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Since 1949

March 31, 2006

Alana Knaster, Interim Director
Monterey County Planning and Building Inspection Department
168 West Alisal Street, 2nd Floor
Salinas, California 93901

RE: SEPTEMBER RANCH SUBDIVISION PROJECT
RECIRCULATED PORTION OF DRAFT REVISED EIR (**RPRDEIR** in the
narrative below)

Dear Ms. Knaster:

The comments that follow are the Carmel Valley Association's response to the document referred to above. Established in 1949 and consisting of 900 dues-paying members, the Carmel Valley Association is the oldest and largest homeowners and residents association in Carmel Valley. Members of its board have reviewed the RPRDEIR with great care and conclude that the document is insufficient "in identifying and analyzing the possible impacts on the environment" in a variety of respects, including those described below.

It is important to note that in arriving at the analysis and conclusions that follow we have paid close attention to the substance of the report and to the specific data included in it, and have taken those sources as the basis for our inferences and conclusions. It is also important to note that CEQA requires the public agency to "consider the EIR along with other information which may be presented to the agency" [section 15121(a)], so the adequacy of the information in the study cannot be presumed.

Summary

Water Supply and Availability – The RPRDEIR data on water and hydrology does not warrant the report's conclusion that the aquifers SRA and CVA are substantially independent, and in fact supports more strongly the contrary conclusion. This is a serious defect arising from inadequate information and selective interpretation. In consequence, with very high probability, *the project would impose significant adverse environmental effects on water resources* affecting a large geographical area and significant population. The impact would be irreversible and under foreseeable circumstances the potential for severe adverse effects is considerable. This alone should disqualify the project.

Biological Resources - Measures proposed in the RPRDEIR to mitigate adverse effects of the project on biological resources contain inconsistent references which therefore cannot be interpreted, and many of the measures are based on proposals for programs that do not exist or are not described in reasonable detail and therefore cannot be evaluated. Analysis of some potential impacts simply is missing. In addition, numerous conclusions concerning the significance of the project's impacts are not supportable. Therefore the *identification and analysis of biological impacts is not sufficient to meet EIR requirements for CEQA.*

Cumulative Impacts - The RPRDEIR does not adequately discuss cumulative consequences of the project and thus arrives at an incorrect conclusion. Addition of individual incremental adverse effects, even when considered less than significant individually, when taken together can impose highly significant adverse impacts. Given the array of other projects already approved or in process in the Valley and their potential for adverse environmental effects, and given this project's magnitude and geographic scope, especially in light of the significant deficiencies in the various preliminary environmental studies including the current one, it is evident that this project *would produce cumulatively considerable adverse environmental impacts.*

Alternatives - Only one of the alternatives discussed in the RPRDEIR, namely the no-project alternative, would remove the proposed project's actual *significant adverse environmental impacts* (rather than their asserted absence). CEQA requires the environmental report to "describe reasonable alternatives to the project" [section 15121], so it is appropriate to assume that the alternatives presented are the options considered most reasonable to the proponent. *The impacts in question, for the project and for the proposed construction alternatives alike, would range from clearly significant to severe, would be irreversible, and could not be mitigated to a less than significant level.*

Additional Issues

Wastewater - In the RDEIR the more thoroughly discussed means of managing wastewater was on-site collection, treatment and disposal; off-site treatment through connection with an extension of the Carmel Area Wastewater District pipeline on Carmel Valley Road, though presented as the preferred alternative, was discussed only briefly. The project apparently has been modified to eliminate the on-site alternative, and to reflect this the RPRDEIR should have contained a new version of section 4.5 in which the single off-site approach is presented, including any modifications to the narrative that may result from the change of intentions. The *identification and analysis of wastewater impacts is not sufficient to meet EIR requirements for CEQA.*

Archeological and Historical Resources (Cultural Resources) -

1. Existing buildings. The RPRDEIR does not address whether or not the farm

house on the property is historic, qualifying for protection. This was raised during the site visit by the CVLUAC and Planning Commission, and staff indicated that it would be addressed in the revised document. Although the RDEIR asserts briefly in section 4.10, with no supporting evidence, that there are no structures on the project site that would be eligible to be placed on one or more registers of historic places, significant doubt concerning this conclusion and its basis has been expressed by local observers and discussion of this should have appeared in the RPRDEIR.

