

June 14, 2011
S-9
Public Comment

From: Wrona, James R CTR DMDC [<mailto:james.wrona.ctr@osd.pentagon.mil>]
Sent: Friday, April 22, 2011 8:40 AM
To: 100-District 2 (831) 755-5022
Subject: Whispering Oaks (MST Bus Barn, etc)

Mr. Calcagno: Don't you think it's economically unwise for MST (an entity already under much financial stress and public scorn) to essentially start all over again by razing trees, plowing the earth, and building from scratch, when an infrastructure for their bus facilities is essentially already in place? The Marina Airport, as suggested by the Planning Commission, is the obvious choice. It will prevent the destruction of open space, fill the transit needs of the MST, and save MST large sums of money. Please reject the request by MST to use the Whispering Oaks property. Please recommend that MST use the Marina Airport facilities. Thank you.

James Wrona
Prunedale CA 93907

From: Alan Ginos [adginos@hotmail.com]
Sent: Friday, April 29, 2011 10:14 AM
To: mst@mst.org; 112-Clerk of the Board Everyone
Subject: Oppose bus center on coast live oak habitat

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Alan Ginos
California Historical Artillery Society

From: marinademocrats@gmail.com on behalf of Luana Conley
[luana.pipedreamsproductions@gmail.com]
Sent: Friday, April 29, 2011 11:20 AM
To: MST@mst.org; frank@oconnell4us.com; 112-Clerk of the Board Everyone
Cc: fortordhistory@gmail.com
Subject: Supporting Sgt. Allan MacDonald Cavalry Trail

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Luana Conley
Marina
831-884-9662

From: Liz Gheen [fridaisy89@hughes.net]
Sent: Friday, April 29, 2011 12:21 PM
To: 112-Clerk of the Board Everyone
Subject: Sgt Allen McDonald Trail/Whispering Oaks

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Liz Gheen

6/9/2011

From: MarciHardy@aol.com
Sent: Friday, April 29, 2011 1:13 PM
To: mst@mst.org; 112-Clerk of the Board Everyone
Subject: (no subject)

Dear MST Directors and County Supervisors:

I am in total support of the extensive efforts of Margaret Davis and others to create a permanent greenbelt / horse trail / pedestrian space in the City of Marina. I ask you to help find a more appropriate space for MST so that it doesn't impinge on the wonderful, permanent greenspace proposed for the area.

Certainly, this is the time to save whatever beautiful, natural landscape we can, and certainly there must be plenty of other places to relocate MST. We have a chance now to create a legacy, much like New York's renowned Central Park, so whatever you can do to help MST find a less invasive location would be greatly appreciated by residents and visitors now and in the future.

Sincerely,
Marcia Hardy
Monterey

From: RICHARD EELLS [eellsrichard@msn.com]
Sent: Friday, April 29, 2011 2:22 PM
To: mst@mst.org; 112-Clerk of the Board Everyone
Cc: Friends of the Fort Ord Warhorse
Subject: MST/Whispering Oaks (they're whispering "don't kill us - we're still alive!")
Attachments: Fort_Ord_Hike_(44).jpg; Ft_Ord_Hike_(61).jpg

Attention MST Directors and Board of Supervisors:

I am writing to express my deep opposition to MST and County Redevelopment Agency plans for constructing a bus depot and industrial park on a tract of land along Intergarrison Road where there currently exists a thriving coast-live-oak habitat and the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere. I understand the city of Marina has offered a more suitable site that would actually cost less to develop.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland as you can see by the attached photos, taken along the trail about 2 weeks ago.

The proposed placement would be catastrophic to the Sgt. Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network, taking citizen/voters from the Monterey Coastal Bike Trail to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset would be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Richard Eells, concerned resident
Marina, County of Monterey, CA

From: Charles Field [cjfield831@yahoo.com]
Sent: Friday, April 29, 2011 10:18 PM
To: 112-Clerk of the Board Everyone
Subject: Whispering Oaks MST development

Please vote against the proposed site of this transit hub. The destruction of a beautiful healthy diverse ecosystem when places exist in the area with infrastructure intact for such a development would be nothing short of criminal. We all watch the Discovery channel and bemoan the loss of the Rain forest when subsistence farmers burn or Monsanto mines the land. You have the chance to make a difference right now. That stand of trees can be your line in the sand against further needless environmental destruction. Vote a resounding NO. Thank you. Mr. and Mrs. Charles N. Field

From: Linda OConnell [locmom@sbcglobal.net]
Sent: Sunday, May 01, 2011 2:37 PM
To: 112-Clerk of the Board Everyone
Subject: Whispering Oaks

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ord is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network, taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Linda O'Connell

6/9/2011

From: Joseph Poulos [poulosj@sbcglobal.net]
Sent: Sunday, May 01, 2011 5:37 PM
To: 112-Clerk of the Board Everyone
Subject: Bus center construction

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while acres of blight go undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has deemed worthy of protection and preservation. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful, mature habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased forest, as can be seen easily from the street.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Fort Ord interior, a total of about forty miles of shared recreational use. A cohesive Fort Ord trail system adds tremendous value to County residency and draws visitors from all over the State of California. Squandering this asset would be a breathtaking waste.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Joseph Poulos
Matranga Floral Distributors
(831) 424-5093

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Sunday, May 01, 2011 11:07 PM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: Opposition to Plans to Construct a Bus Center at Intergarrison and Seventh Avenue

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

The trails and open space of Fort Ord are a regional resource, used by the ENTIRE County of Monterey. Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature, and biologically diverse, woodland.

The Planning Commission voted unanimously to reject this proposal because of egregious tree removal and habitat destruction. The site is a very dense, coastal live oak forest. Preservation of oak trees is part of California and local policies and no private developer in Monterey County would ever propose this kind of egregious tree removal and habitat destruction. Legal battles erupt in Carmel Valley and other parts of the county over just one or two trees. The County should be held to the same standards it applies to others.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency, is a regional resource and asset, and draws visitors from all over California.

It is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere, such as the Marina Airport which already has infrastructure. With tree eradication, replanting, and utilities, the cost of a bus yard at this site probably exceeds one that could be placed at the Marina Airport. Have you done a cost analysis of a project at the Marina Airport and compared it to this proposal? If not, I ask that you do so before you rack up unnecessary monetary costs with this proposal and in a single misinformed act, destroy an irreplaceable asset.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely,

Paula F. Pelot
728 Landrum Court
Marina, CA 93933

6/10/2011

From: Donna Schulken [dschulken@earthlink.net]
Sent: Monday, May 02, 2011 6:57 AM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: Sgt Allan MacDonald Cavalry Trail

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while acres of blight go undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has deemed worthy of protection and preservation. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful, mature habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased forest, as can be seen easily from the street.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Fort Ord interior, a total of about forty miles of shared recreational use. A cohesive Fort Ord trail system adds tremendous value to County residency and draws visitors from all over the State of California. Squandering this asset would be a breathtaking waste.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Donna Schulken

6/10/2011

From: Rivera, Janice (CIV) [jrivera@nps.edu]
Sent: Monday, May 02, 2011 8:21 AM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: I vote NO on bus depot on Cavalry trail

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,
Janice Rivera
Monterey

From: Darius Rike [darike@yahoo.com]
Sent: Monday, May 02, 2011 10:50 AM
To: 112-Clerk of the Board Everyone
Subject: MST Development

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere. Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Darius Rike
3020 Eddy St
Marina, CA 93933

From: aaglenn@aol.com
Sent: Monday, May 02, 2011 11:08 AM
To: 112-Clerk of the Board Everyone
Subject: Rejection of Whispering Oaks Development

From: Alice Ann Glenn
Monterey, CA 93940-6143
AAGlenn@aol.com

To: County Board of Supervisors

Re: MST Regional Bus Hub & Whispering Oaks Development

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

I believe there is a better location for the new MST Regional Bus Hub than the one that was part of the Whispering Oaks development and would have caused the loss of greenway surrounding the Sgt Allan MacDonald Cavalry Trail--a senseless and irreparable blow to a recreational thoroughfare from beach to federal trails. The trails and open space of Fort Ord are a regional resource, used by the entire County of Monterey.

The County Planning Commission voted unanimously to reject the Whispering Oaks proposal because of egregious tree removal and habitat destruction. The site is very dense, coastal live oak forest. Preservation of oak trees is part of California and local policies. The EIR suggested replanting of oaks elsewhere but the sites named are already mature forest and grassland and will not benefit.... No private developer in Monterey County would dream of proposing this kind of destruction. Legal battles erupt all over the county over one or two trees. The County should be held to the same standards it applies to others.

I believe the Marina Airport would be an ideal location for the Regional Bus Hub. Besides the potential to be cost efficient, I believe the Marina Airport location is also
Environmentally and geographically advantageous
Truly multimodal and interconnective, including air travel
There is infrastructure already in place

I ask you as Board members to affirm the denial of the Whispering Oaks Development by the County Planning Commission.

Sincerely,

From: john-bonnie [johnwhisler@comcast.net]
Sent: Monday, May 02, 2011 11:24 AM
To: 112-Clerk of the Board Everyone
Subject: MST bus maintenance center

Why destroy another county oak woodland when there is an alternative?

Bonnie Whisler
Seaside

From: Gowin, Henry M. on behalf of 100-District 2 (831) 755-5022
Sent: Monday, May 02, 2011 11:52 AM
To: Novo, Mike x5192; 112-Clerk of the Board Everyone
Subject: FW: Proposed MST project

For the Whispering Oaks project file:

From: Nick Madronio [mailto:ncmffd@sbcglobal.net]
Sent: Monday, May 02, 2011 10:27 AM
To: 100-District 2 (831) 755-5022
Subject: Proposed MST project

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from

the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Nick Madronio
831.710.0119

Sent from my iPhone

6/10/2011

From: Michael Do Couto [spookx12002@yahoo.com]
Sent: Monday, May 02, 2011 11:52 AM
To: 112-Clerk of the Board Everyone
Subject: MST Project

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Sincerely,
Michael Do Couto

From: Larry Telles [larrytelles@sbcglobal.net]
Sent: Monday, May 02, 2011 12:05 PM
To: 112-Clerk of the Board Everyone
Cc: MST@mst.org
Subject: MST Transit facilities

Please respect and support the findings of the Planning Commission regarding the proposed Transit Facilities at Ft. Ord.
Larry Telles

From: James Huggins [jameshuggins@sbcglobal.net]
Sent: Monday, May 02, 2011 12:09 PM
To: 112-Clerk of the Board Everyone
Cc: Margaret Davis
Subject: MST Transit Center Development Proposal in Marina, CA

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, non wooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, non wooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse Coastal Oak woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

President Theodore Roosevelt stated on conservation of our land in 1916.....

"Defenders of the short-sighted men who in their greed and selfishness will, if permitted, rob our country of half its charm by their reckless extermination of all useful and beautiful wild things sometimes seek to champion them by saying the

'the game belongs to the people.' So it does; and not merely to the people now alive, but to the unborn people. The 'greatest good for the greatest number' applies to the number within the womb of time, compared to which those now alive form but an insignificant fraction. Our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wild life and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose, and method."

Very truly yours,

James & Judith Huggins
Corral de Tierra, CA

From: Levi Jimenez [levi.jimenez123@gmail.com]
Sent: Monday, May 02, 2011 1:22 PM
To: 112-Clerk of the Board Everyone; mst@mst.org
Subject: Sgt Allan MacDonald Cavalry Trail
Attachments: Support Letter 20110502.docx

Please reconsider development @
Sgt Allan MacDonald Cavalry Trail

--

Levi R. Jimenez
LEED Green Associate
Intern - BuildingWise, LLC
Phone: 831.214.7345

May 3, 2011

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

This tree and habitat removal will upset the balance of local ecology in this area!!! In an effort for ALL of Monterey County to become more sustainable, development should have as minimal effect on local ecology as possible. Whe and if the area IS developed, please consider the highest efficiency buildings as technologically possible.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. **Please protect the assets that make our area beautiful and attractive to potential economically stimulating sites such as this!**

Very truly yours,

Levi R. Jimenez
LEED Green Associate
Phone 831.214.7345
Email levi.jimenez123@gmail.com

From: Ken Howat [khowat@csumb.edu]
Sent: Monday, May 02, 2011 2:41 PM
To: 112-Clerk of the Board Everyone
Subject: MST Bus Maintenance Center

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Ken Howat MA ATC

From: Elisabeth Gerrity [elisabeth.gerrity@gmail.com]
Sent: Monday, May 02, 2011 6:24 PM
To: 112-Clerk of the Board Everyone
Subject: Inappropriate Place for MST

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

It is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction-planting seedlings elsewhere-will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California.

Squandering this asset is unthinkable. Please leave this land as your legacy to your county and constituents.

Very truly yours,

Elisabeth L. Gerrity
3209 Susan Avenue
Marina, CA 93933

From: maribeth hogoboom [mhogoboom@sbcglobal.net]
Sent: Monday, May 02, 2011 8:07 PM
To: mst@mst.org; 112-Clerk of the Board Everyone
Subject: Redevelopment and Greenspace
Attachments: MST Directors and Board of Supervisors.docx

MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment **Agency plans to construct a bus center on a coast-live-oak habitat and vital** recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intner garrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Inter garrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Maribeth
MD Barnmaster Buildings
(831) 760 2223

MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intner garrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Inter garrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Regards,

Maribeth Hogoboom

"Friends of the Fort Ord Warhorse is dedicated to the recognition and preservation of the history of the Fort Ord Army warhorses and soldiers, for the educational and cultural enrichment of the Monterey Peninsula, its visitors, and the nation."

From: John Bull [toocrows@sbcglobal.net]
Sent: Monday, May 02, 2011 11:18 PM
To: 112-Clerk of the Board Everyone
Subject: Ft Ord Sgt Allen Trail
Attachments: 04302011 Letter to Supervisors.doc

I am an interested hiker and horse person who spends many hours each month in the Ft Ord, BLM property. It would be a shame to loose this beautiful habitat to development.

<<<Cut and paste into email to cob@co.monterey.ca.us

**Or mail to: Monterey County Board of Supervisors, PO Box 1728, Salinas, CA 93902>>>
<<Must arrive before Friday, May 6>>**

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

From: Bertrand Deprez [bertrand@redshift.com]
Sent: Tuesday, May 03, 2011 9:54 AM
To: 112-Clerk of the Board Everyone
Subject: MST project at Ford Ord

May 3, 2011

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Bertrand Deprez

From: Pat McNeill [pmcneill@sbcglobal.net]
Sent: Tuesday, May 03, 2011 4:08 PM
To: 112-Clerk of the Board Everyone
Subject: MST proposal to Burn Rape and Plunder
Attachments: Pat McNeill (pmcneill@sbcglobal.net).vcf

As a long time runner and mountain biker, I am appalled at all the claims I'm hearing about any serious consideration of removing coast live oaks to make a parking lot. I'm certain you are too and I want you to know that I support the board in resisting such nonsense. If someone really needs a parking lot, Ft. Ord proper is paved and ready, and so are 10's of acres of Fritzsche Field.

Pat McNeill

The plural of anecdote is not data.

Observation>>Hypothesis>>Evidence>>Theory. And Correlation does not denote cause.

From: Pat McNeill [pmcneill@sbcglobal.net]
Sent: Tuesday, May 03, 2011 4:16 PM
To: 112-Clerk of the Board Everyone
Subject: MST proposal-NO
Attachments: Pat McNeill (pmcneill@sbcglobal.net).vcf

The coast live oaks on Ft. Ord have been returning to nature since the creation of Ft. Ord. It would be unforgivable to develop that land into anything so drastic as blacktop!

Pat McNeill

The plural of anecdote is not data.

Observation>>Hypothesis>>Evidence>>Theory. And Correlation does not denote cause.

From: Beth Norelli [bethnorelli@yahoo.com]
Sent: Tuesday, May 03, 2011 7:51 PM
To: 112-Clerk of the Board Everyone
Subject: transit facility

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Elizabeth Colyear, M.A
343 Paradise Road
Salinas, CA 93907
831.663.2899

From: Katie Stubbendick [katiestubbendick@gmail.com]
Sent: Wednesday, May 04, 2011 7:08 AM
To: 112-Clerk of the Board Everyone
Subject: Opposition to MST Plan

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency—in fact my partner and I would not have considered our 2009 home purchase without it—and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Katie Stubbendick
645 Hamilton Avenue
Seaside, CA 93955

Seaside homeowner, Monterey County cyclist, and Marshall School (MPUSD, on the former Fort Ord) teacher

From: ROBERT FRISCHMUTH [frischmuth@prodigy.net]
Sent: Wednesday, May 04, 2011 4:33 PM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: MST should give up on Fort Ord project Location

To: MST Board of Directors:

Please exercise your power to withdraw your appeal to the Board of Supervisors for the proposed facility at the Whispering Oaks Business Park. The site has greater value to the community as recreation and habitat.

Thank you for considering this.

Robert & Denyse Frischmuth
283 Grove Acre Ave
Pacific grove, CA 93950

From: Lisa Fimby-Dukart [lfimbydukart@att.net]
Sent: Wednesday, May 04, 2011 8:30 PM
To: 112-Clerk of the Board Everyone
Subject: URGENT: STOP DESTRUCTION OF FORT ORD HABITAT

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and the Sgt. Allan MacDonald Cavalry Trail that my husband and I regularly enjoy.

Please uphold the "Monterey County Voluntary Oak Woodland Stewardship Guidelines" that was approved by the Board in 2009 by affirming the unanimous denials of this plan by the County Planning Commission.

I am not against the vital services that MST provides to our community and support their efforts to expand. However, alternatives are available and must be chosen to avoid destruction of an environmentally significant area in this community that once lost will never be regained.

Sincerely,
Lisa Fimby-Dukart
314 Bishop Ave
Pacific Grove, CA

From: Greg Dukart [dukieg@att.net]
Sent: Thursday, May 05, 2011 10:04 AM
To: 112-Clerk of the Board Everyone; 112-Clerk of the Board Everyone
Subject: URGENT: STOP DESTRUCTION OF FORT ORD HABITAT

Thursday, May 5, 2011

URGENT: STOP DESTRUCTION OF FORT ORD HABITAT

...

To: cob@co.monterey.ca.us

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and the Sgt. Allan MacDonald Cavalry Trail that my husband and I regularly enjoy.

Please uphold the "Monterey County Agricultural Worldland Stewardship Guidelines" that was approved by the Board in 2009 by affirming the unanimous denials of this plan by the County Planning Commission.

I am not against the vital services that MST provides to our community and support their efforts to expand. However, alternatives are available and must be chosen to avoid destruction of an environmentally significant area in this community that once lost will never be regained.

MST also has alternative sites with great access and egress for their buses and vehicles that would prevent the destruction of a beautiful open space we have in Monterey County.

Respectfully,
Greg Dukart
112-Clerk of the Board
112-Clerk of the Board
831-277-1641 (C)
831-644-9200 (F X)

From: Trotrider@aol.com
Sent: Thursday, May 05, 2011 11:10 AM
To: 112-Clerk of the Board Everyone
Subject: stop the permit

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Lisa Sheridan

From: Jan Shriner [shrinerforsure@gmail.com]
Sent: Thursday, May 05, 2011 11:29 AM
To: 112-Clerk of the Board Everyone
Subject: MST proposal at Whispering Oaks site

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site. I understand another site has been offered by the City of Marina to consider near the Blanco Rd/Reservation Rd intersection.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut mature trees and the oak woodland habitat. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California.

Squandering this asset is unthinkable. Please help to relocate this proposal.

Very truly yours,
Jan Shriner
3086 Sunset Ave.
Marina, CA 93933
236-0905

From: Gary and/or Anna Courtright [gacourtright@sbcglobal.net]
Sent: Thursday, May 05, 2011 11:35 AM
To: 112-Clerk of the Board Everyone
Subject: Whispering Oaks

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Gary Courtright
Salinas, California

From: Sheila Clark [saclark63@gmail.com]
Sent: Thursday, May 05, 2011 11:36 AM
To: 112-Clerk of the Board Everyone
Subject: MST proposed transit facility on Fort Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Fort Ord is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of

federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Sheila Clark

From: E Lang [cdml_lang@yahoo.com]
Sent: Thursday, May 05, 2011 11:54 AM
To: 112-Clerk of the Board Everyone

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site, of which there are many to choose from.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Peninsula Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Elizabeth Lang

From: Laura.Smith@dole.com
Sent: Thursday, May 05, 2011 12:03 PM
To: 112-Clerk of the Board Everyone
Subject: Fort Ord use

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Laura Dietrich-Smith
Dole Fresh Vegetables
2959 Monterey-Salinas Highway
Monterey, Ca. 93940
(831)-641-4312
(831)-641-4332 Fax or Email Fax (818)-575-8218

The preceding e-mail message (including any attachments) contains information that may be confidential or may be otherwise intended as non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

6/10/2011

From: Monterey Hostel [mryhostel@gmail.com]
Sent: Thursday, May 05, 2011 12:10 PM
To: 112-Clerk of the Board Everyone
Subject: MST transit center

Dear Monterey County Board of Supervisors:

I am a regular user of MST. I also manage the Monterey Hostel, which hosts over 10,000 guests each year, half of which use MST buses (we track this). I also live at 6th & Col. Durham, 1/2 mile from the proposed site. At this location we are currently developing a new hostel integrated with an environmental learning center, which will be a great addition to the former Fort Ord, which is quickly becoming a hotspot for Green/Reuse/Environmentally responsible development. The Monterey College of Law, Chartwell, and CSUMB have led the charge to make this a mecca for green (re)development.

Don't make the mistake of undoing that momentum by approving the MST plan!

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

6/10/2011

Aaron Ely
Manager
HI-Monterey Hostel
778 Hawthorne St.
Monterey, CA 93940
831-649-0375
manager@montereyhostel.org
www.montereyhostel.org

Our Mission: *"To help all, especially the young, gain a greater understanding of the world and its people through hostelling."*

From: Rina Kempton [rinakempton@pacbell.net]
Sent: Thursday, May 05, 2011 12:11 PM
To: 112-Clerk of the Board Everyone
Subject: MST

I am opposed to the MST plan to construct a center at coast-live-oak habitat and vital recreational trail. Please vote to affirm the unanimous denials of the County Planning Commission.

Thank you,
Rina Kempton

--

From: David Kelly [davidmichaelkelly@gmail.com]
Sent: Thursday, May 05, 2011 12:28 PM
To: 112-Clerk of the Board Everyone
Subject: Bus maintenance site on Ft.Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

David Kelly

From: Laura Cohan [laura.cohan@gmail.com]
Sent: Thursday, May 05, 2011 12:34 PM
To: 112-Clerk of the Board Everyone
Subject: I oppose MST's plan, please support our Planning Commission!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Laura Cohan
1038 1st St #3
Monterey

From: Jon Dungan [jrdungan1@gmail.com]
Sent: Thursday, May 05, 2011 12:55 PM
To: 112-Clerk of the Board Everyone
Subject: MST transit site in Fort Ord

Dear Supervisors:

I oppose the MST plan to construct a transit maintenance center and industrial park in the coastal live-oak habitat of Fort ORD. Destruction of the thousands of previous oaks and elimination of recreation opportunities in this unique area would be unwise.

I urge you to vote to affirm the unanimous denials of the County Planning Commission and to request that MST find another site that is less damaging to the environment.

Alternate sites that are more appropriate are available. The presently planned site will close off one of the few entrances to Fort Ord hiking lands.

The Oak forest at Fort Ord is an irreplaceable recreational asset. Hundreds of people use this area for hiking, bicycling, and horse riding daily, and relatively few people even know about it. Imagine the importance of this asset when more people are aware of it. As the surrounding cities of Marina and Seaside and CSUMB become more densely populated, the need for the treed open space for recreation becomes more pressing.

Destroying thousands of trees, which are principal carbon sinks and great providers of oxygen makes no sense.

Please support best use of Fort Ord and encourage MS to find more appropriate site for the needed transit center.

Sincerely,
Jon Dungan

From: Paul Liebenberg [pliebenberg@earthlink.net]
Sent: Thursday, May 05, 2011 1:04 PM
To: 112-Clerk of the Board Everyone
Subject: Transit facility location

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Sincerely yours,

Paul Liebenberg

..

From: jillechristensen@comcast.net
Sent: Thursday, May 05, 2011 1:08 PM
To: 112-Clerk of the Board Everyone
Subject: Please spare live-oak habitat at Fort Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is **environmentally irresponsible** to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will **devastate a robust woodland of a kind that the County has pledged to protect and preserve**. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, **this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland**. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Jill Christensen
408-355-5880
18535 Main Blvd.
Los Gatos, CA 95033

From: dra@redshift.com
Sent: Thursday, May 05, 2011 2:05 PM
To: 112-Clerk of the Board Everyone

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Dennis Andresen DDS

6/10/2011

From: Sherry Reiker [sreiker@cityofsantacruz.com]
Sent: Thursday, May 05, 2011 3:06 PM
To: 'MST@MST.ORG'; 112-Clerk of the Board Everyone
Cc: 'Friends of the Fort Ord Warhorse'
Subject: Fort Ord MST Development Application Opposition and Plea to Maintain Existing Trails & Trees

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Fort Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Sharene Reiker

From: Jane Baker Birkelbach [janebaker.birkelbach@gmail.com]

Sent: Thursday, May 05, 2011 3:14 PM

To: 112-Clerk of the Board Everyone

Subject: Proposed bus maintenance center on Fort Ord

Dear Monterey County Board of Supervisors:

First, let me state that both I and my family are supporters and users of MST's bus services. We are grateful to MST for their services, especially at this time of exorbitant fuel charges. However, I felt compelled to write and express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

I recognize the benefit MST services provide to the County – as an MST user, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. If the proposed site is pursued, access to these interior 82 miles of federal trails will be cut-off for trail users.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Jane Birkelbach

6/10/2011



RECEIVED
MONTEREY COUNTY

2011 MAY -5 PM 4: 11

CLERK OF THE BOARD

May 2, 2011

 DEPUTY

County of Monterey, Board of Supervisors
Gail T. Borkowski, Clerk of the Board
168 West Alisal St., 1st Floor
Salinas CA 93901

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

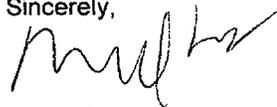
The City of King is a member of the Monterey-Salinas Transit District (MST) and recognizes the important role that public transit plays in supporting our local economy, environment, and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit currently lacks suitably sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under SB 375 and AB 32, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

Recognizing the need to grow, and in order to achieve efficiencies in operation, the MST Board seeks to combine its transit bus operations, maintenance, and administration functions within a single facility at the Whispering Oaks parcel on the former Ft. Ord as part of a joint development project with the Redevelopment Agency of Monterey County. The site is perfectly located adjacent to Intergarrison Road, which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula.

To date, MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan, Monterey County General Plan, and applicable zoning ordinances. The development plan implements measures that go above and beyond the requirements of the Zoning Ordinance and County General Plan for replacement/replanting of oak trees removed from the site by exceeding the 1:1 replacement requirement. The Project conforms to and promotes the Base Reuse Plan and County General Plan and will help to correct the current job/housing imbalance on the Base. It represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County. Further delays to the approval of this project will result in increased costs and decreased efficiency to Monterey-Salinas Transit which will have a negative impact on the services they provide to the communities in our region.

The City of King encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,



Michael Powers,
City Manager
City of King

From: Cathy Rivera [rivera.cathy@gmail.com]
Sent: Thursday, May 05, 2011 9:01 PM
To: 112-Clerk of the Board Everyone
Subject: Transit maintenance center appeal by MST

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Cathy Rivera
Homeowner and Resident
2035 Cross Street
Seaside, CA 93955
831-915-7260

6/10/2011

From: Larry Martin [lm.landscapes@sbcglobal.net]
Sent: Thursday, May 05, 2011 9:10 PM
To: 112-Clerk of the Board Everyone
Subject: Save our trees and trails!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Lawrence Martin

6/10/2011

From: Caroline Ravan [cheermom7263@sbcglobal.net]
Sent: Thursday, May 05, 2011 10:33 PM
To: 112-Clerk of the Board Everyone
Subject: Stop the destruction of Fort Ord oak trees

Dear Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and the Sgt. Allan MacDonald Cavalry Trail that my family and I regularly enjoy.

Please uphold the "Monterey County Voluntary Oak Woodland Stewardship Guidelines" that was approved by the Board in 2009 by affirming the unanimous denials of this plan by the County Planning Commission.

I am not against the vital services that MST provides to our community and support their efforts to expand. However, alternatives are available and must be chosen to avoid destruction of an environmentally significant area in this community that once lost will never be regained.

Sincerely,
Caroline Ravan
320 Bishop Ave
Pacific Grove, CA 93950

From: Shawn Lohay [shawn@icogitate.com]
Sent: Friday, May 06, 2011 7:36 AM
To: 112-Clerk of the Board Everyone
Subject: Withdraw the MST Appeal !!!!

Dear Monterey County Board of Supervisors:

On behalf of Monterey Bay Equestrians, a club representing over 150 individuals, I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the UNANIMOUS denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees or replanting. Many sites, such as the open 25 acre parcel located near the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of land semi-forested with oak woodlands, while blight goes undeveloped on the open corridor along Reservation Road, and other alternate satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations around the former Ford Ord lands is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors Equine and otherwise from all over California. Squandering this asset is unthinkable. Many members of our club use the Fort Ord trails on a frequent basis and ride there several times each month. Our membership consists of individuals who live in Monterey, Santa Cruz, Santa Clara, San Mateo, San Benito and Santa Barbara counties. As President of our organization I urge you to seriously consider WITHDRAWING the MST appeal.

Sincerely,
Shawn Lohay
President
Monterey Bay Equestrians

From: Chris Mack [gelffmack@gmail.com]
Sent: Friday, May 06, 2011 7:46 AM
To: 112-Clerk of the Board Everyone
Subject: MST Regional Yard

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

From: Chris Mack [gelffmack@gmail.com]
Sent: Friday, May 06, 2011 7:48 AM
To: 112-Clerk of the Board Everyone
Subject: MST Regional Yard

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours, Chris Mack

From: Lindsay Overton [lindsayao@yahoo.com]
Sent: Friday, May 06, 2011 7:57 AM
To: 112-Clerk of the Board Everyone
Subject: Ft Ord, proposed MST development - AGAINST

Hello, I am writing to express my opposition to the MST plan to construct bus facilities on irreplaceable habitat in Ft Ord. It is my opinion that a more appropriate alternate site could and should be found. I visit Ft Ord frequently to ride my horse, ride my mountain bike or just run/hike. If this bus facility were constructed it would impact the train network severely so that much of the current trail system would not be accessible. Please do not let this happen.
Thank you for your consideration.

From: Marie Edgemon [marieswindow@yahoo.com]
Sent: Friday, May 06, 2011 7:58 AM
To: 112-Clerk of the Board Everyone
Subject: Bus Maintenance Center

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over ~~California~~. Squandering this asset is unthinkable.

Very truly yours,
Marie Edgemon

From: Slugmp@aol.com
Sent: Friday, May 06, 2011 8:17 AM
To: 112-Clerk of the Board Everyone
Subject: MST Directors' meeting 5/9/11

Country Board of Supervisors:

As a member of Monterey Bay Equestrians, a bike rider and also a dog walker I am one of thousands of recreational enthusiasts who use the trails at the former Fort Ord on a daily basis. Although we support MST and public transit we agree with the Planning Commission's unanimous refusals to rezone open space for MST Facility and Whispering Oaks Business Park. We urge MST to find an alternative site for their facility. We support the greenway and Sgt. Allan MacDonald Cavalry Trail. The trails and open space of former Fort Ord is an important regional resource. This is an opportunity for you all to do the right thing and preserve this resource and yet still support MST by directing their focus to a different site. Thank you for your attention to this very important matter.

Most respectfully,

Margaret and Phillip Pare'

From: Evan Francis [efrancis@mbayaq.org]
Sent: Friday, May 06, 2011 8:21 AM
To: 112-Clerk of the Board Everyone
Subject: new transit facilities location

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to begin anew.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Evan Francis

From: Brighde Indigo [brighdeindigo@gmail.com]
Sent: Friday, May 06, 2011 8:37 AM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: Development plans for MacDonald Cavalry Trail

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while acres of blight go undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has deemed worthy of protection and preservation. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful, mature habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased forest, as can be seen easily from the street.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Fort Ord interior, a total of about forty miles of shared recreational use. A cohesive Fort Ord trail system adds tremendous value to County residency and draws visitors from all over the State of California. Squandering this asset would be a breathtaking waste.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Kay Allen
Board Member, California Historical Artillery Society

6/10/2011

From: Marty Davis [martydavis2005@yahoo.com]
Sent: Friday, May 06, 2011 9:14 AM
To: 112-Clerk of the Board Everyone
Subject: Re: MST Development Threat - Send Letters and Plan to Attend Monday, May 9 meeting

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

martha davis seaside
resident

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

T

From: Rose Ashbach [besaflores@gmail.com]
Sent: Friday, May 06, 2011 9:47 AM
To: 112-Clerk of the Board Everyone
Subject: Save Fort Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Ruth Ann Ashbach

--
Today is the first day of the rest of your life.

From: hohos4@aim.com
Sent: Friday, May 06, 2011 11:03 AM
To: 112-Clerk of the Board Everyone
Subject: MST plan for bus maintenance center.

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Robbie Hohstadt
Salinas, CA

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, discased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

As a staff member of CSUMB and resident of Schoonover Park, it is important to me and our community to maintain the open spaces left in Monterey County and plan future development on existing abandoned infrastructure.

Very truly yours,



Chris Villanueva

From: Chris Villanueva [chvillanueva@csumb.edu]
Sent: Friday, May 06, 2011 11:34 AM
To: 112-Clerk of the Board Everyone
Subject: Urgent - MST Development on Open Spaces
Attachments: MST.pdf

Good Afternoon,

Please reconsider approval of the MST development along Inter-Garrison. As a bike commuter and trail user, this type of development will severely impact the area in multiple ways!

Chris Villanueva
Credential Analyst
CalStateTEACH, Monterey Bay Region
100 Campus Center, Valley Hall B
Seaside, CA 93955
Office - (831) 582-3106
Fax - (831) 582-4620
chvillanueva@csumb.edu

..

From: cm_crockett@sbcglobal.net
Sent: Friday, May 06, 2011 11:43 AM
To: 112-Clerk of the Board Everyone
Subject: Proposed MST Regional Bus Hub

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and repair yard on 58 acres that currently sustains a mature oak woodland that is a vital recreational and ecological resource of the County of Monterey. I request that you vote to affirm the unanimous denials of the County Planning Commission and that you encourage MST to find a more appropriate, unwooded site, for example, near the Marina Airport, with its pre-existing infrastructure.

I support MST and public transit because they serve the community and help preserve our environment, however MST's proposed site for the regional bus hub encompasses a wealth of trails and biologically diverse woodland. The bull-dozing of 4,400 trees and destruction of the inter-connected wildlife habit for this project is a senseless and short-sighted plan, especially when other locations are available.

Very truly yours,
Catherine Crockett
Seaside, CA

From: Diana & Jerry Cooley [Cooleyfarm@razzolink.com]
Sent: Friday, May 06, 2011 12:47 PM
To: 112-Clerk of the Board Everyone
Cc: Margaret Davis; Cooleyfarm; Christian Wood; Adore AlpacasJeanne Dorrance; Bob & Toni DeGeorge; BRADWYN HUGGINS; Bunny Riley; Carol Brandt; Carol OBrien; Cheryl Camany; Cheryl Pritchett; Cheryl Pritchett; Chris Kluga; Chuck McDonald; Cindy Councell; Dana Cefalu; Debbie Conaway; dee murphy; Diann Frost; Ernie Huggins; Gene Smith; gilroycarriage@earthlink.net; Gwen; Harry Councell; Jacqui Cole; Jan Jeffers; Joe Galvez; Judy Malone; Kathy Smith; Kendra Wilson; Kim Hutchison; Linda Harbertson; Lisa Urzua; 'Melinda Takeuchi'; Norma Tucker; RoxyMontana2@aol.com; Stan Botto; Sue Castro; Suzy Caston; Tina Bowman
Subject: Please reaffirm your denial to MST on their appeal

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

We travel to Fort Ord at least once a week to use these trail and spend time and money locally while there. This is a wonderful resource and the current MST plan would ruin more that the trail connections but also destroy local habitat. They have other options!!!

Lets protect this area and honor previous committments and visions for trail connections that we currently use; and, attracts many from outside the area as well, to this wonderful resource.

We speak not only for ourselves; but for the Western States Draft and Driving Association membership, out of Hollister, California

Diana & Jerry Cooley

From: Bill Weigle [billweigle@sbcglobal.net]
Sent: Friday, May 06, 2011 1:32 PM
To: sbannister@mst.org; mst@mst.org
Cc: 112-Clerk of the Board Everyone
Subject: Withdraw your appeal of Planning Commission's unanimous decision

Friday, May 06, 2011

MST Board of Directors:

I request that the MST Board of Directors withdraw its appeal to the Monterey County Board of Supervisors in pursuit of a new transit facility on Intergarrison Road.

The use permit to allow the removal of 4,400 Coast Live Oaks at the proposed MST/Whispering Oaks site has been unanimously denied twice by the Monterey County Planning Commission. I'm sure as responsible MST Board Members you have read the Planning Commission's findings. If you have not, please go online to http://www.co.monterey.ca.us/planning/cca/pc/2011/04-13-11/SRpc_PLN090071_041311.pdf

and do so before your Board Meeting on May 9. I ask you please to notice on page 2 the finding that "Alternate sites may exist near the multi-modal corridor that need to be redeveloped and would be environmentally superior locations for the proposed project."

Here is what is now well known by readers of the Monterey County Herald (see Opinion Page on Wednesday, May 4), by hundreds of recreational users at the former Fort Ord, and by our local Sustainability communities, as well as friends of all of the foregoing: the MST Board has filed an appeal and wants to remove 4,400 Coastal Live Oaks for a new center; alternative sites that are equally-well situated are available; at least one such site (the Marina Airport) will require no trees to be removed.

To further pursue the removal of this Coastal Live Oak Woods is a decidedly environmentally unfriendly act which will not go unnoticed by those of us who otherwise fully support MST and public transportation.

Please do the right thing and withdraw your appeal of the Planning Commissions unanimous decision.

Respectfully,

William F. Weigle
Seaside resident
Prof. Emeritus of Mathematics and Environmental Studies, University of Maine
831-899-7934

"When one tugs at a single thing in nature, he finds it attached to the rest of the world."

- John Muir

From: JANE E KLOPP [janek@sbcglobal.net]
Sent: Friday, May 06, 2011 2:14 PM
To: 112-Clerk of the Board Everyone
Subject: opposition to the MST plan

TO THE SUPERVISORS

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Jane E. Klopp

From: Larry Parrish [lparrish@toast.net]
Sent: Friday, May 06, 2011 4:23 PM
To: MST@mst.org; 112-Clerk of the Board Everyone
Subject: Sgt Allan MacDonald Cavalry Trail

Dear MST Directors and Board of Supervisors:

I am writing to express my opposition to MST and County Redevelopment Agency plans to construct a bus center on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail.

While MST provides a good service for which all can be thankful, it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites for placement exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland.

The proposed placement would be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior. A coherent Fort Ord trail system adds tremendous value to County residency and draws visitors from all over California. Squandering this asset should be unthinkable.

I am requesting that the MST directors withdraw their appeal of the Planning Commission's very sensible denial and that the County of Monterey cooperate with other agencies to find an appropriate place for the new transit facilities.

Sincerely Yours,

Larry Parrish

From: Harry Councell [cdhma@garlic.com]
Sent: Friday, May 06, 2011 4:53 PM
To: 112-Clerk of the Board Everyone
Subject: Put MST Elsewhere!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

We travel to Fort Ord on a regular basis, use these trails and spend time and money locally while there. This is a wonderful resource and the current MST plan would ruin more than the trail connections but also destroy more local habitat. They have other options!!!

Lets protect this area and honor previous commitments and visions for trail connections that we currently use; and, attracts many from outside the area as well, to this wonderful resource.

We speak not only for ourselves; but for the Western States Draft and Driving Association membership, out of Hollister, California.

Harry Councell
President, Western States Draft and Driving Association

From: Todd [tr75773@gmail.com]
Sent: Friday, May 06, 2011 9:17 PM
To: 112-Clerk of the Board Everyone
Subject: Protect Precious Woodlands

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Todd Paulson

From: Jennifer Anderson [jka@cruzio.com]
Sent: Friday, May 06, 2011 9:41 PM
To: 112-Clerk of the Board Everyone
Subject: Monterey Salinas Transit Center at Fort Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Jennifer Anderson

290 Sims Road
Santa Cruz, CA 95060

6/10/2011

From: Caroline Rodgers [caro414@earthlink.net]
Sent: Friday, May 06, 2011 10:06 PM
To: 112-Clerk of the Board Everyone
Subject: Transit facilities plan

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

From: hummingdeer [hummingdeer@yahoo.com]

Sent: Saturday, May 07, 2011 2:42 AM

To: 112-Clerk of the Board Everyone

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport , have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road . Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center , to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California . Squandering this asset is unthinkable.

Very truly yours,

6/10/2011

From: Me [surfbird04@me.com]
Sent: Saturday, May 07, 2011 2:54 AM
To: 112-Clerk of the Board Everyone
Subject: Please protect our live oak habitat

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

6/10/2011

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Sarah Lane
Monterey Co resident
And I VOTE.

From: sjupie [sjupie@aim.com]
Sent: Saturday, May 07, 2011 5:09 AM
To: 112-Clerk of the Board Everyone
Subject: Whispering Oaks greenway

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Sincerely,
Jenny and Todd Chaffey

From: Michael Geneau [michaelgeneau@yahoo.com]
Sent: Saturday, May 07, 2011 7:20 AM
To: 112-Clerk of the Board Everyone
Subject: Whispering Oaks Transit Facility

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws

visitors from all over California . Squandering this asset is unthinkable.

Much Appreciation,
Michael Geneau
Santa Cruz, CA

From: susan hawthorne [suejhawthorne@gmail.com]
Sent: Saturday, May 07, 2011 7:28 AM
To: 112-Clerk of the Board Everyone
Subject: Reloacte MST Development: It Threatens Thriving Woodland
Attachments: 04302011 Letter to MST.doc; 04302011 Letter to Supervisors.doc

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Susan Hawthorne
1752 St. Helena St.
Seaside, CA 93955
suejhawthorne@gmail.com

6/10/2011

<<<Cut and paste into email to mst@mst.org

Or mail to: MST, One Ryan Ranch Road, Monterey, CA 93940>>>

Dear MST Directors:

I request that MST withdraw its appeal of the Planning Commission's unanimous denials and find a more appropriate place for the transit facilities.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

From: Rocky Lewycky [rlewycky@hotmail.com]
Sent: Saturday, May 07, 2011 9:20 AM
To: 112-Clerk of the Board Everyone
Subject: trees are the answer

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

From: Diana Wilson [dianammorris@gmail.com]
Sent: Saturday, May 07, 2011 9:21 AM
To: 112-Clerk of the Board Everyone
Subject: Fort Ord

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Fort Ord is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Diana Wilson

From: cooper scollan [scollancooper@yahoo.com]
Sent: Saturday, May 07, 2011 9:37 AM
To: 112-Clerk of the Board Everyone
Subject: MST Plan

Dear Monterey County Board of Supervisors,

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport , have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road . Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center , to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws

6/10/2011

visitors from all over California . Squandering this asset is unthinkable.

Very truly yours,

Cooper Scollan

6/10/2011

From: natasha [n.fraley@gmail.com]
Sent: Saturday, May 07, 2011 9:43 AM
To: 112-Clerk of the Board Everyone
Subject: MST plan

Dear Monterey County Board of Supervisors,

I am writing to express my opposition to the planned MST bus maintenance center. I urge you to vote to affirm the County Planning Commission's denial. The planned site violates the County's oak woodland conservation guidelines. MST asserts that it's the equestrian's opposing. But I'm not a horse rider, but a hiker and someone who believes the County does the right thing in preserving oak woodlands and not allowing projects that destroy oak habitat. Why not move the proposed MST center to the Marina Airport?

Thank you for your leadership on this matter.

Natasha Fraley
301 Crocker Ave.
Pacific Grove, CA 93950

From: josh1728@juno.com
Sent: Saturday, May 07, 2011 10:51 AM
To: 112-Clerk of the Board Everyone
Subject: proposed transit facility

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport , have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destructionâ€”planting seedlings elsewhereâ€”will not compensate for the loss of the beautiful habitat along Intergarrison Road . Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center , to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California . Squandering this asset is unthinkable.

Very truly yours,

josh davidson

Groupon's Official Site

1 ridiculously huge coupon a day. Get 50-90% off your city's best!

<http://thirdpartyoffers.juno.com/TGL3131/4dc586967d4af2c3949st03vuc>

From: Loren Stirling [loren@stirlingdesign.com]
Sent: Saturday, May 07, 2011 10:57 AM
To: 112-Clerk of the Board Everyone
Subject: I object to bus maintenance center

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Loren Stirling

Stirling Design
www.stirlingdesign.com
loren@stirlingdesign.com
Tel: 831 464-3855
Cell: 408 691-2110

From: Dermott F Corr [dfcorr@sbcglobal.net]
Sent: Saturday, May 07, 2011 11:20 AM
To: 112-Clerk of the Board Everyone
Subject: Proposed Transit Facility

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport , have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road . Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center , to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California . Squandering this asset is unthinkable.

Very truly yours,

Dermott Corr

..

From: Aurora Bliss [onetoadofyellow@yahoo.com]
Sent: Saturday, May 07, 2011 12:07 PM
To: 112-Clerk of the Board Everyone
Subject: Dear Monterey County Board of Supervisors

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport , have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road . Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center , to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California . Squandering this asset is unthinkable.

Very truly yours,

Aurora Reordan-Hartzell
3015 Sherman Rd.
PB, CA 93953

From: Suzanne Muller [suzmuller@comcast.net]
Sent: Saturday, May 07, 2011 12:46 PM
To: 112-Clerk of the Board Everyone
Subject: Transit Center Project

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Suzanne Muller

From: Melinda Travis [melindaetravis@gmail.com]
Sent: Saturday, May 07, 2011 12:49 PM
To: 112-Clerk of the Board Everyone
Subject: Bus Maintenance Center

Dear Monterey County Board of Supervisors:

As a homeowner and resident, I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

6/10/2011

From: Elizabeth Murray [emurray@elizabethmurray.com]
Sent: Saturday, May 07, 2011 12:54 PM
To: 112-Clerk of the Board Everyone
Subject: opposition to the MST plan

Dear Monterey County Board of Supervisors:

I walked the entire project and I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat. This is a beautiful environment of mature 4400 oak trees!!! It is also a vital recreational trail, for walkers, mountain bikers and horseback riding on the historic Sgt. Allan MacDonald Cavalry Trail. I request that you vote NO to MST and request them to find a more appropriate, unwooded site. There are many with blighted decapitated buildings that need to be removed and will only improve the site not deter from it. The land is all sand dunes and the removal of the oak wood land will turn it back to erosion and destroy beauty, habitat and history for Ft. Ord. Please stand with the unanimous denials of the County Planning Commission, they are correct in not approving this building project.

