shall be conducted. The biologist will conduct a survey within 300 feet of the construction zone for all special-status birds protected by the federal and state ESA, MBTA and CFGC. The biologist shall map all nests that are within, and visible from, 300 feet of the construction zone. If nests are identified, the biologist shall map the location and establish a minimum 300-foot buffer zone around active nests. Construction activity shall be prohibited within the buffer zones until the young have fledged. Nests shall be monitored at least twice per week during the nesting season and a report submitted to the City and CDFW monthly.*	City of Salinas Community Development Department Qualified Biologist California Department of Fish and Wildlife	In conjunction with issuance of building and grading permits and plans	
Impact 3.2-5: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a	***Mitigation Measure 3.2-6:*** *Grading and/or building permits and plans issued for development in the Specific Plan Area shall note the following: Fifteen days prior to construction activities within 200 feet of the residential complexes located along Natividad Road and San Juan Grade Road, the project applicant shall retain a qualified biologist familiar with bat biology to perform a preconstruction survey for roosting special-status bats; and shall be submitted to the City. The survey shall include a minimum of one daytime and one evening survey. The survey shall cover the trees, structures,*	City of Salinas Community Development Department Qualified Biologist	In conjunction with issuance of building and/or grading permits and plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS - Mammals	*and debris located within these complexes. If active roosting is observed, removal of the tree or building shall be avoided until the bats can be excluded. All active non-maternity roosting sites shall be fitted with passive exclusion devices, such as one-way flaps or doors, and all bats shall be allowed to leave voluntarily. Once it is confirmed that all bats have left the roost (minimum of five days), crews shall be allowed to continue work in the area. If a maternity roosting site is discovered, a minimum 50-foot buffer shall be established around the roost. The project applicant shall consult with the qualified biologist in order to determine if a greater buffer is warranted based on the bat species, roost location, and specific construction activities to be performed in the vicinity. The buffer shall stay in effect until all young are determined to be volant (i.e., able to fly and feed independently) by a qualified biologist. Once it is determined that all young are volant (generally by August 1st), passive exclusion devices shall be installed and all bats shall be allowed to leave voluntarily. Once it is determined by a qualified biologist that all bats have left the roost (minimum of five days), crews shall be allowed to work within the buffer zone. Project Improvement Plans will include this measure as a note in the plans.*			
Impact 3.2-7: The proposed project has the potential to have substantial adverse effect on federally - or state- protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	***Mitigation Measure 3.2-7:*** *Prior to grading/building permit issuance in an area that would disturb the irrigation ditches and/or roadside ditches, the project applicant shall obtain a jurisdictional determination from the USACE and CDFW for the ditches that are proposed to be disturbed. If these regulatory agencies concur that these facilities are exempt, then no further mitigation is necessary. If it is determined that these facilities are not exempt, authorization for fill from the regulatory agencies (USACE-404 permit, RWQCB-401 certification, 1600 Streambed Alteration Agreement) will be necessary and a permit shall be adhered to throughout the construction phase. At a minimum, the project applicant shall replace on a "no net loss" basis (minimum 1:1 ratio) the acreage and function of all wetlands and other waters that would be removed, lost, or degraded as a result of project implementation or operations, although a higher mitigation measure may be required by the USACE, RWQCB, and CDFW through their permitting processes. Wetland habitat shall be replaced at acreage and location agreeable to the USACE, RWQCB, and CDFW and as determined during the Section 401, 404, and 1600 permitting processes.*	City of Salinas Community Development Department U.S. Army Corps of Engineers Regional Water Quality Control Board California Department of Fish and Wildlife	Prior to grading / building permit issuance in an area that would disturb the irrigation ditches and/or roadside ditches	
CULTURAL AND TRIBAL RESOURCES				

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
Impact 3.3-1: Project implementation may cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5	***Mitigation Measure 3.3-1:*** *In the event that evidence of archaeological or historical features or deposits (e.g., ceramic shard, trash scatters, lithic scatters) are uncovered (discovered) during excavation and/or grading, all work shall stop in the area of the subject property until an appropriate data recovery program can be developed and implemented by a qualified archaeologist. This archaeologist shall determine whether the uncovered deposits or features qualify as either "historical resources" within the meaning of CEQA Guidelines section 15064.5, subdivision (a), "unique archaeological resources" as defined in Public Resources Code section 21083.2, subdivision (g), or "tribal cultural resources," as defined in Public Resources Code section 21074. If historical resources, unique archaeological resources, or tribal cultural resources are present, the project proponent shall preserve any such resources or implement any feasible mitigation measures identified by the archaeologist and imposed by the City. Recommended mitigation measures shall be reviewed by the City Planner and shall be approved if feasible in light of project design, logistics, and cost considerations and, if approved, shall be implemented and completed prior to commencing further work for which grading or building permits were issued, unless otherwise directed by the City Planner. Data recovery shall be an option if preservation in place is infeasible. Where resources have been determined to be "unique archaeological resources" but not "historical resources" or "tribal cultural resources," the project proponent's obligations shall be limited as set forth in Public Resources Code section 21083.2, subdivisions (d), (e), and (f). Grading/building permits and plans shall note this measure.