2. SB 18. Requirements of SB 18 for consultation with the local Native American tribe have not been addressed.

In short, the *identification and analysis of archeological and historical resource impacts is not sufficient to meet EIR requirements for CEQA.*

Aesthetics - The visual impact of affordable housing units is not addressed. This is a serious deficiency, particularly in view of significant changes that apparently have been made in the location and design of these units. Again, the *identification and analysis of aesthetic impacts is not sufficient to meet EIR requirements for CEQA.*

Transportation and Circulation - The information provided in the traffic portion of the RDEIR is not adequate to allow independent assessment on the basis of the data provided. In addition, the potential contribution of the project to adverse cumulative impacts is large enough that the segment discussing cumulative traffic impacts, from Laureles Grade Road to the SR1/Carpenter Street intersection, lacks plausibility. This can be corrected only by a more complete analysis that is transparent to direct independent evaluation. The RPRDEIR would be the proper place to present such an analysis. Thus the to *identification and analysis of traffic impacts, both direct and cumulative, is not sufficient meet EIR requirements for CEQA.*

Fire/Emergency Medical Services and Sheriff Services - Traffic congestion and clogged intersections adversely affect the capacity of an area to respond to emergencies, "small" and large, from the need for rapid assistance for an individual to massive evacuations occasioned by fire, flood, earthquake or homeland security emergency. This is not addressed in either the traffic or emergency response segments of the EIR drafts, and hence the *identification and analysis of impacts of traffic growth on emergency response capacity is not sufficient to meet reasonable standards for satisfactory environmental assessment.*

Discussion

Water Supply and Availability - Our objections remain essentially the same as in our response to the 1998 EIR and agree with the State Water Resources Control Board's findings of 1998, namely:

- C1 "there apparently is no structural boundary between the September Ranch basins and the Carmel River"
- C 16 "alluvium underlying September Ranch [basin] is in hydraulic continuity with and appears to be part of the Carmel subterranean stream. As such it is subject to the permitting authority of the SWRCB."

The RPRDEIR's claim of less than significant adverse environmental impact depends entirely on a single assertion, namely that water for the project would come solely from an aquifer, called the September Ranch Aquifer or SRA, which is hydraulically independent of the Carmel Valley Aquifer or CVA. The evidence in the report, however, supports with notably stronger probability the contrary inference, namely that the SRA is not hydraulically isolated, and is integral to the CVA.

The issue hinges on whether a ridge in the lower of two overlying layers of alluvium is so impermeable as to provide a hydraulic barrier that isolates the SRA from the CVA. However, several circumstances, including the following, raise serious doubts about this claim and in fact indicate the opposite, that the ridge does *not* constitute an effective hydraulic barrier:

- "... CVA AQ3 collocates with the westernmost portion of the SRA west of the knoll. This portion of the CVA occupies about 35 percent of the total SRA aquifer and is the most productive portion of the SRA." [RPRDEIR, p. 4.3-47]
- Contours of equal groundwater levels [e.g. Figs. 4.3-5,6,7; for context refer to 4.3-3,4] do not show discontinuities across the ridge supposedly isolating the SRA from the CVA, but rather run smoothly across it, indicating no significant barrier to hydraulic communication
- The "neutral gradient" (e.g., p. 4.3-47) between the hypothesized SRA and the CVA is most easily explained by the absence of significant restriction of water flow between the two, that is, by the hypothesis that the two are not reasonably considered separate aquifers; the opposite assertion in the report defies common experience (think of filling an ice cube tray), simple physics and reasonable analysis
- Impermeability of the alluvial layer referred to as Qoa2 is critical to any argument that it is capable of isolating water in the SRA from the CVA, yet no measure of the permeability of Qoa2 (nor of Qoa1 or Tm) is offered. Given its older alluvial character and the local setting, the permeability is very unlikely to be small enough to satisfy such a requirement. In spite of this, the ridge is *assumed* to be impermeable in each version of the project's EIRs.