The proposed placement will be catastrophic to the Sgt. Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable. If the MST is well placed it can be an assist so the public can take Public Transit to come here and hike and bike. MST put in an oak woodland makes no sense to destroy one of the beauty spots of north county. Not only for visitors but residents of Salinas, Marina and Seaside in particular need outdoor spaces to enjoy this is in their back yard and is a gate way to the Monterey Penn. Lets make it a place we can all be proud of that brings recreation and beauty to our area for the benefit of all. Ft. Ord needs to be cleaned up and made safe so lets build new projects like MST and future shops, cafes, and housing where building has already been and needs to be removed. This takes creative planing which we are certainly up for.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

This is a mature habitat of oak trees, a biologically diverse woodland, contrary to what decision makers may have been told. Oak trees need to be in groves with mature understory to create a habitat to survive and thrive on the sand dunes. Most transplanted oak saplings will not survive- on their own with out proper habitat being established first and having them planted in groves. Even an equal number planted is not mitigation for beauty, air quality and beauty.

Development at Inter-garrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of this beautiful habitat along Inter-garrison Road.

I invite you to take a walk and have photographs to share with you of the habitat. I can see this area can get cleaned up of poison oak and make into more lovely walking trails like Garland Park in Carmel Valley, a jewel of the area.

Very truly yours,

6/10/2011

Elizabeth Murray
62 Ave Maria Road
Monterey, CA 93940
T: 831.375.1613
emurray@elizabethmurray.com
www.elizabethmurray.com

Hancock, Denise 796-3077

From: Susan Stirling [susan@stirlingdesign.com]
Sent: Saturday, May 07, 2011 1:31 PM
To: 112-Clerk of the Board Everyone
Subject: Please consider that this can never be undone....

Dear Monterey County Board of Supervisors:

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable, so I add my request, so I am writing to express my opposition to the plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Susan Stirling

www.stirlingdesign.com

From: Michael Rieser [carmelbird@yahoo.com]

Sent: Saturday, May 07, 2011 4:12 PM

To: 112-Clerk of the Board Everyone

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Michael Rieser
Avid bird-watcher

From: Steve Jackson [steve.jwholdings@gmail.com]
Sent: Saturday, May 07, 2011 5:21 PM
To: mst@mst.org; 112-Clerk of the Board Everyone; 112-Clerk of the Board Everyone
Subject: Fort Ord Rec Use

To whom it may concern,

I support MST and public transit.

I affirm the Planning Commission's unanimous refusals to rezone open space for MST Facility and Whispering Oaks Business Park.

I affirm the Planning Commission's unanimous refusals to permit clear cutting of 4400 trees.

I urge MST to accept these refusals and find an alternative site.

I support the Greenway and Sgt Allan MacDonald Cavalry Trail connecting the beach and BLM trails.

We must recognize the trails and open space of former Fort Ord as an important regional resource.

I am part of a community of thousands of rec enthusiasts who use and maintain trails at former Fort Ord.

Thank you for your consideration.

Sincerely,

Steve Jackson

Sent from my iPad

From: Nickie Zavinsky [nickiezee@yahoo.com]
Sent: Saturday, May 07, 2011 11:00 PM
To: 112-Clerk of the Board Everyone
Subject: Transit Facilities

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,
Nickie Zavinsky

From: David Camner [dcamner9@yahoo.com]
Sent: Sunday, May 08, 2011 7:25 AM
To: 112-Clerk of the Board Everyone
Subject: Save the Oaks!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage the Board to select an alternative site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what is often told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of trees at the former Fort Ord is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable part of the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal land.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California.

Very truly yours,
David Camner



From: chris hartzell [c.hartzell@sbcglobal.net]
Sent: Sunday, May 08, 2011 10:14 PM
To: 112-Clerk of the Board Everyone
Subject: Re: MST Transit Plaza

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

-Chris Hartzell

6/10/2011

From: jkaras@sonic.net
Sent: Monday, May 09, 2011 7:18 AM
To: mst@mst.org
Cc: 112-Clerk of the Board Everyone
Subject: Proposed plan for MST maintenance facility

Greetings: As a lifelong resident of Monterey--and bus rider on and off for 40 years--I ask MST to withdraw its **current plan for development** on Ft. Ord lands. The Planning Commission has twice rejected the plan, based on solid testimony that the **location** would not serve the interests of the community at large and NOT best develop and protect the lands that have been put in stewardship by city and county officials. Instead, the facility could and should be relocated to an area near the Marina airport. It may cost more, but it is truly the best outcome for the MST operations and the residents.

I was upset to read that the MST manager said that the trees would be replaced and more planted. Cutting down mature trees is of no concern? These are living trees, not little mounds of earth that can be moved around. I am grateful for the green practices put in place by MST. I trust that the Board of Supervisors will eventually hear the arguments made pro or con, if MST continues with its current plan. It isn't too late to reconsider and look at the more viable and environmentally sound options. In the long run, they usually are the more cost-efficient ones, I suspect. When one considers that our region encompasses Salinas and the Monterey area cities--and there will be light-rail connections and other transit links, the airport site is a better one for all. If not that one, then another may be available that also serves the requirements of the facility and MST.

Thank you for considering my comments. 60 Boronda Lane, Monterey, CA

From: CAB [culann62@yahoo.com]
Sent: Monday, May 09, 2011 8:47 AM
To: 112-Clerk of the Board Everyone
Subject: Save the trees!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and the only recreational trail--the Sgt Allan MacDonald Cavalry Trail--that links a state park, Fort Ord Dunes, to a de factor wilderness area--the BLM overseen Fort Ord backcountry. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

The history of land use planning on the old Fort Ord is riddled with mistaken early decisions that may have seemed logical or were well intentioned at the time, but had dubious results. You probably can think of a few yourself. Some of these have been retroactively corrected as when the Army and city of Seaside exchanged land recently. If the Army was unable to predict its own future land use needs and had to make changes, it is no surprise now, given entirely changed circumstances with the economy, etc., that it is appropriate for Monterey County to rethink the planned MST development that will unnecessarily destroy some four thousand live oaks and make nearly impossible a reasonable coast to backcountry trail in Monterey County.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting and there is no substitute for the loss of existing biological diversity that will prevail with site destruction. Although it is a mitigation, you CANNOT rebuild a diverse existing habitat by replanting new trees. A landscape, even if contiguous, will take a generation or more to recover. Meanwhile, many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

I recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction--planting seedlings elsewhere--will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Fort Ord is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Cameron Binkley
213 Sicily Road
Seaside, Ca 93955

From: Sandra Gray [sandrag394@gmail.com]
Sent: Monday, May 09, 2011 1:09 PM
To: 112-Clerk of the Board Everyone
Subject: You are invited to view "Sandra Gray's photo"

View Photo



Message from Sandra Gray:

They say that 1 picture is worth a thousand words. Please enjoy this virtual hike through the proposed area for the MST new transit center which would replace part of the beautiful recreational Sgt Allan MacDonald Calvary Trail. After viewing, ask yourself if you want this to be destroyed. Notice the beautiful wild flowers. How long would it take for saplings to replace all this old growth? Where will the wild life go?

<https://picasaweb.google.com/h/photo/3OFRydnrTG8wC7BquejORmKovSQ6-6W5a3fnRAeqQdE?feat=email>
Albums account [get your own free Picasa Web](#)



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-4422

RECEIVED
MONTEREY COUNTY
2011 MAY 10 PM 2:10
CLERK OF THE BOARD

County of Monterey, Board of Supervisors
Gail T. Borkowski, Clerk of the Board
168 West Alisal St., 1st Floor
Salinas CA 93901

May 9, 2011

DEPUTY

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

The City of Del Rey Oaks is a member of the Monterey-Salinas Transit District (MST) and recognizes the important role that public transit plays in supporting our local economy, environment, and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit currently lacks appropriately sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under SB 375 and AB 32, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

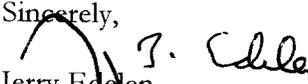
Recognizing the need to grow, and in order to achieve efficiencies in operation, the MST Board seeks to consolidate its transit bus operations, maintenance, and administration functions within a single facility at the Whispering Oaks parcel on the former Ft. Ord as part of a joint development project with the Redevelopment Agency of Monterey County. The site is ideally located adjacent to Intergarrison Road, which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula.

To date, MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan, Monterey County General Plan, and applicable zoning ordinances. The development plan implements measures that go above and beyond the requirements of the Zoning Ordinance and County General Plan for replacement/replanting of oak trees removed from the site by exceeding the 1:1 replacement requirement. The Project conforms to and promotes the Base Reuse Plan and County General Plan and will help to correct the current job/housing imbalance on the Base. It represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County.

Further delays to the approval of this project will result in increased costs and decreased efficiency to Monterey-Salinas Transit which will have a negative impact on the services they provide to the communities in our region.

The City of Del Rey Oaks encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,


Jerry Edelen
Mayor

RECEIVED
MONTEREY COUNTY

Dear Monterey County Board of Supervisors:

2011 MAY 11 PM 2: 27

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site. _____ CLERK OF THE BOARD DEPUTY

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,

Angie Wells

From: Melinda Takeuchi [takeuchi@stanford.edu]
Sent: Thursday, May 12, 2011 9:13 AM
To: 112-Clerk of the Board Everyone
Subject: Industrial Park/Bus Maintenance Center -- NO!

Dear Monterey County Board of Supervisors:

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site.

We travel to Fort Ord at least once a week to use these trail and spend time and money locally while there. This is a wonderful resource and the current MST plan would ruin more that the trail connections but also destroy local habitat. They have other options!!!

Lets protect this area and honor previous committments and visions for trail connections that we currently use; and, attracts many from outside the area as well, to this wonderful resource.

We speak not only for ourselves; but for the Western States Draft and Driving Association membership, out of Hollister, California.

Melinda and Norishige Takeuchi



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6422

RECEIVED
MONTEREY COUNTY
MAY 11 PM 2:10
CLERK OF THE BOARD

County of Monterey, Board of Supervisors
Gail T. Borkowski, Clerk of the Board
168 West Alisal St., 1st Floor
Salinas CA 93901

May 9, 2011

[Signature]
DEPUTY

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

The City of Del Rey Oaks is a member of the Monterey-Salinas Transit District (MST) and recognizes the important role that public transit plays in supporting our local economy, environment, and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit currently lacks appropriately sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under SB 375 and AB 32, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

Recognizing the need to grow, and in order to achieve efficiencies in operation, the MST Board seeks to consolidate its transit bus operations, maintenance, and administration functions within a single facility at the Whispering Oaks parcel on the former Ft. Ord as part of a joint development project with the Redevelopment Agency of Monterey County. The site is ideally located adjacent to Intergarrison Road, which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula.

To date, MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan, Monterey County General Plan, and applicable zoning ordinances. The development plan implements measures that go above and beyond the requirements of the Zoning Ordinance and County General Plan for replacement/replanting of oak trees removed from the site by exceeding the 1:1 replacement requirement. The Project conforms to and promotes the Base Reuse Plan and County General Plan and will help to correct the current job/housing imbalance on the Base. It represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County.

Further delays to the approval of this project will result in increased costs and decreased efficiency to Monterey-Salinas Transit which will have a negative impact on the services they provide to the communities in our region.

The City of Del Rey Oaks encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,

[Signature]
Jerry Edelen
Mayor

RECEIVED
MONTEREY COUNTY

Dear Monterey County Board of Supervisors:

2011 MAY 11 PM 2:27

I am writing to express my opposition to the MST plan to construct a bus maintenance center and industrial park on a coast-live-oak habitat and vital recreational trail, the Sgt Allan MacDonald Cavalry Trail. I request that you vote to affirm the unanimous denials of the County Planning Commission and encourage MST to find a more appropriate, unwooded site. _____ DEPUTY

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replanting. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

We recognize the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory, unwooded sites exist elsewhere.

Development at Intergarrison and Seventh Avenue will devastate a robust woodland of a kind that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of the beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been told, this is NOT an old, diseased stand of trees, but a mature and biologically diverse woodland. Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation.

The proposed placement will be catastrophic to the Sgt Allan MacDonald Cavalry Trail. This trail and its greenway are an irreplaceable link in the overall network taking trekkers from the Monterey Coastal Bike Trail, to the Marina Equestrian Center, to the Jerry Smith Access Corridor, and to 82 miles of federal trails in the Fort Ord interior.

A coherent Fort Ord trail system adds tremendous value to Monterey County residency and draws visitors from all over California. Squandering this asset is unthinkable.

Very truly yours,



From: Claudia Vasquez [Claudia.Vasquez@cityofsoledad.com]
Sent: Tuesday, May 17, 2011 4:16 PM
To: 112-Clerk of the Board Everyone
Subject: Letter of Support

Attachments: DOC051711.pdf



DOC051711.
pdf (50 KB)

Greetings Mrs. Borkowski,

Attached please find the signed letter of support. The original will follow in the mail.

Thank you,

Claudia Vasquez

Executive Assistant to the City Manager
Administration Department
City of Soledad
831-223-5012
831-678-3965 ~ Fax
248 Main Street
P.O. Box 156
Soledad, CA 93960
claudia@cityofsoledad.com

Please consider the environment before printing this email.

-----Original Message-----

From: Toshiba_copier [mailto:svc-toshiba@cityofsoledad.com]
Sent: Tuesday, May 17, 2011 4:05 PM
To: Claudia Vasquez
Subject: Scanned from MFP-04431180 05/17/2011 16:05

Scanned from MFP-04431180.
Date: 05/17/2011 16:05
Pages:2
Resolution:200x200 DPI



May 17, 2011

County of Monterey, Board of Supervisors
Gail T. Borkowski, Clerk of the Board
168 West Alisal St., 1st Floor
Salinas CA 93901

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

The City of Soledad is a member of the Monterey-Salinas Transit District (MST) and recognizes the important role that public transit plays in supporting our local economy, environment, and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit currently lacks appropriately sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under SB 375 and AB 32, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

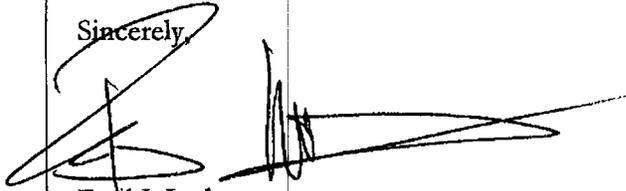
Recognizing the need to grow, and in order to achieve efficiencies in operation, the MST Board seeks to consolidate its transit bus operations, maintenance, and administration functions within a single facility at the Whispering Oaks parcel on the former Ft. Ord as part of a joint development project with the Redevelopment Agency of Monterey County. The site is ideally located adjacent to Intergarrison Road, which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula.

To date, MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan, Monterey County General Plan, and applicable zoning ordinances. The development plan implements measures that go above and beyond the requirements of the Zoning Ordinance and County General Plan for replacement/replanting of oak trees removed from the site by exceeding the 1:1 replacement requirement. The Project conforms to and promotes the Base Reuse Plan and County General Plan and will help to correct the current job/housing imbalance on the Base. It represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County.

Further delays to the approval of this project will result in increased costs and decreased efficiency to Monterey-Salinas Transit which will have a negative impact on the services they provide to the communities in our region.

The City of Soledad encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred J. Ledesma", written over a circular stamp or seal.

Fred J. Ledesma
Mayor

TAMC RECEIVED
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
FOR MONTEREY COUNTY

2011 MAY 17 PM 4:40



Regional Transportation Planning Agency • Congestion Management Planning
Local Transportation Commission • Monterey County Service Authority for Freeways & Expressways

May 10, 2011

DEPUTY

County of Monterey, Board of Supervisors
Gail T. Borkowski, Clerk of the Board
168 West Alisal Street, 1st Floor
Salinas CA 93901

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

The Transportation Agency for Monterey County recognizes the important role that public transit plays in supporting our local economy, environment and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit (MST) currently lacks appropriately sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under Senate Bill 375, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

Recognizing the need to grow, and in order to achieve efficiencies in operation, the MST Board seeks to consolidate its transit bus operations, maintenance and administration functions within a single facility as part of a joint development project with the Redevelopment Agency of Monterey County at the Whispering Oaks parcel on the former Ft Ord. The site is ideally located adjacent to Intergarrison Road which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula. To date MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan and the Monterey County Regional Transportation Plan. The Project represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County.

Further delays to the approval of this project will result in increased costs and decreased efficiency to MST which will have a negative impact on the services they provide to the communities in our region. The Transportation Agency therefore strongly encourages the Board of Supervisors to approve the proposed MST Maintenance Facility project.

Sincerely,


Debra L. Hale
Executive Director

P: \Correspondence\2011\Outgoing\Sedoryk - Letter of Support for MST Facility.doc



City of Salinas

OFFICE OF THE MAYOR
200 Lincoln Avenue Salinas, California 93901

RECEIVED
MONTEREY COUNTY

2011 MAY 19 PM 4:38

Phone (831) 758-7201 Fax (831) 758-7368

CLERK OF THE BOARD

DEPUTY

May 4, 2011

Gail T. Borkowski, Clerk of the Board
County of Monterey Board of Supervisors
168 West Alisal St. 1st Floor
Salinas CA 93901

RE: Monterey-Salinas Transit Maintenance Facility Letter of Support

Dear Board of Supervisors:

The City of Salinas is a member of the Monterey-Salinas Transit District (MST) and recognizes the important role that public transit plays in supporting our local economy, environment, and quality of life in the region. While demand for public transit services continues to increase, Monterey-Salinas Transit currently lacks appropriately sized facilities to maintain and operate its existing fleet of vehicles. In order to effectively respond to the greenhouse gas and vehicle emissions reduction targets for our region as required under SB 375 and AB 32, MST will need to expand its fleet to meet increased demand throughout the Monterey Bay Region.

Recognizing the need to grow and in order to achieve efficiencies in operation, the MST Board seeks to consolidate its transit bus operations, maintenance, and administration functions within a single facility at the Whispering Oaks parcel on the former Fort Ord as part of a joint development project with the Redevelopment Agency of Monterey County. The site is ideally located adjacent to Intergarrison Road, which is planned to be the primary major east-west multi-modal traffic corridor between the Salinas Valley and the Monterey Peninsula.

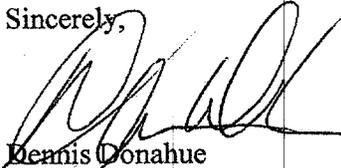
To date, MST has invested \$4.7 million dollars in planned development on this site that is consistent with the Fort Ord Base Reuse Plan, Monterey County General Plan, and applicable zoning ordinances. The development plan implements **measures that go above and beyond the requirements of the Zoning Ordinance and County General Plan for replacement/replanting of oak trees removed from the site by exceeding the 1:1 replacement requirement.** The Project conforms to and promotes the Base Reuse Plan and County General Plan and will help to correct the current job/housing imbalance on the Base. It represents a significant investment of resources and jobs that will only benefit the residents of the communities within Monterey County.

Further delays to the approval of this project will result in increased costs and decreased efficiency to Monterey-Salinas Transit which will have a negative impact on the services they provide to the communities in our region.

Monterey County Board of Supervisors
May 4, 2011

The City of Salinas encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,



Dennis Donahue
Mayor

cc: Salinas City Council
Salinas City Manger
Salinas Public Works Director

From: Louise & Peter Berry [plberry850@comcast.net]
Sent: Friday, May 20, 2011 10:18 AM
To: 112-Clerk of the Board Everyone
Subject: Please uphold your planning commission decision to deny MST in Ft Ord open space.
PLEASE DELIVER THIS MESSAGE TO THE COUNTY BOARD OF SUPERVISORS. Thank you.

Dear Supervisors,

I am totally in favor of increased public transportation and therefore support Monterey County Transportation Services. That is not the problem. The problem lies in the misjudgment of trying to again encourage commercial development while ignoring the needs of all citizens for open spaces and the need to protect our trees. We have plenty of sand, but desperately need our vegetation!

The Monterey County Redevelopment Agency has neglected to consider the need for open space (Seaside has the least open space in the county) and for preserving trees and trails when it suggested that MST build their maintenance yard right smack in the middle of trails and thousands of oaks. One argument, that MST will plant trees to replace those bulldozed, does not hold water- it will be many years- a very many years- before the replaced trees would mature!

Perhaps it will cost more money to change the location now, but in the long run, considering the long term effects to our environment and open spaces, that is not so much. I understand that the powers that be have spent a long time in this process and I am sorry that we, the public, took so long to become involved. Perhaps in the future, public hearings could be available when open space is considered for development.

Perhaps there were public hearings, advertised by the developer, before this. As I am a new comer, of a year and a half, to Seaside I don't know the answer to that.

I urge you to uphold the decision of your planning commission to deny this permit. Please advise MST that Marina airport is much more appropriate and has the support of the Marina community.

Thank you for your attention,

Louise Berry
24 Yerba Buena Ct
Seaside Ca 93955
831-920-1799

From: Joshua Soto [joshua.m.soto@gmail.com]
Sent: Sunday, May 29, 2011 5:49 PM
To: mst@mst.org; 112-Clerk of the Board Everyone
Cc: fortordrecu@gmail.com
Subject: Fort Ord Trails

Hello,

I am writing to get more information on a proposed bus maintenance yard and industrial park scheduled to be developed in the woodland space along Inter-garrison road on the old Fort Ord. My concern is for maintaining the area surrounding my community as well as keeping a green space for community recreation. I would like to know more about the impact this development would have on the area and the impact it would have on traffic, flora and wildlife. I can most easily be reached by email. Thank you in advance for your time and quick response.

Respectfully,

Josh Soto

From: SUSAN L SCHIAVONE [s.schiavone@sbcglobal.net]
Sent: Monday, May 30, 2011 9:34 AM
To: MST@MST.ORG; 112-Clerk of the Board Everyone
Subject: Whispering Oaks Business Park, Ft Ord in general

Please add my support to moving the MST Corporation Yard and business park to the Marina airport area.....If people really understood the importance of forested areas for the health of the environment as well as people, this decision would be a no-brainer.....use the areas already polluted and paved over....leave what is left of nature alone.....**incidentally, someone should look at the proposed shopping center at Lightfighter off the highway.....this piece of property is the only wildlife corridor that appears to be connecting to the Dunes state beach**.....if access for people is an issue, then certainly access for wildlife should be considered as well....a really good idea would be to look over the current map of Fort Ord and think from their perspective - making a continuous corridor of wild area that accesses the beach park would be the most sensible way to go.....things could get moved a bit and still work out. Thank you for listening.

From: jkeyes [keymac@ocsnet.net]
Sent: Tuesday, May 31, 2011 8:16 AM
To: 112-Clerk of the Board Everyone
Subject: Letter concerning the County Planning Affirmation of the MST Yard.

To all Members of the Monterey County Board of Supervisors,

My name is John Keyes; I am Chairman of the California Equestrian Trails and Lands Coalition; CET&LC represents 16 horse organizations that have a combined equine representation of over thirty five thousand members.

I request that you the County Supervisors affirm the April 13, 2011, decision of the County Planning Commission concerning the MST corporation yard and industrial park, and that you urge MST to withdraw its appeal.

Although there may be costs involved in choosing an alternative site, there are offsetting savings in not having to clear cut trees and fauna or replant oaks. Many sites, such as the Marina Airport, have preexisting infrastructure, adding to the savings. Much of the completed building plans and EIR study will be equally applicable at a new site, allaying the need to recreate the wheel.

CET&LC recognizes the benefit MST services provide to the County, however it is environmentally irresponsible to construct a transit center on 58 acres of oak woodlands while blight goes undeveloped and satisfactory sites exist elsewhere.

Development at Intergarrison Road and Seventh Avenue will devastate a healthy woodland area a kind of area that the County has pledged to protect and preserve. The proposed mitigation to this destruction—planting seedlings elsewhere—will not compensate for the loss of a beautiful habitat along Intergarrison Road. Contrary to what decision makers may have been informed this is not an old, diseased stand of trees but thriving and biologically diverse woodland.

Replacement of a similar number of saplings in scattered locations about the former Ford Ort is hardly mitigation. The proposed clear-cutting of 4,400 trees will be catastrophic to the beach-to-BLM greenway that was set forth early on by FORA planners. The development will sever an irreplaceable link in the overall network that takes trekkers from Pacific Grove north along the Monterey Coastal Bike Trail to the multi-use Marina Equestrian Center trail hub, and along the Sgt Allan MacDonald Cavalry Trail to historical cavalry features and 82 miles of federal trails.

A coherent trail system, such as Fort Ord, only adds to the tremendous value to Monterey County residency and draws visitors from all over California. The Marina City Council is taking a stand consistent with the Planning Commission's decision and is offering an alternative site. I ask you the Monterey County Board of Supervisors to weigh in to prevent this loss of beautiful land and the loss of historical trails.

Sincerely,

6/10/2011

John Keyes: Chairman California Equestrian Trails and Lands Coalition

www.calequestriancoalition.com/

5/31/2011

6/10/2011

From: Karen Benzel [KarenBenzelPR@comcast.net]
Sent: Thursday, June 02, 2011 6:21 AM
To: 112-Clerk of the Board Everyone
Subject: Say NO to MST bus yard in Fort Ord!

Dear Board Members,

As a user of the space MST plans to build a bus yard in, I want to say that this is a terrible thing to do to the public who uses the trails at old Fort Ord. Surely they can find another spot that doesn't require destroying a forest of oaks and historic trails.

I am other lovers of open space and natural lands will be fighting this and our only hope is that you, the Board of Supervisors, force them to change their plans.
Sincerely,

Karen Benzel & Dan Brumlik
PO Box 5334
Carmel, CA 93921

From: Harriet Mitteldorf [harriet@redshift.com]
Sent: Friday, June 03, 2011 12:33 PM
To: 112-Clerk of the Board Everyone
Subject: PLEASE DENY MST REZONING REQUEST

RECEIVED
MONTEREY COUNTY

2011 JUN -3 AM 10: 11

CLERK OF THE BOARD

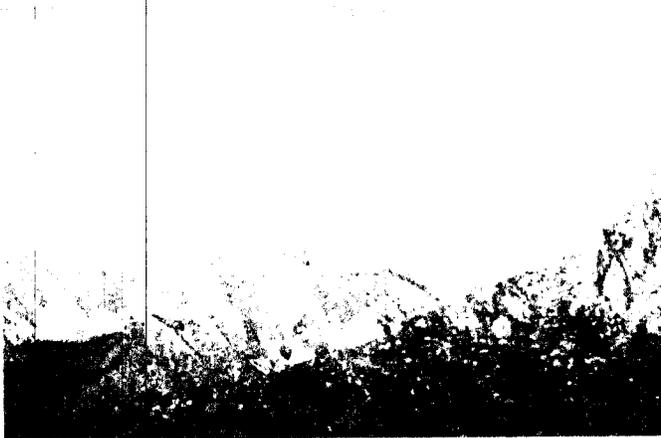
DH

DEPUTY

care2 search web search

- real food
- trailblazers for good
- education
- animal welfare
- global warming
- environment & wildlife
- politics
- health policy
- human rights
- women's rights
- civil rights

Obama Admin Rescinds Wilderness Protection



test from GinaMarie C.

join this cause

Facebook Twitter Email

543 Digg Reddit Care2 StumbleUpon

173 comments

Interior Secretary Ken Salazar sent a letter on Wednesday to the Director of the Bureau of Land Management reversing his December 2010 order to make millions of acres of public land eligible for wilderness protection. The December order reversed the Bush administration's 2003 policy which opened up Western federal land to commercial development.

The memo mentioned that on April 14, 2011 Congress passed an appropriations bill which included a provision prohibiting the use of appropriated funds for the December order.

A spokesman for the National Resources Defense Council (NRDC) points out that the congressional members who prohibited appropriated money from being used for the December order are "emboldened by the same oil and gas interests that opposed the Wild Lands policy."

Environmental groups are naturally upset by the memo. William Meadows, president of The Wilderness Society, said "Without strong and decisive action from the Department of Interior, wilderness will not be given the protection it is due, putting millions of acres of public lands at risk."

The letter also mentioned that a letter was sent to Congress from 50 representatives from six Western states. "Rural counties with wilderness or other protected federal lands experience greater economic and population growth than those without wilderness," the letter said. "A decision by the Department of the Interior today to not implement the Bureau of Land Management Wild Lands policy threatens the very



related actions



Customize your Causes
new letter now

subscribe

Steve
Eklund

13 comments

15 comments

From: Seth [parisopolis@gmail.com]
Sent: Saturday, June 04, 2011 7:40 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: Please Do Not Approve the MST plans

Dear Monterey County Supervisors,

Please do not overturn the wise and considered decision by the county planning commission to deny approval for the building of the MST maintenance yard. As a Seaside homeowner and resident I am very concerned at the potential loss of these rec trails that provide access to the currently serene, beautiful, and natural scenery of Fort Ord. This will affect the property values here as well as the quality of life of thousands of residents and visitors who will loose the hiking, biking, and horseback opportunities that lie within Fort Ord land. It is a huge natural resource that adds so much value to our area. This is far too important to bulldoze and destroy for the purposed proposed by MST. I am sure there is another site that could accomodate their needs. Also the 4400 oak trees and the habitat they provide for many important animals is a precious natural resource that we need to be diligent in protecting. I am unable to attend the meeting where you will discuss this but it is still very important to me and my family and I know I speak for other residents of the area that cannot attend. Please be very careful in your consideration of this issue as this will not be a reversible situation once the destruction of the land and resources ensues.

Sincerely,
Seth Paris

Seth Paris, GCFP, CEES

seth@parishealingarts.com

<http://www.parishealingarts.com>

831.655.9611

..

From: Patricia Puterbaugh [pmputerbaugh@yahoo.com]
Sent: Sunday, June 05, 2011 2:28 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: Greenway

Hello Monterey County Board of Supervisors and the Transit company of Monterey County -

Firstly, thank you very much to the Board for turning down the request of the transit company to bulldoze and clearcut acres of coastal oak woodland. Oak woodlands are a treasure for all California and rapidly disappearing. It is imperative that another place be found for the site. We have used the bike trail many, many times on our trips to Monterey county. We have a home at Monterey Dunes and our family, friends and many tourists and residents use this trail for biking, walking and riding. It should be preserved.

I am a strong advocate for rapid transit, but it has to be put in a place that will have the lowest impact on scenery, traffic and the ecosystem.

There are other sites in the county that could be utilized. What about the area on the East side of Hwy 1 south of the landfill? Use areas of the county that are already not functioning as habitat.

Thank you,

Patricia Puterbaugh, 176 Monterey Dunes Way, Castroville, CA

--

From: Susan Morse [smorse@csumb.edu]
Sent: Sunday, June 05, 2011 10:31 PM
To: 112-Clerk of the Board Everyone; Margaret Davis
Subject: No MST on FT Ord

Dear Supervisors.

I am opposed to placing the MST terminal on Ft. Ord. This is not vacant land for the taking. This land is used by people and animals, it is part of our Natural Capital, and is very important. Green development demands that MST terminal should be in a location that is already barren as a result of development. The Airport is ideal for this. There are lots a properties that are not empty as a result of the economic decline. We do not want to reduce our Natural Capital, is it one of our most valuable assets.

Economics Instructor,
School of Business,
CSUMB

--
Susan Morse
Instructor, School of Business
Office 82C #5
California State University, Monterey Bay
831 915-8691 cell

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever does”
Margaret Mead

6/10/2011

From: Paul Turner [pturner@me.com]
Sent: Monday, June 06, 2011 12:43 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: MST tree destruction

If this project goes ahead, I will support the making of a video for broadcast on Earth Day as the Monterey County "Green" approach to protection of the environment

From: John Sibert [jsibert36@sbcglobal.net]
Sent: Monday, June 06, 2011 2:20 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: MST / FORMER FT. ORD

We write:

In support of the Monterey County Planning Commission's unanimous decision recommending against the MST current plan for the location of their "hub".

In support of the Marina Airport Business Park as a location. A reasonable site; convenient to major roadways; infrastructure already in place; less pristine habitat to destroy.

In support of maintaining a rich & diverse habitat that reflects the values, needs and contributions of its citizens in all stages of life.

It is our hope that you will concur with the recommendations of your planning commission and avoid the destruction of one more natural ecosystem while overlooking the blighted ghost town that was once Ft.Ord.

John D. Sibert
Mary A. Sibert
43 San Felipe Ct.
Salinas, CA 93901

From: Doug Smith [dosmith@csumb.edu]
Sent: Monday, June 06, 2011 3:38 PM
To: 112-Clerk of the Board Everyone; 100-District 4 (831) 883-7570
Subject: Against MST on Fort Ord

Dear Monterey County Supervisors,

I am writing to strongly object to the proposed MST operations yard/Business Park proposed for Intergarrison Road.

I travel past that site each day as I commute to CalState Monterey Bay for work. I also live close enough to the site that I would probably hear the daily operations. I very much cherish the native oak woodland forest that lines Intergarrison, and I highly value the ecosystem that it supports.

Please do not permit MST to relocate to the Intergarrison site.

Thank you.
Douglas Smith
1322 Patch Court
Marina, CA 9393

From: Suzy Worcester [suzanne.worcester@gmail.com]
Sent: Monday, June 06, 2011 4:19 PM
To: 112-Clerk of the Board Everyone
Subject: Reject appeal by MST for Whispering Oaks site
Attachments: Letter to Board of Supervisors_MST_June5_2011.docx

Dear Supervisors,

Please see the attached letter describing why moving the the MST Whispering Oaks project to the Marina Airport is an excellent idea. I strongly encourage you to follow the advise of the Planning Commission to deny the MST's appeal. Thank you very much for your time and service to Monterey County.

Sincerely,
Suzanne Worcester

6/10/2011

June 6, 2011

Dear Supervisors Armenta, Calcagno, Salinas, Potter and Parker,

I thank you for all of the service you do on behalf of Monterey County. However I urge you to REJECT the appeal by MST to build both a bus operations hub and a business park at the Whispering Oaks site on Fort Ord. I also urge you to support building the MST hub at the Marina Airport. **It is not too late to change locations** – indeed changing locations will likely save taxpayers money. Please support the unanimous recommendations your own Planning Commission on April 13.

Here is a list of reasons of why the Whispering Oaks site is the wrong location for the bus operations yard and business park:

1. The *Whispering Oaks site was designated as open space/habitat management by FORA for almost all of the past 15 years*. FORA only recently changed this site to an MST location (in just the last few years).
2. This *project will create blight on Fort Ord* rather than alleviate existing blight. I write this because East Garrison is a perfect example of taking open space and turning it into blight. The economy will not support another business park beyond the Marina Airport. Thus leveling intact oak woodland and letting more than half of the site sit empty, growing noxious weeds that are a problem elsewhere, is creating blight. This opposes the goals of redeveloping Fort Ord.
3. The Whispering Oaks project will *destroy thousands of oak trees* including likely heritage oak trees which are protected by Monterey County law. These oak woodlands are currently used by deer, bobcats, coyotes, turkeys and other wildlife. I have seen these animals at this location myself. Individual oak trees are protected throughout Monterey County, why not on Fort Ord?
4. This land use is *inconsistent with the CSUMB campus*. The development around campus should be student-friendly – “light industrial” is not student-friendly. Indeed the campus has moved strongly in the direction of more ridership on MST. Introducing many different buses to the campus that are not intended for students will confuse students and decrease ridership. It will also reduce the quality of campus life by increasing outside, non-campus traffic.
5. The project is *inconsistent with the 2010 Monterey County General Plan*. The Monterey County Planning Commission made that clear in their April 13 meeting.
6. The project *destroys the Sgt Allan MacDonald trail* as a recreational trail for horses. It also destroys the planned scenic corridor from the coast to the BLM lands. Anyone who has ridden horses knows that it will convert the current trail through the woods into a dirt road through an industrial area. This will not be a sufficient replacement for the recreational corridor horse riders currently have.
7. *Removing 4400 oak trees is increasing the carbon footprint* of Monterey County. This is inconsistent with AB 32 which is intended to have all of California reduce its carbon footprint. Although MST says they will replant these trees, small 1 gallon-pot trees are hardly a replacement for 100 year old oaks. To actually replace these magnificent, slow-growing trees in-kind would a tremendous amount of money. Any appropriate location for mitigation already has oak woodlands on the site. If the idea is to replace blighted parking lots with oak trees, it would be much easier to build a business park and bus operations on old parking lots then to try to coax oak trees on sites currently covered in parking lots.

(This just supports keeping oak trees where they currently grow, and keeping buildings and concrete where they already are.)

8. *Why aren't there efforts to get rid of blighted areas on Fort Ord?* Why take out virgin habitat when there are miles of parking lots and abandoned buildings that are just waiting to be redeveloped? Even the current location where MST parks its buses on Gigling between 7th and 8th Avenue would be greatly preferable to the Whispering Oaks site. Indeed the area could be expanded from 6th Ave to 8th Ave and from Gigling to Col. Durham. This would be a large area that actually needs to be redeveloped. That is a good use of our tax dollars. (The Marina Airport has some clear advantages as a building site that I will describe below.)

Here is a list of reasons why the Marina Airport is the right location for the MST hub:

1. The *Marina Airport already has most of the infrastructure ready for MST*. It even has its own spotlight onto Reservation Rd. (It also has sewer, water, power, etc.).
2. Because the infrastructure has already been built at the airport, this will save a lot of money. Indeed it may more than recoup the costs of switching project locations at this date. (Especially when the costs of trying restore an oak woodland are included.)
3. The Marina Airport is *much better location as a regional bus hub*. It has immediate access to Salinas via Blanco Rd and immediate access onto Reservation Rd and thus the Monterey Peninsula. Both roads are large thoroughfares intended for high volumes of traffic. (Intergarrison is not intended for that high of a volume of traffic.)
4. We need a strong and vibrant public transportation system. I encourage the development of MST. Moving the site to an appropriate location is a win-win solution.
5. The Marina Airport site is covered with weeds that do not provide prime habitat for wildlife. There is very little impact on habitat values and much less impact on the county's carbon footprint by developing at the Marina Airport. This parcel is intended for this type of development.

Here are some responses to the arguments made for the appeal by MST:

1. "Most of the oak trees are dead at the site." The oak woodlands at this site are just like all of the oak woodlands on the central coast. It has a combination of young trees, medium-aged trees, older trees and dead trees. This is a healthy and vibrant ecosystem that provides habitat for many species. (I have a Ph.D. in Integrative Biology.) Dead trees provide habitat as well as live trees. As an example, I just saw a pair of Western bluebirds nesting in the cavity of a dead tree on Fort Ord. I have seen many types of wildlife (deer, coyotes, red-shouldered hawks, etc.) at the Whispering Oaks site. Their very presence at the site demonstrates it is high quality habitat.
2. "Too much money has already been spent on the Whispering Oaks site." The fallacy of this argument is that the cost to level the site, install infrastructure, and put in additional traffic mitigation on Intergarrison, will likely cost more than is being lost in the planning phases. The cost to *effectively* replace the oak trees will also be extremely high.

3. "It is too late." It is never too late to step away from a wrong decision – a decision that will undoubtedly increase blight on Fort Ord. A right decision is just down the road at the Marina Airport.

As a Fort Ord homeowner who pays all of my taxes to the County of Monterey (I live in unincorporated Monterey County), I want my taxes to be used in responsible ways that benefit the local community. I see plenty of benefit in expanding MST services in the county. I strongly encourage public transportation in Monterey County. However I don't see any benefit in having the project at the Whispering Oaks site when environmentally-suitable alternatives exist in close proximity.

Sincerely,

Suzanne Worcester, Ph.D.
1604 Hodges Ct
Marina, CA 93933
(sent via e-mail)

From: h_neuwirth@comcast.net
Sent: Monday, June 06, 2011 10:34 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: don't take the public lands we have worked for

Please re-consider that the recreational trails are public open space. The MST project will landlock access to prescribed use.
Move it some where else or expect civil suites.

Hallie Neuwirth
Overhead trail maintenance on HORSE BACK.
1980 Dolphin Dr.
Aptos, Ca 95003

From: Kevin Johnson [kejohnson@csumb.edu]
Sent: Tuesday, June 07, 2011 10:08 AM
To: 112-Clerk of the Board Everyone; mst@mst.org
Subject: MST

Hello,

I am a writing today to encourage you that it is not to late to move the MST location in Fort Ord. The proposed MST transit system will needlessly destroy a large portion of the already heavily impacted Oak Woodland of Fort Ord. With the presence of so many large open cement lots surrounding the CSUMB campus and the Marina Airport I feel there are many viable options for the needed MST to consider that will not permanently remove a large section of oak woodland from this small reserve.

Thank you,

-Kevin Johnson

From: Daniel Shapiro [dshapiro@csumb.edu]
Sent: Tuesday, June 07, 2011 11:32 AM
To: 112-Clerk of the Board Everyone
Subject: MST Operations Yard/Business Park

To the Monterey County Board of Supervisors,

I am writing in strong opposition to the proposed building of the MST Operations Yard/Business Park along Intergarrison Rd. on the former Fort Ord. This is important and valuable habitat that supports a vibrant ecosystem and is treasured by many, including myself. Please consider an alternative site that does not require this level of destruction of natural habitat.

Why am I (and many others) against this project? I support MST and more public transit in the area (and I even ride MST), but this is not the right location for the bus operations buildings (and especially the added business park!).

1. The project is large. It will clear all of the land from Fredrik's Park to main campus on the North side of Intergarrison and turn it into a Bus Operations Yard and Business Park. It will cover 58 acres. This alone will radically change the character of campus.
2. There is an alternative site that is much better at the Marina Airport. At that site the infrastructure (sewer, water, electricity, etc.) has already been built. There is already a street light on Reservation Rd that would work beautifully for this. The Marina Airport is a much better site for a bus hub as it centrally located between Salinas (has access to Blanco Rd) and the Monterey Peninsula. Both Reservation Blvd. and Blanco Rd are large streets that can handle high volumes of bus traffic. Our campus is not intended to have large volumes of traffic. Huge volumes of bus traffic will not reduce our campus climate. We do want buses on campus that are for carrying us to and from campus -- we don't want all other buses in the area to use campus as a thoroughfare.
3. "Light Industrial" and "college campus" don't go together. As Fort Ord redevelops, we need either small businesses like pizza and coffee shops or open space next to campus. We don't need light industrial areas. We need to improve the feel of the campus, not make it worse.
3. Why do we want to remove beautiful habitat when Fort Ord is covered in parking lots and abandoned buildings which are just calling to be "redeveloped"? The MST/Whispering Oaks project will destroy oak woodland habitat that is actively used by deer, coyotes, bobcats, turkeys and more (as seen by my own eyes). It doesn't make sense to waste redevelopment dollars on prime open space when there is plenty of blighted land that need redevelopment. (MST currently parks its buses on Gigling and 7th Ave. If the Marina Airport site is unsatisfactory, why not redevelop the parking lots between 7th and 8th Ave and Gigling? Or even add the abandoned buildings all the way over to 6th Ave to make a larger project site? This is much preferred to the Whispering Oaks site.)
4. The project will cut down 4,400 oak trees. Heritage (really large) oak trees are protected by the County of Monterey. Other people have to get permits to cut down even one oak tree and this project will remove 1,000's of trees. MST says they plan to plant 4400 oak trees, but they have proposed no location where they would do this. (Plus a bus station will "grow" a lot better on abandoned parking lots than thousands of tiny planted trees which will most likely die if planted in the blighted areas of Fort

Ord.) The project will also be removing coast live oaks which take many decades (sometimes more than a century) to become large trees. Replanting such magnificent trees with a ton of little tiny 1 gallon potted trees won't even come close to compensating the lost habitat. (It is ironic the project is called "Whispering Oaks" - they won't be whispering much when they are buried in our landfill!)

5. The area has been zoned as Open Space since the mid-1990's. FORA (the Fort Ord Reuse Authority) designated it as open space at least as early as 1995 and only recently (2008?) changed its designation to allow MST to develop the site. It has been zoned as open space because it is part of a large recreational trail system that intends to connect the ocean with the Bureau of Land Management's Fort Ord Public Lands. Changing the zoning is inconsistent with open space and it is inconsistent with having a "BLM to the sea" trail system. It also really negatively impacts the horse riders at the stables just north of campus. They have just put in the Sgt. Allan MacDonald trail that crosses campus open space and connects to the BLM land (note the newly painted stripes across Intergarrison for horse crossings). This projects would remove this trail completely or turn it into an industrial corridor (which doesn't work well for skiddish horses which all of you who have owned/ridden horses before will know).

6. The project will create blight on Fort Ord. This is my opinion -- but it is clear that the economy will not fill a business park on Intergarrison for years (possibly decades) to come. To see what I mean just look at the Marina Airport Business Park that has been sitting mostly empty for more than 10 years. To see "created blight" even more close to campus just go to the east end of Intergarrison (past the barricades) and see the East Garrison housing project. It is has been sitting idle for years. They cleared all of the land (including many acres of oak woodland - some beautiful land) and now it is just sitting there accumulating weeds. It looks horrible (and it was a beautiful place full of trails to walk before it was razed).

7. Removing all of these oak trees increases the carbon footprint of our area. Rather than taking in CO2 and storing it as wood (which oaks do), we'll just be releasing CO2 into the atmosphere from buses and other people uses. This compounds our climate problem. Our land mark CA climate bill (AB32) encourages measures to be adopted statewide to reduce greenhouse gas emissions. The County of Monterey should not be exempt from following AB32.

8. It is a poor use of our tax dollars to redevelop prime open space. We've already spent tax dollars on renovating the Marina Airport -- and it is sitting only partially used. There is plenty of space at the airport for this project. When we are all feeling the state budget cuts on our wallets, why waste our money to create new blight? What does the campus community gain?

9. The Monterey County Planning Commission thinks the MST/Whispering Oaks project is a bad idea too. In April they concurred that alternative sites exist that are environmentally superior, the Whispering Oaks project removes to many oak trees, and the oak tree loss has not been minimized to the maximum extent possible. The County of Monterey should support their own staff recommendations to move this project to another site.

Sincerely,

Dan Shapiro, Ph.D.
Associate Professor
Science and Environmental Policy
California State University, Monterey Bay
Seaside, CA 93955
Phone: 831-582-3090
Fax: 831-582-4122

6/10/2011

email: dshapiro@csumb.edu

From: JoAnn Cannon [jcannon@csumb.edu]
Sent: Tuesday, June 07, 2011 12:20 PM
To: 112-Clerk of the Board Everyone
Subject: Support DENIAL of MST's proposed location on Intergarrison

Board of Supervisors.....On behalf of almost all of my students and myself as a faculty at CSUMB, I respectfully and strongly urge you to NOT ALLOW MST to destroy wooded oak lands and build a huge fleet operations facility at the Intergarrison location. We members of the CSUMB community are a growing university. We are not an industrial site! It is not too late to change locations. MST will undoubtedly save money by moving the project to the Monterey Airport because the infrastructure has already been built. We beg you to deny MST's appeal. Support the Planning Commission's denial to MST to rezone our valuable, appreciated and needed woodlands.