*	City of Salinas Community Development Department Qualified Archaeologist	In the event that evidence of archaeological or historical features or deposits (e.g., ceramic shard, trash scatters, lithic scatters) are uncovered (discovered) during excavation and/or grading	
Impact 3.3-2: Project implementation may cause a substantial adverse change in the significance of archaeological resource pursuant to CEQA Guidelines §15064.5	*Implement Mitigation Measure 3.3-1.*	See Mitigation Measure 3.3-1	See Mitigation Measure 3.3-1	
Impact 3.3-3: Project implementation may directly or indirectly destroy a unique paleontological resource	***Mitigation Measure 3.3-2:*** *If paleontological resources are discovered during the course of construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Salinas shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where the resource could be*	City of Salinas Community Development Department Qualified	If paleontological resources are discovered during the course of	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	curated and displayed for public education purposes. Grading/ building permits and plans shall note this measure.	Paleontologist	construction	
Impact 3.3-4: Project implementation may disturb human remains, including those interred outside of formal cemeteries	***Mitigation Measure 3.3-3**: If human remains are found during construction within the Specific Plan Area, or at off-site infrastructure improvement locations, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archeological monitor and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:* *a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission;* *b) the descendent identified fails to make a recommendation; or* *c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.* *Grading permit/building permit plans shall note this measure.*	City of Salinas Community Development Department Monterey County Coroner Native American Heritage Commission	If human remains are discovered during the course of construction within the Specific Plan Area	
GREENHOUSE GASES AND CLIMATE CHANGE				
Impact 3.4-1: Potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	***Mitigation Measure 3.4-1**: Prior to the approval of the tentative maps and development review permits, as applicable, pursuant to CEQA Guidelines section 15183.5(b), Plans for the Reduction of Greenhouse Gas Emissions, the project applicant shall prepare a Greenhouse Gas Reduction Plan (GGRP) aimed at achieving specific performance standards. The GGRP shall include the following:*	City of Salinas Community Development Department	Prior to the approval of the tentative maps and development review permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	1) The GGRP shall achieve a per capita operational emissions level of 1.94 MT CO_2e/service population/year by year 2035, and 0.80 MT CO_2e/service population/year by year 2050. *2) Calculation of GHG emissions projection using an acceptable modeling tool such as the most recent version of CalEEMod.* *GHG reduction measures may include building and site energy reduction measures, measures to reduce project-generated vehicle miles traveled, or other measures. Off-site measures such as participation in a community-wide GHG reduction program(s), if any are adopted, or payment of GHG reduction fees (carbon offsets) into a qualified existing program, if one is in place, may be considered after all feasible on-site reduction measures are considered. The effectiveness of the GHG reduction measures included in the GGRP must be verifiable based on evidence presented in the GGRP. Representative GHG reduction measures which may be considered may include, but are not limited to:* • *Measures identified by the California Air Pollution Control Officers' Association in Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures or updates to this document as may occur from time to time.* • *Applicable measures identified in guidance from MBARD, if any, and/or in guidance provided by other regional air districts such as the Bay Area Air Quality Management District, Sacramento Metropolitan Air Quality Management District, San Luis Obispo County Air Pollution Control District, or other agencies with adopted GHG reduction guidance that is applicable on the date the project application is deemed complete by the City.* *If sufficient feasible GHG reduction measures are unavailable to reduce GHG emissions to below the threshold of significance, the project applicant shall include evidence in the GGRP to this effect. The GGRP shall be subject to review and approval of the City of Salinas Community Development Department prior to approval of the tentative map or development review application, as applicable.* *Implementation of this mitigation measure shall not be required if the City has a qualified GHG reduction plan in place on the date a future individual project application is deemed complete, the qualified GHG reduction plan*			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	reflects the most recent legislatively-adopted GHG reduction targets (e.g., the 2030 target set by SB 32), includes an inventory of projected GHG emissions from development within the Specific Plan Area, and includes GHG reduction measures applicable to development within the Specific Plan Area whose implementation is required as a condition of approval of such projects.			