That there are highly credible alternatives to the conclusions drawn in the report is evident from the uncertainty appearing throughout the narrative of the report itself. Words and phrases such as “appears,” “likely,” “unlikely,” “appears likely,” “suggests,” “does not suggest,” “debatable,” “nearly,” “almost,” “fairly,” “near,” “cannot precisely establish,” and “not considered to have” appropriately suffuse the discussion, though they are intermingled with confident assertions of the proponent’s desired conclusion, which are inappropriate and likely incorrect, such as “extremely limited hydraulic connectivity” or its equivalents. Further, there are contradictions, such as that “ ... CVA AQ3 collocates with the westernmost portion of the SRA ...” and “There is extremely limited hydraulic connectivity between the SRA and the CVA AQ3 ...” that are hard to square with one another.

The consultant claims, on p.4.3-3, “a very limited and inconsistent connectivity between the SRA and the CVA,” on p. 4.3-14 that the SRA “contacts the CVA across a subsurface ridge of Qoa2,” and on p. 4.3-12 that this older alluvium is of “low permeability – classified as an aquitard. This unit impedes groundwater flow between the SRA and CVA at certain locations.” On p. 4.3-47 this is characterized again, in summary, as “a high ridge of relatively impermeable material.” But no measure of permeability is indicated in all these pages, and the notion that it constitutes an impediment to flow is refuted by the “neutral gradient” of groundwater levels across the “ridge,” which also indicate flow (along the gradients, perpendicular to lines of constant water level) that runs smoothly essentially along the ridge.

In short, the case for a hydraulically impermeable “wall” between the Carmel Valley Aquifer and a depression in the water-bearing alluvium near the southern extreme of September Ranch is not supported by the data in the report, and on the contrary is effectively contradicted by those data. The report reluctantly admits to significant uncertainties (though it inappropriately minimizes them) in its interpretations as well as in its data, but does not resolve them because it cannot. The large opening in the Monterey Formation (about a quarter mile wide and about 110 feet deep at its greatest vertical extent), where the ridge of older alluvium supposedly serves as a barrier to water flow, is most simply and suitably understood as a reasonably permeable water-bearing part of the CVA. That is, it is a normal feature integral to the aquifer that actually connects the depression to the rest of the aquifer rather than isolates it. The observed general regularity of gradients in water surface level strongly supports such a conclusion, and there is no contrary information in the report.

It is important to understand the structure of the argument in the RPRDEIR because its interpretations and conclusions do not seem to square with the basic observed water data. First, the critical issues must be identified, and they arise as follows: An observed depression in alluvial deposits resting on a similar depression in the Monterey formation intriguingly suggest the possibility of a separate, isolated water storage basin, which is then hypothesized to exist and

given the name SRA. The disappointing existence of a large gap in the Monterey formation, which connects the SRA with the Carmel Valley Aquifer, leads to a further hypothesis to save the first one, namely that the alluvium filling the gap and forming a ridge there is impermeable to water. This then is the essential assertion on which the argument survives or fails. Observational data on the behavior of subsurface water in the neighborhood of this ridge is the only evidence that can resolve the question. Indeed, the hydraulic permeability of the material in the ridge can be determined only by measuring the flow of water through that material. But no such measurement is obtained, so we are left with only the behavior of the (subsurface) water levels in the neighborhood of the opening in the Monterey formation. That is the only relevant set of data available to determine the correctness or not of the (desired) original hypothesis. Aside from the initial measurements of the geometrical forms and constituent materials of the underlying geology, only the physical measurement of the behavior of the water matters.