As a citizen of Marina, I also believe our Mayor is correct that the MST should be at the Airport location. It is appropriate to have MST there as it is an industrial site that needs an anchor for it's development and the access is best for the comings/goings/ fixing and parking for all those buses.

Why in the world would you *not* support the already studied Monterey Planning Commission's action stating that MST can NOT rezone, tear up, build and pollute? Intergarrison Road is absolutely not the right location for bus operations buildings and especially the added business park! Please stand up to MST and do the right thing for our university community, the woodlands, our enjoyed trails, the wildlife that needs a home too and the overall environment.

Help MST understand and see they belong in the industrial park. Thank you for your consideration. We shall be watching.

Dr. J.A. Cannon
CSUMB faculty &
Marina Citizen

OAKS California Oaks

Monday, June 11, 2011

Monterey County Board of Supervisors
PO Box 1728
Salinas CA 93902

RE: Whispering Oaks Business Park

Dear Supervisors:

"[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of just one individual tree?" [Center for Biological Diversity v. National Highway Traffic Safety Administration (US Ninth Circuit Court, 2007)]

Based on the latest University of California figures (2007), CWF/California Oaks has estimated that since 1990 California has converted 325,000 acres of oak woodlands to non-forest use. This means in California there are substantially less acres of oak forest to help reduce state CO2 emissions to 1990 levels by 2020 as required by Assembly Bill 32 (2006). Additionally, the escalating deforestation of oak woodlands will make it that much more difficult and expensive to meet California's goal of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050.

The peer-reviewed publication "Oaks 2040: The Status and Future of Oaks in California" (2006) estimates that up to 75,000 acres of oak resources are at risk of conversion to non-forest use by 2040. A companion study, "Carbon Resources in California Oak Woodlands" (2008), calculates that "California oak woodlands and forests could sequester a billion tons of carbon [and] up to 33 million tons of sequestered carbon are at risk [by 2040] of entering the atmosphere should development processes eliminate these oak woodlands and forests, and their associated carbon pools."

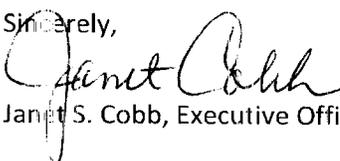
California's green-house gas (GHG) policy has placed a premium on conserving native forests, specifically recognizing the unique capacity of existing trees to naturally sequester large quantities of CO2 over time and the adverse public health effects of discharging that stored carbon back into the atmosphere when forests are unnaturally impacted.

California has officially designated CO2 a grave human health risk. The US has been the biggest GHG emitter in the world and California is the second-largest CO2 emitter in the US. In fact, all the California Environmental Quality Act (CEQA) overriding considerations over the past 40 years have been a significant contributor to the current GHG crisis. Local indiscretion has been the granddaddy of carbon cumulative impacts.

Monterey County must ask itself if allowing the removal of 84 acres of oak woodland habitat is a globally responsible act, and the loss of 4,400 coast live oak trees healthy for its citizens.

CWF/California Oaks asks that an alternate site be chosen for Whispering Oaks Business Park.

Sincerely,


Janet S. Cobb, Executive Officer

RECEIVED
PROPERTY CLERK
2011 JUN -7 PM 1:40
CLERK OF THE BOARD
DEPUTY

From: Heather Kramp [hkramp@csumb.edu]
Sent: Tuesday, June 07, 2011 4:04 PM
To: 112-Clerk of the Board Everyone; mst@mst.org
Subject: Please DENY MST's appeal for rezoning of Fort Ord land for a Bus Operations Park and Business Yard

Dear Monterey County Board of Supervisors,

As a CSUMB student, I am greatly opposed to the building of MST's bus operations park and business yard along the north side of Intergarrison road. I avidly support public transportation, MST (which I utilize frequently), and support increased public transit; however, I cannot support the clearing of 58 acres of Fort Ord next to CSUMB for a business park.

My desire to move to Monterey and enroll at CSUMB was largely dependent on the character of the campus. The surrounding recreational and educational opportunities within Fort Ord, as well as CSUMB's east campus housing, supports a unique and wonderful learning environment that has greatly enriched my education. I cannot fathom any reasons for how an industrial park would positively integrate into this educational setting. Considering CSUMB's college atmosphere and growth potential, enticing new students to enroll and supporting an educational environment through small businesses, like restaurants, coffee shops, and retail stores, or the recreational opportunities like the hiking, biking, and horse trails that are presently used, is much more conducive to the current uses for Fort Ord.

The site next to the Marina airport already has the infrastructure and space necessary to support a bus operations park and business yard. In light of this, I strongly oppose using more tax dollars to develop Fort Ord. The airport and MST's operations are conducive to one another and the airport site was designed to handle higher amounts of traffic that CSUMB is not designed to support. Increased traffic will further diminish the qualities of CSUMB that I was, and I'm sure other students are, attracted to. I transferred from a very large college in a very large city, which CSUMB and Monterey are not. The subdued and quaint nature of CSUMB will be negatively and irreparably influenced if the building of this business yard continues. I cannot condone transforming Fort Ord into a conflicting use zones that will ruin the educational and recreational qualities that make CSUMB a unique and exemplary learning facility.

In addition, there are acres of abandoned structures as well as empty and overgrown parking lots that could be reclaimed for a business park, if absolutely necessary. This would minimize impact on the environment, preserve habitat and recreational opportunities, and if placed appropriately near campus, it could minimize the traffic impact along Intergarrison road, which is the primary connection between student, staff, and faculty housing and the campus. Clearing the site along the north side of Intergarrison road will clear thousands of protected oaks which need not be removed considering there are other, more practical options for MST's business park.

In light of these facts, please support the previous decision by the Monterey County Planning Commission to DENY rezoning of the 58 acres on the north side of Intergarrison road in Fort Ord. Previously, the Monterey Planning Commission determined there were other, environmentally superior sites, including the Marina airport. Please support the Monterey Planning Commission on NOT rezoning this area of Fort Ord for the MST business park.

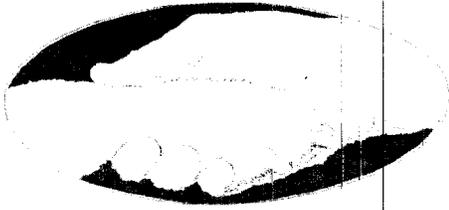
I have, and will continue, to fully enjoy my educational experiences at CSUMB and the beauty of Monterey which I now consider my home. Please don't allow the building of MST's business park tarnish my future experiences here. Thank you for your time.

Sincerely,

Heather Kramp

--

Heather E. Kramp
Environmental Science, Technology & Policy Major
Concentration in Marine and Coastal Ecology
Mathematics Minor
California State University, Monterey Bay



Institute for Canine Studies

June 8, 2011

SENT VIA EMAIL TO: cob@co.monterey.ca.us

Dear Monterey County Board of Supervisors.

It has come to the attention of the Institute for Canine Studies (ICS) that the Board of Supervisors will be considering some land use issues at Fort Ord that may impact the existing trail system and land we have some interest in.

We would like you to know that the Board of ICS strongly supports creating and maintaining a comprehensive and interconnected multi-purpose trail system to allow people of all ages and abilities access to the wonderful and varied recreational opportunities provided by the natural lands throughout the former Fort Ord.

We believe such a network serving residents and visitors will provide an important economic attraction as well as a valuable public amenity. ICS will be glad to work with all the jurisdictions and stakeholders involved to help make such a concept a reality.

We also want you to know the ICS Board is unequivocally supportive of the recent unanimous decision of the Monterey County Planning Commission on this subject.

Thank you for considering our point of view.

Joel Gambord
President & CEO
Institute for Canine Studies
Marina, California

From: Brittney Quon [bquon@csumb.edu]
Sent: Wednesday, June 08, 2011 4:01 PM
To: 112-Clerk of the Board Everyone
Subject: Save Fort Ord!!!

Why am I (and many others) against this project?

I support MST and more public transit in the area (and I even ride MST), but this is not the right location for the bus operations buildings (and especially the added business park!).

1. The project is large. It will clear all of the land from Fredrik's Park to main campus on the North side of Intergarrison and turn it into a Bus Operations Yard and Business Park. It will cover 58 acres. This alone will radically change the character of campus.
2. There is an alternative site that is much better at the Marina Airport. At that site the infrastructure (sewer, water, electricity, etc.) has already been built. There is already a street light on Reservation Rd that would work beautifully for this. The Marina Airport is a much better site for a bus hub as it centrally located between Salinas (has access to Blanco Rd) and the Monterey Peninsula. Both Reservation Blvd. and Blanco Rd are large streets that can handle high volumes of bus traffic. Our campus is not intended to have large volumes of traffic. Huge volumes of bus traffic will not reduce our campus climate. We do want buses on campus that are for carrying us to and from campus -- we don't want all other buses in the area to use campus as a thoroughfare.
3. "Light Industrial" and "college campus" don't go together. As Fort Ord redevelops, we need either small businesses like pizza and coffee shops or open space next to campus. We don't need light industrial areas. We need to improve the feel of the campus, not make it worse.
3. Why do we want to remove beautiful habitat when Fort Ord is covered in parking lots and abandoned buildings which are just calling to be "redeveloped"? The MST/Whispering Oaks project will destroy oak woodland habitat that is actively used by deer, coyotes, bobcats, turkeys and more (as seen by my own eyes). It doesn't make sense to waste redevelopment dollars on prime open space when there is plenty of blighted land that need redevelopment. (MST currently parks its buses on Gigling and 7th Ave. If the Marina Airport site is unsatisfactory, why not redevelop the parking lots between 7th and 8th Ave and Gigling? Or even add the abandoned buildings all the way over to 6th Ave to make a larger project site? This is much preferred to the Whispering Oaks site.)
4. The project will cut down 4,400 oak trees. Heritage (really large) oak trees are protected by the County of Monterey. Other people have to get permits to cut down even one oak tree and this project will remove 1,000's of trees. MST says they plan to plant 4400 oak trees, but they have proposed no location where they would do this. (Plus a bus station will "grow" a lot better on abandoned parking lots than thousands of tiny planted trees which will most likely die if planted in the blighted areas of Fort Ord.) The project will also be removing coast live oaks which take many decades (sometimes more than a century) to become large trees. Replanting such magnificent trees with a ton of little tiny 1 gallon potted trees won't even come close to compensating the lost habitat. (It is ironic the project is called "Whispering Oaks" - they won't be whispering much when they are buried in our landfill!)
5. The area has been zoned as Open Space since the mid-1990's. FORA (the Fort Ord Reuse Authority) designated it as open space at least as early as 1995 and only recently (2008?) changed its designation to

allow MST to develop the site. It has been zoned as open space because it is part of a large recreational trail system that intends to connect the ocean with the Bureau of Land Management's Fort Ord Public Lands. Changing the zoning is inconsistent with open space and it is inconsistent with having a "BLM to the sea" trail system. It also really negatively impacts the horse riders at the stables just north of campus. They have just put in the Sgt. Allan MacDonald trail that crosses campus open space and connects to the BLM land (note the newly painted stripes across Intergarrison for horse crossings). This projects would remove this trail completely or turn it into an industrial corridor (which doesn't work well for skiddish horses which all of you who have owned/ridden horses before will know).

6. The project will create blight on Fort Ord. This is my opinion -- but it is clear that the economy will not fill a business park on Intergarrison for years (possibly decades) to come. To see what I mean just look at the Marina Airport Business Park that has been sitting mostly empty for more than 10 years. To see "created blight" even more close to campus just go to the east end of Intergarrison (past the barricades) and see the East Garrison housing project. It is has been sitting idle for years. They cleared all of the land (including many acres of oak woodland - some beautiful land) and now it is just sitting there accumulating weeds. It looks horrible (and it was a beautiful place full of trails to walk before it was razed).

7. Removing all of these oak trees increases the carbon footprint of our area. Rather than taking in CO2 and storing it as wood (which oaks do), we'll just be releasing CO2 into the atmosphere from buses and other people uses. This compounds our climate problem. Our land mark CA climate bill (AB32) encourages measures to be adopted statewide to reduce greenhouse gas emissions. The County of Monterey should not be exempt from following AB32.

8. It is a poor use of our tax dollars to redevelop prime open space. We've already spent tax dollars on renovating the Marina Airport -- and it is sitting only partially used. There is plenty of space at the airport for this project. When we are all feeling the state budget cuts on our wallets, why waste our money to create new blight? What does the campus community gain?

9. The Monterey County Planning Commission thinks the MST/Whispering Oaks project is a bad idea too. In April they concurred that alternative sites exist that are environmentally superior, the Whispering Oaks project removes to many oak trees, and the oak tree loss has not been minimized to the maximum extent possible. The County of Monterey should support their own staff recommendations to move this project to another site.

--

Brittney L. Quon
Third Year
Social and Behavioral Sciences, Archaeology
Global Studies
Resident Adviser, Avocet Hall
California State University, Monterey Bay

"Leb' die Sekunde"
- Bill Kaulitz

IMPORTANT NOTICE: This message is intended only for the addressee and may contain confidential, privileged information. If you are not the intended recipient, you may not use, copy or disclose any information contained in the message. If you have received this message in error, please notify the sender by reply e-mail and delete the message.

6/10/2011

From: Therese Potter [tpotter@csumb.edu]
Sent: Wednesday, June 08, 2011 8:03 PM
To: 112-Clerk of the Board Everyone
Subject: MST center in Fort Ord lands near CSUMB

This is a simple plea for the denial of the MST center in the Fort Ord Lands near CSUMB. I am a female student who often (5 to 7 days per week) hikes, runs and bikes in the Fort Ord area. I am extremely uncomfortable with the prospect of the MST development in Fort Ord near CSUMB. It is undeniable that transit centers bring transient/homeless peoples into an area. Look around any major bus station in America if you need proof. I'm sorry if this sounds prejudice but I am honestly worried for my safety and the safety of my fellow students. The Fort Ord is pocked with abandoned military buildings and perfect hidden campsite clearings. I feel illegal encampments in the Fort Ord have potential to be a major issue should the MST center be developed. Please exercise precaution and do not jeopardize mine or my fellow students safety.

Thank you for your time.

Therese Potter

From: john-bonnie [johnwhisler@comcast.net]
Sent: Wednesday, June 08, 2011 9:13 PM
To: 112-Clerk of the Board Everyone
Subject: Oak woodland

Dear Supervisors,

I urge you to follow the recommendation of the Planning Commission. I urge you not to allow the destruction of another oak woodland in Monterey County. I urge you to advise MST to find another location.

Sincerely,
Bonnie Whisler
Seaside

6/10/2011

From: Rita Brown [sadsack454@aol.com]
Sent: Wednesday, June 08, 2011 10:05 PM
To: 112-Clerk of the Board Everyone
Subject: Oak trees & pg&e

Why is pg&e being allowed to clear cut oaks under the power lines? PG&E has made a decision to clear cut rather than trim as has been done in generations past. The notification has been sorely lacking. There is absolutely no negotiation being done.

There is no consideration to property owners loss of value, loss of quite enjoyment our property.

Should I now find that the value of my property has declined as such that it can't recover, should I now just walk away from it and turn the whole thing over to PG&E. Then who is going to maintain their easements. Who loses then? The county, it's 10,000 a year in property taxes surely, PG&E and their easement maintenance that we now do, the Prunedale community that loses another property to abandonment, EVERYONE LOSES, except the contractor who cut the trees.

What can be done to stop this abuse of power and protect our environment for future generations?
David Brown 214 2058
Sent from my iPad

From: Leslie Turrini-Smith [turrinismith@yahoo.com]
Sent: Wednesday, June 08, 2011 11:21 AM
To: 112-Clerk of the Board Everyone; mst@mst.org
Subject: MST operations yard/business park on Intergarrison

Dear Board of Directors and MST,

I am writing to strongly encourage you to relocate the MST operations yard/Business Park along Intergarrison Rd. next to the CSUMB campus. Bottom line: the project will degrade the quality of life for the campus community, destroy valuable habitat and can be effectively located at another location at the Marina Airport without the disadvantages. Please vote to deny the MST operations yard/business part from Intergarrison Rd next to the CSUMB campus.

Why am I (and many others) against this project?

I support MST and more public transit in the area (and I even ride MST), but this is not the right location for the bus operations buildings (and especially the added business park!).

1. The project is large and will radically change (negatively) the character of campus.
2. There is an alternative site that is much better at the Marina Airport. At that site the infrastructure (sewer, water, electricity, etc.) has already been built. There is already a street light on Reservation Rd that would work beautifully for this. The Marina Airport is a much better site for a bus hub as it centrally located between Salinas (has access to Blanco Rd) and the Monterey Peninsula. Both Reservation Blvd. and Blanco Rd are large streets that can handle high volumes of bus traffic. Our campus is not intended to have large volumes of traffic. Huge volumes of bus traffic will not reduce our campus climate. We do want buses on campus that are for carrying us to and from campus -- we don't want all other buses in the area to use campus as a thoroughfare.
3. "Light Industrial" and "college campus" don't go together. As Fort Ord redevelops, we need either small businesses like pizza and coffee shops or open space next to campus. We don't need light industrial areas. We need to improve the feel of the campus, not make it worse.
3. Why do we want to remove beautiful habitat when Fort Ord is covered in parking lots and abandoned buildings which are just calling to be "redeveloped"? The MST/Whispering Oaks project will destroy oak woodland habitat that is actively used by deer, coyotes, bobcats, turkeys and more (as seen by my own eyes). It doesn't make sense to waste redevelopment dollars on prime open space when there is plenty of blighted land that need redevelopment. (MST currently parks its buses on Gigling and 7th Ave. If the Marina Airport site is unsatisfactory, why not redevelop the parking lots between 7th and 8th Ave and Gigling? Or even add the abandoned buildings all the way over to 6th Ave to make a larger project site? This is much preferred to the Whispering Oaks site.)

6/10/2011

4. The project will cut down 4,400 oak trees. Heritage (really large) oak trees are protected by the County of Monterey. Other people have to get permits to cut down even one oak tree and this project will remove 1,000's of trees. MST says they plan to plant 4400 oak trees, but they have proposed no location where they would do this. (Plus a bus station will "grow" a lot better on abandoned parking lots than thousands of tiny planted trees which will most likely die if planted in the blighted areas of Fort Ord.) The project will also be removing coast live oaks which take many decades (sometimes more than a century) to become large trees. Replanting such magnificent trees with a ton of little tiny 1 gallon potted trees won't even come close to compensating the lost habitat. (It is ironic the project is called "Whispering Oaks" - they won't be whispering much when they are buried in our landfill!)

5. The area has been zoned as Open Space since the mid-1990's. FORA (the Fort Ord Reuse Authority) designated it as open space at least as early as 1995 and only recently (2008?) changed its designation to allow MST to develop the site. It has been zoned as open space because it is part of a large recreational trail system that intends to connect the ocean with the Bureau of Land Management's Fort Ord Public Lands. **Changing the zoning is inconsistent with open space and it is inconsistent with having a "BLM to the sea" trail system.** It also really negatively impacts the horse riders at the stables just north of campus. They have just put in the Sgt. Allan MacDonald trail that crosses campus open space and connects to the BLM land (note the newly painted stripes across Intergarrison for horse crossings). This project would remove this trail completely or turn it into an industrial corridor (which doesn't work well for horses).

6. The project will create blight on Fort Ord. This is my opinion -- but it is clear that the economy will not fill a business park on Intergarrison for years (possibly decades) to come. To see what I mean just look at the Marina Airport Business Park that has been sitting mostly empty for more than 10 years. To see "created blight" even more close to campus just go to the east end of Intergarrison (past the barricades) and see the East Garrison housing project. It is has been sitting idle for years. They cleared all of the land (including many acres of oak woodland - some beautiful land) and now it is just sitting there accumulating weeds. It looks horrible (and it was a beautiful place full of trails to walk before it was razed).

7. Removing all of these oak trees increases the carbon footprint of our area. Rather than taking in CO2 and storing it as wood (which oaks do), we'll just be releasing CO2 into the atmosphere from buses and other people uses. This compounds our climate problem. Our land mark CA climate bill (AB32) encourages measures to be adopted statewide to reduce greenhouse gas emissions. **The County of Monterey should not be exempt from following AB32.**

8. It is a poor use of our tax dollars to redevelop prime open space. We've already spent tax dollars on renovating the Marina Airport -- and it is sitting only partially used. **There is plenty of space at the airport for this project.** When we are all feeling the state budget cuts on our wallets, why waste our money to create new

blight? What does the campus community gain?

9. The **Monterey County Planning Commission** thinks the **MST/Whispering Oaks** project is a **bad idea too**. In April they concurred that alternative sites exist that are environmentally superior, the Whispering Oaks project removes too many oak trees, and the oak tree loss has not been minimized to the maximum extent possible. **The County of Monterey should support their own staff recommendations to move this project to another site.**

I think the above list includes plenty of reasons to request the County and MST to move the project location. I will be at the meeting next Tuesday to show my support of a location change for the MST facility.

Thank you,

Leslie Turrini-Smith

resident, Schoonover Park

From: Jennifer Young [millsyoung@cruzio.com]
Sent: Wednesday, June 08, 2011 2:23 PM
To: 112-Clerk of the Board Everyone
Subject: Fort Ord and MST

I am writing to ask you to please uphold the Planning Commission's unanimous vote to not allow MST to put their new facility in the Fort Ord/Coast corridor. There are many other open areas of land, not far from there, that would be better and less destructive to the environment and would not destroy the connection from the coast to the interior of the BLM lands of Fort Ord.

Thank you,
Jennifer Young

6/10/2011

From: Joel Gambord [jg@newjg.com]
Sent: Wednesday, June 08, 2011 2:37 PM
To: 112-Clerk of the Board Everyone
Subject: Fort Ord Trails

Attachments: LETTERHEAD - ICS-k - Board of Suprevisors.jpg



LETTERHEA
CS-k - Board

Please see attached letter.

From: Stephanie Holland [sreis@csumb.edu]
Sent: Thursday, June 09, 2011 12:51 AM
To: 112-Clerk of the Board Everyone
Subject: MST operations yard/Business Park along Intergarrison Rd

Please do not build the MST operations yard/Business Park along Intergarrison Rd. It is not too late to change locations and money will be saved if the project is moved to the Monterey Airport because the infrastructure has already been built. I support MST and more public transit in the area (and I even ride MST), but CSUMB is not the right location for the bus operations buildings (and especially the added business park). The large amount of space that it would alter would greatly affect the CSUMB atmosphere and environment.

There is an alternative site that is much better at the Marina Airport. At that site the infrastructure (sewer, water, electricity, etc.) has already been built. There is already a street light on Reservation Rd that would work beautifully for this. The Marina Airport is a much better site for a bus hub as it is centrally located between Salinas (has access to Blanco Rd) and the Monterey Peninsula. Both Reservation Blvd. and Blanco Rd are large streets that can handle high volumes of bus traffic. Our campus is not intended to have large volumes of traffic and huge volumes of bus traffic will not reduce our campus climate. We do want buses on campus that are for carrying us to and from campus -- we don't want all other buses in the area to use campus as a thoroughfare. "Light Industrial" and "college campus" don't go together. As Fort Ord redevelops, we need either small businesses like pizza and coffee shops or open space next to campus. We don't need light industrial areas. We need to improve the feel of the campus, not make it worse.

Why do we want to remove beautiful habitat when Fort Ord is covered in parking lots and abandoned buildings which are just calling to be "redeveloped"? The MST/Whispering Oaks project will destroy oak woodland habitat that is actively used by deer, coyotes, bobcats, turkeys and more (as seen by my own eyes). It doesn't make sense to waste redevelopment dollars on prime open space when there is plenty of blighted land that needs redevelopment. MST currently parks its buses on Gigling and 7th Ave. If the Marina Airport site is unsatisfactory, why not redevelop the parking lots between 7th and 8th Ave and Gigling? Or even add the abandoned buildings all the way over to 6th Ave to make a larger project site? This is much preferred to the Whispering Oaks site.

The project will cut down 4,400 oak trees. Heritage (really large) oak trees are protected by the County of Monterey. Other people have to get permits to cut down even one oak tree and this project will remove thousands of trees. MST says they plan to plant 4,400 oak trees, but they have proposed no location where they would do this. Plus a bus station will "grow" a lot better on abandoned parking lots than thousands of tiny planted trees which will most likely die if planted in the blighted areas of Fort Ord. The project will also be removing coast live oaks which take many decades (sometimes more than a century) to become large trees. Replanting such magnificent trees with a ton of little tiny 1 gallon potted trees won't even come close to compensating the lost habitat. It is ironic the project is called "Whispering Oaks" - they won't be whispering much when they are buried in our landfill.

The area has been zoned as Open Space since the mid-1990's. FORA (the Fort Ord Reuse Authority) designated it as open space at least as early as 1995 and only recently changed its designation to allow MST to develop the site. It has been zoned as open space because it is part of a large recreational trail system that intends to connect the ocean with the Bureau of Land Management's Fort Ord Public Lands.

6/10/2011

Changing the zoning is inconsistent with open space and it is inconsistent with having a "BLM to the sea" trail system. It also really negatively impacts the horse riders at the stables just north of campus. They have just put in the Sgt. Allan MacDonald trail that crosses campus open space and connects to the BLM land . This projects would remove this trail completely or turn it into an industrial corridor (which doesn't work well for skiddish horses, which those who have owned/ridden horses before will know).

The project will create blight on Fort Ord. It is clear that the economy will not fill a business park on Intergarrison for years (possibly decades) to come. Just look at the Marina Airport Business Park that has been sitting mostly empty for more than 10 years. To see "created blight" even more close to campus just go to the east end of Intergarrison (past the barricades) and see the East Garrison housing project. It is has been sitting idle for years. They cleared all of the land (including many acres of oak woodland - some beautiful land) and now it is just sitting there accumulating weeds. It looks horrible, whereas before it was a beautiful place full of trails to walk before it was razed.

Removing all of these oak trees increases the carbon footprint of our area. Rather than taking in CO2 and storing it as wood (which oaks do), we'll just be releasing CO2 into the atmosphere from buses and other people uses. This compounds our climate problem. Our land mark CA climate bill (AB32) encourages measures to be adopted statewide to reduce greenhouse gas emissions. The County of Monterey should not be exempt from following AB32.

It is a poor use of our tax dollars to redevelop prime open space. We've already spent tax dollars on renovating the Marina Airport -- and it is sitting only partially used. There is plenty of space at the airport for this project and may even help bring more business to the Marina Airport. When we are all feeling the state budget cuts on our wallets, why waste our money to create new blight? What does the campus community gain?

The Monterey County Planning Commission thinks the MST/Whispering Oaks project is a bad idea too. In April they concurred that alternative sites exist that are environmentally superior, the Whispering Oaks project removes too many oak trees, and the oak tree loss has not been minimized to the maximum extent possible. The County of Monterey should support their own staff recommendations to move this project to another site.

Please do the right thing and move this project. Do not allow the MST/Whispering Oaks project to occur and ruin our beautiful campus.

Thank You.

From: margaret davis [fortordrecu@gmail.com]
Sent: Thursday, June 09, 2011 10:39 AM
To: 100-District 1 (831) 647-7991
Cc: 112-Clerk of the Board Everyone; mst@mst.org
Subject: Health status of "Whispering Oaks" woodland

Dear Supervisor Armenta,

When we met with you in May, you urged everyone to review the tree report in support of a permit to cut 4400 trees for the MST/Whispering Oaks Development. It was clear from our conversation that you were of the opinion that the woodland was dead or dying. As I traverse the property several times each week, I have observed a healthy woodland and am startled by the frequent reference to "dead and dying trees." Therefore, as you suggested, I went back to the tree report of August 2009 to research this seeming contradiction.

According to the Forest Resource Evaluation (Appendix D: Biological Report of the MST/Whispering Oaks EIR), the "Coast live oak stands appear to be fairly young...." Also, from the Forest Management Plan in the same appendix, "The majority of oaks on the property are in good health. There are several of the weaker trees within the densely covered areas that have succumbed to effects of defoliation and other pests, however the percentage of poor condition individuals is low. An estimate of tree condition after observing the entire stand is that there are about 5% dead trees, 10% poor condition trees, 40% fair condition trees, 40% good condition trees, and 5% trees in excellent condition."

At the same time, the report emphasizes that at the time of survey, the woodland was suffering the effects of a severe *but temporary* California oakworm infestation. Under "Tree Stand Condition," in the Forest Resource Evaluation, for example, it is noted that "Condition evaluations for oaks were complicated by the presence of California oakworm (*Pharyganidia californica*). At the time of the survey the oaks on the property are recovering from being significantly defoliated by this pest over the past two years. **Most trees are recovering well and most of those that appear somewhat weakened are expected to recover.**" [Emphasis added.]

Visual inspection of the property today proves this to be correct, most of the trees have fully recovered and are thriving. In an oak woodland, a mixture of young, old, and dying trees is desirable and creates a variety of habitat niches for native species. When an individual dies, it leaves space for a seedling to spring up. This is good and normal.

The county adopted a policy, the "Monterey County Voluntary Oak Woodland Stewardship Guidelines," September 2009, to protect just such coast-live-oak

woodlands. I urge you to vote in accordance with this county policy and uphold the Planning Commission's strong and unanimous decision.

Very truly yours,

Margaret Davis

forU
Fort Ord Rec Users

From: Harriet Mitteldorf [harriet@redshift.com]
Sent: Thursday, June 09, 2011 4:28 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: PLEASE DENY MST AT WHISPERING PINES

I agree with our Planning Commission's recommendation against rezoning 58 acres of open space for an MST bus service center.

Please direct MST to utilize some of the vast regions of already abused land.
harriet mitteldorf

..

From: Gowin, Henry M.
Sent: Thursday, June 09, 2011 5:14 PM
To: 100-BoS Everyone
Cc: Novo, Mike x5192; 112-Clerk of the Board Everyone
Subject: FW: Letter of Support request for MST Facility
Attachments: 20110609100448296.pdf

Please deliver this letter to your Supervisor.

Thank you,

Henry M. Gowin

Aide to Supervisor Calcagno, 2nd District
County of Monterey, Board of Supervisors
(831) 755-5022
Mailing Address: PO Box 787 Castroville, CA 95012
Physical Address: 11140 Speegle Street, Castroville

From: Chris Orman [mailto:c5200@ncfpd.org]
Sent: Thursday, June 09, 2011 3:52 PM
To: Gowin, Henry M.
Subject: Fwd: FW: Letter of Support request for MST Facility

Henry,

Chief Urquides wants this letter of support for the MST facility to get to all the Supervisors as quickly as possible. Can you get it to them?

Chris

----- Forwarded message -----

From: Michael Urquides <chiefurquides@hotmail.com>
Date: Thu, Jun 9, 2011 at 2:39 PM
Subject: FW: Letter of Support request for MST Facility
To: Chief Orman E-mail <c5200@ncfpd.org>

Please have Henry forward to the board of supervisors.

thank you

Michael Urquides, Fire Chief
Monterey County Regional Fire District & Carmel Valley Fire District

6/10/2011

19900 Portola Dr Salinas, Ca 93908

Office 831-455-1828

Fax 831-455-0646

www.mcrfd.org & info@mcrfd.org

CONFIDENTIALITY STATEMENT

This message and any included attachments are from Monterey County Regional Fire District and are intended only for the addressee. The information contained in this message is confidential and may constitute inside or non-public information under international, federal, or state securities laws. Unauthorized forwarding, printing, copying, distribution, or use of such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by e-mail or you may call Monterey County Regional Fire District in Salinas, California, U.S.A. at (+1) (831) 455-1828.

MONTEREY COUNTY REGIONAL FIRE DISTRICT CARMEL VALLEY FIRE DISTRICT

19900 Portola Drive, Salinas, California 93908

(831) 455-1828 Fax (831) 455-0646

www.mcrfd.org www.carmelvalleyfire.com

Michael B. Urquides, Fire Chief
David J. Sargenti, Division Chief/Administration
Paul R. Pilotte, Division Chief/Safety & Training

Ron L. Lemos, Division Chief/Operations
Miles J. Schuler, Division Chief/Fire Prevention

June 8, 2011

Monterey County Board of Supervisors
Attn: Gail T. Borkowski, Clerk of the Board
168 West Alisal St., 1st Floor
Salinas CA 93901

RE: Monterey-Salinas Transit Maintenance Facility - Letter of Support

Dear Board of Supervisors:

The Monterey County Regional Fire District would like to express its support for the proposed Monterey-Salinas Transit (MST) maintenance facility on Intergarrison Road on the former Fort Ord. The proposed location of the MST facility would greatly benefit the citizens of all of Monterey County as well as the Monterey County Regional Fire District, both fiscally and logistically, by enabling the fire district to utilize the local MST facility for the repair and maintenance of its fire district vehicles.

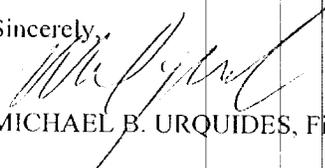
Currently, the large fire vehicles used by the district must be taken to a shop in Modesto which specializes in working on them for common repair issues. When we approached the MST management in the early stages of the design of the MST facility, they indicated that they could work with the fire district to perform these common repairs at a reasonable cost. The enormous savings to the district is realized with the elimination of overtime costs incurred during the transportation of our fire vehicles out of our district boundaries to Modesto. Completion of the MST maintenance facility at the Intergarrison Road location would make it possible for on-duty fire personnel to take the equipment to the MST facility for service and repair. This local large vehicle service availability supports the level of service to properties within the Monterey County Regional Fire District and the service provided to the rest of County of Monterey through automatic aid agreements and the Monterey County Fire Mutual Aid System.

When the property was annexed into the Monterey County Regional Fire District in 2007, our administration and Board of Directors believed that supporting the facility proposed for the Monterey-Salinas Transit a wise investment for the fire district and its citizens. To support the annexation, our district's Board of Directors voted to pay for the property's annexation costs assessed by the Local Agencies Formation Commission ("LAFCO").

Further delays to the approval of this project will result in increased overtime costs and decreased efficiency for the fire service our personnel provide within the district and throughout Monterey County.

The Monterey County Regional Fire District encourages the Board of Supervisors to approve the proposed Monterey-Salinas Transit/Redevelopment Agency development plan.

Sincerely,


MICHAEL B. URQUIDES, Fire Chief



*Serving the Northern Salinas Valley, Highway 68 Corridor, Community of Chualar,
Carmel Valley, Mid Carmel Valley & Santa Lucia Preserve*



From: Trish Huels [thuels@chispahousing.org]
Sent: Friday, June 10, 2011 9:42 AM
To: 112-Clerk of the Board Everyone; district1@monterey.ca.us; 100-District 2 (831) 755-5022; 100-District 3 (831) 385-8333; 100-District 4 (831) 883-7570; 100-District 5 (831) 647-7755
Cc: alfredd@CHISPAHOUSING.ORG; juan_uranga@sbcglobal.net
Subject: CHISPA Letter of Support for MST Project
Attachments: MST LETTER OF SUPPORT .pdf

Attached please find a letter of support from CHISPA for MST's *Whispering Oaks Business Park* Development.

Trish Huels, Director of Administration
CHISPA
295 Main Street, Ste. 100
Salinas, CA 93901
(831) 757-6251, ext. 115
TDD: (831) 758-9481
Fax: (831) 757-7537
thuels@chispahousing.org



SAVE PAPER - THINK BEFORE YOU PRINT

NOTICE OF CONFIDENTIALITY: *This e-mail message, including any attachments, is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are notified that dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender by reply e-mail and delete all copies of the original message. Thank you.*



June 9, 2011

Dear Monterey County Board of Supervisors:

This letter is to demonstrate CHISPA's support of the MST project, *Whispering Oaks Business Park*, which is located on planned development land on the old Fort Ord Army base.

As such, this project conforms to the Fort Ord Base Reuse Plan, which provided 8,000 acres for light industrial purposes, while setting aside 20,000 acres for recreational and open space purposes – that is 70% of land committed to habitat and open space!

Therefore, CHISPA requests that you approve the MST project in order to ensure that public transportation in Monterey County is adequately servicing the increase in ridership by working families, seniors and disabled people in Monterey County. Additionally, the much needed facilities to ensure a safe workplace for MST personnel will be achieved through this important project.

Please do not be distracted about re-site options. This project is appropriate and located in the right location! To date \$4M has been expended; looking for other site locations as this time will only burden the Monterey County taxpayer in the tune of \$1M – and, in this tough, budget-conscious time in our economic reality, we cannot afford this added expense!

CHISPA recognizes the value of recreational benefits of horse trails for those that can afford that luxury. But, the value of transportation for working families, seniors and disabled people must surely, come first – especially during this serious economic downturn where many more people, especially those living on limited incomes, are turning to public transportation to offset exorbitant fuel costs and personal transportation costs. As an organization that serves the low and very-low working income families and seniors living on limited incomes, CHISPA recognizes the value of the public transportation services that MST provides to many of our constituents who rely entirely on public transportation to get to work, school, medical appointments and shopping.

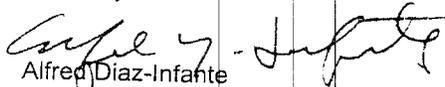
The MST project is consistent with the Fort Ord Base Reuse Plan. Please be reminded that the Fort Ord Reuse Authority was created for REUSE – not NO-USE! Let's ensure that environmentally-sound planned development on the old Fort Ord land is move forward for the benefit of working families in Monterey County.

The mistake of a well-intended, but misplaced concession to a few privileged recreational, horse trail enthusiasts would be at the expense of and on the backs of the hard working families, seniors and disabled people in Monterey County that rely on public transportation.

Prioritizing your assets in the community is a primary responsibility for elected officials. Therefore, we strongly request that the priority in your final decision be ***working families - first!***

We urge you to approve the proposed MST *Whispering Oaks Business Park* project!

Sincerely,


Alfred Diaz-Infante
President/CEO
CHISPA, Inc.

c: Juan Uranga

From: Jan Shriner [shrinerforsure@gmail.com]
Sent: Friday, June 10, 2011 10:15 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: MST site and rec trail description
Attachments: Recreation Trail Photos.docx

Please distribute the attached photos for the Supervisors' Offices to consider on Tuesday, June 14, for the agenda item regarding the MST/Whispering Oaks proposal.

The photos were taken in 2010. I don't know if they could be displayed during the public comment time but I would like to bring in a hard copy for the public to see.

The recreation trail, if maintained, would be a fantastic connector through Marina and potential as an eco-tourism attraction. The undergraduate dorms are within view of one end of the trail which is also within view of one of our newest portions of our community, Marina Heights. The Jerry Smith Corridor along Intergarrison is already being used by many recreationists who travel in from out of town. With a little more promotion, this connector and recreation trail could become a very serious eco-tourism attraction.

I will also bring in the contact information for the Santa Monica Mountains Recreation & Conservation Authority and Tony Charness. Mr. Charness sets the value of open space for all proposals to their county. He says he places a value on mature oaks at about \$700,000 per acre.

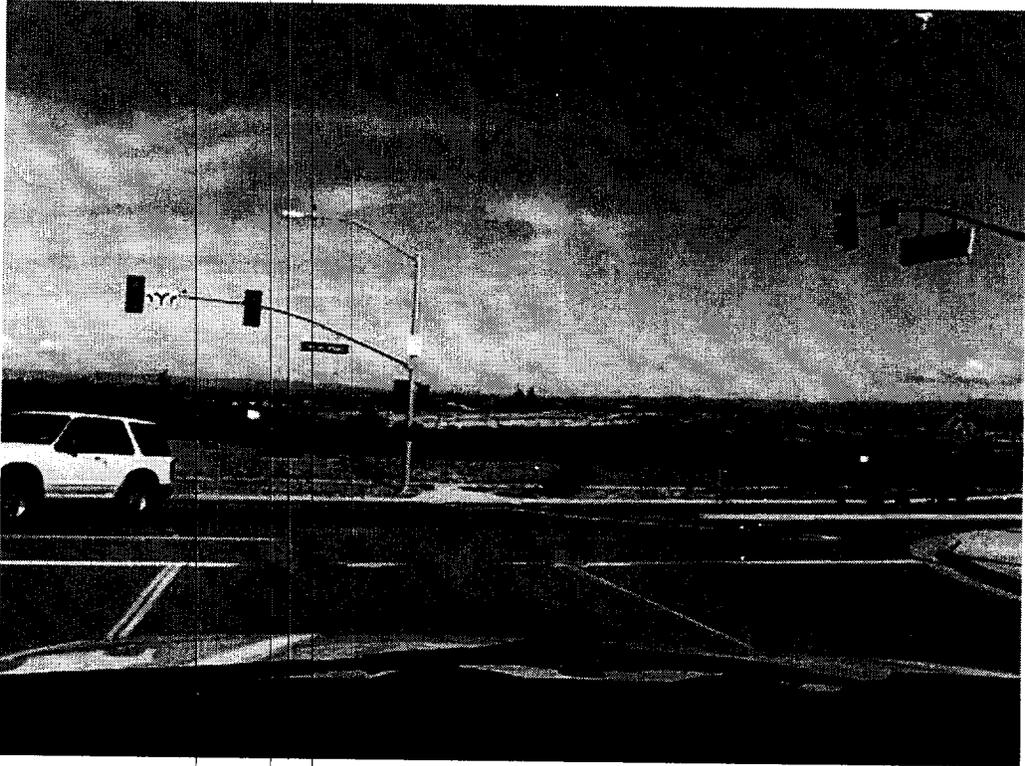
The reason for such a high economic value is because oaks require a great deal of labor for planting and maintaining in their first two years to get established.

I will also bring in a reading from the book called *California Forests and Woodlands* by Verna R. Johnston to help everyone understand the ecological value and how hard the oak woodland habitat is to replace.

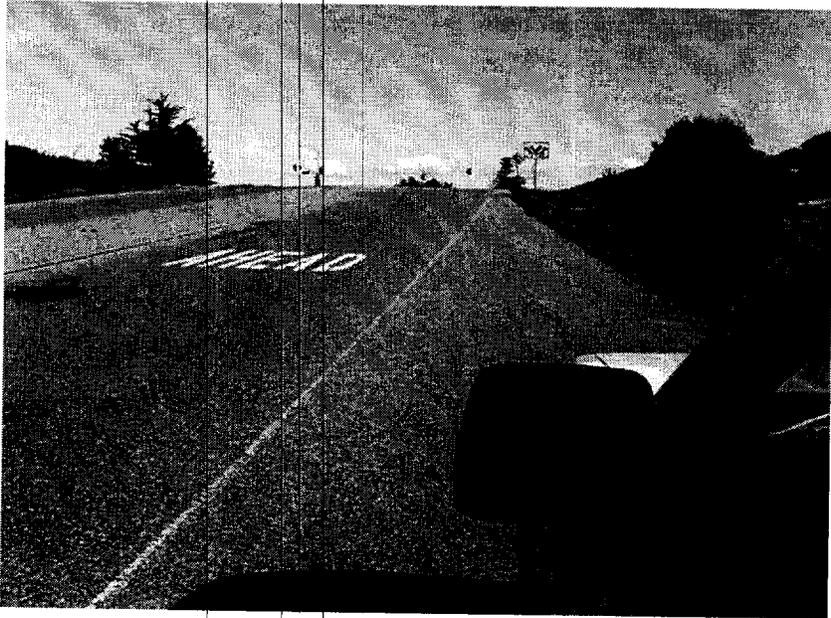
Please make every effort to work with the City of Marina for an alternate site for the MST bus-yard and Whispering Oaks.

Jan Shriner
3086 Sunset Ave.
Marina, CA 93933

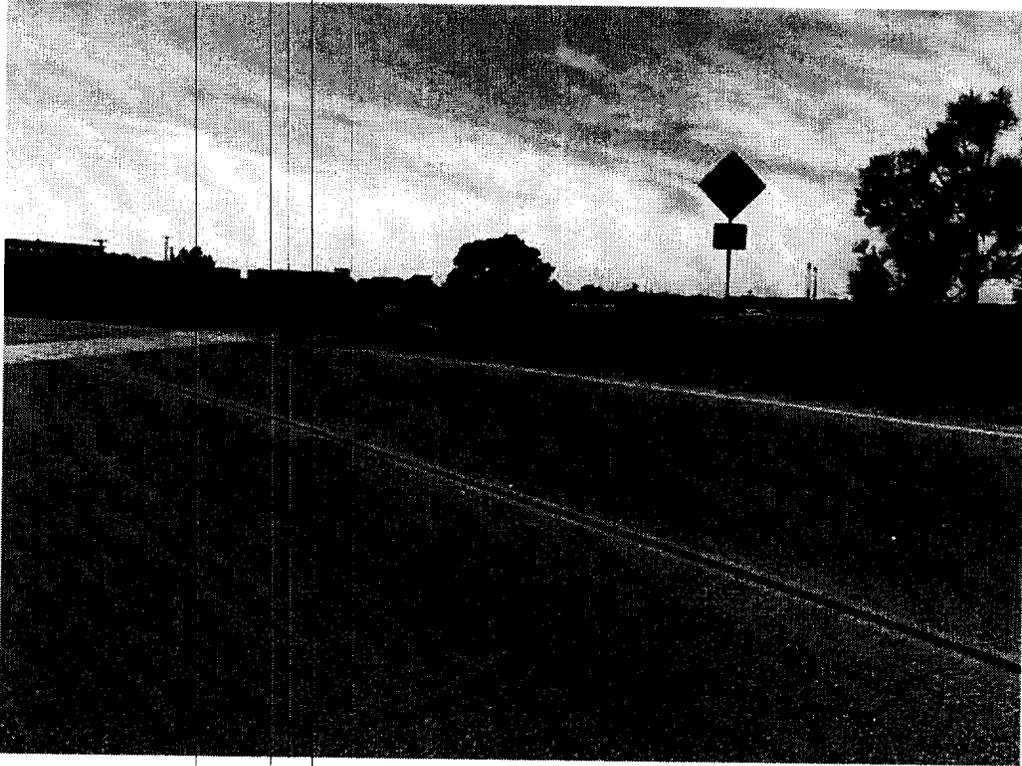
6/13/2011



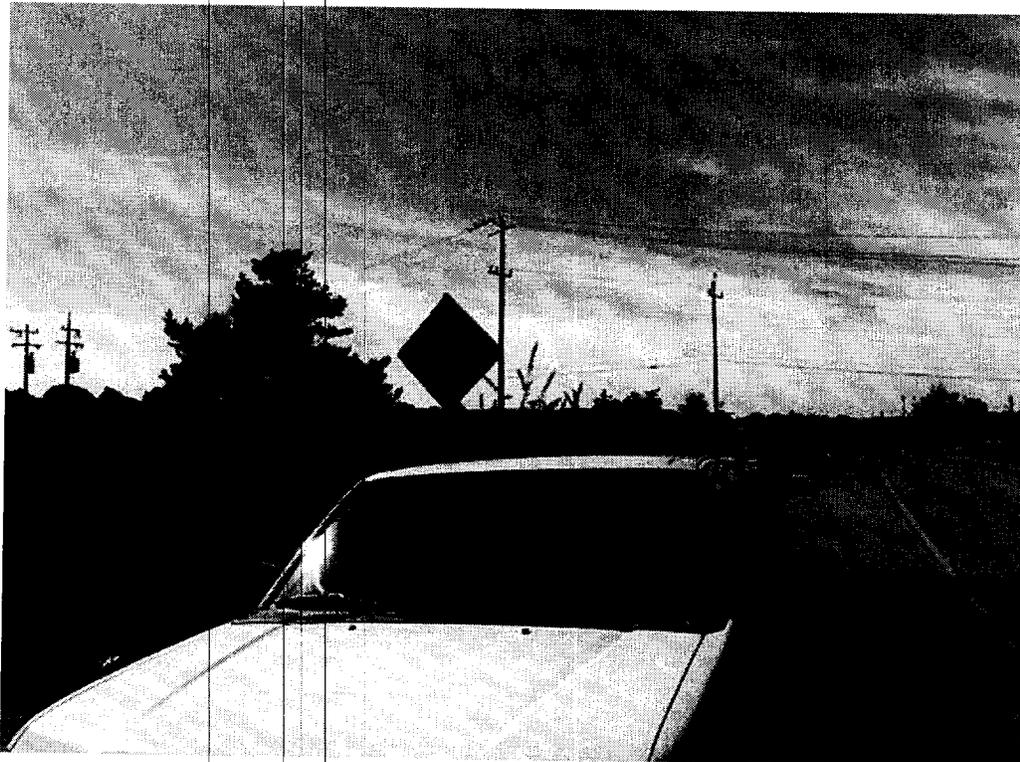
Site of Marina Heights where fences restrict access by pedestrians and cyclists for 8 years so far, future 1050 houses. This light is Imjin Parkway, the corner of Imjin Rd.