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.5-1: Potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment	***Mitigation Measure 3.5-1****: Prior to issuance of grading permits or building permits, (including the issuance of demolition permits for agricultural support buildings) as applicable, the applicant shall hire a qualified consultant to:* *1) Provide a final evaluation of the soils around the agricultural operations support buildings (residences, warehouses, barns, etc.) before they are demolished. If toxic levels of residual agrichemicals or surface staining are found, the contaminated soil shall be excavated and disposed of at an off-site disposal facility permitted to accept such waste. Any contaminated areas shall be remediated by the project applicant in accordance with recommendations made by the Monterey County Health Department Hazardous Materials Management Services, Regional Water Quality Control Board, Department of Toxic Substances Control, or other appropriate federal, State, or local regulatory agencies.* *2) Investigate structures for asbestos-containing materials and lead. If asbestos-containing materials and/or lead are found in the buildings, a Cal-OSHA certified ACBM and lead based paint contractor shall be retained to remove the asbestos-containing materials and lead in accordance with U.S. EPA and California Occupational Safety and Health Administration (Cal/OSHA) standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos and lead worker construction standards. Any ACBM and lead shall be disposed of properly at an appropriate offsite disposal facility.*	City of Salinas Community Development Department	Prior to issuance of grading permits or building permits, (including the issuance of demolition permits for agricultural support buildings) as applicable	
	Mitigation Measure 3.5-2: *Prior to the issuance of grading permits, existing water wells within the grading area shall be destroyed under permit from the City of Salinas and/or the Monterey County Health Department, as applicable. Any destruction of these facilities shall be in accordance with the Monterey County Well Standards for Abandonment/Destruction. The project*	City of Salinas Community Development Department Monterey	Prior to the issuance of grading permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	applicant shall provide the City of Salinas with a copy of the permit and a report or other information documenting the appropriate destruction of these facilities. ***Mitigation Measure 3.5-3:*** *Prior to the issuance of building permits, the water well or wells that will be providing water for the applicable portion of the Specific Plan Area, shall be constructed and tested for water quality under permit from the Monterey County Health Department. The project applicant shall provide the City of Salinas with a copy of the permit and a report or other information documenting the appropriate construction and operation of these facilities.*	County Health Department City of Salinas Community Development Department Monterey County Health Department	Prior to the issuance of building permits	
Impact 3.5-2: Create a significant hazard to school sites due to siting or the placement of infrastructure	***Mitigation Measure 3.5-4:*** *The property line of all school sites (even if it is a joint use agreement as described in subsection (o) of § 14010) shall be at least the following distance from the edge of respective power line easements as identified in the California Code of Regulations Title 5, Article 2. School Sites § 14010. Standards for School Site Selection (c).* • *100 feet for power lines that are between 50 and 133 kV.*	City of Salinas Community Development Department	Prior to approval of improvement plans for any school site	
HYDROLOGY AND WATER QUALITY				
Impact 3.6-1: The proposed project has the potential to violate water quality standards or waste discharge requirements during construction	***Mitigation Measure 3.6-1:*** *Prior to issuance of grading permits, the project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the City of Salinas prior to submitting to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed to be effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and shall not preclude the use of equally or more effective new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City*	City of Salinas Public Works Department Regional Water Quality Control Board	Prior to issuance of grading permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	of Salinas. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.			