The consultant's discussion, however, does not display such a simple and coherent organization of the logic. Instead it creates a new structure that is characterized by the intermixing of data, interpretations and conclusions, much of it only vaguely relevant to the central question, namely, how does water behave in the neighborhood of the gap/ridge. The one quantity, aside from water surface levels, whose measurement would most help to resolve the matter, namely the hydraulic permeability of the older alluvium is *assumed from the outset* to have the extreme but desired value of zero rather than an actually measured value of the physical quantity. All further interpretations and conclusions are then predicated on this extreme assumption and woven into the narrative; the result is a confused and confusing text that obscures rather than clarifies. For this reason, most of the discussion in the report is irrelevant to the essential question, which is whether the September Ranch basin actually forms a physically separate aquifer. This makes it nearly impossible for the casual reader to evaluate the report with any confidence, and difficult even for most earnest readers to ferret out its credibility.

With respect to recharge, there are substantial differences between the ways agricultural and residential uses affect the movement, distribution and quantity of runoff. Paving prevents absorption of water into the ground and redirects its distribution, changing the amount of water that returns to subsurface resources. Irrigation typically removes water from subsurface resources, either directly from wells or indirectly from a more complex water system, but the water used in irrigation generally feeds back to the groundwater system after percolating through soils, whereas household water becomes wastewater that is, in the case of the current project, delivered off site for treatment and not returned to the local subsurface system. These matters should be considered in the RPRDEIR but are not.

Most of the impact analysis is nullified by the failed assumptions and conclusions

concerning the SRA, beginning with degradation/depletion of groundwater and recharge, through (especially) exchange between the SRA and the CVA, to impairment of CVA performance through local pumping and demand. Among other things, the standards of significance must be reviewed in light of the already overdrawn condition of the Carmel River and its associated CVA. Reasonable standards under these conditions cannot be stated fairly and properly in terms of proportions or relative inflow or outflow; the extraction from the Carmel River system of enough water for 109 residences and 350 people in the September Ranch location is the reduction of available water for 109 "downstream" (read: "existing community") residences and 350 "downstream" people, no matter what the proportions may be, no matter what the season, no matter what the contemporary rainfall.

Before concluding this section we note a further difficulty having to do with future demands for riparian water. This is a very important issue, yet the document is contradictory in its analysis. On p. 4.3-8 it states, "Estimates of future demands for riparian water based on changes/maturing of land uses because such estimates would be extremely speculative". Compare this with the statement on p. 5-2. "This following section analyzes the extent to which, as the project area experiences growth, the proposed project plus future demand for water would cumulative reduce water availability, and the significance thereof." While undue speculation should be avoided, reasonable assessment is needed in a matter as critical as this. A single, unambiguous, responsibly quantitative estimate of future demand should be provided.

Water supply and availability is the most important issue for this or any other project in Carmel Valley to face squarely. It is not enough to state that a separate water source might be available for the project, or even to go to great ends to support that assertion. *It must be shown beyond the shadow of a doubt that the assertion is consistent with reliable physical evidence.* In this case the claim not only is doubtful, but with high probability is simply wrong. To accept the conclusion offered in the report could well amount to usurping water from the public supply that serves the entire Monterey Peninsula, which is well known not to have abundant water resources. It is reasonable and proper for the people of the Peninsula and for the government representing the people of Monterey County to reject any project that treats this issue cavalierly and is willing to impose further demands on this scarce local resource. A fair analysis demonstrates that the **September Ranch project would do precisely that, namely, in its effects on water supply and availability it would impose highly significant adverse environmental impacts on the existing community.**

Biological Resources – Our response to section 4.9 of the report consists of several distinct parts.

A. Inconsistent References to Mitigation Measures

1. Measure 4.9-1, p. 4.9-22 references the Forest Management Plan, the Open Space Management Plan and the Grassland Habitat Management Plan which

implies that these plans have been prepared.