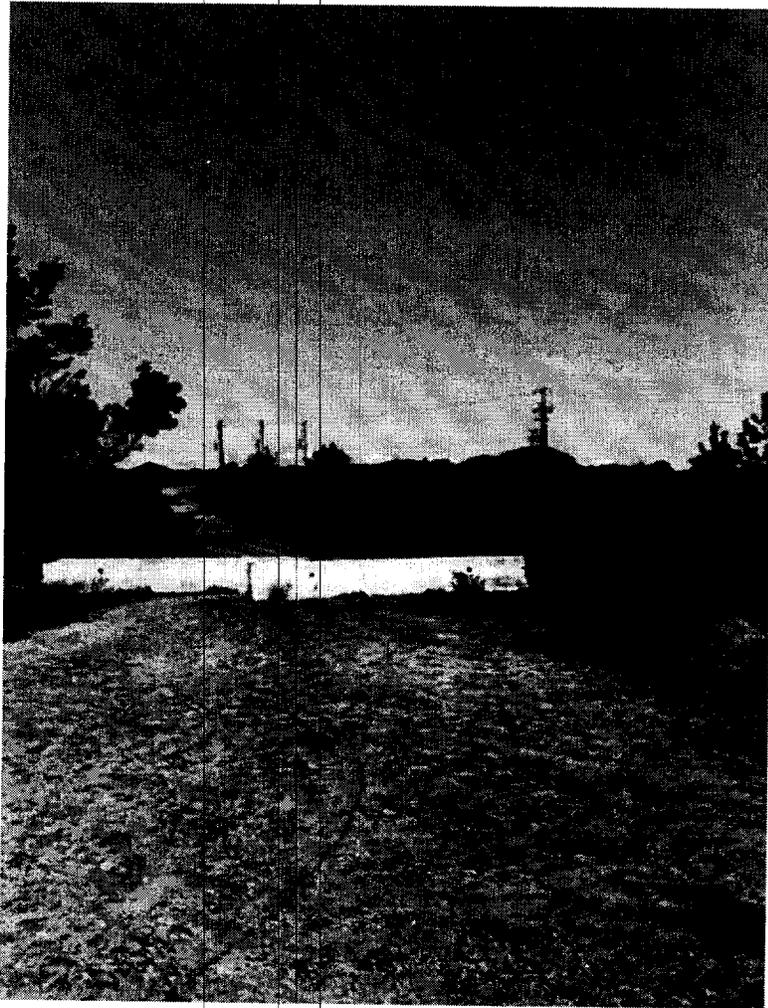
Truck is parked within the site of Imjin Parkway traffic light.



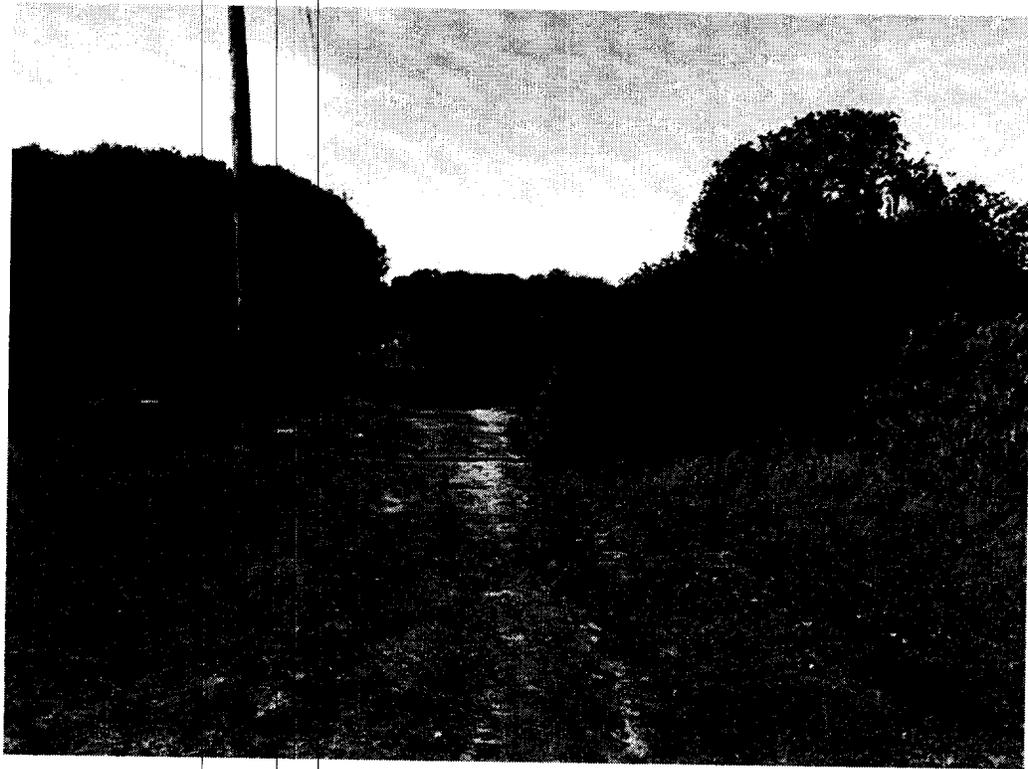
Marina college dorms of CSUMB (North Quad) can be seen across the trail.



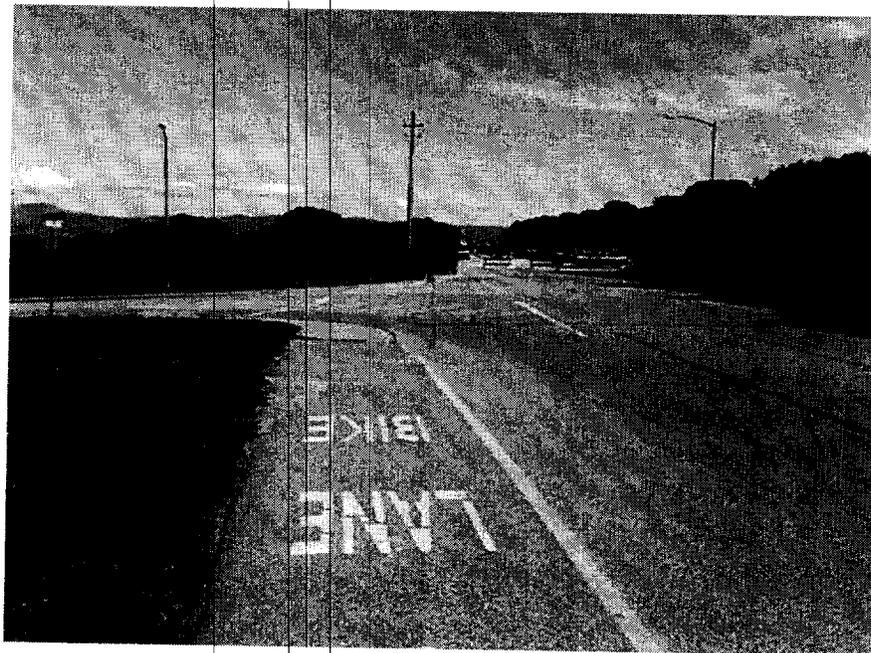
Behind the truck parked on Imjin Rd. the trail runs under the power lines.



This is the Imjin Rd. entrance to the trail. Note the tire tracks and there were horse tracks and human footprints as well as turkey and deer tracks.



This is the Intergarrison end of the trail, same trail as next to the truck, just the other end.



From the trail's Intergarrison end, the Jerry Smith Corridor can be seen. Several vehicles are parked in the lot while their owners use the trail.



Some days are busier than usual on the trail. These recreation trail users also represent eco-tourism potential. They will be hungry after the hiking and Marina has some great restaurants. Some of them may even plan to spend the night in a hotel and visit the Aquarium or hike the beach the next day.

From: Linda Pham [linda@chpscc.org]
Sent: Friday, June 10, 2011 12:54 PM
To: 112-Clerk of the Board Everyone
Cc: Yoko Lewis
Subject: Letter of support to Monterey County Supervisors regarding Alliance on Aging Senior Peer Counseling program
Attachments: LetterofSupport_AllianceonAging_CHP.pdf

Dear County Supervisors:

Thank you for your attention. Attached is a letter of support for Alliance on Aging Senior Peer Counseling program.

Sincerely,

Linda Pham, MPH, CHES
Health Educator
Cancer Detection Program: Every Woman Counts
Direct: 408-579-6020
General: 408-556-6605 (Ext. 6020)
Fax: 408-556-6620
Email: linda@chpscc.org

COMMUNITY
HEALTH
PARTNERSHIP

Community Health Partnership, Inc.
100 N. Winchester Blvd., Suite 250 | Santa Clara, CA 95050-6520
www.chpscc.org



June 10, 2011

Monterey County Board of Supervisors
P.O. Box 1728
Salinas, CA 93902

Dear Board of Supervisors:

I am writing this letter in support of the Alliance on Aging's Senior Peer Counseling (SPC) program. Community Health Partnership has had the opportunity to partner with the SPC program and believes the positive impact of this service on senior clients and their families. Our organization collaborated and did a community presentation on the relationship of depression and cancer in King City, California in May 2011. Proudly, 19 seniors were present to discuss and learn about; as well as ways to seek support and cancer screening services in Monterey County from the State program, Cancer Detection Program: Every Woman Counts (CDP:EWC).

CDP:EWC is partnered with 18 health providers or community health clinics throughout the cities in Monterey County. We offer free breast and cervical cancer screening and diagnostic services in King City, Greenfield, Gonzales, Marina, Salinas, Soledad, Seaside, Castroville, and Big Sur. Eligible patients are enrolled in CDP:EWC program if they are low-income, uninsured, or underinsured. These patients include women 40 years and older for breast cancer screening and women 25 years and older for cervical cancer screening.

Alliance on Aging Senior Peer Counseling program gave us the opportunity to share about a valuable resource to seniors at their Wellness Lecture. With the help of SPC program, assistance in planning and volunteers delivering the health presentation in bilingual language were available. The majority of seniors at the presentation were fluent in Spanish, more so than English. Furthermore, eiversity in ethnic groups demonstrate a strong need for seniors who need community support, education, resource, and awareness such as mental health and its effects on chronic health diseases in Monterey County.

We urge the Board of Supervisors to reinstate funding for this program and preserve the health and vitality of older adults in our community. We hope to continue our relationship through community collaboration. The Alliance on Aging Senior Peer Counseling program is vital in supporting seniors to be resilient and self-reliant productive members of their community.

Sincerely,

Linda Pham, MPH, CHES
Health Educator
Cancer Detection Program: Every Woman Counts,
A program at Community Health Partnership

Serving Central Coastal - Monterey, San Benito, Santa Clara, and Santa Cruz counties

Community Health Partnership
1000 Elgin Street, Suite 100
Salinas, CA 93901
Tel: 831.435.1234 Fax: 831.435.1235
www.chp.org

From: Linda Pham [linda@chpscc.org]
Sent: Friday, June 10, 2011 1:04 PM
To: 112-Clerk of the Board Everyone
Cc: Yoko Lewis
Subject: RE: Letter of support to Monterey County Supervisors regarding Alliance on Aging Senior Peer Counseling program
Attachments: LetterofSupport_AllianceonAging_CHP.pdf

Dear County Board of Supervisors:

Attached is an updated letter of support for Alliance on Aging Senior Peer Counseling program. Thank you for your consideration.

Sincerely,

Linda Pham, MPH, CHES
Health Educator
Cancer Detection Program: Every Woman Counts
Direct: 408-579-6020
General: 408-556-6605 (Ext. 6020)
Fax: 408-556-6620
Email: linda@chpscc.org

COMMUNITY
HEALTH
PARTNERSHIP

Community Health Partnership, Inc.
100 N. Winchester Blvd., Suite 250 | Santa Clara, CA 95050-6520
www.chpscc.org



June 10, 2011

Monterey County Board of Supervisors
P.O. Box 1728
Salinas, CA 93902

Dear County Board of Supervisors:

I am writing this letter in support of the Alliance on Aging's Senior Peer Counseling (SPC) program. Community Health Partnership has had the opportunity to partner with the SPC program and believes the positive impact of this service on senior clients and their families. Our organization collaborated and did a community presentation on the relationship of depression and cancer in King City, California in May 2011. Proudly, 19 seniors were present to discuss and learn about; as well as ways to seek support and cancer screening services in Monterey County from the State program, Cancer Detection Program: Every Woman Counts (CDP:EWC).

CDP:EWC is partnered with 18 health providers or community health clinics throughout the cities in Monterey County. We offer free breast and cervical cancer screening and diagnostic services in King City, Greenfield, Gonzales, Marina, Salinas, Soledad, Seaside, Castroville, and Big Sur. Eligible patients are enrolled in CDP:EWC program if they are low-income, uninsured, or underinsured. These patients include women 40 years and older for breast cancer screening and women 25 years and older for cervical cancer screening.

Alliance on Aging Senior Peer Counseling program gave us the opportunity to share about a valuable resource to seniors at their Wellness Lecture. With the help of SPC program, assistance in planning and volunteers delivering the health presentation in bilingual language were available. The majority of seniors at the presentation were fluent in Spanish, more so than English. Furthermore, diversity in ethnic groups demonstrate a strong need for seniors who need community support, education, resource, and awareness such as mental health and its effects on chronic health diseases in Monterey County.

We urge the Board of Supervisors to reinstate funding for this program and preserve the health and vitality of older adults in our community. We hope to continue our relationship through community collaboration. The Alliance on Aging Senior Peer Counseling program is vital in supporting seniors to be resilient and self-reliant productive members of their community.

Sincerely,

Linda Pham, MPH, CHES
Health Educator
Cancer Detection Program: Every Woman Counts,
A program at Community Health Partnership

Serving San Diego, Contra Costa, Monterey, San Benito, Santa Clara, and Santa Cruz counties

Community Health Partnership
1000 Elgin Street, Suite 100, San Jose, CA 95128
Phone: (408) 291-1100 Fax: (408) 291-1101

June 1, 2011

Jane Parker, Chair
Monterey County Board of Supervisors
P.O. Box 1728
Salinas, CA 93902

RECEIVED
MONTEREY COUNTY

2011 JUN 10 PM 1:27

CLERK OF THE BOARD

 DEPUTY

Dear Supervisor Parker:

I am writing this letter in support of the Alliance on Aging's Senior Peer Counseling (SPC) program. Volunteer counselors, trained and supervised by Mental Health Professionals provide free emotional support and counseling to older adults who are having difficulty with the transitions of aging. This is a critical service at a time when the numbers of seniors are escalating and in an economic environment where seniors are facing unprecedented financial challenges.

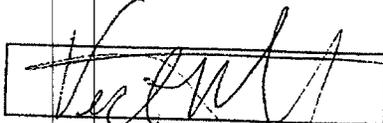
Most of the SPC clients are low-income and cannot afford to pay for this service. Because of the stigma associated with Mental Health services, they are reluctant to access traditional mental health services. The peer model offers a comfortable and non-threatening approach to counseling and has proven very effective with older adults. Often these seniors are struggling with depression, anxiety and even thoughts of suicide. Rates of suicides in this country are the highest among older adults.

Working with the peer counselors, seniors are able to rediscover meaning and happiness in their lives. They once again can be productive members of their community. They have learned to reengage with their friends and family members in a new way and rebuild those vital relationships.

In the last four years, with funding from the Mental Health Services Act, the SPC program has been able to expand their services and outreach in Salinas, Castroville, Prunedale, Soledad, Greenfield, Gonzales and King City. The program currently includes 45 volunteer counselors, 20 on the Peninsula, 25 on the Salinas, with 11 of them being bilingual in Spanish and English. SPC is experiencing unprecedented growth in the number of seniors served in this program throughout the county.

We urge the Board of Supervisors to consider the impact of this funding reduction on the health, safety and vitality of older adults in our community.

Sincerely,



831-647-0205

From: Richard Rosenthal [RRosenthal62@sbcglobal.net]
Sent: Friday, June 10, 2011 2:27 PM
To: 112-Clerk of the Board Everyone
Cc: Legal Assistant; 'Michael Weaver'
Subject: Board Meeting: 6/14/11 Item S-9: Monterey Salinas Transit/Whispering Oaks Business Park

Clerk of the Board: Please pass this email to the members of the Board:

Madam Chairman and member of the Board: Save Our Peninsula comments as follows:

The public sentiment about this horrendous project is reflected in the Planning Commission's near unanimous vote to deny the project. It would be shameful to reverse the Planning Commission's due consideration and judgment on the project. However, I expect such a result.

The appeal should be denied for the following reasons:

1. The project and the proposed amendments are inconsistent with the County's recently adopted General Plan and the 1982 General Plan.
2. The project and the proposed amendments are inconsistent with the Fort Ord Reuse Plan.
3. The Fort Ord Reuse Plan is out of date and legally insufficient.
4. The EIR for the project is inadequate as a matter of law because it does not adequately address traffic, removal of Oaks, the impacts of providing water to the project, climate change, alternatives, growth inducing impacts, cumulative impacts and the effectiveness of mitigation measures.

Save Our Peninsula Committee also adopts the comments of Landwatch and CSUMB.

If you have any questions please feel free to call.

Regards,

Richard H. Rosenthal
Save Our Peninsula Committee

6/10/2011

From: Jayette2@aol.com
Sent: Saturday, June 11, 2011 6:49 AM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: MST/Whispering Oaks

Supervisors' Armenta, Calcagno, Potter

- The County Planning Commission was correct when it unanimously refused to rezone 58 acres from open space to heavy commercial. The Planning Commission did its job; respect its decision. The Commission's decision and processes should not be lightly dismissed by the Board of Supervisors, especially when the ruling is strong and unanimous.
- The site has not "always" been planned for MST or for re-development. The parcel has been zoned as Open Space since 1995, hence MST's need to have it rezoned before proceeding with development.
- Actual blight (empty and abandoned structures) on Fort Ord should be "re-developed" before natural habitat areas are developed.
- Planting any number of seedlings at various Fort Ord locations does not compensate for the loss of a thriving and beautiful woodland of 4,400 mature trees.
- MST can save money. The savings of not having to replant 4,400 trees in mitigation. If infrastructure already exists at an alternative site, such as at the Marina Airport, there will be offsetting savings in the total cost of the \$81 M project.
- A trail system is a real and valuable asset to the region and should be strenuously protected and expanded where possible. Monterey County's economy is dependent upon tourism and the Fort Ord trail system is an important attraction for cyclists, trekkers, and equestrians.

Thank you for your consideration.

Jayette Wilkerson
8571 Archer Road
Salinas, CA 93907

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Sunday, June 12, 2011 9:50 PM
To: 112-Clerk of the Board Everyone
Subject: 14 June 2011 Agenda Item S-9 Comments to Board of Supervisors from Preston & Abrams Parks Tenants Association
Attachments: Preston & Abrams Parks Tenants Association Ltr to BOS for 14 JUN 2011 Agenda Item S-9 (c).pdf

Clerk of the Board,

Please distribute the attached PDF of the Preston & Abrams Parks Tenants Association letter to the Board of Supervisors relative to the 06/14/2011 Agenda Item S-9 (c), **the appeal by Monterey-Salinas Transit (MST)/Redevelopment Agency of the County of Monterey from the April 13, 2011 decision of the Monterey County Planning Commission.**

Thank you.

Paula F. Pelot, Chairperson
Preston & Abrams Parks Tenants Association
Former Fort Ord
Marina, California
831-582-0522



PRESTON AND ABRAMS PARKS TENANTS ASSOCIATION

June 12, 2011

Monterey County Board of Supervisors (*via Email*)

Honorable Supervisors,

I write to you today on behalf of the five-hundred forty-four Preston and Abrams Parks' families who live on the former Fort Ord near the proposed MST Corporation Yard and Whispering Oaks Business Park site. The proposed site currently provides a nearby recreational experience for our residents who are young and elder, singles and families, hikers, walkers, bicyclists, horseback riders and general outdoors enthusiasts. In these tough economic times, access to and through this site provides a rich recreational experience for our working families - one that is irreplaceable.

Moreover, severing the greenway of the shared-use, historic Sgt Allan MacDonald Cavalry Trail would eliminate this regional recreational resource not just for the existing residents, but also for the thousands of the future nearby residents of planned projects such as the Dunes, East Garrison, Monterey Downs, Marina Heights and Cypress Knolls. It is a bell that cannot be un-rung.

The Monterey County Planning Commission made the right decision by refusing to rezone open space and clear cutting 4,400 vital oak trees and by directing MST to locate another site. Although MST has appealed that decision to you, there is no good justification to overturn it. There are other more environmentally appropriate sites that are either not utilized or are underutilized, such as the Marina Airport, a site that has existing infrastructure, one that could meet the project needs without spoiling a natural resource that is relied upon by so many in our community.

We also recognize that MST and the County have already invested funds into the planning of this project: that expenditure, however, compared to the total project costs are relatively small but, more importantly, money already spent on a poor plan does not justify a poor decision.

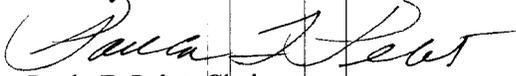
The federal dollars that are pending award to this, or another project, would not be threatened by upholding the Planning Commission's decision, as the potential award is not site specific. The perceived threat to that potential award is relative to the shovel-readiness of the current proposed site. The current proposed site is not shovel-ready and so moving the project to the better suited, and welcoming, Marina Airport site does not threaten that potential award.

In our community, we were satisfied by the Planning Commission's decision but subsequently disappointed by MST's non-acceptance of it. They are, however, entitled to an appeal and this gives your citizens a chance to speak directly to you.

Our message is clear:

- (1) Please **do not destroy a stand of 4,400 vital oak trees** when a more appropriate site is available,
- (2) Please **do not destroy a natural recreational resource for tens of thousands of Monterey peninsula existing, and future, residents and visitors** when a more appropriate site is available,
- (3) Please **do not be misled into believing that federal funding will be lost** when another site can be readied,
- (4) Please **do uphold the reasoned, responsible and unanimous decision** of the Monterey County Planning Commission.

Thank you.



Paula F. Pelot, Chairperson
Preston & Abrams Parks Tenants Association
728 Landrum Court
Marina, CA 93933
(831) 582-0522

From: Tom Moore [mailto:tpmoore@redshift.com]
Sent: Sunday, June 12, 2011 11:11 PM
To: 100-District 5 (831) 647-7755
Subject: Whispering Oaks proposal

Dear Supervisor Potter;

On Tuesday afternoon, please deny the MST appeal of the County Planning Commission's decision regarding the Whispering Oaks proposal. Also, please do NOT certify the EIR yet for that proposal. Here are some good reasons:

- Approving the Whispering Oaks proposal would create another business center that would compete with Ryan Ranch, UC-MBEST and the Marina Airport. All of the latter three have significant vacant acreage. In this economic climate creating yet another failing business center is not a very wise move.

- If the County was hoping for significant revenues of some sort from Whispering Oaks, then do some hard bargaining with the City of Marina and UC-MBEST. The MST facility would do just fine at UC-MBEST or Marina Airport, despite MST's protestations to the contrary.

- There's a very good chance that it would be less expensive for MST to build at UC-MBEST or Marina Airport because the area is already cleared and graded and most of the necessary infrastructure is already in the ground. No such clearing, grading or infrastructure currently exists at the Whispering Oaks site aside from the small amount of infrastructure in or above Intergarrison Road.

- I don't represent any of them, and this is just my personal prediction, but there are three non-profit organizations that would seriously consider filing litigation if the EIR is certified without an analysis of the Marina alternative. I'm sure you know of these organizations also, and therefore know that at two of them have the resources to take up such litigation. Maybe I'm too optimistic, but postponing certification of the EIR and coming to some agreement with the City of Marina might avoid all such litigation. What is certain is that adding the environmental analysis of a Marina alternative to the existing EIR would strengthen that document and make it less susceptible to future legal criticism.

So I think you may have the opportunity to be pro-business, pro-MST, pro-MST riders, pro-tourism and pro-environment all at the same time by causing MST to take a truly serious look at the Marina alternative. You'd be pro-business by making something actually happen at UC-MBEST or the Marina Airport; you'd be pro-MST if the cost of completing their facility at a Marina site turned out to be less than at the Whispering Oaks site; you'd be pro-MST riders for the same reason (helps MST keep fares lower); you'd be pro-tourism by helping to ensure the outdoor recreation facilities aren't degraded by a

development at Whispering Oaks; and you'd be pro-environment by saving the coast live oak woodland at the Whispering Oaks site.

Anyway, best of luck with this decision on Tuesday afternoon.

Sincerely,
Tom Moore
3235 Isla del Sol Way
Marina, CA 93933
384-3234 (home)
656-2642 (work)

From: Daniel Fernandez [dfernandez@csumb.edu]
Sent: Sunday, June 12, 2011 9:54 PM
To: 112-Clerk of the Board Everyone; mst@mst.org
Subject: PLEASE PLEASE do NOT BUILD MST INDUSTRIAL PARK ALONG RESERVATION ROAD

Dear Monterey County Board of Supervisors and Monterey-Salinas Transit,

This is a plea to NOT build the proposed industrial park along Intergarrison Road, which would remove 4400 oak trees, require enormous new infrastructure and negatively impact the CSUMB campus. Why not use land that is either already developed, such as that by the airport, or at least that is already paved over, such as that off of 7th or 8th avenue? Development of the land in the fashion currently on the table is inconsistent with the US Conference of Mayors Climate Protection Agreement (<http://www.usmayors.org/climateprotection/agreement.htm>), which Marina Mayor Bruce Delgado has signed, since the removal of all of these trees and the development of this land will significantly increase the carbon footprint. Alternatively, other locations that are more developed will see a much lower overall footprint if chosen as the site.

Please, please it is not too late to reconsider other locations that would make much more sense and have less impact. Note that I am not opposed to MST moving to a location in Marina, but I think that their operations center and business park should not be located at the currently proposed site for the reasons stated.

Sincerely,

Daniel M. Fernandez, CSUMB Professor and East Campus (Marina) resident

Appendix: Relevant text from Mayors Climate Protection Agreement:

Under the Agreement, participating cities commit to take following three actions:

- Strive to meet or beat the Kyoto Protocol targets in their own communities, through actions ranging from anti-sprawl land-use policies to urban forest restoration projects to public information campaigns;
- Urge their state governments, and the federal government, to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol -- 7% reduction from 1990 levels by 2012; and
- Urge the U.S. Congress to pass the bipartisan greenhouse gas reduction legislation, which would establish a national emission trading system

--

Dr. Daniel M. Fernandez
Chair, Division of Science and Environmental Policy
California State University, Monterey Bay
100 Campus Center
Seaside, CA 93955

(831) 582-3786 (office)
(831) 582-4122 (FAX)

6/13/2011

From: Lisa Deas [lisadeas3@gmail.com]
Sent: Monday, June 13, 2011 8:56 AM
To: 112-Clerk of the Board Everyone; mst@mst.org; Margaret Davis
Subject: MST/Whispering Oaks
Attachments: BCHC letter to Monterey County BOS re MST.doc; Public Lands Letter regarding MST from Backcountry Horsemen.doc; To all Members of the Monterey County Board of Supervisors.docx

Please find the attached letters.

One is from John Keyes, Chairman of the California Equestrian Trails & Land Coalition.

One is from the President of Backcountry Horsemen of California

One is from the Co Executive Vice President of Public Lands, Backcountry Horsemen of California.

All letters have been hard copy mailed to Monterey County Board of Supervisors.

I will speak on behalf of these groups on Tuesday at the Board of Supervisors meeting.

Thank you for your time.

Lisa Deas
Executive Co VP of Education
Backcountry Horsemen of California
<http://bchcalifornia.org>
831-402-7482

Monterey County Resident since 1967/Marina Resident



Backcountry Horsemen of California

13061 Rosedale Highway, Suite G
Bakersfield, CA 93314

June 9, 2011

Monterey-Salinas Transit Board of Directors
One Ryan Ranch Road
Monterey, CA 93940

Monterey County Board of Supervisors
168 W Alisal Street
Salinas, CA 93901

Backcountry Horsemen of California is a group of concerned men and women dedicated to Gentle Use of California trails and backcountry.

We have over 3,000 members in the state and organizations in 26 other states.

Backcountry Horsemen takes pride in maintaining and preserving historic trails. The actions of Monterey-Salinas Transit to destroy access from a historic trail greenway and artery to allow hikers, bikers, and equestrians is not good public policy, not good for this natural habitat, and is a very drastic position to take. The City of Marina is offering a suitable, already-developed area for this industrial development, among other possible alternatives in Monterey County.

Should this development take place in the proposed location, not only will 4,400 coastal aged oak trees be removed, all of the habitat will also be gone. There is no pleasure in riding a trail that will be aligned with bus operations and massive traffic. There is already a shortage of parking in the Creekside portion of BLM, which will be the only access point of entry to the 83 miles of trails.

The Sgt. Allan McDonald U.S. Calvary Trail is of historic value to the community of Monterey County, leading from WWII warhorse buildings at the Marina Equestrian Center to 11th Cavalry watering troughs and the grave of the last Fort Ord warhorse on BLM land. The Marina Equestrian Center (MEC) is the access hub and is a National Park Site intended for locals and tourists alike to park, picnic, and hike or ride the trail system. Currently one can park at the MEC, access the Calvary trail, and cross onto the Jerry Smith Corridor, which leads to BLM.

1. We support MST and public transit.
2. We affirm the Planning Commissions unanimous refusals to rezone open space for MST Facility and Whispering Oaks Business Park.

3. We affirm the Planning Commissions unanimous refusals to permit clear cutting 4400 trees.
4. We urge MST to accept these refusals and find an alternative site.
5. We support the greenway and Sgt Allan MacDonald Cavalry Trail connecting the beach and BLM trails.
6. We must recognize the trails and open space of former Fort Ord as an important regional resource.
7. We are a community of thousands of recreational enthusiasts, using and maintaining trails at former Fort Ord.

Please consider our position and vote to withdraw or deny the MST appeal.

Sincerely,

Dennis Serpa
President
Backcountry Horsemen of California
<http://bchcalifornia.org>
Backcountry Horsemen of California
13061 Rosedale Highway, Suite G
Bakersfield, CA 93314

BRUCE DE MOTT

6/13/2011

TO: Backcountry Horsemen of California Executive Committee

**Regarding the vesting Tentative Map
Figure 4,
MST Whispering Oaks Business Park EIR NOP
Source: EMC Planning Group INC. 2009
Whitson Engineers 2009**

As a member of the Backcountry Horsemen of California (BCHC) Executive Committee and the Public Lands Co-Chair for the State organization of BCHC I write my support of the findings of the Monterey County Planning Commissions findings of the April 13, 2011 meeting, agenda item No. 2.

I support the basis of the Monterey County Planning Commissions findings being the evidence in the Commissions record and the subsequent vote of intent to deny the project based on the following comments and considerations;

- **The number of trees being removed is to high**
- **Tree removal has not been minimized to the maximum extent feasible; and**
- **Alternate sites may exist near the multi-modal corridor that need to be redeveloped and would be environmentally superior locations for the proposed project. I concur with supporting statement made in Policy OS-5.4 and zoning ordinance Title 21, section 21.64.260.**

It is apparent the portions of the Allan MacDonald Cavalry Trail and the LT. Lee Stickler Artillery Cutoff would be obliterated.

The historic and the intrinsic association with the past military operation of our country is invaluable. Association with the past is an investment into the future. Any attempts to progress at the expense of valuable history is to digress.

**Bruce De Mott
Executive Vice President
Public Lands Co-Chair
Backcountry Horsemen of California**

From: Doris Hnery [dorx3_3@yahoo.com]
Sent: Monday, June 13, 2011 10:31 AM
To: 112-Clerk of the Board Everyone
Subject: Bus Barn at Fort Ord

I object to the project that will require the removal of Oak Trees, and Horse trails to accomplish a storage facility for buses, when an alternative has been made for property use at the Airport facility that will more than accomodate this project and perhaps even require less work to erect. I urge the BOS to consider using the flat area offered at the Airport. I object to trees being removed from any area that might interfere with wildlife use, and public use of trails.

Evelyn Henry
45 Paradise Road
Castroville, Ca.95012

From: Dennis McFadden [dennis@shorelinechurch.org]

Sent: Monday, June 13, 2011 11:15 AM

To: 112-Clerk of the Board Everyone

Subject: MST

Respectfully, the MST location should be at Marina Airport, not Fort Ord.
Dennis McFadden



RECEIVED
MONTEREY COUNTY

2011 JUN 13 PM 12:44

CLERK OF THE BOARD


 _____ DEPUTY

June 13, 2011

The Honorable Jane Parker, Chair
 Monterey County Board of Supervisors
 158 West Alisal Street
 Salinas, California 93901

Submitted by fax to 831-753-4888

Re: Support for Monterey-Salinas Transit District proposed Frank J. Lichtanski Maintenance and Operations Facility at Ft. Ord

Dear Supervisor Parker and Supervisors:

The Monterey County Hospitality strongly supports the Monterey-Salinas Transit District's proposed Frank J. Lichtanski Maintenance and Operations Facility at Ft. Ord and urges that you approve it.

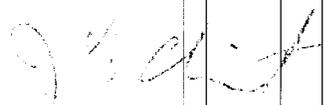
MCHA is a long-time supporter of mass transit/rapid transit; we represent the industry that generates \$2 billion per year in direct economic spending, employs 22,000 workers and earns \$55 million annually in local tax revenues. Many of our workers depend on the services MST provides to get to work each day. Consolidating its facilities into a carefully planned and well thought out facility will enable MST to achieve many service efficiencies and enhance its overall ability to serve our community.

The proposed MST facility and other light industrial/commercial uses proposed for the parcel by the County's Redevelopment Agency are consistent with the Reuse Plan and the 2010 Monterey County General Plan. The new MST facility that is being proposed is desperately needed by the working families served by Monterey-Salinas Transit as the 45 year old facilities currently in use cannot effectively support the fleet of transit vehicles needed for the growing numbers who depend on MST to get to work, school, and medical appointments. In addition, Monterey County desperately needs the jobs that will be created.

The MST facility is designed to high environmental standards that include the use of photovoltaic power, rainwater harvesting, natural landscaping and other design elements that will help the project achieve a LEED silver rating and significant greenhouse gas emission reductions.

In designing the proposed project, MCHA has undergone a thorough public planning process over the past several years and has invested over \$4.5 million dollars of public funds in designing an appropriately sized facility for their home for the next 40 years. The project is good for the hardworking people at MST, the working families who depend on MST services, and the Monterey Bay region as a whole.

We urge you to approve the MST proposal.



Jennie Chiorratti, President

From: Jason Campbell [camprain@sbcglobal.net]
Sent: Monday, June 13, 2011 1:17 PM
To: 112-Clerk of the Board Everyone
Subject: MST/Whispering Oaks , Please distribute to all county board members

County Supervisors,

I am writing today to ask you to deny the appeal made by the Redevelopment Agency concerning the MST and Whispering Oaks project.

Many strong arguments have been made against having this project at this location (the most common and sensible being "why not put it on an already blighted location") yet I have heard very few, if any strong arguments for this location.

One issue which concerns me is the potential for loss of credibility among the various bodies and agencies involved.

There is the your board which will have to completely dismiss the recommendation of the Planning Commission suggesting that one or both bodies do not understand the nature of this plan. And of course there is the question of whether our tax dollars are wisely spent or given away along with land to developers.

The Redevelopment Agency already has a huge blemish on its record with the East Garrison development and instead of repairing the damage caused to the environment and public funds by that plan, they are allowed to pursue another project likely to cause harm in the same ways. The RDA has a clear record of creating blight in the former Fort Ord.

The MST says on its website with regard to this project it is "Steered by MST's strategic goal to conserve natural resources..." This stated goal clearly does not square with the request for permits to cut down 4,400 oak trees. Ideally the MST would reduce greenhouse gasses not release what is sequestered in the oak forest. MST is also claiming to strive for a silver LEEDS certification. Should they actually get it after causing so much destruction to habitat it would shine a bad light on the whole LEED process.

Please do not allow this poorly conceived project to proceed.

Sincerely,

Jason Campbell
1250 Allston St.
Seaside CA 93955

6/13/2011

From: Tristan Mansson-Perrone [tmansson-perrone@csumb.edu]
Sent: Monday, June 13, 2011 1:52 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: Whispering Oaks - opposed to Inter-Garrison location

To whom it may concern:

Let me first start off by saying, I am a strong advocate for alternative transportation and have been riding MST since first going to school at CSUMB in 2004. However I am also a strong advocate for sustainable and thoughtful development, and have therefore taken interest in this issue of developing on Inter-Garrison Road.

Put simply, Whispering Oaks is not a sustainable development. With other alternative and less impacted sites available, cutting down massive amounts of mature natural habitat is not necessary. I strongly urge MST to consider the Planning Commission's request to find another location, and even more strongly urge all Supervisors of Monterey County to help preserve what makes the Monterey Area so attractive to live in -- its abundant natural beauties and careful development.

I first came to CSUMB because of its potential, and a major part of that was its location. CSUMB is surrounded by not only a rich history, but a rich expanse of natural habitat. I have spent over 6 years already exploring what the area has to offer and it has been enough for me to stay and work since graduating. I commute by bicycle from Marina to Monterey every week, and use the trails around CSUMB for running and mountain biking. The ability to safely bike around campus, and to and from surrounding communities, is very important and this development would unarguably compromise that.

As the former Ford Ord is slowly dismantled, it is extremely important that re-development take into consideration the future of the location. This proposed development will only set a precedent for the future destruction of what makes the location of CSUMB so appealing. By allowing MST to develop on Inter-Garrison, you undermine the opinions of the Planning Commission, of CSUMB students, of Fredericks Park residents, and many more who see poorly planned development happen every day in their own communities.

Please do the right thing and uphold the decision of the Planning Commission, to deny MST from developing at the Inter-Garrison location. There are other locations that have been proposed by community members and organizations, and those should be explored first.

Thank you for your time.

Sincerely,

Tristan Mansson-Perrone
Resident of Marina

6/13/2011

From: Anne Helms [anneh2@comcast.net]
Sent: Monday, June 13, 2011 2:33 PM
To: 112-Clerk of the Board Everyone
Cc: mst@mst.org
Subject: MST/Whispering Oaks

I oppose putting MST at the proposed site. There has to be a better location that doesn't impact the trail system and access to public spaces. Please don't overturn the County Planning Commission's well-considered denial.

Anne Adams Helms
25350 Camino de Chamisal
Corral de Tierra, CA 93908
(831) 484-6534
Fax (831) 484-5106

From: Anita Shepherd-Sharp [AShepherd@ci.marina.ca.us]
Sent: Monday, June 13, 2011 3:28 PM
To: Hancock, Denise 796-3077
Cc: Anthony Altfeld
Subject: City of Marina - Letter to MST
Attachments: MST Letter - June 13, 2011.pdf

Good afternoon Denise, please distribute the attached letter to the Board of Supervisors.

Thank you

<<MST Letter - June 13, 2011.pdf>>

Anita Shepherd-Sharp
Administrative Assistant
City of Marina
211 Hillcrest Avenue
Marina, CA 93933
Ph. (831) 884-1281 (Office)
Fax. (831) 384-9148 (facsimile)
ashepherd@ci.marina.ca.us
www.ci.marina.ca.us



CITY OF MARINA

211 Hillcrest Avenue
Marina, CA 93933
831-884-1278; FAX 831-384-9148
www.ci.marina.ca.us

June 13, 2011

Mr. Fernando Armenta, Chair
Monterey-Salinas Transit Authority
One Ryan Ranch Road
Monterey, CA 93940

Dear Chair Armenta,

I am writing to you today in an effort to make a clarification for the record regarding efforts on the part of Monterey-Salinas Transit to, either directly approach or to communicate to the City of Marina, its serious interests in locating the proposed MST Monterey Bay Bus Operations and Maintenance Center on properties owned and/or controlled by the City of Marina.

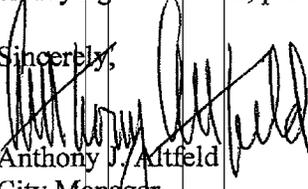
As MST has proceeded with its proposed development project to locate its Monterey Bay Bus Operations and Maintenance Center at the Whispering Oaks location, representatives from MST have been quoted in various media releases as dismissing both the City of Marina as well as any opportunity to reconsider locating this project within the business park at the Marina Municipal Airport. This dismissal appears to be made with the inference that the City has shown no interest in this project to include rejecting prior interest on the part of MST to locate future facilities at the Marina Municipal Airport. Such representation is not correct.

At no time prior to the decision by MST to locate the future Monterey Bay Bus Operations and Maintenance Center at the Whispering Oaks location did any member of MST approach the City for the purpose of conducting serious discussions and/or negotiations to locate this facility in Marina. Any representation that Marina has somehow "dropped the ball" on such interests and/or negotiations is simply not true.

The City of Marina remains available and interested in meeting with MST staff to discuss opportunities that may exist to locate the proposed facility at either the Marina Municipal Airport or some other location that may suitably meet the needs of the parties.

In the event that I may answer any additional questions or be of further assistance in clarifying this matter, please feel free to call or contact me at (831) 884-1278.

Sincerely,


Anthony J. Aitfeld
City Manager
City of Marina

Serving a World Class Community

Big Sur ♦ Carmel-by-the-Sea ♦ Carmel Valley ♦ Del Rey Oaks ♦ Marina ♦ Monterey ♦ Pacific Grove ♦ Pebble Beach ♦ Sand City ♦ Seaside



June 8, 2011

RECEIVED
MONTEREY COUNTY

2011 JUN 14 AM 8:45

CLERK OF THE BOARD

DEPUTY

The Honorable Jane Parker, Chair
Monterey County Board of Supervisors
168 West Alisal Street
Salinas, California 93901

Submitted by fax to 831-755-5888

Re: Support for Monterey Salinas Transit District proposed Frank J. Lichtanski Maintenance and Operations Facility at Ft. Ord

Dear Supervisor Parker and Supervisors:

The Monterey Peninsula Chamber of Commerce strongly supports the Monterey Salinas Transit District's proposed Frank J. Lichtanski Maintenance and Operations Facility at Ft. Ord.

The Chamber is a long-time supporter of mass transit/rapid transit that represents almost 900 employers and their 30,000 employees, many of whom depend on MST to get to work each day.

The proposed MST facility and other light industrial commercial uses proposed for the parcel by the County's Redevelopment Agency are consistent with the Reuse Plan and the 2010 Monterey County General Plan. The new MST facility that is being proposed is desperately needed by the working families served by Monterey Salinas Transit as the 45 year old facilities currently in use cannot effectively support the fleet of transit vehicles needed for the growing numbers who depend on MST to get to work, school, and medical appointments.

The MST facility is designed to high environmental standards that include the use of photovoltaic power, rainwater harvesting, natural landscaping and other design elements that will help the project achieve a LEED certification and significant greenhouse gas emission reductions.

In designing the proposed project, MST has undergone a thorough, well-trodden public planning process over the past several years and has invested over \$4.5 million dollars of public funds in designing an appropriate sized facility for their needs for the next 30 years. The project is good for the hundreds of people and the working families who depend on MST services, and the Monterey Bay region's economy.

We urge you to approve the MST proposal and further support the agency in any approval whatever conditions you can that the project be built and furnished using local businesses wherever possible.

Sincerely,

Joe Hansen
President of CEO

George Hula
Vice Chair, Government Affairs, Commerce

cc: The Honorable Monterey County Supervisors A. Mantz, Calcagno, Potter, and Salinas

2011
BOARD OF DIRECTORS

Chair

Joy Anderson
Mariposa Inn & Suites

Vice Chair of Economic Vitality
Neal Heckman
Palace Office Interiors

Vice Chair of Education
Joanne Webster
Community Hospital of
Monterey Peninsula

Vice Chair of Finance
Rae Lee
Hayashi & Waisland

Vice Chair of
Government Affairs
Cynthia Bush
The Crossroads Shopping Village

Vice Chair of Membership
Doug Phillips
Monterey Plaza Hotel & Spa

Immediate Past Chair
Aron Richardson
Naval Postgraduate School

Richard Arelis
Tolbar N.A.