Impact 3.6-2: The proposed project has the potential to violate water quality standards or waste discharge requirements during operation	***Mitigation Measure 3.6-2:*** *Prior to the approval of site improvement plans, the project applicant shall submit to the Salinas Public Works Department a Stormwater Control Plan detailing plans and calculations for water quality best management practices (BMPs) and water quality detention/retention basins designed to meet the applicable regulatory requirements and to reduce contaminant loadings to receiving waters to the maximum extent practicable.* *The Improvement Plans shall be consistent with the City's NPDES permit requirements at the time of permitting. The NPDES permit granted to the City of Salinas by the Central Coast RWQCB (RWQCB – Central Coast Region, 2012) requires the following:* *I. Erosion and Sediment Control BMPs – Erosion control and sediment control BMPs shall be designed, installed, and maintained to reduce the discharge of pollutants from construction sites to the maximum extent practical (MEP) and protect water quality;* *II. Erosion and sediment from slopes and channels shall be controlled by implementing an effective combination of erosion control (source control) and other sediment control BMPs; and* *III. Soil Stabilization – Stabilization of disturbed areas shall, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased.* *Additionally, the Improvement Plans shall be consistent with the requirements of the City's Stormwater Development Standards for New and Redevelopment Projects. The City of Salinas Stormwater Standards for New and Redevelopment Projects (City of Salinas, 2013a) require the following practices:* *I. Limit disturbance of creeks and natural drainage features and provide setbacks according to the City's latest NPDES permit;* *II. Minimize compaction of highly permeable soils; and* *III. Limit clearing and grading of native vegetation to the minimum needed to build the project and provide fire protection.*	City of Salinas Public Works Department	Prior to the approval of site improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Mitigation Measure 3.6-3: *Prior to the approval of site improvement plans, the project applicant shall submit to the Salinas Public Works Department a Stormwater Control Plan detailing plans and calculations for water quality best management practices (BMPs) and water quality detention basins designed to prevent to the maximum extent practicable the creation of new sources of polluted runoff. The detailed plans and calculations shall be subject to review and approval by the Salinas Public Works Department.* ***Mitigation Measure 3.6-4:*** *Prior to the approval of site improvement plans, the project applicant shall submit to the Salinas Public Works Department detailed plans and calculations for supplemental retention and peak flow control. BMPs will be designed to meet regulatory requirements and to reduce peak flows during storm events below peak flows under pre-project conditions. The detailed plans and calculations shall be subject to review and approval by the Salinas Public Works Department.*	City of Salinas Public Works Department City of Salinas Public Works Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans	
Impact 3.6-3: The proposed project has the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge	***Mitigation Measure 3.6-5:*** *Prior to the approval of site improvement plans, the project applicant shall site, and design and include an Operation and Maintenance Plan for stormwater retention/infiltration basins and infiltration promoting BMPs sufficient to assure that there is no reduction in groundwater recharge. In order to assure there is no reduction in recharge, the plan shall result in circumstances which maintain infiltration to support baseflow and interflow to wetlands and surface waters, and deep vertical infiltration to groundwater. The site, design, and installation shall be consistent with the requirements of the City's Stormwater Development Standards for New and Redevelopment Projects. The contents of the site, design, and installation shall be included in a stormwater control plan. The stormwater control plan shall be reflected on the Improvement Plans, subject to review and approval by the Salinas Public Works Department.* ***Mitigation Measure 3.6-6:*** *Prior to the approval of site improvement plans, the project applicant shall site, design, and include an Operation and Maintenance Plan for post-construction BMPs and supplemental stormwater detention basins in accordance with City of Salinas stormwater development standards. Maintenance procedures (including frequency of procedure, cleaning schedules, applicant responsibility for each procedure, performance standards, or other means) and funding mechanisms shall be established for those facilities to assure adequate long-term performance and success in treating the water and controlling infiltration into the groundwater. The Improvement Plans and Operation and Maintenance Plan shall be subject to*	City of Salinas Public Works Department City of Salinas Public Works Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	review and approval by the Salinas Public Works Department.			