2. Measure 4.9-3, p. 4.9-24 requires the applicant to submit a Forest Mitigation and Monitoring Plan. Is this the same as the Forest Management Plan?
3. Measure 4.9-6, p. 4.9-27 requires the applicant to submit a final Forest Management Plan. Is this the same as the Forest Mitigation and Monitoring Plan? This suggests there is a draft Forest Management Plan. If so, where is it described? Under Monitoring Action on the same page, the project applicant is required to submit a Forest Mitigation and Monitoring Plan. Is that the same as the final Forest Management Plan referenced in Measure 4.9-6?
4. Measure 4.9-7, p. 4.9-28. The applicant is required to submit a final Open Space Management Plan. This suggests there is a draft plan. Where is it described?
5. Measure 4.9-8, p. 4.9-29. The applicant is required to submit a final Grassland Management Plan. Is there a draft Plan? If so, where is it described?
6. Page 5-6 references the project's Forest Management Plan which includes mitigation requiring that lost acreage of Monterey pines and coast live oaks be dedicated at a ratio of 3 acres for every 1 acre lost. This suggests there is a final plan which conflicts with statements above. Is the Forest Management Plan the same as the Forest Mitigation and Monitoring Plan?

B. Adequacy of Mitigation Measures

1. It appears that mitigation for most biological resource impacts will be addressed by management plans yet to be prepared and not available for current review. This is a deferral of mitigation that is inconsistent with CEQA requirements.
2. Mitigation Measure 4.9-1 includes provisions regarding conservation easements that should be considered. Without assurance that these provisions are adopted, a finding that implementation of the measure will reduce site improvements to less than significant is unsupported.
3. Mitigation Measure 4.9-3 requires the replacement on a 1:1 basis of all coast live oak trees and Monterey pine trees 6" or larger and recommends additional measures. Without assurance that these provisions are adopted, a finding that implementation of the measure will reduce impacts to less than significant is unsupported. Additionally, one of those recommended measures is that "At least 70 percent of the plantings shall be established/surviving by five years or monitoring and (replacement) shall continue until compliance is achieved..." This suggests that the proposed 1:1 replacement does not mitigate significant impacts.
4. Mitigation Measure 4.9-4 requires that to avoid mechanical damage to pines not slated for removal, several measures are recommended for implementation. Without assurance that these measures are adopted, a finding that implementation of the measure will reduce impacts to less than significant is unsupported.
5. On p. 4.9-9, the REIR states, "The loss of individuals may increase the potential spread of pine pitch canker throughout the forest." On p. 4.9-26, the REIR concludes, "There is no proven method available that will prevent pitch

canker from infecting susceptible tree.” Yet, even with this conclusion, the REIR finds, “Implementation of the mitigation measure will reduce impact on Monterey pine forest fragmentation to less than significant.” Based on the finding regarding the lack of methods to address this problem, the impact on forest fragmentation should be found to be significant.

6. Mitigation Measure 4.9-10 includes recommendations to reduce the potential “take” of individuals. Without assurance that these measures are adopted, a finding that implementation of the measure will reduce impacts to less than significant is unsupported.
7. Mitigation Measure 4.9-3, 4.9-13 and 4.9-14 recommend measures to address impacts on nesting habitat, passerines and bats, respectively. Without assurance that these measures are adopted, a finding that implementation of the measure will reduce impacts to less than significant is unsupported.

C. Consistency with Carmel Valley Master Plan

On page 4.9-33, the project is found to be consistent with CVMP Policy 7.1.1.1: “Areas of biological significance shall be identified and preserved as open space...When a parcel cannot be developed because of this policy, a low density, clustered development may be approved. However, the development shall occupy those portions of the land not biologically significant...” This finding is not supported by findings in the REIR, and the project should be found to be inconsistent with the CVMP.

D. Cumulative Impact Analysis

On page 5-6, the REIR states, “Development of the September Ranch project in conjunction with other projects will result in impacts to the Monterey pine forest and the coast live oak forest. The project’s Forest Management Plan includes mitigation, which requires that lost acreage of Monterey pines and coast live oak be dedicated at a ratio of 3 acres for every 1 acre lost. In addition, lost trees are to be replaced at a 1:1 ratio. Because of these measures, the proposed project would not contribute to a net loss of Monterey pines or coast live oak forests”. This finding cannot be supported based on our comments noted above.

E. Requirements of PRC Section 21083.4

The requirements of PRC Section 21083.4 which addresses county requirements for addressing the loss of oak woodlands should be specifically addressed.

Hence the identification and analysis of biological resource impacts is not sufficient to meet EIR requirements for CEQA.

