

REFERENCE COPY

**WESTRIDGE CENTER
ENVIRONMENTAL
IMPACT REPORT**

Addendum - Responses to Comments



May 1994

Please return to:

Community Development Department
City of Salinas
200 Lincoln Avenue
Salinas, California 93901

WESTRIDGE CENTER
ENVIRONMENTAL
IMPACT REPORT

Addendum - Responses to Comments



May 1994

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1. INTRODUCTION

1.2 PURPOSE OF THE FINAL EIR

This Final Environmental Impact Report (EIR) for the Westridge Center project has been prepared in compliance with State of California guidelines for implementation of the California Environmental Quality Act (CEQA). The project includes an amendment to the Salinas General Plan, rezoning and consideration of an annexation proposal for a regional retail commercial development of 652,500 square feet on 85 acres of agricultural land (known as the Sammut Brothers property). The project also involves an amendment to the City's Sphere of Influence to accommodate an extension of Davis Road to the Boronda Road interchange. The project may include a maintenance assessment district for maintaining the drainage basin and a Mello-Roos Assessment District for fire protection. The project is located north of Laurel Drive and immediately west of U.S. Highway 101 within the Boronda area, which is currently outside the City limits of Salinas but within the City's Sphere of Influence, in Monterey County, California.

The information contained in the Final EIR should be used by public agency decisionmakers, in conjunction with the Draft EIR, in their consideration of the project. The document neither recommends approval nor denial of the proposed project. This decision rests with the City of Salinas City Council, which will be presented this document and the Draft EIR for certification. No project approvals may be made prior to certification of the Final EIR.

Should the City Council decide to petition the Monterey County Local Agency Formation Commission (LAFCO) for a boundary change, following certification of the EIR, the EIR will be adequate to serve as the environmental document for LAFCO's action.

1.2 COMPONENTS OF THE FINAL EIR

The Final EIR for the project has been prepared by adding Sections 1, 2, 3 and 4 as an Addendum to the Draft EIR, as permitted by Section 15164 of the CEQA guidelines. Following this introductory section to the Final EIR, Section 2 contains a revised summary of impacts and mitigation measures which indicate changes from the Draft EIR. Section 3 is a convenient summary of Minor Changes and Additions to the Draft EIR text culled from Section 4. Section 4 includes a list of individuals, organizations, and public agencies commenting on the Draft EIR, and responses to significant environmental issues raised in the comments. Copies of written comments received are in Section 5. Together, the previously circulated Draft document and this Addendum constitute the Final EIR.

1.3 PUBLIC REVIEW PROCESS

The Draft EIR for the Westridge Center project was posted on January 25, 1994. The Draft EIR was then reviewed for its adequacy by state, regional, and local agencies as well as by interested members of the public during a 60-day public review period which began on January 25 1994. Nineteen comment letters were received. The comment period for written comments closed on March 25, 1994. The review and comment part of the Final EIR process also included three public meetings conducted by the Boronda Citizens Advisory Committee (CAC) on January 26, 1994, February 23, 1994 and March 7, 1994 in the Boronda Elementary School. Approximately 60 persons from the Boronda Community attended the February 23rd meeting to hear a presentation by the applicant on the project and to make public comments. Comments from the CAC are responded to in this document. The Planning Commission has scheduled a public hearing on June 1, 1994 to consider the adequacy of the EIR. The Final EIR will then be forwarded to the City Council along with the Planning Commission's recommendation. The City Council will consider certification of the EIR and project approval at a public hearing, tentatively scheduled for June 21, 1994.

1.4 PROJECT APPROVALS

The following course of action must occur if public agency decisionmakers approve or carry out the project.

Certification of the Final EIR

The Final EIR must be certified by the City Council. In considering certification of the EIR, the Council must certify that the Final EIR was completed in compliance with CEQA and that it was reviewed and the information contained therein was considered prior to approving the project. The certification itself does not constitute an approval of the project, but rather that all required environmental information has been presented to the City of Salinas decision makers and the public.

Findings of Fact and Overriding Considerations

Findings of fact and overriding considerations must be approved by the City explaining how it has dealt with any significant adverse environmental effects of the project identified in the EIR. These findings must be approved prior to the first discretionary action on the proposed project.

Mitigation Monitoring and Reporting Program

The City must adopt a mitigation monitoring and reporting program (MMRP) to ensure that, during implementation of the project, the City, the applicant, their assigns and successors in interest and other responsible parties comply with the feasible mitigation measures identified in the EIR. The City will use a mitigation monitoring checklist to ensure that the mitigation measures are implemented. No final map for the project site will be approved and no grading, building, sewer connection, water connection or occupancy permit from the City will be approved or issued until the MMRP has been adopted.

Notice of Determination

If the City Council approves the project, the City must file a Notice of Determination with the Monterey County Clerk and the Office of Planning and Research (OPR) following project approval. The contents of this notice are explained in Sections 15075 and 15094 of the CEQA guidelines.

LAFCO Application

Should the City determine that the boundary change proposal is in its best interests, it will formally apply to the Monterey County LAFCO. LAFCO must rely on this EIR as the environmental document to cover the action of reorganization involving annexation to the City of Salinas, detachment from the Monterey Coast Resource Conservation District, and detachments of portions of the area from the Boronda County Sanitation District and County Service Area No. 41, and the expansion of the Sphere of Influence to accommodate the extension of Davis Road to the Boronda Road interchange.

2. REVISED SUMMARY

The revised text incorporating changes made to Section 3 of the Draft EIR shows deleted text in ~~strikeover~~ and new text in **bold face**.

2.1 PROJECT DESCRIPTION

The proposed project consists of an amendment to the Salinas General Plan, rezoning and consideration of an annexation proposal for a regional retail commercial development of 652,500 square feet on 85 acres of agricultural land (known as the Sammut Brothers property). The project is located north of Laurel Drive and immediately west of U.S. Highway 101 within the Boronda Area, which is currently outside the City limits of Salinas but within the City's Sphere of Influence, in Monterey County, California. The proposed amendment would allow development of a retail center or combination retail center/auto complex that would include destination retail, a five-story hotel of 250 rooms, an associated restaurant, ~~and~~ **a mini-storage area or an auto center as proposed by the project applicant (the Sammut Brothers), and the extension of Davis Road to the Boronda Road interchange**. The project would also consist of an amendment to the Sphere of Influence to include **the extension of Davis Road from the project site to the Boronda Road interchange with US 101.**

2.2 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

IMPACTS

Traffic and Circulation

TR-4: Traffic generated by the proposed project would cause the intersection of Davis Road and Post Drive to fall from LOS D today to LOS ~~FE~~ **FE** in the future, during the weekday P.M. peak hour, ~~and to Los E in the future during the weekend P.M. peak hour.~~ Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $v/c=0.829$ during the P.M. peak hour (*Significant Impact*).

~~*TR-9 (Davis/West Laurel):* Approved and reasonably foreseeable projects would cause the intersection of Davis Road and West Laurel Drive to operate at LOS E during the weekday P.M. peak hours. Traffic generated by the proposed project, either by itself or when added to existing traffic, would cause the Davis Road and West Laurel Drive intersection to operate at LOS F during the weekday P.M. peak hour and LOS E during the weekend peak hour (*Significant Impact*).~~

MITIGATION

TR-4.1 (Davis/Post): The applicant should contribute towards creating a second northbound left turn lane, a third northbound through lane, a second southbound left turn lane, and a third southbound through lane. Even with the maximum geometric configuration possible, this intersection would operate at LOS ~~FE~~ **FE** in the future during the weekend peak hour (*Insignificant Project Impact After Mitigation; Significant Cumulative Unavoidable Adverse Impact*).

~~*TR-9.1 (Davis/West Laurel):* The applicant should contribute towards adding a second northbound left turn lane, a third through lane on both the northbound and southbound approach, a second eastbound left turn lane, and westbound and eastbound right turn lanes. Even with the additional turn lanes, the intersection would not achieve an acceptable LOS. *Implementation Responsibility: Applicant. Monitoring Responsibility: Salinas Public Works. Schedule:* Following triggering of a 0.82 v/c ratio (*Significant Unavoidable Adverse Impact*).~~

IMPACTS

TR-1 (US 101 Southbound/Boronda): Traffic generated by the proposed project would cause the US 101 southbound ramps and Boronda Road intersection to fall below the General Plan threshold of $v/c = 0.820.89$ during the P.M. peak hour before TFO improvements are made. The intersection would operate at LOS F without TFO improvements (*Significant Impact*).

TR-2 (US 101 Northbound/Boronda): Traffic generated by the proposed project would cause the US 101 northbound ramps and Boronda Road intersection to fall below the General Plan threshold of $v/c = 0.820.89$ during the P.M. peak hour before TFO improvements are made. The intersection would operate at LOS F without TFO improvements (*Significant Impact*).

TR-5 (Davis/Blanco): Traffic generated by the proposed project would cause the intersection of Davis Road and Blanco Road to fall from LOS D today to LOS E in the future, during the weekday P.M. peak hour. Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $v/c = 0.820.89$ during the P.M. peak hour (*Significant Impact*).

TR-3 (North Main/Boronda): Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $v/c = 0.82$ during the P.M. peak hour. Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Boronda Road to fall from LOS B today to LOS F in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS C today to LOS F in the future (*Significant Impact*).

MITIGATION

TR-1.1 (US 101 Southbound/Boronda): The applicant should contribute towards funding TFO improvement number 7, which would widen Boronda Road to three lanes in each direction and add southbound turning lanes at this intersection. After mitigation, the intersection would operate at LOS D, including traffic generated by approved and reasonably foreseeable projects. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-2.1 (US 101 Northbound/Boronda): The applicant should contribute towards funding TFO improvement number 7, which would widen Boronda Road to three lanes in each direction and add northbound turning lanes at this intersection. After mitigation, the intersection would operate at LOS B, including traffic generated by approved and reasonably foreseeable projects. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-5.1 (Davis/Blanco): The applicant should work with the City to add second and third northbound through lanes, a second southbound left turn lane, and create a second westbound through lane. The intersection would then operate at an acceptable level of service. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-3.1 (North Main/Boronda): The applicant should work with the City to add a second northbound through lane, a second southbound right turn lane, an eastbound right turn lane, and a second westbound left turn lane. This would improve service levels at the intersection. Even with the suggested geometric improvements, however, the intersection would still operate at an unacceptable level. *Implemen-*

IMPACTS

MITIGATION

TR-6 (Natividad/East Laurel): Approved and reasonably foreseeable projects would cause the intersection of Natividad Road and East Laurel Drive to fall from LOS D today to LOS F in the future, during the weekday P.M. peak hour. The proposed project would increase delays at this intersection (*Significant Impact*).

~~**TR-7 (North Sanborn/East Laurel):** Traffic generated by approved and reasonably foreseeable projects would cause the North Sanborn Road and East Laurel Drive intersection to fall to LOS D ($v/c=0.81$) during the P.M. peak hour. Traffic generated by the proposed project would cause the North Sanborn Road and East Laurel Drive intersection to fall below the General Plan threshold of $v/c=0.82$ during the P.M. peak hour before FFO improvements are made. The intersection would operate at LOS D ($v/c=0.85$) without FFO improvements (*Significant Impact*).~~

TR-8 (South Main/Blanco): Approved and reasonably foreseeable projects would cause the intersection of South Main Street and Blanco Road to fall from LOS D today to LOS E ($v/c = 0.92$) in the future, during the weekday P.M. peak hour (*Significant Impact*).

TR-10 (North Main/Alvin): Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Alvin Drive to fall from LOS D today to LOS F in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS D today to LOS E in the future. Project Alternative 2 would exacerbate delays at this intersection (*Significant Impact*).

tation Responsibility: Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Significant Unavoidable Adverse Impact*).

TR-6.1 (Natividad/East Laurel): The City should restripe this intersection to include three northbound through lanes and a northbound free right lane. This intersection would then operate at LOS D. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

~~**TR-7.1 (North Sanborn/East Laurel):** FFO improvement number 11 would widen both Sanborn Road and Laurel Drive. After mitigation, the intersection would operate at LOS D, including traffic generated by approved and reasonably foreseeable projects. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).~~

TR-8.1 (South Main/Blanco): The City should add a second eastbound left turn lane at this intersection, after which the service level would be LOS D. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-10.1 (North Main/Alvin): The City should add a second eastbound left turn lane and a second westbound left turn lane. Even with the suggested geometric improvements, however, the intersection would still operate at an unacceptable level. In order to avoid a significant impact at this intersection, Davis Road would have to be extended past West Alvin Drive to Boronda Road so that Alvin Drive is not the major connection from central Salinas to Davis Road. Service

IMPACTS

MITIGATION

TR-11 (North Main/Laurel): Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Laurel Drive to fall from LOS B today to LOS F in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS C today to LOS F in the future, with added traffic from approved and reasonably foreseeable projects (*Significant Impact*).

TR-12 (Davis/Larkin): Approved and reasonably foreseeable projects would cause the intersection of Davis Road and Larkin Street to fall from LOS F/F (unsignalized) today to LOS F (signalized) in the future, even with a traffic signal, during the weekday P.M. peak hour. During the weekend peak hour, the intersection would fall from LOS E/F (unsignalized) today to LOS E in the future. The proposed project would increase delays at this intersection (*Significant Impact*).

TR-13 (Davis/Ross): Approved and reasonably foreseeable projects would cause the intersection of Davis Road and Rossi Street to fall from LOS B today to LOS E in the future, during the weekday P.M. peak hour. The proposed project would increase delays at this intersection (*Significant Impact*).

levels at this intersection would be better than LOS E if Davis Road were extended past West Alvin Drive to Boronda Road. If Davis Road were to terminate at West Alvin Drive, then the decrease in level of service at this intersection would be a significant unavoidable adverse impact. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-11.1 (North Main/Laurel): This impact only occurs in cases without the project. The proposed project includes an extension of Davis Road and upgrading Boronda Road. The resulting traffic diversion to these routes would alleviate congestion at the North Main Street/Laurel Drive intersection and allow it to operate at an acceptable level. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-12.1 (Davis/Larkin): The City should add a third northbound through lane and a third southbound through lane along Davis Road. The intersection would then operate at an acceptable level of service. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

TR-13.1 (Davis/Ross): The City should add a third northbound through lane and a third southbound through lane along Davis Road. The intersection would then operate at an acceptable level of service. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

IMPACTS

TR-14 (Natividad/Boronda): Approved and reasonably foreseeable projects would cause the intersection of Natividad Road and Boronda Road to fall from LOS A today to LOS F in the future, during the weekday P.M. peak hour. The proposed project would contribute towards increased delays at this intersection (*Significant Impact*).

TR-15: The estimated total parking demand for the proposed project would be just over 2,000 parking spaces, which is 1,800 spaces less than the proposed supply of 3,800 spaces. The City's requirement of 2,900 spaces would be approximately 900 spaces less than the proposed supply. There are no parking shortfalls anticipated resulting from the proposed parking supply (*Insignificant Impact*).

TR-16: The proposed project would not cause any significant pedestrian impacts. Several design elements are included, however, to ensure that any impacts are less than significant (*Insignificant Impact*).

TR-17: It is not expected that the proposed project would cause significant bicycle impacts. Several design elements are included, however, to ensure that any impacts are less than significant (*Insignificant Impact*).

MITIGATION

TR-14.1 (Natividad/Boronda): The City should add a second northbound right turn lane and a second westbound left turn lane. The service level would then improve to an acceptable level. *Implementation Responsibility:* Salinas Public Works. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Following triggering of a 0.82 v/c ratio (*Insignificant Impact After Mitigation*).

No mitigation measures are warranted.

TR-16.1 (Optional): As part of the Davis Road extension into the project site and the intersection improvement at Davis Road and West Laurel Drive, sidewalks and pedestrian activated crosswalk signals should be incorporated into the site design. Safe pedestrian pathways should be included in the parking lots and consideration should be given to pedestrian islands in the parking lot in order to minimize pedestrian/vehicle conflicts. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Final Map.

TR-16.2 (Optional): Because the proposed project is located close to an existing residential area, pedestrian paths connecting the ~~two areas~~ retail facilities to Hyland Drive and along Sammut Parkway should be created. This would encourage patrons to walk to the site rather than create an additional vehicle trip. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Final Map.

TR-17.1 (Optional): A Class II or a Class I (separated from vehicular traffic) bike lanes should be included in the Davis Road extension to Boronda Road, and the Sammut Parkway. Also, in order to encourage bicycle use within the

IMPACTS

MITIGATION

TR-18: It is not expected that the proposed project would cause significant impacts to transit services. Monterey-Salinas Transit has suggested a measure that would help ensure that impacts are less than significant (*Insignificant Impact*).

TR-19: No significant LOS grade changes are anticipated on US 101 as a result of the proposed project (*Insignificant Impact*).

Air Quality

AQ-3: New traffic generated by the project would increase regional emissions and cause a deterioration in regional air quality (*Significant Impact*).

project site, bicycle racks, or lockers, and shower facilities should be provided for employees. Bicycle racks should also be provided for patron use outside the retail stores. Proper signs should be posted so that bicycle-vehicle and bicycle-pedestrian conflicts are minimized. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Final Map.

TR-18.1 (*Optional*): Monterey-Salinas Transit has indicated that they would prefer not to operate through parking lots because of the conflict with maneuvering cars. Transit access to the proposed site would be better served by adjacent roadways (i.e. Davis Road), depending on route structures at the time of occupancy and the ability of the transit operator to reconfigure its route(s) to serve the site. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Final Map.

No mitigation measures are warranted.

AQ-3.1: The City should develop an enforcement procedure to ensure that the vehicle trip reduction measures which the applicant intends to utilize results in a total reduction of seven percent or more. In addition, the following trip-reduction strategies should be implemented:

- annual employee commute surveys;
- development and initiation of a Guaranteed Ride Home Program for employees who rideshare;
- provision of financial incentives to employees to carpool/vanpool or take public transportation, such as the complete or partial subsidization of employee transit passes; and
- provision of bicycle storage/parking facilities. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Tentative Map (*Significant Unavoidable Adverse Impact*).

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AQ-1: Construction activities would generate hydrocarbons dust and PM-10; emissions that would create the potential for nuisance (*Significant Impact*).

AQ-2: Traffic generated by the project would contribute to local carbon monoxide concentrations (*Insignificant Impact*).

Biotic Resources

BR-1: The project would remove a few native wetlands plants (*Insignificant Impact*).

MITIGATION

AQ-1.1: The applicant should ensure that the disturbed portions of the site would be watered twice per day. On particularly windy days, the site should be watered more frequently, as needed. In addition, stockpiles of soil, sand, and other such materials should be covered when not being used. A 15-mile per hour speed limit should be enforced on unpaved surfaces. Trucks hauling debris, construction materials or earth should be covered. Streets surrounding the construction site should be swept at least once daily. Completed portions of the site should be seeded, treated with soil binders, or paved as soon as possible. Contractors should appoint a dust control monitor to oversee implementation of these measures. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* During construction (*Insignificant Impact after Mitigation*).

No mitigation measures are warranted.

BR-1.1 (Optional): The applicant should obtain most of the plants for vegetating the drainage reservoir margins from nearby local sources. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* During construction.

BR-1.2 (Optional): The applicant should retain a biological consultant during project implementation. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* During construction.

IMPACTS

MITIGATION

Land Use

LU-2: The project would convert up to 89.6 acres of agricultural lands, including 14.6 acres of "important" farmlands off-site due to the extension of roads into the agricultural areas adjoining the site. As a mitigation measure for the proposed project, the project would require the conversion of less than one acre of agricultural land at the intersection of Davis and Blanco for the expansion of this intersection to six lanes along Davis Road (*Significant Unavoidable Adverse Impact*).

LU-6: If the Alvin Drive overcrossing is required, noise from traffic would significantly increase in the existing residential areas (*Potentially Significant Impact*).

LU-3: Measures proposed by the applicant to minimize disruption to agricultural lands bordering the site would reduce impacts to agricultural activities but not to a level of insignificance (*Significant Impact*).

No mitigation measures are available.

LU-6.1: The applicant should prepare an acoustic study for the Alvin Drive overcrossing to determine noise-attenuation measures. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works and Bldg. *Schedule:* Final Map.

LU-6.2: The applicant should incorporate the noise-attenuation measures to reduce the impact of noise on inhabitants of the affected residential development. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works and Bldg. *Schedule:* During Construction (*Potentially Significant Unavoidable Adverse Impact*).

LU-3.1: The applicant should establish a well-defined buffer zone between the proposed development and the northwesterly agricultural area consisting of the following:

- a. A minimum 60-foot access right-of-way between urban and agricultural land uses.
- b. Placement of street trees within the right-of-way on the urban side of the right-of-way as a canopy buffer.
- c. Bound (rather than bisect) the project site with Boronda Road. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Final Map (*Insignificant Impact after Mitigation*).

IMPACTS

LU-4: Adjoining agricultural activities may be the subject of nuisance complaints from future tenants of the project, thus increasing the potential for conflicts between agricultural operations in the vicinity of the project and urban uses of the property (*Significant Impact*).

LU-5: The project would require additional measures to minimize the impact of commercial development on adjacent residences, and protect residents from the adverse effects of incompatible uses (*Significant Impact*).

LU-7: The proposed commercial use of the site is inconsistent with the "Retail", "Low Density Residential" and "Office" uses shown on the City of Salinas General Plan Map and within the Boronda Neighborhood Improvement Plan (*Significant Impact*).

MITIGATION

LU-4.1: The applicant should execute and record an agrarian easement in a form approved by the City and County which would preserve and protect agricultural activities by allowing dust, noise and odors emanating from lawful agricultural activities on adjoining property to burden the project site. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Final Map (*Insignificant Impact after Mitigation*).

LU-5.1: Proposed structures should not intercept a 45-degree inclined plane inward from a height of 10 feet above existing grade at the residential area boundary line. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

LU-5.2: The proposed sound wall should be eight feet in height and constructed of solid masonry along the property line abutting the residential area. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

LU-5.3: All commercial buildings closer than 300 feet to a residential property should have loading docks located on a side of the building that does not directly impact residential property, and should have all building mechanical equipment fully enclosed and sound-proofed. Any loading dock or freight doors within 300 feet of a residential property should have either a building or a 10-foot solid masonry wall separating these facilities from any residential properties. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan (*Insignificant Impact after Mitigation*).

LU-7.1: The proposed amendment to the Salinas General Plan should be in general conformance with the overall policies contained in the Plan. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan (*Insignificant Impact after Mitigation*).

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LU-1: The project would displace and remove all non-agricultural uses from the property, and may relocate an existing restaurant south of the project site (*Insignificant Impact*).

Visual Resources

VR-1: The project would change the visual environment of the site from agricultural open space to retail development, and would provide an opportunity to create a strong visual focus for North Salinas (*Significant Impact*).

MITIGATION

No mitigation measures are warranted.

VR-1.1: The applicant should use Boronda Road to form the boundary between the commercial development and open space. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.2: The applicant should provide a greenway along the west side of the landscape-enhanced North Davis extension. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.3: The applicant should offset and architecturally treat the proposed perimeter wall surfaces on both sides to prevent monotony. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.4: The applicant should prepare a Master Sign Plan as part of the Site Plan Permit. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.5: The applicant should ensure that the total sign area to be allocated among wall signs, freestanding signs and projecting signs conforms to applicable regulations of the Zoning Code. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.6: The applicant should ensure that signs visible from and within 100 feet of the adjacent residential area should not be illuminated between 10 p.m. and 7 a.m. unless they identify an establishment open for business during those hours. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

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VR-1.7: The applicant should use lighting to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, pathways, and working areas. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.8: The applicant should design light fixtures and their structural support to be architecturally compatible with the main structures on-site. Illuminators should be integrated within the architectural design of the structures. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.9: The applicant should ensure that, as a security device, lighting should be adequate but not overly bright. All building entrances should be well lighted. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.10: The applicant should ensure that all lighting fixtures should be shielded to confine light spread within the site boundaries. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan.

VR-1.11 (Optional): The applicant should refer to the Commercial Design Guidelines for assistance in understanding the City's goals and objectives for high quality commercial development. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Community Development. *Schedule:* Precise Plan (*Insignificant Impact after Mitigation*).

Public Services

PS-1: The project would result in an increase in calls for police service which would require additional staffing (*Significant Impact*).

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PS-2: The increase in traffic flow and congestion resulting from the project would negatively affect emergency vehicle response times and calls for services regarding collisions (*Significant Impact*).

PS-3: The five-story hotel would necessitate fire protection services beyond the existing capacity of the Salinas Fire Department. Fire response time for the hotel or large buildings (i.e., greater than 52,000 square feet) may degrade to 20-25 minutes (*Significant Impact*).

MITIGATION

PS-1-2.1: The City should hire a minimum of two additional officers and purchase one patrol vehicle to maintain current levels of service and allow sufficient staffing increases to deal with calls for services generated by the project. *Implementation Responsibility:* Applicant City. *Monitoring Responsibility:* Salinas Police Department. *Schedule:* During/After Construction.

PS-1-2.2: The applicant should incorporate security features that enhance the efficiency of police protection in the project as recommended by the Community Relations/Crime Prevention Officer. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Police Department. *Schedule:* Building Permit (*Insignificant Impact after Mitigation*).

PS-3.1: The applicant should ~~downsize the hotel to three stories and commercial buildings to less than 52,000 square feet so that the project site could be served by existing fire suppression equipment design all single buildings over 52,000 square feet with enhanced fire protection systems which exceed minimum fire code requirements and meet with Salinas Fire Department approval. If this is not feasible;~~ In addition, either of the following should occur: a) the City should form a special assessment district which only includes the project boundary to finance the purchase of a quint to enhance the efficiency of fire protection for the project. Pending future development that would require the services of the quint (i.e.; buildings over 3 stories or greater than 52,000 square feet), the district should be expanded to include the new development. (the funding needed for acquisition of the quint apparatus could be obtained through the City's application for Proposition 172 funds for public safety, the Council's commitment of sales tax increment generated by the project, or through a Mello-Roos Assessment District placed on the development and similar developments with buildings over three stories in height); or b) the applicant should limit the size of the proposed hotel to less than three stories.

IMPACTS

MITIGATION

PS-3.2: The applicant should equip all commercial buildings over 5,000 square feet with sprinkler systems. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Fire Department. *Schedule:* Building Permit.

PS-3.3: The applicant should comply with applicable provisions of the Uniform Fire Code standards in the physical design of the structures to provide for fire protection. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Fire Department. *Schedule:* Building Permit.

PS-3.4: The applicant should ensure that street widths and clearance areas are sufficient to accommodate fire protection equipment and emergency vehicles. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Fire Department. *Schedule:* Building Permit.

PS-3.5: The applicant should place hydrants a maximum of 500 feet apart and should ensure fire-flow capability and flows (minimum 2,500 gallons per minute) are adequate for fire protection. A loop system around the project site may also be required to ensure that minimum flows can be maintained. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Fire Department. *Schedule:* Building Permit (*Insignificant Impact after Mitigation*).

Water Supply and Distribution •

WS-1: The project would generate a water demand of 114 af/yr, a reduction in current use which would still burden the recovery of the aquifer from groundwater overdraft (*Significant Impact*).

WS-1.1: The applicant should abandon the northerly well and replace it with a new well to discontinue pumping from the 180-foot aquifer. In addition, the applicant should enter into an agreement with the MCWRA to drill and install a monitoring well in the 180-foot aquifer. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Precise Plan.

WS-1.2: The applicant should ensure the efficient use of water through incorporation of water conservation measures. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Precise Plan.

IMPACTS

MITIGATION

WS-2: The drainage reservoir would require the use of the southerly well to maintain a constant lake level for aesthetic purposes. ~~The mere existence of a man-made lake may create an adverse public perception of excess water consumption (Significant Impact).~~

WS-3: The project would require connection to the existing water system. Fire flow requirements would dictate actual line size (*Insignificant Impact*).

Sanitary Sewer

SS-1: The project would require connection to a portion of the City's existing sewage system which was indicated in the Master Plan as requiring the construction of relief collectors to accommodate future peak wet weather flows (*Insignificant Impact*).

WS-1.3: The applicant should utilize the proposed lake to irrigate site landscaping. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Precise Plan.

WS-1.4: The applicant should pursue the use of treated waste water and use of "grey" water to irrigate site landscaping. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Precise Plan (*Insignificant Impact after Mitigation*).

WS-2.1: The applicant should operate the southerly well in a manner such that low constant pumping is used to supplement the lake level, thereby minimizing the drawdown caused by pumping. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* During/After Construction.

WS-2.2: The applicant should minimize the percolation of water through the lake bed by lining the lake bottom with an impervious barrier. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* During/After Construction (*Insignificant Impact after Mitigation*).

No mitigation measures are warranted.

SS-1.1 (*Optional*): The applicant should contribute a pro-rata share of the anticipated Capital Improvement Program costs for needed infrastructure improvements. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* At issuance of first Certificate of Occupancy.

IMPACTS

Drainage and Flood Control

DR-1: Storm water discharges associated with construction activities where clearing, grading and excavation of land occurs would have the potential for polluting the waters of the United States (*Significant Impact*).

DR-2: The project would increase the volume of surface runoff over the present agricultural use, thereby impacting the 100-year flood level of Markley Swamp. The proposed detention basin would only serve to limit the discharge to pre-development flows, but would still pass the entire volume of post-development runoff to Markley Swamp (*Significant Impact*).

MITIGATION

DR-1.1: The applicant should prevent pollutants from entering the storm water discharge resulting from construction activities for the project as required by the SWRCB and any other applicable regulation. A General Construction Activity Storm Water Permit should be obtained from the SWRCB prior to any construction activity. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to Construction (*Insignificant Impact after Mitigation*).

DR-2.1: The applicant should operate the proposed lake below normal levels during the winter season to allow the detention basin to maximize the storage of surface runoff, thereby reducing the runoff volume reaching Markley Swamp. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* After construction.

DR-2.2: The applicant should contribute to the costs of the proposed pump station to improve the discharge of water from Markley Swamp to the Reclamation Ditch. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* After construction.

DR-2.3: The applicant should divert the volume of runoff from the northern half of the project to the proposed detention basin instead of allowing it to follow its natural path to Markley Swamp. This can be achieved by regrading of the site and proper design of the storm drain system. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* After construction (*Insignificant Impact after Mitigation*).

IMPACTS

DR-3: Off-site runoff that currently enters a roadside ditch adjacent to the northerly project boundary would be restricted from entering its natural path to Markley Swamp, thereby creating a ponding situation at the westerly tip of the project site (*Significant Impact*).

DR-4: The surface runoff from the parking areas within the project site would carry elevated levels of contaminants. If not prevented from entering the detention basin, these contaminants would eventually enter downstream drainage areas and wetlands and lead to degradation of aquatic and upland habitat (*Significant Impact*).

MITIGATION

DR-3.1: The applicant should construct the necessary drainage swale and culvert to intercept the off-site runoff and properly direct it to the same natural path in which it currently flows. Outlet protection should also be provided to minimize erosion. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy (*Insignificant Impact after Mitigation*).

DR-4.1: The applicant should prevent the discharge of pollutants into the drainage channel prior to entering the detention basin. Sediment and grease should be captured from surface runoff through proper design and placement of sediment/grease traps in the storm drain system. The applicant should also establish through a maintenance district a pro-active maintenance program to routinely clean out and dispose of the captured contaminants from the sediment/grease traps, as well as routine sweeping of the parking area. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy.

DR-4.2: Use of aquatic vegetation in the drainage reservoir can aid in the cleansing of the runoff water. The applicant should retain the services of a biological consultant for proper design of the drainage reservoir perimeter and the selection of aquatic plants. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy (*Insignificant Impact after Mitigation*).

DR-4.3: The applicant should fund the construction of an automatic monitoring and sampling station to ensure that the site conforms to NPDES requirements. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy (*Insignificant Impact after Mitigation*).

IMPACTS

MITIGATION

Solid Waste

SW-1: The project would generate a total of 1,460 tons of solid waste per year (after recycling), which would contribute to the City's waste stream (*Significant Impact*).

SW-1.1: The applicant should implement City mandated waste reduction measures that reduce the City's solid waste output per the requirements of AB 939. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy.

SW-1.2: The applicant should provide adequate interior and exterior space for source separation of recyclable materials in conjunction with the disposal service. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works. *Schedule:* Prior to first Certificate of Occupancy (*Insignificant Impact after Mitigation*).

SW-1.3: The applicant should provide the most up-to-date *Guide to Commercial Recycling* available through Salinas Public Works Department to incoming tenants at the project site to inform the future businesses about recycling in Salinas. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works and Salinas Recycling Task Force. *Schedule:* Prior to each Certificate of Occupancy.

SW-1.4: To the maximum extent feasible, the applicant should utilize products (i.e. insulation) made from recycled materials in construction of project structures. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works and Salinas Recycling Task Force. *Schedule:* During project construction.

IMPACTS

MITIGATION

Cumulative Impacts

CU-1: Traffic generated by approved and reasonably foreseeable projects would cause service levels at the following eight intersections to operate at an unacceptable level (below LOS D):

- Natividad Road/East Laurel Drive
- South Main Street/Blanco Road
- Davis Road/West Laurel Drive
- North Main Street/Alvin Drive
- North Main Street/Laurel Drive
- Davis Road/Larkin Street
- Davis Road/Rossi Street
- Natividad Road/Boronda Road (*Significant Impact*)

CU-2(a): Traffic generated by cumulative development would increase noise levels in residential areas closest to the noise sources; *(b)* cumulative development would incrementally increase existing already unacceptable ambient noise levels for residences along Davis Road by the increase in traffic and road widening on Davis Road (*Significant Impact*).

CU-1.1: Section 4 of this EIR discusses in detail the level of significance of each impact at each intersection, and outlines mitigation measures. Only the Davis Road and West Laurel Drive intersection would remain at an unacceptable condition after mitigation. Per the requirements of the City of Salinas General Plan, improvement measures should begin when the volume to capacity (V/C) ratio at an intersection reaches 0.82. Many of the above noted intersections have programmed improvements in the City's Traffic Fee Ordinance (TFO). Where necessary, additional improvement measures were suggested to fully mitigate an intersection. The Davis Road and West Laurel Drive intersection would experience lower peak period traffic volumes if a Westside Bypass were built between Boronda Road and Blanco Road (*Insignificant Impact after Mitigation*).

CU-2.1(a): Residential areas further from vehicular noise sources would experience lower noise levels. The proposed projects would be required to be made compatible with the noise environment. The General Plan identifies Policy 9.1 which requires the City to "Develop a program for the construction of sound walls or other appropriate noise attenuation programs adjacent to existing residential uses where noise levels exceed acceptable levels." The intent of this program is to mitigate existing and cumulative noise impacts of traffic through a broad based financing mechanism such as an assessment district. Acoustic studies and noise-attenuation measures would be required during design review to reduce the impact of noise on inhabitants of residential development. These measures would include open space, parking, buildings and landscaped earth berms to buffer development from noise. Sound attenuation walls would also be constructed where noise mitigation to acceptable levels by other means is not feasible (*Insignificant Impact after Mitigation*).

IMPACTS

MITIGATION

CU-3: Cumulative development would affect emissions of regional pollutants such as reactive organic gases and oxides of nitrogen (*Significant Impact*).