Impact 3.6-5: The proposed project has the potential to otherwise substantially degrade water quality	*Implement Mitigation Measure 3.6-1.*	See Mitigation Measure 3.6-1	See Mitigation Measure 3.6-1	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
NOISE				
Impact 3.7-1: The proposed project has the potential to increase traffic noise levels at existing receptors	*Implement Mitigation Measures 3.7-1 and 3.7-8.*	See Mitigation Measures 3.7-1 through 3.7-8	See Mitigation Measures 3.7-1 through 3.7-8	
Impact 3.7-2: The proposed project has the potential to increase noise levels associated with construction activities	***Mitigation Measure 3.7-1:*** *Prior to the approval of site improvement plans and respective permits, plans shall note that construction activities shall adhere to the requirements of the City of Salinas Municipal Code with respect to hours of operation.* ***Mitigation Measure 3.7-2:*** *Prior to the approval of site improvement plans and respective permits, plans shall note that all equipment shall be fitted with factory equipped mufflers and in good working order. All stationary noise generating equipment (i.e. generators) shall be located at least 300 feet from a sensitive receptor. All construction staging areas shall be located at least 300 feet from a sensitive receptor.*	City of Salinas Community Development Department City of Salinas Community Development Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans	
Impact 3.7-4: The proposed project has the potential to expose new sensitive receptors to excessive transportation noise	***Mitigation Measure 3.7-3:*** *Prior to the approval of site improvement plans and respective permits, the plans shall note the location, design and constructions details of the eight-foot to nine-foot tall sound attenuation walls and/or landscaped berm/wall combinations, as applicable, that will be constructed along the primary Specific Plan Area roadways, adjacent to proposed residential dwellings, in order to achieve the City's exterior noise standards. At the City's discretion, wall heights which achieve the City's conditionally acceptable 60-70 dB L_{dn} noise standard may be allowed. See the Draft EIR Table 3.7-14 for specific noise barrier/wall heights along each roadway. Noise barrier walls shall be constructed of concrete panels, concrete masonry units, stucco or manufactured materials (with a density of four pounds per square foot or greater), earthen landscaped berms, or any combination of these materials as determined appropriate by the City of Salinas. The design/appearance of the wall is subject to the design approval by the City of Salinas based upon the standards contained in the West Area Specific Plan and the Salinas Zoning Code, as applicable to ensure that it is visually pleasing. Wood is not permitted due to eventual warping and degradation of acoustical performance. The walls shall not have gaps or penetrations which allow sound to flank through or around the walls. Small gaps which may occur using materials such as "keystone" blocks shall be avoided. Additionally, in accordance with Section 5-03.19 of the City's*	City of Salinas Community Development Department	Prior to approval of improvement plans and respective permits	

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	Municipal Code, best management practices shall be incorporated into the sound wall design in order to control graffiti and/or mitigate the potential impacts of graffiti. These graffiti prevention best management practices may include, without limitation: *(1) The use or the installation and maintenance of ant-graffiti materials and surface treatments approved by the City on likely graffiti-attracting surfaces.* *(2) Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.* *(3) Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.* *(4) Immediate removal of graffiti by appropriate means within seventy-two hours.* *(5) Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).* *(6) Authorizing right of access by city employees or contract agents to remove graffiti if not removed within specified time periods.* *(7) Supplying the city at its request with paint (of the appropriate color and type), cleaning agents, and/or other materials acceptable to the city to abate or to deter graffiti.* *(8) Other requirements, as deemed reasonably feasible by the city planner, to deter, to protect or to reduce the potential for graffiti defacement.* ***Mitigation Measure 3.7-4:*** *Prior to the approval of building permits, the first row of residential dwellings located along E. Boronda Road and Natividad Road shall include windows having a Sound Transmission Class (STC) 35, or higher, rating installed in second floor facades and rooms that have windows or doors that abut E. Boronda Road and/or Natividad Road. Exterior walls shall also require 3-coat stucco and RC-channels, sheathing, or another acceptable construction application that effectively attenuates noise intrusion to the interior of the house. The exterior wall specifications would specifically apply to the first row of homes that abut E. Boronda Road and/or Natividad Road and only applies to the facades facing these roadways. These specifications do not apply to single story homes, or the first floor of a two-story home, both of which are attenuated by the sound wall. These requirements shall be included in the building plans for the specific dwelling units and noted on the building permits. A detailed analysis of any additional interior mitigation measures shall be conducted when building plans are*	City of Salinas Community Development Department	Prior to approval of building permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	available and prior to building permit issuance to verify these requirements. These requirements shall also be noted in the site improvement plans prior to approval by the City. ***Mitigation Measure 3.7-5:*** *Prior to the approval of building permits, mechanical ventilation shall be required in the first row of all residential dwellings that abut E. Boronda Road and/or Natividad Road, sufficient to allow residents, as desired for acoustical isolation, to keep their doors and windows closed and still maintain acceptable interior temperature and noise levels. This requirement shall be included in the building plans for the specific dwelling units and noted on the building permits. This requirement shall also be noted in the site improvement plans prior to approval by the City.*	City of Salinas Community Development Department	Prior to approval of building permits	