Cumulative Impacts – Taking account of needed revisions in the analysis of water supply and availability, and of biological resources, requires a corresponding revision of cumulative impacts.

The project would produce cumulative impacts of two varieties, which can be labeled “internal” and “external.” Although only the latter is addressed in the report for CEQA purposes, the former is exceptionally important for projects as large as this one and with the range of potential adverse environmental impacts

it embodies. Therefore we believe the EIR should address the former as well as the latter, just as the RPRDEIR and RDEIR address some issues not mandated by CEQA.

External cumulative impact refers to the “combined cumulative impact associated with the project’s incremental effect and the effects of all other projects ... causing related impacts.” County documents show that as of 2003 there were 1,043 undeveloped legal lots of record in Carmel Valley. In addition, several major projects have recently been approved, including the Safeway/Crossroads expansion, the Gamboa assisted care facility, Mirabito self storage complex, the Robles and Quail hotel expansions, and the large Rancho San Carlos and Tehama subdivisions. These already approved parcels and projects will generate approximately 15,000 new daily car trips, overwhelmingly on Carmel Valley Road, which is already over or at capacity on several segments. These figures do not include the proposed 281-unit subdivision at Rancho Canada, or two smaller subdivisions proposed at mid-valley (CV Ranch and Agha). Thus, September Ranch would constitute a significant contribution to cumulative development activity in the Valley, and inevitably each adverse environmental effect it brings to that activity inevitably would yield a significant impact on the environmental future of the Valley. Careful examination of the *substance* of the RPRDEIR and the associated data, in contrast with its stated interpretations and conclusions, leads inexorably to the conclusion that implementation of *the project would produce cumulatively considerable adverse environmental impacts.*

Internal cumulative impact refers to the combined cumulative effect associated with the combination of all the incremental impacts of the project itself, in all the different categories of environmental concern, taken together. While this is not a category explicitly contemplated in CEQA guidelines, it is important to have this matter on the record. The magnitude and geographic scope of this project, and the combined effect of its many effects on the local environment, leads quite clearly to the conclusion that the effect of all these increments in combination show that the *project would yield, internally, cumulatively considerable adverse environmental impacts.*

Alternatives - Again, given the need for major revisions in other environmental categories, the section on alternatives in the RPRDEIR needs to include a new assessment of reasonable alternatives to the project, as required by CEQA. The *identification and analysis of impacts related to alternatives to the project is not sufficient to meet EIR requirements for CEQA.*

Additional Issues

Wastewater - The executive summary of the RPRDEIR indicates [§2.2, bullet 5] that the on-site wastewater treatment option has been eliminated from the proposed project, and the on-site wastewater management material is deleted

from the Matrix table [§2.2, p. 2-9], yet there is no section, or relevant discussion, in the remainder of the RPRDEIR concerning the certainty that project wastewater would be collected on site and delivered to the CAWD system. Is the portion of the original RDEIR that is devoted to off-site treatment wastewater unchanged? Since this is an actual alteration in the project proposal, and the off-site option is not given a separate subsection in the RDEIR, the new, presumably abbreviated, version of section 4.5 should have been included in the RPRDEIR. The new version should include analysis of the effects of water supply and availability on wastewater removal, and vice versa, and should be predicated on an understanding of the actual connectivity of the September Ranch basin with the CVA. The **identification and analysis of wastewater impacts is not sufficient to meet EIR requirements for CEQA.**

Archeological and Historical Resources – As indicated in the Summary, above, the principal issues that need further examination and reporting in the EIR are the eligibility of locations on the property that are eligible for listing on registries of historic places, the preservation of significant historical structures -- in particular the farm house -- and full compliance of the project with SB 18 concerning consultation with the local Native American tribe. The **identification and analysis of archeological and historical resource impacts is not sufficient**

Aesthetics -- The document does not address the impact of the affordable housing units from Carmel Valley Road. Their arrangement on the property appears to have been altered from the description in the RDEIR. Again, this was a matter of considerable discussion during the site visit with the conclusion that the project would have a greater impact than identified in the RDEIR. While visual impacts are indirectly addressed on p. 6-29 with the conclusion that Reconfigured Alternative 94/15 would have a lesser impact than the proposed project, the document does not directly address the impact of the preferred alternative on visual resources, and ought to do so. The **identification and analysis of aesthetic impacts is not sufficient to meet EIR requirements for CEQA.**