CU-4: Continuing urbanization of agricultural land would have significant cumulative effects, including those resulting from the conversion of seven acres of agricultural land along Davis Road from the Market Street Overcrossing to the Blanco/Davis intersection to widen this length of roadway to six lanes (*Significant Impact*).

CU-5: Cumulative development would contribute to existing overdrafting in the Salinas area, which has caused seawater intrusion and contamination of groundwater supplies along the coast (*Significant Impact*).

CU-2.1(b): The noise impact of cumulative development along Davis Road caused by the increase in traffic and road widening on Davis Road could be mitigated by the construction of a sound wall for residences along Davis Road. However, currently, there is no identified funding source available for this project (*Significant Unavoidable Adverse Impact*).

CU-3.1: On a cumulative basis, consistency with the regional air quality plan is an important issue. The 1991 Air Quality Management Plan for the Monterey Bay Region contains guidelines for determining project consistency with the Plan. For a commercial project intended to meet the needs of the population, consistency with the AQMP is determined by comparing the estimated current population of the county in which the project is to be located with the applicable population forecasts in the AQMP. Consistency determinations are made by the Association of Monterey Bay Area Governments (*Insignificant Impact after Mitigation*).

No mitigation measures are available (*Significant Unavoidable Adverse Impact*).

CU-5.1: Means of mitigation to reduce the impacts of increased water pumping and the rate of salt water intrusion (but not to a level of insignificance), including water conservation, reclamation and groundwater recharge, are being pursued by the Monterey County Flood Control and Water Conservation District Water Resources Agency, the agency bearing primary responsibility for mitigation (*Significant Unavoidable Adverse Impact*).

IMPACTS

CU-6: At per capita sewage flows of 100 gpd, the population increase due to cumulative development would generate approximately 2.02 million gpd upon project buildout in the year 1997-1998 (*Significant Impact*).

CU-7: Cumulative development would increase the rate of impervious surface and the potential for flooding of downstream lands. Water quality may be compromised, but the risk of contamination is probably no greater than if the land remained in agricultural use (*Significant Impact*).

CU-8: Based on a waste generation rate of 0.97 tons per person per year, cumulative development would generate a total of 21,238 tons of solid waste per year (after recycling) at project buildout (*Significant Impact*).

MITIGATION

CU-6.1: The MRWPCA allocates treatment plant capacity among the member jurisdictions to maintain consistency with the local Air Quality Management Plan. The MRWPCA sewer allocation to the City is 2,993 units over a three-year period from January 1, 1992 through December 31, 1994 (MRWPCA, 1993). At this time, only 140 permits (4.68 percent utilization) have been issued. The City of Salinas distributes its allocation on a "first come-first served" basis. Individual developers are limited to 150 units or less per year. The City's allocation process would limit impacts associated with sewer service and treatment. The allocation of sewer permits by the City guarantees that the treatment plant can accommodate that number of permits authorized in that year. If the treatment plant projected capacity were limited in any way, its allocation to member jurisdictions would then be amended to reflect lower excess capacity. This may result in fewer permits being available for future development (City of Salinas, 1991) (*Insignificant Impact after Mitigation*).

CU-7.1: The City's Master Sewer and Drainage Plan requires new development to limit its runoff to current rate to avoid aggravating downstream conditions. Mitigations contained in the citywide drainage plan, including provisions for drainage facilities in new development areas and for monitoring and assessing the quality of urban non-point-source runoff, would mitigate significant adverse impacts (*Insignificant Impact after Mitigation*).

CU-8.1: Preliminary investigations have been completed and initial meetings conducted with the appropriate regulatory agencies on the landfill's proposed expansion. The expansion could add another 10 or more years to its operating life depending on refuse generation growth experienced in the Salinas area. The City is proceeding in the preparation of environmental studies for the project, which has been met with some resistance by several adjacent neighbors on environmental grounds (*Insignificant Impact after Mitigation*).

3. MINOR CHANGES OR ADDITIONS TO THE DRAFT EIR

Page 2-1

Revise Impact TR-3 as follows and move to page 2-3:

~~TR-3 (North Main Boronda): Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $v/c = 0.82$ during the P.M. peak hour.~~ Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Boronda Road to fall from LOS B today to LOS F in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS C today to LOS F in the future (*Significant Impact*).

Revise Impact TR-4 and Mitigation TR-4.1 as follows:

TR-4: Traffic generated by the proposed project would cause the intersection of Davis Road and Post Drive to fall from LOS D today to LOS ~~FE~~ in the future during the weekday P.M. peak hour, **and to LOS E in the future during the weekend P.M. peak hour**. Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $V/C=0.829$ during the P.M. peak hour (*Significant Impact*).

TR-4.1: The applicant should contribute towards creating a second northbound left turn lane, a third northbound through lane, a second southbound left turn lane, and a third southbound through lane. Even with the maximum geometric configuration possible, this intersection would operate at LOS ~~FE~~ in the future during the weekend peak hour (*Insignificant Project Impact After Mitigation; Significant Cumulative Unavoidable Adverse Impact*).

Page 2-2

Delete Impact TR-9 and Mitigation Measure TR-9.1 as follows:

~~TR 9: Approved and reasonably foreseeable projects would cause the intersection of Davis Road and West Laurel Drive to operate at LOS E during the weekday P.M. peak hours. Traffic generated by the proposed project, either by itself or when added to existing traffic, would cause the Davis Road and West Laurel Drive intersection to operate at LOS F during the weekday P.M. peak hour and LOS E during the weekend peak hour (*Significant Impact*).~~

~~TR 9.1: The applicant should contribute towards adding a second northbound left turn lane, a third through lane on both the northbound and southbound approach, a second eastbound left turn lane, and westbound and eastbound right turn lanes. Even with the additional turn lanes, the intersection would not achieve an acceptable LOS (*Significant Unavoidable Adverse Impact*).~~

Page 2-3

Delete Impact TR-7 and Mitigation TR-7.1:

~~TR 7: Traffic generated by approved and reasonably foreseeable projects would cause the North Sanborn Road and East Laurel Drive intersection to fall to LOS D ($V/C = 0.81$) during the P.M. peak hour. Traffic generated by the proposed project would cause the North Sanborn Road and East Laurel Drive intersection to fall below the General Plan~~

~~threshold of V/C = 0.82 during the P.M. peak hour before TFO improvements are made. The intersection would operate at LOS D (V/C = 0.85) without TFO improvements (Significant Impact).~~

~~TR 7.1: TFO improvement number 11 would widen both Sanborn Road and Laurel Drive. After mitigation, the intersection would operate at LOS D, including traffic generated by approved and reasonably foreseeable projects (Insignificant Impact After Mitigation).~~

Page 2-5

Revise Mitigation Measures TR-16.1, TR-16.2 and TR-17.1 as follows:

TR-16.1 (Optional): As part of...

TR-16.2 (Optional): Because the proposed project is located close to an existing residential area, pedestrian paths connecting the ~~two areas~~ **retail facilities to Hyland Drive and along Sammut Parkway** should be created. This would encourage patrons to walk to the site rather than create an additional vehicle trip.

TR-17.1 (Optional): ~~A~~ Class II or a Class I (separated from vehicular traffic) bike lanes should be included in the Davis Road extension to Boronda Road, **and the Sammut Parkway.**

Page 2-6

Revise Mitigation Measure TR-18.1 as follows:

TR-18.2 (Optional): Monterey-Salinas Transit...

Page 4-62

Amend Mitigation TR-17.1 to read as follows:

Page 2-4

Page 3-1

Add the following after the first sentence on top of the page:

The project proposes to change the site's current land use designation of Retail, Office and Low Density Residential to a new designation of General Commercial.

Expand the list of project objectives to include:

- **Provision of planned, well-ordered and efficient urban development patterns with an appropriate consideration of preserving open space and agricultural lands within that pattern.**

Page 3-17

Revise last sentence in the second paragraph as follows:

The mitigation measures **that would be** required for Alternative 2 **if it had the same with the** circulation system for Alternative 1 would be same as those developed for **Alternative 1**.

Page 3-24

Add new sentence under the discussion of the intended uses of the EIR beginning after the first sentence on the top of the page:

The purpose of this EIR is to identify and assess the possible adverse environmental impacts of the proposed project, to identify mitigation measures to reduce those environmental impacts to acceptable levels, and to identify and evaluate alternatives to the project that may lessen environmental impacts. **The EIR has been prepared as a program EIR. When individual activities in connection with the project are proposed, the City will examine the activities to determine whether their effects were fully analyzed in the EIR.**

Revise last paragraph as follows:

- Monterey Bay Unified Air Pollution Control District (~~conformance with the 1991 Air Quality Management Plan for the Monterey Bay Region~~ **air quality concerns**);
- **Association of Monterey Bay Area Governments (conformance with the 1991 Air Quality Management Plan for the Monterey Bay Region);**

New Figure

Include new figure to show feasibility of Laurel-Davis intersection reconfiguration and Post-Davis intersection.

Figure 3-4

Revise to show a future right-of-way for the Alvin Overcrossing.

Figure 4-1

Revise to depict two potential alignments for North Davis Road. The perimeter alignment is consistent with the one shown in the Boronda Memorandum of Understanding, a document which outlines City and County policy for the Boronda area.

Page 4-11

Change the discussion of mitigation threshold for project traffic impacts in last paragraph as follows:

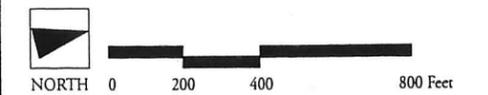
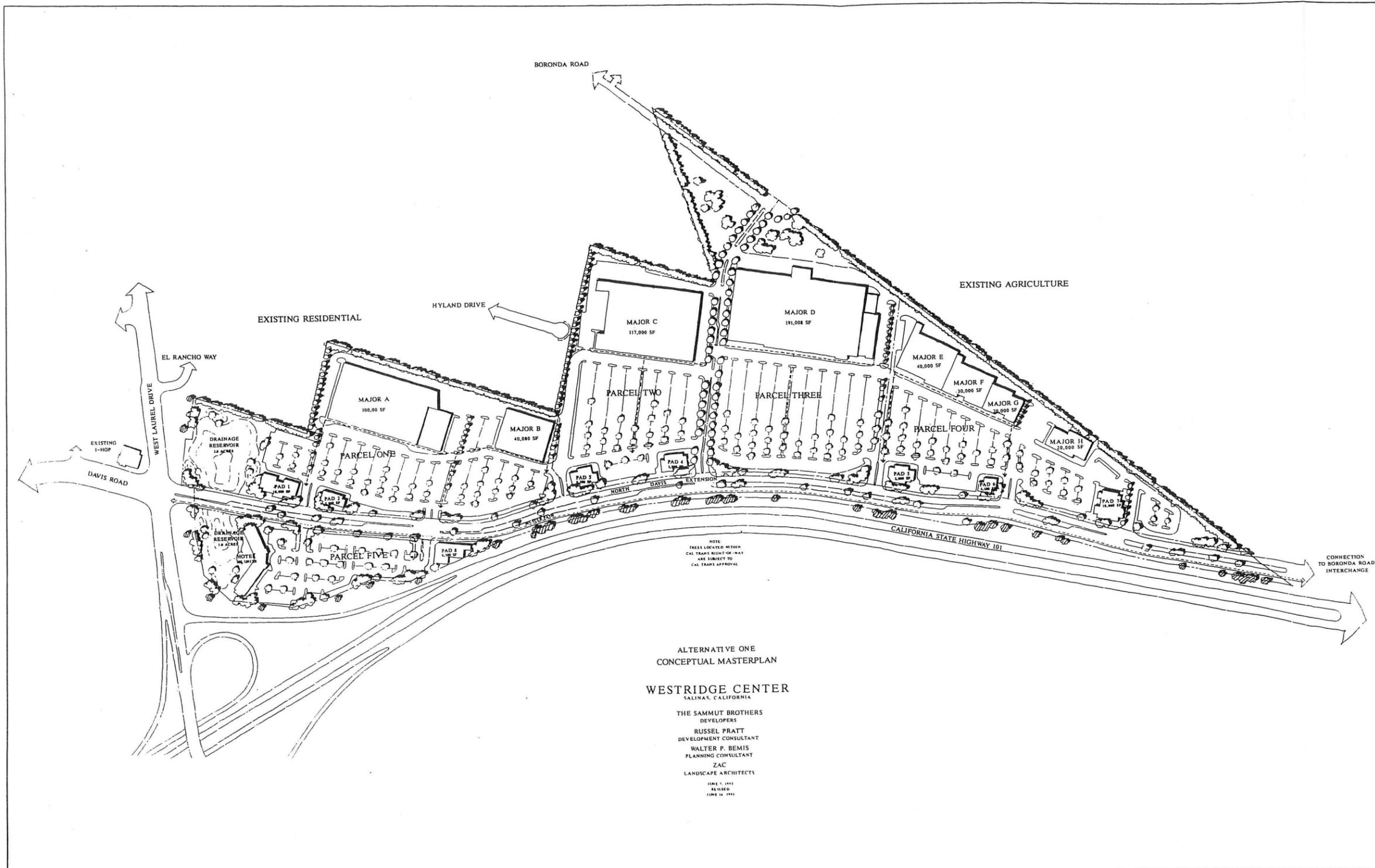
The ~~0.82~~ **0.89** threshold was used in this EIR as the mechanism for assigning responsibility to the project or cumulative impact and mitigation.



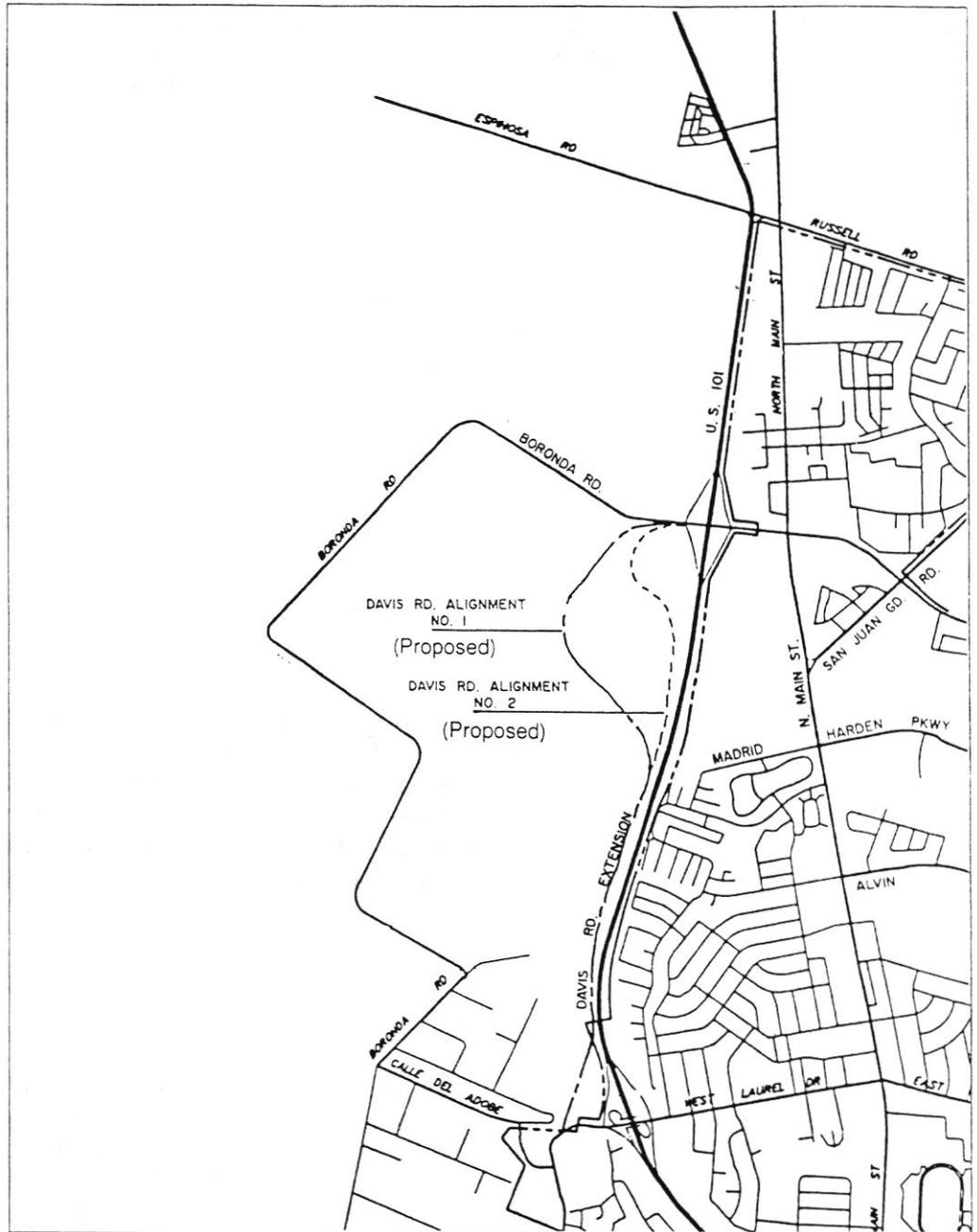
Figure 3-1
PROPOSED DESIGN
FOR
LAUREL/DAVIS
INTERSECTION

Source: Salinas Public Works Department

Revised
 Figure 3-4
RETAIL CENTER
 (Alternative 1)



Source: ZAC Landscape Architects



Revised
Figure 4-1

**REGIONAL AND VICINITY
ROADWAY NETWORK**

Page 4-24

Add the following after second complete paragraph:

The Draft EIR clearly demonstrates that the extension of Alvin Drive across Highway 101 is not needed to serve this project's traffic. Therefore, while Alvin Drive was evaluated as a roadway alternative during the project's initial traffic analysis, the Alvin Extension is not a part of the project's description.

Page 4-37

Delete the following sentence:

~~Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of V/C = 0.82 during the P.M. peak hour.~~

Page 4-39

Revise Impact TR-7 and Mitigation TR-7.1 as follows:

Impact TR-7: Traffic generated by approved and reasonably foreseeable projects would cause...

Mitigation TR-7.1: TRO improvement number 11 would widen...

Add discussion following Mitigation TR-8.1 on the bottom of the page:

The City has recently placed a project out to bid that will improve intersection operations at the Laurel/Natividad intersection. The improvement project will widen Natividad Road to three lanes in each direction between Laurel Drive and Alvin Drive, and will widen Natividad Road between Alvin Drive and Boronda Road as well. The operation of this intersection, upon completion of the improvements, will be similar to that reported in Table 4-18 under the "with suggested improvements" heading.

Page 4-65

Modify the next to last paragraph as follows:

Most of the state and national ambient air quality standards are met in the North Central Coast Air Basin. The air basin has not attained the federal and state ozone standards, or the state PM-10 standard, ~~however~~. **The Air Basin has attained the federal ozone standard; however, until it is officially redesignated by the U. S. Environmental Protection Agency, the NCCAB is designated nonattainment.**

Replace the last sentence in the last paragraph with the following:

Ozone and PM-10 are regional pollutants affecting the entire air basin; violations of the state and federal standard for ozone and PM-10 were recorded in Davenport and Santa Cruz in Santa Cruz County and at Hollister in San Benito County during the period 1990-1992.

Table 4-29

Correct as shown:

**Revised Table 4-29
Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone	1-hour	0.12 ppm	0.09 ppm
Carbon Monoxide	8-hour	9.0 ppm	9.0 ppm
	1-hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	annual	0.05 ppm	—
	1-hour	—	0.25 ppm
Sulfur Dioxide	annual	0.03 ppm	—
	24-hour	0.14 ppm	0.05 0.25 ppm
	1-hour	—	0.25 0.5 ppm
PM-10	annual	50.0 µg/m ³	30.0 µg/m ³
	24-hour	150.0 µg/m ³	50.0 µg/m ³
Lead	30-day avg.	—	1.5 µg/m ³
	3- month avg.	1.5 µg/m ³	—

Notes: ppm = Parts per million.
 — = Not applicable.
 µg/m³ = Micrograms per cubic meter.

Page 4-66

Modify the last sentence as follows:

The federal Clean Air Act Amendments of 1990 requires that moderate air pollution areas, such as the North Central Coast Air Basin, submit a plan to the Environmental Protection Agency by ~~1993~~ **November 1994** showing attainment of the standards by 1996.

Page 4-67

Delete reference to federal standards in the first paragraph.

Page 4-68

Add text after the first paragraph as follows:

For direct sources, emissions of greater than 550 pounds per day of carbon monoxide or 82 pounds per day of PM-10 be considered potentially significant.

Additionally, emission of toxic air contaminants which result in unacceptable health risks may be significant.

Page 4-68

Restate Impact AQ-1 to clarify that it is the emission of PM-10 and dust that has the potential for nuisance as follows:

AQ-1: Construction activities would generate hydrocarbons dust and PM-10 emissions that would create the potential for nuisance. (Significant Impact).

Page 4-68

Insert the following sentence to the last paragraph beginning at the bottom of the page:

The effects of construction activities would increase dustfall and locally elevated levels of PM-10 near the site of construction activity. Depending on the weather, soil conditions, the amount of activity taking place and nature of dust control efforts, these impacts could affect existing land uses near the project. **Affected land uses would include residential areas southwest of the site, commercial uses south of the site across West Laurel Drive and possibly residential areas east of the site on the other side of State Highway 101. The remaining lands abutting the site are in agricultural use.** Project construction impacts are considered to be a temporary potentially significant impact within a localized area.

Page 4-74

Add the following after the first explanatory paragraph under Impact BR-1:

The existing wetland plants that would be removed are in an artificially created habitat along a drainage ditch. These plants do not constitute a wetland habitat. The introduction of a series of wetland plants around the perimeter of the drainage basin would result in the creation of an artificial wetland habitat.

Page 4-82

Add footnote to table as follows:

Road	Right of way (ft)	Distance (ft)	Farmlands Converted (acres)
David Extension to Boronda	100	4,600	10.6 ^a
Alvin Overcrossing (if necessary)	100	950	4.0 ^b
Total		5,550	14.6 ^c

^a Prime Farmland

^b Of Statewide Importance (also includes 1.8 acres for expanded parking lot)

^c **May increase to 20 acres due to potential need for wider alignment for off-site extension of Davis Road.**

Page 4-97

Revise Mitigation PS-3.1 as follows:

Mitigation PS-3.1: The applicant should ~~downsize the hotel to three stories and commercial buildings to less than 52,000 square feet so that the project site could be served by existing fire suppression equipment~~ **design all single buildings over 52,000 square feet with enhanced fire protection systems which exceed minimum fire code requirements and meet with Salinas Fire Department approval. If this is not feasible. In addition, either of the following should occur: a) the City should form a special assessment district which only includes the project boundary to finance the purchase of a quint to enhance the efficiency of fire protection for the project. Pending future development that would require the services of the quint (i.e., buildings over 3 stories or greater than 52,000 square feet), the district should be expanded to include the new development. (the funding needed for acquisition of the quint apparatus could be obtained through the City's application for Proposition 172 funds for public safety, the Council's commitment of sales tax increment generated by the project, or through a Mello-Roos Assessment District placed on the development and similar developments with buildings over three stories in height); or b) the applicant should limit the size of the proposed hotel to less than three stories.**

Page 4-102

Revise the second sentence in the second paragraph under potential impacts and mitigation measures as follows:

The determination of water demand was based on the water consumption rates provided by the ~~Monterey County Water Management Agency~~ **Monterey County Water Resources Agency.**

Page 4-104

Amend WS-2 to read as follows:

Impact WS-2: The drainage reservoir would require the use of the southerly well to maintain a constant lake level (a loss of 10.5 af/yr is estimated for water lost due to evaporation) **for aesthetic purposes.** ~~The mere existence of a man-made lake may create an adverse public perception of excess water consumption (Significant Impact).~~

Table 4-36

Utilize the correct figure of 2000 gallons per acre day in the determination of the peak flow as shown:

**Revised Table 4-36
Peak Sewage Flow Calculations**

Alt. No.	Calculation	Peak Flow (mgd)	Peak Flow (cfs)
1	80.5 ac (2,500 gpad) + 250 rooms (250 gpd)(*)	0.26 0.22	0.41 0.34
2	47 ac (2,500 gpad) + 250 rooms (250 gpd) + 33 ac (1,250 gpad)(**)	0.22 0.20	0.35 0.31
54	(15 + 34 ac) (2,500 gpad) + 36 ac (4,250 gpad) (***)	0.28 0.25	0.44 0.39

- (*) Assumed 50 gpd per person (2 persons/room) (2.5 peaking factor) = 250 gpd
- (**) Assumed auto dealership to generate half of the commercial peak flow
- (***) Based on: Population of 17 persons/gross acre
Peak discharge of 100 gpd (2.5 peak factor) (Salinas Design Std)
Rate = 17 x 250 = 4,250 gpad

Page 4-120

Revise sentence in the first paragraph on top of page as follows:

Salinas is developing a project to expand the landfill by ~~1.92~~ **5.3** million cubic yards, thus adding another ~~11~~ **22+** years to its life.

Page 4-121

Amend Mitigation SW-1.2 to read as follows:

SW-1.2: The applicant should provide adequate **interior and exterior** space for source separation of recyclable materials in conjunction with the disposal service.

Add new mitigation measures to the bottom of the page:

***SW-1.3:* The applicant should provide the most up-to-date *Guide to Commercial Recycling* available through Salinas Public Works Department to incoming tenants at the project site to inform the future businesses about recycling in Salinas. *Implementation Responsibility:* Applicant. *Monitoring Responsibility:* Salinas Public Works and Salinas Recycling Task Force. *Schedule:* Prior to each Certificate of Occupancy.**

***SW-1.4:* To the maximum extent feasible, the applicant should utilize products (i.e. insulation) made from recycled materials in construction of project structures.**

Implementation Responsibility: Applicant. Monitoring Responsibility: Salinas Public Works and Salinas Recycling Task Force. Schedule: During project construction.

Page 5-1

Remove Impacts TR-3, TR-4 and TR-9 from list as follows:

~~Impact TR 3: Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of v/c=0.82 during the P.M. peak hour. Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Boronda Road to fall from LOS B today to LOS F in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS C today to LOS F in the future. The proposed project would cause further delays at this intersection.~~

~~Impact TR 4: Traffic generated by the proposed project would cause the intersection of Davis Road and Post Drive to fall from LOS D today to LOS F in the future, during the weekday P.M. peak hour. Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of V/C=0.82 during the P.M. peak hour.~~

~~Impact TR 9: Approved and reasonably foreseeable projects would cause the intersection of Davis Road and West Laurel Drive to operate at LOS E during the weekday P.M. peak hours. Traffic generated by the proposed project, either by itself or when added to existing traffic, would cause the Davis Road and West Laurel Drive intersection to operate at LOS F during the weekday P.M. peak hour and LOS E during the weekend peak hour.~~

Page 5-5

Add to list of intersections:

- **North Main Street/Boronda Road**
- **Davis Road/Post Drive**

Page 5-9

Revise Mitigation CU-5.1 as follows:

Means of mitigation to reduce the impacts of increased water pumping and the rate of salt water intrusion (but not to a level of insignificance), including groundwater recharge, are being pursued by the Monterey County ~~Flood Control and Water Conservation District~~ **Water Resources Agency**, the agency bearing primary responsibility for mitigation (*Significant Unavoidable Adverse Impact*).

Page 5-8

Revise the last sentence of the second paragraph as follows:

~~Adoption of~~ Monterey County's "Right to Farm" ordinance and implementation of the General Plan agricultural preservation policies would minimize potential development conflicts with adjoining agricultural operations.

Add the following between the fourth and fifth sentences in the first complete paragraph:

The project would also facilitate the development of a General Plan circulation network by connecting Davis Road to Boronda Road via Sammut Parkway.

4. RESPONSES TO COMMENTS

A list of public agencies, organizations, and individuals commenting on the Draft EIR during the extended 60-day review process is provided in Table 4-1 below. Written comments on the document were received from twelve public agencies, the applicant, four organizations, and one individual. A total of 166 written comments on environmental issues were received from persons who reviewed the Draft EIR. Initials following each comment are those which have been assigned to each individual letter comment received by the City. These letters are coded in parentheses following individual comments to provide a means to identify the referenced letter. Copies of the letters received are provided in Section 5.

To improve the clarity of the Final EIR and to make it more useful and informative to the Planning Commission and City Council when considering the EIR for the project, comments on major environmental issues were summarized into 136 representative statements and generally grouped under the same environmental headings that appear in the Draft EIR. For the purposes of this section, comments on major environmental issues mean those which:

- focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment, and explain the basis for the comments;
- describe additional ways in which the significant effects of the project might be avoided or mitigated; or
- suggest additional alternatives or revisions to the proposed project that would avoid or mitigate significant environmental effects.

A response immediately follows each comment.

3.1 DESCRIPTION OF PROJECT AND ALTERNATIVES

Comment 1 (JB-1)

Owners of a one-half interest in 100 acres of property abutting U.S. 101 Highway, the Long property, have not consented, nor agreed to consent, to a frontage road. They are aware that there may be alternate roadway routes that would better serve their property. Therefore, the owners would be desirous of exploring with City staff such alternate solutions.

Response

City and County policies seek to preserve agricultural land and minimize the impact of urban development, including roads, on prime agricultural land. To serve this project, the City will be evaluating and processing two alternative road alignments for the extension of Davis Road to the Boronda Road interchange with Highway 101. Those alignments are shown in Revised Figure 4-1. The proposed alignment will be a frontage road parallel to the Highway through the majority of the Long property but would then swing west along the perimeter of the Massa property. A closer in alignment may be a frontage road parallel to Highway 101 until it nears the interchange where it swings to the west to connect to Boronda Road. The determination of which alignment is chosen will be made at the time that the City Council considers the project at a public hearing.

Table 4-1

**List of Public Agencies, Organizations and
Individuals Commenting on the Draft EIR**

State Agencies

John Loane, Associate Waste Management Specialist, Environmental Review Section,
Permitting and Enforcement Division, California Integrated Waste Management Board
(CIWMB)
Larry Newland, District 5 Intergovernmental Review Coordinator, California Department of
Transportation (Caltrans)

County and Regional Agencies

Janet Brennan, Senior Planner, Planning and Air Monitoring Division, Monterey Bay Unified
Air Pollution Control District (APCD)
Jim Cook, LAFCO Executive Officer, Monterey County Local Agency Formation Commission
(LAFCO)
Joseph Hertlein, Associate Administrative Analyst, Monterey County Intergovernmental Affairs,
addressing issues of the Boronda Citizens Advisory Committee (CAC1)
Richard W. Nutter, Agricultural Commissioner, County of Monterey (Agricultural
Commissioner)
Nicolas Papadakis, Executive Director, Association of Monterey Bay Area Governments
(AMBAG)
Robert Slimmon, Jr., Director of Planning and Building Inspection, Monterey County Planning
and Building Inspection Department (PBID)
Owen R. Stewart, Associate Water Resources Engineer, Monterey County Water Resources
Agency (WRA)
Margot Yapp, Transportation Engineer, County of Monterey Department of Public Works
(DPW)

Local Agencies

Cy Appel, Public Services Superintendent, Salinas Department of Public Works (CA)
Robert Russel, Sr. Civil Engineer, Salinas Department of Public Works (RR)

Applicant

Brian Finegan, Attorney at Law, on behalf of the Sammut Brothers, Project Applicant (SB)

Organizations

Boronda Citizens Advisory Committee (CAC2)
Anthony L. Lombardo, Attorney At Law, representing Harvest Valley Investment (HVI)
John P. Muller, Attorney at Law, for June Backus and Edgar Long, as Trustees of the Long
Family Trust, and June Backus, as Trustee of the Ella Long Trust (JB)
Mervyn Selvidge, President, Synergene Seed (SS)

Individuals

Dan O'Brien, 229 Pajaro Street #301, Salinas, California (DO)

Comment 2 (DPW-2)

The City is to be complimented on the inclusion of a pedestrian/transit accessible alternative (Alternative 3). This is especially timely given the change in focus in both state and federal transportation funding. However, even though this is the "environmentally superior alternative," this alternative "...according to the applicant, is not supported by market place criteria and shipping center industry standards and is therefore not practically possible" (page 3-4). This statement should be further clarified and evidence presented to support this statement. In addition, since the inclusion of the Alternative 3 is only for comparative purposes as stated in the EIR, it would appear that the applicant is not seriously concerned with alternative modes of transportation and is only paying lip service.

Response

The applicant responds:

Comment noted. Contrary to the expressed opinion that the applicant is only "paying lip service" to Alternate 3 and alternate transportation modes, the applicant and planners have spent considerable time and made costly design decisions to equal or surpass the benefits of Alternative 3, and therefore a significant purpose of that alternative is fulfilled.

Alternative 1 benefits and mitigations include:

Transit - To serve the 1500 employees and shoppers, the applicant proposes [transit] stops along North Davis Road plus one of two additional alternatives. (a) Provide a transit route through the Center by connecting North Davis Rd. to the Boronda Community via Sammut Parkway, with a transit facility adjacent to retail commercial buildings, Majors C & D, i. e., a well lighted, secure stop on the door steps of 308,000 [square] feet of shopping and employment. There will be pedestrian connections to the north and south from this point to connect with additional shopping and employment. (b) the other alternative is a transit loop through the Center as shown on Figure 3-4 of the Draft EIR. The loop begins on North Davis Rd. at the entry road between Majors G & H, proceeds south past Majors G, F, E, D & C and turns past Major B and exits to North Davis Road and again provides a more secure, front door service to help assure high ridership. The applicant understands that the Transit Authority does not prefer within center loops, but there is already a Salinas precedent and the applicant is willing to have the extra expense associated with providing a parking-conflict-free high standard corridor for the buses and is committed to work with the Transit Authority to assure adequate turning radii.

Alternative Transportation - Figure 3-4 of the Draft EIR is described in the EIR text and illustrates much of the network of pedestrian, bicycle and transit routes including the bicycle and pedestrian connections between the Boronda Neighborhood and the Center (if the lack of a legend on the subject figure has allowed some misinterpretation this is regretted).

Practicality of Alternative 3 - While the goals of Alternative 3 are valid the applicant has been informed by potential anchor tenants that a reduced parking is not [feasible], also having the architectural front face the public access road with parking in back is not [feasible] because of the nature of [the] major tenants for the proposed Center since only a single entrance can be accommodated. (The design of Alternative 3 and various hybrids is ideal for a typical Community Center that is surrounded by high density residential development).

The majors for the subject center are characterized by warehouse style general merchandise and food shopping that encourages stocking-up. The average purchase would fill two standard size shopping carts, making auto transportation necessary for many of the shoppers. From the standpoint of traffic and air quality there is the plus side of less frequent shopping.

On peak shopping days it is common to have nearly every parking space occupied, fewer parking spaces could cause non-viability of these low profit margin retail stores, i. e., their peak days often account for any profits.

Comment 3 (DPW-4)

Alternatives 1, 2 and 3 indicate that one of the internal roads on the project site (on the east side) would intersect with Boronda Road. However, no details are provided that describe how this connection would occur, nor is any information presented on the location of the connection. Note that a private road (Brooks) is located in the vicinity of the proposed intersection, and that a minimum separation of 400 feet will be required between intersections. The applicant should provide more detailed information on this proposed connection.