Carla Davis
Law Offices of Carla Davis

Hunter Samuel
Hunter Travel Productions

Leahle Lindahl
Central Coast Federal Credit Union

Joe Hansen
Mudstone Construction

Ben Stinson
D&K Construction

George Hula
Allstate Insurance Company
Financial Services Center

Patricia M. Gil
California State University
Monterey Bay

President CEO
Joe Hansen

Established 1938
30 Ragsdale Drive, Suite 203
Monterey CA 93940
Tel 831.348.5550
Fax 831.348.2400
www.mpcoc.org

From: ingramgp [ingramgp@ix.netcom.com]
 Sent: Tuesday, June 14, 2011 11:31 AM
 To: 112-Clerk of the Board Everyone
 Cc: Janet M Parks
 Subject: Item S-9 6.14.11 - Letter to Board of Supervisors from Veterans Cemetery Foundation
 Attachments: MST - CCVCF Ltr to BOS 6.14.2011.doc

CENTRAL COAST VETERANS CEMETERY FOUNDATION

P.O. BOX 849 MARINA, CA 93933 (831) 384-9400 www.ccvcf.com

June 14, 2011

Clerk of the Board
 Monterey County Board of Supervisors

Email: ctb@co.monterey.ca.us
 Fax: 755-5888

REF: **June 14, 2011 Public Hearing Item S-9**
 Monterey-Salinas Transit Facility/Whispering Oaks Business Park

Dear Persons in the office of the Clerk to the Board of Supervisors:
 Would you please provide each member of the Board of Supervisors a copy of the attached letter from the Central Coast Veterans Cemetery Foundation prior to the hearing Item S-9 scheduled today regarding Monterey-Salinas Transit Facility/Whispering Oaks Business Park.

Janet Parks, president of the CCVCF Board of Directors asked that I forward this letter on her behalf as she has limited ability to use email and fax. Should you wish to contact her directly to verify her request, please call her at 375-7581. I am also faxing a copy of the letter to your office.

Thank you so much for your assistance in this matter.

(Signed) *Candace Ingram*

Candace Ingram, Consultant, Interim Executive Director, CCVCF

Phone: 373-3609 Fax: 373-0108 Email: ingramgp@ix.netcom.com

ti
 Re:

Jas



From: ingramgp [ingramgp@ix.netcom.com]
Sent: Tuesday, June 14, 2011 11:31 AM
To: 112-Clerk of the Board Everyone
Cc: Janet M Parks
Subject: Item S-9 6.14.11 - Letter to Board of Supervisors from Veterans Cemetery Foundation
Attachments: MST - CCVCF Ltr to BOS 6.14.2011.doc

CENTRAL COAST VETERANS CEMETERY FOUNDATION

P.O. BOX 849 MARINA, CA 93933 (831) 384-9400 www.ccvcf.com

June 14, 2011

Clerk of the Board

Monterey County Board of Supervisors

Email: cttb@co.monterey.ca.us

Fax: 755-5888

REF: June 14, 2011 Public Hearing Item S-9

Monterey-Salinas Transit Facility/Whispering Oaks Business Park

Dear Persons in the office of the Clerk to the Board of Supervisors:

Would you please provide each member of the Board of Supervisors a copy of the attached letter from the Central Coast Veterans Cemetery Foundation prior to the hearing Item S-9 scheduled today regarding Monterey-Salinas Transit Facility/Whispering Oaks Business Park.

Janet Parks, president of the CCVCF Board of Directors asked that I forward this letter on her behalf as she has limited ability to use email and fax. Should you wish to contact her directly to verify her request, please call her at 375-7581. I am also faxing a copy of the letter to your office.

Thank you so much for your assistance in this matter.

(Signed) *Candace Ingram*

Candace Ingram, Consultant, Interim Executive Director, CCVCF

Phone: 373-3609 Fax: 373-0108 Email: ingramgp@ix.netcom.com

6/14/2011

Central Coast Veterans CEMETERY FOUNDATION

220 TWELFTH STREET, P.O. BOX 849, MARINA, CA 93933

BOARD OF TRUSTEES

JAN PARKS
PRESIDENT

JAMES BOGAN
CHIEF FINANCIAL OFFICER

CHARLIE ESKRIDGE
EXECUTIVE DIRECTOR

HOWARD GUSTAFSON
SECRETARY

BYRL ANDERSON-SMITH
TRUSTEE



REF: June 14, 2011 Hearing on Appeal of Planning Commission Decision re
MST Facility/Whispering Oaks Business Park **Item S-9**

Dear Monterey County Board of Supervisors Members:

As you know, the Central Coast Veterans Cemetery Foundation (CCVCF) has been working for a number of years to establish a Veterans' Cemetery at the former Fort Ord. The Cemetery will serve all Veterans and their families, and will particularly serve those within the entire Central Coast region.

As a result of our interest in land for a Veterans' Cemetery, we have followed the Fort Ord reuse effort. We are aware that reuse for the former Fort Ord was planned by balancing economic opportunity, housing, and preservation of habitat and open space and that these purposes and principles are consistent with the Base Reuse Plan (BRP) and the Habitat Management Plan (HMP). It is our understanding that the proposed MST area was part of the Army's landfill effort, is not contiguous to other habitat areas identified for preservation in the BRP nor the HMP, and is located along a transit corridor. While the CCVCF Board has taken no formal action or position on the appeal before you, we are aware that when the Fort Ord Base Reuse Plan was developed, some people wanted the entire base to be open space or wanted to only allow development where military "uses" or "buildings" already existed, perhaps forgetting that military uses existed everywhere on the former Fort Ord since it was an active military base for nearly a century. Others wanted to create jobs, housing and help for the economy in our region, including establishing an area to honor those who have served our nation and creating a Veterans' Cemetery on land scheduled for reuse but currently without development.

Not many years ago, Fort Ord was a military base completely closed to the public. "Trails" were made by soldiers walking, riding and hauling equipment to training areas. Today, nearly half of the former base (approximately 20,000 acres) is committed and preserved for open space and habitat conservation, and park lands are being closed for lack of funding. Veterans, however, still have served on behalf of each of us and for our country and deserve decisions which will assure that a Veterans' Cemetery can and will be constructed at the former Fort Ord in the sited location.

Respectfully,

Janet Parks

Janet M. Parks, President, CCVCF Board of Directors

(831) 384-9400 · WWW.CCVCF.COM

From: diego martinez [diecicleta@gmail.com]
Sent: Tuesday, June 14, 2011 10:33 AM
To: 112-Clerk of the Board Everyone
Subject: MST parking

Good morning,

as a frequent user of the Fort Ord area I am deeply concern about the future plans of development. I would like to appeal to you to withdraw or deny the MST appeal and find and alternative site.

thank you,
Diego Martinez

From: Amy White [awhite@mclw.org]
Sent: Tuesday, June 14, 2011 9:15 AM
To: 112-Clerk of the Board Everyone
Subject: LandWatch letter re: MST / WO hearing today
Attachments: LandWatch comments on MST-Whispering Oaks to BOS.pdf

Dear Gail,

Attached is the LandWatch letter for today's hearing on the MST / WO project. I also printed 10 copies, but wanted the county to have the letter as soon as possible. Please verify you received this, and please let me know if it would be helpful for me to bring the 10 copies now. I can walk them over to you this morning, if so.

Thank you and sincerely,

Amy L. White, Executive Director
LandWatch Monterey County
150 Cayuga Street, Suite 9
Salinas, CA 93901
831-75-WATCH (92824)
www.landwatch.org

June 13, 2011

Via Hand Delivery

Board of Supervisors
County of Monterey
168 West Alisal Street
Salinas, CA 93902

Re: MST/Whispering Oaks Rezone and Use Permit – PLN110231

Dear Members of the Board:

We write on behalf of LandWatch Monterey County regarding the MST/Whispering Oaks development project proposed for the former Fort Ord base (the “Project”). LandWatch has participated in the environmental review of the Project and has opposed it for a number of reasons, including the unnecessary removal of thousands of oak trees and at least 37 acres of oak woodlands. Although there are clearly alternative locations and/or designs for the Project that would avoid this impact, these alternatives were not considered in the EIR. The County cannot comply with CEQA or make the required findings under its tree preservation ordinance based on the record before you.

The EIR fails to evaluate and mitigate impacts to oak woodlands adequately and its alternatives analysis is flawed. The Project does not meet the requirements for a use permit for tree removal. The Project is inconsistent with the Fort Ord Reuse Plan and with the Fort Ord Master Plan, and these plans are themselves inconsistent. Finally, the analysis of water supply impacts is inadequate under CEQA and is insufficient to support findings required by the County’s General Plan.

We ask that the County reject the appeal and deny the Project’s entitlements.

Specific objections are set forth below.

A. EIR’s Analysis And Mitigation Of Impacts To Oak Woodlands Is Inadequate

The announced bases of the EIR’s conclusion that impacts to oak woodlands are less than significant are considerations of the Project’s context, design, and mitigation measures. Unfortunately the Project design is so incomplete and unstable that the EIR is unable to provide an adequate analysis of impacts or to specify required mitigation. The

last minute provision of conflicting accounts of the Project design, accounts that are not part of the EIR, compound this problem.

Critically, the EIR lacks any coherent threshold of significance that would enable the public and decision makers to understand the conclusion that impacts are less than significant. While the DEIR recited CEQA Appendix G standards of significance for biological resources (DEIR, pp. 2-39 to 2-40), it does not actually identify or apply a standard of significance in its discussion of impacts to oak woodlands. DEIR, pp. 2-65 to 2-66. Thus, for example, it is unclear whether the EIR focuses on loss and replacement of individual trees or loss and replacement of acres of habitat, and whether quality of the lost and replaced habitat is a consideration. It is incumbent on the EIR to explain what *would* constitute a significant impact, and, equally importantly, what would constitute adequate mitigation. Without this, the EIR fails as an informational document.

The EIR admits that impacts are significant, but without identifying any objective criteria of significance. Because CEQA only permits an agency to impose mitigation for significant impacts, the public must assume that the EIR proposes just those measures that are essential to meet some unstated but implicit threshold of significance. Thus, if any of the mitigation fails to meet CEQA's requirements, the public can only conclude that impacts remain significant. As discussed below, the mitigation does in fact fail because it does not meet the requirements of the Oak Woodlands Conservation Act, because it is unenforceable, and because it is improperly deferred.

In addition, the EIR misrepresents the Project's context within the Fort Ord Reuse Plan, incorrectly claiming that it fulfills a policy to protect oak woodlands and that the Fort Ord Habitat Management Plan is intended to mitigate the loss of oak woodlands. The EIR also improperly credits the Project with protecting oak woodlands that are already protected and fails to meet the requirements of the Oak Woodlands Conservation Act.

1. Ostensible Basis Of Significance Finding

Project construction would result in the direct loss of 37.4 acres of oak woodlands.¹ DEIR, p. 2-65. The Project would result in additional losses of oak woodlands, which the EIR does not quantify, through construction of required off-site drainage improvements. DEIR, pp. 2-65, 1-43 to 1-59. The EIR announces that the

¹ This estimate is apparently based on Table 1 of the August 2009 MST/Whispering Oaks Business Park Biological Assessment ("Biological Assessment"). DEIR, App. D, Biological Assessment, p. 11. Unaccountably, Table 1-2 of the August 2009 Preliminary Oak Woodland Habitat and Tree Removal Mitigation Strategy Plan for the MST Facility/Whispering Oaks Business Park Site ("Preliminary Mitigation Strategy Plan") identifies only 14 acres of oak woodland habitat acreage at the Project site. DEIR, App. D, Preliminary Mitigation Strategy Plan, p. 3. This inconsistency in concurrent reports by the same consultant undercuts their informational value to the public and decision makers as well as reliance on them to support findings.

Project's impacts to oak woodlands would be rendered less than significant based on the following considerations:

- The Fort Order Reuse Plan EIR determination that oak woodlands habitat impacts would be less than significant due to the establishment of base-wide conservation area required by the Fort Ord Habitat Management Plan ("HMP").²
- The Project's purported consistency "with that HMP and the associated impact analysis of the Base Reuse Plan EIR."
- The Project's purported implementation of Alternative 1 of the permissible mitigation strategies of the Oak Woodlands Conservation Act, Public Resources Code § 21083.4(b)(1), calling for conservation easements to preserve oak woodlands, through the Project's payment of FORA development fees, a portion of which goes to management of the open space, and through establishment of conservation easements on Parcels C and D.
- Mitigation Measures BIO-10, 11, and 12 calling for compliance with planning documents, some of which do not yet exist; protections for retained trees; replanting or replacing some trees on site; preservation of existing trees where that is subsequently found to be "feasible;" "considering" design changes to preserve landmark trees; payment of FORA impact fees for open space maintenance; and off-site replanting and habitat management or payment of in-lieu fees. See DEIR, p. 2-65; FEIR, pp. 4-9 to 4-13 (one version of BIO-10 and 11); Staff Report, June 14, 2011, Exhibit B, pp. 36-37 (another version of BIO-10 and 11).

The EIR's analysis of the significance of the Project's impacts to oak woodlands and its determination of the sufficiency of mitigation are based on the following documents included in Appendix D to the EIR:

- MST Facility/Whispering Oaks Business Park Biological Assessment, August 2009 (Biological Assessment");
- Forest Resources Evaluation, Whispering Oaks Business Park, August 2009 ("Whispering Oaks Forest Resource Evaluation");
- Forest Management Plan for Monterey Salinas Transit Bus Maintenance and Operations Facility, August 2009 (MST Forest Management Plan");
- Preliminary Oak Woodland Habitat and Tree Removal Mitigation Strategy Plan for the MST Facility/Whispering Oaks Business Park Site, August 2009 ("Preliminary Mitigation Strategy Plan").

² I.e., the Army Corps of Engineers 1997 Installation-wide Multispecies Habitat Management Plan, available at http://www.fortordcleanup.com/docreview/reportsviewdoc.asp?document=Habitat_list.

In addition to this material that was included in the EIR, the June 14 Staff Report provides the public for the first time a document titled "Whispering Oaks Oak Tree Preservation and Recovery Strategy." Staff Report, June 14, 2011, Exhibit P. Although this document has a similar title to the "Oak tree preservation and recovery strategy" referenced in Mitigation Measure BIO-10 and the "Oak Tree Preservation-recovery Strategy" document referenced in Mitigation Measure BIO-11, this document was apparently prepared recently and in connection with the appeal of the Planning Commission rejection of the Project. Furthermore, it is described as an "applicant submittal" and therefore does not appear to constitute a replacement version of the Preliminary Oak Woodland Habitat and Tree Removal Mitigation Strategy Plan for the MST Facility/Whispering Oaks Business Park Site, August 2009, which was prepared by the EIR consultant and which was referenced in the Biological Assessment, the MST Forest Management Plan, the Whispering Oaks Forest Resource Evaluation, and the mitigation measures included in the EIR. Finally, as discussed below, the newly submitted Whispering Oaks Oak Tree Preservation and Recovery Strategy conflicts with the earlier documents that *are* referenced and included in the EIR. Thus, it is not clear whether and to what extent this document is in fact controlling as to mitigation obligations. It is clear, however, that this document was not part of the EIR.

2. The Project Description Is Inadequate To Support Analysis Of Impacts And Mitigation

CEQA requires an accurate, stable project description that provides an adequate basis to evaluate and mitigate project impacts. CEQA Guidelines, § 15124. Here, the EIR fails to provide an adequate description of the Project, because the Project design as it affects oak woodlands had not yet been developed. It still has not been developed. Furthermore, the June 14 Staff Report states that the project description has been changed and provides two conflicting applicant submittals discussing those changes. This is inconsistent with the requirement that the Project be consistently and adequately described in the EIR. Finally, if the Project has changed, then the Planning Commission must review it before action by the Board.

PROJECT FOR WHISPERING OAKS LOTS 2-15 IS UNDEFINED: In particular, there is no design for the Whispering Oaks portion of the Project, representing half of the area to be developed. Thus, the Forest Management Plan required by the County's tree preservation ordinance could not be prepared. Whispering Oaks Forest Resources Evaluation, p. 1; see Monterey County Code, § 21.64.260.D.3. Instead, the Whispering Oaks Forest Resource Evaluation was prepared. The Forest Resource Evaluation admits that it does not and cannot evaluate "specific impacts to trees relative to construction on the site." *Id.* The Whispering Oaks Forest Resources Evaluation does not function as a Forest Management Plan. It does not provide any substantive description of the Project or a plan identifying the trees to be removed or retained. It does not identify where trees will be replanted. It references the Preliminary Mitigation Strategy Plan, but it is no longer clear whether and how that document relates to Project mitigation.

Despite this, the June 14 Staff Report and Findings repeatedly and erroneously assert that a Forest Management Plan has been prepared for the Whispering Oaks portion of the Project. See June 14 Staff Report: Exhibit A, p. 10 (discussion); Exhibit B, p. 36 (Mitigation Measure BIO-10, referencing "Forest Management Plans that were prepared for the MST and Whispering Oaks Business park sites"); Exhibit R (identifying Whispering Oaks Forest Resources Evaluation as a "Forest Management Plan"); Exhibit D-2, pp 6, and 12 (resolution claiming Forest Management Plans were prepared for both sites and listing a Forest Management Plan for the Whispering Oaks site).

OFF-SITE DRAINAGE SYSTEM UNDEFINED: Furthermore, the DEIR admits that required off-site drainage improvements could result in additional oak tree losses, but it does not even attempt to quantify these losses, and it ignores these losses in discussing the extent of oak tree losses. DEIR, p. 2-65. Three off-site drainage plans have been developed, but the EIR does not identify which alternative will be selected. DEIR, pp. 1-44 to 1-59. No Forest Management Plan or Forest Resource Evaluation was prepared, or is even discussed, for the oak tree losses in connection with off-site drainage.

NEW APPLICANT SUBMITTALS CHANGE PROJECT DESCRIPTION BUT ARE INCONSISTENT WITH THE EIR AND EACH OTHER: The June 14 Staff Report repeatedly states that "the project description has been changed" to show that more trees will be retained. Staff Report, June 14, 2011, Exhibit A, p. 10; see also p. 3 (summary), Exhibit D2, p. 13 (findings). This claim is apparently based on a May 24, 2011 letter from the applicant submitted to support the appeal and another undated recent submittal captioned Whispering Oaks Oak Tree Preservation and Recovery Strategy. Staff Report, June 14, 2011, Exhibits N and P.

These last minute changes to the Project description were not in the EIR and are inconsistent with documents that are in the EIR. Furthermore, the changes are not in fact based on the completion of an adequate project description.

The applicant's letter claims that tree removal estimates in the DEIR were worst case assumptions and that "a more detailed analysis of the likelihood of actual tree removal was undertaken." Staff Report, June 14, 2011, Exhibit N, p. 1. However this "more detailed analysis" is not in the EIR and it is not included in the applicant's letter either. The letter provides only an "estimate" that 10-35% of trees within the development parcels can be retained and an "assumption" that 20% will be retained. The applicant's letter then concludes that "an estimated additional 660 trees will be preserved at the site." *Id.* at 2. Unaccountably, the applicant's letter then purports to commit the Project to reduce the number of trees to be removed by 1,000 – not just the 660 that were "estimated." *Id.*

There no actual design basis for this claim. The June 14 Staff Report admits that there are still no plans for the actual development of the Whispering Oaks portion of the Project on lots 2-16. Staff Report, June 14, 2011, Exhibit A, p. 6. The applicant's letter

contains no factual details to support this analysis, references no fact-based expert opinion, and clearly constitutes a self-interested claim. There is simply no evidence that the claimed level of tree retention is feasible. (Furthermore, there is no evidence that retention of isolated pockets of trees along parking lots and streets retains any habitat value.)

The tree retention estimates in the applicant's letter are also contradicted by the applicant's submittal captioned Whispering Oaks Oak Tree Preservation and Recovery Strategy. For lots 2-14, that document states that "the 'target' for the above preservation strategy is a minimum of 250 resident oaks." Staff Report, June 14, 2011, Exhibit P, p. 1. For the MST lot (Lot 1), that document identifies only 158 trees that can be retained (148+10 in the buffer and east of the buffer). *Id.* at 2. Thus, while the applicant's letter claims retention of 1,000 trees, the applicant's mitigation strategy only identifies 408.

And both of the recent submittals are inconsistent with the MST Forest Management Plan and the Whispering Oaks Forest Resource Evaluation that were contained in the EIR. For example, the MST Forest Management Plan at page 6 states that of the 2568 trees at the site, 2,420 will be removed and only 148 will be retained. The Whispering Oaks Forest Resources Evaluation identifies 3,598 trees at the site (at page 4), but states that the numbers of trees to be removed and replaced cannot be determined without a design plan (at pages 8-9).

The applicant does not and cannot provide any guarantee that any specific number of trees will be retained. In fact, the Staff Report makes it clear that the applicant is welcome to come back to the County for permission to remove additional trees on the site: "[a]s the 15 lots are developed within the business park, a maximum of 1,000 trees could be removed for those developments *before additional tree permitting is required.*" Staff Report, Exhibit A, p. 9 (discussion, emphasis added).

Finally, as discussed below, the new applicant submittal is not consistent with the EIR's provisions for replanting trees on-site and off-site mitigation.

In sum, the project description is inadequate to support analysis of Project impacts; and, in fact, the EIR fails to disclose the extent and location Project impacts.

INADEQUATE PROJECT DESCRIPTION PRECLUDES EFFECTIVE MITIGATION AND ADEQUATE FINDINGS: The County must find that impacts will be mitigated, its findings must be supported with substantial evidence, and mitigation must be feasible. CEQA Guidelines, §§ 15091(a)(1), (b), 15126.4(a). Because the Project is inadequately described, this is not possible.

A portion of the purported mitigation includes the creation of easements on Parcels C and D. As discussed below, the EIR does not identify the oaks on these parcels either by number or by a more meaningful measure such as acres of habitat. Nor does the EIR demonstrate that these parcels will protect oaks that are not already protected. Nor

does the EIR demonstrate that these parcels qualify as conservation easement locations under the Oak Woodlands Conservation Act, because they are identified as replanting sites, which is inconsistent with also treating them as easement locations. However, even if these defects could be overcome, the EIR does not actually identify the easements that would be created, and the conditions of approval make it clear that this determination has not yet been made. Condition 11 calls for conveying an easement on Parcel C. No condition apparently requires conveying an easement on Parcel D. Even if the omission of parcel D is an oversight that is corrected, Condition 11 does not specify the extent and nature of the easement. Instead, it merely states that “[t]he easement shall be developed in consultation with certified professional.” Thus it is entirely unclear how many oaks or how many functional acres of oak woodlands habitat would be conserved.

Furthermore, a portion of the mitigation calls for retention of existing trees where “feasible.” FEIR, pp. 4-9, 4-12 (Mitigation Measures BIO-10 and 11). However, the EIR does not and cannot determine whether or to what extent this proposed mitigation is feasible, because it is unclear how the building pads for subdivision lots 2-16 will be laid out. Thus, it is unclear whether and to what extent it will actually be feasible to retain oak trees. The County cannot reasonably find that the proposed mitigation in BIO-10 and BIO-11 calling for tree retention *is* feasible because the very determination of feasibility must await an adequate project description.

Finally, no reference is made to mitigation of potential losses due to off-site drainage in Mitigation Measures BIO-10, 11, and 12. Again, the absence of an adequate project description precludes effective and complete mitigation.

3. The Fort Ord Habitat Management Plan Is Not Intended To Mitigate Impacts To Oak Woodlands

The Fort Ord Habitat Management Plan expressly covers only a discrete list of individual species (“HMP species”), which does not include oak trees. HMP, p. 1-15. The only habitat types that were analyzed in the HMP were maritime chaparral; coastal strand; dune, scrub; beaches, bluffs, and blowouts; ice plant mats; and disturbed dunes. HMP at 1-16. Impacts to oak woodlands habitat were *not* analyzed.

Thus, while the HMP is intended to provide suitable mitigation for impacts to HMP species (HMP at 4-9), it is not intended to provide mitigation for impacts to oak woodlands. In discussing future regulatory compliance, the HMP states that “[i]ssues, such as oak woodlands mitigation, outside the scope of the HMP would need to be considered under CEQA.” HMP at 4-10, emphasis added. Indeed, the EIR’s Preliminary Mitigation Strategy Plan admits that “[o]ak woodlands is not a habitat considered in the HMP, and therefore, there are no habitat management requirements for oak woodland identified in the HMP.” Preliminary Mitigation Strategy Plan, p. 2.

In sum, it is clear that the HMP does not even address oak woodland loss, much less purport to provide a basis to find that oak woodlands losses are mitigated. It is

disingenuous of the DEIR to cite consistency with the HMP as the basis of any finding that oak woodland losses are less than significant. DEIR, p. 2-65. It is particularly disingenuous to claim that loss of oak trees was addressed in the HMP. DEIR, p. 3-22.

It is equally troubling that the Staff Report states categorically and incorrectly that the HMP was intended to mitigate oak woodlands impacts:

“To mitigate for impacts on various types of habitats including oak woodland, over 17,000 acres of the former military base was set-aside as permanent open space ‘no development’. The HMP addressed the loss of oak woodlands and other resources on properties designated for development, including the subject property, through this mitigation.” Planning Commission Staff Report, March 9, 2011, p. 14.

In its conclusions regarding the significance of the loss of oak woodlands, the Base Reuse Plan EIR mentions that some oaks will be retained within habitat management lands and conservation areas and corridors established by the HMP. See Base Reuse Plan EIR, p. 4-179. However, the mere fact that the Base Reuse Plan does not remove all of the oak woodlands does not constitute mitigation for the loss of the oak woodlands that are removed. And, as discussed below, the Base Reuse Plan EIR does not and can not provide the basis for concluding that project-specific impacts have been adequately mitigated here.

4. Conservation Easements And The Base Reuse Plan Provisions Do Not Mitigate Project Impacts

The EIR cites conservation easements and the Project’s consistency with the Base Reuse Plan EIR in support of its significance finding. DEIR, p. 2-65; Preliminary Mitigation Strategy Plan, pp. 2-4. The Base Reuse Plan EIR admits that planned development on former Fort Ord will destroy 1,584 acres of oak woodlands, representing 34% of the 5,000 acres of oak woodlands habitat in former Fort Ord. Base Reuse Plan EIR, p. 4-175. Note that the Base Reuse Plan EIR identifies the largest contiguous area of coast live oak as an area that includes the Project site at the former landfill. *Id.* at 4-176.

The Base Reuse Plan EIR points out that the plan will not result in the loss of all 5,000 acres of oaks because some will be preserved, but it admits that 1,584 acres of oaks will be lost, which is a potentially significant impact. *Id.* at 4-175. However, the Base Reuse Plan EIR concludes that impacts to oak woodlands caused by the Reuse Plan will be less than significant based on several factors:

- Preservation of some oaks on-site through an oak woodland conservation area. Biological Resources Policy B-2 requires that as site-specific planning for the landfill area (in which the Project is located) proceeds, the County shall designate an oak woodland conservation area connecting the open space lands of the habitat

management lands south of the landfill site and the oak woodlands corridors east of the landfill site to the “oak woodlands surrounding the former Fort Ord landfill in Polygon 8a on the north.” *Id.* at 4-178; see Fort Ord Reuse Plan, p. 382.

- Preservation of some oaks on-site within habitat management lands and other conservation areas and corridors established in the HMP. *Id.* at 4-179.
- Policies requiring careful site design to minimize loss of oak trees, e.g., policies and programs that “encourage” preservation, proposed ordinances “addressing” preservation of oak trees, clustering development “wherever possible,” requiring landscaping with oaks, and protecting retained oaks. *Id.* at 4-176 to 4-177.
- The effective requirement of a 1:1 replacement of all trees removed pursuant to the County ordinance. *Id.* at 4-179.

Thus, in finding impacts less than significant, the Base Reuse Plan EIR counts critically on additional conservation easements and tree planting to replace these lost trees through its assumption that a County ordinance requires 1:1 replacement of lost trees.

Here, the Project’s conservation easements and its purported consistency with the Base Reuse Plan EIR cannot provide an adequate basis to conclude that this Project’s impacts are less than significant for several reasons. First, the conservation easements do not protect any additional oak woodland at risk of development. Second, mitigation in the Base Reuse Plan EIR does not meet the requirements of the Oak Woodlands Conservation Act, Public Resources Code § 21083.4(b)(1). Third, the County has not adequately implemented the Base Reuse Plan Biological Resources Policy B-2 to designate the oak woodland conservation area at the landfill site. Fourth, the County ordinance does not in fact require 1:1 replacement planting, and mitigation for this Project does not clearly require 1:1 replacement planting either.

a. The Project’s Conservation Easements Do Not Protect Unprotected Oaks

Conservation easements identified in the EIR cannot count as effective mitigation because they do not protect additional land, they do not protect land at risk for development, and/or there is no evidence that the land to be protected is in fact oak woodland habitat suitable for a conservation easement under the Oak Woodlands Conservation Act.

PARCEL C CANNOT BE DOUBLE COUNTED AS MITIGATION: In its discussion of the significance of oak woodland impacts, the DEIR claims that the Project would mitigate oak woodlands loss through “conservation easements.” DEIR, p. 2-65. Elsewhere, the DEIR discusses both a 48.91 acre parcel C at the northwest corner of the site and an 8.71 acre parcel D at the eastern end. See DEIR, pp. 1-13, 2-53 to 2-54, and Figure 10.

However, including parcel C as mitigation would be double counting. The DEIR states that “a conservation easement has been recorded for the proposed Parcel C as

habitat mitigation for the Marina Heights residential project to the north of Imjin Parkway." DEIR, p. 1-13. The DEIR states that preservation of this habitat area is consistent with . . . the Marina Heights memorandum of agreement. DEIR, p. 2-54. The DEIR also states that "[a]_portion of the area that comprises proposed Parcel C was set aside in a memorandum of agreement between the County, FORA, and Cypress Marina Heights LP to mitigate loss of sand gilia at the Marina Heights residential project to the north of Imjin Road. This area is part of the 227 acres within the landfill parcel that are required to be set aside for habitat conservation in the HMP." DEIR, p. 2-53.

The Marina Heights project Memorandum of Agreement requires FORA and the County to allow implementation of a Mitigation Plan for the Preservation and Habitat Restoration Areas in the landfill site.³ Under the MOA, a conservation easement was established on the Preservation and Habitat Management Areas in order to implement an incidental take permit under the California Endangered Species Act. The Incidental Take Permit for the Marina Heights project requires the Cypress Marina Heights LLP to ensure protection of a 140-acre portion of the landfill site. CDFG, Incidental Take Permit No. 2081-2005-029-03, March 6, 2006, pp. 4-5, excerpts attached as Exhibit 1. Thus, because Parcel C has already been identified as mitigation for another project, this Project cannot take credit for setting it aside – because it is already protected.

PARCEL C IS ALREADY PROTECTED BY ITS HABITAT MANAGEMENT LAND USE DESIGNATION: More fundamentally, since parcel C “is part of the 227 acres within the landfill parcel that are required to be set aside for habitat conservation in the HMP” (DEIR, p. 2-53), then it is not part of the developable area within the landfill. Note that the DEIR reflects the fact that Parcel C is designated as “Habitat Management” and is outside the area designated as Planned Development Mixed Use. Compare DEIR, Figures 8 (Fort Ord Reuse Plan Land Use map) and 10 (vesting tentative map). The land use designation “Habitat Management” is “applied to all open space identified by the Habitat Management Plan as critical to the survival of the natural communities and sensitive species at Fort Ord.” Fort Ord Reuse Plan, Table 3.4-1, p. 102. Uses permitted in this area include only habitat management; ecological restoration activities; environmental educational activities; and passive recreation activities, such as hiking, nature study, horse and bike riding. *Id.* Thus, by virtue of its land use designation, Parcel C’s preservation has already been assumed in the HMP and the Fort Ord Reuse plan, and it is already protected.

PARCEL D IS ALREADY PROTECTED TOO: Parcel D is also designated as “Habitat Management” and is outside the area designated as Planned Development Mixed Use. Compare DEIR, Figures 8 (Fort Ord Reuse Plan Land Use map) and 10 (vesting tentative map). Thus, by virtue of its land use designation, Parcel D’s preservation has already been assumed in the HMP and the Fort Ord Reuse plan, and it

³ See FORA Board Packet for Dec. 12, 2008, draft Memorandum of Agreement Regarding Habitat Management Portions of the LandFill Site at the Former Fort Ord, available at <http://fora.org/Board/bdagendas.htm>. Minutes of that meeting (also available at <http://fora.org/Board/bdagendas.htm>) indicate that this MOA was adopted.

too is already protected. The preservation of Parcel D cannot be treated as mitigation for this Project.

NO EVIDENCE THAT PARCELS C AND D WOULD BE SUITABLE OR SUFFICIENT CONSERVATION EASEMENTS: As discussed, neither the EIR nor the conditions of approval actually delineate the provisions, scope, extent, or actual location of the proposed conservation easements. Furthermore, the EIR provides no information as to the whether Parcels C and D are actually suitable oak woodlands for mitigation credit under Public Resources Code § 21083.4(b)(1). However, there is evidence to the contrary.

First, the EIR calls for planting oaks on Parcel D as part of its mitigation. FEIR, p. 4-12; see also Staff Report, June 14, 2011, Exhibit P, p. 2 (calling for planting 217 trees on Parcel D). The June 14 Staff Report also implies that some replanting may take place on Parcel C. Staff Report, June 14, 2011, Exhibit P, p. 2 (calling for planting 6055 trees on the border of “the County’s sand gilia mitigation area,” which is presumably in Parcel C). If Parcels C and D are part of the tree planting mitigation under Public Resources Code § 21083.4(b)(2) (permitting partial mitigation via tree planting), the Project cannot *also* treat these parcels as mitigation under subdivision (b)(1) (permitting mitigation via conservation easements). Subdivision (b)(2) clearly distinguishes tree planting from other forms of mitigation, including conservation easements under subdivision (b)(1), and provides that at most half of the mitigation can be provided by tree planting. Here, use of Parcels C and D for tree planting forecloses their use as an alternative form of mitigation. (See discussion in next section below.)

Second, Parcel C is designated as mitigation for impacts to *sand gilia* for the Marina Heights project. The HMP indicates that sand gilia habitat is not oak woodlands but sandy openings. HMP, p. 1-7. Furthermore, available habitat mapping indicates that Parcel C is not primarily oak woodland. Compare Base Reuse Plan, Figure 4.4.1 (Oak Woodland Areas) to DEIR Figure 10. Ironically, this mapping demonstrates that the most abundant oak woodlands at the landfill are located in the portion of the Project site proposed for development. *Id.*

b. The Project Is Inconsistent With the Oak Woodlands Conservation Act Because More Than Half Of Its Mitigation Is Through Tree Planting

The Base Reuse Plan and its associated EIR predate the Legislature’s adoption of the Oak Woodlands Conservation Act, Public Resources Code § 21083.4(b)(1). Thus, the Base Reuse Plan EIR did not find, and cannot provide a basis to find, that the Reuse Plan meets CEQA’s *current* specific requirements for mitigation of oak woodlands impacts.

Here, this Project’s EIR acknowledges that CEQA’s Oak Woodlands Conservation Act permits at most one half of mitigation in the form of tree planting.

DEIR, App. D, Preliminary Mitigation Strategy Plan, p. 10. However, the DEIR states that the Project will also provide mitigation through Alternative 1 of the Oak Woodlands Conservation Act (Public Resources Code, § 21083.4(b)(1)), which permits mitigation through conservation easements. DEIR, pp. 2-65; DEIR, App. D, Preliminary Mitigation Strategy Plan, pp. 10-12.

In particular, the DEIR claims that “base-wide conservation easements combined with the proposed on-site easements also satisfy Alternative 1 of PRC 21083.4 with the required payment of FORA development fees, a portion of which goes to management of the open space.” DEIR, p. 2-65. Thus, the DEIR takes credit for at least half of the Project’s mitigation for its destruction of 37.4 acres of oak woodlands in the form of 1) conservation easements for Parcels C and D, and 2) payment of FORA development fees. To qualify under Public Resources Code, § 21083.4(b)(1), the record must show that the Project will create at least 17.2 acres of conservation easement for oak woodlands habitat. But the EIR does not and cannot make such a showing.

As discussed above, the Project cannot take credit for conservation easements on Parcels C and D because Parcel C is already mitigation for another project and both Parcels C and D are already protected by virtue of their land use designations. Furthermore, as discussed in the sections above and below, there is no evidence in the record of the extent of any oak woodlands on these parcels, and there is evidence that they are not suitable sites for conservation easements.

The EIR’s only remaining basis for claiming mitigation for lost trees other than tree planting is payment of FORA developer fees, which the EIR assumes goes toward maintenance of open space areas. However, the payment of FORA development fees, even if some unspecified portion of these fees goes toward maintenance of some unspecified open space areas, does not create a conservation easement. There is no evidence in the EIR that any easement is created through these fees. In fact, the EIR admits that it does *not* present evidence connecting payment of a developer fee with an oak woodland conservation easement. After recommending that the Project take credit for funding conservation measures through payment of developer fees, the EIR states “[i]t is also recommended that the County and the project proponent meet with FORA to obtain a clear understanding of the nexus between the developer fee and funding of habitat management requirements.” DEIR, App. D, Preliminary Mitigation Strategy Plan, p. 12. Thus, the EIR recognizes the need for, but does not actually provide, evidence that Project FORA fees will create sufficient acreage of conservation easements.

Furthermore, available documentation demonstrates that a very small portion of the developer fee actually goes to habitat management. Only 18% of the FORA developer fees go to habitat management activities. FORA, Capital Improvement Program, Fiscal Year 2010/11 through 2021/22, July 9, 2010 (“FORA CIP”), Table 3, p. 12.⁴ The FORA Capital Improvement Program does not indicate what portion of this

⁴ Available at <http://www.fora.org/>.

amount is used to conserve oak woodlands. However, as explained above, the Fort Ord HMP, for which these fees are expended (see FORA CIP, p. 7), was expressly *not* designed to protect oak woodlands. Thus, there is simply no evidence that payment of FORA developer fees sufficiently mitigates at least half of the Project's impacts to oak woodlands – even if there is some incidental benefit to oak woodlands from the HMP.

c. County Has Not Adequately Implemented the Base Reuse Plan Biological Resources Policy B-2 For Oak Woodlands

The DEIR cites the Project's purported consistency with the Base Reuse Plan Biological Resources Policy B-2 protecting oak woodlands as evidence that impacts are less than significant. The EIR contends that the establishment of conservation easements on Parcels C and D "is consistent" with Biological Resources Policy B-2, the HCP, and the Marina Heights memorandum of agreement. DEIR, p. 2-54.⁵

Biological Resources Policy B-2 requires that as site-specific planning for the landfill area (in which the Project is located) proceeds, the County shall designate an oak woodland conservation area connecting the open space lands outside the landfill site to the "oak woodlands surrounding the former Fort Ord landfill in Polygon 8a on the north." Id. at 4-178. Biological Resources Policy B-2 provides in its entirety:

"As site-specific planning proceeds for Polygons 8a, 16, 17a, 19a, 21a and 21b, the County shall coordinate with the Cities of Seaside and Marina, California State University, FORA and other interested entities in the designation of an oak woodland conservation area connecting the open space lands of the habitat management areas on the south, the oak woodland corridor in Polygons 17b and 11a on the east and *the oak woodlands surrounding the former Fort Ord landfill in Polygon 8a on the north*. Oak woodlands areas are depicted in Figure 4.4-1." Fort Ord Reuse Plan, p. 382, emphasis added.

The Project site comprises a significant portion of the oak woodlands surrounding the former Fort Ord landfill site in Polygon 8a. Compare Fort Ord Reuse Plan, Figure 4.4-1 to DEIR, Figure 10.

As discussed above, Parcels D and C are already protected by virtue of their designation as habitat management in the Fort Ord Reuse Plan. Interpreting Biological Resources Policy B-2 merely to permit the designation of oak woodland conservation areas in land that is already protected simply makes no sense.

⁵ The reference to the Marina Heights memorandum of agreement apparently applies to Parcel C, which is mitigation for that project. Thus, it is not clear whether the DEIR claims that Policy B-2 is implemented by *both* parcels C and D, or just by Parcel D. However, the March 9, 2011 Planning Commission Staff report mentions only Parcel D as the basis for meeting Policy B-2. Staff Report, March 9, 2011, p. 37.

Furthermore, on its face, the retention of only *some* of the oak woodlands at the landfill site, while destroying 37.4 acres of oak woodlands surrounding the landfill to the south, cannot reasonably be interpreted as connecting the habitat and corridor areas to the east and south to the “oak woodlands *surrounding the former Fort Ord landfill in Polygon 8a.*” Biological Resources Policy B-2 specifically references a map of the oak woodlands at Fort Ord, clearly implying that the mapped oak woodlands surrounding the landfill site should be designated as oak woodlands conservation area. Elimination of a major portion of the oak woodlands surrounding the landfill site is not consistent with the language of this policy.

Even if Biological Resources Policy B-2 did contemplate the loss of major portions of the oak woodlands at the landfill site and did contemplate the redundant protection of land already designated for habitat management, the EIR provides insufficient information to determine whether Parcel D and/or Parcel C will fulfill the intent of the policy – which is to protect oak woodlands.

As discussed, the applicant proposes to *plant* oaks in Parcels C and D. Policy B-2 is clearly intended to preserve *existing* woodlands.

No information is presented about the location and extent of the oak woodlands at the landfill site other than on the Project site. And the data for oaks affected by the Project is itself incomplete and inconsistent. No estimate is provided of oaks affected by the off-site drainage areas. The DEIR’s estimate of a 37.4 acre loss due to the Project is apparently based on Table 1 of the Biological Assessment. DEIR, App. D, Biological Assessment, p. 11. However, Table 1-2 of Preliminary Mitigation Strategy Plan identifies only 14 acres of oak woodland habitat acreage at the Landfill Parcel in Polygon 8a. DEIR, App. D, Preliminary Mitigation Strategy Plan, p. 3. This 14-acre estimate cannot represent the Project’s destruction of oak woodlands⁶, much less the total oak woodlands in Polygon 8a.

Thus, the EIR fails to present meaningful information about the extent of existing oak woodlands affected by the Project or potentially preserved under the Base Reuse Plan Biological Resources Policy B-2. Since one clear objective of Biological Resources Policy B-2 is to connect areas to the south and east of the land fill site to the oak woodlands surrounding the landfill site, the EIR should have identified the extent and location of the other oak woodlands at the landfill site. And the EIR should have specified the actual scope, extent, and location of the easement areas – not left this to be determined through future consultation with an unaccountable third party.

Furthermore, the EIR does not mention the County’s obligation to ensure continual management and monitoring of the oak woodland conservation area designated pursuant to Biological Resources Programs B-2.1 and B-2.2. See Fort Ord Reuse Plan, p.

⁶ It may be intended to represent the oak woodlands lost for the “west landfill parcel” portion of the project – see Biological Assessment, Table 1.

382. Without enforceable provisions for future management and monitoring, the mere designation of a conservation area does not meet the provisions of the Fort Ord Reuse plan and cannot be relied upon as mitigation.

d. Neither the County Ordinance Nor Project Mitigation Mandates The 1:1 Replacement Planting Assumed In The Fort Ord Reuse Plan EIR

The DEIR finds oak woodlands impacts less than significant in part because of the Project's purported consistency with the Base Reuse Plan and its EIR. The Base Reuse Plan EIR in turn based its significance finding in part on the assumption that oak trees lost due to development would be replaced at a 1:1 ratio based on the Monterey County ordinance. Base Reuse Plan EIR, p. 4-179.

However, the current Monterey County ordinance does *not* require 1:1 replanting of removed trees. Monterey County Code § 21.64.260.D.4 permits an exception to the 1:1 replacement ratio on a showing that the "requirement will create a special hardship in the use of the site or such replacement would be detrimental to the long-term health and maintenance of the remaining habitat." The EIR has made no showing that oaks trees removed for the former Fort Ord have been and will continue to be replaced at a 1:1 ratio – either within County jurisdiction or within jurisdictions of other member agencies.

And despite confused and inconsistent language referencing a 1:1 replacement ratio, it is apparent that the EIR concludes that the Project would be eligible for this exception and that Project mitigation does not actually require 1:1 replacement of removed oak trees.

BIO-10, by referencing the MST Forest Management Plan, requires on-site replanting of only 900 trees to replace the 2,420 trees lost on the MST site. FEIR, p. 4-11; MST Forest Management Plan, p. 11. BIO-10 does not specify the number of replacement trees for the Whispering Oaks site, calling only for "an appropriate number . . . based on available planting space." FEIR, p. 4-12.

BIO-11 passively states that "off-site replanting and habitat management or payment of equivalent in-lieu fees to the Parks Department will occur. The Youth Camp has been identified as an appropriate off-site mitigation area to achieve a minimum 1:1 replacement." FEIR, p. 4-13. This language implies but does not actually require that a 1:1 replanting ratio will be required: it contains no enforceable or mandatory language and does not specify who might be responsible for replanting. Furthermore, notwithstanding the intention that there be "no net loss of trees," as announced in the applicant's recently submitted "Whispering Oaks Oak Tree Preservation and Recovery strategy," any implication that a 1:1 ratio will be required is contradicted by the express provisions for a 3:1 credit for transplants and for reliance on exceptions to the 1:1 replanting requirement, as discussed below.

3:1 CREDIT FOR TRANSPLANTS: Mitigation Measure BIO-10 permits the Project to take credit for transplanted trees at a 3:1 ratio, based on the requirement that the Project comply with recommendations in the MST Forest Management Plan. FEIR, pp. 4-11, 4-9. The MST Forest Management Plan states that because transplants take more growing space, they “should be credited on a 3:1 basis versus seedlings.” DEIR, Appendix D, MST Forest Management Plan, p. 11. In short, mitigation would permit the Project to compensate for the loss of three trees by transplanting a single tree instead of planting three seedlings. Nothing in the Base Reuse Plan EIR or the Monterey County code contemplates relaxing the 1:1 replanting requirement based on the use of transplants versus seedlings.

EXCEPTION FOR HARDSHIP OR LONG TERM HABITAT HEALTH: Mitigation Measures BIO-10 and 11 do not expressly require 1:1 replacement. Instead, they reference documents that expressly permit reliance on the exception for hardship or detriments to long term habitat health.

BIO-10 calls for compliance with “measures included in the Forest Management Plans that were prepared for the MST and Whispering Oaks Business Park sites.” Staff Report, June 14, 2011, Exhibit B, p. 36 (condition 59, BIO-10). BIO-10 expressly references the “mitigation ratios and planting areas” identified in the Forest Management plans. Both the MST Forest Management Plan and the Whispering Oaks Forest Resource Evaluation reference compliance with measures in the Preliminary Mitigation Strategy Plan as mitigation. DEIR, App. D, MST Forest Management Plan, p. 10 and Whispering Oaks Forest Resource Evaluation, p. 10.

The Preliminary Mitigation Strategy Plan in turn concludes that replanting or restoration is “not an appropriate mitigation alternative for the project” for two reasons. DEIR, App. D, Preliminary Mitigation Strategy Plan, p. 11. First, it claims “replanting on site would result in an unhealthy and overcrowded environment and put a special hardship on the proposed use of the site.” Second, it claims “replanting off-site may also result in an unhealthy and overcrowded environment” and “is not needed since the project proponent is already funding protection and management of oak woodland habitat off-site on the former Fort Ord through payment of the FORA development fee.”⁷ Id. For these reasons, the Preliminary Mitigation Strategy Plan concludes that “the county can determine that the project proponent is not required to replace or replant native oak trees at a 1:1 ratio.” Id. at 12.