Transportation and Circulation -- The "executive summary matrix table," Section 2 of the RPRDEIR reveals again the extent to which the unmitigated project violates standing planning standards and provisions. The proposed mitigations would create, in fact, new environmental impacts that are not addressed but should be. This is a serious matter that strongly affects the community and its infrastructure. At issue in mitigations such as these, and whether and why the public should make the special concessions and accept the prospective environmental, infrastructure and service degradations that the project would impose upon them.

"Mitigations" often only modify the character of impacts but actually do not solve the problems they are presumed to relieve. Such is the case here, with the project's significant addition to already excessive traffic on local roads – more

than 1,000 car trips per day in an area where a subdivision moratorium already exists because of traffic beyond infrastructure capacity. Payment of fees does not and cannot solve the problems, existing and generated by the project, on Carmel Valley Road, SR1 and elsewhere in the vicinity. Addition of traffic lights creates a whole new set of issues and does not diminish the actual impact of additional car trips, but only changes the nature of their effect. Among the additional issues is whether the "mitigations" such as (but not limited to) added signalizations would convert Carmel Valley Road from a "rural" to an "urban" road, and if not, how much closer to that change in designations they would bring the road. How far would the Valley's main traffic artery be from the "tipping point" that would subject it to a lowered service standard, after September Ranch's mitigation program were completed?

Extensive off-site "mitigations" (4 of 6 numbered items, 6 of 12 "mitigation" projects) indicate the degree to which this project would impose itself on the community and raise additional serious traffic management issues throughout the local area, as far away as SR 1 at Holman Hwy and beyond, and to Laureles Grade Road. To characterize even the "mitigated" impacts as "less than significant" stretches the normal bounds of credulity.

Provisions for emergencies and potential evacuations need to be provided for in planning, especially in a forested river valley subject to flood, fire and earthquakes, like the Carmel Valley, and in a time of elevated concerns about "homeland security." Traffic congestion and clogged intersections adversely affect the capacity of an area to respond to such eventualities, and local roads already are operating at the edge of their abilities to handle even non-emergency traffic, as the current moratorium on subdivisions implies. *It is unfair and exceptionally dangerous to increase the community's burden of exposure to failures of emergency response that this project would impose* even including the mitigations listed. With only Highway 1 and Laureles Grade as access to the Valley (given that the eastern extremities of Carmel Valley Road are not safe and reliable as rapid access, especially under emergency conditions), and with only Carmel Valley Road as a significant internal artery, emergency ingress and egress is extremely limited and vulnerable. A project of this magnitude would raise potential peril in the Valley to levels unacceptable in any rational planning regime.

Because of their magnitude, because of the "radiation" of their effects beyond the project site, and because of the inadequacy of the long list of "mitigations" in the RDEIR, the identification and analysis of impacts on transportation and circulation is not sufficient to meet the need for satisfactory environmental assessment.

Fire/Emergency Medical Services and Sheriff Services -- The role of traffic-blocked roads and intersections can be a major factor in determining whether responses are effective or catastrophic, as noted above. Thus traffic issues also should be addressed under headings related to emergency response. In its

absence the identification and analysis of impacts on emergency response capacity is not sufficient to meet the need for satisfactory environmental assessment.

Finally, as we noted in our letter to you of February 27, 2005, Monterey County is prohibited by law from approving the September Ranch subdivision pending the outcome of the vote to incorporate Carmel Valley, expected in November 2006. The tentative vesting map for September Ranch was submitted after October 2002, thus California Government Code 66413.5 governs this application.

Thank you for your thoughtful consideration of these matters. We were disappointed that many of our concerns raised by the first draft EIR were not addressed in this revised draft EIR. We expect proper due diligence in responding to the concerns detailed in this letter. Thank you.

Sincerely,



Glenn E. Robinson
President
Carmel Valley Association