Response

An alignment for Sammut Parkway will be provided which will both parallel and then overlay the alignment of Brooks Road as it nears the intersection of Boronda Road. This revised alignment would have Sammut Parkway as a continuation of Boronda Road.

Comment 4 (DPW-5)

What about providing licensed childcare facilities on-site instead of just information since 1,500 jobs will be generated?

Response

The applicant has indicated that since no tenants have committed at this date, policies on childcare cannot be identified. Provision of on-site child care for employees is infeasible for the following reasons: variable employee shifts for a center of this type; reluctance on the part of employers to subsidize such a service in the absence of a Citywide mandate; and a lack of appropriate outdoor amenities for children in a regional shopping center.

Comment 5 (DPW-6)

Provision of pedestrian facilities should be expanded to include links to residential areas, not just transit stops.

Response

This provision is recommended in Optional Mitigation TR-16.1 on page 2-5 of the Draft EIR, which, since the release of the Draft EIR, has been accepted by the applicant for incorporation into the project. Therefore, the mitigation measure is revised to read as follows:

TR-16.2 (Optional): Because the proposed project is located close to an existing residential area, pedestrian paths connecting the ~~two areas~~ **retail facilities to Hyland Drive and along Sammut Parkway** should be created. This would encourage patrons to walk to the site rather than create an additional vehicle trip.

Comment 6 (DPW-8)

Page 3-14 is out of sequence.

Response

Comment noted. The Draft EIR preparers apologize for any inconvenience or confusion that may have resulted from this copying error.

Comment 7 (DPW-9, RR-6)

On page 3-17, second paragraph, the last sentence is incomplete.

Response

Comment noted. The last sentence in the second paragraph on page 3-17 of the Draft EIR has been revised as follows:

The mitigation measures **that would be** required for Alternative 2 **if it had the same** ~~with the~~ circulation system for Alternative 1 would be same as those developed for **Alternative 1.**

Comment 8 (SB-1)

The copies of the EIR circulated for public comment were missing page 3-16.

Response

Page 3-16 is the back page of Figure 3-6, which was purposefully left blank.

Comment 9 (SB-3)

The CEQA Guidelines require that the alternatives analyzed in the EIR be those "...which could feasibly obtain the basic objectives of the project...". The proposed anchor tenants have announced categorically their unwillingness to participate in a center designed as proposed in Alternative 3. Alternative 3 is not feasible for economic reasons.

Response

The CEQA Guidelines also state that alternatives which "would impede to some degree the attainment of the project objectives, or would be more costly" should be discussed (15126[d][3]). Furthermore, there is no clear requirement that the feasibility of an alternative be affirmatively documented in an EIR. The Draft EIR concludes that Alternative 3 is not, according to the applicant, "practically possible," and the reasons for this conclusion are stated on page 3-4 of the document.

Comment 10 (SB-4)

The text should indicate that this EIR is intended to be a program EIR which can be used in connection with future entitlements (see CEQA Guidelines, Section 15168).

Response

Comment noted. A new sentence should be added under the discussion of the intended uses of the EIR (Section 3.6) beginning after the first sentence on the top of page 3-24 of the Draft EIR:

The purpose of this EIR is to identify and assess the possible adverse environmental impacts of the proposed project, to identify mitigation measures to reduce those environmental impacts to acceptable levels, and to identify and evaluate alternatives to the project that may lessen environmental impacts. **The EIR has been prepared as a program EIR. When individual activities in connection with the project are**

proposed, the City will examine the activities to determine whether their effects were fully analyzed in the EIR.

Comment 11 (RR-3)

On page 3-10, second sentence (within parenthesis); revise to "reviewing agencies indicated some preference for an alternative that removes the restaurant due to intersection separation, but indicated that the proposed alternative may be satisfactory if so determined by a traffic study."

Response

Reviewing agencies refers to Caltrans. In both their comment letters on the Notice of Preparation of the Draft EIR, Caltrans did not state a preference for either alignment. This indicates that Caltrans did not take issue with the alignment proposed for the preferred alternative.

Comment 12 (RR-5)

Revise sidewalk width to City standard 4-foot detached or 5.5-foot sidewalk adjacent to the curb. Please verify the 20-foot wide landscape strip along Caltrans right-of-way adjacent to US 101.

Response

The sidewalk will conform to City standards. The 20-foot wide landscape strip along Caltrans right-of-way adjacent to US 101 is typical for design requirements. The exact width would be verified by Caltrans District 5 staff at such time when final design plans are prepared.

Comment 13 (RR-15)

The EIR needs to address the issue of environmental impacts of the Davis Road extension to Boronda Road/US 101.

Response

The environmental impacts of the extension of Davis Road to the Boronda Road interchange were evaluated in the Draft EIR (Land Use Impact 7) and included the loss of agricultural land for the road and growth inducement. These effects were identified as significant impacts in the Draft EIR. The specifics of the impact may vary depending on which road alignment is finally chosen but the character of the impacts remains the same in either case. Revised Figure 4-1 depicts two alternative alignments of the Davis Road extension, one of which, the perimeter alignment around the Massa property, is consistent with the alignment agreed to in the recently revised Boronda Memorandum of Understanding, a joint City/County document outlining rules for development of the Boronda area.

Comment 14 (RR-16)

The general layout of the Laurel-Davis intersection reconfiguration and Post-Davis intersection should be included/shown to verify that the recommended improvements are feasible.

Response

Comment noted. The general layout is shown in Figure 3-1 (see previous Section 3, Minor Changes or Additions to the Draft EIR).

Comment 15 (RR-18)

Need provisions for future Davis connection to Alvin. Show reservation on Alternative 1.

Response

Comment noted. The reservation for a future right-of-way for the Alvin Overcrossing is shown on Revised Figure 3-4 (Alternative 1).

3.2 TRAFFIC AND CIRCULATION

Comment 1 (Caltrans-1)

An encroachment permit must be obtained before any work can be conducted within the Caltrans right-of-way.

Response

The applicant will apply to Caltrans for an encroachment permit prior to undertaking any work within the State's right-of-way.

Comment 2 (Caltrans-2)

The impacts of Laurel Drive and Highway 101 are understated and should include the adjacent frontage road at Adams Street in the traffic section. These two intersections operate as one system.

Response

The traffic signal at West Laurel Drive and Adams Street operates together with the traffic signal at West Laurel Drive and US 101 northbound ramps. The Adams Street intersection was not included as a study area intersection, although there would be an increase in eastbound and westbound through movements at the intersection. A recent traffic study conducted by DKS Associates for another project calculated the existing P.M. peak hour level of service as LOS D at the Adams Street/West Laurel intersection. When traffic from approved and planned projects was added to the roadway network, the intersection was projected to continue operation at LOS D. The future traffic patterns along Adams Street and West Laurel Drive have the potential to vary significantly from existing condition, depending on whether Alvin Drive is extended across US 101, whether a Westside Bypass is built, and whether traffic signal and intersection improvements are made along West Laurel Drive at US 101 southbound ramps, US 101 northbound ramps and at North Main Street.

Comment 3 (Caltrans-3)

The Route Concept Report for State Route 101 has identified it for widening to six lanes. For this reason, traffic impact fees should be designated for this improvement. The project would contribute to the cumulative degeneration of LOS on State Route 101. This issue has not been adequately discussed in the Draft EIR.

Response

The Draft EIR addresses the project's impacts to US 101 (see text on Page 4-63 and Table 4-28). As noted in the text, there are varying forecasts for future traffic volumes and conditions along US 101, based on the growth rates used, the land use projections, and the future roadway

network. The analysis presented in the Westridge Center Draft EIR was based on land use and roadway buildout assumptions that were developed with City staff. The Draft EIR is based on the development of all approved and reasonably foreseeable development within the City of Salinas. The Caltrans study may have used some other base. The Westridge traffic study evaluated traffic from approved and reasonably foreseeable development with the inclusion of a four lane Davis Road between Laurel Drive and Boronda Road parallel to US 101. That fact accounts for the difference in the TAMC analysis, which did not include the road and the Westridge analysis which did. In any case, traffic improvements to Highway 101 are beyond the scope of the Salinas Traffic Fee Ordinance since much of the traffic on the highway is not related to City growth.

Comment 4 (Caltrans-4)

Has the Transportation Agency of Monterey County reviewed the Draft EIR within the context of the Congestion Management Plan?

Response

A copy of the Draft EIR for the Westridge project was sent to TAMC for their review. No comment letter was received from TAMC.

Comment 5 (Caltrans-5)

Caltrans can only accept traffic analysis that is generated by the 1985 Highway Capacity Manual methodology.

Response

The traffic analysis presented in the Draft EIR used the following methodologies for traffic analysis:

- Signalized Intersections - Transportation Research Board *Circular 212*
- Unsignalized Intersections - *1985 Highway Capacity Manual*
- Freeway LOS Analysis - *1985 Highway Capacity Manual*

These methodologies were chosen so that this Draft EIR would be consistent with other recently completed EIRs and traffic studies in Salinas. Also, the planning method of *Circular 212* is typically adequate for comparison of alternatives in an EIR, and requires less rigorous inputs and calculations than the *Highway Capacity Manual* operations method.

Comment 6 (HVI-2)

The Davis Road extension mitigation and the Alvin Drive overcrossing alternative are infeasible. The proposed extension of Davis Road to Boronda Road appears to be located on private property over which there is no public right-of-way nor is there an agreement from the property owners to provide such a right-of-way. The Alvin Road overcrossing street alignment alternative appears to occupy neighboring privately owned property which is not owned or controlled by either the City of Salinas, County of Monterey or the applicant. The conclusion reached on page 4-48 that Mitigation TR-11.1 (the construction of Davis Road to Boronda Road) would cause traffic impacts to be mitigated to a level of insignificance is invalid based on the apparent impossibility of the proposed connection.

Response

The Davis Road extension and Alvin Drive overcrossing would require acquisition of right-of-way from property owners. These roadway projects would serve not only the proposed development, but also existing traffic that would shift over to these roadways, and traffic generated from approved and planned projects. The City and County will be processing Official Plan Lines for the extension of Davis Road as a part of the approval of this project. The applicants have agreed to dedicate the required right-of-way for the road as it goes through their property. The City will seek the cooperation of adjoining property owners in the acquisition of the right-of-way for the remainder of the road. The City may be required to use its power of eminent domain, if needed, to acquire the additional right-of-way. However, the traffic analysis for the project indicates that the Alvin Drive overcrossing is not needed to mitigate the project's impacts but its potential alignment will be planned for in each proposed land use alternative.

Comment 7 (DPW-1)

The summary of the Draft EIR concludes that a significant unavoidable adverse impact would result from an unacceptable level of service at the intersection of Davis Road and West Laurel Drive. However, the third paragraph on page 5-6 seems to contradict that conclusion, stating that "...by extending the Westside Bypass to Boronda Road, traffic volumes at the Davis Road/West Laurel Drive intersection would be reduced and an acceptable level of service would be achievable."

Response

Because the status of a Westside Bypass is uncertain at this time, it was not considered as a definite future roadway project. Therefore, the impact to the West Laurel Drive and Davis Road intersection would be a significant unavoidable adverse impact.

Comment 8 (DPW-3)

The effort expended to include other modes of transportation in Alternatives 1, 2 and 4 is inadequate. The mitigation measures identified should be required rather than optional (i.e., the inclusion of Class I or II bicycle lanes), as part of the mitigations for congestion at the different intersections. Similarly, pedestrian/bicycle paths between the residential areas and the project site should be required in all alternatives. Other aspects include requiring bus pads/stops on the Davis Road extension.

Response

The project would provide a minimum of a seven percent reduction in project trips through the adoption and implementation of measures required by the City Facilities Trip Reduction Plan and the County's authorizing ordinance. Proposed mitigation measures are suggestions but would be set as conditions of approval by the Council in the project's findings. The applicants have indicated a willingness to reduce trips by as much as 12 percent through the incorporation of measures from the Trip Reduction Plan.

The applicant has agreed to provide employers with rideshare information, provide connecting bicycle paths to other areas of the City, bus access to the development, pedestrian access to the Boronda neighborhood and the rest of the City, carpool parking for employees and on-site services such as ATMs, dry cleaners and restaurants to minimize off-site trips.

Comment 9 (DPW-10)

Define "future". Is it at buildout of this project (1998, 1999, 2000), or is it a specified time in the future?

Response

Future conditions refers to the buildout of the proposed project and not a specific year.

Comment 10 (DPW-11)

Present the LOS for each intersection under all alternatives in one table for easy comparison.

Response

In the previous Administrative Draft EIR, LOS tables were presented so that all alternatives were shown together. However, the volume of information presented was too cumbersome to present in a readable manner, and therefore the LOS tables were presented as shown in the Draft EIR.

Comment 11 (DPW-12)

Is the seven percent reduction in traffic due to the trip reduction ordinance only applied to Alternative 3? If so, why was it not applied to the other alternatives since this is a mandatory requirement?

Response

The seven percent reduction in traffic due to the trip reduction ordinance was only applied to Alternative 3 in order to demonstrate its impact compared to the other alternatives. The results of applying the trip reduction to each alternative are discussed in the text and Table 4-14 on pages 4-24 through 4-27.

Comment 12 (DPW-13)

Tables 4-A1 and 4-A2 are confusing. The Final EIR should clarify the percentages shown in the tables, and separate residential from commercial trips.

Response

Because of the nature of the comment, it is assumed that it is Figures 4-A1 and 4-A2 that are being referred to and not Tables 4-A1 and 4-A2. Figure 4-A1 and 4-A2 show trip distribution patterns for approved projects throughout the city. Figure 4-A2 shows both residential and commercial trip distribution. Figure 4-A1 shows the trip distribution patterns for the residential components of the listed projects. The commercial components of those projects would be largely local serving and would not impact study area intersections, with the exception of the Harden Ranch commercial land use, which would have trip distribution patterns similar to its residential component.

Comment 13 (DPW-14)

The Final EIR should include a small sketch illustrating the geometric configuration for the intersection with suggested improvements at the bottom of Tables 4-15 to 4-24.

Response

These are apparently references to Tables 4-5 and 4-14 which detail trip distribution. Trip distribution is listed by individual uses.

Comment 14 (DPW-15)

Is seven dedicated lanes on northbound Davis practical?

Response

Seven lanes are required to mitigate project plus approved projects and can be accomplished. Six lanes can be accommodated within the existing public right-of-way and the seventh can be acquired from the K-Mart Center when further development occurs on that site.

Comment 15 (DPW-16)

The project, if it does not include provisions for pedestrians, would discourage pedestrians from considering walking as a transportation mode. Since so many intersections are projected to be at an unacceptable LOS, Mitigations TR-16.1 and TR-16.2 should be required, not optional.

Response

The project includes provisions for pedestrian walkways between the existing residential neighborhood and the project, as well as within the project site itself. These walkways would be provided for all proposed land use alternatives.

Comment 16 (DPW-17)

The project would have impacts on bicyclists. Therefore, Mitigation TR-17.2 should be required, not optional.

Response

The project includes bikeways in all alternatives proposed.

Comment 17 (DPW-18)

What actions are being considered to reconcile the differences in forecast traffic volumes between those projected by TAMC and those identified in the Draft EIR?

Response

TAMC is currently working on several planning efforts that seek to refine the forecast volumes and conditions on freeways and other roadways. Included here are items such as continued refinement of the County Traffic Model, potential coordination with neighboring counties on a Central Coast Model, and updates to Fort Ord planning studies. The TAMC traffic volumes predicted for US 101 for the future did not assume the existence of a parallel four lane Davis Road between Laurel Drive and Boronda Road. Inclusion of that roadway would substantially reduce future traffic impacts on US 101.

Comment 18 (LAFCO-5)

The Draft EIR states that the City General Plan indicates the Westside bypass is necessary to avoid future congestion along Davis, Blanco and Boronda Roads. The Final EIR should provide a more thorough analysis of the traffic requirements assuming planned construction of the bypass.

Response

The Draft EIR does not assume that the proposed Westside Bypass will be needed during the buildout period of the project nor is it needed to serve project and/or cumulative development. The Bypass is a proposed future regional transportation facility which does not currently have a defined location, size, points of access, modes of transportation, or a means of financing the project. The design, financing and location of the Westside Bypass as a regional transportation facility is a task outside the jurisdiction of the City of Salinas. Decisions on the facility will be made by the Transportation Agency for Monterey County.

Comment 19 (CAC1-1)

The additional vehicular traffic, and the addition of another signalized intersection (Laurel and Davis) would create traffic congestion. This could have a detrimental impact on access to the Boronda community. The EIR should discuss this in further detail. The Boronda community needs to be assured that access to the community would be enhanced as a result of the opening of Laurel Drive and not hindered as a result of projected increased traffic.

Response

Installation of a traffic signal at Davis Road and West Laurel Drive would not cause congestion, but act as a tool to help control vehicles moving through the intersection. The vast majority of vehicles moving through the intersection will be going from West Laurel westbound to Davis Road southbound, and from Davis Road northbound to West Laurel eastbound. The other traffic movements that will be heavy are northbound and southbound through movements along Davis Road, crossing over West Laurel Drive. The traffic signal and the lane markings at the intersection would help direct motorists to their correct locations, and should deter motorists from entering the neighborhood west of the intersection.

Access to the Boronda community will be enhanced as people will not have to solely rely on the Davis Road/Post Drive intersection to wind their way into and out of the neighborhood. The traffic signal timing, while not yet designed, should be set so that local residents do not face undue delays at the intersection. Furthermore, since the intersection does not currently exist, there is no existing condition noted on Table 4-20. However, after project traffic and mitigation, it is expected to function at the same acceptable level that Davis/Post currently does.

Comment 20 (CAC1-2)

It should be considered whether a one way access to Hyland Drive available from a reconfigured Laurel/Davis intersection is feasible or whether access to Hyland Drive should be limited to an intersection at Post and Laurel Drive with an extension of Post Drive to Hyland Drive.

Response

The roadway configuration analyzed in the EIR reflects the current proposal. While all options have not been fully explored, it would probably make the most sense, from a traffic operations viewpoint, to connect Hyland Drive to a Post Drive extension and not have one-way access to

Hyland Drive from the Laurel/Davis intersection. The Laurel/Davis intersection is projected to carry a large number of vehicles, and the addition of another access point could potentially cause a safety problem for motorists and pedestrians. A Post/Laurel intersection with an extension of Post to Hyland would appear to allow for the safest traffic movements in the area.

Comment 21 (CAC1-3, SS-1)

Proposed access to Boronda Road from between building parcels #3 and #4 in the project would produce additional traffic volume into the Boronda community. Access from the development between building parcels #3 and #4 on or adjacent to Brooks Lane (which is a private road) needs to be clarified. There is also a concern on how this access road to the development would intersect with Boronda Road. Would it intersect at a ninety degree angle or at some other angle? What impact would the proposed alteration to the sharp turn and re-alignment of Boronda Road have on the intersection to this access road? If the access road is to run parallel to Brooks Lane, then how would both Brooks Lane and the access road intersect with Boronda Road? It would not be possible to have two adjacent intersections.

Response

The Draft EIR did not explore the impacts of the access roadway between parcels #3 and #4, as the roadway would not change the overall traffic operations in the study area. Residents west of the proposed project site would be the only users of this roadway, as they access and egress the site. The access roadway would not serve as a good shortcut to any of the nearby arterials surrounding the site, and it would not alleviate any of the critical movements at the Davis/Laurel intersection. The only additional traffic into the Boronda neighborhood would come from Boronda neighborhood residents, as the Boronda neighborhood does not directly connect to other areas within the city. The proposed alignment of Sammut Parkway would parallel Brooks Road until near its alignment with Boronda Road where it would overlay it forming one road at that point. Sammut Parkway would form an extension of the northbound leg of Boronda Road and would create a 90 degree intersection at Boronda Road where it turns to the west.

Comment 22 (RR-2)

The City recently placed a project out to bid which will improve the Laurel-Natividad intersection, provide for 3 travel lanes in each direction along Natividad Road from Laurel to Alvin, and will also include the widening of Natividad Road from Alvin to Boronda. Construction is expected for summer of 1994. The text should include some words to this effect.

Response

Comment noted. The following discussion has been added to Mitigation TR-8.1 on the bottom of page 4-39 of the Draft EIR:

The City has recently placed a project out to bid that will improve intersection operations at the Laurel/Natividad intersection. The improvement project will widen Natividad Road to three lanes in each direction between Laurel Drive and Alvin Drive, and will widen Natividad Road between Alvin Drive and Boronda Road as well. The operation of this intersection, upon completion of the improvements, would be similar to that reported in Table 4-18 under the "with suggested improvements" heading.

Comment 23 (RR-4)

Incorporate bike lanes on Sammut Parkway, too.

Response

Comment noted. Optional Mitigation TR-17.1 on page 4-62 of the Draft EIR has been amended to read as follows:

- ~~A~~ Class II or a Class I (separated from vehicular traffic) bike lanes should be included in the Davis Road extension to Boronda Road, **and the Sammut Parkway**.

Comment 24 (RR-8)

Mitigation TR-4.1 needs more detail on applicant's responsibility to provide/install improvements.

Response

Table 4-26 in the traffic section of the EIR assigns the proportion of project responsibility for future traffic at an intersection. This table could be used to assign the project's share of the proposed facility improvement. The additional through lanes required for the project can be accommodated within the existing public right-of-way within restriping. The additional left turn lane into the K-Mart Center would be accomplished by a land dedication from that center when it develops the right-of-way remainder it would receive at the southeast corner of the new Laurel/Davis intersection (see New Figure 3-1 in previous section of this Addendum).

Comment 25 (RR-9)

The Final EIR should identify the intersection in parenthesis directly after the colon of the impact. For example, Impact TR-5: (Blanco-Davis) Traffic generated by..." Modify all impact locations accordingly.

Response

Comment noted. Changes have been made in the summary section of Final EIR.

Comment 26 (RR-10)

Add "Impact" and "Mitigation" to TR-7 items.

Response

Comment Noted. Impact TR-7 and Mitigation TR-7.1 on the top of page 4-39 have been revised as follows:

Impact TR-7: Traffic generated by approved and reasonably foreseeable projects would cause...

Mitigation TR-7.1: TRO improvement number 11 would widen...

Comment 27 (SB-6)

No traffic decrease is credited to the definite closure of Fort Ord despite Wilbur Smith's assessment that a reduction of 10% to 15% should be expected from Fort Ord's closure (TAMC Report, March 8, 1993, Page 4-2). While the closure of Fort Ord is a fact, the reuse of Fort Ord over time is speculative. Furthermore, TAMC studies acknowledge that considerable new

infrastructure is needed before expanded reuse of Fort Ord can occur. Part of this required infrastructure is a six lane west side bypass for the City of Salinas.

Response

The City of Salinas Public Works Department has conducted semi-annual traffic counts at intersections along Davis Road since 1990. Counts taken in the summers of 1992 and 1993 indicate that traffic along Davis Road decreased by approximately 1,000 vehicles per day between 1992-93. This decrease is correlated with the closure of Fort Ord during the same time period. The reuse of Fort Ord is assumed to occur at some point in the future but traffic from future reuse or further closure was not evaluated because it is speculative at this time. TAMC is continuing to study the potential roadway requirements and land use scenarios for the reuse of the site. Both the future land use and roadway alternatives to serve the site are speculative at this time. Any traffic reductions attributable to Fort Ord's closure were indicated in the City's summer, 1993 traffic counts and no adjustments for potential future increase or reductions were made in the traffic report.

Comment 28 (SB-8)

No facts are included in the Draft EIR to support the seasonal "factoring up" of actual traffic counts by as much as 24%.

Response

The City of Salinas Department of Public Works has historical traffic counts, taken twice a year, that continually show that summer traffic volumes are higher than winter traffic volumes. This is a result of the agricultural activity and employment increases during summer months. Since some of the traffic data used in the analysis for this EIR were originally gathered during winter conditions, DKS Associates, in consultation with City staff, adjusted the traffic counts at four locations to reflect a more conservative scenario. The adjustments to the data were supported by historical data.

Comment 29 (SB-9)

A fundamental issue raised under this analysis is the inclusion of the project impacts with the impacts of "approved and reasonably foreseeable projects" so that the two are not distinguishable. The reader is led to believe that the totality of those impacts will occur if the project is approved and at the same time that the project is implemented. In fact, the total list of "approved and reasonably foreseeable projects" represents a total of 8,500 dwelling units, three quarters of a million square feet of retail space, and 1.1 million square feet of business/office. Based on the last ten years of absorption in the City of Salinas, the realization of the "approved and reasonably foreseeable projects" would in fact be on a distant time horizon. As a result of this device, the impact analysis of this section is skewed.

Response

CEQA Guidelines Section 15130(b)(1) requires consideration of both approved and reasonable foreseeable projects and defines them as either *(A) a list of past, present and reasonably anticipated future projects producing related or cumulative impacts, including those outside the control of the agency, or (B) a summary of projections contained in the adopted General Plan or related planning document which is designed to evaluate regional and areawide conditions.* This analysis chose the first alternative which was a list of all approved and reasonably foreseeable future projects.

Comment 30 (SB-10)

Table 4-5 reflects total PM peak hour trips of 14,450 as compared to the project traffic analysis prepared by the applicant which projects a total PM peak hour trip generation of 9,400 trips. Without an explanation of this substantial discrepancy or at least a reflection that experts differ on this important topic, decision makers and the public are left without important information.

Table 4-14 reflects two analytical defects:

- a) Typically traffic analyses for larger retail centers such as the Westridge Center apply a "driveby recapture" factor and an "internal trip reduction" factor. This EIR has used an internal trip reduction factor only (Footnote 4). The 10% internal trip reduction factor is lower than the standard factor. The driveby recapture factor should be anywhere from 25% to 40%, yet none is applied in this table.
- b) The same "tilt" in favor of Alternative 3 for trip reduction measures is reflected in Table 4-14.

Response

a) DKS worked closely with City staff and the project applicant to establish the trip generation characteristics of the proposed project. While there are differing opinions, the agreed upon trip generation is presented in the EIR, and it reflects the best and a conservative estimate of trip generation for this project. The primary difference is that since the commentor's previous analysis had been done, a new project has been approved (Williams Ranch) and another major residential subdivision is under consideration (Sconberg Ranch). These two projects are expected to add about 4,800 P.M. peak hour trips to the City's network at buildout. Additional trips are the results of minor modifications to previously proposed or approved projects.

School trips in the approved developments are assumed to be internal and were not loaded onto the network. A reduction for internal trips was also taken for the Harden and Williams Ranch developments.

b) Although the trip reduction was applied to Alternative 3, it uses the same land use as Alternative 1. Therefore, the impacts would appear very similar, if not identical, for most intersections if the trip reduction were to be removed from Alternative 3 or added to Alternative 1. Alternative 3 is presented in the EIR to demonstrate the effects that the City's Trip Reduction Ordinance (TRO) would have on traffic operations. The impacts and mitigation measures do not differ between the alternatives as a result of applying the TRO. Alternative 3 includes other measures that encourage pedestrian and transit use, but the impacts to service levels and volume-to-capacity ratios at local study area intersections would not differ as a result.

Comment 31 (SB-11)

It would be informative to decision makers to see some cost/benefit analysis related to providing the Alvin Drive overcrossing. It appears from Table 4-6 that relatively little benefit would be achieved compared to other alternatives.

Response

For the purposes of this EIR, the Alvin Drive overcrossing was analyzed with respect to traffic operation benefits. Traffic improvements attributable to the overcrossing would be realized at intersections along North Main Street, Boronda Road, West Laurel Drive and North Davis Road. While the overcrossing would allow more vehicles to use Alvin Drive to access and egress the

proposed project site, it would help balance traffic flows throughout western Salinas onto several arterials. A cost benefit analysis and other analytical considerations would probably have to be undertaken at a later date should the City and/or the project applicant pursue this alternative further.

Comment 32 (SB-9)

It should be noted in the discussion of trip generation for “approved and reasonably foreseeable projects” that a significant double counting occurs with this traffic forecasting methodology. For this reason, the traffic impact analysis should acknowledge that this is an extremely conservative analysis of traffic impacts.

Response

To avoid double counting, traffic generated by approved and reasonably foreseeable projects was distributed according to its specific land use. For example, trips generated by schools and parks and local serving retail land uses were not distributed throughout the entire city, but only to their surrounding areas. These uses would generate trips, but they would not necessarily impact intersections on the other side of the city. Other components of these projects, such as the residential land uses, would generate trips and those trips would be distributed throughout the City. In the impact model used for the analysis of this EIR, each component land use has an individual distribution pattern and assignment on the roadway network. To avoid double counting, each land use is carefully considered as to how it will interact with all of the other land uses and the surrounding communities. The analysis presented in this EIR is conservative, but there was no double counting of trips between different project sites.

Comment 33 (SB-15)

CEQA requires feasible mitigation measures. The report should reflect whether Mitigation TR-3.1 (ten lanes on North Main Street) is feasible.

Response

The proposed mitigation measure is potentially feasible, but would require right-of-way acquisition and perhaps other engineering design considerations (i.e. utility line relocation, traffic signal adjustments).

Comment 34 (SB-22)

With regard to Impact TR-10, there is no direct project impact and there is no future project impact. In fact, there is a substantial benefit from the project when added to future traffic levels. There is no basis to suggest a significant impact from the project at this location.

Response

The benefits to the North Main/Alvin intersection come from the TFO and suggested improvements (Table 4-21), and from the changed traffic patterns due to the extension of Davis Road north of West Laurel Drive. As stated on pages 2-3 and 4-43, the significant impacts at this intersection are attributable to approved and reasonably foreseeable projects, and not the proposed project.

Comment 35 (SB-22)

If the Alvin Drive overcrossing is not constructed, what would the impact be on the North/Main intersection?

Response

The impacts to the North Main/Alvin intersection, if the Alvin Drive overcrossing were not constructed, would be those identified for Alternative 1. For Alternative 1, the roadway network does not include an Alvin Drive overcrossing (see Figure 4-3).

Comment 36 (SB-23)

There is no factual basis to suggest that the project would cause a significant impact at the North Main/Laurel intersection. In fact, the project by itself causes a significant improvement in future impacts. Therefore, this intersection should not be listed as a significant project impact.

Response

The benefits to the North Main/Laurel intersection come from the TFO and suggested improvements (Table 4-21), and from the changed traffic patterns due to the extension of Davis Road north of West Laurel Drive. As stated on pages 2-4 and 4-48, the significant impacts at this intersection are attributable to approved and reasonably foreseeable projects, and not the proposed project (the first sentence of Mitigation TR-11.1 states that "This impact only occurs in cases without the proposed project"). The Draft EIR does not identify the impacts to this intersection as a significant project impact.

Comment 37 (RR-7)

The traffic consultant should provide all signal warrants to Public Works.

Response

DKS will be providing signal warrants for unsignalized intersections to the Salinas Public Works Department.

Comment 38 (SB-5)

The traffic section of this EIR is off track on two issues. The first is the number of significant traffic impacts that appear to be attributed to the project when in fact they are attributable to other "approved and reasonably foreseeable projects" only. The second major issue is a misinterpretation and misapplication of the General Plan policy concerning traffic levels of service and associated implementing policies:

- a) In the summary section, pages 2.1 to 2.4, the first fourteen traffic impacts are indicated to be significant impacts of the project. In fact, eight of them are not project impacts at all but rather the result of traffic from other "approved and reasonably foreseeable projects." In many cases, the project actually improves the intersections' operation in the future, but it is erroneously listed as a significant impact of the project. This gives a misleading representation of the overall project impact on the circulation system.
- b) The General Plan Guiding Policy 5.1.B regarding traffic level of service is clear: In existing urbanized areas where all of the analyzed intersections are located, the criteria is level of service (LOS) D; in other words, up to .89 volume/capacity (v/c) ratio. The

source of the confusion is in trying to apply as a policy the italicized “explanatory material” following Implementing Policy 5.1.G. on page 62 of the General Plan. The text of the General Plan makes clear that such italicized “explanatory material” is not adopted and is not policy (General Plan, page 5). In this case the explanatory material was included in the General Plan to assure that necessary improvements would be initiated (i.e., planning, design, environmental clearance and funding) well in advance of reaching the LOS D (.89 v/c) threshold. Thus, the italicized implementing language suggests that this initial scheduling should take place when the volume to capacity ratio of 0.80 to 0.82 is reached. This lower trigger was never intended to be a threshold for technical evaluation or for determination of project impacts. This criteria is misrepresented in the summary section of the EIR and throughout the text analysis where the .82 v/c ratio is used to denote a significant impact, when in fact the threshold should be .89 v/c.

Response

The summary section of the EIR identifies that there are several significant traffic impacts which are solely attributable to the project itself. That is, the project itself would generate sufficient traffic to result in degradation of intersections below an acceptable level of service. Based on threshold standards of the project affecting an intersection by at least .05 volume to capacity ratio and resulting in the degradation of the intersection to a less than acceptable level of service, the EIR indicates that the project is responsible for mitigating the following intersections: Boronda/US 101 SB ramps (TR-1), Boronda/US 101 NB ramps (TR-2) North Davis/Post (TR-4), Davis/Blanco (TR-5), and Davis/Laurel (TR-9). Other affected intersections are not solely attributable to the project. The change from a 0.82 to a 0.89 v/c impact threshold would reduce the project’s impact at North Main/Boronda from a significant to an insignificant impact and would delete the requirement for the applicant to mitigate its impacts at this intersection. It would reduce the project’s impact at Sanborn and Laurel from a significant to an insignificant impact and would eliminate the requirement for the project to provide direct mitigation for this mitigation (see revisions to Impact TR-4 and TR-7 in the Revised Summary of this Addendum).

Comment 39 (SB-7)

The industry standard is for traffic reports to utilize an “impact threshold” in the analysis of impacts. Customarily, the fundamental basic criteria for establishing significant project impacts should be the following:

- a) Project traffic by itself causes an existing intersection to exceed the City’s .89 v/c ratio standard.
- b) Project traffic by itself contributes 5% or more of total trips within a road segment.

If the threshold is not exceeded, the impact is deemed insignificant. This report utilizes no such threshold.

Response

Comment noted. The threshold standard for project traffic impacts has been changed. The sentence in the last paragraph on page 4-11 of the Draft EIR discussing the threshold now reads as follows:

The ~~0.82~~ **0.89** threshold was used in this EIR as the mechanism for assigning responsibility to the project or cumulative impact and mitigation.

Comment 40 (SB-10)

Table 4-5 is very misleading. The table treats the "approved projects" as if all discretionary entitlements have been received and no further mitigations are available from those projects. This is not the case. Several of the projects referenced in Table 4.5 require further discretionary permits which may be the basis for requiring further mitigation. Others of the projects already approved are required by the conditions of their approval to provide substantial mitigation measures. All must pay traffic impact fees which contribute to the construction of TFO projects which will substantially reduce impacts, including impacts of the proposed project. The use of this table thus skews the report's impact analysis.

Response

The approved projects list assumes that there may be some additional mitigation from these proposed projects and that they will be contributing TFO fees and some direct mitigation to some intersections. These facts do not change the applicant's responsibility to mitigate the significant impacts the project will cause at the identified intersections.

Comment 41 (CAC1-7)

The extension of Rossi Street should be a mitigation required of the project, particularly as mitigation for the project impact at the Davis/Laurel intersection.