Impact 3.7-5: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed park and school uses	***Mitigation Measure 3.7-6:*** *Prior to the approval of site improvement plans, as applicable, when parks or play areas are located near residential uses, the center of active play areas, such as football fields, soccer fields or other athletic fields, shall be located at a minimum distance of 90-feet from the nearest residential property lines. Large active play areas shall comply with the 60 dB L_{eq} and 70 dB L_{max} standards, and shall include these further noise level evaluations during the design phases of future park areas.* *Parks shall be designed such that residences front, or side in limited locations where approved by the City Planner, to the park. Minimum 6-foot tall sound walls and/or landscaped berms shall be constructed where school site directly abuts a residential property line in instances where site design (i.e., minimum distances, siting of activity areas, etc.) cannot achieve the 60 dB L_{eq} and 70 dB L_{max} noise standards. No wall shall be required where residential uses are fronted towards a park or school site and separated by a roadway or a walkway.* *Noise barrier walls shall be constructed of concrete panels, concrete masonry units, stucco or manufactured materials (with a density of four pounds per square foot or greater), earthen landscaped berms, or any combination of these materials as determined appropriate by the City of Salinas. The design/appearance of walls is subject to the design approval by the City of Salinas based upon the standards contained in the West Area Specific Plan and the Salinas Zoning Code, as applicable to ensure that it is visually pleasing. Wood is not permitted due to eventual warping and degradation of acoustical performance. The walls shall not have gaps or penetrations which allow sound to flank through or around the walls. Small gaps which may*	City of Salinas Community Development Department	Prior to the approval of site improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	occur using materials such as "keystone" blocks shall be avoided. Additionally, in accordance with Section 5-03.19 of the City's Municipal Code, best management practices shall be incorporated into the sound wall design in order to control graffiti and/or mitigate the potential impacts of graffiti (see mitigation 3.7.3 for further discussion of best management practices.)			
Impact 3.7-6: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed commercial mixed-uses	***Mitigation Measure 3.7-7:*** *Prior to the approval of development review permits, the plans shall demonstrate: where commercial, business professional, office, or similar uses abut residential uses or where loading docks or truck circulation routes abut residential areas, the following measures shall be included in the project design:* • *All HVAC equipment shall be located within mechanical rooms where possible or shielded from view with solid or grated barriers;* • *Emergency generators shall comply with the City's noise criteria at the nearest noise-sensitive receivers;* • *Delivery/loading activities shall comply with the Salinas Zoning Code standards and regulations; and* *The applicant shall submit a noise study to verify that the appropriate noise control measures have been incorporated into the project design and will achieve compliance with the City's noise level standards.*	City of Salinas Community Development Department	Prior to the approval of development review permits	
Impact 3.7-7: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed well sites	***Mitigation Measure 3.7-8:*** *The potential well and treatment plant sites are shown in the Specific Plan. The actual well and treatment plant facilities are subject to the approval of a Conditional Use Permit (CUP) by the City pursuant to the requirements of the Salinas Zoning Code and the West Area Specific Plan. The potential well and treatment plant sites and the CUP requirement for said facilities shall be clearly noted on the site improvement plans.* *Prior to approval of the CUP and subsequent issuance of the building permits for the well and treatment plant facilities, the plans shall demonstrate that the following measures shall be included in the project design:* • *The well and treatment facilities have been designed and will be built to not exceed a noise level of 55 dB L_{eq} at the nearest residential or school property line during normal operation of the facilities;* • *The generators shall not be permitted to exceed the City's daytime noise standard of 60 dB L_{eq};*	City of Salinas Community Development Department	Prior to approval of the CUP and subsequent issuance of the building permits for the well and treatment plant facilities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	• *The generators shall be tested only during daytime hours; and* *Additionally, that the well and treatment facilities/sites have been designed (in accordance with the West Area Specific Plan) to incorporate decorative screen walls, landscaping and other features to ensure compatibility with surrounding land uses.*			
PUBLIC SERVICES AND RECREATION				