The announced intention to take advantage of the exception to the 1:1 replanting requirement – even if it were justified under the Project’s circumstances – is simply inconsistent with the notion that the Project will in fact be required to meet the 1:1 ratio. As written, the mitigation is at minimum unclear on this point, and therefore

⁷ The claim that *off-site* replanting may also result in an unhealthy and overcrowded environment is entirely unsupported and unfounded. The EIR does not demonstrate that there are no off-site locations available for replanting oaks in a healthy environment. In fact, the Preliminary Mitigation Strategy Plan specifically identifies mechanisms by which off-site replanting locations can be acquired. Id. at 8-10.

unenforceable. The possibility that the Project will not replant at a 1:1 ratio vitiates reliance on the claim that the Project is consistent with the impact analysis in the Base Reuse Plan EIR that assumed that all lost oaks would be replaced. Furthermore, as discussed below, the exception renders the Project inconsistent with the 2010 Monterey County General Plan Policy OS 5.23(c), which requires replacement on a minimum 1:1 ratio.

5. Mitigation Does Not Meet CEQA's Requirements For Certainty, Enforceability, And Performance Specifications

CEQA requires mitigation be feasible and enforceable. CEQA Guidelines, § 15126.4(a). Formulation of mitigation measures may not be deferred, but an agency may adopt performance standards that would accomplish mitigation in more than one specific way. CEQA Guidelines § 15126.4(a)(1)(B).

CEQA is clear that an agency may only defer the formulation of mitigation measures when it "recognizes the significance of the potential environmental effect, commits itself to mitigating its impact, and articulates specific performance criteria for the future mitigation." *Gentry v. City of Murietta* (1995) 36 Cal.App.4th 1359, 1411, citing *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 794.

An agency must have, and must articulate, a good reason for deferring the formulation of mitigation. *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670, 684.

The County may not delegate the formulation and approval of programs to address environmental impacts because an agency's legislative body must ultimately review and vouch for all environmental analysis mandated by CEQA. *Sundstrom v County of Mendocino* (1988) 202 Cal.App.3d 296, 306-308.

Here, Project mitigation for oak woodlands impacts does not meet CEQA's requirements.

First, mitigation is unclear and therefore not enforceable because it references documents that do not exist or, if they do exist, are not included in the EIR, are not accurately identified, and/or were not circulated timely to the public. Mitigation Measure BIO-10 and 11 in the FEIR and the conditions of approval reference the following documents that do not exist:

- "Forest Management Plans that were prepared for the MST and Whispering Oaks Business Park sites." FEIR, p. 4-9; Staff Report, June 14, 2011, Exhibit B, p. 36 (condition 59, BIO-10). No forest management plan was prepared for the

Whispering Oaks site because, as discussed above, that portion of the Project has not been sufficiently defined.

- The “Oak tree preservation and recovery strategy prepared in compliance with the recommendation of the Forest Management Plan. . .” and the “Oak Tree Preservation-Recovery Strategy for this project . . .” FEIR, pp. 4-9 and 4-12; Staff Report, June 14, 2011, Exhibit B, pp. 35-36 (conditions 59, 60 for BIO-10 and BIO-11). While the DEIR Appendix D contains a document titled “Preliminary Oak Woodland Habitat and Tree Removal Mitigation Strategy Plan for the MST Facility/Whispering Oaks Business Park Site,” the FEIR deletes the DEIR’s earlier reference to this document. FEIR, p. 4-12. As discussed, the applicant recently submitted a document captioned “Whispering Oaks Oak Tree Preservation and Recovery Strategy,” but this document did not exist when the EIR was drafted and appears to have been created to support applicant’s appeal. And it could not have been “prepared in compliance with recommendation of the Forest Management Plan” for Whispering Oaks, because that Forest management Plan does not yet exist. Regardless, it is unclear what “Oak Tree Preservation-Recovery Strategy” or “Oak tree preservation and recovery strategy” document is actually referenced by the Mitigation Measures.

Second, references to compliance with a forest management plan for the Whispering Oaks site is improperly deferred mitigation. “[A]n agency goes too far when it simply requires a project applicant to obtain a biological report and then comply with any recommendations that may be made in the report.” *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 794. Mitigation provisions have not been spelled out and they may be incompatible with other mitigation provisions. And mitigation is improperly delegated because the EIR contains no provision for future approval of the Forest Management Plan by a legislative body of the County.

Similarly, the ambiguous references to the “Oak tree preservation and recovery strategy prepared in compliance with the recommendation of the Forest Management Plan. . .” and the “Oak Tree Preservation-Recovery Strategy for this project . . .” amount to impermissible deferral of mitigation. Even if this reference is now construed as a reference to the applicant’s submittal, the information was not part of the EIR. If the reference is in fact to a strategy document that has yet to be created, then the mitigation is clearly improperly deferred.

Third, Mitigation BIO-10 as set forth in the FEIR differs substantially from BIO-10 as set forth in the conditions of approval. Compare FEIR, pp. 4-9 to 4-12 to Staff Report, June 14, 2011, Exhibit B, p. 59. The final version in the conditions of approval omits two and a half pages of detailed provisions covering tree protection measures, replacement and replanting for the MST project, and design measures for the Whispering Oaks project. While those provisions fall far short of CEQA’s requirements for performance specifications, their omission from the final version is unexplained. It is unclear what version would be enforceable.

Fourth, BIO-10, as set out in the conditions of approval improperly defers the formulation of mitigation without providing performance specifications for protection of retained trees, replanting, and project design. A provision in BIO-10 provides that “a qualified arborist shall be consulted as necessary regarding the best removal, protection, transplanting, planting, and irrigation methods as construction proceeds.” CEQA simply does not countenance mitigation calling for complying with recommendations in a study to be provided later.

Fifth, while BIO-10 as set out in the FEIR contains performance specifications to protect trees retained on site, it lacks enforceable performance specifications for project design and replanting requirements:

- MST project design and replanting requirements:
 - The provision that “consideration should be given to redesigning the project to use the existing encroachment from Inter-garrison road in order to preserve landmark-sized trees at this location” is precatory and not enforceable.
 - The provision that “transplants are encouraged” is precatory and not enforceable.
 - As noted, there are no clearly stated requirements for the number and location of replanted trees. For example, as discussed above, Mitigation Measure BIO-10 references documents that expressly except the Project from the requirement to replant lost oaks at a 1:1 ratio. To the extent that other language may imply the contrary, the mitigation is unclear and unenforceable.
 - The provision that replanting numbers may be modified does not provide a formula for determining *how* they may be modified “by additional tree retention.” Will additional off-site plantings be required? How many? 1:1? 1:3?
- Whispering Oaks project design and replanting requirements:
 - The provision that a qualified Arborist shall “assist” in the eventual design, does not include a performance specification because it does not clarify decisional authority or provide specifications to clarify the Arborist’s design authority.
 - The provision that elevations should “match existing terrain to the extent feasible” to preserve trees provides no basis for determining what is “feasible.” Not only does this provision lack a performance specification, but it constitutes an abdication of the County’s obligation to make a determination of feasibility at the time of Project approval. Infeasibility of mitigation must be based on substantial evidence and findings must be made at the time the project is approved. Public Resources Code, § 21081.5; CEQA Guidelines, § 15091(c); *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1034-1035. Findings of infeasibility must be made for *each* mitigation measure that is

identified but not adopted. For example, if mitigation is found infeasible for financial reasons, the agency must demonstrate that the project would not be viable if the mitigation were imposed. *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181.

- The provision that “use of the existing encroachment to Inter-Garrison Road shall be considered” is precatory and not enforceable.
- The provision that an “appropriate number” of replacement trees will be made based on available planting space does not supply an enforceable performance specification. Again, there is no clear and enforceable specification for the number and location of replacement trees.

Sixth, the EIR does not present any justification for deferring the formulation of mitigation other than the fact that the Whispering Oaks project has not yet been designed. As discussed above, the lack of a project design for Whispering Oaks results in a failure to provide an adequate project description. There appears to be no justification for deferring the Whispering Oaks project design.

Seventh, if the provisions of the applicant’s “Whispering Oaks Oak Tree Preservation and Recovery Strategy” are meant to be referenced by BIO-10 and BIO-11, then there are additional conflicts in the mitigation specifications. BIO-10 expressly requires compliance with the MST Forest Management Plan. It also appears to require compliance with Whispering Oaks Forest Resource Evaluation, although it misidentifies it as a Forest Management Plan. The applicant’s Whispering Oaks Oak Tree Preservation and Recovery Strategy is inconsistent with both documents with respect to numbers and locations of trees to be retained on-site, and with respect to the numbers of trees to be replanted on-site and off-site. These inconsistencies render the mitigation unenforceable.

B. Alternatives Analysis Is Flawed

The EIR failed to consider an alternative that both meets Project objectives *and* reduces impacts, *e.g.*, the logical alternative of developing the MST facility at MST’s own site at 7th and Gigling and developing a 24-acre business park – the same size as proposed – at the Project site. Thus, the EIR rationalizes a choice to which the agency now claims it is committed. But there is no substantial evidence that the logical alternative is infeasible.

1. Alternatives selection does not meet CEQA’s requirements

CEQA requires that an “EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly *attain most of the basic objectives* of the project but would *avoid or substantially lessen any of the significant effects of the project*, and evaluate the comparative merits of the alternatives.” CEQA Guidelines, § 15126.4(a), *emphasis added*. Thus, the alternatives must be formulated to (1) meet most basic objectives *and* (2) reduce impacts.

Here, the EIR fails to consider any alternative that would do both, even though such alternatives are available. Instead, the EIR formulates two alternatives that clearly do not meet the Project's objectives and one alternative that clearly will result in greater impacts. In effect, the EIR considers only straw men. This does not meet CEQA's requirements.

Project objectives include both the provision of a new MST facility and a number of economic objectives that effectively require construction of a business park. DEIR, pp. 1-51 to 1-52. As formulated, these objectives cannot be met by any alternative that does not provide both the MST facility and the business park.

Two alternatives predictably fail to meet Project objectives because they simply eliminate the business park portion of the Project. DEIR, Section 4 (Alternative 2 – MST facility only at Project site, no Whispering Oaks; Alternative 4 – MST located at Seventh and Gigling, Project site used for recreation, no Whispering Oaks.) These alternatives were rejected for failure to meet the business park's Project objectives in the draft resolution prepared for the Planning Commission's March 9 hearing (the resolution prepared before the Commission itself rejected the Project). Planning Commission Staff Report, March 9, 2011, pp. 32-33. They are also apparently rejected in the proposed CEQA findings because they would not meet Project objectives and are "financially infeasible." Staff Report, June 14, Exhibit B, pp. 6-7. As discussed below, the financial infeasibility findings are equivocal and inadequate. Regardless, there is simply no point served by evaluation of alternatives that do not meet Project objectives – CEQA is clear that an EIR shall discuss alternatives that "feasibly attain most of the basic objectives of the project." CEQA Guidelines, § 15126.6(a).

The only other alternative considered (other than the required "no project" alternative) predictably increases environmental impacts because it dramatically *increases* the overall scope of development. DEIR, p. 4-7 to 4-8 (Alternative 3). Instead of a single 58-acre development containing a 24.37 acre MST facility and 24.44 acres of business park lots (see DEIR, p. 1-14), Alternative 3 would develop two sites with substantially more total development. The MST facility would be constructed at the same size as the MST facility in the proposed Project (i.e, about 24 acres), but at the Seventh and Gigling site instead. The Whispering Oaks project would then consume the *entire* developable area at the proposed Project site: "[t]his alternative assumes that the entire area proposed at the Project site (about 58 acres including streets) would be developed as a light industrial business park, and that the open space parcels would remain as open space." DEIR, p. 4-8. Thus, this alternative assumes that the business park uses would double in size because that portion of the Project site proposed for the MST use (24.37 acres) would be added to the business park uses.

In short, instead of developing 48 acres at one site, Alternative 3 would develop 64 acres at two sites.

Unsurprisingly, the EIR concludes that Alternative 3 “involves a greater level of development and has greater environmental impacts.” DEIR, p. 4-23. In fact, it has greater impacts in almost every category. DEIR, p. 4-24. Thus, the draft resolution for the Planning Commission’s March 9, 2011 hearing rejects this alternative as having greater impacts. Planning Commission Staff Report, March 9, 2011, pp. 32-33.

Typically, an alternatives analysis considers a “reduced development” alternative, not an “increased development” alternative. While it might have made sense to consider a smaller version of the Project, or locating only a portion of the Project at the site, it is difficult to understand what analytic purpose the EIR proposed to serve through consideration of Alternative 3. Regardless, consideration of Alternative 3 does not fulfill CEQA’s mandate to evaluate alternatives that “would avoid or substantially lessen any of the significant effects of the project.” CEQA Guidelines, § 15126.6(a).

Common sense should have informed the EIR preparers that none of the alternatives considered would meet CEQA’s requirements for alternatives that meet most objectives *and* reduce impacts. It should have been obvious that Alternatives 2 and 4 would not meet most of the Project objectives. And it should have been equally obvious that expanding the overall Project by 50% would increase impacts, even without the cursory qualitative analysis in the Alternatives section of the EIR. Thus, the EIR simply failed to consider a reasonable range of alternatives.

CEQA prohibits the County from approving a project if there are feasible alternatives that would substantially lessen impacts. Public Resources Code, § 21001(d). The EIR should be revised and recirculated to evaluate an alternative that will actually meet Project objectives and reduce impacts. For example, an alternative that locates the MST facility at the 7th and Gigling site (or at the Marina airport) and that locates a 24-acre business park (the same size as in the proposed Project) at the landfill site would reduce impacts, including the otherwise unavoidably significant impacts due to tree removal and the overall size of the Project at the site. For example, cutting fewer trees and developing less space at the Project site would reduce carbon emissions and traffic in the Project vicinity.

2. Findings regarding alternatives are inadequate

Having considered an inadequate range of alternatives, the applicant has been faced with objection from the public and the Planning Commission that there are feasible alternative locations. The CEQA findings conclude that the alternatives that eliminate the business park do not meet Project objectives but that the alternative that would provide the MST facility at their own site at 7th and Gigling does accomplish Project objectives. Staff Report, June 14, 2011, Exhibit B, pp. 6-7. However, the CEQA findings then go on to make confused and unsupported findings regarding economic infeasibility, but these findings do not demonstrate that an alternative location for at least the MST portion of the site is not feasible.

First, it is not clear which alternatives are found to be infeasible. The discussion takes place under the heading “Environmentally Superior Alternative,” which references only the alternative that would locate MST at 7th and Gigling and replace the business park with recreation. However, the CEQA Findings state that “[e]conomic factors exist that make adoption of the alternatives [plural] financially impractical.”

Furthermore, it appears the Findings are intended to address alternatives other than those considered in the EIR. The Findings assert that it would be impractical for MST to enter into another land swap agreement, an apparent reference to an alternative that would locate the MST facility not at 7th and Gigling or the Project site, but elsewhere (e.g., perhaps, the Marina airport). None of the alternatives in the EIR contemplates such a location for the MST facility. However, MST would *not* have to enter a land swap to use the 7th and Gigling site. So this consideration would not apply to the logical alternative that the EIR failed to consider – the MST facility at 7th and Gigling and a 24-acre business park at the Project site.

Second, the Findings claim speculatively that further delay “may” cause the loss of grants and that there would be a loss of unspecified sunk costs of planning. No evidence is provided that grants would in fact be lost, or in what amount, or that the loss would be permanent.⁸ The appeal to sunk costs is not cogent. CEQA does not permit a post hoc ratification of a decision to which an agency has already committed itself. Furthermore, no evidence is presented that losing these sunk costs would render the Project financially non-viable.

Third, the CEQA Findings claim that jobs would be created if the Project goes forward. Again, the logical alternative that the EIR failed to consider – the MST facility at 7th and Gigling and a 24-acre business park at the Project site – would create the same number of jobs. Furthermore, job creation may be an appropriate overriding consideration, but there is no evidence that the Project would be financially infeasible even if fewer jobs were created.

Fourth, the CEQA Findings claim that there would be some infrastructure savings from combining the MST and Whispering Oaks portions of the Project. However, there is no evidence presented to support this claim. The purported savings are not quantified or even qualitatively discussed. It is unclear who would bear additional cost or for what infrastructure if MST were to develop at 7th and Gigling. Critically, there is no evidence that this would render the Project infeasible. In fact, the Findings for the appeal and the Project permits gainsay any conclusion that this is a show-stopper, because they state that the MST site at 7th and Gigling is “economically viable.” Staff Report, June 14, 2011, Exhibit D2, p. 14. A finding that other sites are not “more desirable” does not mean they are “infeasible.” *Id.*

⁸ Four form letters solicited from other agencies repeat word for word that these are \$4.7 million in sunk costs. Staff Report, June 14, 2011, Exhibit N. While this demonstrates effective campaigning, it does not constitute evidence that loss of these sunk costs would render the project non-viable.

Finally, the Staff Report states incorrectly that if the MST facility were to be developed at 7th and Gigling, the net impacts to trees would be “on a similar scale to that proposed at the existing site.” Staff Report, June 14, 2011, Exhibit A, p. 11. Not so. If the business park were developed at the same 24-acre size as in the proposed Project, the tree loss would be substantially less because the 24-acres proposed for the MST facility could be left intact. And even if the entire 48-acre development area were used for business park development, the tree loss would not be as extensive. The EIR admits that the MST project requires much more tree removal and leaves much less opportunity for tree retention than does business park development.

C. The Project Does Not Meet The Requirements For A Use Permit for Tree Removal

In addition to meeting the requirements of CEQA with respect to analysis and mitigation of impacts to oak woodlands, the Project must meet the requirements of the County’s ordinance for preservation of oak trees, County Code § 21.64.260. See also County Code § 16.60.040. As the Planning Commission found, the Project does not do so.

1. The Forest Management Plan May Not Be Deferred

First, the ordinance is clear that a use permit for removal of more than 3 trees requires 1) preparation of a Forest Management Plan following a prescribed format and 2) review under CEQA. Monterey County Code § 21.64.260.D.3. Here, no Forest Management Plan has been prepared for the Whispering Oaks site because the Project description is admittedly not adequate to support the preparation of such a plan. The ordinance simply does not permit the substitution of the “Forest Resource Evaluation” that was prepared instead of a Forest Management Plan.

Furthermore, meaningful CEQA review, as required by § 21.64.260.D.3.d, is not possible without the Forest Management Plan. Here the EIR admits that the Forest Resource Evaluation does not evaluate “specific impacts to trees relative to construction on the site.” DEIR, App. D, Forest Resource Evaluation, p. 1.

Without the required Forest Management Plan and a CEQA review based on that plan, the agency cannot make the specific findings required under § 21.64.260.D.5, including findings that

- The removal is the minimum required under the circumstances of the case, and
- The removal will not cause adverse environmental impacts including soil erosion, water quality impacts, ecological impacts, air movement impacts, and habitat impacts.

As discussed above, there is no provision in the County ordinance for a subsequent review and approval of a deferred Forest Management Plan. With respect to CEQA,

permitting deferral of the Forest Management Plan is an improper delegation of mitigation away from the County's legislative body. And with respect to the ordinance, permitting deferral of the Forest Management Plan would render it a nullity in the County's approval of the use permit for tree removal.

2. Tree Removal Is Not The Minimum Required

As the Planning Commission found, the Project does not meet the requirements of the oak preservation ordinance because the proposed removal is not the minimum required under the circumstances. The Planning Commissions specifically found that there are alternate locations for the Project near the site that could avoid or substantially reduce tree removals.

For example, the MST portion of the Project could have been located at the Seventh and Gigling site that is planned for the MST facility in the Base Reuse Plan. Again, there is no basis to find that the Project is infeasible unless the MST facility and the Whispering Oaks project are co-located. The EIR's alternatives analysis considers an alternative (Alternative 3) that would locate the MST facility at a different site than the business park. The CEQA Findings conclude that this alternative would meet the Project's objectives. The Findings for the appeal and use permit conclude that the 7th and Gigling location is economically viable.

As discussed above, the EIR's alternatives analysis is inadequate for failure to consider a reasonable range of alternatives that *both* meet the Project objectives *and* reduce impacts. Critically, the only alternative that met the Project objectives was not fashioned to reduce tree removal at the Project site, because it simply expanded the business park uses to use the Lot 1 MST site. An alternative that relocates one or both of the proposed uses at the site and that does not increase the scope of either use would clearly reduce the number of trees removed. And, as discussed above, even an alternative that developed a business park that used the entire 48-acre development area now proposed for the MST and business park portions of the Project could retain more trees, because business park development does not require such extensive removal per-acre as does the MST facility.

The Planning Commission also found that alternative designs, including reducing the number of proposed lots, reducing the size of proposed lots, and clustering the lots, could substantially reduce tree removals. Of course, in the absence of an actual design and a completed Forest Management Plan, the proponent is in no position to gainsay this finding. Without an actual design, there can be no basis to find that tree removal has been minimized.

In sum, common sense demonstrates that an alternative location, for at least a portion of the Project, would reduce tree removal and it is clear that there is an available alternative location for at least the MST facility. In addition, common sense

demonstrates that alternative designs would reduce tree removal, and there is no substantial evidence that such designs are not feasible.

3. There Is No Basis For An Exception To The Requirement To Replace Trees On A 1:1 Ratio

As discussed above, the EIR does not actually require that trees be replanted at a 1:1 ratio, and proposed mitigation references plans that specifically conclude that the Project is eligible for the exception to this requirement under Monterey County Code § 21.64.260.D.4. While it may not be possible to replant all trees on-site, there is simply no evidence that off-site replanting is not possible or that it would create a hardship.

4. Tree Removals Will Risk Adverse Environmental Impacts

As the Planning Commission found, the tree removal will involve a risk of adverse environmental impacts. For example, the Forest Management Plan for the MST facility found that the tree removal will “result in localized increased wind velocities: with limb breakage and complete tree failure.” DEIR, App. D, MST Forest Management Plan, p. 10. Thus the County cannot make the required finding under County Code § 21.64.260.D.5.b.5. Similarly, the Project will significantly reduce available oak woodlands habitat and adversely impact this ecological system, as is evident from the fact that it will not adequately mitigate oak woodlands loss. Thus the County cannot make the required finding under County Code § 21.64.260.D.5.b.3 and 6.

D. The Project Is Inconsistent With Relevant Plans And Implicates Inconsistencies Of Those Plans

Development of the Project site is subject to the requirements of (1) the Fort Ord Reuse Plan and (2) the 2010 Monterey County General Plan, which includes the Fort Ord Master Plan. Neither the EIR nor staff reports have provided adequate evaluations of the Project’s consistency with these plans or of the consistency of these plans with each other. In fact, the Project is inconsistent with these plans and these plans are not internally consistent. The County cannot approve the Project under these circumstances.

1. Consistency Requirements

FORT ORD REUSE ACT: The County may not approve a project that is inconsistent with the Fort Ord Reuse Plan. Government Code, § 67675.8(b); FORA Master Resolution (“FMR”), § 8.01.010(f). The County is required to include applicable policies and programs of the Reuse Plan in its General Plan. FMR, § 8.02.020. The County may not approve development entitlements until it has adopted those policies and programs. FMR, § 8.02.040. The County must submit its new or updated General Plan to FORA for certification that it is consistent with the Reuse Plan. Government Code, § 67675.2.

COUNTY ORDINANCES: County Ordinances # 5171 and 5172 provide that project applications are subject to a consistency review process by which county staff are required to determine and make a recommendation concerning project consistency with the County's 2010 General Plan. Ord. # 5171, § 4; Ord. # 5172, § 2. Although a project for which an application predates January 3, 2011 need not submit a General Plan policy "consistency checklist," County staff are required to make a recommendation regarding consistency and the appropriate legislative body is required to make a determination and make a finding as to General Plan consistency. Id.

CEQA requires that an EIR evaluate consistency with applicable regional plans and general plans. CEQA Guidelines, § 15125(d).

2. Failure To Make Required Consistency Determinations

The County has not complied with the consistency requirements outlined above. The County has not submitted its 2010 General Plan to FORA for certification, and FORA has not certified that plan, even though the County adopted the 2010 General Plan more than 9 months ago. This violates Government Code § 67675.2. As discussed below, the County's 2010 General Plan is not consistent with the Reuse Plan, and these inconsistencies implicate the Project.

County staff failed to make a consistency determination and recommendation pursuant to County Ordinances # 5171 and 5172. In response to inquiry from LandWatch requesting the consistency determination, County staff implied that the Project is exempt from a consistency determination because its application predates January 3, 2011. John Ford, e-mail to Amy White, May 25, 2011. While the ordinance may relieve the *applicant* from preparing a checklist related to consistency, it does not relieve County staff from making a recommendation, or relieve the appropriate legislative body from making a determination, regarding consistency with the 2010 General Plan, which contains a number of relevant policies. County staff cannot have meaningfully determined the Project's consistency with the 2010 General Plan without reference to a checklist of applicable policies and cannot have made a meaningful recommendation without furnishing a written analysis to decision makers.

The EIR did not evaluate the Project's consistency with the 2010 General Plan; instead, it evaluated the Project with respect to the 1982 General Plan. See e.g., DEIR, p. 2-116. Thus the EIR is deficient as an informational document. CEQA Guidelines, § 15125(d).

Given the lack of discussion in the EIR and staff's apparent failure to prepare any written analysis of consistency other than conclusory assertions contained in staff reports, there can be no substantial evidence that the Project is consistent with the 2010 General Plan. And as discussed below, the Project is in fact inconsistent with that plan.

3. The Project And the County's Fort Ord Master Plan Are Inconsistent With the Fort Ord Reuse Plan

PLANNING AREA AND LAND USE DESIGNATIONS: The Project site is in the "CSUMB/Recreational Planning Area" in the Fort Ord Reuse Plan. Fort Ord Reuse Plan, Figure 3.10-1. This planning area includes the County portion of the CSUMB site and all of Polygon 8a. Id. Polygon 8a is identified as the County's Recreation/Habitat Protection area. Id. The Reuse Plan describes this planning area as follows:

"The CSUMB/Recreational Planning Area is located in a central position that will dramatically affect the potential surrounding development. It consists of three major resources: 1) the lands conveyed or subject to future public benefit conveyance to CSUMB; 2) the former land fill site; and 3) the planned Marina community park that is composed of two areas north and south of Intergarrison Road and is subject to a public benefit conveyance request." Id. at 172.

The Reuse Plan in turn describes the County's recreational/habitat district as including open space/recreational land uses, habitat protection, and opportunity sites for commercial recreation, a convenience retail center, and 50 acres of office/R&D development at the southwest corner:

"Monterey County Recreational/Habitat District

This District is comprised of two areas. The larger, approximately 340 acres, is the former land fill site. The smaller, approximately 88 acres, stretches both north and south of Intergarrison road. Both of these areas are reserved for a combination of habitat protection and recreational uses.

Projected Land Uses for the Former Land Fill:

Open Space/Recreation Land Use. About 141 acres are reserved for park and open space at the former landfill site. This represents the area included in the planned land fill cap. Region-serving recreation facilities, such as an amphitheater, are appropriate at this location.

Habitat Protection. About 142 acres are reserved for habitat management, including non-invasive and controlled passive uses such as hiking and equestrian trails.

Opportunity Sites. The land fill cap provides an opportunity to locate a range of commercial recreational uses, including a golf course, a region-serving equestrian center and a convenience retail center for up to 10,980 sq. ft. Approximately 50 acres located at the southwest corner of the former landfill site, adjacent to the Marina City limits and Inter-Garrison Road is suitable for office/R&D development by the University of California." Id. at 175-176.

The Reuse Plan designates most of the former landfill site as Habitat Management. Id., Figure 3.3-1, "Land Use Concept Ultimate Development." The Habitat Management land use designation permits only habitat management, ecological restoration,

environmental education, and passive recreation, such as hiking, nature study, horse and bike riding. *Id.* at 102.

The Reuse Plan designates two portions of the site as Planned Development Mixed Use, including a small portion on the northeast corner and a larger portion on the southwest corner of Polygon 8a – the Project site. *Id.*, Figure 3.3-1, “Land Use Concept Ultimate Development.” Uses permitted in Planned Development Mixed Use include a variety of retail uses, office uses, entertainment uses, commercial recreational uses, etc. *Id.* at 100.

PROJECT IS INCONSISTENT WITH FORT ORD REUSE PLAN BECAUSE IT IS NOT OFFICE/R&D OR CONSISTENT WITH PLANNED DEVELOPMENT MIXED USE GOALS AND FLOOR AREA RATIOS: As the EIR admits, the Project is not consistent with the Reuse Plan Commercial Land Use Objective D, which provides the Planned Development Mixed Use Development designation “to encourage the development of pedestrian-oriented community centers that support a wide variant of commercial, residential, retail, professional services, and cultural and entertainment activities.” DEIR, pp. 2-108, 2-112; Fort Ord Reuse Plan, pp. 100, 104. The DEIR admits that the Project “fails to achieve the pedestrian-oriented mixed use design direction provided by the Fort Ord Reuse plan” because it is essentially isolated from existing and planned development with which it might be connected. DEIR, p-112.

The DEIR concludes that the Whispering Oaks 0.6 FAR is consistent with the 0.35 FAR permitted for Planned Development Mixed Use areas because “about half the site is set aside for open space preservation,” which would allow “development of up to a net FAR of 0.7” on the developed portion of the site. DEIR, p. 2-109. The DEIR admits that the Whispering Oaks General Development Plan permits a FAR of 0.6. However, as discussed above, it makes no sense to include Parcels C and D as part of the Project for purposes of determining allowable FAR. First, Parcel C is already committed as mitigation for another project. Second, neither Parcel C nor D should be included in the allowable FAR calculation for the portion of the Project included in the Planned Development Mixed Use area *because they are not included in the Planned Development Mixed Use designated area.*

Furthermore, the maximum FAR for a Business Park/Light Industrial land use is not 0.35 assumed for Planned Development Mixed Use generally, but the 0.20 assumed specifically for Business Park/Light Industrial, which is the actual land use proposed for the Project. Fort Ord Reuse Plan, pp. 104-105 (distinguishing Office/R&D, Planned Development Mixed Use, and Business Park/Light Industrial land uses based on maximum FAR). Thus, the very intensive FAR for the Whispering Oaks use is not permitted at the Project site – even if it were permissible to count the non-developable parcels C and D into the FAR calculation.⁹

⁹ Note that the 0.6 FAR is also inconsistent with the Heavy Commercial Zoning designation. Monterey County Code, § 21.20.070.B.

Indeed, it is clear that the “mixed use village adjacent to the CSUMB” is intended to be used for Office/R&D use, not for Business Park/Light Industrial Use. Fort Ord Reuse Plan, p. 249. The Reuse Plan’s enumeration of locations intended to accommodate Business Park/Light Industrial uses does *not* include the site in its planning area. *Id.* at 258-259. Thus, the light industrial MST use is not consistent with the Reuse Plan and is not properly permitted at this site.

THE PROJECT AND FORT ORD MASTER PLAN RECREATION/OPEN SPACE PROGRAM D-1.4 ARE INCONSISTENT WITH FORT ORD REUSE PLAN RECREATION/OPEN SPACE PROGRAM E-1.3: The Reuse Plan includes Recreation/Open Space Land Use Policy E-1, which provides that “[t]he County of Monterey shall limit recreation in environmentally sensitive areas, such as dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low-intensity recreation dependent on the resource and compatible with its long term protection.” Fort Ord Reuse Plan, p. 272. In support of this policy, the Reuse Plan provides that the County will use the land in planning Polygon 8a only for “remediation and reuse research, habitat management, open space/recreation (including an equestrian center, a golf course opportunity site, and an amphitheater), and a convenience center:”

“Program E-1.3: The County of Monterey shall work with and support the Army to investigate clean-up of the Recreation/HMP District in the CSUMB/ Recreation Planning Area (Polygon 8a). This area is proposed to be used for remediation and reuse research, habitat management, open space/recreation (including an equestrian center, a golf course opportunity site, and an amphitheater), and a convenience center. This proposed use is subject to capping of the landfill and remediation of groundwater beneath it. A minimum of 120 acres will require mitigation by the Army. The polygon is considered for an annexation request by the City of Marina. Drainage, slumping, toxic fumes or gases associated with old landfill need to be considered.” Fort Ord Reuse Plan, p. 272.

Since Program E-1.3 does not include *any* commercial land use for the CSUMB/ Recreation Planning Area (Polygon 8a), other than a convenience center (presumably the 1-acre convenience center designated on the northeast corner of the landfill site), the Project is inconsistent with this Reuse Plan Program and therefore cannot be approved.

By contrast, the Fort Ord Master Plan, adopted by the County as part of the 2010 General Plan, does expressly permits use of this area for commercial development, including the MST and Whispering Oaks projects. The Fort Ord Master Plan adopts Recreation/Open Space Land Use Policy E-1, identical to the Fort Ord Reuse Plan Recreation/Open Space Land Use Policy E-1, calling for limiting recreation in environmentally sensitive areas to passive, low-intensity recreation. However, in support of this Policy, the Fort Ord Master Plan modifies the implementing program calling for

clean up of Polygon 8a and limiting land uses – simply inserting as additional acceptable land uses the MST and Whispering Oaks business park and commercial development:

“Program D-1.4: The County of Monterey shall work with and support the Army to investigate clean up of the Monterey County Recreational/Habitat District in the CSUMB/Recreational Planning Area (Fort Ord Reuse Plan Polygon 8a). This area is proposed to be used for habitat reserve management, the Monterey Salinas Transit Administrative and Maintenance facility, the Whispering Oaks business park and commercial development.” Fort Ord Master Plan, p. FO-23.

Thus, Fort Ord Master Plan Recreation/Open Space Land Use Program D-14 is inconsistent with Fort Ord Reuse Plan Program Recreation/Open Space Land Use Policy E 1.3 because it permits different land uses, and because the land uses it permits are neither recreational nor compatible with environmentally sensitive areas. Since the County’s General Plan, including its Fort Ord Master Plan, must be consistent with the Fort Ord Reuse Plan, Fort Ord Master Plan Recreation/Open Space Land Use Program D-14 is not valid. The County cannot approve the Project on the basis of a General Plan provision in conflict with the Fort Ord Reuse Plan.

THE PROJECT AND FORT ORD MASTER PLAN RECREATION/OPEN SPACE PROGRAM E-2.2 ARE INCONSISTENT WITH FORT ORD REUSE PLAN RECREATION PROGRAM E-2.2: The Reuse Plan contains Recreation Objective E, to encourage commercial recreation. Fort Ord Reuse Plan, p. 328. In support of this objective, Recreation Policy E-2 provides the County must create a “multi-functional recreation area” in the landfill area. Id. And in support of this policy, the Recreation Program E-2.2 provides that the County shall promote the development of commercial recreation uses of this area such as a golf course, an equestrian center, and a region serving amphitheater. Id. In addition, Program E-2.1, requires the County to “create a joint management team with representatives of adjacent agencies to work together institutionally in the planning and development of the landfill, protect oak woodlands, and address potential impacts of planned uses on surrounding neighborhoods.” Here are the relevant policies from the Reuse Plan:

“Recreation Policy E-2: Monterey County shall work with landowners to create a multi-functional recreation area within the former military landfill area.

Program E-2.1: Monterey County shall create a joint management team with representatives of adjacent agencies to work together institutionally in the planning and development of the landfill, protect oak woodlands, and address potential impacts of planned uses on surrounding neighborhoods.

Program E-2.2: Monterey County shall promote the development of commercial recreation uses of this area compatible with the capping of the landfill, including such uses as a golf course, an equestrian center, and a region serving amphitheater.” Fort Ord Reuse Plan, p. 328.

There is no evidence that the Project is consistent with Recreation Policy E-2 and its implementing programs. As discussed above, there is no evidence that the County has created and convened the “joint management team” to protect the oak woodlands and address impacts of planned uses. For example, the County’s approach to implementing the Reuse Plan Biological Resources Policy B-2 calling for designation of an oak woodlands conservation area is apparently to act unilaterally and provide notice to other agencies. While the Staff report claims that the other agencies have “been involved, consulted with, and provided notice of, the proposed project,” there is no evidence of joint institutional management of the oak woodlands resources at the land fill site. Staff Report, June 14, 2011, Exhibit D2, p. 12. It seems unclear that the City of Marina, for example, has condoned the loss of the oak woodlands that the Project would cause given that it has asked the Project proponent to relocate the Project.

Furthermore, the County’s Fort Ord Master Plan is itself inconsistent with the Fort Ord Reuse Plan Recreation Program E-2.2. In support of the same recreation objective (Recreation Objective E – “encouragement of commercial recreation opportunities”) and the same recreation policy (Recreation Policy E-2 – “work with landowners to create a multifunctional recreation area within the former military landfill area”), the Fort Ord Master Plan expressly permits use of the landfill area for *commercial* development, including the MST and Whispering Oaks projects:

“Program E-2.2: Monterey County shall promote the development of commercial uses that are compatible with the capping of the landfill, including such potential uses as habitat management, the Monterey-Salinas Transit Administration and Maintenance Facility, the Whispering Oaks Business Park, and commercial development.” Fort Ord Master Plan, p. FO-32.

Thus, Fort Ord Master Plan Recreation Program E-2.2 is inconsistent with Fort Ord Reuse Plan Program Recreation Policy E-2.2 because it permits different land uses, and because the land uses it permits are not recreational. Ironically, the Staff Report salutes the fact that the Project is compatible with Fort Ord Master Plan Recreation Program E-2.2. Staff Report, June 14, 2011, Exhibit A, p. 5. However, since the County’s General Plan, including its Fort Ord Master Plan, must be consistent with the Fort Ord Reuse Plan, Fort Ord Master Plan Recreation Program E-2.2 is not valid. The County cannot approve the Project on the basis of a General Plan provision in conflict with the Fort Ord Reuse Plan.

4. The Project Is Inconsistent With The 2010 Monterey County General Plan

Open Space Conservation Policy OS 5.23 of the Monterey County General Plan specifically requires that, pending the County’s adoption of an oak woodlands mitigation program within the next five years, projects “shall pay a fee to the state Oak Woodlands Conservation Fund (OWCF):”

“OS 5.23: The County shall prepare, adopt and implement a program that allows projects to mitigate the loss of oak woodlands, while also taking into consideration wildfire prevention/protection. Consistent with California Public Resources Code Section 21083.4, the program shall identify a combination of the following mitigation alternatives:

- a) ratios for replacement,
- b) payment of fees to mitigate the loss or direct replacement for the loss of oak woodlands and monitoring for compliance; and
- c) conservation easements.

The program shall identify criteria for suitable donor sites. Mitigation for the loss of oak woodlands may be either on-site or off-site. The program shall allow payment of fees to either a local fund established by the County or a state fund.

Until such time as the County program is implemented consistent with Public Resources Code Section 21083.4(b), projects shall pay a fee to the state Oak Woodlands Conservation Fund (OWCF). Replacement of oak woodlands shall provide for equivalent acreage and ecological value at a minimum of 1:1 ratio. The program shall prioritize the conservation of oak woodlands that are within known wildlife corridors as a high priority. The oak woodlands mitigation program shall be adopted within 5 years of adoption of the General Plan.” Monterey County 2010 General Plan, p. C/OS-13, emphasis added.

However, despite this clear and mandatory policy, and despite the fact that County has not yet adopted the oak woodlands mitigation program, the Project is not required to make payments to the state Oak Woodlands Conservation Fund. Payments of FORA fees are not payments to the OWCF.

Nor is the Project consistent with the OS 5.23 requirement that “replacement of oak woodlands shall provide for equivalent acreage and ecological value at a minimum of 1:1 ratio.” As discussed above, Project mitigation does not require 1:1 replacement of individual trees, and there is no evidence or requirement that any replacement oaks provide acreage of equivalent ecological value. Replacement of intact oak woodlands with isolated pockets of parking lot and roadside landscaping clearly does not maintain equivalent ecological value. The EIR contains no discussion of the ecological value of the replacement trees to be replanted.

Indeed, the mitigation focus is entirely on replacing *trees* (and planting them as densely as possible to minimize the required replanting acreage), not on replacement of oak woodland *acreage* of equivalent ecological value. While the Whispering Oaks Forest Resource Evaluation indicates that the trees to be removed provide habitat to animal species of special concern, it simply postpones the evaluation and mitigation of impacts to habitat values to some unspecified future “adequate biological study.” Whispering Oaks Forest Resources Evaluation, p. 10. The MST Forest Management Plan admits that “[t]his habitat is particularly viable as it is associated with other intact vegetation types.” MST Forest Management Plan, p. 10. It then admits that “the loss of

functional oak woodland habitat on the site is an unavoidable impact of the project as designed.” Id. However, there is no requirement in that Forest Management Plan, or in other mitigation documents, that the replacement of individual trees result in “equivalent acreage and ecological value at a minimum of 1:1 ratio.”

E. EIR’s Analysis Of Water Supply And Water Supply Impacts Is Inadequate

1. The Project’s 92 afy Water Demand Exceeds The 10 afy Allocation For Project Site In The Fort Ord Reuse Plan

Part of the implementation provisions of Fort Ord Reuse Plan is the Development Resource Management Plan (“DRMP”). Fort Ord Reuse Plan, § 3.11.5. The intent of the DRMP is to ensure that development is managed within the constraints of available resources. Because water supply is a serious constraint on development, one section of the DRMP, § 3.11.5.4, is devoted to Management of Water Supply:

“Water supply is a central resource constraint for development of Fort Ord. Insuring that development does not exceed the available water supply and safe yield is a major component of the DRMP. The following measures ensure that development is managed within this resource constraint.” Fort Ord Reuse plan, p. 196.

Thus, FORA has adopted a program to allocate the existing potable water supply among the competing jurisdictions. The water supply allocation is intended to provide member agencies with certainty as to supply and “to assure that jurisdictions remain within their allocation.” Id. Each agency must make a finding that for development projects that “the project can be served with their jurisdictional water allocation” or by some other form of imported water. Id. at 197. Thus, the Fort Ord Master Resolution requires member agencies to adopt “policies and programs consistent with the Authority’s Development and Resource Management Plan to establish programs and monitor development of territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.” Fort Ord Master Resolution, §8.02.020(j)(6).

The actual allocation applicable to the Project site is specified in Table 3.11-2. In that table, water is allocated to member agencies for general use within their jurisdictions, and to specific areas within the former Fort Ord. Thus, while the County has a general allocation, the allocation made to the location containing the Project site, “County/Marina Sphere Polygon 8a,” is only 10 acre feet per year (“afy”). Fort Ord Reuse Plan, Table 3.11-2, footnote 3 (indicating Board action reduced the Polygon 8a allocation from 50 to 10 afy on Aug. 14, 1998.)

Because the Project will require 92.72 afy, it will exceed the available 10 afy water allocation. FEIR, App. J, p. 11. Thus, the County cannot approve the Project consistent with the Fort Ord Reuse Plan or consistent with its obligation to assure development does not exceed water constraints.

The Water Supply Analysis (“WSA”) in the EIR fails to disclose the actual water allocation constraint faced by the Project because it ignores the site specific constraint of 10 AFY to the County/Marina Sphere Allocation. Instead, the Water Supply Analysis contends that there is sufficient allocate for the Project because its use would fit within the remaining uncommitted allocation to the County generally. FEIR, App. J, p. 22-23. The failure to disclose and discuss the Project’s actual supply constraint violates SB 610, the statute governing the adequacy of water supply analyses under CEQA. Water Code, 10910(d) (obligation to disclose water supply entitlements).

2. The Water Supply Assessment Fails To Provide Mandated Information About Baseline Conditions

SB 610 mandates that a water supply assessment for a project to be served with groundwater include specific information. Water Code, 10910(f). Here the WSA fails to comply with SB 610 because it does not include the required “detailed description of the amount and location of groundwater pumped by the public water system . . . for the past five years. . .” Water Code, 10910(f)(3). Obviously pumping data for the last five years is not included in the six-year old 2005 Urban Water Management Plan referenced by the EIR; and, at any rate, the statute is clear that the EIR itself must contain this information, not merely reference it. Nor is the required information contained elsewhere in the EIR.

In short, the EIR fails to meet the information disclosure requirements of CEQA because it fails to identify the baseline water use. As discussed below, impacts cannot be meaningfully assessed without reference to baseline use. The EIR must be revised and recirculated to provide the required baseline pumping data for the Salinas Valley groundwater basin. The EIR must also relate and reconcile that baseline pumping to the 2001 Salinas Valley Water Project EIR baseline data, because the EIR relies on that document to support its conclusion that impacts will be less than significant.

3. The EIR and Water Supply Assessment Fail To Provide An Analysis Of Available Supply, Which Requires Disclosure Of The Basin’s Sustained Yield

The EIR and WSA identify the Salinas Valley groundwater basin, consisting of five hydrologically linked sub-areas, as the groundwater basin from which the Project supplies would be obtained. DEIR, App. J, pp 16-17. The EIR admits this aquifer is in an overdraft condition and that sea water intrusion is occurring due to this overdraft. Id; DEIR, pp. 2-97 to 2-98.

SB 610 and CEQA case law are clear that an EIR must identify not just the projected demand from the Project and other projects, but must relate this demand to available supplies. Given that the EIR admits the aquifer is in an overdraft condition and that sea water intrusion is occurring due to this overdraft, there can be no showing that

there is an adequate waters supply over the next 20 years without a discussion that relates projected demand to available sustained yield of the basin.

Furthermore, the 1982 Monterey County General Plan requires a “proven adequate water supply.” DEIR, p. 2-165. The 2010 Monterey County General Plan requires that a project have a “long term sustainable water supply.” 2010 General Plan Policy PS-3.1¹⁰. Monterey County Code § 15.04.140 requires that water sources “shall demonstrate reliability and capability of a long term sustained yield.” The County cannot find that the Project is consistent with these requirements without information about both the projected demand and the sustained yield of the basin from which the Project water supply is taken.

However, the EIR and WSA fail to identify the sustained yield of the basin or sub-basin from which the Project water supply will be taken. Without this information, the WSA and EIR fail to meet CEQA’s requirement to identify available water supplies.

Instead of providing information about the actual sustained yield of the basin, the EIR and WSA simply compare the projected demand of the Project and other sources of future demand to the *allocation* of water made to the County through the FORA process. DEIR, p. 2-172; FEIR, App. J, pp. 22-23.

No information is presented that could demonstrate that the FORA allocation was, is, or will remain consistent with the sustained yield of the basin. The EIR and WSA do reference the analysis of the projected adequacy of efforts to address overdrafting and saltwater intrusion contained in the Salinas Valley Water Project EIR. DEIR, pp. 2-98 to 2-99, 2-173; DEIR, App. J, p. 22. However, as discussed in the section below, this analysis is out of date because it fails to reflect the substantial increases to actual and projected demand since it was prepared.