Response

The mitigation measures proposed in this Addendum would reduce the project's traffic impacts to a level of insignificance including at the Davis/Laurel intersection. As noted in the comment letter, the Rossi Street extension is a programmed improvement of the Boronda Redevelopment Agency and the development of this project would create the tax increment to make that improvement.

Comment 42 (DPW-7)

What about including cash incentives for carpools?

Response

The applicants have committed to a variety of trip reduction measures including preferential parking for employees who carpool. The measures they have selected are consistent with the City's adopted Facilities Trip Reduction Ordinance (TRO) and they will not be required to subsidize those carpools. The applicant has agreed to adopt trip reduction measures to reduce on-site trips by at least 7%. It is potentially infeasible for the applicant to subsidize or require future employers to subsidize employee carpools.

Comment 43 (SB-12)

The analysis of the impacts of Alternative 3 are skewed by applying a 7% reduction in traffic for compliance with the City's TRO. Although the ordinance applies to all alternatives, the traffic analysis applies it only to this alternative. This technique artificially tilts the analysis in favor of Alternative 3.

Response

Although the trip reduction was applied to Alternative 3, it uses the same land use as Alternative 1. Therefore, the impacts would appear very similar, if not identical, for most intersections if the trip reduction were to be removed from Alternative 3 or added to Alternative 1. Alternative 3 is presented in the EIR to demonstrate the effects that the TRO would have on traffic operations. The impacts and mitigation measures do not differ between the alternatives as a result of applying the TRO. Alternative 3 includes other measures that differentiate it from Alternative 1 which encourage pedestrian and transit use, but the impacts to service levels and volume-to-capacity ratios at local study area intersections would not differ as a result.

Comment 44 (SB-13)

The City should be responsible for the implementation of the mitigation measures for TR-1 and TR-2. Existing TFO projects will completely mitigate the traffic level of service and those projects have always been identified as a broad City responsibility.

Response

While the project itself will only generate some 3,000 vehicle trips per day through these intersections, the opening up of the Davis/Laurel intersection will redirect perhaps 20,000 vehicles per day to the Boronda Road interchange. The project will generate significant TFO funds (approximately \$2.7 million through buildout) from the on-site development of 650,000 square feet of commercial development. An intermediate improvement of additional two lanes at both the south bound and north bound off ramps, signalization of both ramps at Boronda, the widening of the south side of Boronda Road from the north bound off ramp to Main Street, and two additional lanes on the Boronda Road overpass will result in acceptable levels of service for the existing plus project scenario. Traffic fees from project tenants would be used for the required improvements.

Comment 45 (SB-16)

The applicant should only have to mitigate for project traffic at the Davis/Post intersection, and not for existing plus project plus future traffic.

Response

In order to mitigate the project's traffic impacts, the applicant would install the two additional through lanes as a part of the redesign of the Davis/Laurel intersection. The additional left turn lane would be provided when development of the K-Mart Center takes place as a dedication from that Center.

Comment 46 (SB-17)

The applicant should be responsible only to mitigate for TR-5 as necessary to bring the direct project impacts to below LOS D (0.89 v/c).

Response

The installation of required intersection improvements to mitigate below LOS E may result in the improvement of the intersection to an LOS better than 0.89. The applicant will be required to mitigate those intersections for which they bear primary responsibility.

Comment 47 (SB-18)

TR-6 should not be listed as a significant impact of the project.

Response

Comment noted. Using a v/c ratio of 0.89 as the threshold for assigning responsibility to the project or cumulative projects for impacts and mitigations, the following sentence on page 4-37 of the Draft EIR should be deleted:

~~Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of V/C = 0.82 during the P.M. peak hour.~~

With project generated traffic, the intersection would continue to operate at an acceptable LOS D during the P.M. peak hour at a v/c ratio below 0.89.

Comment 48 (SB-19)

TR-7 should not be listed as a significant impact of the project.

Response

Comment noted. Using a v/c ratio of 0.89 as the threshold for assigning responsibility to the project or cumulative projects for impacts and mitigations, Impact TR-7 and Mitigation TR-7.1 should be removed from the text on page 2-3 of the Draft EIR:

~~TR 7: Traffic generated by approved and reasonably foreseeable projects would cause the North Sanborn Road and East Laurel Drive intersection to fall to LOS D (V/C = 0.81) during the P.M. peak hour. Traffic generated by the proposed project would cause the North Sanborn Road and East Laurel Drive intersection to fall below the General Plan threshold of V/C = 0.82 during the P.M. peak hour before TFO improvements are made. The intersection would operate at LOS D (V/C = 0.85) without TFO improvements (Significant Impact).~~

~~TR 7.1: TFO improvement number 11 would widen both Sanborn Road and Laurel Drive. After mitigation, the intersection would operate at LOS D, including traffic generated by approved and reasonably foreseeable projects (Insignificant Impact After Mitigation).~~

Comment 49 (SB-20)

TR-8 should not be listed as a significant impact of the project.

Response

Impact TR-8 is not identified as a significant project impact, but as an impact attributable to approved and reasonably foreseeable projects.

Comment 50 (SB-21)

TR-9 should not be listed as a significant impact of the project.

Response

As shown on Tables 4-7 and 4-20 of the Draft EIR, traffic generated by the project during the weekend peak hour would cause this intersection to fall to LOS E ($v/c = 0.91$), which is below the City's LOS D threshold. Therefore, the project causes a significant impact at this intersection, which becomes an insignificant impact after mitigation. With traffic generated by approved projects, however, the impact becomes more severe and the condition would be a significant unavoidable adverse impact.

Comment 51 (SB-23)

TR-11 should not be listed as a significant impact of the project.

Response

Impact TR-11 is not identified as a significant project impact, but as an impact attributable to approved and reasonably foreseeable projects.

Comment 52 (SB-24)

With regard to TR-14, the project would not increase delays at the Natividad/Boronda intersection.

Response

Impact TR-14 is not identified as a significant project impact, but as an impact attributable to approved and reasonably foreseeable projects. Table 4-6 shows that the project would cause a slight increase in the v/c ratio (from 0.43 to 0.45) during the P.M. peak hour, and that the programmed TFO improvement would lower the v/c ratio to 0.26. The improved v/c ratio (1.01 compared to 1.04), when comparing the existing plus approved projects scenario to the existing plus approved projects plus Westridge Center scenario, is attributable to the change in which traffic movements are considered "critical" in the v/c analysis. The traffic volumes that are added up in the v/c calculation are those that experience the most conflicts for each approach (typically left turns conflicting with opposite through movements). The change in v/c is due to shifting patterns when each project's traffic is added to the intersection, as well as the total volume of traffic for each turning movement.

Comment 53 (SB-25)

The last paragraph on page 4-55 of the Draft EIR summarizes the traffic impacts of the project by adding project impacts to existing plus all future projects. What is the impact of this project on existing levels of traffic without mitigation, and on existing levels of traffic with mitigation?

Response

Tables 4-6 through 4-13 differentiate the impacts of this project with and without TFO project improvements, and with and without traffic generated by other approved projects. Tables 4-15 through 4-24 differentiate the impacts of this project with and without mitigation measures, and with and without traffic generated by other approved projects. The text on page 4-55 and Table 4-26 also separate the project's impacts versus the impacts attributable to approved projects.

Comment 54 (SB-26)

Because pedestrian impacts are identified as an insignificant impact, no mitigation is required. Optional Mitigation Measures TR-16.1 and TR-16.2 should be eliminated.

Response

The applicants have committed to a variety of trip reduction measures which are consistent with the City's adopted Facilities Trip Reduction Plan, and as such these mitigation measures are included. The Facilities Trip Reduction Plan has a goal of a 7% reduction in automobile trips, and these measures would contribute towards achieving that goal.

Comment 55 (SB-27)

Because bicycle impacts are identified as an insignificant impact, no mitigation is required. Optional Mitigation Measure TR-17.1 should be eliminated.

Response

The applicants have committed to a variety of trip reduction measures which are consistent with the City's adopted Facilities Trip Reduction Plan, and as such this mitigation measures is included. The Facilities Trip Reduction Plan has a goal of a 7% reduction in automobile trips, and this measure would contribute towards achieving that goal.

Comment 56 (SB-28)

Because transit impacts are identified as an insignificant impact, no mitigation is required. Optional Mitigation Measure TR-18.1 should be eliminated.

Response

The applicants have committed to a variety of trip reduction measures which are consistent with the City's adopted Facilities Trip Reduction Plan, and as such this mitigation measures is included. The Facilities Trip Reduction Plan has a goal of a 7% reduction in automobile trips, and this measure would contribute towards achieving that goal.

Comment 57 (SB-52)

The project's modest contribution to traffic at the North Main/Boronda intersection does not meet a reasonable threshold to find TR-3 to be an unavoidable adverse impact of the project.

Response

Comment noted. A v/c ration of 0.89 is what is used as the threshold for assigning responsibility to the project or cumulative projects for impacts and mitigations in the City. Considering this, Impact TR-3 and Mitigation TR-3.1 on page 2-1 should be placed with the group of impacts and mitigations attributable to approved projects at the top of page 2-3, and the first sentence of Impact TR-3 should be deleted as follows:

TR-3 (North Main Boronda): ~~Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of v/c 0.82 during the P.M. peak hour.~~ Approved and reasonably foreseeable projects would cause the intersection of North Main Street and Boronda Road to fall from LOS B today to LOS F

in the future, during the weekday P.M. peak hour. During the weekend peak hour, it would fall from LOS C today to LOS F in the future (*Significant Impact*).

The intersection should also be included at the end of the list of intersections that would be impacted by approved and reasonably foreseeable projects under Impact CU-1 at the top of page 5-5 of the Draft EIR.

Comment 58 (SB-53)

With regard to Impact TR-4, the project does not render a significant impact at the Davis Road/Post Drive intersection.

Response

Without suggested mitigation measures, this intersection would operate at $v/c=0.85$, LOS D during the weekend peak hour, which is below the $v/c=0.89$ threshold. Therefore, Impact TR-4 and Mitigation TR-4.1 on page 2-1 of the Draft EIR should be deleted as follows:

~~TR 4: Traffic generated by the proposed project would cause the intersection of Davis Road and Post Drive to fall from LOS D today to LOS F in the future, during the weekday P.M. peak hour. Traffic generated by the proposed project alone would cause this intersection to fall below the General Plan threshold of $v/c=0.82$ during the P.M. peak hour (*Significant Impact*).~~

~~TR 4.1: The applicant should contribute towards creating a second northbound left turn lane, a third northbound through lane, a second southbound left turn lane, and a third southbound through lane. Even with the maximum geometric configuration possible, this intersection would operate at LOS F in the future during the weekend peak hour (*Significant Unavoidable Adverse Impact*).~~

The intersection should also be included at the end of the list of intersections that would be impacted by approved and reasonably foreseeable projects under Impact CU-1 at the top of page 5-5 of the Draft EIR.

Comment 59 (SB-54)

TR-9 (Davis Road/West Laurel Drive intersection) is incorrectly described as an unavoidable adverse impact of the project.

Response

Comment noted. This intersection is included on the list of intersections under cumulative impacts (Impact CU-1) on page 5-5 of the Draft EIR. Impact TR-9 and Mitigation Measure TR-9.1 should be deleted from the top of page 2-2 of the Draft EIR as follows:

~~TR 9: Approved and reasonably foreseeable projects would cause the intersection of Davis Road and West Laurel Drive to operate at LOS E during the weekday P.M. peak hours. Traffic generated by the proposed project, either by itself or when added to existing traffic, would cause the Davis Road and West Laurel Drive intersection to operate at LOS F during the weekday P.M. peak hour and LOS E during the weekend peak hour (*Significant Impact*).~~

~~TR 9.1: The applicant should contribute towards adding a second northbound left turn lane, a third through lane on both the northbound and southbound approach, a second~~

~~eastbound left turn lane, and westbound and eastbound right turn lanes. Even with the additional turn lanes, the intersection would not achieve an acceptable LOS (Significant Unavoidable Adverse Impact).~~

3.3 AIR QUALITY

Comment 1 (APCD-1)

AMBAG is responsible for determining project conformity with the AQMP. The District reviews the project for air quality concerns.

Response

Comment noted. The last paragraph on page 3-24 of the Draft EIR has been revised as follows:

- ~~Monterey Bay Unified Air Pollution Control District (conformance with the 1991 Air Quality Management Plan for the Monterey Bay Region air quality concerns);~~
- **Association of Monterey Bay Area Governments (conformance with the 1991 Air Quality Management Plan for the Monterey Bay Region);**

Comment 2 (APCD-2)

The Basin has attained the federal ozone standard; however, until it is officially redesignated by EPA, the NCCAB is designated nonattainment.

Response

Comment noted. The next to last paragraph on page 4-65 of the Draft EIR has been modified as follows:

Most of the state and national ambient air quality standards are met in the North Central Coast Air Basin. The air basin has not attained the ~~federal and state ozone standards, or the state PM-10 standard, however.~~ **The Air Basin has attained the federal ozone standard; however, until it is officially redesignated by the U. S. Environmental Protection Agency, the NCCAB is designated nonattainment.**

Comment 3 (APCD-3)

The District recommends including ambient air quality data for monitoring stations throughout the Basin since ozone is a regional pollutant.

Response

Comment noted. The last sentence in the last paragraph on page 4-65 of the Draft EIR:

Violations of the state and federal standard for ozone have also been measured at other locations in the air basin...

has been replaced by the following:

Ozone and PM-10 are regional pollutants affecting the entire air basin; violations of the state and federal standard for ozone and PM-10 were recorded in Davenport

and Santa Cruz in Santa Cruz County and at Hollister in San Benito County during the period 1990-1992.

Comment 4 (APCD-4)

The state standard for sulfur dioxide is 0.25 ppm for 1-hour and 0.05 ppm for 24-hours.

Response

Table 4-29 has been corrected to show the state 1-hour standard for sulfur dioxide as 0.25 PPM and the state 24-hour standard as 0.05 PPM.

**Revised Table 4-29
Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone	1-hour	0.12 ppm	0.09 ppm
Carbon Monoxide	8-hour	9.0 ppm	9.0 ppm
	1-hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	annual	0.05 ppm	—
	1-hour	—	0.25 ppm
Sulfur Dioxide	annual	0.03 ppm	—
	24-hour	0.14 ppm	0.05 0.25 ppm
	1-hour	—	0.25 0.5 ppm
PM-10	annual	50.0 µg/m ³	30.0 µg/m ³
	24-hour	150.0 µg/m ³	50.0 µg/m ³
Lead	30-day avg.	—	1.5 µg/m ³
	3- month avg.	1.5 µg/m ³	—

Notes: ppm = Parts per million.
 — = Not applicable.
 µg/m³ = Micrograms per cubic meter.

Comment 5 (APCD-5)

The federal Clean Air Act Amendments require the District to submit a plan in November 1994 demonstrating attainment.

Response

Comment noted. The last sentence on page 4-66 of the Draft EIR has been modified as follows:

The federal Clean Air Act Amendments of 1990 requires that moderate air pollution areas, such as the North Central Coast Air Basin, submit a plan to the Environmental Protection Agency by ~~1993~~ **November 1994** showing attainment of the standards by 1996.

Comment 6 (APCD-6)

The AQMP is a state nonattainment plan, not a federal nonattainment plan, though it established the basis for meeting federal requirements. In 1993, a Federal Rate of Progress Plan (ROPP) for the Monterey Bay region was adopted to meet the federal requirement to demonstrate a 15 percent reduction in ROG emissions by 1996. A federal nonattainment plan with any additional reductions necessary beyond the ROPP is due in November 1994.

Response

Comment noted. The reference to federal standards in the first paragraph on page 4-67 has been deleted.

Comment 7 (APCD-7)

The significance criteria also includes direct emissions of CO and PM₁₀ that exceed 550 and 82 lbs./day, respectively. Further, any project that has the potential to emit toxic air contaminants may have a significant impact.

Response

Comment noted. The following text has been added after the first paragraph on page 4-68:

For direct sources, emissions of greater than 550 pounds per day of carbon monoxide or 82 pounds per day of PM-10 be considered potentially significant. Additionally, emission of toxic air contaminants which result in unacceptable health risks may be significant.

Comment 8 (APCD-8)

Hydrocarbon emissions would not represent a localized nuisance; however, it would contribute to regional levels of ozone, a nonattainment pollutant. While the Draft EIR finds that hydrocarbon emissions from construction are a significant impact, the subsequent analysis does not support this conclusion. CEQA requires that for each significant effect, the EIR must identify specific mitigation measures. The analysis neither identifies measures to mitigate HC emissions nor concludes whether impacts would be reduced to insignificance. The summary on Page 2-6 should be revised accordingly.

Response

Comment noted. Impact AQ-1 on page 2-7 and 4-68 of the Draft EIR has been restated to clarify that it is the emission of PM-10 and dust that has the potential for nuisance. Impact AQ-1 now reads:

AQ-1: Construction activities would generate ~~hydrocarbons~~ dust and PM-10, emissions that would create the potential for nuisance. (*Significant Impact*).

Comment 9 (APCD-9)

The impact analysis should identify the location of any nearby sensitive receptors and any potential impact to them.

Response

The following sentence has been inserted to the last paragraph beginning at the bottom of page 4-68 of the Draft EIR:

The effects of construction activities would increase dustfall and locally elevated levels of PM-10 near the site of construction activity. Depending on the weather, soil conditions, the amount of activity taking place and nature of dust control efforts, these impacts could affect existing land uses near the project. **Affected land uses would include residential areas southwest of the site, commercial uses south of the site across West Laurel Drive and possibly residential areas east of the site on the other side of State Highway 101. The remaining lands abutting the site are in agricultural use.** Project construction impacts are considered to be a temporary potentially significant impact within a localized area.

Comment 10 (APCD-10)

CEQA Guidelines state that if there are unavoidable significant effects, the EIR should describe the implication of these impacts and the Lead Agency's reasons for choosing to tolerate them rather than requiring an alternative design.

Response

Table 4-33 on page 4-72 of the Draft EIR indicates that all of the proposed project alternatives, with the exception of the No Project Alternative, would generate amounts of reactive organic gases significantly above the 150 lb./day threshold set by the Monterey Bay Unified Air Pollution Control District. There are no set of reasonably available mitigation measures that would reduce project traffic by 30-40 percent to meet the District's threshold. The project does propose to reduce project trip generation and subsequent air quality impacts by as much as 12 percent. Achievement of trip reductions greater than this are not feasible for a regional retail center that would be automotive dependent. Therefore, the project's findings will include a Finding of Overriding Significance.

Comment 11 (APCD-11)

The Summary of Impacts may require revision of other significant impacts are found based on the District's comments.

Response

Based on a review of District comments, no further significant impacts were found. Please note that the air quality impacts of cumulative development were found to be insignificant because the existing County population is still below the level predicted in the adopted AMBAG population forecast for 1995.

Comment 12 (SB-29)

Mitigation AQ-3.1 is not a true mitigation but is rather a monitoring requirement. It should be deleted as a mitigation measure and added to the project mitigation monitoring plan.

Response

Mitigation AQ-3.1 directs the City to develop an enforcement procedure, which goes beyond monitoring mitigation. This measure is therefore considered as a mitigation measure rather than a monitoring requirement.

Comment 13 (SB-30, SB-55)

The EIR analyzes no air quality mitigations other than trip generation reduction and, therefore, concludes that even with these reductions, impacts on regional air quality would be a significant unavoidable adverse impact. This is a shallow analysis of air quality impact and mitigation. The 1991 Air Quality Management Plan regulates both stationary sources and mobile sources. Trip reduction is one of the Transportation System Measures identified in the AQMP for controlling mobile sources. The AQMP contains a broad menu of measures for controlling emissions from stationary sources of which this project is one. None of those measures is discussed in the EIR. For projects which exceed the action threshold of 150 pounds per day (which this project does), the AQMP calls for application of Best Available Control Technology ("BACT") and if the application of BACT does not achieve compliance, the utilization of offsets. The EIR should contain an analysis of these measures which would result in mitigation of project air quality impacts to a level of insignificance. The analysis of cumulative air quality impacts is also very incomplete and ignores application of BACT and offsets.

Response

The overwhelming source of emissions associated with the project is automobile and truck traffic, so it is appropriate that air quality mitigation measures focus on trip reduction. The conclusion that project impacts are unavoidable is based on the observation that the required percentage reduction in emission that would bring project impacts to below 150 pounds per day is much larger than the most optimistic projections of effectiveness for trip reduction strategies.

The project is considered an indirect source of pollutants, in that it generates little emissions from the site, but attracts mobile sources of pollutants. While the AQMP identifies measures for both mobile and stationary sources, the project is not a stationary source, and control measures for stationary sources cannot be applied to the proposed project.

The Monterey Bay Unified Air Pollution Control District's Rules and Regulations require permits for stationary sources, defined as:

any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission.

Stationary sources are subject to the District's New Source Review rules, which could require use of Best Available Control Technology, utilization of offsets, and other control measures. The project, however, does not meet the definition of a stationary source, needs no permits from the MBUAPCD, and is not subject to programs such as BACT and offsets requirements. The MBUAPCD currently has no permit authority over indirect sources of pollutants such as the project.

Comment 12 (SB-31)

The Air Quality section assumes that the 7% trip reduction would apply only in the case of Alternative 3. There is no factual evidence, reasonable assumption predicated upon facts, or expert opinion supported by facts which would lead to the conclusion that only Alternative 3 would have to comply with the City's trip reduction ordinance and achieve the 7% decrease in trips.

Response

The Draft EIR states in the last paragraph on page 4-24 that the City's Trip Reduction Ordinance would require a minimum 7% reduction in project trips for any alternative proposed for this development. The reduction is shown for Alternative 3 for illustrative purposes only.

3.5 LAND USE

Comment 1 (HVI-3)

The proposed project is inconsistent with both the Boronda Neighborhood Improvement Plan and the City General Plan. If the project proposes to be rezoned to allow heavier commercial and/or auto dealerships to be located at the Westridge project, the impacts of that proposal would need to be analyzed in the Draft EIR. The potential rezoning and change in land use patterns would need to be analyzed for their potential impacts on the existing Boronda residential neighborhood.

Response

Inconsistencies with the project and the Salinas General Plan Map and land uses reflected within the Boronda Neighborhood Improvement Plan are discussed under Impact LU-7 on page 4-86 of the Draft EIR. Generally, the proposed project will require revised land use designations to accommodate the mix of uses proposed in the project. The General Plan identifies the site for Retail, Office and Low Density Residential uses while the Boronda Neighborhood Improvement Plan designates the site for Highway Commercial and Planned Commercial uses. Potential impacts resulting from the zoning and land use changes on surrounding residential land uses are discussed under Impact LU-5 on page 4-83 of the Draft EIR. Incorporation of the three mitigation measures listed on page 4-84 (LU-5.1 - LU-5.3), which include specifications for sound walls, setbacks and other design measures, would minimize the impact of the "heavier" commercial development on adjacent residences, and protect residents from the potential adverse effects of incompatible uses.

Comment 2 (Agricultural Commissioner-1)

The contiguousness to the city of the proposed development and the proposed mitigating measures designed to protect other prime farmlands in the vicinity indicate a thoughtful approach to the project in regard present and future land use.

Response

Comment noted. No response is necessary.

Comment 3 (LAFCO-1)

Alternatives 1 and 2 could lead to the conversion of prime farmland off-site, due to the extension of roads into agricultural areas adjoining the site. The Final EIR should analyze the potential

impact of amending the City's sphere to include this area and, if appropriate, modify the project description to include this additional action.

Response

The project description is revised to reflect the expansion of the City's Sphere of Influence to include up to an additional 106 acres needed for the extension of right-of-way for North Davis Road north of the project site. Revised Figure 4-1 depicts two alternative alignments of the Davis Road extension, one of which, the perimeter alignment around the Massa property, is consistent with the alignment agreed to in the recently revised Boronda Memorandum of Understanding, a joint City/County document outlining rules for development of the Boronda area. This sphere amendment assumes the development of this property in the near future. However, in the event that this property is not developed, it may be possible to provide a closer alignment of the Davis Road extension and a smaller sphere. In either case, the proposed road will be growth inducing in that it will facilitate the development of properties currently outside the City limits.

The project's growth inducing impacts have already been extensively discussed on pages 5-11 and 5-12 of the Draft EIR. Impact LU- 2 on page 4-81 of the Draft EIR indicates that 14.6 acres of land may be needed for the off-site extension of Davis Road. If a wider alignment is needed, that impact could be increased to 20 acres. A footnote has been added to the table at the top of page 4-82 of the Draft EIR indicating the potential need for the 20 acres.

Comment 4 (LAFCO-2)

The Monterey County LAFCO's Agricultural Preservation Policy and Standards for the Evaluation of Proposals should be analyzed in the Final EIR.

Response

The project was reviewed for consistency with the following LAFCO policies; agricultural land preservation; conformity to City and County General Plans; spheres of influence; economics; and groundwater standards.

LAFCO policies for agricultural land preservation call for the preservation of prime agricultural lands while providing for a planned, well-ordered and efficient urban development pattern. This project is consistent with these policies because it proposes the development of an agricultural property adjacent to an already developed residential neighborhood. Urban services are readily available and the project will incorporate buffers to preserve the viability of remaining agricultural lands to the west. The development of this site for urban use is consistent with the adopted agricultural preservation policies of the City of Salinas and Monterey County which calls for the development of non-prime farm lands.

Another policy issue for LAFCO is the project's conformity to City and County General Plans. The project's proposed land uses and the extension of the frontage road are consistent with the County's adopted Boronda Neighborhood Improvement Plan. The proposed development is not consistent with the City's adopted General Plan and that Plan would need to be amended for both the land uses and the extension of Davis Road to the Boronda Road interchange. That General Plan amendment is a part of the project's description.

The proposed development of the Westridge Center itself is consistent with the adopted Sphere of Influence for the City of Salinas. However, an amendment of the Sphere will be needed for the proposed extension of Davis Road to the Boronda Road interchange.

LAFCO policies require that development proposals demonstrate that there will be adequate revenues available to support needed services for all service providers. The project's Plan for Services demonstrates that there will be adequate revenues to support services.

LAFCO policies for groundwater resources encourage the compliance with adopted water allocation plans, ordinances and other measures. The preferred project alternative would result in a 43.7% reduction in an estimated agricultural water use of the site. This level of conservation easily exceeds all required water standards adopted by the City and/or County.

Comment 5 (DO-1)

The applicant should be required to implement the sound, light and loading dock mitigation measures (LU-5.1, LU-5.2, LU-5.3) as indicated for the existing residential parcels.

Response

A reporting or monitoring program will be designed to ensure compliance with the listed mitigation measures during project implementation. Implementation and monitoring responsibility, and implementation schedule are provided at the top of page 2-9 of the Draft EIR.

Comment 6 (PBID-1)

Prior to preparation of the Draft EIR, the PBID identified various issues which, from the standpoint of County planning policy, needed to be addressed in the EIR, including: (1) impact on prime and/or in-production agricultural lands in and adjacent to the project area, (2) extension of Davis Road and other road improvements beyond the project into prime agricultural lands, (3) buffering between the proposed development and agricultural lands to the north of the project, (4) buffering (including screening) between the proposed development and the existing Boronda neighborhood to the south; and (5) access to and within the Boronda neighborhood.

A number of our specific concerns have been addressed in the Draft EIR including a 60-foot buffer between the project and adjacent agricultural lands, the use of Boronda Road as a project site boundary, height criteria for proposed buildings adjacent to the Boronda neighborhood, sound walls along abutting residential property lines, and buffering of loading areas near residences. The City should continue to work closely with the County as the project moves forward. The County should have major input into the refinement of mitigation measures, and should be a part of the mitigation monitoring process.

Response

The City will continue to consult with the County on the project, particularly within areas of special expertise with respect to the above environmental impacts, and for mitigation monitoring information.

Comment 7 (SB-32)

Alternative 1 does not impact the 22.3 acres of farmlands of statewide significance. All of the land that is proposed for utilization in Alternative 1 is included within the City's sphere of influence, and is designated in the applicable General Plan for development uses. Therefore, its conversion should not be considered "significant and unavoidable."

Response

As discussed on page 4-82 of the Draft EIR, the conversion of irrigated farmland on the project site is determined to be a significant, due to the reduction in the amount of land in agricultural production, and the "cumulative effect such conversion may have." The reader is also referred to the discussion of cumulative impacts in Section 5.2.

Comment 8 (SB-33)

The Land Use section expresses that "...the increased buffer provided by realignments of the buildings and extension of Boronda Road along the northwestern boundary (Alternative 3) would mitigate adverse impacts of proposed commercial use on adjoining agricultural operations and reduce potential nuisance complaints." This is unsubstantiated opinion of the EIR preparers. In fact, Alternative 3 would put parked cars and customers immediately adjacent to the impacts of farming, rather than using the project buildings as a buffer to these activities.

Response

The EIR preparers disagree. Alternative 3 is consistent with a number of policies within the Salinas General Plan and the Boronda Neighborhood Improvement Plan which require that projects minimize development conflicts with agricultural activities. As discussed on pages 4-80 and 4-81 of the Draft EIR, Salinas General Plan Policy 4.2.C recommends bounding urban areas with arterial roads. More specifically, Boronda Neighborhood Improvement Plan Policy 30.0.1.2 calls for a 60-foot street right-of-way between urban and agricultural uses in the Boronda area to establish a well defined buffer zone, and requires that parking facilities be placed on the front of the lots facing agricultural land to protect viable adjacent agricultural land uses. It is difficult to envision circumstances whereby customers moving to and from their parked cars would consider the adjacent agricultural operations a potential nuisance, when compared with employees and customers within buildings who would be subject to longer-term noises, odors, dust, chemicals and smoke that may accompany agricultural operations.

3.6 VISUAL RESOURCES AND URBAN DESIGN

Comment 1 (CAC1-4)

The impact of noise and visual aesthetics on adjoining residential properties will result in a loss of the rural character of the Boronda community. Open vistas will be constrained by proposed buffer walls. At what height will these walls be built? What kind of landscaping will be provided on both sides of the concrete buffer wall to minimize any negative visual impact?

Response

The loss of the agricultural open space character of the site is discussed under Impact VR-1 on page 4-89 of the Draft EIR. As discussed in Mitigation LU-5.2 on pages 2-8 and 4-84 of the Draft EIR, the proposed sound wall would not exceed eight feet in height. Mitigation VR-1.3 on pages 2-9 and 4-91 would require that the wall blend with the site's architecture, be offset and architecturally treated on both sides, and be landscaped-enhanced with appropriate native and other drought tolerant plants.

Comment 2 (SB-34)

The list of policies omits the most relevant of the General Plan criteria. Item D on page 10 of the Salinas General Plan provides:

Additional landscaping should consider the impact on commercial development that depends on highway visibility.

Response

There are many relevant General Plan criteria for the project as listed on page 4-88 of the Draft EIR. None of the policies are more relevant than others but rather should be viewed as a whole. As discussed on page 4-89 of the Draft EIR, the General Plan acknowledges that the development should allow views that are attractive and to have visibility. Therefore, the mitigation measures recommend maximizing opportunities to freeway travelers, which is consistent with the above policy, rather than providing additional landscaping to block views.

Comment 3 (SB-35)

Mitigation VR-1.2 would be inapplicable to the project as proposed. Alternatives 1 and 2 as designed provide 65 feet of greenway, including thirty feet of bermed landscaped area west of North Davis Road, fifteen feet of landscape median and twenty feet of landscaping on the east side of North Davis Road. Also, preliminary discussions with Caltrans have indicated the possibility of establishing a pattern of trees on their right-of-way near North Davis Road subject to Caltrans engineering review.

Response

Mitigation VR-1.2 reflects General Plan Policy 2.2.J, whereas the project as proposed does not. Adoption of the mitigation measure would make the project more consistent with the City Design Element of the Plan.

Comment 4 (SB-36)

Section 4.5 should conclude that with mitigations, the impacts of the project on the visual environment of the site will be insignificant.

Response

This conclusion is reached immediately before the discussion of alternatives in the middle of page 4-92 of the Draft EIR.

3.7 PUBLIC SERVICES

Comment 1 (CAC1-9)

Additional explanation should be given in the Final EIR on the source of fire protection coverage to the development and possible impacts on the Boronda community.

Response

According to the City of Salinas Fire Marshal, Fire Station #2 would be the first to respond to a fire at the proposed project site. However, the station's existing triple combination apparatus is not capable of adequately servicing the five-story hotel and larger retail establishments that are proposed for the development. From a fire suppression perspective, retail establishments over 52,000 square feet are considered equivalent to a three to five-story building. As such, the Fire Marshal has suggested the purchase of a quint apparatus to replace the existing triple combination engine at Fire Station #2 in order to provide the best services to the proposed

development. A quint has several ladders, including a 75-foot aerial ladder, has its own limited water supply, and is capable of pumping water and carrying its own hoses.

Fire Station #2 presently has a bay large enough to accommodate the quint and would need no modifications. Although the City of Salinas has an apparatus replacement policy, it does not cover aerial apparatus. Once Fire Station #2 is properly equipped with a quint, response time to the proposed project would be less than five minutes, assuming that the quint is not being used on another call.

The need for enhanced fire protection for the development's buildings over 52,000 square feet or over three stories can be accommodated in a number of ways. The following revisions and amendments to Mitigation PS-3.1 on page 4-97 of the EIR would reduce the project's impacts to a level of insignificance:

Mitigation PS-3.1: The applicant should ~~downsize the hotel to three stories and commercial buildings to less than 52,000 square feet so that the project site could be served by existing fire suppression equipment~~ **design all single buildings over 52,000 square feet with enhanced fire protection systems which exceed minimum fire code requirements and meet with Salinas Fire Department approval. If this is not feasible In addition, either of the following should occur: a) the City should form a special assessment district which only includes the project boundary to finance the purchase of a quint to enhance the efficiency of fire protection for the project. Pending future development that would require the services of the quint (i.e., buildings over 3 stories or greater than 52,000 square feet), the district should be expanded to include the new development. (the funding needed for acquisition of the quint apparatus could be obtained through the City's application for Proposition 172 funds for public safety, the Council's commitment of sales tax increment generated by the project, or through a Mello-Roos Assessment District placed on the development and similar developments with buildings over three stories in height); or b) the applicant should limit the size of the proposed hotel to less than three stories.**

Comment 2 (SB-37)

The Fire Department currently has a first alarm response rate of approximately five minutes. For major fires where three or four engine companies are needed, the response time will vary from five to eight minutes. The twenty five to thirty minutes cited in the EIR is the response time for getting an aerial ladder to Westridge from Fire Station #1 assuming that no staff is available and off duty fire fighters would need to be called in.

Response

Please see page III-12 in ERA Fiscal Analysis Report dated March 1994. Information based on discussions with City of Salinas Fire Marshal.

Comment 3 (SB-38)

Mitigation PS-3.1 is infeasible. The reduction of the hotel to three stories and/or the reduction of the planned anchor tenant sites to less than 52,000 square feet would render the project economically unfeasible. The alternative mitigation measure of buying a "quint" for the City is also unfeasible. The fiscal analysis prepared for the City reports the estimated cost of a "quint" at \$500,000.00. It is hard to understand how the City is able to provide adequate fire protection for the Northridge Center/Harden Ranch Plaza complex with massive stores in excess of 50,000 square feet, but cannot provide adequate fire protection for the Westridge Center without the addition of a half a million dollars in hardware.