Impact 3.9-1: The proposed project may require the construction of fire department facilities which may cause substantial adverse physical environmental impacts	***Mitigation Measure 3.9-1:*** *Prior to the issuance of a Certificate of Occupancy for each dwelling unit (and prior to issuance of building permits for non-residential uses), the applicant shall pay all applicable project impact fees per the impact fee schedule.*	City of Salinas Community Development Department	Prior to the issuance of a Certificate of Occupancy for each dwelling unit (and prior to issuance of building permits for non-residential uses)	
Impact 3.9-3: Project implementation may result in the need for the construction of new schools, which has the potential to cause substantial adverse physical environmental impacts	***Mitigation Measure 3.9-2:*** *Prior to the issuance of building permits for each dwelling unit, the applicant shall pay applicable school fees mandated by SB 50 to the Salinas Union High School District (SUHSD), and Santa Rita Union School District (SRUSD) and provide documentation of said payment to the City.*	City of Salinas Community Development Department	Prior to the issuance of building permits for each dwelling unit	
TRANSPORTATION AND CIRCULATION				
Impact 3.10-1: Under Existing Plus Project conditions, implementation of the proposed Specific Plan would conflict with the performance measures established by the City of Salinas, Monterey County, and Caltrans	***Mitigation Measure 3.10-1:*** *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal at San Juan Grade Road/Van Buren Avenue, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans for each stage of project development shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

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	(ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.		development	
	Mitigation Measure 3.10-2: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of the existing signal timing at San Juan Grade Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-3: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the signalization of the intersection at Hemingway Drive/East Boronda Road or equivalent traffic control (such as a roundabout), in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If this intersection is developed as a signalized intersection (instead of roundabouts), this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-4: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings at North Main Street/Laurel Drive, in proportion to the area planned for development by such project applicant, in*	City of Salinas Public Works	Prior to issuance of	

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	accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.	Department	Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-5: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the widening of the intersection at Natividad Road/East Laurel Drive to add additional northbound and southbound through lanes, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If this intersection is developed as a signalized intersection (instead of a roundabout), this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-6: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal or equivalent traffic control (such as a roundabout) at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. If this intersection is developed as a signalized intersection (instead of a roundabout), this measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design,*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	as specified by the City of Salinas Public Works Department.			
	Mitigation Measure 3.10-7: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and to add an eastbound left turn pocket at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. This mitigation includes the addition of an eastbound left turn pocket and optimization of the existing signal timing to better accommodate the expected changes in traffic distribution and volume with implementation of the proposed project. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-8: *Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the addition a southbound left turn lane and optimization of the traffic signal's timing at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-9: *Each project applicant for development within the Specific Plan Area shall contribute its fair-share funding to the Transportation Agency for Monterey County (TAMC) Regional Development*	City of Salinas Public Works	Prior to issuance of	

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	Impact Fee (RDIF) Program and the City of Salinas' Traffic Impact Fee (TIF) Program, as determined by the TAMC and the City of Salinas, respectively, in proportion to the area planned for development by each project applicant. These programs include improvements to U.S. 101 that would improve mainline and ramp junction operations, which would mitigate the proposed project's impact to the U.S. 101 ramp junctions affected by the proposed project (i.e. the Northbound Road Off-Ramp and Northbound West Laurel Drive Off-Ramp. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.	Department	Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
Impact 3.10-2: Under Existing Plus Project and Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the performance measures established by the City of Salinas, Monterey County, and Caltrans	***Mitigation Measure 3.10-10:*** *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-11: *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to convert the eastbound right turn lane to a shared through-right turn lane at Natividad Road/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Mitigation Measure 3.10-12: *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for addition of an eastbound right turn pocket at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-13: *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a traffic signal at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-14: *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at the South Sanborn/North Sanborn/John Street intersection, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Public Works Department.			