4. The Water Supply Assessment Uncritically Relies On the Salinas Valley Water Supply Project, Despite Significant Changes To Demand Projections

Just as it did in adopting its 2010 General Plan, the County proposes to rely on the out of date analysis in the Salinas Valley Water Project EIR as the basis to find that the Project’s increased demand will not contribute to the serious existing overdraft and salt water intrusion conditions in the groundwater basin. LandWatch objected to this reliance then, and it objects again now. The Salinas Valley Water Project simply does not deliver enough solution to address the increasing groundwater pumping in the basin.

¹⁰ Policy PS 3.2 requires the County to develop an ordinance setting forth the requirements for an adequate water supply analysis to support the findings required by Policy PS 3.1. The County has not done so. As discussed above, the County has also failed to comply with its Ordinances No. 5171 and 5172 requiring staff to make a recommendation and requiring the Planning Commission to make a determination regarding consistency with the 2010 General Plan. Thus, there is no adequate basis in the record to support a finding that the Project is consistent with Policy PS 3.1.

In its certification of an EIR and adoption of the 2010 General Plan, the County concluded that water supply impacts to the Salinas Valley groundwater basin, including overdrafting and salt water intrusion, would be less than significant through 2030, based on the analysis contained in the 2001 Salinas Valley Water Project EIR. See, e.g., 2010 General Plan FEIR, March 2010, p. 2-66; Revised Supplemental Materials to the Final EIR, Oct. 15, 2010, p. S-11.¹¹ LandWatch and others objected to this conclusion in comments on the Draft EIR, comments on the Final EIR, and in numerous additional letters provided to the Planning Commission and Board of Supervisors during the summer of 2010 as the County deliberated on the 2010 General Plan. LandWatch reasserts these objections here, and incorporates them by reference to the documents identified below, including LandWatch's Petition for Mandate. Petition for Writ of Mandate, LandWatch v. County of Monterey, Monterey County Superior Court No. M109434, attached as Exhibit 2.

One fundamental basis of LandWatch's objection to the County's uncritical reliance on the 2001 SVWP EIR is that its demand assumptions are out of date. The 2001 SVWP EIR was based on the assumption that agricultural acreage would decline by 1,849 acres between 1995 and 2030. However, the 2010 General Plan EIR showed that new agricultural land had actually *increased* by 3,300 acres, just between 1995 and 2006. And the 2010 General Plan EIR projected that from 2008 to 2030 an *additional* 10,253 acres of agricultural land will be converted. The water demanded by this increased agricultural acreage was not assumed in the SVWP EIR demand projections. Had this

¹¹ LandWatch incorporates the following documents herein by reference, and will supply hard copies upon request. Each of the documents referenced is part of the administrative record for the 2010 Monterey County General Plan and has recently been presented to the Board of Supervisors. Most of these documents are also available on the County web site at http://www.co.monterey.ca.us/planning/gpu/GPU_2007/gpu_2007.htm.

- Monterey County Water Resources Agency, Draft EIR/EIS for the Salinas valley Water Project, June 2001 ("SVWP EIR")
- County of Monterey, 2007 Monterey County General Plan Draft EIR, SCH# 2007121001, Sept. 2008 ("2010 GP DEIR")
- County of Monterey, 2007 Monterey County General Plan Final EIR, March 2010 ("2010 GP March FEIR")
- County of Monterey, Supplemental Materials to the Final EIR, September 2010 ("2010 GP September FEIR Supplement")
- County of Monterey, Revised Supplemental Materials to the Final EIR, October 15, 2010 ("2010 GP October FEIR Supplement")
- John Farrow, letter to Jay Brown and Planning Commission, May 24, 2010
- Bill Yeates, letter to Planning Commission, June 14, 2010
- John Farrow, letter to Jay Brown and Planning Commission, July 20, 2010
- John Farrow, letter to Board of Supervisors, August 26, 2010
- Adelia Barber, letter to Julie Engell, September 18, 2010
- Julie Engell, letter to Board of Supervisors, September 21, 2010
- John Farrow, letter to Board of Supervisors, September 21, 2010
- Julie Engell, letter to Board of Supervisors, September 27, 2010
- John Farrow, letter to Board of Supervisors, September 28, 2010
- Michael Stamp ad Molly Erickson, letter to Board of Supervisors, October 26, 2010
- John Farrow, letter to Board of Supervisors, October 26, 2010

increased demand been included, the SVWP EIR could not have projected that the basin demand would be reduced by 2030 to the 443,000 acre-feet level that it identifies as the maximum yield of the basin consistent with avoiding salt water intrusion and overdraft. With this increased demand from unanticipated agricultural pumping, the basin will remain out of balance through 2030 and neither the overdraft nor the salt water intrusion will come to a halt.

LandWatch and others objected to reliance on the SVWP EIR and to the water supply analysis in the 2010 General Plan EIR for a number of additional reasons, including the following reasons that are also implicated here:

- Baseline data were not furnished or reconciled for the SVWP EIR or the 2010 General Plan EIR. Here, the EIR for the MST/Whispering Oaks Project fails even to present baseline data, much less reconcile it to the SVWP EIR baseline data.
- Projected urban demand in the SVWP EIR is inconsistent with the four separate, inconsistent projections of urban demand in the 2010 General Plan EIR. Here, the EIR for the MST/Whispering Oaks Project does not even attempt to reconcile demand projections for the MCWD to the projections assumed in the SVWP EIR.
- Groundwater pumping data since 1995 show that pumping is increasing, not decreasing as projected by the SVWP EIR. Groundwater pumping data for the reporting *portion* of the Salinas Basin since 1995 consistently exceeds the sustained yield of the basin; actual pumping is even higher because this data omits significant portions of the basin. Again, we note that the EIR for the MST/Whispering Oaks Project did not present the required baseline pumping data so this EIR presents no evidence that demand reduction goals of the SVWP EIR have been or can be met.

Because the County offered no adequate analysis or response to LandWatch's objections to the water supply analysis and mitigation in the 2010 General Plan and its EIR, LandWatch has filed litigation seeking to set aside the 2010 General Plan based on the County's failure to recognize that there is not an adequate program in place to halt overdraft and salt water intrusion in the Salinas Valley groundwater basin. Petition for Writ of Mandate, LandWatch v. County of Monterey, Monterey County Superior Court No. M109434, attached as Exhibit 2.

Here, the County's continued reliance on the silver bullet of the Salinas Valley Water Project is as unsupported and unsupportable as it was in the 2010 General Plan. Thus, here the EIR fails to meet CEQA's information disclosure requirements regarding water supply baseline conditions, demand projections, and sufficiency of supply. The EIR fails to provide substantial evidence in support of its facile claim that the Project will not contribute to overdraft and salt water intrusion impacts. Nor does the EIR provide any basis to support a finding that the Project will have a long term sustainable water

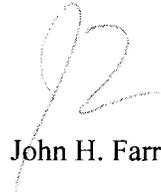
June 13, 2011
Page 39

supply under any meaningful definition of "sustainable," a term that the County has yet even to define.

For all of the foregoing reasons, LandWatch asks that the County not approve the Project as proposed. Thank you for the opportunity to submit these comments.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read "JH Farrow", is positioned above the printed name.

John H. Farrow

Exhibit 1



**California Department of Fish and Game
P.O. Box 47, YOUNTVILLE, CA 94599
California Endangered Species Act
Incidental Take Permit No. 2081-2005-029-03
CYPRESS MARINA HEIGHTS, L.P.
MARINA HEIGHTS PROJECT**

Authority: This California Endangered Species Act ("CESA") Incidental Take Permit ("permit") is issued by the Department of Fish and Game ("Department") pursuant to Fish and Game Code section 2081(b) and section 2081(c), and California Code of Regulations, title 14, subdivision 3, chapter 6, article 1, commencing with section 783. CESA prohibits the take¹ of any species of wildlife that is included in the list of endangered species, the list of threatened species, or the list of candidate species². However, the Department may authorize, by permit, the take of such species if the conditions set forth in section 2081(b) and section 2081(c) are met.

Permittee: Cypress Marina Heights, L.P.

Name and title of principal officer: Charles R. Lande, Cypress Marina Heights L.P.

Contact person: Charles R. Lande
Cypress Marina Heights L.P.

Mailing address: 2716 Ocean Park Boulevard, Suite 3025,
Santa Monica, CA 90405
(310) 314-2590
Fax (310) 314-22592
chadmargr@aol.com

Agent for service of process : Michael L. Matkins
515 South Figueroa Street, 7th Floor
Los Angeles, CA 90071-3398
(213) 622-5555; (213) 620-8816 fax

¹Pursuant to Fish and Game Code section 86, "Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill."

²"Candidate species" are species of wildlife that have not yet been placed on the list of endangered species or the list of threatened species, but which are under formal consideration for listing pursuant to Fish and Game Code section 2074.2.

RECEIVED
MAR 06 2006
BY: *[Signature]*

- d. Beginning with issuance of the permit and continuing for the life of the project, Permittee shall provide the Department an annual Status Report no later than July 1 of every year. Each Status Report shall include, at a minimum: 1) a general description of the project's status, including actual or projected completion dates, if known; 2) a copy of the MMRP table with notes showing the current implementation status of each mitigation measure; and 3) an effectiveness assessment for each completed or partially completed mitigation measure that compensates for project impacts.
- e. No later than 45 days after completion of the project, including completion of all mitigation measures, Permittee shall provide the Department with a Final Mitigation Report. The Final Mitigation Report shall be prepared by a knowledgeable, experienced biologist and shall include, at a minimum: 1) a copy of the MMRP table with notes showing when each mitigation measure was implemented; 2) all available information about project-related incidental take of the Covered Species; 3) information about other project impacts on the Covered Species; 4) construction dates; 5) an effectiveness assessment which evaluates how the permit's conditions of approval compensated for project impacts; 6) recommendations on how mitigation measures might be changed to more effectively mitigate the impacts of future projects on the Covered Species; and 7) any other pertinent information. Notwithstanding any expiration date on this permit's take authorization, the Permittee's obligations under this permit do not end until the Department accepts the Final Mitigation Report as complete.
- f. Permittee shall provide Department representatives with reasonable access to the project site and mitigation lands under its control, and shall otherwise fully cooperate with Department efforts to verify compliance with or effectiveness of mitigation measures.
5. Permittee shall provide for the permanent preservation of 45.2 acres that currently support sand gilia and shall restore and enhance at least 22.6 other acres to support sand gilia by doing all of the following:
- a. Permittee shall enter into one or more agreements with the City of Marina ("City") and the County of Monterey ("County") that commit the City and County to permanently preserve both occupied habitat and the area to be restored, and shall take other necessary actions to ensure those areas are in fact preserved. The Habitat Management Lands ("HM Lands") to be protected include a 140-acre portion of the "Landfill Site" identified in

Attachment 9 of the Mitigation Plan, title to which is being transferred to the County, and the 20-acre "City Site" identified in Attachment 10 of the Mitigation Plan, which will be transferred to the City. The agreements with the City and County must be completed and fully executed no more than six months after the date this permit is issued and must be in a form acceptable to the Department. The agreements shall require the City and County to take all necessary actions to accomplish the transfer of conservation easements over the HM Lands to the Department, or to another entity approved by the Department, as soon as practicable, but in no event more than six months after fee title to the relevant site is transferred to the County or City.

- b. Permittee shall restore or enhance at least 22.6 acres of the Landfill Site to support sand gilia as detailed in the Mitigation Plan. Restoration and/or enhancement includes activities that would make additional habitat available to sand gilia through removal of roads or other facilities, removal of exotic species, or other specific management activities. Restoration and/or enhancement activities shall not include conversion of other sensitive habitats to sand gilia habitat, or otherwise result in loss of other sensitive species or their habitats. The Department shall approve the final area of the Landfill Site to be restored.
- c. The Landfill Site and City Site contain at least 45.2 acres that currently support sand gilia, as required by this Condition 5. In the event that the Department determines that restoration and/or enhancement described in Condition 5-b and in the Mitigation Plan is not feasible, the Permittee shall preserve an additional 22.6 acres of HM Lands that currently support sand gilia. This additional preservation requirement may require the protection of more than 22.6 acres to meet the preservation requirement for occupied habitat because the Covered Species may not occupy all of the area that is preserved.
- d. The Department has approved the Landfill Site and City Site as biologically suitable to mitigate project impacts on the sand gilia. If any other land is proposed to meet the mitigation requirements of this permit, including pursuant to Condition 5-c, Permittee must obtain Department's approval of that land as suitable for the intended sand gilia mitigation.
- e. Permittee shall ensure the Department is provided with a recent preliminary title report, hazardous materials survey report, and other documents for the HM Lands identified in Appendix C at the appropriate



	Existing FORA Mitigation Site		Initial Restoration Area
	Maritime Chaparral		Landfill Cap Area
	Development Area		Preservation Area
			Landfill

	Title	Mitigation Site - Landfill Parcel
	File	Mitigation Area.mxd
Date:	6/20/2005	
Scale:	1 inch equals 30 miles	
Project:	2467 MARH	
		
Monterey Reno San Jose Denise Duffy & Associates, Inc. Environmental Consultants • Geospatial Services 917 Base Street, Suite 4 Monterey, CA 93940 (408) 375-1311		

Exhibit 2

FILED

NOV 24 2010

CONNIE MAZZEI
CLERK OF THE SUPERIOR COURT
S. KELLY DEPUTY

FILED BY FACSIMILE

1 Mark R. Wolfe, CSB No. 176753
2 John H. Farrow, CSB No. 209221
3 M. R. WOLFE & ASSOCIATES, P.C.
4 1 Sutter Street, Suite 300
5 San Francisco, CA 94108
6 Tel: (415) 369-9400
7 Fax: (415) 369-9405

8 Attorneys for Petitioner

9 THE SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF MONTEREY
11 MONTEREY COURTHOUSE

12 LANDWATCH MONTEREY COUNTY,

13 Petitioner,

14 vs.

15 COUNTY OF MONTEREY;

16 Respondent.

Case No.:

M109434

PETITION FOR WRIT OF MANDATE

(Code Civ. Proc., §§ 1085, 1094.5; California
Environmental Quality Act, Pub. Res. Code, §
21000 *et seq.*; State Planning and Zoning Law,
Gov't Code, § 65000 *et seq.*; SB 610, Water
Code, §§ 10910 *et seq.*)

1 **INTRODUCTION**

2 1. This Petition challenges the October 26, 2010 actions of Respondent COUNTY OF
3 MONTEREY ("County") adopting the 2010 Monterey County General Plan ("the 2010 General Plan"),
4 certifying an Environmental Impact Report ("EIR") and adopting a statement of overriding
5 considerations pursuant to the California Environmental Quality Act ("CEQA") Public Resources Code
6 section 21000 *et seq.* Petitioner LANDWATCH MONTEREY COUNTY alleges that the County's
7 actions in enacting the 2010 General Plan violate applicable provisions of: (1) CEQA; (2) the State
8 Planning and Zoning Law, Government Code sections 65000 *et seq.*; and (3) Senate Bill 610, Water
9 Code sections 10910 *et seq.*

10 2. Petitioners seek a writ of mandate under Code of Civil Procedure sections 1085 and/or 1094.5
11 commanding the County to set aside its certification of the EIR and its adoption of the 2010 General
12 Plan; commanding the County to bring its general plan into compliance with the requirements of the
13 State Planning and Zoning Law, Government Code sections 65000 *et seq.*, within 120 days; and
14 suspending the County's authority to issue building permits, zoning changes, zoning variances, and
15 subdivision maps until the County does bring its general plan into compliance. Petitioners also seek an
16 order granting temporary relief during the pendency of this action, including an order suspending the
17 County's authority to issue building permits, zoning changes, zoning variances, and subdivision maps.

18 **PARTIES**

19 **LandWatch Monterey County**

20 3. Petitioner LANDWATCH MONTEREY COUNTY ("LandWatch") is a California non-profit
21 public benefit corporation exempt from federal income taxation under section 501(c)(3) of the U.S.
22 Internal Revenue Code. Its principal place of business is Salinas, California. LandWatch's
23 organizational purpose is to promote sound land use planning and legislation at the city, county, and
24 regional levels, to combat urban sprawl, and to promote livability in the region's cities and towns,
25 through public policy development, advocacy, and education. LandWatch is dedicated to preserving
26 economic vitality, high agricultural productivity, and environmental health in Monterey County by
27 encouraging effective public participation in the land use planning process.

1 4. LandWatch's members, directors, and staff include residents, taxpayers, and electors in
2 Monterey County who currently enjoy the multitude of residential, vocational, aesthetic, recreational, and
3 health benefits stemming from the current state of Monterey County. These include: relatively clean air;
4 relatively preserved natural resources; agricultural productivity; unobstructed views of the natural
5 landscape; hiking trails; and water supply, water quality, and traffic conditions significantly better than
6 those they will experience if the 2010 General Plan proceeds.

7 5. LandWatch's members, directors, and staff have a clear and present right to, and beneficial
8 interest in, the County's performance of its duties to comply with CEQA, the State Planning and Zoning
9 Law, and Senate Bill 610. As citizens, homeowners, taxpayers, and electors, LandWatch's members,
10 directors, and staff are within the class of persons to whom the County owes such duties.

11 6. LandWatch's members, directors, and staff will also suffer direct injury as a result of the
12 adverse environmental, public health, aesthetic, and land use impacts caused by the 2010 General Plan.
13 These include: the permanent loss of vast quantities of currently undeveloped open space and agricultural
14 lands, blighting of the area's landscape, air pollution associated with increased vehicle traffic, permanent
15 loss of habitat for plant and animal species including species protected under state and federal law, loss
16 of recreational opportunities, increased traffic congestion in the area, impacts to local water supply and
17 water quality from poorly planned and inefficient land development, and an overall decrease in quality of
18 life.

19 7. By this action, LandWatch seeks to protect the interests of its members, directors, and staff,
20 and to enforce a public duty owed to them by the County. Because the claims asserted and the relief
21 sought in this petition are broad-based and of a public as opposed to a purely private or pecuniary nature,
22 direct participation in this litigation by LandWatch's individual members is not necessary.

23 8. LandWatch presented oral and written comments in opposition to the 2010 General Plan to
24 the County prior to and during the public hearings culminating in the County's October 26, 2010
25 approvals.

26 **County of Monterey**

27 9. Defendant COUNTY OF MONTEREY ("County") is a political subdivision of the State of
28 California. On October 26, 2010, the County, through its Board of Supervisors, certified the EIR and

1 approved the 2010 General Plan. The County is the “Lead Agency” responsible under CEQA for
2 evaluating the environmental impacts of the 2010 General Plan. The County is also the entity responsible
3 under the State Planning and Zoning Law and Senate Bill 610 for evaluating and approving the 2010
4 General Plan with respect to compliance with all applicable statutory requirements.

5 **Does**

6 10. Petitioners currently do not know the true names of DOES I through XXV inclusive, and
7 therefore name them by such fictitious names. Petitioners will seek leave from the court to amend this
8 petition to reflect the true names and capacities of DOES I through XXV inclusive once ascertained.

9 **JURISDICTION AND VENUE**

10 11. This action is brought pursuant to Public Resources Code sections 21167, 21168, and
11 21168.5, Government Code sections 65750 *et seq.*, and Code of Civil Procedure sections 1085 and
12 1094.5. Venue is proper in the County of Monterey under Code of Civil Procedure sections 393 and 395.

13 **BACKGROUND FACTS, PROCEDURAL HISTORY, AND AGENCY ACTION**

14 12. The County previously adopted a comprehensive General Plan on September 30, 1982.

15 13. On or about June, 1999, the Board of Supervisors directed County staff to prepare for and
16 undertake a community agreement process, to refined and update the 1982 General Plan and Area Plans,
17 and to undertake environmental review of the revised General Plan.

18 14. On October 12, 1999, staff of the Monterey County Planning and Building Inspection
19 Department issued a report on existing conditions, which concludes that land development has not
20 proceeded in accordance with the 1982 General Plan land use and growth management goals, particularly
21 in North County, Greater Salinas, Toro, Carmel Valley, and the Greater Monterey Peninsula. The report
22 further concludes that water demand exceeds supply in the three major supply areas on the County and
23 that a balance has not been achieved.

24 15. The October 12, 1999 report on existing conditions also concludes that roads in many areas of
25 the County are at capacity, that key State Highway facilities are so congested that traffic is diverting to
26 and congesting local County roads, that funding has not kept pace with maintenance needs, that the cost
27 estimated in 1996 to provide additional capacity to impaired State Highway corridors was \$700 million,
28

1 but that State and Federal funding programs provide less than \$8 million a year for capacity-related
2 improvements.

3 16. On or about November, 1999, the Board of Supervisors directed County staff to prepare a
4 comprehensive General Plan to update and replace the adopted 1982 General Plan.

5 17. Between November, 1999 and May, 2004, County staff prepared and circulated three draft
6 General Plan Updates (the “2001 Draft GPU,” “GPU 2,” and “GPU 3”) and associated environmental
7 impact reports. Numerous public workshops and hearings were held, and the Board of Supervisors
8 provided direction to staff to make numerous revisions to the draft general plans.

9 18. In May, 2004, the Board of Supervisors directed staff to cease work on the EIR for GPU3 and
10 to prepare yet another general plan revision. County staff proceeded to do so, and released drafts of the
11 2006 Monterey County General Plan, or “GPU 4,” including an Agricultural Winery Corridor Plan
12 (AWCP) as well as and environmental impact report in 2006 and 2007.

13 19. On January 3, 2007, the County, through its Board of Supervisors, adopted Resolution 07-
14 006, certifying the EIR, and Resolution 07-007, adopting the 2006 General Plan to replace the 1982
15 General Plan. The Board made its adoption subject to voter approval at the June 2007 election.
16 Following adoption of the 2006 General Plan, a citizens’ referendum on whether to repeal the 2006
17 General Plan was qualified and also placed on the June 2007 ballot. Voters indicated that they rejected
18 the 2006 General Plan.

19 20. In July 2007, the Board of Supervisors directed staff to modify the 2006 General Plan,
20 working with an ad hoc committee.

21 21. In December 2007, the County released a new draft general plan, entitled “the draft 2007
22 Monterey County General Plan” or “GPU5.”

23 22. The County released the Draft EIR for GPU5 for public comment on September 5, 2008. The
24 County subsequently provided some additional information, including some updated citations and
25 references and other errata, and commenced a second comment period running from December 16, 2008
26 to February 2, 2009.

27 23. Numerous agencies, organizations, and citizens, including LandWatch, submitted comments
28 on the Draft EIR, objecting to its failure to meet CEQA’s requirements.

1 24. The Planning Commission held workshops and a public hearing on the Draft EIR in 2008 and
2 early 2009.

3 25. In March 2009, the County released revisions to GPU5 and a Final EIR (the "March FEIR")
4 purporting to respond to public comments and substantially revising GPU5 and the Draft EIR. The
5 March FEIR substantially revised the Draft EIR, for example, by substantially revising projections
6 related to water demand and furnishing analyses of water demand and supply that had not been included
7 in the Draft EIR.

8 26. From April 2010 through August 2010, the Planning Commission held public hearings and
9 made further substantial revisions to GPU5. LandWatch actively participated in those hearings,
10 submitting written and oral comments through its representatives and members.

11 27. On August 11, 2010 the Planning Commission recommended that the Board of Supervisors
12 certify the EIR and approve GPU5, which had been recaptioned the "2010 Monterey County General
13 Plan."

14 28. In its August 11, 2010 recommendation to the Board of Supervisors, the Planning
15 Commission acknowledged its inability and failure to make recommendations regarding the critical
16 definition of "Long Term Sustainable Water Supply" or to provide substantive criteria for Policy PS-3.2,
17 which purports to require development of criteria for Long Term Sustainable Water Supply.

18 29. From August 31 through October 26, 2010, the Board of Supervisors held a public hearing on
19 the 2010 General Plan, which was continued on several dates during that period. LandWatch actively
20 participated in that hearing, submitting written and oral comments through its representatives and
21 members.

22 30. In September 2010, the County released a document captioned "Supplemental Materials to the
23 Final EIR" ("September FEIR Supplement"), substantially revising the March 2010 Final EIR with
24 respect to numerous issues, including the projected growth of agriculture; the policies governing, and the
25 impacts from, urban development and agriculture on steeply sloped lands; the availability of adequate
26 water supplies; and mitigation of traffic impacts. The September FEIR Supplement substantially revised
27 the projections of water demand and supply in the draft EIR, made further substantial revisions to the
28 draft EIR text, and furnished previously undisclosed reference data related to water supply issues.

1 31. On October 15, 2010, the County released yet another document captioned "Supplemental
2 Materials to the Final EIR" (the "October FEIR Supplement"), again, substantially revising the March
3 2010 Final EIR with respect to numerous issues, including the projected growth of agriculture; the
4 policies governing, and the impacts from, urban development and agriculture on steeply sloped lands; the
5 availability of adequate water supplies; and mitigation of traffic impacts. The October FEIR Supplement
6 yet again substantially revised the projections of water demand and supply in the Draft EIR, made further
7 substantial revisions to the Draft EIR text, and furnished yet more previously undisclosed reference data
8 related to water supply issues.

9 32. In October, during its review of the 2010 General Plan and the EIR, the Board of Supervisors
10 finally defined the critical term "Long Term Sustainable Water Supply" and settled on criteria for, and
11 new exemptions from, Policy PS-3.2, which sets forth the requirement to demonstrate an adequate water
12 supply. However, the Board of Supervisors failed to remand the 2010 General Plan back to the Planning
13 Commission.

14 33. On October 26, 2010, the Board of Supervisors certified the Final EIR and adopted Findings
15 of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program
16 for the 2010 Monterey County General Plan.

17 34. On October 26, 2010, the Board of Supervisors adopted the 2010 Monterey County General
18 Plan.

19 35. On October 27, 2010, the County posted a Notice of Determination pursuant to Public
20 Resources Code section 21152 for the 2010 Monterey County General Plan.

21 **FIRST CLAIM FOR RELIEF**

22 **(Violation of CEQA)**

23 36. Petitioners here incorporate by reference all preceding paragraphs in their entirety.

24 37. At all times relevant to this action the County was the "Lead Agency" responsible for the
25 review and approval of the 2010 General Plan under Public Resources Code section 21067.

26 38. Under Government Code section 65350, a Lead Agency may not approve a general plan
27 without performing the environmental review required by CEQA.
28 /

1 39. Generally, CEQA requires public agencies to first identify the environmental effects of its
2 project or program, and then to mitigate those adverse environmental effects through the imposition of
3 feasible mitigation measures or the analysis and selection of feasible alternatives. Public Resources
4 Code, § 21002. CEQA requires a lead agency to establish that either (1) impacts will not have a
5 significant effect on the environment or (2) the agency has adopted findings that all significant
6 environmental effects have been avoided or mitigated to the extent feasible, and any remaining effects
7 found to be unavoidable are acceptable due to specific overriding economic, social, technological, or
8 other benefits.

9 40. An EIR must include a finite, stable, accurate and meaningful project description. 14 C.C.R.,
10 § 15124.

11 41. An EIR must include a description of the physical environmental conditions in the vicinity of
12 the project as they existed at the time the notice of preparation is published, with particular focus on the
13 regional setting. 14 C.C.R., § 15125.

14 42. An EIR must identify and evaluate the direct, indirect, and cumulative environmental impacts
15 of all phases of a project. 14 C.C.R., § 15126. The discussion must include relevant specifics of the
16 area, the resources involved, physical changes, alterations to ecological systems, and changes induced in
17 population distribution, population concentration, the human use of the land (including commercial and
18 residential development), health and safety problems caused by the physical changes, and other aspects of
19 the resource base such as water, historical resources, scenic quality, and public services. 14 C.C.R., §
20 15126.2.

21 43. A lead agency must describe and evaluate feasible measures for minimizing or avoiding a
22 project's direct, indirect, and cumulative impacts on the environment. Public Resources Code, §
23 21100(b)(3); 14 C.C.R., § 15126.4.

24 44. A lead agency may not improperly defer the formulation of mitigation measures until a future
25 time. An agency may only defer the formulation of mitigation measures when it "recognizes the
26 significance of the potential environmental effect, commits itself to mitigating its impact, and articulates
27 specific performance criteria for the future mitigation." *Gentry v. City of Murietta* (1995) 36 Cal.App.4th
28 1359, 1411, citing *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029

1 (“for the kind of impacts for which mitigation is known to be feasible, but where practical considerations
2 prohibit devising such measures early in the planning process . . . the agency can commit itself to
3 eventually devising measures that will satisfy specific performance criteria articulated at the time of
4 project approval”); 14 C.C.R., § 15126.4(a)(1)(B). Deferral of mitigation requires that the agency specify
5 performance standards and set forth potential mitigation methods. *Sacramento Old City Assn., supra*, 229
6 Cal.App.3d at 1021. An agency must have, and must articulate, a good reason for deferring the
7 formulation of mitigation. *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149
8 Cal.App.4th 645, 670, 684. The County may not delegate the formulation and approval of programs to
9 address environmental impacts because an agency’s legislative body must ultimately review and vouch
10 for all environmental analysis mandated by CEQA. *Sundstrom v County of Mendocino* (1988) 202
11 Cal.App.3d 296, 306-308.

12 45. Mitigation measures, including adopted policies identified as mitigation, must be enforceable
13 and feasible. CEQA Guidelines, § 15126.4(a)(1), (2).

14 46. A lead agency must identify all significant effects on the environment caused by a proposed
15 project that cannot be avoided. Public Resources Code, § 21100(b)(2)(A)

16 47. A lead agency must provide information in the record to justify rejecting mitigation measures
17 as infeasible based on economic, social, or housing reasons. 14 C.C.R., § 15131(c).

18 48. Thus, under CEQA, the County was required to prepare an EIR that described the
19 environmental setting or baseline conditions; that included an accurate, stable, and finite project
20 description; that detailed all significant effects on the environment of the proposed project; that identified
21 any significant effect on the environment that cannot be avoided if the project is implemented; and that
22 identified feasible mitigation measures proposed to minimize significant effects on the environment.

23 49. The EIR was required to contain a statement briefly indicating the reasons for determining
24 that various effects on the environment were not significant and consequently were not discussed in detail
25 in the EIR. Public Resources Code, § 21100(c).

26 50. A lead agency may not approve a project for which an EIR identifies a significant
27 environmental impact unless the impact has been mitigated or avoided by changes in the project, or
28

1 unless the agency specifically finds that overriding benefits outweigh the significant effects on the
2 environment. Public Resources Code, § 21081.

3 51. Recirculation of a revised draft EIR is required whenever there is an addition of significant
4 new information in an EIR after the public comment deadline but before certification. 14 C.C.R., §
5 15088.5(a). Information is “significant” if it shows either that: (1) a new significant environmental
6 impact would result from the project or from a new mitigation measure proposed to be implemented; or
7 (2) a substantial increase in the severity of an environmental impact would result unless mitigation
8 measures are adopted that reduce the impact to a level of insignificance. *Id.* Recirculation is also
9 required if the EIR is changed in a way that “deprives the public of a meaningful opportunity to comment
10 . . .” or when it reveals that the earlier EIR “was so fundamentally and basically inadequate in nature that
11 public comment on the draft was in effect meaningless.” *Id.*

12 52. A lead agency must provide good faith, reasoned analysis in response to comments. 14
13 C.C.R., § 15088(c). The Final EIR must address recommendations and objections raised in comments in
14 detail, giving reasons why they were not accepted. *Id.* Specific responses are required to comments
15 raising specific questions about significant issues.

16 **A. Inadequate Description, Analysis, And Mitigation**

17 **1. Water Supply, Overdrafting, and Salt Water Intrusion Impacts**

18 53. The 2010 General Plan permits substantial expansion of residential, commercial, and
19 industrial development and expansion of irrigated agricultural in the unincorporated area of Monterey
20 County, all of which will require adequate water supplies.

21 54. The Salinas Valley groundwater basin, which is the primary source of water in the Salinas
22 Valley, has been and is in a condition of overdrafting because pumping exceeds recharge; and, as a
23 consequence, the basin is experiencing salt water intrusion as seawater is drawn into the aquifer.

24 55. The Monterey County Water Resources Agency (“MCWRA”) adopted the Salinas Valley
25 Water Project (“SVWP”) to address salt water intrusion caused by overdrafting.

26 56. The SVWP was intended to halt salt water intrusion and overdrafting by retaining up to an
27 additional 30,000 acre-feet of water in dams, providing about 9,700 acre-feet of that to augment the
28

1 Castroville Seawater Intrusion Project, about 10,000 acre-feet to increase groundwater recharge, and
2 another 10,000 acre-feet for in-stream flow augmentation.

3 57. The 2001 Environmental Impact Report for the SVWP (“SVWP EIR”) identifies 443,000
4 acre-feet as the maximum groundwater pumping in the Salinas Valley groundwater basin consistent with
5 avoidance of overdrafting and salt water intrusion. The SVWP EIR projects that groundwater pumping
6 would decline to the target of 443,000 acre-feet by 2030 through a 20,000 acre-foot reduction in
7 groundwater pumping compared to baseline 1995 conditions. The reduction was projected to result from
8 a 60,000 acre-foot reduction in agricultural pumping that would offset a 40,000 acre-foot increase in
9 urban use. The SVWP EIR projected that agricultural pumping would decline as a result of changes to
10 cropping patterns, increased conservation, and an 1,849 acre reduction in irrigated acreage, from 196,357
11 acres in 1995 to 194,508 acres in 2030.

12 58. The Draft EIR failed to present a water balance analysis for the Salinas Valley that compared
13 water demand and supply for the purported 2005 baseline to the water supply and demand for the
14 planning horizon’s future (2030).

15 59. Instead, the Draft EIR for the 2010 General Plan presented the water balance analysis from the
16 SVWP EIR, which compared 1995 conditions to 2030 conditions. The Draft EIR, the March Final EIR,
17 and the October FEIR Supplement each identify the analysis in the SVWP EIR as the basis of the 2010
18 General Plan EIR’s conclusions that water supply would be adequate, and that overdrafting and salt water
19 intrusion impacts would be less than significant, in the Salinas Valley through 2030.

20 60. Despite evidence presented by LandWatch and by other comments that the SVWP EIR did
21 not adequately represent baseline conditions for the 2010 General Plan and that it was based on entirely
22 different and lower projections of total 2030 water demand, the March Final EIR, the September FEIR
23 Supplement, and the October FEIR Supplement clung stubbornly to the SVWP EIR as the analytic basis
24 of these significance conclusions. To do this, these three documents presented entirely new analyses of
25 baseline and projected water demand, which were inconsistent with the SVWP EIR, with the Draft EIR,
26 with each other, and with other evidence in the record.

27 61. As a result of this and other errors and omissions, the EIR fails as an informational document
28 because it does not adequately describe existing baseline conditions and does not adequately describe the

1 project, particularly the projection of future water demand in the Salinas Valley under the 2010 General
2 Plan.

3 62. Furthermore, the analysis of water supply-related impacts is not supported by substantial
4 evidence, *inter alia*, because 1) there is no substantial evidence that the SVWP EIR adequately represents
5 existing and projected conditions for the 2010 General Plan, and 2) the results-driven, shifting, and
6 inconsistent presentation of both existing conditions and future demand vitiate any credible analysis.

7 63. For example, as noted, the Draft EIR simply reprinted the water balance from the SVWP EIR
8 comparing 1995 baseline and 2030 water demand and supply instead of providing a water balance
9 analysis based on the Draft EIR's 2005 baseline and its *own* assumptions about 2030 population and
10 agricultural acreage. Analysis of water demand and comparisons of projected demand and supply based
11 on the EIR's own assumptions were not presented until the March Final EIR.

12 64. The Draft EIR, the March Final EIR, the September FEIR Supplement, and the October FEIR
13 supplement present four different and incompatible projections of urban water demand as of 2030. These
14 analyses use different population assumptions and different per capita water use assumptions. The only
15 consistent thread in these analyses is that they purport to justify continuing reliance on the SVWP EIR.

16 65. The purported baseline water demand data in the Draft EIR consists of pumping data from a
17 single year, 2005, a below-normal water use year. However, the October FEIR Supplement later
18 admitted that this 2005 pumping data is incomplete, both because it omits large portions of the Salinas
19 Valley groundwater basin and because not all wells in the limited reporting area actually reported.
20 Furthermore, the EIR admits that single year water use data do not provide a meaningful basis for
21 comparisons because they do not reflect variations in weather, acreage, and cropping.

22 66. The EIR claims not to rely on the 1995 baseline in the SVWP EIR, a composite figure that is
23 intended to reflect variations in weather, acreage, and cropping patterns and that is based on the extent of
24 irrigated acreage as of 1995. But, because the EIR's analysis of water supply impacts is based on the
25 SVWP EIR, and no analysis of overdrafting or saltwater intrusion impacts was undertaken other than that
26 in the SVWP EIR, the 2010 General Plan EIR does in effect rely on the SVWP EIR's 1995 baseline. The
27 2005 baseline data in the Draft EIR are analytically irrelevant.

28

1 67. However, because the EIR provides no way to reconcile the 1995 baseline in the SVWP EIR
2 to the EIR's own 2005 baseline, the EIR fails to present an analytically relevant current baseline.

3 68. The SVWP EIR baseline is itself unjustified because it is substantially less than the actual
4 pumping data for prior and subsequent years. Furthermore the SVWP EIR's acreage assumptions were
5 not, and cannot be, reconciled with its own background technical reports or with the acreage assumptions
6 in the 2010 General Plan EIR. In addition, the October FEIR supplement admits that the Salinas Valley
7 Integrated Ground Surface Model ("SVIGSM") used in the SVWP EIR and the model assumptions did
8 not include the entire Salinas Valley groundwater basin. Finally, the County did not make the SVIGSM
9 or its assumptions available to the public.

10 69. The Draft EIR and the March Final EIR understate future water demand from agriculture.
11 Whereas the SVWP EIR projected a 1,849 acre decrease in irrigated agriculture, the 2010 General Plan
12 EIR eventually admitted that irrigated agriculture would increase by 10,253 acres from 2008 to 2030.
13 And even this increase is understated, because it is inconsistent with the recently accelerating rate of
14 agricultural land conversions. The EIR also understates water demand from the Agricultural Winery
15 Corridor Plan ("AWCP"), which was not anticipated by the SVWP EIR.

16 70. The March FEIR dismisses the water demand consequence of admitted increases in irrigated
17 agricultural acreage over the acreage assumed in the SVWP EIR. It does this by double counting
18 projected conservation and by presenting pumping data for the period from 1995 to 2008 purporting to
19 show declining water use. However, the October FEIR Supplement later admits these data are
20 incomplete, because not all wells reported and because the reporting area does not include the entire
21 Salinas Valley groundwater basin. The October FEIR's admission that the pumping data in the Draft EIR
22 and March FEIR are incomplete came only *after* LandWatch presented evidence that this pumping data
23 omits 70,000 acres of the Salinas Valley groundwater basin.

24 71. The October FEIR Supplement, presented days before the EIR certification, belatedly admits
25 that 2030 agricultural water demand will in fact be much higher than the demand projected in the SVWP
26 EIR, the 2010 General Plan Draft EIR, or the March Final EIR – precisely because of the projected
27 increases in agricultural land between 2008 and 2030 that were identified by LandWatch in Draft EIR
28 comments but discounted in the March FEIR comment responses. However, this last-minute analysis

1 still fails to acknowledge the increased water demand due to increases in agricultural land that had
2 *already occurred* between 1995 and 2008 – increases that were also not assumed in the SVWP EIR’s
3 projection of 2030 conditions.

4 72. To offset the admitted increase in projected 2030 *agricultural* water demand, the October
5 FEIR Supplement coincidentally projects a compensating reduction in projected 2030 *urban* water
6 demand, based on the new and unjustified assumption that all 2030 urban water use will decline by 20%
7 by virtue of SBX77.

8 73. There is no justification for this last-minute assumption that urban demand will be reduced
9 20% by virtue of SBX77, an enactment which predated the March FEIR but was not mentioned in that
10 document. For example, SBX77 does not apply to small water suppliers in the Salinas Valley, does not
11 actually mandate a 20% reduction in residential use, and mandates at most a 10% cut to non-residential
12 urban use, which makes up a large portion of urban use.

13 74. In addition, the October FEIR Supplement presents an entirely new analysis that equivocally
14 and inconsistently projects that a substantial portion of water demand previously identified as part of the
15 demand from the Salinas Valley groundwater basin *might* not materialize. The October FEIR
16 Supplement indicates that this demand *might* instead occur in previously undisclosed and unevaluated
17 groundwater basins within the Salinas Valley watershed but purportedly separate from the Salinas Valley
18 groundwater basin. The October FEIR Supplement fails to clarify whether this demand will in fact be
19 relocated, or to discuss the water supply impacts to the Salinas Valley groundwater basin if it is not
20 relocated.

21 75. The October FEIR Supplement provides no information regarding water supply in the newly
22 identified groundwater basins in which future demand might be relocated.

23 76. In effect, the equivocal last-minute analysis in the October FEIR Supplement acknowledges
24 either that there is no known water supply for the demand in these newly identified basins *or* that the
25 supply in the Salinas Valley groundwater basin will not be sufficient. The CEQA findings fail to discuss
26 the significance of impacts to these newly identified basins. The CEQA findings are also inconsistent
27 with the revised data provided in the October FEIR Supplement.

28 /

1 77. The October FEIR Supplement also admits that previous analyses, including the analyses in
2 the SVWP EIR, the 2010 General Plan Draft EIR, the March Final EIR, and the September FEIR
3 Supplement, omit the water demand from significant portions of the Salinas Valley groundwater basin.

4 78. The March Final EIR and the October FEIR Supplement purport to demonstrate that water
5 usage is in line with projections in the SVWP EIR by citing pumping data from 1995 to 2008. However,
6 this data is admittedly incomplete. Furthermore, the trend analyses offered by the March Final EIR and
7 the October FEIR Supplement fail to take into account the variations in weather, cropping patterns, and
8 irrigated acreage – precisely the variations that the EIR argues elsewhere must be taken into account in
9 any meaningful analysis or comparison. For example, the October FEIR Supplement acknowledges that
10 these variations are critical to any analysis when it faults LandWatch for pointing out that the same data
11 demonstrate that water use *per acre* has been increasing.

12 79. As a result of the admitted errors and omissions in previous analyses, the October FEIR
13 Supplement, issued days before certification of the EIR, entirely revises the water demand and water
14 balance analyses for the Salinas Valley groundwater basin and provides an entirely new analysis of water
15 demand for additional groundwater basins in the Salinas Valley watershed.

16 80. In addition to the foregoing and other failures to present an adequate description of existing
17 conditions and the project itself and its failure to provide a credible analysis of impacts, the EIR fails to
18 propose and discuss adequate mitigation for water supply related impacts.

19 81. The EIR and the CEQA findings argue that no additional mitigation for water supply-related
20 impacts to 2030 in the Salinas Valley groundwater basin is required because demand will be consistent
21 with demand projected in the SVWP EIR. As noted, the shifting, inconsistent, and belated analyses in
22 the 2010 General Plan EIR do not provide substantial evidence for this conclusion, and there is
23 substantial evidence that unmitigated demand will exceed the demand projected by the SVWP EIR.
24 Additional mitigation is required.

25 82. 2010 General Plan policies identified in the EIR as mitigation for water supply related impacts
26 are not sufficient to avoid significant impacts. Essentially all of the policies presented as mitigation for
27 impacts to water supplies are deferred mitigation, calling for future development of programs, standards,
28 and regulations that would address, *inter alia*, groundwater recharge, water conservation, well approval,

1 sea water intrusion, water supply assessment procedures, well installation and testing, and groundwater
2 overdrafting.

3 83. The proposed deferred mitigation measures for impacts to water supplies and water resources
4 improperly fail to identify performance standards or alternative means of mitigation and the basis for
5 choosing among them. These policies improperly defer formulation of mitigation despite the evident
6 and acknowledged uncertainty as to the feasibility or efficacy of mitigation. These policies improperly
7 delegate mitigation approval authority away from the Board of Supervisors.

8 84. For example, Policy PS-3.1 requires proof of a Long Term Sustainable Water Supply for new
9 development. Policy PS-3.2 was intended to provide criteria for proof of this Long Term Sustainable
10 Water Supply. However, the Planning Commission was unable to recommend any criteria. As finally
11 drafted, at the last minute by the Board of Supervisors, Policy PS-3.2 does not provide criteria, but
12 merely empty parameters, and defers the actual formulation of criteria to a future ordinance.
13 Furthermore, Policy PS-3.2 as finally drafted does not apply to ministerial permitting decisions and
14 exempts agriculture, even though agriculture accounts for 85% of projected 2030 water demand.

15 85. The 2010 General Plan EIR is also deficient with respect to water supply and water supply
16 related impacts, both in the Salinas Valley and elsewhere within the County, in that it otherwise fails
17 adequately to describe existing conditions, describe the project, identify and evaluate significant impacts,
18 and propose necessary mitigation.

19 86. With respect to water supply and water supply-related impacts, the County abused its
20 discretion by failing to describe adequately the 2010 General Plan; by failing to describe adequately the
21 existing environmental conditions; by failing adequately to evaluate and to identify significant impacts;
22 and by failing to propose and discuss adequate mitigation for significant impacts. Thus, the County's
23 approval of the 2010 General Plan was a prejudicial abuse of discretion and arbitrary and capricious in
24 that the County did not proceed in the manner required by law and its decision and findings are not
25 supported by substantial evidence.

26 2. Water Quality Impacts

27 87. The 2010 General Plan permits substantial expansion of residential, commercial, and
28 industrial development and expansion of agricultural in the unincorporated area of Monterey County.

1 Expansion of agriculture and development will result in erosion, sedimentation, and other water quality
2 impacts.

3 88. The 2010 General Plan relaxes current restrictions and permits development and agricultural
4 expansion on slopes in excess of 25%. Such development and agricultural expansion will contribute to
5 erosion, sedimentation, and water quality impairment from other pollutants.

6 89. Many streams and other water bodies in Monterey County are already significantly impaired
7 by sedimentation and other pollutants.

8 90. The 2010 General Plan EIR fails to provide an adequate description of existing conditions
9 with respect to erosion, sedimentation, and other water quality impairments. For example, the Draft EIR
10 does not acknowledge the failure of existing regulatory efforts to prevent significant water quality
11 impacts, and it does not acknowledge that existing development and agricultural operations result in
12 cumulatively significant water quality impacts.

13 91. The 2010 General Plan EIR fails to provide a description of development and agricultural
14 expansion that adequately supports analysis of water quality impacts.

15 92. The 2010 General Plan EIR fails to provide an adequate analysis of water quality impacts,
16 including cumulative water quality impacts. For example, the EIR improperly concludes that existing
17 regulations and a handful of inadequately specified policies will prevent future water quality impacts.