Response

The purpose of the fiscal analysis was to identify any extraordinary ongoing costs resulting from the proposed Westridge Center development, not on how other developments (specifically Northridge Center/Harden Ranch) are serviced. Please also refer to page III-12 of ERA's March 1994 report for details on the need to purchase a quint.

3.8 WATER SUPPLY AND DISTRIBUTION

Comment 1 (HVI-4 SB-39)

The Draft EIR does not discuss the County Water Resource Agency Urban Water Conservation Ordinance and how the City's Water Conservation Plan and water allocation would be affected by the project. Also, the analysis of historical water use should be expanded to include calculations based upon the recently enacted upper pumping limits ordinances of the Monterey County Water Resources Agency.

Response

The project would be allowed at least 163.2 acre feet of new water use under the formula from the County's Agricultural and Urban Water Conservation ordinances, which permit new development to consume up to 85% of the site's upper pumping limit. The proposed project is estimated to use only 113.9 acre feet per year.

Comment 2 (LAFCO-3)

Information in the Draft EIR indicates that water use rates developed by the Monterey Peninsula Water Management District were used in evaluating the groundwater impacts of the project. The Final EIR should clarify Monterey County Water Resources Agency water consumption rate information was not used.

Response

The Monterey County Water Resources Agency has not developed its own estimates or urban water use rates. Instead it has relied on the rates developed by the Monterey Peninsula Water Management District.

Comment 3 (WRA-1)

The Draft EIR adequately analyzes and addresses drainage, flood control and water supply issues, and has recommended the appropriate mitigation measures.

Response

Comment noted. No response is necessary.

Comment 4 (WRA-2)

All of the development alternatives will have a reduced water demand below the historical agricultural use. WRA would prefer to see the alternative constructed that achieves the greatest water savings.

Response

Comment noted. The four proposed land use alternatives would reduce on-site water demand between 11.1% to 49.7% from the current agricultural use of the site. It is estimated that the three commercial alternatives would save at least 43.9% over the current water use. The difference between these alternatives is a maximum of 11.7 acre feet per year. While the Water Resources Agency's preference is understandable, any of the commercial alternatives would meet Monterey County's adopted water policies for on-site use.

Comment 5 (SB-40, WRA-3)

Change "Monterey County Water Management Agency" to "Monterey County Water Resources Agency".

Response

The second sentence in the second paragraph under potential impacts and mitigation measures on page 4-102 is revised as follows:

The determination of water demand was based on the water consumption rates provided by the ~~Monterey County Water Management Agency~~ **Monterey County Water Resources Agency**.

Comment 6 (SB-41)

Mitigation WS-1.1 should first require that the existing well is pumping from the 180 foot aquifer. If it is, it is unclear why this well could not be used as the monitoring well rather than drilling a new monitoring well.

Response

Discussion of this issue is found on page 4-99 of the Draft EIR where it describes that the northerly well draws from the 180 foot aquifer. However, the Monterey County Water Resources Agency data indicates that this well draws from the 400 foot aquifer and that its retrofit would be equivalent to the cost of a new monitoring well which the agency would prefer.

Comment 7 (SB-42)

Mitigation WS-1.4 is not feasible. There is no feasible way to deliver tertiary treated water to this site as proposed by this mitigation measure.

Response

The mitigation recognizes that there may be economic considerations in the use of treated "grey" water. However, given the critical nature of the region's groundwater overdraft and saltwater intrusion problems, some measure should be explored to determine its feasibility.

Comment 8 (SB-43)

The impact identified in WS-2 is "an adverse public perception". Section 15382 of the CEQA Guidelines defines "significant effect" only with respect to an adverse change in the physical conditions within the area. Public perceptions are not to be treated as environmental impacts. This impact and its mitigations (WS-2.1 and 2.2) should be deleted.

Response

Comment noted. This language will be deleted from the text. However, the impact remains significant due to the need for an increase in groundwater pumping for an aesthetic feature of the project. WS-2 on page 4-104 of the Draft EIR is amended to read as follows:

Impact WS-2: The drainage reservoir would require the use of the southerly well to maintain a constant lake level (a loss of 10.5 af/yr is estimated for water lost due to evaporation) **for aesthetic purposes.** ~~The mere existence of a man-made lake may create an adverse public perception of excess water consumption (Significant Impact).~~

3.9 SANITARY SEWER

Comment 1 (CAC1-10)

Additional information should be presented on the impact to the Boronda County Sanitation District. Would augmentation of the Westridge Center project have any impact on the Boronda County Sanitation District? Is there adequate capacity to handle this project? What fees will the development be required to pay in order to handle its proportionate share of the increase sewer capacity required? Will there be any impact on the Boronda community and any limitation on future hookups for residential properties as a result of the Westridge Center development? Is the capacity allotment for the Boronda area impacted by this development?

Response

The proposed project would not take service from the Boronda Sanitation District and so it will not have a direct impact on the District. The project would hook into the City's water system which has adequate capacity to handle it. The project's sewer infrastructure would have no financial impact on the Boronda neighborhood. ERA's evaluation of public services focused on identifying any extraordinary ongoing costs that the City of Salinas would incur as a result of the proposed project. Comments regarding system capacity are discussed in Section 4.8 of the Draft EIR. Developer impact fees for the water and sewer system improvements include approximately \$285,000 from the storm sewer trunk line fee and \$39,400 from the sanitary sewer trunk line fee for a total of about \$324,400. Water and sewer improvements needed for the proposed Westridge development total approximately \$4.7 million of which about \$910,000 is directly attributable to the project. Developer fees collected by the City of Salinas cover approximately 36 percent of the project's proportionate share of water and sewer infrastructure costs.

Comment 2 (SB-44)

The base peak flow of 2,000 gallons per acre per day is excessive when compared to similar projects. The Final EIR should provide data to support the figure.

Response

The base peak flow of 2000 gallons per acre per day does not appear to be excessive when compared to the number shown on page 13 of the Clay Pipe Engineering Manual (Appendix A) which states 0.006 cfs/Acre = 3880 gpad or approximately 100% more than what was utilized in the last paragraph on page 109.

Comment 3 (SB-45)

The peak flows reported in Table 4-36 and utilized in the text on page 4-110 are even further exaggerated.

Response

Comment noted. The wrong number may have been utilized in the determination of the Peak Flow in Table 4-36, entitled "Peak Sewage Flow Calculation." Therefore, utilizing the correct figure of 2000 gallons per acre day, Table 4-36 of the Draft EIR has been revised:

Alt. No.	Calculation	Peak Flow (mgd)	Peak Flow (cfs)
1	80.5 ac (2,500 gpad) + 250 rooms (250 gpd)(*)	0.26 0.22	0.41 0.34
2	47 ac (2,500 gpad) + 250 rooms (250 gpd) + 33 ac (1,250 gpad)(**)	0.22 0.20	0.35 0.31
54	(15 + 34 ac) (2,500 gpad) + 36 ac (4,250 gpad) (***)	0.28 0.25	0.44 0.39

(*) Assumed 50 gpd per person (2 persons/room) (2.5 peaking factor) = 250 gpd
(**) Assumed auto dealership to generate half of the commercial peak flow
(***) Based on: Population of 17 persons/gross acre
Peak discharge of 100 gpd (2.5 peak factor) (Salinas Design Std)
Rate = 17 x 250 = 4,250 gpad

Comment 4 (SB-46)

CEQA does not require mitigation of insignificant effects. Sanitary sewer impact is shown to be insignificant and, therefore, Mitigation SS-1.1 should be eliminated.

Response

While the project will not have a significant impact on the sewer system, the city fees will be insufficient to cover the estimated costs of serving the development. Please refer to Response to Comment 7 in this section for information regarding that funding shortfall.

Comment 5 (SB-47)

The text states: "This peak sewage discharge, however, does not include the specific commercial use of a 250 room hotel..." Table 4-36 reflects that the calculations do include 250 gallons per day per room peak flows for hotel use.

Response

The calculations shown in Table 4-36 do not take into consideration the 250 room hotel. Rather, the table reflects the 15 acres of office and 34 acres of retail space at 2000 gallons per acre per day plus 36 acres of low density residential at 4250 gallons per acre per day. Table 3-3 on page 3-18 which provides assumptions for the General Plan Alternative does not include a 250 room hotel.

Comment 6 (RR-11)

There is some concern relating to the existing sewer main and the impact that the new retention/detention basin construction may have. Provide some documentation and detail of the basin to verify that their construction will not adversely impact existing facilities and/or utilities in the area. If the basins require modifications/relocations of lines, this must be done at the developer's request.

Response

At this time it is not possible to provide construction details. The actual location and depth of the existing 24-inch sewer line will be ascertained and incorporated into the final design plans and construction documents for the detention basin. Should the existing utility be in the way of the proposed basin, that utility would be relocated at the applicant's request and expense. This would be done in conformance with current design practice, engineering standard of care, and the approval of the Public Works Department.

Comment 7 (RR-12)

With regard to optional Mitigation SS-1.1, the specific dollar amount that this development can be reasonably expected to pay based on its sewage contribution is \$75,000. A rough analysis indicates that the \$48,000 in fees will be collected. Text should include discussion as to how the additional sewer fees will be secured from the development.

Response

See March 1994 ERA Report page IV-4 paragraph two. The City of Salinas currently has an impact fee program in place to fund specific public capital improvement projects. The program includes impact fees for parks, street trees, storm sewer trunk lines, sanitary sewer trunk lines and traffic generated from new development. Development of the proposed project will require the applicant to pay the storm sewer trunk line fee, the sanitary sewer trunk line fee, and the traffic impact fee. Developer impact fees amount to approximately \$285,000 from the City's storm sewer trunk line fee and about \$39,400 from the sanitary sewer trunk line fee for a total of \$324,400 in fees.

Comment 8 (RR-17)

The actual location of the storm drain and sanitary sewer lines shall be plotted with respect to the buildings to ensure there are no conflicts. It may be possible that some existing lines may not necessarily lie within recorded easements.

Response

At this time it is not possible to provide construction details. Actual locations of utilities with respect to the buildings will be ascertained and incorporated into the final design plans and construction documents.

3.10 DRAINAGE AND FLOOD CONTROL

Comment 1 (HVI-5)

Mitigation DR-2.1 which proposes to use the lake to store surface runoff for irrigation is inconsistent with environmental health regulations prohibiting the storage of untreated water for use in irrigation where there is a possibility of human contact.

Response

Mitigation DR-2.1 on page 4-118 of the Draft EIR does not propose to store surface runoff for irrigation purposes. It recommends that the applicant should "operate the proposed lake below normal levels during the winter season to allow the detention basin to maximize the storage of surface runoff, thereby reducing the runoff volume reaching Markley Swamp." There is no possibility of a health issue because the storm water runoff would be isolated from human contact by keeping it in the reservoir until released to the reclamation ditch.

Comment 2 (CAC1-6)

The Draft EIR indicates that storm water retention will be provided on site and released according to a controlled plan that would minimize impact on the adjoining Markley Swamp. The EIR should address the feasibility of development agreements in addressing the storm drainage impacts. The agreements should stipulate that there will be no flooding or adverse drainage impact on adjoining properties and that the developers would be responsible for the mediation of any unforeseen impacts.

Response

The Monterey County Water Resources Agency will review and approve any specific stormwater management plans for storage and release of surface water runoff to ensure that downstream users would not be adversely affected. The Agency does not use development agreements to accomplish this objective.

Comment 3 (SB-48)

There are no facts in the EIR to support the determination of significance reflected in Impact DR-1. It should, therefore, be deleted.

Response

The State Water Resources Control Board has determined that any discharges of storm water associated with construction activity including clearing, grading and construction activities (where operations would result in disturbance of more than five acres of total land area and which are part of a larger common plan of development or sale) is a significant impact under Order No. 92-08-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 Waste Discharge Requirements (WDRS) for Discharge of Storm Water Runoff Associated with the Construction Activity. The project would fall within this threshold of significance and would require the applicant to obtain an NPDES permit, implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate storm water pollution.

Comment 4 (SB-49)

While the facts stated in Impact DR-2 appear to be correct, there is no analysis to show why these facts lead to the conclusion of a significant impact. Either the analysis must be provided or the impact must be eliminated.

Response

County regulations require that developments are mitigated so that surface water runoff in a post development condition is no greater than the pre-development condition. In order to accommodate the additional runoff water generated by the creation of impervious surface on this site, the applicant is required to detain and release the runoff at predevelopment volumes. This requires the imposition of Mitigation Measures DR-2.1, 2.2 and 2.3.

Comment 5 (SB-50)

Mitigation DR-4.3 is not a mitigation measure, it is a monitoring proposal. If included anywhere, it should be included in the Mitigation Monitoring Plan and deleted here.

Response

The monitoring station is intended to ensure that on-going water quality mitigation of the site is occurring. Without the monitoring station, there can be no assurance that adequate mitigation is taking place. Therefore, the monitoring station is, in essence, a mitigation for the project's impacts.

Comment 6 (RR-13)

Some discussion regarding maintenance of the retention/detention basin and aquatic vegetation will be required and should state that said maintenance will be the responsibility of the developer or land owners. The method of financing said maintenance shall be stated as well. Maintenance of ditches, swales, and pond embankments should also be included in the discussion.

Response

The retention/detention basin for the project is planned as a dual purpose facility. It will serve as both a lake amenity and as a flood storage area. The cost of constructing the dual purpose retention/detention basin will be paid entirely by the developer. Annual maintenance costs for a retention/detention basin varies substantially depending on the level of rainfall. Maintenance costs for the retention/detention basin, as estimated by the MCWRA, is expected to range from \$3,000 to \$10,000 annually. Except in years of extremely heavy rainfall, maintenance costs will tend to be on the lower end.

According to the MCWRA, the dual purpose retention/detention basin will have higher maintenance costs compared to a facility that is solely used as a flood storage area. Since the basin planned for the project also functions as a lake, additional maintenance costs will be incurred for aeration, running a pumping facility, and maintaining the lake's surrounding greenbelt or grass bank area. Maintenance of proposed retention/detention facilities in other sections of the City are provided for under Maintenance Districts which are funded directly by the property owners. The Westridge Center developers, owners, or related interest holders would finance the maintenance of the retention/detention facility.

Comment 7 (RR-14)

With regard to Mitigation DR-2.2, the applicant's proportional share of the Markley Swamp pumps shall be determined and stated in the EIR. A sentence on who will be responsible for the pump maintenance should also be addressed.

Response

Construction of a pump station in Markley Swamp has been estimated by the Monterey County Water Resources Agency to cost approximately \$325,000. The Harden Ranch Assessment District has already committed \$172,000 to this improvement. There are approximately 340 acres of developable land left within the drainage sub-basins that would be served by this pump. The project's 85 acres account for 25% of the area's remaining development potential. Therefore, the Westridge Center's obligation would be 25% of the remaining cost of \$153,000 or \$38,250.

3.11 SOLID WASTE

Comment 1 (CA-1)

Salinas is developing a project to expand the landfill by 5.3 million cubic yards, thus adding another 22+ years to its life.

Response

Comment noted. The sentence in the first paragraph on top of page 4-120 of the Draft EIR has been revised as follows:

Salinas is developing a project to expand the landfill by ~~4.92~~ 5.3 million cubic yards, thus adding another ~~11~~ 22+ years to its life.

Comment 2 (CIWMB-1)

The Final EIR should include an identification of the final disposal site(s) for the proposed project's anticipated waste generation, both during construction phases and after project implementation, including potential alternative methods for disposal (i.e., shredding of wood for hog fuel, composting of wood waste for beneficial reuse, agricultural amendment of sludge to land, etc.).

Response

As discussed in the Solid Waste section of the Draft EIR, all waste generated by the project would be collected and disposed by Salinas Disposal Service. The material would be taken to the Salinas Disposal Transfer Station and Recycling Center located at 1120 Madison Lane, Salinas, California. Salvageable segregated wood from the project would be chipped for hog fuel. The fines from the chip process would be sent to a local company for soil amendments. All of the material not diverted at the Transfer Station would go directly to the Crazy Horse Landfill, owned by the City and operated under franchise by Salinas Disposal Service.

Comment 3 (CIWMB-2)

The Final EIR should include an identification of the anticipated types of solid waste (i.e., wood waste, concrete, metal, municipal solid waste, etc.) and estimated quantities of solid wastes to be disposed; both during construction phases and at project completion, including additional sludge

from the wastewater treatment plant servicing the project, and mitigations in the event that some of the waste generated by the project are determined to be hazardous.

Response

Since specific tenants and their architects are not known at this time, this information cannot be provided. The applicant will work with the City during the construction and occupancy of the project to identify and minimize waste materials.

Comment 4 (CIWMB-3)

The Final EIR should include an identification of the potential impacts of these quantities on the permitted average and peak daily tonnages of the intended disposal site(s) including the calculated impact upon the landfill's remaining capacity and associated site-life if quantities are determined to be significant.

Response

According to the Recycling Coordinator for Salinas Disposal Service, the project would have a "small" impact on the overall capacity of the Crazy Horse Landfill. It is estimated that the site receives 487 tons of refuse daily for an annual total of 178,000 tons. Based on daily tonnage figures prepared by Salinas Disposal Service and provided on page 4-120 of the Draft EIR, the four tons of solid waste (after recycling) resulting from the project would represent 0.8 percent of solid waste received at the disposal site per day.

Comment 5 (CIWMB-4)

The Final EIR should identify any past of present areas of permitted or unpermitted landfilling and/or dumping at the proposed project's site location and how these areas will be remediated/mitigated.

Response

The project site has no history of either permitted or unpermitted dumping or landfilling. The site has been in continuous operation for many years as an agricultural property. The developed portion of the site has only been used as an animal shelter and animal training facility.

Comment 6 (CIWMB-5)

The applicant should implement a recycling program at the proposed construction sites and commercial/industrial development complexes.

Response

Recycling programs available to businesses at the site are listed in the Draft EIR (second paragraph on page 4-120 of the Draft EIR). These programs are part of the Draft Source Reduction and Recycling Elements (SRRE) for the City of Salinas.

Comment 7 (CIWMB-6)

The applicant should provide information to incoming businesses about the recycling services in the project area (i.e., office paper pick-up, cardboard pick-up, etc.), identify buy-back/recycling centers and possible markets for recyclables in the area, and inform construction workers and

future tenants of the need to recycle aluminum, glass, metal, paper, cardboard, plastic, tin cans, and other materials to the maximum extent feasible.

Response

This recycling and reduction effort is common within local businesses and can be assisted by information from the Salinas Recycling Task Force and from Salinas Disposal Service. The City of Salinas has a publication for distribution to new and existing businesses regarding recycling in Salinas (*Guide to Commercial Recycling* available through Salinas Public Works Department. To further minimize the amount of solid waste going into the landfill, a new mitigation measure should be added to the bottom of page 2-15 of the Draft EIR:

SW-1.3: The applicant should provide the most up-to-date *Guide to Commercial Recycling* available through Salinas Public Works Department to incoming tenants at the project site to inform the future businesses about recycling in Salinas. *Implementation Responsibility: Applicant. Monitoring Responsibility: Salinas Public Works and Salinas Recycling Task Force. Schedule: Prior to each Certificate of Occupancy.*

Comment 8 (CIWMB-7)

The applicant should utilize products (i.e. insulation) made from recycled materials in construction of project structures.

Response

Comment noted. To further minimize the amount of solid waste going into the landfill, a new mitigation measure should be added to the bottom of page 2-15 of the Draft EIR:

SW-1.4: To the maximum extent feasible, the applicant should utilize products (i.e. insulation) made from recycled materials in construction of project structures. *Implementation Responsibility: Applicant. Monitoring Responsibility: Salinas Public Works and Salinas Recycling Task Force. Schedule: During project construction.*

Comment 9 (CIWMB-8)

The applicant should include recycle storage areas into the design of the project's structure (i.e., interior and exterior storage receptacles for recyclable materials).

Response

This effort is specifically addressed in Mitigation SW-1.2 on page 2-15 of the Draft EIR, which is amended to read as follows:

SW-1.2: The applicant should provide adequate **interior and exterior** space for source separation of recyclable materials in conjunction with the disposal service.

Comment 10 (CIWMB-9)

The applicant should develop a composting area/program at the site to recycle grass clippings and green waste from the development's landscapes to be used as soil amendments and mulches for landscape maintenance and water conservation.

Response

Since low water use landscaping would be provided instead of turf, the opportunities for composting may be minimal. City-wide, Salinas does not currently have a facility available for composting of commercial green waste material. The City does, however, have a residential green waste diversion program, but it is only in the initial marketing stage through a local soil amendments company.

Comment 11 (SB-51)

While the facts stated in Impact SW-1 appear to be correct, there is no analysis to show why these facts lead to the conclusion of a significant impact. Either the analysis must be provided or the impact must be eliminated. Unless analysis is provided to establish the significance of this impact mitigation measures SW-1.1 and SW-1.2 should also be eliminated.

Response

The applicant has not indicated how the project would help achieve the mandates of the California Integrated Waste Management Act (AB939) of 1989. In the absence of any measures to be incorporated into the project to help to achieve these mandates, the development of any new commercial complex which increases the amount of waste being sent to the landfill would be identified as a potentially significant impact.

3.12 ECONOMIC IMPACTS

Comment 1 (HVI-1)

The Draft EIR does not include an analysis of the effects of the proposed North Davis Road extension on the viability of the Regional Auto Center project. The analysis of the economic impacts of constructing the project alternative which includes auto dealerships (Alternative 2) should be included.

Response

CEQA does not require the evaluation of economic effects unless such impacts result in physical changes to the environment. This is not the case with the proposed development. In any case, Davis Road is a major arterial in Salinas and its extension north of West Laurel Drive would serve as a major access point for the proposed project. From an economic viewpoint, access and visibility are key to a project's success. Easy access from Davis Road and excellent visibility from Highway 101 reinforces the potential for long-term viability of all of the project's various alternatives.

The fiscal analysis does not determine the economic viability of the project from a market perspective. Instead, it looks at whether the annual flow of taxes and other revenues to the City of Salinas would be sufficient to cover operating expenditures resulting from the proposed Westridge Center development. The Combination Retail Center/Auto Complex Alternative is projected to accrue a cumulative positive cash flow of \$12.7 million to the City with a net present value of \$9.6 million.

Comment 2 (LAFCO-4)

LAFCO policy indicates that prime agricultural land shall only be annexed to cities in those cases where an identified need for service exists. Policy analysis in the Final EIR should provide sufficient market analysis demonstrating consistency with this LAFCO policy.

Response

A number of factors indicate that there is unmet demand for the type of retail use proposed. Harden Ranch Plaza, a regional retail center of some 700,000 square feet, currently enjoys full occupancy and commands high rents. The applicant has been approached by a number of large and small retailers not currently in the Salinas market about the possibility of tenancy at the Westridge Center. The reports of retail commercial development professionals, with whom the applicant has consulted, indicate that there are significant unmet retail needs in the four County service area for the Center (Monterey, San Benito, southern Santa Clara and Santa Cruz Counties). The regional population forecasts indicate that a steady growth in demand for retail services over the coming years as evidenced by AMBAG's population forecast which projects an increase of approximately 60,000 persons in Santa Cruz and Monterey Counties between 1993 and 2000. Finally, the applicant's willingness to make a significant long term investment in the development is another indicator of market demand.

Comment 3 (CAC1-6)

The Final EIR should emphasize that no cost associated with the project would be borne by the residents of Boronda. Also, only the property on which the proposed development is to be constructed would be annexed into the City of Salinas. No residential properties can be annexed without express approval and consent of the affected property owners.

Response

Comment noted. The EIR is an information document which is not directly concerned with economic impacts. However, it should be noted that no project mitigation costs will be borne by Boronda area residents and in fact, the project will generate a significant amount of property tax increment which will be used in upgrading the Boronda neighborhood.

3.14 UNAVOIDABLE ADVERSE IMPACTS

Comment 1 (APCD-10)

The CEQA Guidelines [(Section 15126(b))] state that if there are unavoidable significant effects, the EIR should describe the implications of the impacts and the lead agency's reasons for choosing to tolerate them rather than requiring an alternative design.

Response

The proposed project will have significant unavoidable adverse impacts on the environment. However, the proposed project best achieves the City, applicant and LAFCO objectives for land use, economic development and urban growth, and incorporates, where feasible, all reasonable mitigation measures to reduce project impacts to a level of insignificance. The implications of each of the unavoidable adverse impacts listed within this section are discussed more fully in the main body (Section 4, Environmental Setting / Impacts / Mitigation Measures) of the Draft EIR. If the City as lead agency allows the occurrence of the listed unavoidable significant effects, the agency will state in writing the specific reasons to support its decision based on this Final EIR. This statement of overriding considerations under Section 15093 of the CEQA Guidelines will be included in the record of the project approval. In addition, the findings will explain why alternative designs are rejected.

Comment 2 (APCD-11)

The summary may require revision if other significant air quality impacts are found to be unavoidable based on the District's comments.

Response

No other unavoidable significant impacts have been identified. Therefore, no changes were made to the air quality discussion.

3.15 CUMULATIVE EFFECTS

Comment 1 (HVI-1)

The Draft EIR does not include in its analysis the proposed Regional Boronda Auto Center Project. CEQA Guideline Section 15130 requires that the cumulative impact analysis identify "reasonably anticipated future projects".

Response

The criteria for including projects in the list of approved and reasonably foreseeable projects include projects which have been approved by the City or County or have other land use entitlements, (i.e. development agreements, tentative maps, or other entitlements) or are currently under environmental review or have been accepted as complete filing. The proposed Auto Center project does not meet any of these criteria.

Comment 2 (SB-62)

Please note the provisions of AB 1888 (effective January 1, 1994) revising Public Resources Code Section 21100 (D) to include the following language:

"The cumulative impact analysis for an individual project shall not be required to consider a project for which information first becomes available after completion of the draft environmental impact report and could not otherwise have been reasonably anticipated, if the environmental impact report is certified within 150 days of the close of the public comment period."

The Draft EIR was completed prior to the submission of the auto center application, and therefore the analysis of the auto center project is not required.

Response

Please see Response to Comment 1 directly above.

Comment 3 (APCD-12)

The discussion of Impact CU-3 does not conclude whether the project is consistent with the AQMP. Inconsistency with the AQMP would represent a significant cumulative impact. Until a determination is made, it is premature to conclude that there would be no cumulatively significant impact on air quality, either before or after mitigation.

Response

The criteria for determination of project consistency for a commercial project is whether the current Monterey County population is below the proposed population forecast adopted by AMBAG for the County in the next target year. In 1993, the most recently available year, the total estimated Monterey County population was 358,000 persons. The 1995 forecast for Monterey County adopted by the AMBAG Board on March 11, 1994 was 361,448 persons. The project is therefore determined to be consistent with the adopted Air Quality Management Plan.

Comment 4 (APCD-13)

The analysis of localized CO impacts does not draw a relationship to Impact CU-3, which relates to the regional impact of ROG and NO_x. Thus, Mitigation Measure CU-3.1 does not support how cumulative air quality impacts would be reduced to insignificance after mitigation.

Response

The discussion of CO impacts is included on page 5-7 since the CO analysis included a cumulative case. While the impacts of the cumulative traffic were not found to be significant, the effect of emission controls, intersection improvements, and trip reduction requirements would result in lower concentrations and thus would be considered a mitigation measure for carbon monoxide.

Comment 5 (WRA-3)

On page 5-9 of the Draft EIR, change Monterey County Flood Control and Water Conservation District to Monterey County Water Resources Agency.

Response

Comment noted. Mitigation CU-5.1 on page 5-9 of the Draft EIR is revised as follows:

Means of mitigation to reduce the impacts of increased water pumping and the rate of salt water intrusion (but not to a level of insignificance), including groundwater recharge, are being pursued by the Monterey County ~~Flood Control and Water Conservation District~~ **Water Resources Agency**, the agency bearing primary responsibility for mitigation (*Significant Unavoidable Adverse Impact*).

Comment 6 (SB-56, SB-58)

The text should point out that Mitigation CU-1.1 is not a project mitigation for a project-generated impact but is a city-wide mitigation for a cumulative impact. The project's contribution to mitigation is the payment of traffic impact fees. Likewise, the text should reflect that Mitigation CU-2.1(b) is not a project mitigation for a project-generated impact. It is a cumulative impact and the project's required mitigation, if any, should be a proportional contribution to the installation of sound walls.

Response

All mitigation measures identified in the discussion of cumulative effects (Section 5.2) are area, city or regionwide, since cumulative effects can rarely be mitigated in the same way as the primary effects of an individual project. Mitigations for the identified impacts will most likely involve the adoption of ordinances or regulations rather than the imposition of conditions on a

project-by-project basis. This would include traffic, noise, air quality and other impacts that are the result of cumulative development.

Comment 7 (SB-57)

The discussion should note that TAMC studies acknowledge that considerable new infrastructure is needed before expanded reuse of Fort Ord can occur and that part of this required infrastructure is a six lane west side bypass for the City of Salinas. Therefore, the increased flows attributable to Fort Ord cannot occur unless and until such a bypass is provided.

Response

Comment noted. The Westside Bypass and the redevelopment of Fort Ord are not resolved and are therefore not subject to any analysis in the Draft EIR.

Comment 8 (SB-59)

The text should indicate that Monterey County has now adopted the Right to Farm Ordinance.

Response

Comment noted. The last sentence of the second paragraph on page 5-8 of the Draft EIR is revised as follows:

~~Adoption of~~ Adoption of Monterey County's "Right to Farm" ordinance and implementation of the General Plan agricultural preservation policies would minimize potential development conflicts with adjoining agricultural operations.

Comment 9 (SB-60)

There is no analysis to support Impact CU-6 (Sewage Treatment) as being significant.

Response

Comment noted. Sewer permits are issued only after assurance that operation of the regional wastewater treatment facility will be fully consistent with the Air Quality Plan. Monitoring and continued compliance with this condition will result in insignificant cumulative impacts .

3.16 GROWTH-INDUCING IMPACTS

Comment 1 (HVI-6)

The conclusion reached in the Draft EIR that the "roadway improvements to serve the development are shown on and are in conformance with the General Plan" is without authority. Also, the statement that "the project and annexation proposal would make development of an auto center at the Boronda Road interchange possible" is completely unsupported by evidence and factually incorrect. There is no nexus to require the auto center site or intervening property owners to participate in an assessment district to extend Davis Road to the Boronda Road interchange. Any traffic impacts from a future auto center project will be limited to the Boronda Road interchange (and a very short portion of Boronda Road) between the interchange and the project entrance. The conclusion on page 5-12 appears to be nothing more than an attempt to help the Westridge project applicant finance the construction of an expensive traffic mitigation necessitated by the intensity of the development proposed for the Westridge Project.

Response

The extension of Davis Road to the Boronda Road interchange is consistent with the policy in the Boronda Neighborhood Improvement Plan for either a frontage road or a road that follows property lines in this area. The commentor objects to the conclusion that the "project and annexation proposal would make the development of the auto center at the Boronda Road interchange possible." It is clear from the traffic analysis that an extension of Davis Road is required to serve the project and regional traffic analyzed in this EIR. That road extension, as a part of the Westridge Center project is growth-inducing because it meets the CEQA criteria of "the extension of a major roadway into an area that may be subsequently developed." Although there currently is a proposal to develop the Massa site as an auto center, this statement would be true even if there were no proposal.

The ultimate development of the Massa property will involve the conversion of prime agricultural land as is currently noted in the EIR. The development of an auto center would also likely result in additional traffic, visual, water and infrastructure impacts which will have to be evaluated in that project's EIR when a complete project description is available. Also, the Auto Center's EIR will establish if the Davis Road extension is needed to serve that project.

3.17 OTHER CEQA ISSUES

Comment 1 (CAC1-8)

Possible archaeological finds and their impact should be explained in the Final EIR.

Response

There is no data to indicate any archaeological finds on the property. The area has been in active agricultural use for a number of years. The project site itself was excavated from the north to the south through its entire length to a depth of 10 feet in 1987 to install a storm drain main under the site. The excavation resulted in no indication of archaeological resources on the site.

Comment 2 (SB-61)

Analysis by the public and decision makers of the alternatives presented in this EIR would be made much easier by the addition of an impact matrix.

Response

The summary of impacts is intended to provide decision makers with an overview of the impacts of various project alternatives.

Comment 3 (RR-1)

The phrase "should work with the City" should be revised to "shall contribute toward" or related language that will tie a specific responsibility to the developer and indicate the way said responsibility will be met. The existing wording in the text under "Mitigation" is fairly weak and non-committal. Statements beginning "The City should..." shall also be revised to address developer's responsibilities pertaining thereto.

Response

The applicant's responsibilities for infrastructure improvements have been identified in the Plan for Services Table IV-1.

Comment 4 (AMBAG-1)

The AMBAG Board of Directors considered the project and has no comments at this time.

Response

Comment noted. No response is warranted.

Comment 5 (CAC2-1)

Many of the residents in the area do not speak or read English. Their primary language is Spanish or Filipino. Documentation connected with this project was not made available to these residents in their primary language. Documents or information of importance to the communities such as Boronda, printed in the future, should be sensitive to the language needs of the residents of the area.

Response

The project's environmental documentation and notification of reports and meetings were provided in English. Also, translation services for non-English speakers were made available. In the future, additional efforts will be made to ensure that important information is more readily available to those whose primary language is not English.

Comment 6 (LAFCO-6)

The EIR is exceptionally well written and provides a complete analysis of project-related issues.

Response

Thank you.

5. COMMENT LETTERS

State of California

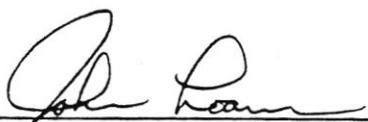
California Environmental Protection Agency

M e m o r a n d u m

To : Mike Chiriatti
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Date: January 28, 1994

Kevin Callahan
City of Salinas Department of Community Development
200 Lincoln Avenue
Salinas, CA 93901

From : 
John Loane, Associate Waste Management Specialist
Environmental Review Section
Permitting and Enforcement Division
California Integrated Waste Management Board

RECEIVED
FEB - 7 1994
COMMUNITY
DEVELOPMENT DEPT.

Subject: SCH # 93033013 - Draft Environmental Impact Report (DEIR) for the Westridge retail commercial center, Monterey County.

The California Integrated Waste Management Board (CIWMB) staff have reviewed the DEIR for the proposed project cited above. In consideration of the California Environmental Quality Act (CEQA), Section 15205(c) CIWMB staff will focus the following comments on specific issues involving waste generation and disposal.

In order to help decision-makers 1) identify potential impacts from construction/demolition projects, 2) determine whether any such impacts are significant, and 3) ascertain whether significant impacts can be mitigated to a level of insignificance, CIWMB staff request that the Final Environmental Impact Report (FEIR) include the following information:

- A.) Identification of the final disposal site(s) for the proposed project's anticipated waste generation, both during construction phases and after project implementation, including, potential alternative methods for disposal (i.e. shredding of wood for hog fuel, composting of wood waste for beneficial reuse, agricultural amendment of sludge to land, etc.).