Impact 3.10-3: Under Cumulative Plus Project conditions, implementation of the proposed Specific Plan may conflict with the transportation performance measures established by the City of Salinas, Monterey County, and Caltrans	***Mitigation Measure 3.10-15:*** *Each project applicant for development within the Specific Plan Area shall contribute its fair-share of funding to the TAMC Regional Development Impact Fee provides mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road. Regional fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-16: *Each project applicant for development within the Specific Plan Area shall contribute its fair-share of the TAMC Regional Development Impact Fee to provide mitigation for this impact identified as the installation of a traffic signal at intersection of U.S. 101 Northbound Ramps/Crazy Horse Canyon Road. Total fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to issuance of a Certificate of Occupancy for residential and prior to building permit issuance for non-residential development. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-17: *Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Crazy Horse Canyon Road/San Juan Grade Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
		City of Salinas		

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Mitigation Measure 3.10-18: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Rogge Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	Public Works Department City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-19: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Russell Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-20*: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of southbound and westbound left turn lanes at the intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
		City of Salinas Community Development Department	development	
	Mitigation Measure 3.10-21: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*		Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-22: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at the intersection of Old Stage Road/Williams Road/Private Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-23: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound through lane, the addition of a northbound right turn overlap phase, and the conversion of the westbound through lane to a westbound shared through-left turn lane at the intersection of North Main Street/East Bernal Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	these improvements and the fair-share funding requirement.		development	
	Mitigation Measure 3.10-24: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound and southbound through lanes at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-25: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of South Davis Road/Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-26: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane and a southbound left turn lane at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
		City of Salinas Community Development	Prior to	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Mitigation Measure 3.10-27: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound left turn lane at the intersection of South Main Street/West Blanco Road/East Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	Department	issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
Impact 3.10-4: Under Cumulative Plus Project with Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the transportation performance measures established by the City of Salinas, Monterey County, and Caltrans	***Mitigation Measure 3.10-28:*** *Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Old Stage Road/Hebert Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This measure shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to the approval of final improvement plans for each tentative map	
	Mitigation Measure 3.10-29: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of northbound and southbound through lanes on Natividad Road and for the conversion of the existing eastbound right turn lane on East Laurel Drive to a shared through-right turn lane, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-30: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of eastbound and southbound left turn lanes at Constitution Boulevard/East Laurel Drive, in proportion to the area planned for*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.		prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-31: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of North Sanborn Road/Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-32: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane at Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Mitigation Measure 3.10-33: *Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of East Front Street/Sherwood Drive/Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
			development	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
OTHER ISSUES DISCUSSED IN THE INITIAL STUDY				
AESTHETICS				
a) Have a substantial adverse effect on a scenic vista? b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? c) Substantially degrade the existing visual character or quality of the site and its surroundings? d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	***Mitigation Measure A4:*** *The City will implement Implementation Program CD4 on an ongoing basis. Implementation Program CD4 requires the City to implement landscaping requirements for public and private development and redevelopment projects to promote greater visual and functional compatibility with residential development and pedestrian/bicycle use.* ***Mitigation Measure A5:*** *The City will implement Implementation Program CD5 on an ongoing basis. Implementation Program CD5 requires the City to review discretionary development proposals for potential aesthetics impacts per the California Environmental Quality Act (CEQA). The standards established in the Zoning Code, the City's Design Guidelines, Landscaping Standards, Lighting Ordinance, Gateway Guidelines, the projects incorporation of Traditional Neighborhood Development (TND) characteristics, and the projects potential to damage or block scenic resources and views will be used to determine the significance of impacts. If potential impacts are identified, mitigation in the form of project redesign (e.g., bulk, height, architectural details, lighting) will be required to reduce the impact to a level less than significant.*			

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APPENDIX B

Appendix B of the Draft EIR includes revised output files from updated CalEEMod model runs.

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