18 93. The 2010 General Plan EIR fails to propose and discuss adequate mitigation of water quality
19 impacts, including cumulative water quality impacts.

20 94. With respect to water quality impacts, the County abused its discretion by failing to describe
21 adequately the 2010 General Plan; by failing to describe adequately the existing environmental
22 conditions; by failing adequately to evaluate and to identify significant impacts; and by failing to propose
23 and discuss adequate mitigation for significant impacts. Thus, the County's approval of the 2010 General
24 Plan was a prejudicial abuse of discretion and arbitrary and capricious in that the County did not proceed
25 in the manner required by law and its decision and findings are not supported by substantial evidence.

26 3. Biological Resource Impacts

27 95. The 2010 General Plan permits substantial expansion of residential, commercial, and
28 industrial development and expansion of agricultural in the unincorporated area of Monterey County.

1 Expansion of agriculture and development will result in impacts to biological resources, including special
2 status species, important habitat, movement corridors, and nursery sites.

3 96. The 2010 General Plan relaxes current restrictions and permits development and agricultural
4 expansion on slopes in excess of 25%. Such practices lead to loss of habitat and other impacts to
5 biological resources.

6 97. The 2010 General Plan EIR fails to provide an adequate description of existing conditions
7 with respect to biological resources.

8 98. The 2010 General Plan EIR fails to provide a description of development and agricultural
9 expansion that adequately supports analysis of impacts to biological resources.

10 99. The 2010 General Plan EIR fails to provide an adequate analysis of impacts to biological
11 resources, including cumulative impacts.

12 100. The 2010 General Plan EIR fails to propose and discuss adequate mitigation of impacts to
13 biological resources, including cumulative impacts.

14 101. With respect to biological resource impacts, the County abused its discretion by failing to
15 describe adequately the 2010 General Plan; by failing to describe adequately the existing environmental
16 conditions; by failing adequately to evaluate and to identify significant impacts; and by failing to propose
17 and discuss adequate mitigation for significant impacts. Thus, the County's approval of the 2010 General
18 Plan was a prejudicial abuse of discretion and arbitrary and capricious in that the County did not proceed
19 in the manner required by law and its decision and findings are not supported by substantial evidence.

20 **4. Other Impacts**

21 102. The 2010 General Plan permits substantial expansion of residential, commercial, and
22 industrial development and expansion of irrigated agricultural in the unincorporated area of Monterey
23 County. This development will result other environmental impacts, including impacts to traffic, air
24 quality, and agricultural land.

25 103. The 2010 General Plan EIR fails to provide an adequate description of existing conditions that
26 would support the analysis of other environmental impacts.

27 104. The 2010 General Plan EIR fails to provide a description of development that adequately
28 supports analysis of other environmental impacts.

1 105. The 2010 General Plan EIR fails to provide an adequate analysis of other environmental
2 impacts, including cumulative impacts.

3 106. The 2010 General Plan EIR fails to propose and discuss adequate mitigation of other
4 environmental impacts, including cumulative impacts.

5 107. With respect to other impacts, including impacts to traffic, air quality, and agricultural land,
6 the County abused its discretion by failing to describe adequately the 2010 General Plan; by failing to
7 describe adequately the existing environmental conditions; by failing adequately to evaluate and to
8 identify significant impacts; and by failing to propose and discuss adequate mitigation for significant
9 impacts. Thus, the County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
10 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
11 and findings are not supported by substantial evidence.

12 **5. Mitigation Inadequately Specified And Improperly Deferred**

13 108. The EIR improperly defers to a future date evaluation of mitigation measures for the impacts
14 caused by the 2010 General Plan.

15 109. The 2010 General Plan contains inadequately specified policies that amount to nothing more
16 than a promise to look into problems later. These policies lack the essential substantive detail to direct
17 orderly growth, and they lack the performance standards required to mitigate environmental impacts.

18 110. CEQA does not permit the County to defer the formulation of a mitigation measure where the
19 proposed mitigation measure 1) lacks performance standards, 2) fails to identify alternative means of
20 mitigation and the basis for choosing among them, 3) defers formulation of mitigation in the face of
21 uncertainty as to the feasibility or efficacy of mitigation, or 4) delegates mitigation approval authority
22 away from the Board of Supervisors.

23 111. The EIR asserts that many of these inadequately specified policies will mitigate
24 environmental impacts from development so that these impacts are less than significant. The Board of
25 Supervisors could not reasonably conclude that eventual implementation of an inadequately specified
26 policy would mitigate impacts.

27 112. In other instances, the EIR concludes that, despite the incompletely specified policies, impacts
28 must remain significant and unavoidable. The Board could not reasonably conclude that eventual

1 implementation of an inadequately specified policy will result in all feasible mitigation of significant and
2 unavoidable impacts.

3 113. Many 2010 General Plan policies are so vague, incomplete, untested, and unspecified that it
4 was simply impossible for the Board of Supervisors to evaluate their effectiveness.

5 114. Expert opinion and evidence in the record demonstrates that many of the policies cannot be
6 effective in meeting 2010 General Plan Goals.

7 115. Numerous policies in the 2010 General Plan do not meet CEQA's requirements for deferral of
8 mitigation. These policies include, *inter alia*, provisions to regulate loss of agricultural land;
9 development on slopes; hydrologic impacts of slope conversion; runoff and recharge; proof of sustainable
10 water supply; groundwater overdraft; water conservation; water recycling; wastewater treatment; septic
11 disposal facilities; new wells; sea water intrusion to groundwater basins; acceptable traffic levels of
12 service; habitat loss; evaluation of water supply adequacy; landscaping and lighting; agricultural buffers;
13 residential development outside Community Areas and Rural Centers; ridgeline development; best
14 management practices for erosion control; tree removal; invasive species; protection of archaeological
15 and cultural resources; and flooding.

16 116. The County abused its discretion by failing to propose and discuss adequate mitigation for
17 significant impacts. Thus, the County's approval of the 2010 General Plan was a prejudicial abuse of
18 discretion and arbitrary and capricious in that the County did not proceed in the manner required by law
19 and its decision and findings are not supported by substantial evidence.

20 **6. Finding of Overriding Considerations Not A Substitute For Adequate Disclosure**

21 117. An agency may not simply label an impact significant and adopt a statement of overriding
22 considerations without meeting CEQA's information and disclosure requirements. *Berkeley Keep Jets*
23 *Over the Bay Committee v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1371. CEQA
24 requires that an EIR not only identify impacts, but must also provide "information about how adverse the
25 impacts will be." *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3d 818, 831.

26 118. The County's failure to disclose the true scope of environmental impacts was not cured by its
27 finding that these impacts are significant and unavoidable.

28 y

1 119. The County abused its discretion by failing to disclose the true scope of environmental
2 impacts. Thus, the County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
3 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
4 and findings are not supported by substantial evidence.

5 **B. Inadequate Evaluation of Alternatives**

6 120. An EIR must describe a range of reasonable alternatives to the project, or to the location of
7 the project, that would feasibly attain most of the basic objectives of the project but would avoid or
8 substantially lessen any of the significant effects of the project, and must evaluate the comparative merits
9 of the alternatives. 14 C.C.R., § 15126.6. An EIR must include sufficient information about each
10 alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. *Id.* Case
11 law states that alternatives analysis must contain "meaningful detail" and should include quantitative
12 comparative analysis. *Laurel Heights Improvement Association v. Regents of the University of California*
13 (1988) 47 Cal.3d 376, 406; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692,
14 733-734.

15 121. The EIR fails to identify and evaluate a reasonable range of alternatives to the 2010 General
16 Plan and AWCP that would avoid or minimize significant impacts.

17 122. The EIR's descriptions and analyses of alternatives are flawed and do not include sufficient
18 information about each alternative to allow meaningful evaluation, analysis, and comparison with the
19 proposed project.

20 123. The County abused its discretion by failing to describe an adequate analysis of alternatives
21 and to provide an adequate analysis of those alternatives. Thus, the County's approval of the 2010
22 General Plan was a prejudicial abuse of discretion and arbitrary and capricious in that the County did not
23 proceed in the manner required by law and its decision and findings are not supported by substantial
24 evidence.

25 **C. Documentation Improperly Withheld or Not Prepared**

26 124. A lead agency must provide information to support the technical conclusions in an EIR.
27 Public Resources Code section 21092(b)(1) requires that the County provide notice of the address where
28

1 copies of the draft environmental impact report . . . and all documents referenced in the draft
2 environmental impact report . . . are available for review.

3 125. The County failed to make all documentation referenced in the EIR available timely, or, in
4 some instances, at all.

5 126. The omission of this information and refusal to provide it upon request substantially
6 prejudiced the public's opportunity to provide meaningful comments on the Draft EIR and to participate
7 in the environmental review of the 2010 General Plan.

8 127. The County abused its discretion by failing to provide relevant documentation. Thus, the
9 County's approval of the 2010 General Plan was a prejudicial abuse of discretion and arbitrary and
10 capricious in that the County did not proceed in the manner required by law and its decision and findings
11 are not supported by substantial evidence.

12 **D. Failure to Recirculate Despite Significant New Information**

13 128. Recirculation of a revised draft EIR is required whenever there is an addition of significant
14 new information in an EIR after the public comment deadline but before certification. 14 C.C.R., §
15 15088.5(a). Information is "significant" if it shows either that: (1) a new significant environmental
16 impact would result from the project or from a new mitigation measure proposed to be implemented; or
17 (2) a substantial increase in the severity of an environmental impact would result unless mitigation
18 measures are adopted that reduce the impact to a level of insignificance. *Id.* Recirculation is also
19 required if the EIR is changed in a way that "deprives the public of a meaningful opportunity to comment
20 . . ." or when it reveals that the earlier EIR "was so fundamentally and basically inadequate in nature that
21 public comment on the draft was in effect meaningless." *Id.*

22 129. Significant information requiring that the County recirculate the Draft EIR was provided by
23 the public in comments and by the County itself in the March Final EIR, the September FEIR
24 Supplement, and the October FEIR Supplement. For example, the County provided numerous
25 substantive revisions to its analyses of water supply related impacts, including entirely new analyses of
26 urban and agricultural demand, baseline conditions, water supply, and even the location and identity of
27 affected groundwater basins.

28 /

1 130. Information that should have been included in the Draft EIR but was omitted and instead
2 supplied later required recirculation, for example, information about cumulative water demand and
3 supply in each groundwater basin.

4 131. Changes to the project description, such as numerous changes made to proposed policies in
5 the 2010 General Plan, required recirculation.

6 132. Revisions made to the Draft EIR by the March Final EIR, the September FEIR Supplement,
7 and the October FEIR Supplement reveal that the Draft EIR is so fundamentally and basically inadequate
8 in nature that public comment on the Draft EIR was in effect meaningless.

9 133. The Board of Supervisors nonetheless improperly found that there was no significant new
10 information that would require recirculation of modified sections of the Draft EIR or the entire document.

11 134. The County abused its discretion by failing to recirculate the EIR for further public comment
12 and response. Thus, the County's approval of the 2010 General Plan was a prejudicial abuse of
13 discretion and arbitrary and capricious in that the County did not proceed in the manner required by law
14 and its decision and findings are not supported by substantial evidence.

15 **E. Failure to Respond Adequately To Comments**

16 135. A lead agency must provide good faith, reasoned analysis in response to comments. 14
17 C.C.R., § 15088(c). The Final EIR must address recommendations and objections raised in comments in
18 detail, giving reasons why they were not accepted. *Id.* Specific responses are required to comments
19 raising specific questions about significant issues.

20 136. The County failed to provide good faith, reasoned analysis in response to comments on the
21 Draft EIR. The Final EIR fails entirely to address numerous specific comments. The Final EIR provides
22 misleading, inconsistent, non-specific, dismissive, or conclusory responses to many other comments.

23 137. The County abused its discretion by failing to provide adequate comment responses. Thus,
24 the County's approval of the 2010 General Plan was a prejudicial abuse of discretion and arbitrary and
25 capricious in that the County did not proceed in the manner required by law and its decision and findings
26 are not supported by substantial evidence.

27 //

28 /

1 **F. Unlawful Approval of Unmitigated Project Despite Existence of Feasible Mitigation**
2 **Measures**

3 138. If a mitigation measure is proposed to address a potentially significant impact, that mitigation
4 measure must either be adopted or found to be infeasible. A finding of infeasibility must be supported by
5 substantial evidence in the record.

6 139. Commenters suggested a number of potentially feasible mitigation measures to address
7 significant environmental impacts. For example, comments identified specific water conservation
8 measures that could feasibly have been adopted as mitigation.

9 140. The County failed to identify, evaluate, and adopt all feasible mitigation measures that would
10 reduce or avoid unmitigated significant adverse impacts.

11 141. The County rejected suggested mitigation measures as infeasible without providing
12 substantial evidence in the record to support that conclusion.

13 142. The County abused its discretion by approving a project with unmitigated impacts despite the
14 existence of feasible mitigation. Thus, the County's approval of the 2010 General Plan was a prejudicial
15 abuse of discretion and arbitrary and capricious in that the County did not proceed in the manner required
16 by law and its decision and findings are not supported by substantial evidence.

17 **G. Failure to Adopt Legally Adequate Findings**

18 143. In order to adopt a project or program without mitigating each significant impact to a less-
19 than-significant level, an agency must find for each significant impact that : (1) changes or alterations
20 have been required, or incorporated, which mitigate or avoid or substantially lessen the significant effects
21 on the environment; (2) those changes or alterations are within the responsibility and jurisdiction of
22 another public agency and have been, or can and should be, adopted by that other agency; or (3) specific
23 economic, legal, social, technological, or other considerations, including considerations for the provision
24 of employment opportunities for highly trained workers, make infeasible the mitigation measures or
25 alternatives identified in the environmental impact report.

26 144. These findings must be supported by substantial evidence and the agency must explain the
27 logical relation between the facts in the record and the ultimate finding.
28

1 145. The County's CEQA Findings of Fact and its statement of overriding considerations are not
2 supported by substantial evidence and the County failed to explain the logical relation between the facts
3 in the record and its findings.

4 146. For example, the County failed to support its findings regarding the significance of impacts
5 with substantial evidence and its findings are inconsistent with the record. Findings failed to identify
6 some significant impacts and failed to consider feasible mitigation measures for significant impacts
7 despite substantial evidence that the impacts are significant and the availability of mitigation.

8 147. The County abused its discretion by failing to make legally adequate findings or to explain the
9 logical relation between the facts in the record and its findings. Thus, the County's approval of the 2010
10 General Plan was a prejudicial abuse of discretion and arbitrary and capricious in that the County did not
11 proceed in the manner required by law and its decision and findings are not supported by substantial
12 evidence.

13 **SECOND CLAIM FOR RELIEF**

14 **(Violation of State Planning and Zoning Law)**

15 148. Petitioner here incorporates by reference all preceding paragraphs in their entirety.

16 149. Government Code section 65300.5 requires that a general plan and elements and parts thereof
17 comprise an integrated, internally consistent and compatible statement of policies for the adopting
18 agency.

19 150. Government Code section 65302(b) provides that the circulation element of a general plan
20 shall be correlated with the land use element.

21 151. Government Code section 65103(a) requires a local planning agency, including the County, to
22 periodically review, and revise, as necessary, its general plan.

23 152. Government Code section 65751 provides that a writ of mandate under Code of Civil
24 Procedure section 1085 may be obtained to challenge a general plan or element thereof on the grounds
25 that such a plan or element does not comply with the requirements for general plans set forth at
26 Government Code section 65300 *et seq.*

27 //

28 /

1 153. Government Code section 65754 requires that where a court finds that a general plan or
2 element thereof does not comply with requirements for general plans set forth at Government Code
3 section 65300 *et seq.*, the County shall bring its general plan into compliance within 120 days.

4 154. Government Code section 65755 provides that the court may also order relief including
5 suspension of authority to issue permits, to grant zoning changes, and to grant subdivision map
6 approvals.

7 155. Code of Civil Procedure section 1085 provides that a court may issue a writ of mandate to a
8 public agency to compel the performance of an act which the law specifically enjoins.

9 **1. Circulation Element Not Correlated With Land Use Element**

10 156. The Planning and Zoning law requires the circulation element to be correlated with the land
11 use element. Gov. Code, § 65302(b). The correlation requirement effectively requires the circulation
12 element to set forth service standards as well as proposals to address changes in roadway demand caused
13 by changes in land use. *Concerned Citizens of Calaveras County v. Calaveras County Board of*
14 *Supervisors* (1985) 166 Cal.App.3d 90, 100.

15 157. The circulation element in the 2010 General Plan is not correlated with its land use element,
16 and fails to comply with all applicable statutory criteria under the State Planning and Zoning Law.

17 158. For example, the 2010 General Plan provides no effective standard of service because policies
18 do not require the County to attain a particular service standard for 20 years, effectively for the duration
19 of the 2010 General Plan's planning horizon.

20 159. The 2010 General Plan fails to meet service standards because the County admits that the
21 standards identified will not be met on numerous roadways despite policies and mitigation measures.

22 160. The County admits that funding is not available to construct needed facilities or ensure service
23 standards are met.

24 161. Policies do not require concurrent mitigation of traffic impacts with new development.

25 162. Furthermore, the 2010 General Plan does not set forth consistent or adequately complete
26 objectives, principles, standards, and plan proposals for both its land use and circulation elements. The
27 objectives, principles, standards, and plan proposals for the circulation element are incomplete and
28 inconsistent, and they do not support the land use element.

1 163. The EIR acknowledges that cumulative impacts to County roads and to regional roads will be
2 significant and unavoidable. However, neither the EIR nor the 2010 General Plan propose mitigation or
3 include program elements that will ensure construction of roadway improvements necessary to meet level
4 of service standards.

5 164. Development impact fees may not be imposed to address roadway deficiencies caused by
6 prior development without violating the nexus and proportionality requirements of CEQA and
7 constitutional case law. 14 C.C.R., § 15126.4(a)(4). Neither the EIR nor the 2010 General Plan includes
8 adequate proposals that would address regional roadways currently operating below acceptable levels of
9 service.

10 165. Development “phasing” policies in the 2010 General Plan that purport to bar development or
11 occupancy until service standards are met does not cure the County’s failure to meet the correlation
12 requirement. Such policies, if actually implemented, would not result in a circulation element that
13 supports the land use element. Such policies would simply result in the failure to attain land use goals
14 rather than circulation goals, and would leave the circulation element uncorrelated with the land use
15 element.

16 166. The County’s approval of the 2010 General Plan was a prejudicial abuse of discretion and
17 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
18 and findings are not supported by substantial evidence because the circulation element is not correlated
19 with the land use element. The County’s action approving the 2010 General Plan was therefore arbitrary
20 and capricious and constituted a prejudicial abuse of discretion, in that the County failed to proceed in the
21 manner required by the State Planning and Zoning Law, and adopted findings of General Plan
22 completeness and consistency that are not supported by the evidence.

23 **2. Plan Incomplete**

24 167. A general plan and the elements and parts thereof must comprise a complete, integrated,
25 internally consistent and compatible statement of policies for the adopting agency.

26 168. The 2010 General Plan objectives, principles, standards, and plan proposals do not comprise a
27 complete, integrated, internally consistent and compatible statement of policies.

28 /

1 169. For example, as noted above, the 2010 General Plan contains scores of inadequately specified
2 policies that amount to nothing more than a promise to look into problems later. These policies lack the
3 essential substantive detail to direct orderly growth, and they lack the performance standards required to
4 mitigate environmental impacts.

5 170. Many 2010 General Plan policies are so vague, incomplete, untested, and unspecified that it
6 was simply impossible for the Board of Supervisors to evaluate their effectiveness.

7 171. Expert opinion and evidence in the record demonstrates that many of the policies cannot be
8 effective in meeting 2010 General Plan Goals. For example, slope development policies cannot prevent
9 significant erosion and sedimentation impacts.

10 172. Because many policies are so ineffective that they do not support the goals intended to ensure
11 that permitted land uses are accommodated, the General Plan itself is incomplete.

12 173. The County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
13 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
14 and findings are not supported by substantial evidence because the 2010 General Plan is incomplete. The
15 County's action approving the 2010 General Plan was therefore arbitrary and capricious and constituted a
16 prejudicial abuse of discretion, in that the County failed to proceed in the manner required by the State
17 Planning and Zoning Law, and adopted findings of General Plan completeness and consistency that are
18 not supported by the evidence.

19 **3. Plan Internally Inconsistent**

20 174. Numerous 2010 General Plan policies conflict with other policies and goals.

21 175. For example, 2010 General Plan policies permitting rural sprawl development conflict with
22 policies calling for concentrating growth in Community Areas.

23 176. Policies requiring adequate levels of service on County and regional roadways are in
24 fundamental conflict with land use designations that permit development at an intensity and in locations
25 that cannot be supported by existing or planned roadway improvements, or by improvements that may
26 feasibly be provided through implementation of the 2010 General Plan.

27 177. Policies requiring sustainable water supply for future development are in fundamental conflict
28 with land use designations that permit development and agricultural expansion at an intensity and in

1 locations that cannot be supported by a sustainable water supply. Since the 2010 General Plan purports
2 to require a sustainable water supply, designating permitted land uses that require a sustainable water
3 supply where there is no feasible method of providing such a supply creates an internal inconsistency.

4 178. The 2010 General Plan policies permitting substantial new development conflict with policies
5 requiring prevention of overdrafting of, and seawater intrusion into, groundwater aquifers.

6 179. The 2010 General Plan policies permitting substantial new development conflict with policies
7 requiring protection of water and biological resources.

8 180. The County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
9 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
10 and findings are not supported by substantial evidence because the 2010 General Plan is internally
11 inconsistent. The County's action approving the 2010 General Plan was therefore arbitrary and
12 capricious and constituted a prejudicial abuse of discretion, in that the County failed to proceed in the
13 manner required by the State Planning and Zoning Law, and adopted findings of General Plan
14 completeness and consistency that are not supported by the evidence.

15 **4. AWCP Internally Inconsistent**

16 181. The County adopted the Agriculture and Winery Corridor Plan ("AWCP") as a part of the
17 2010 General Plan. The AWCP purports to permit certain types of development and activities in the
18 AWCP area with a "ministerial permit," including certain "Artisan Wineries," winery-related events,
19 winery tasting facilities, food service facilities, guesthouses, residential units, and employee housing.

20 182. In response, to public comments, the County acknowledged that these uses will result in
21 significant impacts to traffic and biological resources, impacts that are not adequately identified and
22 mitigated by the 2010 General Plan EIR.

23 183. The County then revised the draft 2010 General Plan to require discretionary review and
24 mitigation of biological and traffic impacts as part of these purportedly "ministerial" AWCP permits.

25 184. Requirements for discretionary review are inconsistent with the AWCP's characterization of
26 permits for AWCP facilities as "ministerial." The AWCP and the 2010 General Plan are therefore
27 internally inconsistent.

28 /

1 185. The County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
2 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
3 and findings are not supported by substantial evidence because the AWCP is internally inconsistent. The
4 County's action approving the 2010 General Plan was therefore arbitrary and capricious and constituted a
5 prejudicial abuse of discretion, in that the County failed to proceed in the manner required by the State
6 Planning and Zoning Law, and adopted findings of General Plan completeness and consistency that are
7 not supported by the evidence.

8 **5. Planning Commission Recommendation And Referral**

9 186. Prior to adoption or amendment of a general plan, a County's Planning Commission, if it has
10 one, must make a written recommendation to the Board of Supervisors as to the adoption or approval.
11 Government Code, § 65354.

12 187. Any substantial modification proposed by the Board of Supervisors not previously considered
13 by the Planning Commission during its hearings must be referred to the Planning Commission for its
14 recommendation prior to action by the Board of Supervisors. Government Code, § 65356.

15 188. The Planning Commission failed, and acknowledged its failure, to make a recommendation to
16 the Board of Supervisors as to the definition of a Long Term Sustainable Water Supply or as to the
17 content of Policy PS-3.2, which was intended to provide criteria for a Long Term Sustainable Water
18 Supply.

19 189. The Board of Supervisors substantively modified to 2010 General Plan by adopting a
20 definition of Long Term Sustainable Water Supply, by drafting Policy PS-3.2, and by making other
21 substantive changes to the draft 2010 General Plan. However, the Board of Supervisors failed to refer
22 these changes to the Planning Commission for its recommendation prior to action by the Board of
23 Supervisors.

24 190. Because of these procedural errors, the public was denied an opportunity for meaningful
25 participation in the formulation and approval of the 2010 General Plan.

26 191. The County's approval of the 2010 General Plan was a prejudicial abuse of discretion and
27 arbitrary and capricious in that the County did not proceed in the manner required by law and its decision
28 and findings are not supported by substantial evidence because the Planning Commission

1 recommendation and referral were improper. The County's action approving the 2010 General Plan was
2 therefore arbitrary and capricious and constituted a prejudicial abuse of discretion, in that the County
3 failed to proceed in the manner required by the State Planning and Zoning Law, and adopted findings of
4 General Plan completeness and consistency that are not supported by the evidence.

5 **THIRD CLAIM FOR RELIEF**

6 **(Water Supply – Violation of SB 610 and CEQA)**

7 192. Petitioner here incorporates by reference all preceding paragraphs in their entirety.

8 193. Under the provisions of Senate Bill 610 ("SB 610"), a lead agency is required to prepare or
9 obtain a water supply assessment ("WSA") for large projects and to include this assessment in the CEQA
10 document prepared for the project. Pub. Resources Code, § 21151.9; Water Code, §§ 10911(b),
11 10912(a).

12 194. The water supply assessment and any plans for additional supplies must be included in the
13 EIR. Water Code, § 10911(b).

14 195. The AWCP is subject to these requirements because, *inter alia*, it is a project that will occupy
15 more than 40 acres, will demand water equivalent to or greater than 500 dwelling units, and purports to
16 be exempt from further CEQA review. Water Code, § 10912(a).

17 196. The EIR did not contain a water supply assessment for the AWCP in compliance with SB610.

18 197. Information in the EIR fails to meet the SB 610 informational requirements.

19 198. Because the EIR fails to present essential information that is statutorily required under SB
20 610, there is no substantial evidence to support a determination that there is an adequate water supply for
21 the AWCP. Most notably, the EIR does not present substantial evidence that essential additional
22 supplies can be developed in light of basin overdrafting and other environmental constraints.

23 199. In approving the 2010 General Plan without preparing an adequate water supply assessment,
24 the County prejudicially abused its discretion by failing to proceed in the manner required by SB 610 and
25 CEQA, and by adopting findings that are not supported by the evidence.

26 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

27 200. This action is brought consistent with the requirements of Public Resources Code section
28 21177 and Code of Civil Procedure sections 1085 and/or 1094.5. Petitioner objected to the County's

1 approval of the 2010 General Plan orally or in writing prior to the close of the public hearing on the
2 project before the issuance of the Notice of Determination. Petitioner and/or other agencies and
3 individuals raised the legal deficiencies asserted in this petition orally or in writing prior to the close of
4 the public hearing on the project before the issuance of the Notice of Determination.

5 201. Petitioner has performed all conditions precedent to filing this action by complying with the
6 requirements of Public Resources Code section 21167.5 in serving notice of the commencement of this
7 action November 24, 2010.

8 **INADEQUATE REMEDY AT LAW**

9 202. Petitioner declares that it has no plain, speedy, and adequate remedy in the ordinary course of
10 law for the improper action of the County.

11 **NECESSITY FOR TEMPORARY RELIEF**

12 203. If development consistent with the 2010 General Plan is allowed to commence prior to the
13 Court's final judgment on the merits, Petitioner and the environment will be greatly, permanently and
14 irreparably injured from the resulting unmitigated environmental, aesthetic, recreational, and land use
15 impacts.

16 204. Government Code section 65757 provides that during the pendency of a challenge to a general
17 plan under the State Planning and Zoning Law, the court may, upon a showing of probable success on the
18 merits, grant temporary relief, including suspension of authority to issue permits, to grant zoning
19 changes, and to grant subdivision map approvals.

20 205. Under Code of Civil Procedure section 526, this Court may issue a temporary restraining
21 order and/or a preliminary injunction during the pendency of the proceedings to prevent great or
22 irreparable injury.

23 206. Under Code of Civil Procedure section 1094.5(g), this Court may issue a stay order during the
24 pendency of the proceedings unless it is satisfied that a stay would be against the public interest.
25 Imposition of a stay would not be against the public interest in that the public will derive no benefit from
26 the 2010 General Plan prior to the Court's final judgment.

27 //

28 /

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTORNEYS' FEES

207. Petitioners are entitled to recover attorneys' fees as provided in Code of Civil Procedure section 1021.5 if they prevail in this action and the Court finds that a significant benefit has been conferred on the general public or a large class of persons, and that the necessity and burden of private enforcement is such as to make an award of fees appropriate.

PRAYER

WHEREFORE, Petitioners pray for entry of judgment as follows:

1. For a peremptory writ of mandate directing the County:
 - (a) to set aside its October 26, 2010 action certifying an EIR for the 2010 General Plan;
 - (b) to set aside its October 26, 2010 action approving the 2010 General Plan;
 - (c) to refrain from issuing permits, granting zoning changes, or granting subdivision map approvals until the County has taken action necessary to bring its approval of a new general plan or general plan amendments into compliance with CEQA, the Planning and Zoning Law, and SB 610;
 - (d) to comply with CEQA in any subsequent action or actions taken to approve a general plan;
 - (e) to bring its General Plan into compliance with all applicable provisions of Government Code section 65300, *et seq.* within 120 days.
2. For an order granting temporary relief, including a prohibition of permits, zoning changes, and subdivision map approvals, pending the outcome of this proceeding.
3. For a preliminary and permanent injunction directing the County to cease and refrain from engaging in any action purporting to be authorized by the 2010 General Plan that could result in any change or alteration in the physical environment until the County takes any necessary action to bring its action into compliance with CEQA, the Planning and Zoning Law, and SB 610.
4. For their costs of suit.
5. For an award of attorneys' fees.
6. For other legal or equitable relief that the Court deems just and proper.

/

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 24, 2010

M. R. WOLFE & ASSOCIATES, P.C.



Mark R. Wolfe
John H. Farrow
Attorneys for Plaintiff and Petitioner

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

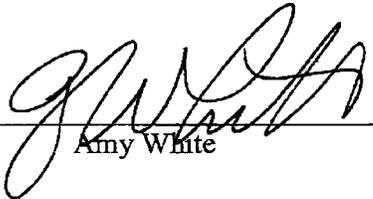
VERIFICATION

I, Amy White, declare:

I am the Executive Director of LandWatch Monterey County, the Petitioner in the above-captioned action. I have read the foregoing PETITION FOR WRIT OF MANDATE and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe them to be true.

I am signing this document at Salinas, California, and affirm, under penalty of perjury, that the foregoing is true and correct.

Dated: November 22, 2010



Amy White



CITY OF MARINA

211 Hillcrest Avenue
Marina, CA 93933
831-884-1278; FAX 831-384-9148
www.ci.marina.ca.us

June 13, 2011

Ms. Jane Parker, Chair
Board of Supervisors
County of Monterey
168 West Alisal Street, First Floor
Salinas, CA 93901

Dear Chair Parker,

The matter that will be before you on June 14th is one that relates directly to which is the best approach to removing blight and developing the former Fort Ord to be what the Fort Ord Reuse Plan mandates. This is most properly not a political issue but one that calls for a decision based upon what should be done.

I urge the Board of Supervisors (BOS) to affirm the recent unanimous County Planning Commission decision on this issue or defer the certification of the Whispering Oaks EIR until potential inadequacies in it can be addressed. Upon review of the EIR it can be seen that the alternatives given were limited and did not mention existing recreation across the Whispering Oaks location nor did they fully address opportunities to reduce loss of recreation trail networks between the Marina Equestrian Center and Jerry Smith Corridor or the loss of biotic resources (primarily the loss of oak woodland habitat).

The City Council of Marina and many concerned persons ask that you give the staffs of the City, County, and MST 3-4 weeks additional time to compare the advantages and disadvantages of the Whispering Oaks location to an alternate location near the Marina Municipal Airport. The alternate location has many advantages including but not limited to extensive existing infrastructure, no need for tree removal, replanting or maintenance of trees. None of these advantages exist at the Whispering Oaks location. Thus the alternate location may very well turn out to be less expensive and faster to develop than the Whispering Oaks location.

The Whispering Oaks location is within the Sphere of Influence (SOI) of Marina, just outside Marina City limits. On June 8th Marina's City Council held a workshop to consider the annexation of this SOI and voted to produce a workplan of the steps needed to achieve this. Whispering Oaks is within a few hundred feet of occupied CSUMB land and therefore is important to be developed with uses that integrate this currently-isolated university into the City of Marina.

While everyone supports MST's mission to provide mass transit as an alternative transportation, very few, if any, at CSUMB seem to like the idea of removing 3400-4400 trees and placing a bus maintenance and admin facility so close to their residences and other planned buildings. It does not make sense to them that the opportunity to remove blight from the former Fort Ord is being disregarded and natural habitat is being destroyed. Even the MST Board of Directors' vote on going forward in this present manner was not unanimous. Evidently concerns were expressed as to the reasonableness of going forward with a project that harms the existing habitat while disregarding the existing blight.

As Marina has experienced, previously-desired developments on Fort Ord are unlikely to occur in our near future. If this is true and we develop natural areas before blighted areas we may be left with unused blight such as at the airport and open space/habitat lost unnecessarily. The East Garrison Project is an example of a planned and desired development that cleared woodland but failed to be completed due to the lack of demand for housing and commercial real estate sites.

I have personally walked through and around the proposed location at Whispering Oaks. I have observed oak woodlands throughout Fort Ord and the State of California, it is apparent to me that the Whispering Oaks woodland is of normal health. There is a mix of young, old, and dying trees. The nature of oak woodland is not to be safe or pretty for human use, but to provide a matrix of values to other plants and animals. This oak woodland is doing fine. It has dense oaks, a plethora of native plant species such as wild currents and gooseberries, wildlife such as black-tailed jack rabbit, bobcats, and the other typical characters of oak woodland in Monterey County. When older oaks die, they simply create openings for the younger oaks to grow into - these openings do not stay open for long. One only needs to walk through or drive by this location's woodland to see it is very normal as compared to the rest of Fort Ord. Thinking it's okay to bulldoze this woodland because it has some older trees is mischaracterizing the natural value and purpose of Coast Live Oak Woodland. Whether or not to rezone the 58-acre site should not be decided on an erroneous understanding of the value and purpose of woodland of this kind.

Opposition to the planned Whispering Oaks bus yard and business park is a case where the public has provided leadership and now some leaders have followed because of the logic and good sense of the public concerns. It is my hope that a long-term partnership arrangement can be worked out between MST, County RDA, Marina RDA, UCMBEST, and the City of Marina. Should further consideration of the Marina Airport alternative be deemed best for the community, then the County RDA and everyone involved can share in the success of regional planning such that this is a win for all parties. This may involve creative long-term financial arrangements with tax increment sharing or further land sharing or exchanges.

You are urged to not certify the EIR. You are asked to proceed in a logical manner that addresses the concerns of many while assuring that the MST facility will be constructed in a location that is in the best interest of all involved. If you are inclined to certify this EIR it is requested that you do so on condition that the respective staffs meet and confer as to the advantages and disadvantages of locating the facility at the Marina Airport location and report back to you at your next scheduled meeting.

Finally, a lot has been made about the funds spent to date. A true understanding of funds to be saved, excavation to be avoided, documentary process to be reduced and benefits to be considered by locating this project at the Marina Airport have not addressed. Your role in this matter is to make certain that these considerations are fully vetted.

Thank you for your consideration and I hope you support a few weeks of deliberation by the most affected entities instead of supporting this project regardless of its drawbacks.

Below are the City of Marina's specific comments for your consideration regarding political, environmental, operational, and financial points:

Political

1. Marina Airport location better fits the objectives of the FOR A Base Reuse Plan, Monterey County's General Plan, City of Marina General Plan, CSUMB Master Plan, and UCMBEST vision process better than the Whispering Oaks location. Individually and collectively the policies and land use objectives of all these plans place strong emphasis on respecting and enhancing the natural resources of Fort Ord by developing jobs and services where they maximize job creation and minimizing impacts to sensitive resources. Both the Marina Airport and Whispering Oaks locations are located on former Fort Ord, but only one of them, the airport, is dominated by blight and has no oak woodland.

2. If the Marina Airport business park was used for MST operations EDA and FORA investments would be finally utilized. Millions of dollars have already been invested to bring roads and utilities to the site including roundabouts, Research Dr. and University Dr., improved Blanco Road and Imjin Parkway intersections with Reservation Rd., and improved Imjin Rd., Blanco Rd. , and Reservation Rd. This infrastructure is in place and ready for expanded use, enabling MST to have needed ingress and egress now.
3. Choosing the Marina Airport location would also provide an anchor tenant (MST) to the Marina Airport Business Park and UCMBEST area helping to achieve the goals of current UCMBEST visioning process to jump start the job creation envisioned there.
4. It is typically the role of a City to oversee development and the City of Marina can likely process developments faster through the City process than County can using County process.
5. City-centered growth principles are better served by redeveloping the blight at Marina Airport than destroying oak woodland at the Whispering Oak site.
6. If development is to occur along Intergarrison Blvd. it is better for CSUMB to have that development be a mixed-use of commercial, retail, and open space that would bring college-friendly cafes, music venues, delis, and green businesses. This would better serve University students, faculty, and staff and help them mature into a university atmosphere like is found at nearby universities such as Cal State San Luis Obispo.
7. It would be unwise politically to build a business park at the Whispering Oaks site when the UC-MBEST site is almost completely vacant. Building a business park at the Whispering Oaks site would make it hard for both that business park and UC-MBEST project to succeed. Development of two heavy commercial projects in two locations within two miles of the other is not justifiable in the current economy. Current commercial/industrial vacancy rates prove that point. Both Marina and BOS must scrutinize development plans which were viable if economic projections of early years of the last decade were realized and continued. Such economic projections were not realized; the impact of economic principals of supply and demand are evident throughout our County and City. Leaders are expected to adapt to such changes and the opportunity to do so is presented given the Airport alternative.
8. The Whispering Oaks location would deprive Marina and the region of a major future tourist draw; the coastal recreation trail to-Jerry Smith Corridor trail system. Due to Marina's demographic composition of 40% very low and low income households, for environmental justice reasons it is important to maintain this connection to nature for Marina citizens. The current connection between the

Marina Equestrian Center and Jerry Smith Corridor also makes Marina the literal gateway to the peninsula and a primary destination in itself, because Marina controls the sole trail hub and most of the thoroughfare. Not only does the destruction of this system frustrate the intentions of the Army, FORA, and National Park Service (in deeding the Marina Equestrian Center to Marina), it deals a blow to bike tourists and other recreationalists, now and in the future.

Environmental

1. As stated on pg. 4-1 of draft EIR for MST Whispering Oaks Business Park, CEQA (15126.6b) requires that alternatives focus on those capable of eliminating any significant adverse impacts even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly. It is very possible that the Marina Airport alternative would remove most significant impacts, while still achieving project objectives and lowering the overall cost of the project. The significant and unavoidable environmental impacts at Whispering Oaks MST and business park that would NOT occur at the Marina Airport Business Park site include the following(see pgs. 5-2,5-3):

- a. The proposed project would remove trees from nearly half the project site. Impacts to the overall visual quality of the site would be significant and unavoidable when viewed from when viewed from Inter-Garrison Rd. and public areas overlooking the site.
- b. MST facility has potential to illuminate 15 acres of parking lots during nighttime hours. This would result in significant and unavoidable light and glare impacts in the vicinity of CSUMB. (p. 5-2 draft EIR)
- c. The addition of new vehicle trips to the northbound and southbound Hwy 1 off-ramps at Imjin Parkway which are already operating at Level of Service F. This would be a significant impact. The required mitigation measures are subject to Caltrans approval, and MoCo cannot be assured the necessary improvements can be accomplished so this impact is significant and unavoidable. Were the airport alternative site used, many southbound buses could run thru Marina to the planned Monterey Branch Line and avoid Imjin Parkway off ramps.
- d. The proposed project would remove oak woodland over approx. 50 acres of the site for urban development. This would be a significant irreversible project effect.

2. The Whispering Oaks project would violate the County policy regarding Oak woodlands. (Please see Monterey County Planning Commission findings).

3. The EIR's decision to ignore a mile-long recreation trail on the Whispering Oaks site is a large oversight. This trail has been in use for decades and was enhanced within the past several months by CSUMB, which built it a crosswalk over Intergarrison, and by FORA, which defined an access corridor from the crosswalk to the Jerry Smith Corridor, and by the Monterey County Herald, who put it on the front page.

4. No trees are currently at the Airport Site

5. No sensitive receptors, such as residential neighborhoods or recreation trails, are at the Airport site. MST's plan to use "Engineer Road" and Imjin Rd. for all bus traffic to exit Whispering Oaks would create a health and safety hazard for equestrians and other recreationalists who currently cross Imjin Rd. at a well-signed and marked crosswalk.

6. No sensitive biological resources would be affected at the Airport site.

7. Heavy industrial use is more appropriate at the Airport than at the Intergarrison Road site. CSUMB bicycle and other traffic will be severely degraded by industrial uses and traffic along Intergarrison.

Operational

1. The Airport is closer to arterial roadways such as Blanco and Reservation Rd.

2. The Airport site is closer to Salinas.

3. Buses traveling to Salinas and south County would not need to go thru CSUMB campus housing if MST were to locate at the Marina Airport.

Financial

1. It is possible that \$2-4M will need to be invested by the County in road improvements at Whispering Oaks site that would not be needed at Airport site.

2. The Airport site already has adjacent infrastructure

a. sewer service;

b. water service;

c. appropriate fire flows available in the water lines;

d. electrical power lines;

e. traffic signals;

f. roads;

g. 2011 remodeled fire station to provide fire protection services from the City of Marina;

h. police protection service from the City of Marina;

j. high speed fiber optic lines.

3. FORA fees = \$500K at WO – MST may not need to pay FORA fees at the Airport site

4. The CEQA process for the Marina Airport site could incorporate much of the environmental analysis already prepared for the Whispering Oaks location, including air quality, and green house gas emissions. Environmental issue specific

to the airport business park would include consistency with Airport Land Use Plan and a traffic analysis. It is estimated these costs would likely not exceed \$100K-300K Entitlements for the project would include at a minimum a tentative map, and design review.

5. The reported \$4.7 million spent by MST on engineering and design for the Whispering Oak site is used to imply prior expenses justify the Whispering Oaks location. However, if the final project cost is theoretically \$90 million at Whispering Oaks but only \$75 million at the Marina Airport then the \$4.7 million of prior expenses wouldn't be a good justification of choosing the Whispering Oaks location. The Airport site finances are at least worth comparing to the Whispering Oaks proposal on a non-theoretical basis.

6. Due to rolling topography, 2 sewer lift stations are proposed for WO location. One siphon may be required.(p.1-43) Clearly, the Airport business park would be easier to install utilities than Whispering Oaks because all utilities to serve a business park have been stubbed out on the UCMBEST land adjacent to the city's business park.

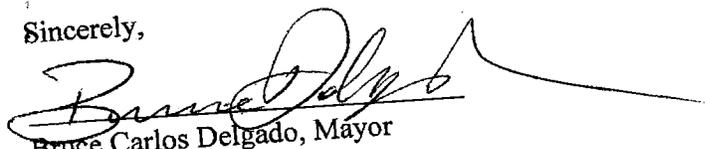
7. Significant on and off-site drainage basins would need to be constructed at the Whispering Oaks location given its rolling topography. On-site drainage alone would likely suffice at the Airport site and would not be a significant design issue as the airport area is relatively flat.

8. Significant grading of the site into two levels is planned as is the removal of most of the existing vegetation and 3,400-4,400 oak trees with the exception of a 20-foot corridor buffer along Inter-Garrison Rd.

9. Existing structures would need to be removed including lead-paints and asbestos if present.

In summary, it is my sincere hope and expectation and the hope and expectation of thousands of both my and your constituents that the Board of Supervisors delay certification of the Whispering Oaks Development Project until such time as MST, the City of Marina, the County RDA, and possibly CSUMB and UCMBEST have sufficient time to further explore, discuss, and possibly proceed on locating this project in the City of Marina.

Sincerely,



Bruce Carlos Delgado, Mayor
City of Marina



Website: www.morcantb.org

President: Gary Courtright; gacourtright@sbcglobal.net

To: Monterey County Board of Supervisors

Date: June 14, 2011

Subj: Item S-9, MST/Whispering Oaks, PLN110231

This letter is written on behalf of the MORCA (Monterey Off Road Cycling Association), a chapter of the International Mountain Bicycling Association (IMBA). Our group has several hundred e-mail members who regularly enjoy the trails of the former Fort Ord. MORCA is a member of the FORA/ESCA Trail User's Group and FORT Friends, and has established positive relationships with BLM and FORA land managers. MORCA is particularly interested in preserving and enhancing trail access to enable local families to enjoy riding mountain bikes in the former Fort Ord. We strive toward future communities that include coordinated bike trails, parks, and access to local trails that can be enjoyed by all user groups, while preserving the habitat quality of the area.

MORCA is concerned about the significant adverse impact of the proposed MST/Whispering Oaks Project, as presently located, on an important trails corridor that was not adequately described in the project Environmental Impact Report (EIR). The current Sgt. Allan MacDonald Cavalry Trail is a major link from the Marina Equestrian Center (MEC) to the Jerry Smith Access Corridor, the primary entryway from the Marina/Salinas area to the federal BLM public trail network. This trail would also be an important link to the County-sponsored Fort Ord Recreation Habitat Area (FORHA).

MORCA believes the EIR is lacking in that it does not review the alternative offered by the City of Marina to locate the project at the Marina Airport. A thorough analysis of this alternative is needed to comply with the California Environmental Quality Act (CEQA) Guidelines 15126.6. Importantly, CEQA Guidelines 15126.6 (b) specifically directs the EIR to:

"... focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." [italic added for emphasis]

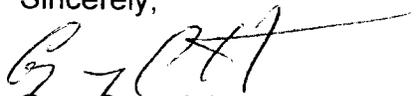
We appreciate County staff's effort to address the concerns raised by the Planning Commission and public. However, there was little time for public review and understanding of this response. Also, the suggested changes fall short of a thorough

assessment of: (a) impacts to public recreation (and mitigation), and (b) determination of whether the Marina Airport site is the least damaging feasible alternative, as required by CEQA.

Similar to FORT Friends, MORCA urges the Board of Supervisors to: (a) deny the appeal; (b) either deny the project without prejudice at this time, or delay a formal decision; and (c) direct staff to revise and recirculate the Draft EIR for later consideration, including a careful review and discussion of public concerns previously and in this letter, and an analysis of the Marina Airport site in the alternatives chapter.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Courtright", with a long horizontal flourish extending to the right.

Gary Courtright

President

MORCA, a Chapter of IMBA