- B.) Identification of the anticipated types of solid waste (i.e. wood waste, concrete, metal, municipal solid waste, etc.) and estimated quantities of solid wastes to be disposed; both during construction phases and at project completion, including additional sludge from the wastewater treatment plant servicing the project, and mitigation(s) in the event that some of the waste generated by the project are determined to be hazardous.
- C.) Identification of the potential impacts of these quantities on the permitted average and peak daily tonnages of the intended disposal site(s). Including the calculated impact upon the landfill's remaining capacity and associated site-life if quantities are determined to be significant.
- D.) Identify any past or present areas of permitted or unpermitted landfilling and/or dumping at the proposed project's site location and how these areas will be remediated/mitigated.

Developments of new commercial complexes increase the amount of waste being sent to landfills. To minimize the amount of solid waste going into landfills, recycling and reduction efforts should be incorporated into the City's and/or County's Solid/Integrated Waste Management Plans. This will help to preserve the finite landfill space within the waste management jurisdiction, as well as to help achieve the mandates of the California Integrated Waste Management Act (AB 939) of 1989. CIWMB staff suggest that the following measures be incorporated into the project by the project proponent to help to achieve these mandates:

- A.) Implementation of a recycling program at the proposed construction sites and commercial/industrial development complexes.
- B.) Provide information to incoming businesses about the recycling services in the project area (i.e. office paper pick-up, cardboard pick-up, etc.). Identify buy-back/recycling centers and possible markets for recyclables in the area. Inform construction workers and future tenants of the need to recycle aluminum, glass, metal, paper, cardboard, plastic, tin cans, and other materials to the maximum extent feasible.
- C.) Utilize products (i.e. insulation) made from recycled materials in construction of project structures.
- D.) Include recycle storage areas into the design of the project's structures (i.e. interior and exterior storage receptacles for recyclable materials).

- F) Develop a composting area/program at the site to recycle grass clippings and greenwaste from the development's landscapes to be used as soil amendments and mulches for landscape maintenance and water conservation.

9

Thank you for the opportunity to review and comment on this project. CIWMB staff ask that you keep the Board apprised of solid waste generation, disposal, and source reduction/recycling issues associated with the planned development.

For assistance with local planning issues concerning compliance with AB 939 requirements, please contact Judith Friedman at (916) 255-2302 of the CIWMB's Office of Local Assistance; or if you have any questions regarding these comments or would like additional assistance from CIWMB staff, please contact me at (916) 255-2654.

PARTMENT OF TRANSPORTATION

BOX 8114
 LUIS OBISPO, CA 93403-8114
 EPHONE: (805) 549-3111
 (805) 549-3259

CALTRANS



March 9, 1994

5-MON-101-89.27
 Westridge Center
 DEIR
 SCH # 93033013

Mr. Kevin Callahan
 City of Salinas Planning
 200 Lincoln Avenue
 Salinas CA 93901

Dear Mr. Callahan:

Caltrans District 5 staff has reviewed the above-referenced document. The following comments were generated as a result of the review:

- a. An encroachment permit must be obtained before any work can be conducted within the Caltrans right-of-way. Please be advised that prior to obtaining an encroachment permit, you are required to have design plans reviewed by this office and an environmental document approved by the lead agency. Biological and archaeological surveys must specifically address impacts in the state right-of-way. Should you have further questions regarding encroachment permits, please contact Steve Senet, Permits Engineer, at (805) 549-3152. 1
- b. The impacts of Laurel Drive and Highway 101 are understated and should include the adjacent frontage road at Adams Street in this study. These two intersections operate as one system. 2
- c. The *Route Concept Report* for this portion of State Route 101 has identified it for widening to six lanes. For this reason, we request that traffic impact fees be designated for this improvement. Please know that we believe this development will contribute to the cumulative degeneration of LOS on State Route 101. We do not believe this issue has been adequately discussed in this document. 3
- d. Has the Transportation Agencies of Monterey County (TAMC) been reviewing this document within the context of the Congestion Management Plan (CMP)? 4

Mr. Callahan
March 9, 1994
Page 2

- e. Please know that Caltrans can only accept traffic analysis that is generated by the *1985 Highway Capacity Manual* methodology. | 5

Please send us a copy of the Final Environmental Impact Report when it is available (Ref: California Environmental Quality Act of 1970, Section 21092.4). We would also like to be informed as early as possible about any public meeting concerning this development. Thank you for the opportunity to comment. If you have any questions, please contact me at (805) 549-3683.

Sincerely


Larry Newland
District 5
Intergovernmental Review Coordinator



MONTEREY BAY
Unified Air Pollution Control District

servicing Monterey, San Benito, and Santa Cruz counties

24580 Silver Cloud Court • Monterey, California 93940 • 408/647•9411 • FAX 408/647•8501

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ABRA BENNETT
Air Pollution Control Officer

February 2, 1994

Kevin Callahan
City of Salinas
Department of Community Development
200 Lincoln Avenue
Salinas, CA 93901

SUBJECT: DRAFT EIR FOR WESTRIDGE CENTER

Dear Mr. Callahan:

Staff has reviewed the Draft Environmental Impact Report for the proposed Westridge Center, a 625,000-square foot commercial development on 85 acres that includes retail space, a 250-room hotel, restaurant, and mini-storage area. Staff has the following comments:

- | | | |
|----|--|---|
| 1. | <u>Page 3-24, para. 2.</u> AMBAG is responsible for determining project conformity with the AQMP. The District reviews the project for air quality concerns. | 1 |
| 2. | <u>Page 4-65, para. 5.</u> The Basin has attained the federal ozone standard; however, until it is officially redesignated by EPA, the NCCAB is designated nonattainment. | 2 |
| 3. | <u>Page 4-65, para. 6.</u> The District recommends including ambient air quality data for monitoring stations throughout the Basin since ozone is a regional pollutant. | 3 |
| 4. | <u>Page 4-66, Table 4-29.</u> The state standard for sulfur dioxide is 0.25 ppm for 1-hour and 0.05 ppm for 24-hours. | 4 |
| 5. | <u>Page 4-66, para. 2.</u> The federal Clean Air Act Amendments require the District to submit a plan in November 1994 demonstrating attainment. | 5 |
| 6. | <u>Page 4-67, para. 1.</u> The AQMP is a state nonattainment plan, not a federal nonattainment plan, though it established the basis for meeting federal requirements. In 1993, a Federal Rate of Progress Plan (ROPP) for the Monterey Bay Region was adopted to meet the federal requirement to demonstrate a 15 percent reduction in ROG emissions by 1996. A federal | 6 |

Supervisor Barbara Shipnuck,
Chair
Monterey County

Supervisor Simon Salinas
Monterey County

Supervisor Ruth Kesler,
Vice Chair
San Benito County

Supervisor Fred Keeley
Santa Cruz County

Supervisor Sam Karas,
Monterey County

Supervisor Walter Symons
Santa Cruz County

Supervisor Tom Perkins
Monterey County

Supervisor Richard Scagliotti
Alternate
San Benito County

nonattainment plan with any additional reductions necessary beyond the ROPP is due in November 1994.

7. Page 4-68, para. 1. The significance criteria also includes direct emissions of CO and PM₁₀ that exceed 550 and 82 lbs/day, respectively. Further, any project that has the potential to emit toxic air contaminants may have a significant impact.
8. Page 4-68, para. 2. Hydrocarbon emissions would not represent a localized nuisance; however, it would contribute to regional levels of ozone, a nonattainment pollutant.
9. Page 4-68, para. 2. While the DEIR finds that hydrocarbon emissions from construction are a significant impact, the subsequent analysis fails to support this conclusion. CEQA requires that for each significant effect, the EIR must identify specific mitigation measures. The analysis neither identifies measures to mitigate HC emissions nor concludes whether impacts would be reduced to insignificance. The summary on Page 2-6 should be revised accordingly.
10. Page 4-68, para. 6. The impact analysis should identify the location of any nearby sensitive receptors and any potential impact to them.
11. Page 5-1, para. 1. CEQA Guidelines state that if there are unavoidable significant effects, the EIR should describe the implications of the impacts and the lead agency's reasons for choosing to tolerate them rather than requiring an alternative design (CEQA Guidelines §15126(b)).
12. Page 5-1, para. 5. This summary may require revision if other significant impacts are found to be unavoidable based on the District's comments.
13. Page 5-7, para. 3. This discussion, which should be considered in the impact analysis for CU-3, does not conclude whether the project is consistent with the AQMP. Inconsistency with the AQMP would represent a significant cumulative impact. Until a determination is made, it is premature to conclude that there would be no cumulatively significant impact on air quality, either before or after mitigation.
14. Page 5-7, para. 4. The analysis of localized CO impacts fails to draw a relationship to Impact CU-3, which relates to the regional impact of ROG and NO_x. Thus, this mitigation measure fails to support how cumulative air quality impacts would be reduced to insignificance after mitigation.

Thank you for the opportunity to review the document. If you have any questions, please do not hesitate to call Douglas Kim of our planning staff.

Sincerely,



Janet Brennan
Senior Planner, Planning and
Air Monitoring Division

cc: Nicolas Papadakis, AMBAG
PAM/dk
File: 3442



MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION
(408) 755-5065 P.O. BOX 180, SALINAS, CALIFORNIA 93902

JIM COOK
EXECUTIVE OFFICER

February 16, 1994

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Mr. Kevin Callahan
Principal Planner
City of Salinas
Community Development Department
200 Lincoln Avenue
Salinas, California 93901

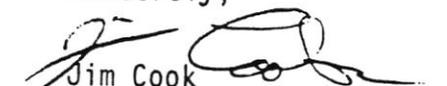
Dear Mr. Callahan:

Thank you for the opportunity to comment on the Westridge Center Draft Environmental Impact Report (EIR). The proposed project could lead to a 652,500 square foot regional retail commercial development on 85 acres of agricultural land in the Boronda community within the City's existing sphere of influence. The EIR is exceptionally well written and provides a complete analysis of project-related issues. In order for LAFCO to rely on the document as a responsible agency, the following comments should be further analyzed in the final EIR:

1. Alternative Nos. 1 and 2 analyzed in the EIR could lead to the conversion of prime farmland off-site, due to the extension of roads into agricultural areas adjoining the site. The EIR should analyze the potential impact of amending the City's sphere to include this area and, if appropriate, modify the project description to include this additional action.
2. Attached for your use is a copy of Monterey County LAFCO's Agricultural Preservation Policy and Standards for the Evaluation of Proposals. This information should be analyzed in the plan consistency section of the document.
3. Information in the EIR indicates that water use rates developed by the Monterey Peninsula Water Management District were used in evaluating the groundwater impacts of the project. The EIR should be clarified to indicate why Monterey County Water Resources Agency water consumption information was not used.
4. LAFCO policy indicates that prime agricultural land shall only be annexed to cities in those cases where an identified need for service exists. Policy analysis in the EIR should be expanded to provide sufficient market analysis demonstrating consistency with this LAFCO policy.
5. The draft EIR states that the City General Plan indicates the Westside bypass is necessary to avoid future congestion along Davis, Blanco, and Boronda Roads. The EIR should provide a more thorough analysis of the traffic requirements assuming planned construction of the bypass.

Should you or the EIR consultant have any questions, please call me at 755-5065.

Sincerely,


Jim Cook
LAFCO Executive Officer

JC:mb

AGRICULTURAL LANDS PRESERVATION POLICY

ADOPTED NOVEMBER 27, 1979

MONTEREY COUNTY LOCAL AGENCY FORMATION COMMISSION

RECEIVED
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Subject: Disposition of proposals which involve the conversion of agricultural or open space lands to urban uses.

Purpose: To establish guidelines for the Commission's implementation of Government Code Sections 54774, 54790.2 and 54796 (Knox-Nisbet Act). These sections set forth priorities and policies for LAFCO's maintenance and preservation of agricultural and other open space lands.

DISCUSSION:

Statutory Framework

The Knox-Nisbet Act, LAFCO's enabling statute, requires that LAFCOs consider the effect of maintaining the physical and economic integrity of designated agricultural preserves when determining an agency's Sphere of Influence or reviewing proposals. Government Code Section 54790.2, establishes two policies to be used by LAFCOs in reviewing, approving, or disapproving proposals with respect to agricultural and open space lands:

first, that development shall be guided away from existing prime agricultural lands toward areas containing non-prime agricultural lands, unless such an action would not promote the planned, orderly, efficient development of an area; and

second, that development within an agency's existing jurisdiction or Sphere of Influence should be encouraged before approval of any annexation to that agency which would lead to conversion of existing open space lands to other than open space uses.

Further, Sections 54774 and 54796 respectively, require that LAFCOs consider the effect of maintaining the physical and economic integrity of designated agricultural preserves when determining an agency's Sphere of Influence or when reviewing an annexation proposal.

State law provides no more specific criteria or guidelines by which to implement the agricultural and open space land preservation policies established by the Knox-Nisbet Act. However, through Government Code Section 54774.5, the Legislature directed that LAFCOs "establish policies and exercise their powers....to encourage and provide planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open space lands within such patterns."

All referenced Code Sections are attached for reference.

County Policy on Agricultural Lands

Adopted policy such as The General Plan and Growth Management Policy, have established Monterey County's priority for preserving and protecting prime and productive agricultural lands and its agricultural economy.

The County's General Plan, Land Use Element, Principles and Standards for Agriculture establishes:

1. Prime agricultural lands, wherever possible, should be separated and protected from other uses, and only those uses related to agriculture should be located on prime agricultural lands.
2. Agricultural uses should be encouraged as a means of providing open space.
3. Agricultural uses which are used by grazing and other purposes, although not considered prime soils, should be given protection.
4. Prime agricultural land must be recognized as an equal to other major land uses and given the protection it deserves as a developed use.

The Open Space Element maintains agricultural lands afford a particularly advantageous method of providing large areas of open space. They form desirable separation between towns and cities in the Salinas Valley and are not only pleasant to view, but are also economic assets to the County. This element defines retention of agricultural lands for open space as well as for economic reasons as a principle and standard.

The Zoning and Land Use Procedures in Monterey County's Growth Management Policy state:

Agriculture continues to be the basis of the economy of the County. Agricultural lands in Monterey County are some of the world's finest. Productive agricultural lands are our greatest resource and must be preserved. Protection of this land can be provided through the use of such devices as zoning, scenic easements and Williamson Act contracts. Furthermore, developments of lands adjoining productive agricultural lands must be non-polluting and not otherwise detrimental to the agricultural uses. The improvement of roads and other facilities serving areas of productive agricultural lands should be delimited consistent with the agricultural uses.

The County has adopted in its Growth Management Policies "Priorities for Growth." Priority will be for development in lands adjacent to existing and densely settled urban areas where the necessary services and facilities are available, except where this impacts prime and productive agricultural lands.

State Policy on Agricultural Lands

Through the Knox-Nisbet Act, the Land Conservation Act of 1965 (Williamson Act), the California Coastal Act and the California Environmental Quality Act, the California Legislature has clearly established the priority of preserving the State's most productive agricultural lands.

Both the Williamson and Coastal Acts have placed the responsibility for identifying significant agricultural open space lands with local general purpose governments and established standards by which to identify such lands. The Williamson Act encourages that local governments identify prime

agricultural lands within their jurisdiction by designating agricultural preserves. The Coastal Act, through the Local Coastal Programs, requires local agencies to identify both "prime agricultural land" and "potentially prime agricultural lands."

Definition of Prime Agricultural Land

The Knox-Nisbet Act requires LAFCOs to determine whether agricultural preserves or prime agricultural land would be adversely affected if a proposed annexation were approved. However, the Knox-Nisbet Act and the Municipal Organization Act (MORGA) establish different definitions of prime agricultural land for city and district annexation proposals.

For city proposals, Section 35046 (MORGA) defines "prime agricultural land" as land qualifying under any of the five Williamson Act criteria (soil quality and economic productivity). However, for district proposals, Section 54775(p) (Knox-Nisbet) defines "prime agricultural land" in terms of only the two Williamson Act soil quality criteria. This apparent inconsistency is eliminated when Section 35150 is reviewed. It states "Except as otherwise provided in this accordance with the provisions of Chapter 6.6 (Knox-Nisbet Act is Chapter 6.6). To the extent of any inconsistency between Chapter 6.6 and this part, the provisions of this part shall control."

Proposed Policies

1. In determining whether an annexation or incorporation proposal may affect prime agricultural land, the Commission shall apply the definition of "prime agricultural land" established under Section 35046 of MORGA.
2. Annexation or incorporation proposals which would allow or likely lead to the conversion of prime agricultural land or other open space land (as defined in Sections 35046 and 65560) to other than open space uses shall be discouraged by the Commission unless such an action would not promote the planned, orderly, efficient development of an area, or the affected land use planning jurisdiction has accomplished the following:
 - (a) Identified within its Sphere of Influence all "prime agricultural land" as defined under Government Code Section 35046;
 - (b) Demonstrated to LAFCO that effective measures have been adopted to preserve for agricultural use those prime agricultural lands identified in (a). Such measures may include but not be limited to, establishing agricultural preserves pursuant to the California Land Conservation Act; designating land for agricultural or other open space uses on that jurisdiction's general plan, adopted growth management plan, or applicable specific plan; adopting an agricultural element to its general plan; and undertaking public acquisition of prime agricultural lands for the purpose of leasing back such lands for agricultural use;
 - (c) Prezoned pursuant to Government Code Section 54790(a)(3), both territory within the agency's general planning area to be maintained for agricultural use, and also territory within the annexation area to indicate anticipated level of development.

3. In reviewing a proposal which will lead to the conversion of agricultural or open space land to urban uses, the Commission will consider the following criteria to determine whether the proposed action would (a) adversely affect the agricultural resources of the community, or (b) not promote the planned, orderly, efficient development of an area:
 - (a) The agricultural significance of the proposal area relative to other agricultural lands in the region (soil, climate, and water factors);
 - (b) The use value of the proposal area and surrounding parcels;
 - (c) Determination as to whether any of the proposal area is designated for agricultural preservation by adopted local plans, including Local Coastal Plans, the County General Plan, Land Use and Open Space Element and Growth Management Policies;
 - (d) Determination of:
 1. Whether public facilities would be extended through or adjacent to any other agricultural lands to provide services to the development anticipated on the proposal property.
 2. Whether the proposal area is adjacent to or surrounded by existing urban or residential development.
 3. Whether surrounding parcels may be expected to develop to urban uses within the next five years.
 4. Whether natural or man-made barriers would serve to buffer the proposal area from existing urban uses.
4. The Commission shall encourage proposals that result in in-filling, particularly where the prime agricultural land represents a small unit and is essentially surrounded by non-agricultural land.
5. The Commission shall discourage proposals that intrude on prime agricultural land when such intrusion would lead to the disruption of viable agricultural units and the encouragement of further urban development on such lands.
6. Proposed annexations or incorporation of prime agricultural land shall be consistent with the following:
 - (a) City General Plan
 - (b) County General Plan
 - (c) Spheres of Influence (when adopted)
7. The Commission shall encourage proposals for land uses adjacent to prime agricultural land which would result in compatible uses (i.e., green belts, greenhouses, linear parks, light industry). Similarly, the Commission shall discourage proposals which would result in less compatible uses (e.g., residential and retail commercial uses).

REFERENCED CALIFORNIA CODE SECTIONS

35046. Prime Agricultural Land

"Prime Agricultural Land" means an area of land, whether a single parcel or contiguous parcels, which:

- (i) has not been developed for a use other than an agricultural use and
- (ii) meets any of the following qualifications:
 - (a) Land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classification;
 - (b) Land which qualifies for rating 80 through 100 Storie Index Rating;
 - (c) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935;
 - (d) Land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre;

- (e) Land which has returned from the production of unprocessed agricultural plant products in annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years;
- (f) Land which is used to maintain livestock for commercial purposes.

54773. Short Title

This chapter shall be known and may be cited as the Knox-Nisbet Act.
(Added Stats. 1965, c. 587, p. 1916, sec. 10)

54774. Purposes; Powers; Sphere of Influence; Recommendations;
Financial Assistance

Among the purposes of a local agency formation commission are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions and circumstances. One of the objects of the local agency formation commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local governments in each county and to shape the development of local governmental agencies so as to advantageously provide for the present and future needs of each county and its communities.

In addition to its other powers, the local agency formation commission shall initiate and make studies of existing governmental agencies. Such studies shall include but shall not be limited to inventorying such agencies and determine their maximum service area and service capacities. In conducting such studies, the commission may ask for land use information, studies, and plans of cities, counties, and districts, including school districts, and regional agencies and state agencies and departments. Cities, counties, districts, including school districts, regional agencies, and state agencies and departments, shall comply with the request of the commission for such information and the commission shall make its studies available to public agencies and any interested person. In making these studies, the commission may cooperate with the county planning commissions.

In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the local agency formation commission shall develop and determine the sphere of influence of each local governmental agency within the county. As used in this section "sphere of influence" means a plan for the probable ultimate physical boundaries and service area of a local governmental agency. Among the factors considered in determining the sphere of influence of each local governmental agency, the commission shall consider:

- (a) The maximum possible service area of the agency based upon present and possible service capabilities of the agency.
- (b) The range of services the agency is providing or could provide.
- (c) The projected future population growth of the area.

- (d) The type of development occurring or planned for the area, including, but not limited to, residential, commercial, and industrial development.
- (e) The present and probable future service needs of the area.
- (f) Local governmental agencies presently providing services to such area and the present level, range and adequacy of services provided by such existing local governmental agencies.
- (g) The existence of social and economic interdependence and interaction between the area within the boundaries of a local governmental agency and the area which surrounds it and which could be considered within the agency's sphere of influence.
- (h) The existence of agriculture preserves in the area which could be considered within an agency's sphere of influence and the effect on maintaining the physical and economic integrity of such preserves in the event that such preserves are within a sphere of influence of a local governmental agency.

The Commission shall periodically review and update the spheres of influence developed and determined by them.

The spheres of influence, after adoption, shall be used by the commission as a factor in making regular decisions on proposals over which it has jurisdiction. The commission may recommend governmental reorganizations to particular agencies in the county, using the spheres of influence as the basis for such recommendations. Such recommendations shall be made available, upon request, to other governmental agencies or to the public.

The commission, or the board of supervisors on behalf of the commission, is authorized to apply for or accept, or both any financial assistance and grants-in-aid from public or private agencies or from the state or federal government or from a local government.

(Amended by Stats. 1976, c. 31)

54774.5 Urban Development Patterns; Preservation of Open Space Lands

It is the intent of the Legislature that local agency formation commissions establish policies and exercise their powers pursuant to this chapter in such manner to encourage and provide planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within such patterns.

(Added by Stats. 1974, c. 531.)

54790.2 Conversion of Open-Space Lands to Other Use; Policies and Priorities

In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider the following policies and priorities:

- (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless such an action would not promote the planned, orderly, efficient development of an area.
- (b) Development of existing vacant or nonprime agricultural lands for urban uses within an agency's existing jurisdiction or within an agency's sphere of influence should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the agency's existing jurisdiction or outside of an agency's existing sphere of influence.

(Added by Stats. 1974, c. 531.)

54796. Factors to be Considered

Factors to be considered in the review of a proposal shall include but not be limited to:

- (a) Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for such services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. As used in this subdivision, "services" is to be construed as referring to governmental services whether or not the services are such as would be provided by local agencies subject to this chapter, and as including the public facilities necessary to provision of services.
- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests and on the local governmental structure of the county.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development and the policies and priorities set forth in Section 54790.2 of this code.
- (e) The effect of the proposal on maintaining the physical and economic integrity of lands in an agricultural preserve in open-space uses.
- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- (g) Conformity with appropriate city or county general and specific plans.
- (h) The "sphere of influence" of any local agency which may be applicable to the proposal being reviewed.

(Amended by Stats. 1970, c. 1249, 1. 2247, sec. 4; Stats. 1972, c. 792, p. 1411, sec. 3; Stats. 1973, c. 652, sec. 2; Stats. 1974, c. 531.)

65560. Definitions

- (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.
- (b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:
 - 1. Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; fivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
 - 2. Open space used for the managed production of resources including, but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
 - 3. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
 - 4. Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



MONTEREY COUNTY

INTERGOVERNMENTAL AFFAIRS

(408) 755-5065 P.O. BOX 180, SALINAS, CALIFORNIA 93902

VERONICA A. FERGUSON
Assistant County Administrative Officer

March 10, 1994

City of Salinas
Department of Community Development
200 Lincoln Avenue
Salinas, California 93901

RE: Westridge Center EIR Comments

The Boronda Citizens Advisory Committee (CAC) has reviewed the Draft Environmental Impact Report for the Westridge Center. The committee also conducted public meetings on February 23, 1994 and March 7, 1994 to hear a presentation by the developers on the proposed project and to consider public comments on the development. Approximately 60 persons from the Boronda Community attended the February 23rd meeting.

The Boronda CAC is generally in support of the Westridge Center project. Certain issues exist, however, which the community feels need to be addressed. The issues relate primarily to traffic impacts effecting access to the Boronda community and the impact on residential areas adjoining the project. In greater detail the issues are as follows:

1. Laurel and Davis intersection

The draft EIR indicates that the proposed project will add some 25,000 additional vehicle trips per day at this point on North Davis Street. The construction of this intersection will result in the re-opening of Laurel Drive into the community and is vitally needed. However, the additional vehicular traffic, and the addition of another signalized intersection will create traffic congestion. This could have a detrimental impact on access to the community. The EIR should discuss this in further detail. The Boronda community needs to be assured that access to the community will in fact be enhanced as a result of the opening of Laurel Drive and not hindered as a result of projected increased traffic.

2. Access to Hyland Drive

Some community residents voiced an interest in having a one way access to Hyland Drive available from a reconfigured Laurel/Davis intersection. It should be considered whether this is feasible or whether access to Hyland Drive should be limited to an intersection at Post and Laurel Drive with an extension of Post Drive to Hyland Drive.

3. Increased traffic volume

This concern is related principally to issue #1 as it relates to increased traffic on North Davis Street. There is additional concern, however, that proposed access to Boronda Road from between building parcels #3 & #4 in the project will also produce additional traffic volume into the Boronda community. This impact is not adequately addressed in the draft EIR and should be considered. (see issue #4)

4. Access to Boronda Road via Brooks Lane

The development Plan does not precisely address whether access from the development between building parcels #3 & #4 is on or adjacent to Brooks Lane which is a private road. This alignment needs to be clarified. There is also a concern on how this access road to the development would intersect with Boronda Road. Would it intersect at a ninety degree angle or at some other angle? What impact would the proposed alteration to the sharp turn and re-alignment of Boronda Road have on the intersection to this access road? If the access road is to run parallel to Brooks Lane, then how would both Brooks Lane and the access road intersect with Boronda Road? It would not be possible to have two adjacent intersections.

5. Impact on residential areas

Particularly for those residents living along the south and east side of Hyland Drive, there is concern about the impact of noise, and visual aesthetics on adjoining residential properties. There will be a loss of the rural character of the Boronda community. Open vistas will be constrained by proposed buffer walls. At what height will these walls be built? In some instances the residential land drops off six to eight feet at the boundary with the proposed development. What kind of landscaping will be provided on both sides of the concrete buffer wall to minimize any negative visual impact? These questions should be addressed in the EIR.

6. Storm drainage and impact on neighboring properties

Boronda residents were concerned about the impact of storm water retention and possible impact to neighboring properties. The draft EIR indicates that storm water retention will be provided on site and released according to a controlled plan that will minimize impact on the adjoining Markley Swamp. The EIR should address the feasibility of development agreements in addressing the storm drainage impacts. The agreements should stipulate that there will be no flooding or adverse drainage impact on adjoining properties and that the developers would be responsible for the mediation of any unforeseen impacts.

7. Financial cost of project to the Boronda community and/or possible annexation to the City of Salinas

Some community residents were concerned that the proposed development might result in some additional costs to property owners in Boronda or that their property would be annexed along with the property of the development. It should be emphasized that no cost associated with the proposed Westridge Center Development will be borne by the residents of Boronda. Also, only the property on which the proposed development is to be constructed will be annexed into the City of Salinas. No residential properties can be annexed without express approval and consent of the effected property owners.

8. Rossi Street Extension

Boronda community residents feel that it is essential that Rossi Street be extended to the north with a connector to Madison Lane to provide suitable access for the commercial traffic on the south side of Boronda.

The extension of Rossi Street should be a required mitigation for the traffic congestion that will impact Davis Road, particularly at the Laurel/Davis intersection, as a result of the proposed development. The Redevelopment Agency has indicated the Rossi extension as a priority project in the redevelopment plan. Half of the cost would be paid for by tax increment funds as a result of development within the Boronda community. The extension of Rossi Street could be a two-lane road for the present until such time as a specific development is proposed adjacent to the roadway. At that time it would be widened to four lanes with the cost borne by that specific development.

9. Explanation of Archaeological Issues

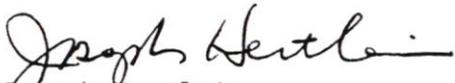
Additional explanation of possible archaeological finds and their impact should be given in the draft EIR.

10. Fire Protection Coverage

Additional explanation should be given on the source of fire protection coverage to the development and possible impacts on the Boronda community.

11. Sewer Impact

Additional information should be presented on the impact to the Boronda County Sanitation District. Would augmentation of the Westridge Center Project have any impact on the Boronda County Sanitation District? Is there adequate capacity to handle this project? What fees will the development be required to pay in order to handle its proportionate share of the increase sewer capacity required? Will there be any impact on the Boronda community and any limitation on future hookups for residential properties as a result of the Westridge Center development? Is the capacity allotment for the Boronda area impacted by this development? The EIR should address these questions.


Joseph Hertlein
Associate Administrative Analyst

JH:ds

MEMORANDUM

Agricultural Commissioner
AGRICULTURAL COMMISSIONER
COUNTY OF MONTEREY

RECEIVED
FEB - 4 1994
COMMUNITY
DEVELOPMENT DEPT.

DATE: February 2, 1994

TO: Kevin Callahan, City of Salinas, Community Development

FROM: Richard W. Nutter, Agricultural Commissioner *RWN*

SUBJECT: Westridge Center EIR

The Land Use section, 4.4, accurately depicts the current and prospective agricultural uses of the subject property. The soils in the location are receptive to irrigated row crops and their history of cultivation indicates this has been the case. It is true that these soils are not prime farmlands, as indicated, however they are nonetheless productive agricultural acres (98) that will be permanently removed from production.

The contiguity to the city of the proposed development and the proposed mitigating measures designed to protect other prime farmlands in the vicinity, indicate a thoughtful approach to this development in regard to present and future land use.

RWN:dr



MONTEREY COUNTY
PLANNING AND BUILDING
INSPECTION DEPARTMENT

MEMORANDUM

DATE: March 10, 1994

TO: Joe Hertline
Intergovernmental Affairs

FROM: Robert Slimmon, Jr.
Director of Planning and Building Inspection

SUBJ: WESTRIDGE DRAFT ENVIRONMENTAL IMPACT REPORT

We have reviewed the Draft Environmental Impact Report for the proposed Westridge Center and have a number of comments.

In a letter to the City of Salinas, dated March 30, 1993, the Monterey County Planning and Building Inspection Department identified various issues which, from the standpoint of County planning policy, needed to be addressed in the EIR, including: (1) Impact on prime and/or in-production agricultural lands in and adjacent to the project area, (2) extension of Davis Road and other road improvements beyond the project into prime agricultural lands, (3) buffering between the proposed development and agricultural lands to the north of the project, (4) buffering (including screening) between the proposed development and the existing Boronda Neighborhood to the south; and (5) access to and within the Boronda Neighborhood.

As the Draft EIR indicates, some 75 acres of irrigated farmland would be taken out of production for the proposed project. In addition, some 14.6 acres, including "Prime Farmlands" and "Farmlands of Statewide Importance," would be required for off-site road improvements to mitigate traffic impacts. These additional farmlands would be in areas remaining under County jurisdiction after the project is completed, and this is an ongoing concern of the County.

The Boronda Neighborhood Improvement Plan calls for close cooperation between the City and the County in planning for orderly transition from rural to urban uses in this area [See Policy 28.2.1.1. (GS)]. In addition, the Plan states that agriculture will be a priority use in areas surrounding Boronda, and development should be planned and sited to minimize potential conflicts with agricultural activities [See Policy 30.0.1.1 (GS)]. It calls for measures to mitigate potential conflicts between urban uses and adjacent agricultural uses including a 60-foot

transitional right-of way, building setbacks, and landscaped shrub buffers.

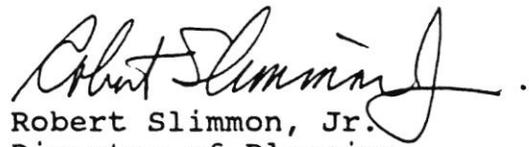
We note that a number of the specific concerns of the Plan have been addressed in the Draft EIR including a 60-foot buffer between the project and adjacent agricultural lands, the use of Boronda Road as a project site boundary, height criteria for proposed buildings adjacent to the Boronda Neighborhood, sound walls along abutting residential property lines, and buffering of loading areas near residences.

Some of the proposed off-site road improvements, such as the intersection improvements at Laurel Drive and North Davis Road, would provide better access to and within the Boronda Neighborhood. This, however, is a mixed blessing since better access to the area also means more traffic within the area, and, as already indicated, consumption of agricultural lands.

Major concerns of the Planning and Building Inspection Department regarding the proposed Westridge Center project continue to be (1) impact on agricultural lands, (2) impact on the Boronda Neighborhood, and (3) traffic. Unfortunately, these issues are not mutually exclusive. In order for potential traffic problems to be mitigated and necessary road improvements constructed, for example, prime agricultural land must be taken out of production. The question then is a matter of degree; how much land is needed to construct reasonable traffic improvements. Another issue is how best to prevent new development from negatively impacting on adjacent residential areas and remaining agricultural land.

In conclusion, we recommend that the City of Salinas continue to work closely with the County as this project moves forward. The County should have major input into the refinement of mitigation measures, and should be a part of the mitigation monitoring process.

Thank you for the opportunity to comment on the Westridge Draft Environmental Impact Report.


Robert Slimmon, Jr.
Director of Planning
and Building Inspection



MONTEREY COUNTY

WATER RESOURCES AGENCY

855 E. LAUREL DRIVE (BLDG. G)
 SALINAS, CA 93905
 (408) 755-4860
 TELEFAX (408) 424-7935

WILLIAM F. HURST
 GENERAL MANAGER

MAILING ADDRESS
 PO BOX 930
 SALINAS, CA 93902-0930

March 8, 1994

City of Salinas
 Department of Community Development
 200 Lincoln Avenue
 Salinas, CA 93901

RE: Westridge Center Environmental Impact Report

TO WHOM IT MAY CONCERN:

There are significant drainage, flood control and water supply issues associated with this development. Water Resources Agency staff made the applicant and the EIR consultant aware of these issues early in the environmental review process. As a result, Agency staff feels that the EIR consultant has adequately analyzed and addressed the issues, and has recommended the appropriate mitigation measures in the DEIR. | 1

All of the development alternatives will have a reduced water demand, below the historical agricultural use. Obviously, the Water Resources Agency would prefer to see the alternative constructed that achieves the greatest water savings. | 2

There is one minor correction needed. Page 5-9, 4th paragraph - Change Monterey County Flood Control and Water Conservation District to Monterey County Water Resources Agency. | 3

Sincerely,

Owen R. Stewart

Owen R. Stewart
 Assoc. Water Resources Engineer

OS\westrdg.let

Department of Public Works
County of Monterey

MEMORANDUM

TO: City of Salinas/Community Development Department
FROM: Margot Yapp, Transportation Engineer *dy*
SUBJECT: Public Works' Comments on EIR for Westridge Project
DATE: February 28, 1994

The following are the Monterey County Department of Public Works' comments on the above subject EIR:

1. The summary of the EIR concludes that a significant unavoidable adverse impact would result from an unacceptable level of service at the intersection of Davis Road and West Laurel Drive. However, the third paragraph on page 5-6 seems to contradict that conclusion, stating that "... *by extending the Westside Bypass to Boronda Road, traffic volumes at the Davis Road/West Laurel Drive intersection would be reduced and an acceptable level of service would be achievable.*" 1

2. The applicant is to be complimented on the inclusion of a pedestrian/transit accessible alternative (Alt. 3). This is especially timely given the change in focus in both state and federal transportation funding. However, it is disturbing to read that even though this is the "environmentally superior alternative" according to CEQA, this alternative "... *according to the applicant, is not supported by market place criteria and shopping center industry standards and is therefore not practically possible.*" (page 3-4) This statement should be further clarified and evidence presented to support this statement. 2

In addition, since the inclusion of the Alternative 3 is only for comparative purposes as stated in the EIR, it would appear that the applicant is not seriously concerned with alternative modes of transportation and is only paying lip service.

3. The effort expended to include other modes of transportation in Alts. 1, 2 and 4 is inadequate. The mitigation measures identified should be required rather than optional i.e. the inclusion of Class I or II bicycle lanes should be required and not optional, as part of the mitigations for congestion at the different intersections. Similarly, pedestrian/bicycle paths between the residential areas and the project site should be required in all alternatives. Other aspects include requiring bus pads/stops on the Davis Road extension. 3

4. Alts. 1,2 and 3 (*Figures 3.4, 3.6, and 3.7*) all indicate that one of the internal roads on the project site (on the east side) will intersect with Boronda Road. However, no details are provided that describe how this connection will occur, nor is any information presented on the location of the connection. Note that a private road (Brooks) is located in the vicinity of the 4

proposed intersection, and that a minimum separation of 400 feet will be required between intersections. The applicant must provide more detailed information on this proposed connection.

More specific comments follow:

5. *TDM Program, Item 1, page 3-10:* What about providing licensed child care facilities on-site instead of just information since 1,500 jobs will be generated?
6. *TDM Program, Item 5, page 3-10:* Provision of pedestrian facilities should be expanded to include links to residential areas, not just transit stops.
7. *TDM Program, Item 6, page 3-10:* What about including cash incentives for carpools?
8. *Page 3-14* is out of sequence.
9. *Page 3-17, 2nd paragraph:* Last sentence is incomplete.
10. *Potential Impacts & Mitigation Measures, page 4-10:* Define "future". Is it at buildout of this project (1998? 1999? 2000?), or is it a specified time in the future?
11. *Tables 4-6 to 4-13:* Present the LOS for each intersection under all alternatives in one table for easy comparison.
12. *Trip Generation, Page 4-24:* Is the 7% reduction in traffic due to the trip reduction ordinance only applied to Alt. 3? If so, why was it not applied to the other alternatives since this is a mandatory requirement.
13. *Trip Distribution, Tables 4-A1 and 4-A2:* These figures are confusing. Clarify the percentages shown on the figure. Separate residential from commercial trips.
14. *Tables 4-15 to 4-24:* Include a small sketch illustrating the geometric configuration for the intersection with suggested improvements at the bottom of each table.
15. *Table 4-20, Davis/Laurel :* Is 7 dedicated lanes on northbound Davis practical?
16. *Pedestrian Impacts, page 4-60:* This project, if it does not include provisions for pedestrians, will discourage pedestrians from considering walking as a transportation mode. Since so many intersections are projected to be at an unacceptable LOS, the identified mitigations (TR-16.1, 16.2) should be required, not optional.
17. *Bicycle Impacts, page 4-62:* Ditto.
18. *Freeway Impacts, page 4-63:* What actions are being considered to reconcile the differences in forecast traffic volumes between those projected by TAMC and those identified in the EIR?

CITY OF SALINAS

5.3 million cubic
yards

22 Disposal Service. The distance from Boronda to the landfill is about 13 miles. Approximately 178,000 tons per year of solid waste is hauled to the Crazy Horse Landfill. Ignoring the effects of population growth and increasing diversion over future years, the landfill would reach its capacity in the year 2000. Salinas is developing a project to expand the landfill by ~~1,920,000 tons~~, thus adding another 11 years + to its life. Expansion has not yet been approved, and other alternatives are being evaluated, including selection and development of a new landfill site and disposal of Salinas waste in the Monterey Regional Waste Management District landfill north of Marina (City of Salinas, February 1992).

Commercial recycling currently includes collection of corrugated cardboard unless businesses have ample volume to fill 30 cubic yard drop boxes. Business can request one of three different levels of service: three-yard "cardboard only" containers; 30 cubic yard debris box; and the collection of baled cardboard. The three-yard containers can be emptied up to five times per week. Drop box and baled cardboard collection are an "on call" basis. Commercial stores as large as CostCo usually bale and market their own recyclables.

The City of Salinas has prepared a waste reduction study including information on the characteristics of waste in order to determine the most effective methods of reducing the waste stream to the landfill.

POTENTIAL IMPACTS AND MITIGATION MEASURES

Retail Center (Alternative 1) and Combination Retail Center/ Auto Complex (Alternative 2)

Impact SW-1: The project would generate a total of 1,460 tons of solid waste per year (after recycling), which would contribute to the City's waste stream (*Significant Impact*).

This estimate is based on tonnage figures prepared by Salinas Disposal Service, and assumes a 30 percent recycling rate. California law requires a reduction in waste going to landfills by 50 percent in the year 2000 (Assembly Bill 939). Assuming project build-out in 1997-1998, project solid waste generation must be reduced to 1,040 tons per year under mandated reduction conditions by the year 2000.

Mitigation SW-1.1: The applicant should be required to implement City mandated waste reduction measures that reduce the City's solid waste output per the requirements of AB 939.

MEMORANDUM

DATE: March 18, 1994

TO: Kevin Callahan, Principal Planner

THRU: John Fair, Public Works Director

FROM: Robert Russell, Sr. Civil Engineer

SUBJECT: WESTRIDGE EIR PUBLIC WORKS COMMENTS

SECTION 2 (General): The phrase "should work with the City" shall be revised to "shall contribute toward" or related language that will tie a specific responsibility to the developer and indicate the way said responsibility will be met. The existing wording in the text under "Mitigation" is fairly weak and non-committal. Statements beginning "The City should ..." shall also be revised to address developer's responsibilities pertaining thereto. 1

SECTION 2 (IMPACT TR-6): The City recently placed a project out to bid which will improve the Laurel-Natividad intersection, provide for 3 travel lanes in each direction along Natividad Road from Laurel to Alvin, and will also include the widening of Natividad Road from Alvin to Boronda. Construction is expected for summer of 1994. The text should include some words to this effect. 2

Page 3-10, second sentence (within parenthesis): Revise to "Reviewing agencies indicated some preference for an alternative that removes the the restaurant due to intersection separation, but indicated that the proposed alternative may be satisfactory if so determined by a traffic study."

Page 3-10, TDM Item 3; and Page 4-62, Bicycle Impacts, Optional Mitigation TR-17.1: Incorporate bike lanes on Sammut Parkway, too.

Page 3-11, Visual Characteristics: Revise sidewalk width to City standard 4-foot detached or 5.5-foot sidewalk adjacent to the curb. Please verify the 20-foot wide landscape strip along Caltrans right-of-way adjacent to US 101.

Page 3-17, second paragraph: Complete last sentence.

Page 4-10: Please have DKS provide all signal warrants to Public Works; ATTN: Robert Russell for verification.

Section 4 Impact/Mitigation section: (Mitigation TR-4.1) Needs more detail on applicant's responsibility to provide/install improvements.

I would also suggest identification of the intersection in parenthesis directly after the colon of the impact. For example, Impact TR-5 identifies the intersection in the second sentence which is located 3 pages away. This should be modified as "Impact TR-5: (Blanco-Davis) Traffic generated by" Modify all impact locations accordingly.

Page 4-39: Add "Impact" and "Mitigation" to TR-7 items.

Page 4-106, Sanitary Sewer: There is some concern relating to the existing sewer main and the impact that the new retention/detention basin construction may have. Provide some documentation and detail of the basin to verify that their construction will not adversely impact existing facilities and/or utilities in the area. If the basins require modifications/relocations of lines, this must be done at the developer's request.

Page 4-110, Optional Mitigation SS-1.1: The specific dollar amount that this development can be reasonably expected to pay based on its sewage contribution is \$75,000. A rough analysis indicates that the \$48,000 in fees will be collected. Text should include discussion as to how the additional sewer fees will be secured from the development.

Page 4-117: Some discussion regarding maintenance of the retention/detention basin and aquatic vegetation will be required and shall state that said maintenance will be the responsibility of the developer or land owners. The method of financing said maintenance shall be stated as well. Maintenance of ditches, swales, and pond embankments should also be included in the discussion.

Page 4-118, Mitigation DR-2.2: The applicant's proportional share of the Markley Swamp pumps shall be determined and stated in the EIR. A sentence on who will be responsible for the pump maintenance should also be addressed.

GENERAL

The EIR needs to address the issue of environmental impacts of the Davis Road extension to Boronda Road/US 101.

The general layout of the Laurel-Davis intersection reconfiguration and Post-Davis intersection should be included/shown to verify that the recommended improvements are feasible.

The actual location of the storm drain and sanitary sewer lines shall be plotted with respect to the buildings to ensure there are no conflicts. It may be possible that some existing lines may not necessarily lie within recorded easements.

Please contact Rob Russell at 758-7433 if you have any questions or need additional information pertaining to issues identified herein.

NEED PROVISIONS FOR FUTURE DAVIS CONNECTION TO ALVIN. SHOW RESERVATION ON ALTERNATE 1.

BRIAN FINEGAN
AND
MICHAEL D. CLING
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TELEFACSIMILE 757-9329

March 16, 1994

Mr. Kevin Callahan
Department of Community Development
Salinas City Hall
200 Lincoln Avenue
Salinas, California 93901

Re: Westridge Center Draft EIR

Dear Mr. Callahan:

On behalf of Sammut Brothers, the project applicant, I submit the following comments on the draft environmental impact report for the Westridge Center:

1. Lombardo Comment Letter. In response to the comment letter submitted by Anthony L. Lombardo dated March 1, 1994, requesting analysis of the auto center project, please note the provisions of AB 1888 (effective January 1, 1994) revising Public Resources Code Section 21100(D) to include the following language:

"The cumulative impact analysis for an individual project shall not be required to consider a project for which information first becomes available after completion of the draft environmental impact report and could not otherwise have been reasonably anticipated, if the environmental impact report is certified within 150 days of the close of the public comment period."

As I understand it, the draft EIR was completed prior to the submission of the auto center application.

2. Missing Page 3-16. The copies of the EIR circulated for public comment were missing page 3-16.

3. Page 3-17, First Full Paragraph. This paragraph ends with an incomplete sentence. It is not possible to tell what mitigation measures are referred to.

4. Page 3-22, Environmentally Superior Alternative. The

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CEQA Guidelines (Section 15126[d]) require that the alternatives analyzed in the EIR be those "...which could feasibly obtain the basic objectives of the project..."¹ In this case the proposed anchor tenants for the project have announced categorically their unwillingness to participate in a center designed as proposed in Alternative 3. Alternative 3 is not feasible for economic reasons.

5. Page 3-23, Section 3.6, Intended Uses of the EIR. The text here should indicate that this EIR is intended to be a program EIR which can be used in connection with future entitlements (see CEQA Guidelines, Section 15168).

6. Section 4.1, Traffic. According to Les Card, P.E., Traffic Engineer, President and CEO of LSA Associates, Inc., the traffic section of this EIR is seriously off track on "two glaring issues".² The first is the number of significant traffic impacts that appear to be attributed to the project when in fact they are attributable to other "approved and reasonably foreseeable projects" only. The second major issue is a misinterpretation and misapplication of the General Plan policy concerning traffic levels of service and associated implementing policies:

A. Project Impacts. In the summary section, pages 2.1 to 2.4, the first fourteen traffic impacts are indicated to be significant impacts of the project. In fact, eight of them (see Comments 18, 20, 22, 23, 24, 25, 26, 27 and 28 below) are not project impacts at all but rather the result of traffic from other "approved and reasonably foreseeable projects". In many cases, the Westridge Center project actually improves the intersections' operation in the future but it is (erroneously) still listed as a significant impact of the project. This gives a completely misleading representation of the overall project impact on the circulation system.

B. General Plan Interpretation. The General Plan Guiding Policy 5.1.B. regarding traffic level of service is clear: In existing urbanized areas where all of the analyzed intersections

¹ "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (CEQA Guidelines, Section 15364)

² Mr. Card's full comments are contained in a comment letter dated February 15, 1994, a copy of which is attached hereto as Attachment "A". Mr. Card is an "expert" as that term is used in CEQA. He was actively involved in reviewing General Plan traffic policies at the time of adoption of the General Plan.

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are located, the criteria is level of service (LOS) D; in other words, up to .89 volume/capacity (V/C) ratio. (General Plan Guiding Policy 5.1.B., page 61). The source of the confusion is in trying to apply as a policy the italicized "explanatory material" following Implementing Policy 5.1.G. on page 62 of the General Plan. The text of the General Plan makes clear that such italicized "explanatory material" is not adopted and is not policy (General Plan, page 5). In this case the explanatory material was included in the General Plan to assure that necessary improvements would be initiated (i.e., planning, design, environmental clearance and funding) well in advance of reaching the LOS D (.89 V/C) threshold. Thus, the italicized implementing language suggests that this initial scheduling should take place when the volume to capacity ratio of 0.80 to 0.82 is reached. This lower trigger was never intended to be a threshold for technical evaluation or for determination of project impacts. This criteria is misrepresented in the summary section of the EIR and throughout the text analysis where the .82 V/C ratio is used to denote a significant impact, when in fact the threshold should be .89 V/C.

7. **Section 4.1, Traffic: Fort Ord Closure.** No traffic decrease is credited to the definite closure of Fort Ord despite Wilbur Smith's assessment that a reduction of 10% to 15% should be expected from Fort Ord's closure (TAMC Report, March 8, 1993, Page 4-2). While the closure of Fort Ord is a fact, the reuse of Fort Ord over time is speculative.³ Furthermore, TAMC studies acknowledge that considerable new infrastructure is needed before expanded reuse of Fort Ord can occur. Part of this required infrastructure is a six lane west side bypass for the City of Salinas.

8. **Section 4.1, Traffic: Threshold Impacts.** According to Mr. Card, the industry standard is for traffic reports to utilize an "impact threshold" in the analysis of impacts. Customarily, the fundamental basic criteria for establishing significant project impacts should be the following:

A. Project traffic by itself causes an existing intersection to exceed the City's .89 V/C ratio standard.

B. Project traffic by itself contributes 5% or more of total trips within a road segment.

If the threshold is not exceeded, the impact is deemed

³ Hamilton Air Force Base, a prime property in Marin County was closed 20 years ago. Reuse has still not occurred despite intense effort.

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insignificant. This report utilizes no such threshold.

9. Page 4-3, Footnote 1. No facts, reasonable assumptions predicated on facts, or factual support for expert opinion is included in the EIR to support the seasonal "factoring up" of actual traffic counts by as much as 24%. (See Public Resources Code, Section 21082.2[c] requiring EIRs to be supported by substantial evidence which "...shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.")

10. Page 4-10, Potential Impacts and Mitigation Measures. A fundamental issue raised under this analysis is the inclusion of the project impacts with the impacts of "approved and reasonably foreseeable projects" so that the two are not distinguishable. The reader is led to believe that the totality of those impacts will occur if the project is approved and at the same time that the project is implemented. In fact, the total list of "approved and reasonably foreseeable projects" represents a total of 8,500 dwelling units, three quarters of a million square feet of retail space, and 1.1 million square feet of business/office. Based on the last ten years of absorption in the City of Salinas, the realization of the "approved and reasonably foreseeable projects" would in fact be on a distant time horizon. As a result of this device, the impact analysis of this section is badly skewed to the detriment of the project applicant.

11. Page 4-11, Last Paragraph. Here the EIR embarks on the misinterpretation of the volume to capacity ratio threshold in the City's General Plan (see Comment No. 6.B above). The .82 V/C ratio threshold should not be used as a mechanism for determining significant impact, or as a mechanism for assigning responsibility to the project for cumulative impact mitigation.

12. Page 4-13, Table 4.5. This table is very misleading for the following reasons:

A. The table treats the "approved projects" as if all discretionary entitlements have been received and no further mitigations are available from those projects. This is not the case. Several of the projects referenced in Table 4.5 require further discretionary permits which may be the basis for requiring further mitigation. Others of the projects already approved are required by the conditions of their approval to provide substantial mitigation measures. All must pay traffic impact fees which contribute to the construction of TFO projects which will substantially reduce impacts, including impacts of the proposed project. The use of this table thus badly skews the report's impact analysis.

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B. This table reflects total PM peak hour trips of 14,450 as compared to the project traffic analysis prepared by LSA which projects a total PM peak hour trip generation of 9,400 trips. Without an explanation of this substantial discrepancy or at least a reflection that experts differ on this important topic, decision makers and the public are left without important information. The explanation for a portion of the discrepancy is as follows:

i) Table 4.5 includes traffic from Harden Ranch schools (550 PM peak hour trips) and Williams Ranch schools (600 PM peak hour trips). These school trips should not be included. There is no basis for believing that these East Salinas school trips would impact the study intersections. Furthermore, school trips are included within the residential trip generation rate.⁴

ii) Table 4.6 includes retail trips from Thrust IV (941 PM peak hour trips), Steinbeck Square (635 PM peak hour trips) and Williams Ranch (1,191 PM peak hour trips). There is no justification for accumulating all of these trips at all seventeen study intersections. If they are included at all, they should be substantially discounted because of their remoteness from some or all of the study intersections.

iii) With the large list of cumulative projects, a substantial amount of double counting has occurred. In other words, approved residential trips are lumped together as a total as are the project trip counts. In many cases, these include the same trips (i.e., some portion of the ten residential trips per day are included in the retail trips). LSA would recommend reducing the nonresidential traffic from 25% to 33% for all commercial projects, including the proposed project.

13. Page 4-17, Second Full Paragraph. It would be informative to decision makers to see some cost/benefit analysis related to providing the Alvin Drive overcrossing. It appears from Table 4.6 that relatively little benefit would be achieved compared to other alternatives.

13. Pages 4-20 and -21, Tables 4-10 and 4-11. These tables purport to reflect the traffic impacts associated with Alternative Three identified as the "environmentally superior alternative". However, the analysis of the impacts of this alternative is badly skewed by applying a 7% reduction in traffic for compliance with the City's trip reduction ordinance. (See bottom of page 4-24). Although the trip reduction ordinance applies to all alternatives,

⁴ Note that the EIR uses a generous 10 trip per day rate for residential units.

10

11

12

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the EIR applies it only to its "favored" alternative. If the same 7% reduction were applied to Alternative No. 1, Alternative 1 would be more desirable than Alternative 3. It appears that this technique was utilized to "tilt" the report in favor of Alternative 3. The Monterey County Public Works Department in its comment letter, has also objected to this "selective" analysis. Either Tables 4-10 and 4-11 should be corrected to reflect the true impacts of Alternative 3, or the tables for the other alternatives should be adjusted to reflect a similar 7% reduction.

14. Page 4-24, Trip Generation. It should be noted in the discussion of trip generation for "approved and reasonably foreseeable projects" that a significant double counting occurs with this traffic forecasting methodology. In other words, there is no consideration of the interaction between all of the different land uses in this approved project list. Furthermore, the double counting is aggravated by the fact that there is no consideration of interaction between the project's land uses and attracting land uses with the future projects. In other words, all of the "approved and reasonably foreseeable projects" are simply added one on top of the other to existing traffic levels; then the project traffic is added on top of that. For this reason, the traffic impact analysis should acknowledge that this is an extremely conservative analysis of traffic impacts. (See Comment No. 12.B.iii above).

15. Page 4-26, Table 4-14, Footnote 4. This table reflects two analytical defects:

A. Typically traffic analyses for larger retail centers such as the Westridge Center apply a "driveby recapture" factor and an "internal trip reduction" factor. This EIR has used an internal trip reduction factor only (Footnote 4). The 10% internal trip reduction factor is lower than the standard factor. The driveby recapture factor should be anywhere from 25% to 40%, yet none is applied in this table.

B. The same "tilt" in favor of Alternative 3 for trip reduction measures is reflected in this table (see Comment No. 13 above).

16. Page 4-29, et seq. Traffic Impacts. This section purports to list fourteen intersections significantly impacted by the project. As noted above (see Comment No.6.A. above) eight of these impacts are not project impacts at all, but rather the result of traffic from "approved and reasonably foreseeable projects." In many cases, the Westridge Center project actually improves the intersections operation in the future but it is still listed as a significant impact of the project. Furthermore, in some cases (TR-

March 16, 1994

5, TR-6), it is not possible to identify which intersection is referred to.

17. Page 4-29, Impacts TR-1 and TR-2. The City should be responsible for the implementation of the mitigation measures for these two impacts. Existing TFO projects will completely mitigate the traffic level of service and those projects have always been identified as a broad City responsibility.

18. Page 4-29, Impact TR-3. Traffic generated by the Westridge Center project alone will not cause this intersection to fall below the General Plan threshold of .89 V/C ratio. Traffic levels from the project, when added to existing levels, will cause the intersections to reach only .84 V/C ratio (LOS D).

19. Page 4-30, Mitigation TR-3.1. CEQA requires feasible mitigation measures. The report should reflect whether the proposed mitigation (ten lanes on North Main Street) is feasible.

20. Page 4-30, Impact TR-4. It is acknowledged that the project does cause a significant impact at this intersection (Davis Road and Post Drive). However, all of the mitigations noted are required not to mitigate project traffic, but to mitigate existing plus project plus future traffic. The project should be required to mitigate only the impacts necessary to reduce the project's direct impact to below the .89 V/C City standard.

21. Page 4-37, Mitigation TR-5.1. The applicant should not have responsibility for implementation of all mitigation listed to fully address traffic from "approved and reasonably foreseeable projects". The applicant should be responsible only for that mitigation necessary to bring the direct project impacts to below LOS D criteria (0.89 V/C).

22. Page 4-37, Impact TR-6. This intersection should not be listed as a significant impact of the project. It is clear from Table 4-6 that with the addition of project traffic, the V/C ratio does not change from the ratio projected with only existing plus approved projects. In other words, the direct project impact does not cause the intersection to drop below the .89 LOS standard and the change in level of service from existing and approved projects (1.04) to existing plus approved projects plus Westridge (1.04) represents no change and, therefore, no impact.

23. Page 4-39, Impact TR-7. This intersection change should not be listed as a significant impact from the project or from future traffic. The level of service never goes above .85 V/C ratio and, therefore, stays within the LOS D criteria of .89 V/C

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ratio.

24. Page 4-39, Impact TR-8. From Table 4-6 it is clear that the project does not by itself cause the intersection to have a significant impact and there is no change from existing plus approved project scenario to the existing plus approved projects plus Westridge Center scenario. Therefore, there is no project impact.

25. Page 4-42, Impact TR-9. This intersection should not be listed as a significant impact of the project. According to Table 4-6, traffic generated by the project itself when added to existing traffic, will not cause the intersection to operate over the City's LOS D criteria (.89 V/C ratio).

26. Page 4-43, Impact TR-10.

A. There is no direct project impact and there is no future project impact. In fact, there is a substantial benefit from the project when added to future traffic levels. There is absolutely no basis to suggest a significant impact from the project at this location.

B. If the Alvin Drive overcrossing is not constructed, what would the impact be on this intersection?

27. Page 4-48, Impact TR-11. There is no factual basis to suggest that the project would cause a significant impact at this intersection. In fact, the project by itself causes a significant improvement in future impacts. Therefore, this intersection should not be listed as a significant project impact.

28. Page 4-52, Impact TR-14. The discussion here states that the proposed project would contribute toward increased delays at this intersection. There is no factual evidentiary basis for this conclusion. Table 4-6 demonstrates that adding the project to the existing plus approved projects scenario improved the V/C ratio.

29. Page 4-55, Last Paragraph. This paragraph summarizes the traffic impacts of the project by adding project impacts to existing plus all future projects. The public and decision makers need to know what the impact of this project is on existing levels of traffic without mitigation, and on existing levels of traffic with mitigation. Then, and only then, are they in a position to judge the merits of this project in the context of other projects under consideration by the City.

30. Page 4-60, Pedestrian Impacts. "CEQA does not require mitigation of insignificant effects." (Leonoff v. Monterey County

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[1990] 222 CA3d 1337, 1357). Because pedestrian impacts are identified as an insignificant impact, no mitigation is required. Optional mitigation measures TR-16.1 and TR-16.2 should be eliminated.

26

31. Page 4-62, Bicycle Impacts. "CEQA does not require mitigation of insignificant effects." (Leonoff v. Monterey County [1990] 222 CA3d 1337, 1357). Because bicycle impacts are identified as an insignificant impact, no mitigation is required. Optional mitigation measure TR-17.1 should be eliminated.

27

32. Page 4-62, Transit Impacts. "CEQA does not require mitigation of insignificant effects." (Leonoff v. Monterey County [1990] 222 CA3d 1337, 1357). Because transit impacts are identified as an insignificant impact, no mitigation is required. Optional mitigation measure TR-18.1 should be eliminated.

28

33. Page 4-63, Freeway Impacts. Monterey County Public Works Department Comment No. 18 suggests that the EIR must resolve the issue of the different traffic volumes for U.S. 101 segments in Salinas. CEQA does not require resolution of such disagreements, but rather that the EIR report areas of disagreement.

29

34. Page 4-72, Mitigation AO-3.1. This is not a true mitigation but is rather a monitoring requirement. It should be deleted as a mitigation measure and added to the project mitigation monitoring plan.

35. Page 4-72, Third Paragraph, Air Quality. The EIR analyzes no air quality mitigations other than trip generation reduction and, therefore, concludes that even with these reductions, impacts on regional air quality would be a significant unavoidable adverse impact. This is a very shallow analysis of air quality impact and mitigation. The 1991 Air Quality Management Plan regulates both stationary sources and mobile sources. Trip reduction is one of the Transportation System Measures identified in the AQMP for controlling mobile sources. The AQMP contains a broad menu of measures for controlling emissions from stationary sources of which this project is one. None of those measures is discussed in the EIR. For projects which exceed the action threshold of 150 pounds per day (which this project does), the AQMP calls for application of Best Available Control Technology ("BACT") and if the application of BACT does not achieve compliance, the utilization of offsets. The EIR should contain an analysis of these measures which would result in mitigation of project air quality impacts to a level of insignificance.

30

36. Page 4-73, First Paragraph. This section assumes that the 7% trip reduction would apply only in the case of Alternative

March 16, 1994

3. There is no factual evidence, reasonable assumption predicated upon facts, or expert opinion supported by facts which would lead to the conclusion that only Alternative 3 would have to comply with the City's trip reduction ordinance and achieve the 7% decrease in trips (see Comment No. 12 from Monterey County Public Works Department).

37. Page 4-81, Impact LU-2. The EIR must reflect mitigation measures proposed by the applicant and incorporated into the design of the project. In that regard the EIR should note that the preferred alternative, Alternative 1, does not impact the 22.3 acres of farmlands of statewide significance. All of the land that is proposed for utilization in Alternative 1 is included within the City's sphere of influence, is designated in the applicable General Plan for development uses and, therefore, its conversion should not be considered a "significant and unavoidable adverse impact" of Alternative 1.

38. Page 4-86, Last Paragraph. The EIR expresses the opinion that "...the increased buffer provided by realignments of the buildings and extension of Boronda Road along the northwestern boundary [Alternative 3] would mitigate adverse impacts of proposed commercial use on adjoining agricultural operations and reduce potential nuisance complaints." This is unsubstantiated opinion of the EIR consultant, unsupported by facts, reasonable assumptions predicated upon facts, or expert opinions supported by facts (see Public Resources Code Section 21082.2[c]). As such, it must be disregarded. In fact, Alternative 3 would put parked cars and customers immediately adjacent to the impacts of farming, rather than using the project buildings as a buffer to these activities.

39. Page 4-87, Existing City Design Plans and Policies. The list of policies omits the most relevant of the General Plan criteria. Item D on page 10 of the Salinas General Plan provides:

"Additional landscaping should consider the impact on commercial development that depends on highway visibility."

40. Site Edge Reinforcement. Proposed mitigation VR-1-1 concludes that Boronda Road should be rerouted in order to "maintain awareness of the open space setting of the project site". That is an unsubstantiated opinion of the EIR preparer, unsupported by factual evidence, reasonable assumptions predicated on facts, or expert opinion supported by facts. (See Public Resources Code Section 21082.2[c]). As such, it should be disregarded. In fact, relocating Boronda Road around the project involves circulation consequences which are not evaluated in the EIR but would be

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significant. The report should indicate that "awareness of open space" can be achieved by other means and should not be a determinate in traffic circulation conclusions.

41. Page 4-91, Mitigation VR-1.2. This mitigation would be inapplicable to the project as proposed. Alternatives 1 and 2 as designed provide 65 feet of greenway, including thirty feet of bermed landscaped area west of North Davis Road, fifteen feet of landscape median and twenty feet of landscaping on the east side of North Davis Road. Also, preliminary discussions with Cal Trans have indicated the possibility of establishing a pattern of trees on their right of way near North Davis Road subject to Cal Trans engineering review.

35

42. Page 4-91, Site Edge Reinforcement. This section should conclude that with mitigations, the impacts of the project on the visual environment of the site will be insignificant.

43. Page 4-91, Signs. This section should conclude that with mitigation as proposed, the project's impacts on the visual environment of the site will be insignificant.

36

44. Page 4-92, Lighting. This section should conclude that with the mitigations proposed, the project's impacts on the visual environment of the site would be insignificant.

45. Page 4-96, Impact PS-3. This impact misstates the evidence. According to the fiscal analysis prepared for the City by Economics Research Associates (July 1993), the Fire Department currently has a first alarm response rate of approximately five minutes. For major fires where three or four engine companies are needed, the response time will vary from five to eight minutes. The twenty five to thirty minutes cited in the EIR is the response time for getting an aerial ladder to Westridge from Fire Station No. 1 assuming that no staff is available and off duty fire fighters would need to be called in. (ERA, p. III-12).

37

46. Page 4-97, Mitigation PS-3.1. CEQA requires mitigation measures to be feasible. The reduction of the hotel to three stories and/or the reduction of the planned anchor tenant sites to less than 52,000 square feet would render the project economically unfeasible. The alternative mitigation measure of buying a "quint" for the City is also unfeasible. The fiscal analysis prepared for the City of Salinas by Economics Research Associates (July 1993) reports the estimated cost of a "quint" at \$500,000.00. (ESA, p. III-12). It is hard to understand how the City is able to provide adequate fire protection for the Northridge Center/Harden Ranch Plaza complex with massive stores in excess of 50,000 square feet, but cannot provide adequate fire protection for the Westridge

38

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Center without the addition of a half a million dollars in hardware.

47. Page 4-99, Historical Water Use. The analysis of historical water use should be expanded to include calculations based upon the recently enacted upper pumping limits ordinances of the Monterey County Water Resources Agency.

48. Page 4-102, Potential Impacts and Mitigation Measures, Second Paragraph. Change "Monterey County Water Management Agency" to "Monterey County Water Resources Agency".

49. Page 4-102, Mitigation WS-1.1. This mitigation should first require confirmation that the existing well is pumping from the 180 foot aquifer. If it is, it is unclear why this well could not be used as the monitoring well rather than drilling a new monitoring well.

50. Page 4-104, Mitigation WS-1.4. CEQA requires mitigation measures to be feasible. There is no feasible way to deliver tertiary treated water to this site as proposed by this mitigation measure.

51. Page 4-104, Impact WS-2. The impact identified here is "an adverse public perception". Section 15382 of the CEQA Guidelines defines "significant effect" only with respect to an adverse change in the physical conditions within the area. Public perceptions are not to be treated as environmental impacts. This impact and its mitigations (mitigations WS-2.1 and 2.2) should be deleted.

52. Page 4-109, Last Paragraph. The base peak flow of 2,000 gallons per acre per day is grossly excessive when compared to similar projects. Please provide data to support the figure.

53. Page 4-110 and 4-111 and Table 4-36, Peak Sewage Flows. The applicant contends that the 2,000 gallons per day peak flow factor reported in the text (page 4-109) is excessive (see Comment 52 above). However, Table 4-36 purporting to show the computation of peak sewage flows uses a flow of 2,500 gallons per acre per average day. Thus, the peak flows reported in Table 4-36 and utilized in the text on page 4-110 are even further exaggerated. Utilizing the 2,000 gallons per average day rate proposed on page 4-109 would result in the following peak flows for Table 4-36:

<u>Alt No.</u>	<u>Peak Flow (MGD)</u>	<u>Peak Flow (CFS)</u>
Alt 1	0.22	0.34
Alt 2	0.19	0.30

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Alt 5

0.25

0.39

54. Page 4-110, Optional Mitigation, SS-1.1. "CEQA does not require mitigation of insignificant effects." (Leonoff v. Monterey County [1990] 222, CA3d, 1337, 1357). Sanitary sewer impact is shown to be insignificant and, therefore, Mitigation SS-1.1 should be eliminated. 46
55. Page 4-110, General Plan Project. The text here states: "This peak sewage discharge, however, does not include the specific commercial use of a 250 room hotel..." Table 4-36 reflects that the calculations do include 250 gallons per day per room peak flows for hotel use. 47
56. Page 4-117, Impact DR-1. CEQA requires that determinations of significance be based upon facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (Public Resources Code Section 21082.2[c]). There are no facts in the EIR to support the determination of significance reflected in this impact. It should, therefore, be deleted. 48
57. Page 4-117, Impact DR-2. While the facts stated in this statement of impact appear to be correct, there is no analysis to show why these facts lead to the conclusion of a significant impact. Either the analysis must be provided or the impact must be eliminated. 49
58. Page 4-119, Mitigation DR-4.3. This is not a mitigation measure, it is a monitoring proposal. If included anywhere, it should be included in the Mitigation Monitoring Plan and deleted here. 50
59. Page 4-120, Impact SW-1. While the facts stated in this statement of impact appear to be correct, there is no analysis to show why these facts lead to the conclusion of a significant impact. Either the analysis must be provided or the impact must be eliminated. Unless analysis is provided to establish the significance of this impact, mitigation measures SW-1.1 and SW-1.2 should also be eliminated. 51
60. Page 5-1, Impact TR-3. The first sentence of this paragraph does not identify which intersection is being discussed. If the intersection is North Main Street and Boronda Road, the project's contribution to existing plus project plus approved/reasonably foreseeable projects, is 3.8% of the total intersection traffic (see Table 4-26). This modest contribution does not meet a reasonable threshold to find this to be an unavoidable adverse impact of the project. 52

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61. Page 5-1, Impact TR-4. The analysis utilizes the incorrect threshold of $V/C=0.82$. The analysis should be recalculated using the correct standard of $V/C=0.89$. Table 4-16 discloses that the existing condition plus the preferred alternative with suggested improvements will render this intersection at $V/C = 0.72$, an LOS C. Clearly it is not this project which is rendering a significant impact at this intersection. 5

62. Page 5-1, Impact TR-9. The text states: "Traffic generated by the proposed project, either by itself or when added to existing traffic, would cause the Davis Road and West Laurel Drive intersection to operate at an LOS F during the weekday PM peak hour..." In fact, Table 4-20 reflects that the existing condition plus the preferred alternative with suggested improvements would render the intersection $V/C=0.72$ LOS C. It is incorrect to describe this condition as an "unavoidable adverse impact." 5

63. Page 5-1, Impact AQ-2. This analysis is very incomplete and ignores application of BACT and offsets (see Comment No. 35). 5

64. Page 5-5, Mitigation CU-1.1. The text should point out that this mitigation is not a project mitigation for a project-generated impact but is a city-wide mitigation for a cumulative impact. The project's contribution to mitigation is the payment of traffic impact fees.

65. Page 5-6, West Side Bypass. The discussion here should note that TAMC studies acknowledge that considerable new infrastructure is needed before expanded reuse of Fort Ord can occur and that part of this required infrastructure is a six lane west side bypass for the City of Salinas. Therefore, the increased flows attributable to Fort Ord cannot occur unless and until such a bypass is provided.

66. Page 5-7, Mitigation CU-2.1(b). The text should reflect that this mitigation is not a project mitigation for a project-generated impact. It is a cumulative impact and the project's required mitigation, if any, should be a proportional contribution to the installation of sound walls.

67. Page 5-8, Right to Farm Ordinance. The text should indicate that Monterey County has now adopted the Right to Farm Ordinance.

68. Page 5-9, Sewage Treatment. There is no evidence or analysis presented here to suggest that this impact is significant.

March 16, 1994

In fact, the evidence presented leads inescapably to the conclusion that the impact is insignificant. The material presented under the heading "Mitigation CU-6.1" is not a mitigation at all, but a discussion of the allocation system in place which prevents the impact from being significant.

60

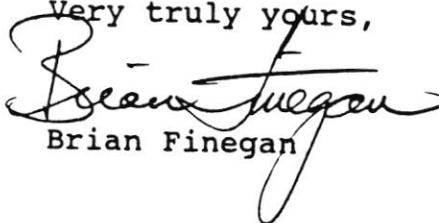
69. Page 5-13, Impact Matrix. Analysis by the public and decision makers of the alternatives presented in this EIR would be made much easier by the addition of an impact matrix. A sample of such a matrix is attached hereto as Attachment "B".

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Please note that additions to Public Resources Code Section 21091(D) effective January 1, 1994, now make it a matter of statute that the City is obligated to evaluate EIR comments and prepare written responses in accordance with Section 15088 of the CEQA Guidelines. We look forward to good faith, reasoned analysis in response to the above comments.

Thank you for the opportunity to comment on this draft EIR.

Very truly yours,



Brian Finegan

BF:pml

cc: Sammut Brothers
Mr. Walt Bemis
Mr. Les Card

AMBAG

AMBAG

ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

08) 883-3750 FAX (408) 883-3755

Office Location: 445 Reservation Road, Suite G, Marina
P.O. Box 838, Marina, CA 93933-0838

March 14, 1994

RECEIVED
MAR 18 1994
COMMUNITY
DEVELOPMENT DEPT.

Mr. Kevin Callahan
Department of Community Development
200 Lincoln Avenue
Salinas, CA 93901

Re: MCH #039405 - Draft EIR - Westridge Center

Dear Mr. Callahan:

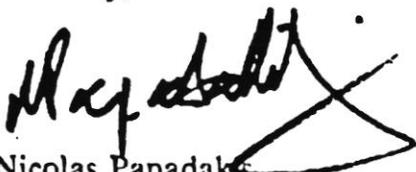
AMBAG's Regional Clearinghouse circulated a summary notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project ~~on March 11, 1994~~ and has no comments at this time. We are forwarding the enclosed comments on the project that we have received from other agencies or interested parties.

1

Thank you for complying with the Clearinghouse process.

Sincerely,



Nicolas Papadakis
Executive Director

NP:scm

Enclosure

clrnghsel:EJR-NC1.frm



Principals

Rob Balen
Lyndon Calverton
Les Cmiel
Steve Granbuhm
Robert J. Habes
Art Flemminghansen
George Kuriko
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Bill Mayer
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Deborah Baer-Walker
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Kevin Fincher
Richard Harlacher
Roger Harris
Michelle Huddleston
Gina Jurick
Clint Kellner
Lorry Kennings
Karen Kortland
Benson Lee
Trisha Lord
Sabrina Nicholls
Anthony Petros
Dennis Trapp
Jill Wilson

February 15, 1994

Mr. Russell Pratt
The Pratt Company
50 California Street, Ste. 2450
San Francisco, CA 94111

Subject: Sammut Brothers EIR

Dear Russ:

Pursuant to your authorization, I have reviewed the Westridge Center Environmental Impact Report dated January, 1994, focussing primarily on the traffic impact analysis and related mitigation measures. As a result of this review, I have comments related to the application of General Plan policies to this EIR, significant corrections to conclusions regarding significant impacts of the project, and additional thoughts that should be input to the public record concerning the overall conservative nature and worst case basis of this impact analysis.

There are two glaring issues with the Draft EIR. The first is the number of significant traffic impacts that appear to be attributed to the project when, in fact, they are attributable to "approved and reasonably foreseeable projects" only. The second major issue is a misinterpretation and misapplication of the General Plan policy concerning traffic levels of services and associated implementing policies.

In the Summary Section, pages 2.1 to 2.4, the first 14 traffic impacts are indicated to be significant impacts when, in fact, 8 of them are not project impacts at all but rather the result of traffic from "approved and reasonably foreseeable projects". In many cases, the project actually improves the intersection's operation in the future, but it is (erroneously) still listed as a significant impact to the project. This gives a completely misleading representation of the overall project impact on the circulation system.

The second issue deals with the interpretation of the Salinas General Plan. The guiding policy for traffic level of service is clear, as is shown on page 61

02/16/94(J:RRP201) EIR.MEM)

ATTACHMENT "A"

One Park Plaza, Suite 300
Irvine, California 92714

Telephone 714 553-0666
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LSA Associates, Inc.

of the General Plan; the General Plan indicates that, in existing urban areas, where all of the analyzed intersections are located, the criteria is level of service (LOS) D; in other words, up to .89 volume/capacity (v/c) ratio.

The confusion begins in trying to apply the implementing policy shown on page 62, policy G. That implementing policy was developed as a guide only, to attempt to assure that improvements, necessary to meet the standard level of service policy, are installed prior to deterioration of the level of service below the General Plan standard. In that context, the implementing policy is further explained in *italics* type, that the scheduled improvements should be initiated (i.e., funding, planning, design, and environmental clearance be initiated) when the level of service reaches .82. This was never intended to be a threshold for technical evaluation or for determination of project impacts. This has been misrepresented in the Summary Section of the EIR. Again, the .82 v/c ratio was to be used only as an indicator to the City as to when implementation of mitigation measures necessary to meet the .90 v/c ratio level of service policy should be initiated.

These two major issues, significant impacts attributed to the project and misapplication of General Plan policies, will come up again and again in the following discussion of specific traffic impacts.

TR3: Traffic generated by the project alone will not cause this intersection to fall below the General Plan threshold of .90 v/c ratio. Traffic levels from the project, when added to existing levels, will cause the intersection to reach only .84 v/c ratio (LOS D).

TR4: It is acknowledged that the project does cause a significant impact at this intersection; however, all of the mitigations noted are not required to mitigate project traffic; those mitigations are required to mitigate existing plus future traffic. The project should be required to mitigate only the impacts necessary to reduce the project's direct impact to below the .90 City standard.

TR9: The statement is simply not accurate. Traffic generated by the proposed project by itself, when added to existing traffic, will not cause the intersection to operate over the City's standard.

TR1 and TR2: We believe that the Salinas Public Works Department should be responsible for the implementation of this mitigation because the Traffic Phasing Ordinances (TFO) project will completely mitigate the traffic level of service, and those projects have always been identified as a broad City responsibility. If it is determined that the project applicant would need to be directly responsible for mitigation at this intersection, the full TFO project is clearly not necessary to address direct project impacts.

TR5: The applicant should not have responsibility for implementation of all mitigation listed to fully address traffic from "approved and reasonably fore-

seeable projects". The applicant should be responsible only for that mitigation necessary to bring the direct project impacts to below LOS D criteria.

TR6: This intersection should not be listed as a significant impact of the project. It is clear from Table 4-6 that with the addition of project traffic the v/c ratio does not change from the ratio projected with only existing plus approved projects. In other words, the direct project impact does not cause the intersection to drop below the .90 LOS standard, and the change in level of service from existing and approved projects (1.04) to existing plus approved projects plus Westridge (1.04) represents no change, and therefore no impact.

TR7: This intersection's change should not be noted as a significant impact from the project or from future traffic. The level of service never goes above .85 v/c ratio, and therefore stays within the LOS D criteria of .90 v/c ratio.

TR8: Again, from Table 4-6, it is clear that the project does not by itself cause the intersection to have a significant impact, and there is no change from the existing plus approved projects scenario to the existing plus approved projects plus Westridge Center scenario. Therefore, there is no project impact.

TR10: Again, there is no direct project impact and there is no future project impact; in fact, there is a substantial benefit from the project when added to future traffic levels. There is absolutely no basis to suggest a significant impact at this intersection.

TR11: Again, there is no basis to suggest that the project would cause a significant impact; in fact, the project by itself causes a significant improvement in future impacts. Therefore, this intersection should not be listed as a significant impact location.

TR14: Again, the discussion here states that the proposed project would contribute toward increased delays at the intersection. There is no foundation for that conclusion, since Table 4-6 demonstrated that adding the project to the existing plus approved project scenario improved the v/c ratio.

In summary, this overall discussion of environmental impacts and mitigation measures is riddled with the suggestion that the project itself has substantial significant impacts when, in fact, the majority of the listed significant impacts are not from the project, but result from traffic from "approved and reasonably foreseeable projects." The fundamental basic criteria for establishing significant project impacts should be the following:

1. Project traffic by itself causes an existing intersection to exceed the City's .90 v/c ratio standard.

2. When added to future traffic levels, the project traffic either exacerbates an existing deficient problem or causes an intersection to go over the .90 LOS standard.

Those are the only two bases on which to attribute significant project impacts.

TR16: There is a suggestion in the mitigation measures that pedestrian paths connecting the proposed project area and existing residential areas be provided; it is also indicated that the applicant should be responsible for implementation. There is no foundation to suggest the connecting path as a mitigation measure because there is no direct, project significant impact; therefore, the mitigation should be deleted.

TR17: It is also suggested, as a mitigation measure, that a bicycle lane be included in the David Road extension to Borunda Road, and that the applicant should be the implementing party. Again, there is no basis to suggest this mitigation because there is no significant impact to be mitigated.

Additional Comments

On page 4-3, a footnote indicates that traffic counts taken in the winter of 1993 were factored up to reflect peak summer conditions. Some of the adjustments are as much as 24 percent greater than those winter, 1993, traffic counts. These are substantial increases, and a foundation for these estimates needs to be provided. Also, it is not clear whether these are daily increases in traffic or whether these same increases should be applied to peak hour traffic.

The whole concept of evaluating weekend traffic levels is questionable. There is very little foundation to apply all of the future traffic estimates to weekend traffic also; therefore, the foundation for any suggestion of significant impacts is weak. In short, weekend traffic levels should not be the basis for suggesting any significant impacts.

Page 4-10 starts the discussion of potential impacts and mitigation measures. A fundamental issue is raised under this discussion relating to how to address primary project impacts. First, the project needs to be added to existing traffic levels; then impacts identified. There is entirely too much emphasis on the "approved and reasonably foreseeable projects." The discussion of these future projects makes it sound like these are something in the very near future. When you add up the total list of "approved and reasonably foreseeable projects," there is a total of 8,500 dwelling units, three-quarters of a million square feet of retail space, and 1.1 million square feet of business/office. Based on the last ten years of absorption, the City should estimate how much time would be needed to absorb these "approved and reasonably foreseeable projects."

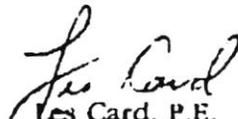
On the bottom of page 4-11, there is further discussion regarding the misinterpretation of the .82 v/c ratio threshold in the City's General Plan. The .82 v/c ratio threshold should not be used as a mechanism for assigning responsibility to the project or for cumulative impact mitigation.

On page 4-24, it should be noted in the discussion of trip generation for the "approved and reasonably foreseeable projects" that a significant double counting occurs with this traffic forecasting methodology. In other words, there is no consideration of the interaction between all of the different land uses in this approved project list; and further, the double counting is aggravated by the fact that there is no consideration of interaction between the project's land uses and attracting land uses with the future projects. In other words, all of the "approved and reasonably foreseeable projects" are simply added, one on top of the other, to existing traffic levels; then the project traffic is added on top of that. For this reason, the traffic impact analysis should acknowledge that this is an extremely conservative analysis of traffic impacts.

I believe it would be extremely productive to sit down and discuss these issues with City staff, because these issues have significant implications to the overall picture being painted of the project impacts and on potential mitigation measures assigned as project responsibility.

Very Truly Yours,

LSA ASSOCIATES, INC.


Les Card, P.E.
President/CEO



MONTEREY COUNTY

INTERGOVERNMENTAL AFFAIRS

(408) 755-5065 P.O. BOX 180 SALINAS, CALIFORNIA 93902

VERONICA A. FERGUSON
Assistant County Administrative Officer

March 23, 1994

Ms. Charmaine Geiger
Community Development Director
City of Salinas
200 Lincoln Avenue
Salinas, California 93901

Re: Comments on Westridge Center Draft EIR

Dear Ms. Geiger:

Enclosed are the revised, final comments of the Boronda Redevelopment Citizen's Advisory Committee concerning the draft EIR for the proposed Westridge Center development.

The Boronda Redevelopment Citizen's Advisory Committee appreciates the additional 15 day period they were granted in which to further review and make comments on the EIR. The March 21, 1994 edition is substantially the same as the previous draft dated March 10, 1994.

If you have any questions or require clarification on issues raised in the enclosed comments, please contact Joseph Hertlein at 755-5065.

Sincerely,

VERONICA A. FERGUSON
Assistant County Administrative Officer

VAF:JH:ds

Enclosure

March 24, 1994

City of Salinas
Department of Community Development
200 Lincoln Avenue
Salinas, California 93901

RE: Westridge Center EIR Comments

The Boronda Citizens Advisory Committee (CAC) has reviewed the Draft Environmental Impact Report for the Westridge Center. The committee also conducted public meetings on February 23, 1994 and March 7, 1994 to hear a presentation by the developers on the proposed project and to consider public comments on the development. Approximately 60 persons from the Boronda Community attended the February 23rd meeting and approximately 25 persons attended both the March 7th and 21st meetings.

Certain issues exist, however, which the community feels need to be addressed. The issues relate primarily to traffic impacts affecting access to the Boronda community and the impact on residential areas adjoining the project. In greater detail the issues are as follows:

1. Laurel and Davis intersection

The draft EIR indicates that the proposed project will add some 25,000 additional vehicle trips per day to the current trips of 25,000 for a total of 50,000 at this point on North Davis Street. The construction of this intersection will result in the re-opening of Laurel Drive into the community and is vitally needed. However, the additional vehicular traffic, and the addition of another signalized intersection will create traffic congestion. This could have a detrimental impact on access to the community without another vital artery into the area to offset the large amount of heavy commercial traffic. The obvious and only alternative to this issue is the Rossi Street extension as outlined in the Boronda Redevelopment Agency Plan for this area. The EIR should discuss this in further detail. The Boronda community needs to be guaranteed that access to the community will in fact be enhanced as a result of the opening of Laurel Drive and not hindered as a result of projected increased traffic.

2. Increased traffic volume

This concern is related principally to issue #1 as it relates to increased traffic on North Davis Road. There is additional concern, however, that proposed access to Boronda Road from between building parcels #3 & #4 in the project will also produce additional traffic volumes into the Boronda community. This impact is not adequately addressed in the draft EIR and should be considered. (see issue #4)

3. Access to Boronda Road via Brooks Lane

The EIR Plan does not precisely address whether access from the development between building parcels #3 & #4 is on or adjacent to Brooks Lane which is a private road. This alignment needs to be clarified. There is also a concern on how this access road to the development would intersect with Boronda Road. Would it intersect at a ninety degree angle or at some other angle? What impact would the proposed alteration to the sharp turn and re-alignment of Boronda Road have on the intersection to this access road? If the access road is to run parallel to Brooks Lane, then how would both Brooks Lane and the access road intersect with Boronda Road? It would not be possible to have two adjacent intersections. There is some objection to this intersection as this would increase the amount of traffic into the community from the outside which is considered a negative aspect and should be analyzed in the EIR.

4. Impact on residential areas

Particularly for those residents living along the south and east side of Hyland Drive, there is concern about the impact of noise, and visual aesthetics on adjoining residential properties. There will be a loss of the rural character of the Boronda community. Open vistas will be constrained by proposed buffer walls. At what height will these walls be built? In some instances the residential land drops off six to eight feet at the boundary with the proposed development. What kind of landscaping will be provided on both sides of the concrete buffer wall to minimize any negative visual impact? These questions should be addressed in the EIR. This type of wall at these specifications (six to eight ft.) have not been sufficient at other commercial sites adjacent to residential neighborhoods in Salinas.

5. Storm drainage and impact on neighboring properties

Boronda residents were concerned about the impact of storm water retention and possible impact to neighboring properties. The draft EIR indicates that storm water retention will be provided on site and released according to a controlled plan that will minimize impact on the adjoining Markley Swamp. The EIR should address the feasibility of development agreements in addressing the storm drainage impacts. The agreements should stipulate that there will be no flooding or adverse drainage impact on adjoining properties and that the developers would be responsible for the mediation of any unforeseen impacts. This area is flood prone as well as the areas to the south of the project also. As noted in the EIR, this project is located within the 100 year flood plain.

6. Financial cost of project to the Boronda community and/or possible annexation to the City of Salinas

Some community residents were concerned that the proposed development might result in some additional costs to property owners in Boronda. It should be emphasized that no cost associated with the proposed Westridge Center Development will be borne by the residents of Boronda. Although, the EIR stated that due to the magnitude of this project the fire protection was not sufficient and a Tax Assessment District might have to be created to offset the additional costs for equipment and manpower to the fire district. This Tax Assessment District should only include the properties within the physical boundaries of this proposed project.

7. Rossi Street Extension

Boronda community residents feel that it is essential that Rossi Street be extended to the north with a connector to Madison Lane to provide suitable access for the commercial traffic on the south side of Boronda. The extension of Rossi Street must be a required mitigation for the traffic congestion that will impact Davis Road, particularly at the Laurel/Davis intersection, as a

result of the proposed development. The Redevelopment Agency has indicated the Rossi extension as a priority project in the redevelopment plan. Half of the cost would be paid for by tax increment funds as a result of development within the Boronda community. The extension of Rossi Street could be a two-lane road for the present until such time as a specific development is proposed adjacent to the roadway. At that time it would be widened to four lanes with the cost borne by that specific development. It is the opinion of the community that due to the traffic problem being a direct result of this proposed project, a fair portion of the Rossi Street extension cost be shared by Westridge Center developers prior to construction of their project.

8. Explanation of Archaeological Issues

Additional explanation of possible archaeological finds and their impact should be given in the draft EIR.

9. Fire Protection Coverage

Additional explanation should be given on the source of fire protection coverage to the development and possible impacts on the Boronda community. Fire protection for the Boronda community will be greatly hampered by increased traffic at Laurel Drive and Davis Road, i.e. response time.

10. Sewer Impact

Additional information should be presented on the impact to the Boronda County Sanitation District. Would augmentation of the Westridge Center Project have any impact on the Boronda County Sanitation District? Is there adequate capacity to handle this project? What fees will the development be required to pay in order to handle its proportionate share of the increase sewer capacity required? Will there be any impact on the Boronda community and any limitation on future hookups for residential properties as a result of the Westridge Center development? Is the capacity allotment for the Boronda area impacted by this development? The EIR should address these questions. The Boronda Sanitation District was created for the purpose of handling primarily residential hookups as well as limited commercial uses existing at its inception. The current capacities were not designed to handle a large retail center and this should be considered.

11. Proper Notification of Residents

Many of the residents in the area do not speak or read English. For many of them, their primary language is Spanish or Filipino. Documentation connected with this proposal was not made available to these residents in their primary language. Documents of importance to the communities, such as this EIR, when printed in the future should be sensitive to the language needs of the residents of the area.

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ANTHONY L. LOMBARDO
ATTORNEY AT LAW

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SALINAS, CALIFORNIA 93902-2119

SALINAS (408) 754-2444
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File No. 00134.000

March 1, 1994

Mr. Kevin Callahan
Community Development Department
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901

Re: Westridge Center Environmental Impact Report

Dear Mr. Callahan:

I represent Harvest Valley Investment, the developers of the Regional Auto Center on the one hundred (100) acre parcel at the intersection of Boronda Road and Highway 101.

This letter is meant as my clients' comments on the Draft Environmental Impact Report for the Westridge Center dated January, 1994.

PROJECT SETTING AND CUMULATIVE IMPACT ANALYSIS

The Environmental Impact Report fails to include in its analysis the proposed Regional Boronda Auto Center Project. The California Environmental Quality Act Guideline 15130 requires that EIRs cumulative impact analysis identify "reasonably anticipated future projects ...". In the case of San Franciscans for Reasonable Growth v. City and County of San Francisco (1984) 151 Cal.App.3d 61, 74 to 77, the Court found inadequate an EIR for a highrise office building because it did not take into consideration other highrise office buildings similar to the one proposed but which were still in the planning stages. Similarly, the Court in Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692 at 723, held that a co-generation plant EIR was inadequate because the cumulative impact analysis failed to take into account other planned co-generation plants in the vicinity. By failing to include an analysis of the Regional Auto Center project, the Westridge EIR contains the same flaw.

Mr. Kevin Callahan
Community Development Department
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In my review of the Westridge Draft Environmental Impact Report, there appears to be only one passing reference to the Regional Auto Center. The Draft EIR fails to include any analysis of the effects of the proposed North Davis Road extension on the viability of the Regional Auto Center project must be included in this Environmental Impact Report. Furthermore, the analysis of the economic impacts of constructing the Westridge alternative which includes auto dealerships must also be included in this Environmental Impact Report.

NORTH DAVIS ROAD EXTENSION

The Environmental Impact Report contains numerous references to the necessity of constructing an extension of Davis Road to Boronda Road. The EIR fails to discuss the physical or economic viability of such a road. The road as illustrated in the Environmental Impact Report appears to be located on private property over which there is no public right-of-way nor is there an agreement from the property owners to provide such a right-of-way. The alignment of the North Davis Road extension as illustrated in the EIR would be inconsistent with the development of the proposed Auto Center and therefore opposed by my clients.

The Alvin Road overcrossing street alignment alternative also appears to occupy neighboring privately owned property which is also not owned or controlled by either the City of Salinas, County of Monterey or the applicant.

The conclusion that either the Alvin overcrossing alternative or the Davis Road extension alternative are feasible mitigations would therefore appear to be unsubstantiated. For example, the conclusion reached on page 4-48 that Mitigation TR-11.1 (the construction of Davis Road to Boronda Road) would cause traffic impacts to be mitigated to a level of insignificance, is an invalid conclusion based on the apparent impossibility of the proposed connection.

GENERAL PLAN CONSISTENCY

It also appears that the proposed project is inconsistent with both the Boronda Neighborhood Improvement Plan and the City General Plan. If the project proposes to be rezoned to allow heavier commercial and/or auto dealerships to be located at the Westridge project, the environmental and associated economic impacts of that proposal would have to be analyzed in this EIR in order for it to

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Mr. Kevin Callahan
Community Development Department
March 1, 1994
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be legally adequate. That analysis is absent from the current Draft which has been circulated for public review. The potential rezoning and change in land use patterns would also have to be analyzed for their potential impacts on the existing Boronda residential neighborhood.

3

WATER CONSUMPTION IMPACTS

The Environmental Impact Report also fails to discuss the County Water Resource Agency Urban Water Conservation Ordinance and how the City's Water Conservation Plan and water allocation would be affected by the development of this property. The water conservation mitigation contained on page 4-118 (Mitigation DR-2.1) proposing to use the lake to store surface runoff for irrigation is undoubtedly inconsistent with environmental health regulations which prohibit the storage of untreated water for use in irrigation where there is a possibility of human contact.

4

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RELATIONSHIP TO AUTO CENTER PROJECT

The conclusion reached in the EIR that the "roadway improvements to serve the development are shown on and are in conformance with the General Plan" is without authority. Also, the statement that "the project and annexation proposal would make development of an auto center at the Boronda Road interchange possible" is completely unsupported by evidence and factually incorrect. There is no nexus to require the Auto Center site or intervening property owners to participate in an assessment district to extend Davis Road to the Boronda Road interchange. Any traffic impacts from the Auto Center project will be limited to the Boronda Road interchange (and a very short portion of Boronda Road) between the interchange and the project entrance. This conclusion (page 5-12) appears to be nothing more than an attempt to help the Westridge project applicant finance the construction of an expensive traffic mitigation necessitated by the intensity of the development proposed for the Westridge Project.

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The developers of the Regional Auto Center would be pleased to provide additional information on their project and its traffic impacts to the consultant who prepared this Environmental Impact Report in order to allow the production of a legally adequate documents, consistent with the requirements of the California Environmental Quality Act.

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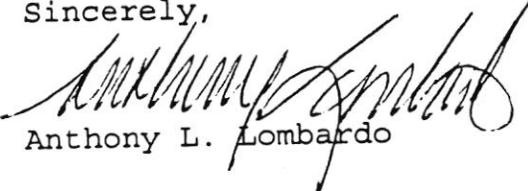
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Mr. Kevin Callahan
Community Development Department
March 1, 1994
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My clients believe that the EIR must be revised as discussed
in this EIR and recirculated.

Sincerely,



Anthony L. Lombardo

ALL:ncs

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TELEPHONE: (408) 424-2787

March 10, 1994

City Planning Staff
City of Salinas
City Hall
Salinas, California 93901

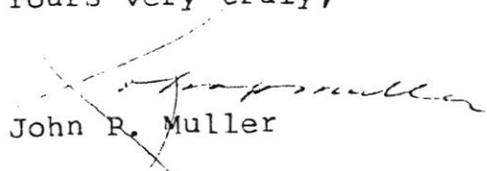
RE: PROPOSED WESTRIDGE CENTER

Gentlemen:

I am the attorney for June Backus and Edgar Long, as Trustees of the Long Family Trust, and June Backus, as Trustee of the Ella Long Trust, who are the owners of a one-half interest in 100 acres of property north of Salinas, abutting U.S. 101 Highway.

It has come to Mrs. Backus' and Mr. Long's attention that the City staff is under the impression that they have agreed to a frontage road along Long property as set forth in the proposal of the above-captioned project. My clients desire to cure this wrong impression inasmuch as they have not consented, nor agreed to consent, to such a frontage road. They are aware that there may be alternate roadway routes that would better serve their property. Therefore, they would be desirous of exploring with your staff such alternate solutions.

Yours very truly,


John P. Muller

JPM:krg

cc: Sammut Brothers
801 W. Laurel Drive
Salinas, CA 93906

Councilman James Collins
1058 Harding
Salinas, California 93906

SYNERGENE SEED

SS

1147 MADISON LANE
SALINAS, CALIFORNIA 93907
TELEPHONE: (408) 422-8500
FAX: (408) 757-7784

& TECHNOLOGY, INC

March 9, 1994

Mr. Kevin Callahan
Community Development Department
City of Salinas
200 Lincoln Street
Salinas, CA 93901

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REFERENCE: WESTRIDGE CENTER

Dear Mr. Callahan:

I own part interest in the property at 1143 and 1147 Madison Lane and operate Synergene Seed & Technology, Inc. at the same location. The Westridge Center is a good project that will help solve some of the problems in the Boronda area. It will definitely help the traffic flow by giving the residents and business three convenient ways and one inconvenient way to travel in and out of the area. Also, it would start providing the funds to extend Rossi to Boronda Road, and develop an access from Madison Lane to Rossi Road. This would relieve the commercial traffic from most of Madison Lane, Boronda, Calle Del Adobe and Post Drive. This Rossi extension should be the number one project with the Tax Increment Dollars.

Brooks Road should be keep in the project to provide traffic flow for the Boronda residents. This gives them access to the Northridge area without using Highway 101 and another way of getting onto Highway 101. In the past, the City of Salinas has limited the flow of traffic through Salinas which has caused Davis Road to carry a much heavier traffic load than ever expected. Brooks Road traffic can be controlled by other ways and still provide an alternative for many Boronda residents rather than being channeled through Davis Road and Laurel Drive or Davis Road and Post Drive. These two intersections can be extremely busy during commute times and at certain shopping times of the year. At the present, Post Drive is in grid lock for access to the U.S. Post Office, Orchard Supply, IHOP, and Carl's Jr. during the evening commute hours.

1

lien of all other warranties, expressed or implied (including any implied warranty of merchantability or fitness for a particular purpose), and all other obligations or liabilities, we warrant to the extent of the purchase price that the seeds we sell are as described by us on our container within recognized tolerances. Our liability, whether actual, for negligence or otherwise, is limited in amount to the purchase price of the seeds under all circumstances and regardless of the nature, cause or extent of the seed and as a condition to any liability on our part, we must receive notice by registered mail of any claim that the seed is defective within 30 days after the defect in the seed was apparent; seeds not accepted under these terms and conditions must be returned at once in original unopened containers and the purchase price will be refunded.

Mr. Kevin Callahan
Community Development Dept.
March 10, 1994
Page 2.

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This project would provide the Tax Increment Dollars to start the much needed Boronda redevelopment projects. These will improve the community and in turn will improve property value, thus increasing taxes for additional projects as well as providing another place for possible employment for the Boronda residents.

Sincerely,

Mervyn Selvidge
Mervyn Selvidge
President

*In lieu of all other warranties, expressed or implied (including any implied warranty of merchantability or fitness for a particular purpose), and all other obligations, we warrant to the extent of the purchase price that the seeds we sell are as described by us on our container within recognized tolerances. Our liability, whether contractual, for negligence or otherwise, is limited in amount to the purchase price of the seeds under all circumstances and regardless of the nature, cause or extent of loss, and as a condition to any liability on our part, we must receive notice by registered mail of any claim that the seed is defective within 30 days after the defect in the becomes apparent; seeds not accepted under these terms and conditions must be returned at once in original unopened containers and the purchase price will be refunded

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March 10, 1994

15:37

FAX MESSAGE

FROM: Dan O'Brien
Fax # 408-424-3992
Phone 408-424-3637

Community Development Dep
City of Salinas
200 Lincoln
Attn: Kevin Callahan
Salinas, CA 93901

BY FAX 758-7107**RE: Westridge Center**

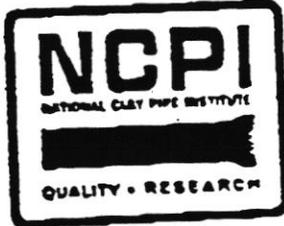
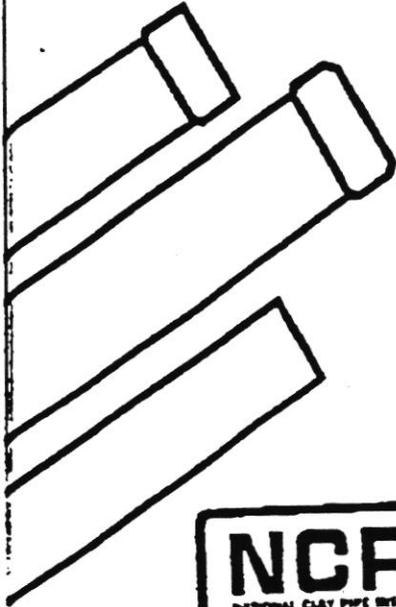
My wife and I own the vacant 3 acre parcel on "Brooks Road" immediately to the west of the proposed Westridge Center. We are in favor of the development as planned. We believe it to be of significant benefit to the Boronda neighborhood, to the County and to the City. It will produce some 1,500 plus jobs, add sales tax dollars to the City and most importantly it will bring benefits without increases in taxes to the residents and property owners of Boronda. Finally the Laurel Street/Calle del Adobe/Post Road traffic access problems will be improved. The Boronda residents will again have more than one access in and out and the engineers say that this will be done without lowering the level of service on the critical roads.

And best of all, the Redevelopment Agency with the Tax Increment Dollars will finally be able to consider financing the Rossi-Madison extension, moving the commercial vehicles off the residential streets and in the end dramatically improving the Boronda traffic situation. When the Agency is able to improve the streets, install parks and provide other well needed improvements the quality of life in Boronda will increase for all.

APPENDIX A

Excerpt from Clay Pipe Engineering Manual

CLAY PIPE ENGINEERING MANUAL



Lake Geneva, Wisconsin Santa Fe Springs, California

Price \$40.00 Copyright 1980 by National Clay Pipe Institute Printed in U.S.A.

LAND USE	ABR.	AVERAGE COEFFICIENTS	
High Density R4, R5	H.D.	140 People/Acre (100 gpd)	.0217 cts/Acre
Medium Density R3	M.D.	75 People/Acre (100 gpd)	.0116 cts/Acre
Low Density RS, R1, R2	LD.	20 People/Acre (100 gpd)	.0031 cts/Acre
Suburban RA, RE	Sub	10 People/Acre (100 gpd)	.0016 cts/Acre
Hillside	H.S.	7 People/Acre (100 gpd)	.0011 cts/Acre
Agriculture A1, A2	Ag	2.5 People/Acre (100 gpd)	.0004 cts/Acre
Light Industry CM, M1, M2	LI	0.008 cts/Acre	
Heavy Industry M3	Hvy	0.008 cts/Acre	
General Commercial 2, 3, 5	Gen	0.006 cts/Acre	
Limited Commercial CR, 1, 2	Lid	0.005 cts/Acre	
Hospital	H	500 gal/day/hosp. bed	
School	S	0.062 cts/School	
University or College	U	0.371 cts/Univ.	
Civic or Admin. Center	C.C.	0.006 cts/Acre	
Airport	A	0.001 cts/Acre	
Park	P	0.0003 cts/Acre	
Future Park	F.P.	0.0003 cts/Acre	
Golf	G	0.0003 cts/Acre	
Cemetery	C	0	
Reservoir	R	0	
Public Works	W	0	
Open Space	O.S.	0	

= ± 3880 gpd

Values should be verified or adjusted based on flow studies of the area if available.

